![Warwick District Council logo]

| **INTERNAL AUDIT REPORT** |

FROM:	Audit and Risk Manager	**SUBJECT:**	Civic and Committee Services
TO:	Head of Law and Governance	**DATE:**	31 March 2022
C.C.	Chief Executive		
	Deputy Chief Executive		
	Democratic Services Manager and Deputy Monitoring Officer		
	Head of Finance		
	Portfolio Holder (Cllr Day)		

1   **Introduction**

1.1   In accordance with the Audit Plan for 2021/22, an examination of the above subject area has recently been completed by Jemma Butler, Internal Auditor, and this report presents the findings and conclusions for information and, where appropriate, action.

1.2   Wherever possible, findings have been discussed with the staff involved in the procedures examined and their views are incorporated, where appropriate, into the report. My thanks are extended to all concerned for the help and cooperation received during the audit.

2   **Background**

2.1   The Civic and Committee Services team (CS) sits within Democratic Services (DS) in the Law and Governance service area. DS is itself quite a small team which, in addition to managing all of the aspects of the committee process, deals with elections and electoral registration, data protection and information governance and Chairman and member support. Inevitably, in a small team, there is some support provided to other parts of the team especially in times of absence or a peak in the workload, for example during election time.

2.2   The main role of CS is to manage the Council's democratic process and to provide support to members. This involves all aspects of arranging and managing meetings, the publication and distribution of agendas, reports and minutes, gaining agreement to and publishing minutes, monitoring decisions and providing support to the Chairman and members.

3   **Objectives of the Audit and Coverage of Risks**

3.1   The audit was undertaken to test the management and financial controls in place. This was achieved through a 'risk-based audit' approach whereby key risks are identified and then processes are assessed to provide assurance that the risks are being managed effectively. This approach has been in place by WDC Internal Audit since only the start of this financial year following an external review of the function.

3.2   In terms of scope, the audit covered the following risks:

- Financial loss through ineffective processes and poor use of resources.
- Statutory and regulatory requirements are not complied with.
- Poor processes for decision making and communication.
- Lack of transparency and openness.
- Broadcasting of meetings.
- Safety of members, staff and the public during meetings and site visits.
- Covid safe protocol.
- Joint working between SDC and WDC.
- Committee management system security controls.
- Uncertainty due to the integration of the two Councils.
- Hybrid meetings.

3.3   Potential risks were also identified in the Significant Business Risk Register, the departmental risk register, and discussion between the Internal Auditor and the Business Manager.

3.4   These risks, if realised, would be detrimental to the Council with regards to meeting the following corporate objectives, as set out in the Fit for the Future Strategy:

- To ensure that the Council's business is conducted in a fair, equal, honest and transparent manner.

4   Findings

4.1   Recommendations from Previous Reports

4.1.1   The current position in respect of the recommendations from the audit reported in February 2018 was also reviewed. The current position is as follows:

	Recommendation	Management Response	Current Status
1	Advice should be sought from the Assets Team regarding the apparent risk of flooding from the floor above the Document Store and, if the risk is deemed to be unacceptable, appropriate action should be taken to mitigate the risk.	I will raise this issue with the Assets Team and then take whatever action, if any, is deemed necessary.	Bottom shelves of the document storage room are not used, preventing the documents from becoming submerged in water in cases of flooding.
2	The discs containing agendas and minutes for the period pre 2001 should be stored in different locations.	A set of the discs has been handed to the IT infrastructure team and will be relocated to the safe they have at the Town Hall, for corporate	Back-up copies are stored appropriately and off site.

	Recommendation	Management Response	Current Status
		back up tapes etc. on Monday.	
3	The basis for the recharges of the cost of the Committee Services team should be reviewed to ensure that they remain appropriate.	I have arranged my budget review with my Accountant for next week and flagged this as a specific issue to be reviewed. Once I have had this meeting I will discuss with the Senior Committee Services Officer when they return from leave to validate my thoughts before making amendments.	Costs are reviewed and are based on an hourly recharge. As the service remains stable this does not tend to fluctuate.

4.2 Financial Risk

4.2.1 Financial loss through ineffective processes and poor use of resources.

There are processes in place to protect the documents and information held by CS. There was previously an issue where information could be damaged due to flooding in the document storage room. The risk of flooding from above cannot be fully removed so procedures and practices have been developed to reduce the impact the flooding could have. There are measures in place to raise the information off the ground and above the potential flood level to reduce the likelihood of the information becoming damaged. Offices are aware of these measures when storing information and the document storage room is monitored frequently.

