

GOVERNANCE AND AUDIT COMMITTEE

29 October 2019

Present:- Councillor Nick Barlow, Councillor Paul Dundas,
Councillor Mark Goacher, Councillor Sam McCarthy,
Councillor Chris Pearson (Chairman), Councillor Dennis
Willets, Councillor Barbara Wood

Also Present: - Councillor David King Councillor Mike Lilley,

173. Minutes of Previous Meetings

RESOLVED that the minutes of the meetings held on 3 September 2019 be confirmed as a correct record.

174. Annual Audit Letter 2018-19

The Committee considered a report presenting the Annual Audit Letter 2018-19 to the Committee. Paul Cook, Finance Manager and Interim Section 151 Officer, and Lisa Clampin, BDO LLP, attended to assist the Committee and presented the report.

The Committee highlighted that there had been concerns in the local authority sector with audits being completed on time. Lisa Clampin explained that this had been an issue for a number of local authorities and that approximately 40% of authorities had not received their audit report on time. This was largely an issue of resources for the audit companies. BDO had only missed the deadline in respect of one authority and it was not anticipated that this would be a problem for Colchester Borough Council in future. The Audit Letter 2018-19 did not raise any significant issues, and this was a testament to the quality of the Council's finance team.

RESOLVED that the contents of the Annual Audit letter 2018-19 be noted.

175. Local Government and Social Care Ombudsman Annual Review Letter 2018-19

The Committee considered a report setting out the details of the Local Government and Social Care Ombudsman's Annual Review Letter 2018-19. Councillor King, Portfolio Holder for Business and Resources, and Hayley McGrath, Corporate Governance Manager attended to assist the Committee and presented the report. The Corporate Governance Manager explained that the very low levels of complaints to the Ombudsman, when seen in the context of over 10,000 direct customer contacts, was an indication of the quality of the services provided by Colchester Borough Council. Councillor King explained that this was indicative of the attitudes of staff within the Council and demonstrated an openness and willingness to deal with and learn from complaints.

Members of the Committee noted that, whilst the numbers involved were very low, the

upheld rate was slightly higher than average. However, none of the complaints that were upheld demonstrated a serious or significant failure of service.

RESOLVED that the contents of the Local Government and Social Care Ombudsman's Annual Review letter 2018-19 be noted.

176. Equality and Safeguarding – Annual Report

The Committee considered a report setting out the Council's duties in respect of Equality and Safeguarding and the steps the Council had taken to meet these requirements since the last report to the Committee. Lucie Breadman, Assistant Director, Communities, Joanne Besant, Equality Lead Officer, and Sonia Carr, Safeguarding Lead Officer, attended to present the report and assist the Committee. Equality and safeguarding principles and practices were being integrated into the day to day work of the Council. For example, all decisions required an equality impact assessment to be completed and appropriate training was provided to staff to raise awareness and ensure they were aware of their responsibilities. The Council worked extensively in partnership with external organisations in respect of both issues.

In discussion, members of the Committee explored the provision of safeguarding training for officers. It was confirmed that online training on safeguarding was provided for all officers, and the take up of this was being monitored. The aim was to ensure that all officers completed the training. Consideration was being given to the provision of refresher training to reinforce the message and maintain awareness. More specialist training was provided where appropriate. It was emphasised that there was an important role for Councillors in ensuring they undertook the relevant training and maintained their awareness of equality and safeguarding issues in order to embed them firmly throughout the organisation.

It was also suggested that it was important in terms of equality that gender-neutral language was used in Council policies and publications, and that photographs or graphics were suitably diverse. In response, it was explained that the Council was seeking to embed that approach amongst all of its services through appropriate training. Most policies, reports and publications went through a rigorous checking process which should ensure that both language and images were appropriate.

RESOLVED that:-

- (a) the progress in meeting the Council's legal duties in regard to both Equality and Diversity and Safeguarding be noted;
- (b) the approach set out in paragraph 7 of the Assistant Director's report be endorsed.

