

Minutes of the meeting of the Audit,
Governance and Standards Committee held at
9.30 am on Tuesday, 22nd March, 2022 at
Council Chamber, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU

Present

Councillor N A Knapton (in the Chair)

Councillor P Atkin
D B Elders

Councillor R W Hudson

Apologies for absence were received from Councillors P Bardon,
Mrs B S Fortune and K G Hardisty

AGS.20 **Minutes**

The decision:

That the minutes of the meeting of the Committee held on 25 January 2022
(AGS.15 to AGS.19),, previously circulated, be signed as a correct record.

AGS.21 **Regulation of Investigatory Powers Act - Review of Activity and Review of Policy**

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) submitted 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 reviewing the Council's Policy Statement from time to time and receiving bi-annual 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:-

- (1) the current Policy on the Regulation of Investigatory Powers Act be approved;
- (2) it be noted that no RIPA authorisations were made by the Council during the period 6 October 2021 to 25 March 2022.

AGS.22 Annual Report Code of Conduct Complaints

All Wards

The subject of the decision:

This report sets out the Monitoring Officer's Annual Report on matters relating to ethical governance, including details of any complaint handling activity in relation to allegations of breaches of a code of conduct.

Alternative options considered:

None.

The reason for the decision:

The Committee is required to be presented with an annual report on code of conduct complaints.

The decision:

That the report of the Monitoring Officer be noted.

AGS.23 Internal Audit and Counter Fraud Third Progress Report - 2021/22

The subject of the decision:

The Interim Director of Finance (S151 Officer) presented a report which provided an update on audit work planned and undertaken, and counter fraud activity since the last report was submitted to the Committee.

Alternative options considered:

None.

The reason for the decision:

To take account of the statutory requirement under the Accounts and Audit Regulations 2015.

The decision:

That the work undertaken by Internal Audit and the Counter Fraud Team in the year to date be noted.

AGS.24 **Veritau Internal Audit, Counter Fraud and Information Governance Plans 2022/23**

All Wards

The subject of the decision:

The Interim Director of Finance (S151 Officer) submitted a report presenting the proposed Internal Audit work programme for the financial year 2022/23 for approval and the counter fraud and information governance plans for information.

Alternative options considered:

None.

The reason for the decision:

The work of internal audit was governed by the Public Sector Internal Audit Standards (PSIAS). In accordance with those standards and the Council's Audit Charter, Internal Audit was required to prepare and audit plan on at least an annual basis.

The decision:

That the Internal Audit programme for 2022/23 be approved and that the counter fraud and information governance plans be noted.

AGS.25 **Review of Annual Treasury Management Strategy 2022/23**

All Wards

The subject of the decision:

The Interim Director of Finance (S151 Officer) presented the Council's Treasury Management Strategy for the forthcoming year 2022/23 for review.

Alternative options considered:

None.

The reason for the decision:

To ensure the Committee fulfils its terms of reference and scrutiny role in relation to Treasury Management.

The decision:

That the Council's Treasury Management Strategy for 2021/22 be noted.

AGS.26 **Review of Capital Strategy 2022/23**

All Wards

The subject of the decision:

The Interim Director of Finance (S151 Officer) presented a report which provided an opportunity for the Committee to review the review the Council's Capital Strategy for the forthcoming financial year 2022/23.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's Constitution.

The decision:

That the Capital Strategy 2021/22 be noted.

AGS.27 **Audit Results Report for the Financial Year 2019/20**

All Wards

The subject of the decision:

The Interim Director of Finance (s151 Officer) submitted a report which presented the Statutory Auditor Results Report for the year ended 31 March 2020.

Alternative options considered:

None.

The reason for the decision:

Each year the Council produced its Financial Report which was required to be approved by a statutory auditor. In 2019/20 the appointed auditor was Ernst & Young LLP. The Audit Results report was attached at Annex A of the report. A member of Ernst & Young LLP was in attendance to present the report and answer questions.

The decision:

That:-

- (1) the Audit Results Report presented to the Audit, Governance and Standards Committee for the 2019/20 audit as prepared by Ernst & Young LLP attached at Annex A to the report be accepted;
- (2) the audited Statement of Accounts for 2019/20 at Annex B of the report be received; and
- (3) the Interim Director of Finance, acting in the capacity of the Authority's Section 151 Officer, in consultation with the Chairman of the Committee, be authorised to agree and sign the Letter of Representation.

AGS.28 Report Programme for 2022/23

All Wards

The subject of the decision:

The Interim Director of Finance (S151 Officer) presented a report which identified those reports which the Committee wished to receive on a structured basis. The Committee made a minor amendment in relation to the submission of the 2019/20 and 2020/21 Statement of Accounts.

Alternative options considered:

None.

The reason for the decision:

To identify which reports the Committee wished to receive on a structured basis.

The decision:

That the report programme, as amended, be approved.

AGS.29 Exclusion of the Public and Press

The decision:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no AGS.30 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

AGS.30 **Independent Review**

All Wards

The subject of the decision:

The Chairman of the Audit, Governance and Standards Committee at the request of the external auditor commissioned an Independent Review into the facts and processes underpinning the termination package of a former employee. A series of questions were raised by the external auditor on how the process was handled as part of their audit work and an Independent Review was identified as the best way to address the issues. The review did not identify any evidence of impropriety or breach of Council policy.

Alternative options considered:

None.

The reason for the decision:

To comply with a request from the external auditor.

The decision:

That the Independent Review Report be received and noted.

The meeting closed at 11.28 am

Chairman of the Committee