



**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
29 SEPTEMBER 2022**

PRESENT

Chairman	Councillor W Stamp, CC
Vice-Chairman	Councillor Mrs J L Fleming, CC
Councillors	M R Edwards, A S Fluker, A L Hull, E L Stephens, Mrs J C Stilts and Mrs M E Thompson

262. CHAIRMAN'S NOTICES

The Chairman welcomed all present and took the Committee through some housekeeping arrangements for the meeting.

263. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor N J Skeens.

264. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 21 July 2022, be approved and confirmed.

265. DISCLOSURE OF INTEREST

There were none.

266. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

267. CYBER SECURITY UPDATE

The Committee consider the report of the Director of Service Delivery that updated Members on Cyber Security.

Following a debate on key issues the Committee agreed the recommendations in the report.

RESOLVED

- (i) That Members note the BDO audit report and IT action plan completed.
- (ii) That the BDO report and supporting technical report are sent to the Council's Overview and Scrutiny Committee for review.

268. RESUMPTION OF BUSINESS IN OPEN FORUM

RESOLVED that the Chairman resumed the business of the meeting in open forum at 20:13pm.

269. PUBLIC PARTICIPATION

No requests had been received.

270. REVIEW OF CORPORATE PERFORMANCE - QUARTER 1

The Committee considered the report of the Director of Strategy, Performance and Governance that required the Committee to undertake a quarterly review of the Thematic Strategies performance, as assurance that performance was being managed effectively to achieve the corporate outcomes as set out in the Council's Corporate Plan 2021 - 2023. Appendix 1 to the report provided an overview of performance as at the end of Quarter 1 (Q1) (April - June 2022).

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She took the Committee through the report starting with section 3.3. which highlighted a summary of performance. As at the end of Q1, it was only the prosperity strategy where outcomes had been marked at risk, and these were highlighted. Section 3.4 drilled down further detailing specific indicators that had been marked at risk within each strategy. The data behind these summaries were set out in the appendix pages 41-62 of the agenda pack. At page 63 was the first iteration of commercial strategy reporting. The full template was provided for committee visibility but some of the measures will not start to be updated until quarter two. The commercial projects that contributed to overall delivery and their current status were reported within this table.

The Chairman then opened the discussion.

In response to issues raised Officers provided the following information:-

- That the colour coding, in particular the green section in appendix 1 would be addressed in the next iteration of the report.
- That resources for the delivery of Management Plans for all Maldon District Council owned public and open spaces had been discussed in reports to Council. The final allocation would be agreed through a further report to Council in April 2022.
- That discussions were reinstated regarding the Air Quality Management Action Plan (AQMA) and funding had been made available. A meeting took place with Essex County Council (ECC) w/c 22/9/2022 to determine next steps. An update on that meeting would be circulated to Members outside of the meeting.

- That an update would be circulated outside of the meeting on Business Engagement.
- That Tourism had been badly hit by Covid, large numbers were returning to Promenade Park as evidenced by parking numbers. There had been a lag in uptake and once that levelled out the risk would be mitigated.
- That the Council is supporting residents during the cost of living crisis and support measures were available on the website. That Officers were also working with ECC on measures to improve the economy as a whole.
- That the low percentage of customer facing staff training was due to high staff turnover, this will improve in Quarter 2.
- That whilst there had been issues with Parish/Town Councils regarding service delivery by Community Engagement Teams (CETs), the activities within the majority of Service Level Agreements (SLAs) had been delivered. Officers had set up forums to engage directly with areas experiencing difficulties and will report back.
- That CET staff in accordance with Ignite's transformation model posted planning notices as it was deemed more efficient than planning officers, given they were already community based.
- That there was a plan in place around the Houseboats, with licenses and agreements in place, which would be progressed shortly. That in respect of the Lys Hellig, a planning application had been submitted and a response was awaited from ECC.
- That information on Land Acquisition would be distributed outside of the meeting.
- That retrofitting of housing with insulation would be explored with a view to including a key performance indicator on the number of residents accessing grants etc.
- That the bids to government for shared prosperity and levelling up funding would cover the River Bailiff hut and kiosk and there may be scope for improvements in Promenade Park, dependant on the level of funding achieved.

