

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

Standards and Audit Committee

The meeting will be held at **7.00 pm** on **19 July 2023**

Committee Room 2, Civic Offices, New Road, Grays, Essex, RM17 6SL

Membership:

Councillors Fraser Massey (Chair), Steve Liddiard (Vice-Chair), Gary Collins, Elizabeth Rigby, Kairen Raper and James Thandi

Charles Clarke
Jasdip Singh Nijjar

Substitutes:

Councillors Valerie Morris-Cook

Agenda

Open to Public and Press

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Queries regarding this Agenda or notification of apologies:

Please contact Rhiannon Whiteley, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **11 July 2023**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
 - High quality, consistent and accessible public services which are right first time
 - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
 - Communities are empowered to make choices and be safer and stronger together

2. **Place** – a heritage-rich borough which is ambitious for its future
 - Roads, houses and public spaces that connect people and places
 - Clean environments that everyone has reason to take pride in
 - Fewer public buildings with better services

3. **Prosperity** – a borough which enables everyone to achieve their aspirations
 - Attractive opportunities for businesses and investors to enhance the local economy
 - Vocational and academic education, skills and job opportunities for all
 - Commercial, entrepreneurial and connected public services

Minutes of the Meeting of the Standards and Audit Committee held on 23 February 2023 at 7.00 pm

Present: Councillors Elizabeth Rigby (Chair), James Thandi (Vice-Chair), Gary Collins, Steve Liddiard, Kairen Raper and Shane Ralph (Substitute) (substitute for Allen Mayes)

Charles Clarke

Apologies:

In attendance:

Rachel Brittain, Binder Dijke Otte (BDO)
Gary Clifford, Chief Internal Auditor
Michael Dineen, Assistant Director Counter Fraud, Enforcement and Community Safety
Andy Owen, Corporate Risk and Insurance Manager
Jonathan Wilson, Interim Director Finance & S151 Officer
Rhiannon Whiteley, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

The Vice Chair started the meeting as the Chair was running late.

29. Minutes

The minutes of the meeting held on 24 November 2022 were approved as a correct record.

30. Items of Urgent Business

There were no items of urgent business.

31. Declaration of Interests

No interests were declared.

32. Audit Progress Report for Year Ended 31 March 2022 - Verbal Update

Rachel Brittan of BDO confirmed they are making every effort to complete the audit as soon as possible and to a high quality.

Rachel Brittain confirmed that officers have rightly been focused on the Commissioners and budget setting. A timeline has been agreed with officers

to complete the audit procedure. All information will be obtained by the start of July with a view to the report being completed by November 2023.

Councillor Ralph queried what the biggest hurdle has been to completing the audit.

The Assistant Director of Finance responded that they are largely historic issues. The audit was progressing well prior to the intervention, then a key member left the Audit team and the wider information regarding investments came to light. He confirmed to the Committee that it is very technical and a lot of moving parts have arisen as a result of the intervention.

Councillor Thandi requested an update as to when the Best Value Inspection report will be received.

The Assistant Director of Finances responded that it has been delivered to the Secretary of State. It will be released as soon as possible but it is looking like the second week of March.

Councillor Ralph queried whether there is a risk of something coming up which will make the budget incorrect.

The Assistant Director of Finance confirmed that the Council is in a fluid position. They have quantified everything they know about to date. The timing of sales and investments could impact it. If solar assets are sold the exceptional support required from the Government will reduce.

Councillor Raper raised that the delays in completing the audit have now been explained at several meetings, she queried whether it is possible to receive any more information.

Rachel Brittain confirmed that she could provide some interim reporting at the next Standards and Audit Committee meeting.

19.14 The Chair joined the meeting.

33. In Quarter 4 Review of the Strategic/Corporate Risk and Opportunity Register

The Corporate Risk and Insurance Manager presented the report to the Committee.

19.20 Councillor Collins joined the meeting.

Councillor Raper queried whether due to the cutbacks specialist expertise from external consultants may be reduced and whether this will have an impact on risk and service delivery.

The Corporate Risk and Insurance Manager responded that there are capacity issues within the council and capacity issues in general will have an impact on delivery.

Councillor Liddiard noted that the rating for opportunities around digital has gone down to 6 from 9 $\frac{3}{4}$.

The Corporate Risk and Insurance Manager clarified that they would like to see opportunity ratings go up and risk go down. The opportunity for digital has reduced as the transformation plan has been scaled back to focus on the Improvement and Recovery Plan.

For the Property Owner Liability risk Councillor Raper enquired about the progress on the work to finalise the Concerto system. The Corporate Risk and Insurance Manager responded that he was not in a position to provide the answer but would query with the responsible department and notify the Councillor of the response.

Councillor Collins requested that officers expand on paragraph 7.1 on page 17.

The Assistant Director of Finance confirmed that as the S114 Notice is in place they are scaling back on transformation and digital. The S114 is supported by a panel process to review all expenditures. There is one panel for expenditure below £25,000 and one for expenditure over £25,000. They will be ensuring statutory services are met and looking at every penny that is spent. The Best Value Inspection will require the Council to transform areas such as governance and this range of actions will require additional short-term capacity.

Councillor Collins noted that flood risk was not mentioned on appendix 1.

The Corporate Risk and Insurance Manager clarified that the report concerns strategic corporate items. At a department level there would be a risk around flooding but that responsibility sits with the Emergency Planning Team.

Michael Dineen, AD for Investigation, Enforcement & Community Safety advised that he would make enquiries with the Emergency Planning Team with regards to the flooding item and notify the Councillor of the position.

Councillor Collins raised that item 6 had been removed on the risk register.

The Corporate Risk and Insurance Manager responded that the Government paused the Care Reforms and therefore the risk has been removed from the register. However, at a department level they will continue to monitor this.

