



**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
5 JUNE 2025**

PRESENT

Chairperson	Councillor W Stamp, CC
Vice-Chairperson	Councillor N D Spenceley
Councillors	M G Bassenger, S J Burwood, J C Hughes, M G Neall, U C G Siddall-Norman and M E Thompson
Independent Person	Mr Derek Smith

58. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting. At this point, Ben Jay, the Council's permanent Chief Finance Officer / Section 151 introduced himself.

59. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D O Bown and R G Pratt.

60. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 20 February 2025 be approved and confirmed.

61. MATTERS ARISING

The Committee noted the matters arising from the last meeting.

62. DISCLOSURE OF INTEREST

Councillors S J Burwood and N Spenceley declared a matter of transparency in relation to Agenda Item 14 - Proposed Community Governance Reviews - Various Parishes as Heybridge Parish Councillors and Ward Members, advising that this report directly affected their Ward.

63. PUBLIC PARTICIPATION

No requests had been received.

64. REAPPOINTMENT OF INDEPENDENT PERSON TO THE PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE

The Chairperson advised that following the Council decision on 11 July 2024 (Minute No. 165 refers), the Committee was required to complete an annual review of the Independent Person (Mr Derek Smith) and then either reconfirm the postholder, or recruit into the role delegated to the Committee for the Municipal Year 2025 / 26.

The Chairperson thanked Mr Smith for attending meetings and proposed that Mr Derek Smith be reappointed for the Municipal Year 2025 / 26. This was duly seconded and agreed.

RESOLVED that Mr Derek Smith be reappointed as Independent Person to the Performance, Governance and Audit Committee for the Municipal Year 2025 / 26.

65. INTERNAL AUDIT REPORTS

The Committee considered the report of the Chief Financial Officer and associated Internal Audit reports from BDP LLP, attached on the agenda as follows:

- 8a) Progress Report 2024 / 25 and 2025 / 26 (June 2025)
- 8b) Follow-Up of Recommendations Report (June 2025)
- 8c) Building Control Final Report (May 2025)
- 8d) IT Disaster Recovery and Business Continuity (May 2025)
- 8e) General Data Protection Regulations (May 2025)

The Chief Finance Officer introduced the report, highlighted how the function of Internal Audit provided assurance on key aspects of the Council.

Progress Report 2024 / 25 and 2025 / 26

Mr Andrew Billingham (BDO LLP) presented his report to the Committee which provided an update on completion of the 2024 / 25 internal audit plan and commencement of the 2025 / 26 plan. It was noted that since the last report to the Committee three further reviews had been finalised and it was anticipated that the remaining two audits would be reported to the next meeting of this Committee. In respect of 2025 / 26 Members were advised that these audits had been scoped and BDO was having discussions with the Corporate Leadership Team regarding Local Government Reorganisation to identify how it could help the Council.

Follow Up of Recommendations Report (June 2025)

Mr Aaron Winter (BDO LLP) presented the report and advised that the outstanding recommendations for 2021 / 22 and 2024 / 25 had been closed. In respect of 2023 / 24 one recommendation was now complete and a recommendation regarding Licensing categorised as 'overdue'. It was reported that Officers were progressing the Licensing recommendation and once the evidence had been received BDO would be able to close it. Mr Winter referred to the positive position, with no other outstanding recommendations.

Building Control Final Report (May 2025)

Mr Billingham presented the report advising that a review of the Council's Building Control service had taken place and outlined the purpose of the review. It was noted that two high and medium priority recommendations had been raised to support the Council mitigate the identified risks.

At this point, the Chairperson extended thanks to the Assistant Director – Planning and Implementation and Auditors.

IT Disaster Recovery and Business Continuity Final Report (May 2025)

Mr Winter presented the report advising of the IT Disaster Recovery and Business Continuity review that had been undertaken. He highlighted the purpose of the review, set out in the report, which included a review of recommendations raised in 2019 / 20. It was noted that whilst this would provide assurance, absolute assurance that the Council would recover from an incident of disaster could not be given. Mr Winter highlighted that two substantial opinions had been given, alongside a number of areas of strength which was a positive outcome for the Council and demonstrated strong foundation. He advised that BDO carried out a lot of work in this area and they did not often see such a positive outcome.

The Committee asked that its congratulations be passed to the IT Team and managers.

During the debate that ensued and in response to a number of questions the following information was provided:

- The Chief Executive advised that the Council did have evidence of attempts to hack its systems, however Members should be reassured by what had been highlighted in the audit. The IT team were constantly checking and protecting systems on a daily basis and he received a monthly report on vulnerabilities, attacks etc. and the measure being put in place to combat them.
- The Council was currently working with 16 alpha numeric passwords and two-factor encryption but was also looking to introduce a stronger system.