There being no further issues raised the Chairman put the duly seconded recommendations, to include deference to the concerns raised in the meeting, to the Committee and they were agreed by assent.

RESOLVED

- (i) That Members reviewed the information as set out in this report and Appendix 1 with priority focus given to the Strategic Outcome level performance.
- (ii) That Members confirmed they were assured through this review that corporate performance was being managed effectively.

271. REVIEW OF CORPORATE RISK - QUARTER 1

The Committee considered the report of the Director of Strategy, Performance and Governance asking Members to undertake a quarterly review of the Corporate Risk Register as assurance that the Council's corporate risks were being managed effectively. A table of the Corporate Risk Register, latest ratings and officer commentary was attached as Appendix 1 to the report.

The Chairman introduced the report and deferred to the Programmes, performance and Governance Manager to address the detail. She took the Committee through the Corporate Risk Register as of the end of quarter 1, June 2022 together with Appendix 1.

It was noted that one risk was recommended for closure Risk 13: Failure to manage impact of operational change- this was because operational resources were now a part of Business as usual, and as an example the Planning service report was reported separately to members. There was a new risk R33 – Lack of Temporary Accommodation & Special housing to cope with housing demand – this was because of several factors leading to an increase in demand when the District had limited supply of social housing stock.

In response to issues raised Officers provided the following information:-

- That in terms of reporting risk movement and action taken this was being addressed in the Risk Policy Report, with a view to creating a separate column highlighting 'actions'.
- That in terms of recruitment and retention of staff the Council was working with the Local Government Association (LGA) on best practice as this was a national issue not just a local one. In addition, officers were working with ECC on best ways to advertise and highlight career path opportunities, resulting in a comprehensive recruitment pack.
- That an additional recommendation would be actioned to request that Overview & Scrutiny Committee consider Staff Exit Questionnaire outcomes as part of their work programme.
- That in respect of influencing Community Safety Partnerships this was not in the control of just Maldon District Council, however, officers continue to work closely and engage with these partnerships.

There being no further discussion the Chairman put the duly seconded recommendations, including the recommendation for Overview and Scrutiny, to the Committee and they were agreed by assent.

RESOLVED

- (i) That Members reviewed the Corporate Risk Register in Appendix 1 and provided comment and feedback for consideration.
- (ii) That Members were assured through this review that corporate risk was being managed effectively.
- (iii) That Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.
- (iv) That the Committee recommend that Overview & Scrutiny consider outcomes from staff Exit Questionnaires, as part of their work programme, in the form of a summary report.

272. REVIEW OF HEALTH AND SAFETY - QUARTER 4 2021/22 & QUARTER 1 2022/23

The Committee considered the report of the Director of Service Delivery that provided an update on Health and Safety statistics and activity during Q4 (1 January 2022 to 31 March 2022), and quarter 1 (1 April to 30 June 2022).

The Chairman introduced the report and deferred to the Specialist Services Manager to present the detail. She took the Committee through the report highlighting the good progress made to date on health and safety arrangements. She flagged the increase in reporting on accidents, near misses and unacceptable behaviour which was viewed as a positive as it demonstrated that the reporting process was effective.

The Chairman thanked all staff involved in both the work and the report and noted that it was also circumspect to mitigate in some instances. She then put the duly seconded recommendations to the Committee and they were agreed by assent.

RESOLVED

- (i) That Members considered the accident and incident statistics;
- (ii) That Members considered progress with the Health and Safety Action Plan at Appendix 1;
- (iii) That Members considered additional Health and Safety improvements being implemented in addition to those identified in the action plan.

273. BALANCE SCORECARD EXCEPTIONS REPORT

The Committee considered the report of the Director of Strategy, Performance and Governance that reported exceptions to operational service and required this Committee to be given visibility of any identified Balance Scorecard Key Performance Indicators (KPIs) that had met their threshold, supported by an action plan to ensure targets were met.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She took the Committee through the report that covered areas of operational performance exceptions, both under and overperformance. It was noted that that the exceptions report was provided on a six monthly basis as a result of the monthly monitoring of service level performance. The report covered the period of January to June 2022.

She drew Members' attention to the table in section 3.5 that covered underperforming measures and section 3.6 that highlighted two overperforming areas. Additionally, appendix one to the report provided planning service operational performance data to provide more detailed context for this area.