Councillor Ralph referred to page 29 and the Stanford-Le-Hope transport interchange, he commented that he understood contractors are not engaging.

The Assistant Director of Finance responded that this project sits within the Place Directorate and Mark Bradbury is the Director. There was a contractor in place but they arrived at a point where inflationary matters became significant. It is therefore being reviewed and options are being looked at as to how this can be delivered.

Councillor Thandi asked about the 20 million pounds the Government gave to Tilbury.

The Assistant Director of Finance clarified that the Tilbury Towns Fund was given 19 million pounds from the Department of Levelling Up. That money is ring-fenced.

Councillor Collins highlighted that there was no penalty clause in the A13 contract, he queried if these will be included in future contracts.

The Assistant Director of Finance confirmed that they have worked within the contract and there is a huge challenge due to inflationary factors and the contractors are not happy. There has been learning as to how the contract works. The Assistant Director of Finance raised his concerns as to whether the risks should be with Local Authorities when they still have to deliver other wider services.

RESOLVED:

- 1.1 That Standards and Audit Committee review and comment on the items and details contained in the Dashboard (Appendix 1).**
- 1.2 That Standards and Audit Committee review and comment on the 'In Focus' report (Appendix 2), which highlights higher priority risks and opportunities identified by the review.**
- 1.3 That Standards and Audit Committee note the position with regard to the Government Intervention outlined in 2.6 to 2.12 of the report and in particular the Best Value Inspection of the governance arrangements (including risk management) detailed under sections 2.6 and 2.12.**
- 1.4 That Standards and Audit Committee note that the Strategic/Corporate Risk and Opportunity Register will be refreshed in this context in 2023/24.**

34. Counter Fraud & Investigation Quarterly Update (Q3 Oct-Dec)

The Assistant Director for Investigation, Enforcement and Community Safety presented the report to the Committee and summarised the performance of the department for Quarter 3 (Q3) of 2022/23.

- 3 reports of suspected fraud have been received
- 7 Investigations have been closed as 'no fraud'
- 4 sanctions have been delivered in cases of proven fraud
- 1 Social housing property has been recovered this quarter
- 107 active investigations are currently being conducted

The Assistant Director for Investigation, Enforcement and Community Safety explained the circumstances surrounding the Counter Fraud Investigation Team's separation from NATIS which was necessary due to the function of NATIS expanding significantly. He confirmed they still have access to the specialism provided by NATIS but the Counter Fraud Investigation Team will be concentrating on matters relating to Thurrock only whereas NATIS has a national function.

The Assistant Director for Investigation, Enforcement and Community Safety confirmed that the team are targeting social housing and offences under the Protection of Social Housing Fraud Act. When offences like this are identified, individuals are dealt with as per the legislation and the priority is the return of social housing through recovery to the authorities housing stock. For every property that is recovered and returned to the housing stock from those that do not need, live in or qualify for them, £23,500 is, on average, saved by other council departments in various costs. The CFI team has recovered 2 social housing properties in the first 3 quarters of 2022/23 totalling a saving of £47,000 for the council as well as completing 7 separate sanctions, with a detected crime value of £192,300.

The Assistant Director for Investigation, Enforcement and Community Safety highlighted that the CFI had detected £4.62 of fraud per £1 spent. The CFI has also saved the council £1.13 for every £1 the CFI has spent. He stated that these two areas of work show good value for money.

Councillor Thandi queried whether the Assistant Director for Investigation, Enforcement and Community Safety had any input in the Best Value Inspection.

The Assistant Director for Investigation, Enforcement and Community Safety responded that the report is being completed independently but he confirmed he had been interviewed as part of the inspection.

Councillor Ralph commented that it has been misled in the press that the Council was doomed now the team has been narrowed. Councillor Ralph queried whether as a fully dedicated team they will be able to increase their services.

The Assistant Director for Investigation, Enforcement and Community Safety clarified that they will be a focused team and will now not be pulled away on

national matters. The main change is the senior management as opposed to boots on the ground. He reassured the Committee that the CFI team will investigate all offences that come through to them.

The meeting discussed how a resident can report the potential sub-letting of Council properties.

The Assistant Director for Investigation, Enforcement and Community Safety confirmed they can report this via the Council's website or by email to reportfraud@thurrock.gov.uk. The Assistant Director for Investigation, Enforcement and Community Safety confirmed they will also be completing a campaign and training Council staff on this.

Councillor Collins queried whether housing fraud is usually completed by organised crime or by individuals.

The Assistant Director for Investigation, Enforcement and Community Safety stated that he had seen both. When it is completed by organised crime it is often called "cuckooing".

Charles Clake noted at paragraph 3.5 of the report the team hoped to increase value for money. He queried what a good target ratio would be going forward.

The Assistant Director for Investigation, Enforcement and Community Safety stated that was difficult to say but he would estimate 3 for 1.

Councillor Ralph questioned if the Council loses at court whether the legal fees are paid by the Council.

The Assistant Director for Investigation, Enforcement and Community Safety responded that the legal fees can be charged to the Defendant if found guilty and this can be staggered if the Defendant doesn't have the funds to pay immediately.

Councillor Thandi queried if the team cover private homes rented as HMO's.

The Assistant Director for Investigation, Enforcement and Community Safety responded that this falls within the remit of the Housing department at present and they would therefore pass on any referrals to the Housing department

RESOLVED:

- 1.1 The Standards and Audit Committee comments on the performance of the Counter Fraud & Investigation Department.**

35. Internal Audit Progress Report 2022/23

The Chief Internal Auditor updated the Committee on recruitment and confirmed that a new Senior Auditor will be starting on the 17th April 2023 which still leaves one Senior Auditor role to fill.