The Chairperson reminded Members of the Council's online training courses including Boxfish that needed to be completed. She advised that should Members require any additional help this was available.

General Data Protection Regulation (GDPR) Final Report (May 2025)

Mr Winter presented the report advising of the GDPR review that had been undertaken. He highlighted the purpose of the review to assess the Council's compliance against key parts of UK GDPR and the areas covered, as set out in the report. It was noted that three medium and one low priority recommendation had been made. Mr Winter highlighted the recommendation in relation to the Council's Record of Processing Activities (RoPA) and advised that the Council had actions in place to address some of the findings.

The Lead Specialist: Legal and Monitoring Officer advised that she was the Council's designated Data Protection Officer and part of her role was to deal with Data Protection and Subject Access requests. She was currently meeting with heads of departments to check data in respect of the Council's RoPA and it would then be shared with Internal Audit. It was anticipated that this would be completed in two weeks.

The Chairperson requested that all Members be sent an email reminder to complete their GDPR training.

Internal Audit reports continued

The Chairperson then moved the recommendations set out in the report, taking into

consideration the earlier discussions. This was duly seconded and approved.

RESOLVED

- (i) that the Committee considered, commented, and approved the following reports as set out on the agenda:
 - (a) Progress Report 2024 / 25 and 2025 / 26 (June 2025) at 8a;
 - (b) Follow-Up of Recommendations Report (June 2025) at 8b;
 - (c) Building Control Final Report (May 2025) at 8c;
 - (d) IT Disaster Recovery and Business Continuity (May 2025) at 8d;
 - (e) General Data Protection Regulations (May 2025) at 8e.

The Chairperson thanked the Internal Auditors for their reports and attendance.

66. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES AND WORKING GROUPS

The Committee considered the report of the Chief Executive to appoint to Outside Bodies and Working Groups of the Performance, Governance and Audit Committee for the ensuing municipal year.

The Chairperson drew Members’ attention list of outside bodies set out in section 3.1.1 of the report and that nominations for two Process Improvement Champions were required. It was duly agreed that Councillors N D Spenceley and M E Thompson be appointed as the Committee’s Process Improvement Champions.

The Chairperson called for nominations to the Working Group set out in the report and it was agreed that Councillors M G Bassenger, U C G Siddall-Norman, N D Spenceley, W Stamp and M E Thompson be appointed to this Working Group.

RESOLVED

- (i) That the Committee appoints representatives to the following Outside Bodies, for the ensuing Municipal Year;

Outside Body	2025 / 26 Representative(s)
Chairs of Audit Committee Forum	Chairperson of the Performance, Governance and Audit Committee
Town and Parish Engagement Forum	Chairperson of the Performance, Governance and Audit Committee
Process Improvement Champions	Councillors N D Spenceley and M E Thompson

- (ii) That the Committee appoints representatives to the following Working Groups, for the ensuing Municipal Year;

Working Groups	2025 / 26 Representative(s)
Performance, Governance and Audit Working Group	Councillors M G Bassenger, U G C Siddall-Norman, N D Spenceley, W Stamp and M E Thompson

67. REVIEW OF CORPORATE RISK - QUARTER 4

The Committee considered the report of the Chief Executive which set out the requirement for this Committee to undertake a quarterly review of the Corporate Risk Register as assurance that 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 mitigating action log was set out in Appendix 2.

The Assistant Director – Programmes, Performance and Governance presented her report for quarter four (Q4) (January – March 2025) and advised that between quarter three and Q4 there had been no changes to existing risks. She drew Members' attention to new risk *Failure to provide adequate building safety and access systems* and risk *Failure to have a structured way to engage and support local businesses* which was recommended for closure.

During the debate that followed Officers provided further information regarding some of the risks set out in in Appendix 1 in response to questions raised by Members and the Independent Person.

- The Chief Finance Officer explained the work being done by the Council to close down the 2024 / 25 accounts and how along with the other 15 Councils involved in Devolution Maldon was engaged in the work being done regarding project management and delivery. He outlined how all Section 151 Officers had been clear that they wanted to see services maintained or improved and highlighted work being done with the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Ministry of Communities, Housing and Local Government to ensure relevant support was provided. It was expected that a report on such matters would be brought forward for consideration in the Autumn.
- Difficulty recruiting staff was widespread across all Councils and the risk related to the specific market for specialist areas such as Environmental Health, Planning, Building Control etc.
- In response to a question regarding the controls relating to Risk 17 – Failure to provide adequate building safety and access systems, Members were advised that this was background information and Officers would look into how control detail could be added.