In response to issues raised Officers provided the following information:-

- That the colour coding on appendix 1 would be reviewed for the next iteration of the report.
- That going forward the specific detail in the monthly Balance Scorecard report would be included in the explanation column on the 6 monthly exceptions report received by Committee.

- That Planning Performance levels had been achieved at a cost, both pressure on staff and the use of external agency support. That details of the cost of the external support would be circulated to Members outside of the meeting.
- That recruitment of HGV drivers continued to be a problem.

There being no further questions the Chairman put the duly seconded recommendations to the Committee and they were agreed by assent.

RESOLVED

- (i) That the committee reviewed and commented on exceptions to service reporting provided in this report ;
- (ii) That Members noted the additional performance in Appendix 1 ;
- (iii) That Members confirmed they were assured through this review, Operational performance was being managed effectively.

274. RISK MANAGEMENT POLICY

The Committee considered the report of the Director of Strategy, Performance and Governance that provided an updated Risk Management Policy for adoption and addressed recent risk audit recommendations through the revision of the Council's Corporate Risk Management approach.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She advised that the Risk Management policy was due for renewal by November 2022, as it was refreshed every three years. It was defined in the Performance, Governance and Audit Committee's terms of reference that this was a strategy signed off by this committee, due to committee responsibility for risk management. She reminded the Committee that it had recently received the internal audit for Risk Maturity. That audit gave a good level of assurance but also highlighted some best practice suggestions such as tracking and being clear on mitigating actions, and being clearer on how to score for likelihood and consequence when reporting risks, and these have now been incorporated into the policy.

The Committee raised no issues regarding the report and the Chairman put the duly seconded recommendations to the Committee and they were agreed by assent.

RESOLVED

- (i) That the revised Risk Management Policy (Appendix A) be adopted;
- (ii) That the committee recommended Mandatory annual staff and member e-learning on Risk management.

275. ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE - QUARTER 1

The Committee considered the report of the Director of Strategy, Performance and Governance that updated Members on the actions identified in the 2022/23 Annual Governance Statement (AGS).

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She drew Members' attention to the annual governance statement, where actions were identified to improve best practice across the organisation. Section 3.5 highlighted updates against these actions, based on three months of activity since the statement was approved. Four actions were reported as completed and a further six were in progress.

There being no areas of concern the Chairman put the duly seconded recommendation to the Committee and it was agreed by assent.

RESOLVED that the Committee reviewed the Annual Governance Statement's table together with updates and challenged where necessary

276. COUNCIL CONSTITUTION AND SCHEME OF DELEGATION GENERAL POWERS UPDATE

The Committee considered the report of the Director of Strategy, Performance and Governance that sought the Committee's consideration of a proposed revision to the above powers within the Constitution and to recommend to the Council that the revision is made.

The Chairman introduced the report and deferred to the Programmes Performance and Governance Manager to present the detail. She drew Members' attention to the Council's adopted Financial Regulations that acknowledged Directors and other budget-holders were authorised to incur expenditure from approved budgets. Therefore, for the avoidance of any doubt, and to give it added status for internal administrative purposes, it was felt that this should appear in the Scheme of Delegation (General Powers) section of the Constitution. This in no way extended or transferred delegated powers as such, and the proposed wording was set in terms designed to ensure the proper use of this general authorisation. It was noted that the proposal was supported by the Corporate Governance Working Group at its last meeting.

The Committee raised no concerns and the Chairman put the duly seconded recommendation to the Committee and it was agreed by assent.

RECOMMENDED that the proposed addition be made to Part 3 3 – Responsibility for Functions - Scheme of Delegation (General Provisions) as detailed below:

In order to be seen as a form of authorisation, and for added clarification and status, that the proposed be added for clarification:

12. **Financial Management** – Directors, and service managers, have responsibility for the management of the financial aspects of service provision, which includes authority to incur expenditure considered to be reasonably required to carry out the policies of the Council at any time provided that such expenditure is in accordance with the budget, is fit for purpose, and there is sufficient money existing within the budget or otherwise vired.

277. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

There were none and the Chairman thanked all for their contributions and closed the meeting.

The meeting closed at 9.37 pm.

W STAMP, CC
CHAIRMAN