

**CIVIC AFFAIRS**

9 October 2019

5.30 - 7.05 pm

**Present:** Councillors McPherson (Chair), Sargeant (Vice-Chair), Chadwick, Dalzell, Moore and Thornburrow

**Officers:**

Chief Executive: Antoinette Jackson

Strategic Director: Fiona Bryant

Head of Corporate Strategy: Andrew Limb

Head of Finance: Caroline Ryba

Head of Shared Internal Audit Service: Jonathan Tully

Head of Shared Waste Service: Trevor Nicoll

Business & Development Manager: Tony Stead

Interim Deputy Head of Finance: Ken Trotter

Democratic Services Manager: Gary Clift

Electoral Services Manager: Vicky Breeding

Committee Manager: James Goddard

**Others Present:**

Ernst & Young External Auditor: Suresh Patel

Deputy Head of Finance: Jody Etherington

**FOR THE INFORMATION OF THE COUNCIL**

**19/32/Civ Apologies**

Apologies were received from Councillor Davey. Councillor Moore was present as the Alternate. Apologies were also received from Rob Bennett (Independent Person).

**19/33/Civ Declarations of Interest**

No interests were declared.

**19/34/Civ Minutes**

The minutes of the meetings held on 24 July 2019 were approved as a correct record and signed by the Chair.

**19/35/Civ Public Questions**

There were no public questions.

**19/36/Civ Oral Update on 2018/19 External Audit Process**

The Committee received a verbal report from the External Auditor:

- i. Referred to the letter sent to Head of Finance.
- ii. Ernst & Young were unable to start the audit on time as agreed with the Head of Finance.
- iii. The pace of the audit (obtaining information) was affected by:
  - a. Change in ledger.
  - b. Changes in personnel.
- iv. The audit was in progress. Information for clarification purposes was being sought over the next three to four weeks, so a conclusion should be reached soon.

The Head of Finance said:

- i. Thanked Interim Deputy Head of Finance for staying on to see out the audit process.
- ii. Officers were trying to complete the audit as soon as possible.
- iii. It was difficult to submit information to Ernst & Young through their portal.
- iv. Introduced Jody Etherington as the replacement to Interim Deputy Head of Finance (Ken Trotter). Jody would take over from Ken in future.
- v. A candidate had been identified for one accounting post, but another post was still vacant.

The Committee made the following comments in response to the report:

- i. Expressed concern the audit had not been completed.
- ii. Queried when the audit would be completed.
- iii. Observed the City Council was not the only local authority awaiting audit sign-off by Ernst & Young. Queried how the situation could be resolved (now) and avoided in future.

The External Auditor said the following in response to Members' questions:

- i. The 2018/19 audit had not been signed off as Ernst & Young required some further information. They acknowledged there were some issues when submitting details through their portal.
- ii. Ernst & Young hoped to avoid issues re-occurring in future. Referred to comments made at 24 July 2019 Civic Affairs. Ernst & Young hoped to recruit further staff by January 2020, so they would be at full capacity prior to starting the 2019/20 audit (having first cleared any backlog).

- iii. Public Sector Audit Appointments Limited undertook contract monitoring to ensure that Ernst & Young delivered against contractual obligations.

The Interim Deputy Head of Finance said the following in response to Members' questions:

- i. A "lessons learnt" file was being built for next year to pass onto new officers to ensure continuity of knowledge.
- ii. The 2018/19 audit had been delayed because:
  - a. The finance regime had changed so old format papers were no longer valid. This delayed submission.
  - b. There was a lack of discussion between the City Council and Ernst & Young before the audit started due to a lack of staff capacity and loss of several experienced City Council staff.
- iii. The same issues should not arise in 2019/20.

Councillor Thornburrow noted the next Civic Affairs meeting was 29 January 2020 and asked how the audit would be signed off if completed circa October 2019. The Chair said a special Civic Affairs meeting would be timetabled.

**Unanimously resolved** to note the presentation.

### **19/37/Civ Internal Audit Plan: Progress Report**

The Committee received a report from the Head of Internal Audit regarding the work of Internal Audit, completed between April 2019 to September 2019.