The Chairperson moved the recommendations set out in the report and these were duly agreed.

RESOLVED

- (i) That Members reviewed the Corporate Risk Register in Appendix 1 to the report and provided comment and feedback for consideration;
- (ii) That Members reviewed progress of the Corporate Risk Mitigating actions in Appendix 2 and provided comment and feedback for consideration;
- (iii) That Members are assured through this review that corporate risk and was being managed effectively;
- (iv) That Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.

68. RISK MANAGEMENT POLICY

The Committee considered the report of the Chief Executive seeking Members' approval of an updated Risk Management Policy (the Policy) attached as Appendix A to the report.

The Assistant Director – Programmes, Performance and Governance presented her report advising that the Policy set out the framework for how the Council managed and mitigated risk. The current Policy was due for renewal in October 2025 and the updated Policy had been simplified, reflected best practice updates and new system work the Council had been carrying out around risk management. She advised that that revised process included target risk scores and simplified scoring criteria with a recommended action, depending on the risk score. Members were advised that if the Policy was adopted Officers recommended that a full review of the Corporate Risk Register take place as part of the quarter 1 risk review work.

In response to a question regarding the Local Government Reorganisation and Devolution, it was noted that this would appear on the Council's risk register which was separate to the Policy.

In response to a comment, Officers agreed to amend the table shown at section 2d) of the Policy as the numbers 7 and 8 were missing from the score column.

The Chairperson then moved the recommendations set out in the report. This was duly seconded and agreed.

RESOLVED

- (i) That subject to the above minor amendment, the Risk Management Policy (at Appendix A to the report), be adopted;
- (ii) That the Committee continues to receive quarterly reports of the Corporate Risk Register for review and challenge;
- (iii) That the Corporate Risk Register is reviewed considering the revised Policy as part of Quarter 1 reporting.

69. ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE

The Committee considered the report of the Chief Executive updating Members on the actions identified in the 2024 / 25 Annual Governance Statement (AGS).

The report provided background information regarding the AGS which was approved by this Committee on 10 June 2021. An updated list of actions for the year looking forwards was set out in the report.

The Assistant Director – Programmes, Performance and Governance presented the report advising that the new AGS and associated actions had been approved by the Committee. Therefore, when the quarter 1 report came forward this would include best practice actions and updates in addition to those that needed to roll over from the 2024 / 25 AGS. Members noted the two actions that had been closed in Quarter 4.

The Chairperson moved the recommendation set out in the report, which was duly seconded and agreed.

RESOLVED that the Committee reviewed the Annual Governance Statements table and updates set out in the report.

70. HEALTH AND SAFETY UPDATE - QUARTER FOUR 2024 / 25

The Committee considered the report of the Deputy Chief Executive that provided an update on Health and Safety (H&S) statistics and activity during quarter four (1 January to 31 March 2025).

The Assistant Director – Place and Community introduced the report, which included updates relating to the BDO Health and Safety Audit report (presented to this Committee on 5 December 2024) and highlighted the numbers of accidents / incidents and near misses and incidents of unacceptable behaviour during this quarter. All incidents were scrutinised through the H&S Senior Manager Group with monthly performance updates reported to the Extended Leadership Team. The Assistant Director referred to there not being a centralised H&S budget and the options being explored to create a ring-fenced H&S budget to enable prioritisation of training and equipment to mitigate possible injury.

In response to a number of questions raised during the debate, the following information was provided by Officers:

- The incident resulting in damage to the tractor flail arm had been fully investigated, risk assessments updated and procedures shared amongst operators of the equipment.
- Regarding incidents of unacceptable behaviour, these were reviewed by manager and where it felt appropriate Police information and advice was sought.

There being no further discussion the Chairperson moved the recommendations set out in the report. This was duly seconded and agreed.

RESOLVED

- (i) That Members considered the accident and incident statistics and incidences of unacceptable behaviour reported;
- (ii) That Members considered progress of key health and safety actions as set out in section 3.2 of the report.

71. PROPOSED COMMUNITY GOVERNANCE REVIEWS - VARIOUS PARISHES

The Committee considered the report of the Chief Executive seeking Members' consideration of requests from various Parish / Town Council for review of boundaries and electoral arrangements.

The report advised that the Boundary Commission for England had paused all work on the District-wide electoral review, in view of the implications of the Government's English Devolution White Paper. As a result of writing to Parish and Town Councils to establish if there were any particular issues required to be dealt with, the report detailed requests received from a number of Parish Councils as well as Maldon Town Council. The Corporate Governance Project Officer presented the report, drawing Members' attention to the Council's response to each request and whether further action was proposed.