The Chief Internal Auditor confirmed that following the S114 Notice being made he is one of the people who has been put on the new expenditure control panel which is taking up an additional 6 hours of his time per week.

The Chief Internal Auditor updated the Committee that following a discussion with Commissioners it has been decided that the 6 month Audit Plan and Annual Report due to be brought to this Committee meeting should be delayed until after the Best Value Inspection has been published. There is also little merit in bringing the 2021/22 plan to the Committee as it was before the intervention and therefore the 2021/22 and 2022/23 annual reports will be brought to the Committee together in the first meeting in the next municipal year.

Councillor Collins queried the use of Mazars.

The Chief Internal Auditor confirmed that as members of the APEX framework agreement with Croydon Council, they have now contacted the new client liaison Director for this contract with a view to using Mazars to provide resources in the short-term, until they can recruit into the vacant post. Mazars are a medium sized accountancy firm who complete internal audits. They complete IT audits as there is not the expertise within the Council's team and he explained that with the Best Value Inspection it can be useful using someone independent like Mazar as they are another set of eyes.

RESOLVED:

1.1 That the Standards & Audit Committee:

Consider the work being carried out by Internal Audit in relation to the 2022/23 audit plan and the update on the resourcing issues facing the service.

36. Internal Audit Protocol

The Chair agreed to hear item 10 on the Internal Audit Protocol before item 9.

The Chief Internal Auditor presented the report to the Committee and explained that the Internal Audit Protocol gives some general guidance on the responsibilities of Members, officers, and the Internal Audit team. It also provides detailed guidance on specific issues around the internal audit processes, such as turnaround times for reports and the timeliness of management responses.

The Chief Internal Auditor confirmed that on pages 107-109 of the agenda the responsibilities of members, senior management, the Standards and Audit Committee, internal and external auditors are set out. Some of the key points

are that Senior Management are responsible for ensuring there are proper internal controls in their service. Negative red reports that could have an impact on the Council's reputation have to go through Directors Board before they are issued as final. Any red reports should be reported to the Standards and Audit Committee by the relevant senior manager.

The Standards and Audit Committee review external and internal audit plans to ensure proper resourcing of its functions and ensure the risk management strategy is operational and reviewed periodically.

Where members are concerned in the Standards and Audit Committee they can report issues back to the Chief Executive and S151 Officer and this has been done before regarding major projects and officers were asked to attend the Standards and Audit Committee and give updates on the A13 project.

Page 110 sets out the details of the de-brief meeting. A de-brief meeting takes place within 10 days of the field work being completed.

The Chief Internal Auditor confirmed that the external and internal audit teams are not working together as closely as they did before the pandemic. This is a national issue too. The Internal Audit team do place reliance on external providers too such as CQC or Ofsted where they don't have the relevant expertise in-house.

Councillor Collins queried the internal system to flag up when things are not going as they should be as there doesn't appear to be anyone outside the organisation they can report it to if the concern is about a senior officer such as the S151 officer.

The Chief Internal Auditor responded that if Members had any suspicions about senior officers the Chief Internal Auditor has a right of access to the S151 Officer, Monitoring Officer and Chief Executive and he would not need to report into those senior officers if they were suspected of wrongdoing. If the Chief Internal Auditor had a concern about fraud, he would contact the fraud team straight away. The internal fraud team would then investigate.

Councillor Ralph queried what is being done in the new procedure and how has it been improved.

The Chief Internal Auditor confirmed that the Protocol has a great level of detail and is more robust than a lot of other Council's protocols.

Councillor Collins stated that he would like to see a paragraph confirming what the process is if senior officers are suspected of wrongdoing or fraud.

The Chief Internal Auditor agreed that could be done.

Councillor Ralph commented that Members could also contact the fraud team directly if they had concerns.

The Chair asked how relations with external auditors could be improved.

The Chief Internal Auditor stated that at the moment the focus is on the Best Value Inspection. They will set aside time in 2 to 3 months to update each other on where they are at to ensure they are not duplicating work.

An additional recommendation was suggested by Councillor Collins and this was seconded by Councillor Ralph. The recommendation was added at paragraph 1.2.

RESOLVED:

1.1 That the Standards & Audit Committee:

Agree that the Internal Audit Protocol provides the council and the Internal Audit Service with a process for improving the timeliness of reporting arrangements and sets out a formal escalation process for non-compliance.

1.2 An alternative route of reporting will be added to the Protocol if senior officers are suspected of fraud or wrongdoing.

37. Internal Audit Charter 2022

The Chief Internal Auditor presented the report to the Committee. He explained that the Internal Audit Charter was discussed in detail at the last Committee meeting and it had been agreed that it would be brought back to this meeting alongside the Internal Audit Protocol as the Protocol provides more detail than the Charter. The Chief Internal Auditor confirmed that the only change that has been made to the Charter is at the bottom of page 98, where it states that where staff do not have relevant technical expertise the internal auditor will place reliance on suitable external providers to align the Charter with the Protocol.

The Chief Internal Auditor referred back to what Councillor Collins had raised under the last item regarding what happens when potential fraud is suspected and on page 100 Section 10 of the Charter deals with fraud. It does say any fraud suspected in an internal audit review should be referred to the Assistant Director of Fraud. The Internal auditors would stop work immediately and discuss it with the internal fraud team and the fraud team will decide whether they want the internal auditors to do any further work or whether they want to take it on.

The Chief Internal Auditor confirmed that the Protocol is more of an internal working document so the flowchart of what to do in the scenario when fraud by Senior Officers is suspected would be more suitable to include in the Protocol than the Charter.

The Chief Internal Auditor confirmed if the Committee is happy with the Charter the Chair will need to sign it on behalf of the Committee.

RESOLVED:

- 1.1 That the Standards & Audit Committee approve the internal Audit Charter 2023 (Appendix 1) and the Chair of the Standards & Audit Committee signs the Charter on behalf of the Committee.

