

**(AGS. 3)
Decisions to be considered by
Full Council on 24 July 2012**

Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS
COMMITTEE held at 9.30am on Wednesday
27 June 2012 at the Civic Centre, Stone Cross,
Northallerton

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman
Mrs B S Fortune

Councillor R W Hudson
M Rigby

(An apology for absence was received from Councillor G W Dadd)

AGS.3

STANDARDS REGIME – COUNCIL PROCEDURE RULES

All Wards

The subject of the decision:

The Director of Corporate Services asked the Committee to consider making a recommendation to Council about whether the Council's Procedure Rules should be amended to require Members to leave Council or Committee meetings when they had a disclosable pecuniary interest under the new Standards Regime.

Members considered two options; to withdraw entirely from the room or to simply withdraw to the public gallery.

Alternative options considered:

The Committee had two options to consider.

The reason for the decision:

To amend the Council Procedure Rules

THE DECISION:

To recommend to Council that:

- (1) the Council Procedure Rules be amended to require Members to leave a meeting when they have a disclosable pecuniary interest by adopting Option A in paragraph 2.6;
- (2) the Director of Corporate Services make appropriate amendments to paragraph 12 of the Code of Conduct.

The meeting closed at 10.30am

Chairman of the Committee

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman
Mrs B S Fortune

Councillor R W Hudson
M Rigby

(An apology for absence was received from Councillor G W Dadd)

AGS.4

MINUTES

THE DECISION:

That the minutes of the meeting of the Audit and Governance Committee held on 30 April 2012 (AG.45 – AG.46) and the Audit, Governance and Standards Committee held on 15 May 2012 (AGS.1 - AGS.2), previously circulated, be signed as correct records.

AGS.5

REGULATION OF INVESTIGATORY POWERS ACT – REVIEW OF ACTIVITY

All Wards

The subject of the decision:

The Director of Corporate Services presented a report advising the Committee that the Council, like many public authorities, was governed by the Regulation of Investigatory Powers Act 2000 (RIPA). This Act ensured that public authorities complied with their obligations under the Human Rights Act when undertaking investigations which might interfere with the rights of individuals. The Act introduced safeguards on activities such as surveillance undertaken by public bodies. The Committee had now been given responsibility for RIPA matters. This would involve the Committee receiving quarterly reports on any activities which had been authorised under RIPA.

Alternative options considered:

None

The reason for the decision:

To comply with the Regulation of Investigatory Powers Act 2000 (RIPA)

THE DECISION:

That it be noted that no RIPA activity was undertaken by the Council during the period 1 April – 30 June 2012.

AGS.6

NEW STANDARDS REGIME – ASSESSMENT CRITERIA FOR CONSIDERING ALLEGATIONS

All Wards

The subject of the decision:

The Director of Corporate Services asked the Committee to approve an assessment criteria for considering allegations. The Council had previously approved the new Standards Regime under the Localism Act 2011; the aspect of the new Regime regarding allegations under the Council's Code of Conduct would initially be considered by the Monitoring Officer who would decide whether they should proceed to investigation.

The Director of Corporate Services circulated a proposed Procedure for Hearings of the Standards Hearings Panel.

Alternative options considered:

None

The reason for the decision:

To ensure as much consistency as possible when coming to a decision and to ensure adequate procedure rules for the Hearings Panel.

THE DECISION:

That:

- (1) the Assessment Criteria for Allegations be approved;
- (2) the procedure for hearings of the Standards Hearings Panel be approved.

AGS.7

INTERNAL AUDIT ANNUAL REPORT 2011-12

All Wards

The subject of the decision:

The Audit Manager presented the Internal Audit Annual Report for 2011/12. The report was prepared by Veritau North Yorkshire (VNY) based on work carried out by the North Yorkshire Audit Partnership (NYAP) during the period April 2011 to March 2012.

Alternative options considered:

None

The reason for the decision:

To take account of the performance of the North Yorkshire Audit Partnership for 2011/12.

THE DECISION:

That the Internal Audit Annual Report 2011/12 be approved.

AGS.8 **STATUTORY AUDITOR – QUARTERLY UPDATE**

All Wards

The subject of the decision:

The Chief Executive provided an opportunity for the Council's statutory auditor, Deloitte, to give an update to the Committee on its activities to date. Sarah Anderson from Deloitte attended the meeting to provide the update and answer questions.

Alternative options considered:

None.

The reason for the decision:

To respond to a request from the Committee.

THE DECISION:

That the comments of the auditor on his quarterly update be noted.

AGS.9 **STATUTORY AUDITOR – PLANNING REPORT ON THE 2012 AUDIT**

All Wards

The subject of the decision:

The Chief Executive presented a report from the Council's statutory auditor, Deloitte concerning the work they planned to do as part of their 2012 audit.

Sarah Anderson and Paul Thompson from Deloitte's were in attendance to present their report which covered the scope of their planned work, the key audit risks that they would cover, a consideration of fraud at the Council and internal control. The report also identified the audit team and the responsibilities of Deloitte's as the Council's appointed statutory auditor.

Alternative options considered:

None

The reason for the decision:

To enable an audit to be undertaken in accordance with International Standards on Auditing (UK and Ireland) as adopted by the UK Auditing Practices Board and as required under Deloitte's contract with the Audit Commission.

THE DECISION:

That Deloitte's "Report to the Audit and Governance Committee on the 2012 Audit – Planning Report" be approved.

The meeting closed at 10.30am

Chairman of the Committee