Members noted that Officers had concluded that there was merit in undertaking Community Governance Reviews (CGR) for the boundary revisions in Maldon and Heybridge and the increased Memberships requested for Little Braxted, and also North Fambridge which had previously been approved.

In response to a question, the Officer advised that each CGR would need to have terms of reference prepared for publication and as a basis for consultation, together with a timetable of events which would include a report back to the Committee for a final recommendation. This could take between nine months and a year to complete.

The Chairperson moved the recommendations set out in the report, which were duly seconded and agreed.

RESOLVED

- (i) That Community Governance Reviews be instigated in line with the requests by Maldon Town Council and Heybridge Parish Council for parish boundary revisions;
- (ii) That a Community Governance Review be instigated in line with the request by Little Braxted Parish Council for an increase in its membership;
- (iii) That the Chief Executive be authorised to prepare for publication and consultation terms of reference for these proposals.

72. HEADLINE RESULTS AND ACTION PLAN OF THE STAFF SURVEY

The Committee considered the report of the Chief Executive updating Members on the recent staff survey results and seeking feedback on the associated action plan which had been produced by the Management team. It was noted that the annual staff survey had run from 18 November 2024 to 3 January 2025.

The Assistant Director – Programmes, Performance and Governance presented the report and drew Members' attention to section 3.4 which highlighted the key changes in comparison to the 2023 survey. Section 3.5 outlined the top positive, neutral and negative responses received and section 3.6 indicated common themes. Following a review of the staff survey results by the Corporate Leadership Team in February this year an action plan had been developed (set out at section 3.7 of the report) and it was noted that this would be updated and monitored quarterly.

During the discussion that ensued, and in response to a question the Assistant Director advised that the full data was able to show a breakdown by Assistant Director area, however the survey did not ask for characteristics such as role or gender. She agreed to confirm the number of staff 58% represented and provide Members with a copy of the staff communications.

The Chairperson moved the recommendations set out in the report. This was duly seconded and agreed.

RESOLVED

- (i) That the Committee reviewed and commented on the staff survey results and associated action plan activities listed in section 3.7 of the report;
- (ii) That Members confirm through this, they are assured the staff survey response is being managed effectively.

73. UK SHARED AND RURAL ENGLAND PROSPERITY FUNDS

The Committee considered the report of the Chief Executive updating Members on the closure of the UK Shared and Rural England Prosperity Funds (UKSPF) for the allocation period 2022 to 2025. The report also provided an update on the progress of UKSPF funds for the allocation period 2025 / 26.

The Lead Specialist Prosperity presented the report and gave a short presentation which highlighted key achievements in respect of the UKSPF. Members congratulated the Lead Specialist Prosperity on her report.

A supporting document was attached at Appendix 1 to the report and set out the projects completed with the Council's allocation of £1,000,000 for the UKSPF over the three-year period. It was noted that all projects were completed on time, within budget and the Council had reported a £669 underspend to the Ministry of Housing, Communities and Local Government.

Appendix 2 to the report detailed grants issued to organisations and the purpose of the funding under the Council's Rural England Prosperity Fund (REPF) allocation. There had not been any underspend with this allocation. Appendix 3 provided an update on the UKSP and REPF previously approved projects for 2025 / 26.

The Chairperson referred to paragraph 3.2.6 of the report which referred to Ward Members. She asked Officers when consulting with Ward Members in the areas of Heybridge, Maldon and Burnham-on-Crouch that consideration be given to including all Ward Members. Officers advised that they had noted this comment and would review consultation of Ward Members.

In response to a comment raised regarding reviewing terms of reference / governance in respect of managing the funds, Members were advised that the process for the Community Grant Fund was due to be considered by the Council at its meeting on 10 July 2025.

The Chairperson then moved the recommendations set out in the report. This was duly seconded and agreed.

RESOLVED

- (i) That the Committee acknowledges the closure of the UK Shared and Rural England Prosperity Funds (UKSPF) for the allocation period 2022 to 2025 and its successes;
- (ii) That the Committee acknowledges the update provided on Maldon District's UKSPF allocations for 2025 / 26 and continues to monitor the delivery.

74. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRPERSON OF THE COMMITTEE DECIDES ARE URGENT

At this point, Councillor U G C Siddall-Norman thanked Officers for their hard work, advising that she was extremely impressed with the level of the presentations, the meeting tonight and Members' participation. The Chairperson asked that this comment be recorded in the Minutes.

There being no other items of business the Chairperson closed the meeting at 8.59 pm.

W STAMP, CC
CHAIRPERSON