38. Work Programme

The meeting discussed what items will need to be brought to the first Committee in the new municipal year.

Councillor Collins requested a report on the Best Value Inspection.

The Internal Audit Strategy 2021/22 to 2023/23 and Annual Internal Audit Plan 2023/24 and the Chief Internal Auditor's Annual Report – Year ended 31 March 2022 will also be brought to the next meeting.

The meeting finished at 8.34 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**

2. Standards and Audit Committee	
<p>Appointed by:</p> <p>The Council, in accordance with the provisions of S101 and S102 Local Government Act 1972 and Regulations made thereunder.</p>	<p>Number of Elected Members:</p> <p>Six elected Members (of whom one member may be a member of the Executive nominated by the Leader of the Council)</p>
<p>Chair and Vice-Chair appointed by:</p> <ol style="list-style-type: none"> 1. The Chair will be appointed by Council. 2. There will be one Vice Chair, who will be appointed by Council 3. The Vice-Chair shall deputise for the Chair in his or her absence. 	<p>Political Proportionality:</p> <p>Rules of political proportionality apply.</p> <p>Substitutes:</p> <p>Substitutes are permitted for the Standards and Audit Committee.</p> <p>Frequency:</p> <p>At least quarterly.</p> <p>Venue:</p> <p>As set out in the approved Calendar of Meetings.</p>
<p>Quorum:</p> <p>At least three voting Members of the Committee</p>	<p>Co-opted Members to be appointed by Council:</p> <p>Up to six non-voting, to be appointed by the Committee</p> <p>Independent Person to be appointed by the Council:</p> <p>Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011</p> <p>The Independent Person shall be invited to attend the meetings of the Standards and Audit Committee</p>
<p>Terms of Reference:</p> <p>The Standards and Audit Committee will have the following roles and functions.</p> <p>Standards functions determined by Council:</p> <ol style="list-style-type: none"> 1.1 promoting and maintaining high standards of conduct by Members and Co-Opted Members of the authority 1.2 receiving periodic reports from the Monitoring Officer on dispensations granted / refused, complaints received against Members, complaints resolved informally, complaints resolved 	

after an investigation and a Members Advisory Panel Hearing and assessing the operation and effectiveness of the Members' Code of Conduct

- 1.3 advising on training or arranging to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct
- 1.4 assisting Councillors and co-opted Members to observe the Members' Code of Conduct
- 1.5 to receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority's assessment criteria
- 1.6 advising the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council
- 1.7 maintaining oversight of the Council's arrangements for dealing with complaints
- 1.8 informing Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints
- 1.9 appointment of Members' Advisory Panel (a Working Group of the Committee) to hear and make recommendations to the Monitoring Officer concerning complaints about Members and Co-Opted Members referred to it by the Monitoring Officer
- 1.10 on referral by the Monitoring Officer to grant dispensations after consultation with the Independent Person pursuant to S33(2) (b), (c) and (e) of the Localism Act 2011
- 1.11 hear and determine appeals against refusal to grant dispensations by the Monitoring Officer pursuant to S33(2)(a) and (d) of the Localism Act 2011

Audit functions determined by the Council:

- 1.12 providing independent assurance that the Authority's financial and risk management is adequate and effective and that there is a sound system of internal control that facilitates the effective exercise of its functions, including:
 - 1.12.1. keeping under review the Authority's own audit standards and whether they are relevant and represent best practice
 - 1.12.2. considering or reviewing the following and the action taken on them and advising the Council and/or the Cabinet, as appropriate:
 - (a) internal and external audit plans and progress against plans
 - (b) summaries of external and internal audit reports and progress against recommendations made in audit reports
 - (c) the annual report of the internal auditor and the Annual Governance Statement
 - (d) approving the annual statement of accounts and whether appropriate accounting policies have been followed

- (e) reports from inspection agencies, including the external auditor's Annual Management letter and report to those charged with governance issues
- (f) keeping under review the Authority's control environment and anti-fraud and anticorruption arrangements, including compliance with the Financial and Contracts Procedure Rules
- (g) keeping under review the relationships between external and internal audit and other inspection agencies

1.13 reviewing the performance of the Council's appointed Internal Audit provider

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19 July 2023		ITEM: 7
Standards and Audit Committee		
Gift and Hospitality		
Wards and communities affected: All	Key Decision: Not applicable	
Report of: Asmat Hussain Interim Director of Law and Governance		
Accountable Assistant Director: n/a		
Accountable Director: Asmat Hussain Interim Director of Law and Governance		
This report is Public		

Executive Summary

The Council's Code of Conduct for Councillors set out obligations, which are the minimum standards of conduct required of Councillors. The Council's Members' Code of Conduct requires Members to ensure that any gifts and hospitality offered to them are recorded in a register which is published along with the Members' register of interests on the Council's website. This report provides information on an audit carried out on gifts and hospitality declared by Members. This report is the first of its kind to be presented to the Standard and Audit Committee.

1. Recommendation(s)

- 1.1 That the Standard & Audit Committee receives and notes the report.
- 1.2 That the Standard & Audit Committee agrees to receive a review of the Gifts and Hospitality Register for Councillors on an annual basis.
- 1.3 That the Standard & Audit Committee note and comment on the process for great transparency and accountability for gifts and hospitality set out in paragraph 2.7.