The Records of Processing Activities (ROPA) and retention schedule are currently being updated by the various service areas. The information retention guide in place for CS sets out the types of information held, how it is held and how long for. The list includes all of the information that might be handled by CS. The timescales and methods of storage have been justified and vary dependant on the type of information. A sample of folders containing electronic records maintained was reviewed. All of the folders reviewed followed the information retention guidance.

Councillors are supported when completing claim forms and when completing the register of interests to help ensure any financial interests are declared. There is little opportunity for Councillors to fraudulently claim mileage expenses as it is only applicable if the meeting is outside of the district. This, however, may change once joint meetings with SDC become frequent.

Councillors are reminded on a quarterly basis to check and update the register of interests. Members can approach CS for advice regarding potential issues, e.g. conflict of interest. The bankruptcy order register is checked when new Councillors are voted in to ensure they are not declared bankrupt.

Although CS is a small team with the officers aware of their roles and responsibilities. CS work closely together to ensure there is enough resource available for Council meetings. Staffing levels are increased during elections using a pool of people who work on a temporary basis.

4.3   **Legal and Regulatory Risks**

4.3.1   **Statutory and regulatory requirements are not complied with.**

Officers are subject to completion of standard data protection eLearning on entry to the Council and receive frequent MetaCompliance messages covering various data protection aspects such as data handling and prevention of data incidents. In April 2022, all officers will be subject to refresher eLearning in Data Protection, in line with the Information Commissioner Office's expectations and this will be repeated every 2 years.

Councillors have previously been provided with optional, albeit encouraged, bespoke data protection sessions on Microsoft Teams.

Constitution updates are managed by CS. Updates are rare, though, with the only one the Democratic Services Manager & Deputy Monitoring Officer (DSM) could think of being the temporary change for remote meetings due to the pandemic. Councillors received training in 2020 on remote meetings in line with the temporary update.

4.4   **Reputational Risks**

4.4.1   **Poor processes for decision making and communication.**

There is a robust constitution in place, resulting in the work completed by CS being heavily procedure-based. Not all of the tasks conducted by the team are formally written down as they follow the constitution and legal requirements.

CS officers play a vital role in communication between the Council, Members and the public. A CS officer will prepare reports and agendas and provide support for members to enable them to act as advocates for their communities. They also manage meetings in accordance with the Council's procedures, rules and legislation. CS officers must have the ability to prepare concise and accurate written material, including interpreting discussions which take place at meetings.

Since the last audit there has been a large change to the staff structure, with 3 new officers in post or in a different role. The staff in CS are aware of their role and the line of reporting and responsibility for decision making.

4.4.2   **Lack of transparency and openness.**

Over the last few years there has been very little change to the service CS provide. The main change is to broadcast meetings online via YouTube. The team have access to the YouTube and Twitter accounts so the meetings can be advertised and shared as appropriate. This has allowed the meetings to remain open and transparent through the various lockdowns. As the viewing figures

have been higher than the attendance would normally be in person at the Town Hall the Council will be continuing to broadcast meetings live.

If there is a technical issue no notices or information is provided to viewers. When an item is confidential the broadcasting is stopped, previously there was no message displayed for viewers, however, since February a slide stating that confidential items are being discussed and advises whether the broadcast will be back. Although it would be helpful for a message to be displayed in the event of a technical issue, on discussion with the DSM it was highlighted that this would not be an easy task as it would rely on additional staff in place to monitor the YouTube channel and report back to inform others of the issue so a message could be displayed to viewer. Taking into account how infrequently this is an issue it would not be a good use of resource to do this.

No recommendation is needed as the fix would involve additional staff members and potentially mean the meeting would need to be paused or delayed allowing time to resolve the issue. The main priority is for the meetings to go ahead in an efficient and timely manner - the broadcasting is a 'bonus service' which is not compulsory for the Council to provide.

Meeting dates are published on the Council's website along with relevant documents and minutes from previous meetings. The committee calendar is also publicised as required. Minutes are produced for all meetings following a standard template.

The team maintain the published details of Councillors between them, updating the details when they are informed of a change or when there is a change due to election results. Councillors are reminded that their details do not need to be made public on the website. They are also reminded that they are required to include the details of any land that that they have an interest in within the district, including their home address. The Head of Law & Governance (Monitoring Officer) monitors Councillor details. Councillors are automatically bound by a code of conduct so there is no need to review and sign it. The most recent update to the code was agreed at Council on 23rd February 2022.