The Head of Internal Audit said the following in response to Members' questions:

- i. (Agenda p18) The Council has currently achieved a 24% improvement against a target of 15% for carbon management data quality. It was hoped this trend would continue in future but improvements may be harder to achieve.
- ii. (Agenda p19) Referred to the action plan setting out details regarding gas safety compliance. Internal Audit will follow up these actions.
- iii. (Agenda p21) Safeguarding had changed from "reasonable" to "limited". This reflected a small element of the overall system where processes needed improvement to provide assurance.

**Unanimously resolved** to note the contents of the report.

## **19/38/Civ Polling District Review**

The committee received a report from the Electoral Services Manager regarding the review of Polling Districts. She referred to an amendment sheet that included comments received after the report had been published and corrected boundary maps (as referenced in report recommendations).

Councillor Robertson addressed the committee to state some venues in Petersfield were unsuitable as polling stations. He asked if Hanover Court could be considered.

The Committee made the following comments in response to the report:

- i. Some venues in city wards were unsuitable as polling stations.
- ii. Asked if Milton Road Library and St Lawrence's Church should be the only polling stations in West Chesterton on grounds of accessibility and familiarity.
- iii. Expressed concern about the disabled access at the polling station at New Chesterton Institute.

The Electoral Services Manager said the following in response to Members' questions:

- i. It was not explicitly set out in Electoral Commission Polling District Review Guidance, but in exceptional circumstances polling stations outside an area could be used if no suitable ones could be found within the polling place.
- ii. Polling districts/places were agreed by the Civic Affairs Committee. The Returning Officer was responsible for allocating polling stations.
- iii. The Committee could set a polling place anywhere within its polling district, however allocating the whole polling district as a polling place would be more suitable. If required (ie no suitable ones available when required) details of alternates could be brought back to a future committee for approval. The Returning Officer could then set specific polling stations to use on polling day subject to availability.

### **Unanimously resolved:**

- i. To approve the changes to polling districts in Cambridge as laid out in maps (Appendix A of the Officer's report and amendment sheet).
- ii. That the polling place for each polling district is the polling district boundary, unless otherwise stated in Appendix B of the Officer's report and amendment sheet.

## **19/39/Civ Annual Complaints Report 2018-19**

The Committee received a report from the Head of Corporate Strategy regarding the Annual Complaints Report. The Officer updated his report to say on page 5 of the report (page 73 of the agenda pack) the report gave the number of complaints in the last year (1161), and the number by which this had increased on the previous year (463). These were also shown in the chart at the top of the following page. Due to a calculation error when working out the percentage increase, this was erroneously stated as a 34% increase. The correct figure is 66%.

The Head of Corporate Strategy, Head of Shared Internal Audit, Head of Shared Waste Service and Business & Development Manager said the following in response to Members' questions:

- i. The Council has a Local Code of Governance which is a framework of policies and processes that Councillors and Officers should follow. The complaints process is part of this framework that is reviewed annually by Members as part of the Annual Governance Statement.
- ii. The Council had a risk-based approach to Internal Audit planning and any significant risks or governance issues would be included.
- iii. Complaint 'response within target' trend information for the council as a whole could be reported back in future to show statistics such as year on year comparison.
- iv. The number of complaints had risen since 2018/19, but this was due to a number of factors. For example, people could complain about policy decisions (eg bin collection days, the policy on collecting missed bins or the policy on green waste collections) as well as operational matters such as repeatedly-missed individual bins. The City Council reported missed bin collections due to blocked roads (i.e. factors outside its control) unlike most other local authorities. The Waste Service had a tracker system to monitor, address and spot trends.
- v. The Council had a system that could separate complaints into different categories e.g. policy or operational. Services were learning how to do this; some were more advanced than others.
- vi. The City and South Cambridgeshire had growth areas. The Waste Service could receive complaints if bins were not collected as access roads were unsuitable for collection vehicles or the Service was unaware of new housing developments (i.e. not notified of them). The Waste Service reacted to complaints when received.
- vii. Each local authority reported complaints in different ways so it was hard to compare the City Council with others. However, the level of complaints

in recent years seemed to be lower than some comparable local authorities.

- viii. The scope of the Independent Complaints Investigator was modelled on the Local Government Ombudsman. Removing Stage 3 from the Council's complaints procedure would not leave people unable to make complaints.

**Unanimously resolved:**

- i. Considered the draft Annual Complaints Report for 2018-19, and approved for publication on the Council's website.