2. Introduction and Background

- 2.1 The Members' Code of Conduct places a requirement on Members not to accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on the Member's part to show favour from persons seeking to acquire, develop or do business with the Council, or from persons who may apply to the Council for any permission, licence or other significant advantage.
- 2.2 In order to protect Members position and the reputation of the Council, Members are required to exercise caution in accepting any gifts or hospitality which are (or which they reasonably believe to be) offered because a Member is a councillor. The presumption is that Members should always not accept significant gifts or hospitality.
- 2.3 However, there may be times when such a refusal may be difficult if it is seen as rudeness, in which case Members could accept it but must ensure it is publicly registered. The Code provides that Members must register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of the date it was received.
- 2.4 It is also a requirement of the Code for Members to register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept. This helps the Council to identify if there are any patterns and to be aware of who might be seeking to influence the Council.
- 2.5 Registering gifts or hospitality received under the Code does not automatically mean it is appropriate or sensible to accept them. Particular care should be taken in relation to gifts and hospitality offered by current or potential contractors for the Council and also by applicants and others in relation to planning applications.
- 2.6 To ensure that there is greater transparency and accountability, and to create and maintain public confidence in the role of Members and the Council, the gifts and hospitality form for Members has been updated. The updated form will be sent all Members bi-annually and will include a new requirement for Members who have not accepted or been offered any gifts or hospitality to declare a nil return.

3. Issues, Options and Analysis of Options

- 3.1 An audit of the list of entries made in the register for Members gifts and hospitality is attached at Appendix 1.

- 3.2 The list of entries show that 10 Councillors made notifications of gifts and hospitality received on 10 occasions. These are summarised as follows:

<u>Year</u>	<u>Type of Entry onto the register</u>
2015	1 Gift
2017	1 Event, 1 Trip
2018	1 Trip, 2 Events, 1 Donation
2021	1 Event
2022	1 Gift
2023	1 Event

- 3.3 The number of registrations is low, and it is for each individual Member to exercise sound judgement to decide whether to accept or refuse any gift or hospitality offered. Training is provided to all Members on the Code of Conduct, which includes gifts and hospitality.

4. Reasons for Recommendations

- 4.1 To promote and maintain high standards of ethical behaviour for all Councillors.
- 4.2 To create and maintain public confidence in the role of councillors and local government.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 Not applicable.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The Members Code of Conduct encourages good conduct and safeguard the public's trust and confidence in the role of councillors, thereby assisting the Council to meet its corporate policies and priorities, as well as maintaining public confidence.

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Senior Management Accountant

There are no financial implications arising from this report.

7.2 Legal

Implications verified by: **Gina Clarke**
Governance Lawyer and Deputy Monitoring Officer

Section 27 of the Localism Act 2011 requires the Council to promote and maintain high standards of ethical behaviour. Members are required by the Code of Conduct to register offers of gifts, and hospitality. Failure to register may be a breach of the Code of Conduct. In certain cases, the acceptance of a gift or hospitality could constitute a criminal offence under the Bribery Act 2010.

The gifts and hospitality process set out in paragraph 2.7 of the main report supports the Council's duty to promote and maintain high standard.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagement and Project Monitoring Officer

There are no specific diversity or equalities issues arising from this report.

7.4 Other implications (where significant) – i.e., Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

None.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

9. Appendices to the report

Appendix 1 – Gift and Hospitality Audit

Report Author:

Gina Clarke
Governance Lawyer and Deputy Monitoring Officer
Law and Governance

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MEMBERS GIFT AND HOSPITALITY to date

YEAR	NAME OF COUNCILLOR	STATUS
2015	Cllr T Aker*	£20 - Whiskey and Chocolates gift from resident - ACCEPTED
2017	Cllr Halden	£400 – Royal Opera House – Show and Drinks - ACCEPTED
	Cllr Ojetola*	Trip to New York as part of the Diversity Champions Programme – part paid for by Learning Workz – ACCEPTED
2018	Cllr Ojetola*	One day cruise – won at civic dinner - donated to mayor’s charity - ACCEPTED
	Cllr Halden	£200 – Royal Opera House – show and drinks – ACCEPTED
	Cllr Watkins*	£200 – Royal Opera House – show and drinks – ACCEPTED
	Cllr Hebb*	£30 from resident – Donated to the Stanford War Memorial Trust – ACCEPTED
2021	Cllr Pearce	£35 - Group 1 Automotive - Light refreshments (lunch and drinks) – ACCEPTED
2022	Cllr D Arnold & Cllr P Arnold	Approx £150 - Bottle of champagne and a garden gift voucher for engagement and wedding gift from Chief Executive – ACCEPTED
2023	Cllr Redsell	£50 – Telescopic Property Group – Mayor’s Event accepted on behalf of British Legion - ACCEPTED

*Former councillors who have now left the authority

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19 July 2023	ITEM: 8
Standards and Audit Committee	
Member Training Schedule 2023/24	
Wards and communities affected: Not applicable	Key Decision: Non-key
Report of: Matthew Boulter, Democratic Services Manager	
Accountable Assistant Director: Not Applicable	
Accountable Director: Asmat Hussain, Interim Director of Law and Governance	
This report is Public	

Executive Summary

Through this report the Standards and Audit Committee are asked to review and comment on the Member Training Schedule for 2023/24. The Training Schedule covers all aspects of inducting members following the May 2023 local elections and sets foundations for continual development.

1. Recommendation(s)

- 1.1 For the Standards and Audit Committee to review and comment on the Member Training Schedule for 2023/24.**
- 1.2 The Committee agree to receive a quarterly report, where necessary, on Member attendance and feedback at training sessions.**
- 1.3 Establish a Sub-committee of the Standards and Audit Committee to oversee and engage with Member Learning and Development.**
- 1.4 Agree the terms of reference attached at appendix D for the proposed sub-committee.**
- 1.5 To make and agree nominations to the sub-committee membership.**

2. Introduction and Background

- 2.1 The Member Training Schedule 2023/24 is composed of a number of sections, including the training schedule itself, which covers the skills Members require to participate in committees and undertake their role as community leaders. It also features the planned cultural and leadership**

development of Members through the Local Government Association (LGA) and a proposed Digital Academy.