4.4.3 **Broadcasting of meetings.**

Before meetings Councillors are provided with a document pack via a link rather than paper copies. This pack includes agendas, supporting documents and previous minutes. The document pack is also available on the Council's website for members of the public, except for confidential documents.

The staff at the Town Hall assist with the broadcasting of meetings, ensuring the equipment is set up and ready to use.

Confidential items are not broadcast; the documents are not published but are made available to the Councillors. The confidential status of a report is suggested by the report author. Reports are reviewed by the Monitoring officer, CMT and Cabinet before public consumption so any reports or items that need to be confidential should be picked up if they haven't originally been marked.

The main items that go as confidential are those from the Licencing team; the Licensing Enforcement Officers are very good at ensuring they are noted before submission.

Meetings are broadcast live (when possible) on YouTube with recordings remaining available for twelve months. After this point they are hidden from public view but are still accessible by CS if required.

4.5   **Health and Safety**

4.5.1   **Safety of members, staff and the public during meetings and site visits.**

There is a risk register in place which identifies some of the main risks associated with holding meetings, site visits and interacting with members of the public. The Council has a number of measures in place which help to reduce the impact and likelihood of the risks. This includes the lone working policy and training sessions such as dealing with conflict and aggression.

Additional Town Hall staff or security staff registered with the Security Industry Authority are employed for meetings where CS anticipate there will be significant public interest. The staff alert list is checked for registered speakers and, if appropriate, Town Hall staff are informed in advance. The meeting room layouts are arranged where possible so that neither Councillors of Officers have their backs to members of the public. In addition, officers aim to always keep a reasonable distance between members of the public and themselves.

Briefing notes have been produced in partnership across Warwickshire outlining practical guidance on steps towards personal safety. Councillors and staff have been provided with guidance. Councillors and employees who attend meetings at the Town Hall could be reminded at the end of each meeting to return to their cars in pairs or groups as well as receive a regular reminder about the guidance. No recommendation from Internal Audit is felt to be needed here as information and guidance is provided and there is an expectation that Councillors and employees are sensible and carry out their own assessment of risk when in public or travelling to or from meetings. The DSM has advised that reminders will be issued on a quarterly basis.

4.5.2   **Covid safe protocol.**

An updated corporate risk assessment is now in place to help deal with the current COVID-19 situation in the workplace. This has replaced risk assessment ref 1638 RA. This risk assessment advises managers, employees, and members of the generic hazards associated with staff carrying out activities to commercial, domestic, or outdoor premises and the precautions and actions that must be taken to reduce the risk of exposure, infection, and transmission whilst at work.

To reduce the risk of exposure by officers, staff, and Councillors to the virus, there are several control measures in place, including for site visits. These include holding meetings outdoors or in well-ventilated rooms that have been appropriately cleaned, applying social distancing measures such as speaking to people side-by-side as opposed to face-to-face, frequent hand

washing/sanitising, keeping site visits times as short as possible, and wearing face-coverings when moving around Council buildings. Lateral Flow Testing is also expected to be completed prior to attending Council buildings.

Further control measures were also identified in which staff will carry out dynamic risk assessments once on site – staff and Councillors may leave at any time if they have any concerns about the risk to their health and safety. They will also delay visits where necessary until a host's self-isolation date has passed (10 days from onset of symptoms/positive PCR test result).

To avoid exposure to COVID-19 when travelling for work, shared vehicles are avoided where possible, colleagues will travel to premises alone and, if travelling in Council vehicles, this should be limited to one person per vehicle.

Existing procedures are also in place with regards to the handling of documentation and equipment used in the process of a visit. To mitigate the risk of contamination, staff use individual pens and documents; equipment is also sanitised where necessary. Officers ask for copies of documentation to be sent electronically to avoid the need for handling. Officers also take digital images of documentation rather than take the documents from site and record any notes, digitally. Officers are reminded to sanitise following the handling of signed documents and leave the hosts' copies of documents sealed for 72 hours before re-handling.

CS have been following the government guidance to help reduce the spread of COVID-19, adapting their way of working when updates are issued and new guidance is shared.

Where positive cases have been brought to the attention of CS the Councillors have been informed and guidance has been reiterated. The DSM has recorded positive cases as part of the Council's central monitoring process.

There is no track and trace in place for committee meetings; however, attendance is recorded in the meeting minutes. Currently a plan is being produced to ease the restrictions and thereby allow the meetings to return to normal. Desks are allocated to Councillors within the Town Hall and are cleaned between uses.