**Resolved (by 4 votes to 0):**

- ii. Agreed to amend the Civic Affairs Committee's Terms of Reference as explained in paras 3.6 – 3.12 of the Officer's report and also set out in Appendix C.
- iii. Agreed to remove Stage 3 from the Council's complaints procedure from 1 April 2020 as explained in paras 3.13 – 3.23 of the Officer's report.

**19/40/Civ Freedom of Information, Data Protection and Transparency: Annual Report 2018/19**

The Committee received a report from the Information Governance Manager regarding an annual report on performance and activity during 2018/19 on transparency issues. This included data protection; requests for information under Freedom of Information (FOI) and Environmental Information Regulations (EIR); and open data.

In addition, the report covered snap shots of projects the council was addressing in line with the Data Protection Act (DPA) and General Data Protection Regulations (GDPR) 2018 Regulations.

The Strategic Director said an amended report would soon be published to correct inconsistencies in the first one. She also referred to the amendment sheet which replaced the table on page 115 of the Civic Affairs Agenda Reports Pack.

The Strategic Director amended the recommendation in the report.

- ~~Withdrawn: The Council needs to review the Data Protection Act and General Data Protection Regulations 2018 to ensure they align with current processes and procedures.~~
- New: It is recommended that the Committee note the contents of the report.

The Committee made the following comments in response to the report:

- i. The number of Freedom of Information (Fol) requests had risen and queried why.
- ii. Cyber security was an important issue, requested more details in future.

The Strategic Director said the following in response to Members' questions:

- i. Fol requests often came from suppliers asking for contract and product information (eg asking when a contract was due to change), prior to the supplier putting in a sales pitch.
- ii. The public sector was obliged (by Central Government) to respond to Fol requests in order to be seen to be transparent. The Council had some discretion to restrict the information given out if it was commercially sensitive.
- iii. Responding to Fol requests took time and officer resources. The City Council could liaise with the Local Government Association to see if certain types of Fol requests could be prioritised in future so that information for sales pitches was not treated in the same way as other Fol requests.
- iv. It was proposed to continue publishing data sets relating to frequently-requested information on the council website to minimise the number of questions being submitted in future.
- v. Cyber security details (eg certificate of compliance) would be included in the updated officer report.

**Unanimously resolved** to note the contents of the report.

### **19/41/Civ Proxy Voting at Council Meetings**

At the last Committee (19/23/CIV) Councillor Katie Porrer submitted a written request for officers to investigate this issue of proxy voting at local authority committee meetings. The report from the Democratic Services Manager answered that request.

Councillor Porrer raised the following points:

- i. Welcomed the City Council writing to the Local Government Association.
- ii. Expressed disappointment that proxy voting was currently illegal for councils.
- iii. Requested an amendment to the Officer's recommendation requesting that such a scheme should cover shared parental leave.

The Committee agreed to amend the Officer recommendation to reflect the additional request.

The Democratic Services Manager said the following in response to Members' questions:

- i. Noted Councillors willingness for the City Council to pilot any future scheme for local government.
- ii. It was difficult to predict when the legislation would be introduced as it was unlikely to be a Government priority..

**Unanimously resolved** to ask the Chief Executive to write to the Local Government Association requesting that it raises with Government the equality issue raised in this report and whether it should consider introducing this for local government meetings.

### **19/42/Civ Calendar of Meetings 2020/21**

The Committee received a report from the Democratic Services Manager seeking approval of the Council's meeting calendar for the Municipal Year 2020/21 (indicative).

In response to the report Councillor Sargeant proposed retaining the current start time of 11am for Annual Council in 2020.

**Unanimously resolved** to:

- i. Approve the meetings calendar 2020/21 and, if required, to delegate final approval to the Chief Executive in consultation with Group Leaders by the end of October.
- ii. Confirm cancellation of the April 2020 Council Meeting.

**Resolved (by 4 votes to 0)** to:

- iii. Agree the start time for the Annual Meeting of Council 2020 as 11am.

### **19/43/Civ Flag Flying Protocol**

The Committee received a report from the Democratic Services Manager seeking the Committee's consideration of the current flag flying protocol and whether the Human Rights flag should be added to it.

In response to the report Councillors commented that the council should celebrate diversity in the city by flying the Human Rights flag.

**Unanimously resolved** to support flying the Human Rights flag on World Human Rights Day, 10 December and amend the flag flying protocol accordingly.

The meeting ended at 7.05 pm

**CHAIR**

This page is intentionally left blank