- 2.2 The attached schedule includes a number of changes from previous schedules, including:
- New sessions have been added in response to the Improvement and Recovery Plan (IRP). These sessions include more training on financial decision making and a session on the IRP itself, orientating Members on the new ways of working and agenda for the Council's improvement.
 - The addition of the Local Government Association (LGA) Leadership Academy for use by the Leader, Leader of the Main Opposition and their deputies.
- 2.3 A Digital Academy section has also been added to capture any sessions officers feel Members need on using ICT/digital related apps which the council use.
- 2.4 Training is open to all Members, not just new starters.
- 2.5 The feedback following the All Members Briefing session on 13 March 2023 has been fed into the Member schedule:
- A new training schedule was needed and wanted by Members.
 - More elements of the training schedule should be mandatory for some members depending on their role and attendance should be recorded / reported.
 - Financial training should be mandatory for all Members regardless of roles, and some will require additional/more detailed training dependent on role.
 - Training schedule needed to acknowledge different learning styles – and there should be the possibility of tailoring to individuals, including one to one session if required.
 - New Members, in particular, often feel overwhelmed by the complexity of the information and therefore induction is refocussed.
- 2.6 As part of the Council's improvement journey, the LGA will be working with officers to offer cultural and leadership development to all Members. This offer has been received and is in the process of being rolled out. The offer includes targeted training for Overview and Scrutiny to be provided by the Centre for Governance and Scrutiny (CfGS), which will be introduced in coming months. Similarly places on the LGA's flagship Leadership Academy course has been offered to Members and a select number of senior Members have confirmed their attendance.
- 2.7 The Committee is recommended to establish a sub-committee to replace the former role of the Member Training Working Group, namely to oversee and engage with the ongoing work that officers will be progressing to enhance the member training offer going forwards. The proposed terms of reference for this sub-committee is attached at Appendix D.

3. Issues, Options and Analysis of Options

- 3.1 The provision and take up of training will be monitored throughout 2023/24 to evaluate its usefulness and relevance to Members. Following each training session, Members will be asked to complete a training evaluation form. Feedback will be used to provide improvements to future Member training. See Appendix C.
- 3.2 Key training sessions have been marked as 'mandatory' in response to Member wishes and this Committee, alongside group leaders and whips may be asked to support officers in encouraging and promoting attendance to important sessions.
- 3.3 The individual learning and further training requirements of Members will begin to be tracked through the training schedule and developed into supporting documentation to help Members identify their future development needs.

4. Reasons for Recommendation

- 4.1 The Member Training Schedule is a key part of the IRP and requires the Standards and Audit Committee's input to ensure Member ownership of the offer.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 The Senior Leadership Team and Directorate Management Teams have had the opportunity to comment on the training schedule. The Schedule was further shared with group leaders in March 2023.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The training schedule aligns with the priorities and requirements of council business and ensures Members have access to up to date and relevant training to undertake their roles as both committee members but also as community representatives and leaders. The schedule reinforces the good governance of the council and its decision-making processes. The cultural development aspects of the report support the Council's improvement priorities as identified by commissioners.

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Senior Management Accountant

The training schedule is intended to be delivered within existing budgets reserved for Member Training. Additional sessions and activity related to cultural development and learning are provided by the LGA as part of the Council's membership of that body.

7.2 **Legal**

Implications verified by: **Gina Clarke**
Governance Lawyer & Deputy Monitoring Officer

The Localism Act 2011 creates the ethical standards framework under which all Members and co-opted Members of the Council are required to comply with the Code of Conduct.

The Monitoring Officer is responsible for ensuring that appropriate training is given to Members on the ethical standards framework and the Code. This includes ensuring that training is provided on induction, and on a regular basis.

All Members have personal responsibility to ensure they comply with the provisions in the Code. Under paragraph 8 of the Code all Members are under an obligation to undertake Code of Conduct training provided by the Council. The proposals reflected in the report are compliant with the promotion and maintenance of high standards of conduct.

7.3 **Diversity and Equality**

Implications verified by: **Becky Lee**
Team Manager - Community Development and Equalities Adults, Housing and Health Directorate

Training will be provided in venues and in formats that are accessible with reasonable adjustments where required to ensure council fulfils responsibilities set out in the Equality Act 2010 and Public Sector Equality Duty.

There is a requirement for Members to undertake Equality and Diversity training which is accounted for in the schedule.

7.4 **Other implications** (where significant) – i.e., Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

Various training sessions impact upon important services and priorities of the council and will upskill Members in their decision making and knowledge

when dealing with these issues both at committee but also as community leaders.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

9. Appendices to the report

- Appendix A – Member Training Schedule 2023/24
- Appendix B – Induction Day Schedule
- Appendix C – Training Evaluation Form
- Appendix D – Draft Terms of Reference for the Member Learning and Development Sub-committee

Report Author:

Matthew Boulter

Democratic Services Manager

Legal and Democratic Services

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Member Training Schedule and Learning & Development 2023/24

Training Schedule

Title	Type of Training	Date*	Time	Lead Officer	Mandatory
Member Induction	Induction and Orientation	10 May 2023	10am	Various	Mandatory for all newly elected Members.
Meet & Greet with Leadership	Induction and Orientation	10 May 2023	3pm to 5.30pm	Various	Mandatory for all newly elected Members.
Code of Conduct	Induction and Orientation	16 May 2023	7pm	Monitoring Officer	Mandatory for all Members (excluding new members who would have received this training as part of their induction).
Intervention, Section 114 and Improvement & Recovery Plan: Explaining the new environment	Induction and Orientation	18 May 2023	7pm	Chief Executive, Senior Leadership Team	POSTPONED TO THE 1 JUNE 2023
Overview of Financial Accounts	Induction and Orientation	25 May 2023	7pm MST	Section 151 Officer	Mandatory for all Members.
Overview and Scrutiny – A Practical Guide Committee Procedure Roles – What I need to know	Induction and Orientation	31 May 2023	7pm	Democratic Services Manager	Mandatory for all Members of Scrutiny.
Intervention, Section 114 and Improvement & Recovery Plan:	Induction and Orientation	1 June 2023	7pm	Chief Executive, Senior Leadership Team	-