4.6 **Other Risks**

4.6.1 **Joint working between SDC and WDC.**

There are formal breaks for meetings and no new item of business will be started after 9.30 PM, with the exception of the authorisation of affixing the Common Seal of Council. Any items left will either be adjourned to the next meeting or an agreed reserve night for the committee will be decided. This is based on advice which has been given stating that it is not good practice for good decision making to start discussing agenda items late at night. The DSM has approached Officers at SDC to determine whether there is anything in the Constitution to this effect at SDC.

There is a joint working group in place which is looking at the different ways SDC and WDC work; this in turn will help to build a plan on aligning the policies and procedures across both Councils.

The development of information governance at SDC has been possible in a way that it hasn't been at WDC due to the staffing resource available. SDC has one full-time equivalent Information Governance Support Officer and therefore capacity is much increased. Due to increased working capacity, Information Governance at SDC has been able to work with departments to update and maintain the ROPA, including implementation of a retention schedule. ROPAs at WDC are slowly being updated. Following a discussion with the WDC Deputy Chief Executive, it was agreed that over the course of the next 2 years, as teams merge across Councils, IG will be feeding in WDC processes to the already-existing SDC Retention Schedule. ROPAs will also be aligned and merged. WDC managers have been encouraged to update their ROPAs to prepare for the merger. The Information Governance Manager considers WDC to be behind SDC in terms of the robustness of their Information Governance policies and procedures and thinks this is due to the working capacity.

The WDC Network Drive contains 599 folders, some of which are in Officer names, some relate to specific individual projects and some of which have not been updated for 10 years. Organising these files must be done before the IT systems merge – this has been discussed at Transformation Steering Group, but no actions have been made yet.

When joint meetings are held between SDC and WDC the paperwork is produced by SDC. Hosting and chairing the meetings is shared between the two authorities. There is a shared report template in place for use for joint meetings.

4.6.2 **Committee management system security controls.**

To compliment the committee management system used there is a secure desktop app recently implemented which has very secure IT controls. The controls prevent screen sharing which can be an issue in meetings. Any documents that need to be shared in a meeting should be downloaded and saved beforehand. The control itself cannot be bypassed without contravening various IT security and IG policies in place at the Council.

The responsibility for data lies with the Deputy Chief Executive as the Senior Information Risk Officer, Heads of Service as the Information Risk Officers and data-owners for individual projects – usually departmental managers. The Information Governance Management framework sets out the roles and responsibilities for officers within the Council. The framework refers to various policies to help protect data when using electronic systems. These policies were followed when the Committee Management system was sourced and implemented.

4.6.3 **Uncertainty due to the integration of the two Councils.**

There is a degree of uncertainty within the Council due to the integration of WDC and SDC. Staff could be looking for work elsewhere, be less committed, less productive or generally concerned about their future. The Information

Governance Manager has identified their concerns with working capacity, both in terms of the Information Governance (IG) department as well as the wider Council as a whole.

Regular communication, updates and briefing sessions help to manage the expectations of staff both within CS and across the Council as a whole. Although they doesn't remove the level of uncertainty, they could help to reduce the concerns.

4.6.4 **Hybrid meetings**

Hybrid Council, Cabinet and Committee meetings cost £125 per meeting; this cost is recharged to the service requiring the meeting to be hybrid. Hybrid meetings aren't encouraged, not just because of the additional cost and resource needed but because Councillors are required to attend meetings. Having taken advice from Counsel, shared across Warwickshire, the Hybrid aspect allows public speakers or Officers to attend remotely. The cost covers the additional staff needed to ensure that the technical aspects are in place. There is resource available to liaise and manage the multiple parties logging in and ensure that the correct person is displayed on screen at the right time. Confidential aspects of meetings are difficult to manage when the meeting is hybrid. The booking for a hybrid meeting needs to be arranged well in advance to ensure the staffing requirements and specialist support required is in place.

5 **Conclusions**

5.1 Following our review, in overall terms we are able to give a SUBSTANTIAL degree of assurance that the systems and controls in place in respect of Civic and Committee Services are appropriate and are working effectively to help mitigate and control the identified risks.

5.2 The assurance bands are shown below:

Level of Assurance	Definition
Substantial Assurance	There is a sound system of control in place and compliance with the key controls.
Moderate Assurance	Whilst the system of control is broadly satisfactory, some controls are weak or non-existent and there is non-compliance with several controls.
Limited Assurance	The system of control is generally weak and there is non-compliance with controls that do exist.

5.3 There are no recommendations arising from the review and therefore no action plan is included with this report.

Richard Barr
Audit and Risk Manager