177. Health and Safety Policy and Report

The Committee considered a report setting out the Council's approach to its responsibilities for safeguarding the health and safety of employees and others who may be affected under the Health and Safety at Work etc. Act 1974, and specific duties under the Management of Health and Safety at Work Regulations 1999. Councillor King, Portfolio Holder for Business and Resources, Carl Free, Corporate Health and Safety Officer and Hayley McGrath, Corporate Governance Manager attended to present the report and assist the Committee.

The Committee were requested to consider the draft Health and Safety Policy, and agree the changes made which were required for 2019/20. The Committee were advised that it was appropriate to review the policy on an annual basis and that there were minor changes only to the Health and Safety Policy concerning the change of responsibility for Health and Safety in the organisation, and the differing requirements for the commercial companies established by the Council.

The Committee was advised that as part of the ongoing work that was required to keep the policy up to date, audits were carried out, and in the past year these had focussed on ill health, driving at work and security. The safety element of the policy was well developed and the focus had switched to less obvious, but equally serious concerns such as musculoskeletal disorders and stress, which in the past may have been more unnoticed. Considerable work would be put into identifying sources of stress throughout the organisation and then taking appropriate steps to address this stress. The Committee was advised that particular consideration had been given to the safety of staff and violence towards them, as it had been noted that police response times had become slower.

Carl Free explained that he was particularly keen to promote the 'near miss' reporting procedure which had been adopted, which ensured that near miss accidents are also reported. This allowed remedial measures to be taken to prevent future incidents from actually occurring.

Councillor Willetts referred to section 4.1 of the Health and Safety Policy and commented that the Council delivered a number of services through external companies. He considered that this could lead to a situation where a number of Health and Safety policies could be in force at the same time for different individuals. This could be potentially confusing. He suggested that the correct approach would be to strive for one policy to cover all associated Council business. In response, Carl Free confirmed that it was a legal requirement for each company to have their own Health and Safety Policy. However, Colchester Borough Council provided advice and assistance on these policies and related procedures. The Corporate Governance Manager kept an overview of these policies to ensure they were consistent

Councillor Dundas asked about the policy on company vehicles and maintenance between MOT inspections, and in particular whether or not Colchester Borough Council applied the same requirements to its own vehicles as were applied to hackney carriage vehicles, who were required to address any advisory notes on an MOT within a certain period of time. Carl Free advised that Council vehicles were subject to a daily check and a more thorough weekly check to ensure that the standards required were maintained.

Councillor Wood enquired whether there was any regular assessment of drivers eyesight and Carl Free confirmed that following on from a recent audit, this was an area which was being focussed on to improve the level of testing carried out.

Councillor Pearson praised the work that had been done on near miss reporting, and questioned whether this was a process that would potentially take second place to other work and asked what could be done to ensure that reports were submitted. Carl Free explained that the process for reporting a near miss had been made as simple as possible both online and via physical cards which were available in all Council building and vehicles, and which required far less information than a report of a full accident. The importance of reporting near misses was also now incorporated into every health and safety staff briefing and training for managers.

Councillor Pearson noted that the policy specifically referred to the responsibility of Cabinet in respect of the Health and Safety. He considered that it would be appropriate for the report to be presented to Cabinet for noting to ensure that Cabinet was aware of the work being done to ensure a proper approach to Health and Safety. Councillor King indicated that Cabinet would be pleased to receive the report.

RESOLVED that:-

- (a) The Health and Safety Annual Report covering the period January to October 2019 be noted;
- (b) The changes to the Health and Safety Policy required for 2019/20 be approved.
- (c) The report considered by the Governance and Audit Committee, together with the Health and Safety Policy 2019/20 be referred to Cabinet for its consideration, in view of its responsibilities for Health and Safety.

178. Work Programme 2019-20

RESOLVED that the Work Programme 2019-20 be approved.