Explaining the new environment					
Planning Committee	Committee Skills <i>(Mandatory)</i>	8 June 2023	5pm	Assistant Director of Planning	Mandatory for all Planning Committee Members.
Licensing Committee	Committee Skills <i>(Mandatory)</i>	21 June 2023	6pm	Principal Licensing Officer	Mandatory for all Licensing Committee Members Strongly encouraged for all Members.
Corporate Parenting	Committee Skills <i>(Mandatory)</i>	27 June 2023	7pm	Corporate Director of Children's Service / Assistant Director Children's Social Care and Early Help	Mandatory for all Corporate Parenting Committee Members. Strongly encouraged for all Members.
School Admissions & School Transport Awareness Session	Member Skills	6 July 2023	7pm	Service Manager, Education Support Service	-
Standards & Audit	Committee Skills	19 July 2023	6pm	Interim Director Finance & S151 Officer, Monitoring Officer	Mandatory for all Standards & Audit Committee Members.
Social Media Guidance	Member Skills	11 September 2023	7pm	Communications Team	-
Safeguarding and Child Sexual Exploitation	Member Skills	14 September 2023	7pm	Child Exploitation & Missing Team Manager	-
Violence Against Women and Girls	Member Skills	26 September 2023	7pm	SERICC / Assistant Director Housing	-
Staff Recruitment	Committee Skills	12 October 2023	7pm	Director of HR, OD & Transformation	Mandatory for all General Services Committee Members.
Adults	Member Skills	19 October 2023	7pm	Assistant Director of Adult Social Care and Community	-

Managing Casework and Member Enquiries	Member Skills	tbc	tbc	Strategic Lead - Information Management	-
Personal Member Safety	Induction and Orientation	tbc	tbc	tbc	-
Modern Day Slavery and Human Trafficking Awareness	Member Skills	tbc	tbc	Thurrock Community Safety Partnership Manager	-
The Role of Cabinet	Committee Skills	tbc	tbc	tbc	Mandatory for all Cabinet Members.
Committee Skills	Member Skills	tbc		CfGS	All Members strongly encouraged to attend.
Overview and Scrutiny	Member Skills	tbc		CfGS	Mandatory for all Scrutiny Members.
Chairing Skills	Member Skills	tbc		CfGS	Mandatory for all Chairs of Committees.
Finance Training for Overview and Scrutiny	Committee Skills	tbc		Potential LGA offer	Mandatory for all Members.
Finance Training for Cabinet	Committee Skills	tbc		Potential LGA offer	Mandatory for all Cabinet Members.
Staff Appeals Training	Member Skills	On-line			-
Equality & Diversity Training	Member Skills	On-Line			Mandatory for all Members.
General Data Protection Regulation	Member Skills	On-line			Mandatory for all Members.

Digital Skills Academy – to be confirmed

Title	Date	Time	Lead Officer
Online courses skilling members in using the Council's digital applications Available for Oracle. <i>Three sessions from beginner, immediate and advanced skill levels</i>			
Using the 'Report it' App			

Learning & Development – to be confirmed

Title	Date	Time	Lead Officer
Mentoring for individual Members			
Leadership Culture			
Development of Group Leaders - Leading teams - Performance - Accountability			
Influencing / decision making / working within the new governance environment			
Driving Cultural Change			
Constructive Feedback			
Rebuilding of trust, interaction, confidence, engagement, and relationships between members and officers			

Leadership Training & Development

LGA Leadership Academy	1 year	n/a	
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* Please note dates are subject to change

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Proposed Member Induction – 10 May 2023

Induction Day			Relation to IRP and BV Report
<p>Welcome and Presentation by the Chief Executive</p> <ul style="list-style-type: none"> • Senior Structure of the Council • Awareness Intervention, Section 114 and Budgets 	10am	Chief Executive Senior Leadership Team	<ul style="list-style-type: none"> • Highlight the new environment that the Council finds itself in relation to intervention, s.114 and the IRP. This includes the themes of the IRP and the financial management of Council resources. • What new Members should expect in their roles and what the expectation of them in terms of leadership and participation.
<ul style="list-style-type: none"> • Introduction to Democratic Services 	10.40am	Democratic Services Manager	<ul style="list-style-type: none"> • Strengthen message on what good governance looks like. • Stress the need to participate in the training schedule. • Touch upon what a Member role is and what the council expects it to be ('job description').
<ul style="list-style-type: none"> • Member Code of Conduct 	11.10am	Monitoring Officer	<ul style="list-style-type: none"> • Strengthen message on what good governance looks like. • Reinforce IRP themes of i) Governance and ii) Leadership and Culture.
<p>How to Report Issues</p> <ul style="list-style-type: none"> • How to Support Residents 	11.40am	Gary Staples Lee Henley Tracie Heiser Karen Wheeler	<ul style="list-style-type: none"> • Reinforce any refresh of the Member Enquiries service/process. • Reinforce IRP themes of Leadership and Culture

<p>Communications</p> <ul style="list-style-type: none"> • Social media etiquette/ social media code of conduct • Advice on press 	12.00pm	Communications Team	<ul style="list-style-type: none"> • Reinforce IRP themes of Leadership and Culture • Remind Members of the Code of Conduct and the Social Media Code in the constitution.
<p>Oracle</p> <ul style="list-style-type: none"> • Accessing Oracle for Payslips • Use of directory 	12.20pm	Bill Clayton MyLearning	
Q&A and Finish	1.00pm	Democratic Services	
Meet & Greet	3pm – 5.30pm	Officers	<ul style="list-style-type: none"> • Departments to reinforce the new ways of working under the IRP and Intervention.

Training Evaluation Form

Title of event:

Date of event:

Location of event:

Trainers:

Instructions: Please tick your level of agreement with the statements listed below	Strongly Agree	Agree	Disagree	Strongly Disagree	Not relevant to this event
1. The objectives of the training were met					
2. The presenters were engaging					
3. The presentation materials were relevant					
4. The content of the course was organised and easy to follow					
5. The training was well prepared and able to answer any questions					
6. The course length was appropriate					
7. The pace of the course was appropriate to the content and attendees					

8. What was most useful?

9. What was least useful?

10. What else would you like to see included in this event? Are there any other topics that you would like to be offered training courses in?

11. Would you recommend this course to colleagues? Yes/No Why?

12. Any other comments?

**THANK YOU FOR COMPLETING THIS EVALUATION FORM. FEEDBACK RECEIVED
WILL BE USED TO PROVIDE IMPROVEMENTS TO FUTURE MEMBERS TRAINING.**

Standards and Audit Sub-Committee on Member Learning and Development

Terms of Reference

Aim:

To create a sub-committee to oversee the development and application of Member Learning and Development.

Membership:

Appointments to the sub-committee will be made by the Standards and Audit Committee for the duration of the municipal year. The membership of the sub-committee may come from outside the parent committee:

- 4 Members (2 x Conservatives; 2x Labour)
- Due to the universal application of Member training across all Members, the sub-committee may wish to invite independent Member representation on the sub-committee.

Chair:

The Chair and Vice Chair will be elected by the membership of the Standards and Audit Committee. The appointment will last for the duration of the municipal year.

Duration:

The sub-committee will remain in place indefinitely to provide continued oversight of Member Learning and Development.

Meeting Schedule:

The Sub-committee will agree its own schedule but it is expected that the sub-committee will meet in response to the progress and activities of the Learning and Development programme, around two or three times a year.

Duties:

The sub-committee will cover the following:

1. To champion and promote learning and development among members
2. To develop a Member Development Plan, based on Council and individual priorities, and undertake timely reviews to measure progress of the Plan
3. To identify and develop suitable learning opportunities to ensure that development needs are met, including the Member Induction Programme and support throughout the term of office

4. To input into and oversee the Member Development Charter process if desired or applicable.
5. To evaluate the quality of training to ensure that training is delivered to a consistently high standard and offers value for money and make recommendations to the Executive, the Council or its committees as appropriate.

Decision-Making:

The sub-committee has no executive powers and will refer all recommendations direct to the Standards and Audit Committee.

**Standards & Audit Committee
Work Programme
2023/24**

Dates of Meetings: 19 July 2023, 6 September 2023, 23 November 2023 and 29 February 2024

Topic	Lead Officer	Description of the Report
19 July 2023		
Terms of Reference	Democratic Services	
Audit Progress Report for 2020/ 21 External Audit	BDO/ Jonathan Wilson	
Internal Audit Strategy 2021/22 to 2023/23 & Annual Internal Audit Plan 2023/24	Gary Clifford	
Chief Internal Auditor's Annual Report – Year ended 31 March 2022	Gary Clifford	
Gifts and Hospitality	Asmat Hussain	
Complaints received under the Members' code of conduct	Asmat Hussain	
Member Training Report	Asmat Hussain	
Work Programme	Democratic Services	Standing Item

6 September 2023		
Annual Complaints & Enquiries Report 2021/22	Lee Henley	
Annual Information Governance Report April 2021 - March 2022	Lee Henley	
Regulation of Investigatory Powers Act (RIPA) 2000 – Activity Report 2021 /22	Lee Henley	
In Quarter 2 Refresh of the Strategic/Corporate Risk and Opportunity Register	Andy Owen	
Counter Fraud & Investigation Performance Report Q4 & Q1	Michael Dineen	
Dispensations	Asmat Hussain	
Publication of Councillors Home addresses on Register of interest	Asmat Hussain	
Work Programme	Democratic Services	
23 November 2023		
Internal Audit Charter 2022	Gary Clifford	
Internal Audit Protocol	Gary Clifford	
Counter Fraud & Investigation Quarterly Update (Q2)	Michael Dineen	

Complaints received under the Members Code of Conduct	Asmat Hussain	
Register of Interests Report	Asmat Hussain	
Internal Audit Progress Report 2022/23	Gary Clifford	
Member Training Attendance	Matthew Boulter	
Updates on Committees on Standards in Public Life	Asmat Hussain	
Work Programme	Democratic Services	
29 February 2024		
Audit Progress Report for the Year Ended 31 March 2022 – Verbal Update	BDO / Jonathan Wilson	
In Quarter 4 Review of the Strategic/Corporate Risk and Opportunity Register	Andy Owen	
Counter Fraud & Investigation Quarterly Update (Q3 Oct-Dec)	Michael Dineen	
Members Attendance Statistics	Matthew Boulter	
Update from Member Learning and Development Sub Committee	Matthew Boulter	
Work Programme		

Reports for 2023/24:

Update of Program and Project Management – Mark Bradbury

A13 Widening Project – Mark Bradbury / Kevin Munnely

Stanford-Le-Hope Transport Projects - Mark Bradbury / Kevin Munnely

Investment Briefing – Jonathan Wilson

Financial Statements and Annual Governance Statement 2020/21 - BDO / Jonathan Wilson

Audit Completion Report – BDO/ Jonathan Wilson

Clerk: Rhiannon Whiteley

Last Updated: July 2023