

Minutes of the Meeting of the AUDIT AND SCRUTINY COMMITTEE held at the Council Chamber, Epsom Town Hall on 6 April 2023

PRESENT -

Councillor Steve Bridger (Chair); Councillor Nigel Collin (Vice-Chair); Councillors Rob Geleit, Phil Neale, David Reeve, Alan Sursham and Chris Webb

In Attendance: Natalie Jerams (Assistant Head of Partnership) (Southern Internal Audit Partnership (Internal Auditor)) (Items 32-37 only)

Absent: Councillor David Gulland and Councillor Christine Howells

Officers present: Andrew Bircher (Interim Director of Corporate Services), Brendan Bradley (Head of Finance), Will Mace (Business Assurance Manager), Tim Richardson (Democratic Services Manager) and Phoebe Batchelor (Democratic Services Officer)

32 QUESTION TIME

No questions were received by members of the public.

33 DECLARATIONS OF INTEREST

No declarations of interest were made in relation to items of business discussed at the meeting.

34 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Audit and Scrutiny Committee held on 2 February 2023 were agreed as a true record and signed by the Chair.

A Member of the Committee raised that a number of items of additional information were due to be provided to Members following the meeting on 2 February 2023, but that these had not yet been received. The Committee requested officers to provide the additional information detailed in the minutes of the 2 February meeting to all Members of the Committee following this meeting.

35 SIAP INTERNAL AUDIT PLAN 2023-2024 AND INTERNAL AUDIT CHARTER

The Committee received a report that introduced the Internal Audit Plan and Charter for 2023-2024.

Following consideration, the Committee unanimously resolved to:

- (1) **Endorse the Internal Audit Plan 2023-2024 as set out in Appendix 1 of the report.**
- (2) **Approve the Internal Audit Charter 2023-2024 as set out in Appendix 2 of the report.**

36 SIAP INTERNAL AUDIT PROGRESS REPORT - APRIL 2023

The Committee received a report summarising the progress against the Internal Audit Plan 2022-2023.

The following matters were considered:

- a) **Live Audit Reviews.** A Member of the Committee asked a question concerning the overdue items displayed in the table on page 44 of the agenda and whether the Committee could be provided with a detailed list of the outstanding actions. The representative for the Council's Internal Auditor directed the Committee to Annex 1 and 2 of the Progress Report where the relevant items were laid out in more detail.
- b) **Management Actions.** A Member requested clarification of progress against the revised management action dates laid out on page 53 of the agenda. The Business Assurance Manager informed the Committee that the data collection for progress against these actions was currently taking place and would continue over the next couple of weeks. An interim check has taken place already with relevant lead officers.

Following consideration, the Committee unanimously resolved to:

- (3) **Note the internal audit progress report from Southern Internal Audit Partnership (SIAP) attached at Appendix 1 to the report.**

37 EXTERNAL AUDIT UPDATE

The Committee received a report presenting an update on the 2021/22 Statement of Accounts audit and the Annual Auditor's Report.

Following consideration, the Committee unanimously resolved to:

- (4) **Note the conclusion of the 2021/22 Statement of Accounts audit;**
- (5) **Receive Grant Thornton's letter regarding the Annual Auditor's Report.**

38 COMMITTEE ANNUAL REPORT 2022-2023

The Committee received a report presenting the Annual Report of the Audit and Scrutiny Committee for 2022-2023.

Following consideration, the Committee unanimously resolved to:

- (6) Approve the Annual Report 2022-2023 attached at Appendix 1 to the report and to present the Annual Report to the next meeting of Full Council.**

39 ANNUAL REPORT OF THE USE OF RIPA POWERS

The Committee were presented with the Annual Report on the Council's activities relating to surveillance under the Regulation of Investigatory Powers Act 2000 (RIPA) for 2021.

The following matters were considered:

- a) **Correction of Report.** The Committee noted a typographical error to paragraph 1.1 of the report. The Interim Director of Corporate Services informed the Committee of the following correction:

- That the final sentence of paragraph 1.1 be deleted.

This correction was required as the report incorrectly stated that the Committee was required to approve the Policy.

- b) **Use of Mobile CCTV.** Following a question, the Interim Director of Corporate Services informed the Committee that he understood that the use of Mobile CCTV does not require RIPA authorisation unless it is covert in nature. The Interim Director agreed to investigate the requirements surrounding the use of mobile CCTV and report back to the Committee on this matter. A Member of the Committee responded to follow up on enquiries that they had previously made about the use of mobile CCTV in relation to possible misdemeanours within their ward, and queried the lack of use of RIPA surveillance over recent years.

The Interim Director of Corporate Services agreed to follow up on the Member's enquiries about RIPA surveillance and supply supplementary information about its uses.

- c) **Covert surveillance.** The Committee noted that covert surveillance had been used successfully in the past to take action on certain offences that have been committed.

Following consideration, the Committee unanimously resolved to:

- (7) Note the report of the Council's use of its RIPA powers for 2021 and 2022.**

40 OMBUDSMAN ANNUAL REPORT 2021-22

The Committee received a report providing the annual review of complaints received and decisions made by the Local Government and Social Care Ombudsman during 2021-2022.

The following matters were considered:

- a) **Ombudsman Annual Letter.** The Interim Director of Corporate Services informed the Committee that in future when the Ombudsman's Annual Letter is received by the council, it would be brought to the next available Audit & Scrutiny Committee meeting to enable a more timely review.
- b) **Ombudsman Complaints.** The Interim Director of Corporate Services acknowledged that a level of criticism had been directed at the council for the way in which some Ombudsman complaints had been dealt with. The Interim Director of Corporate Services assured the Committee that a number of actions had been taken to address the issues identified in the Ombudsman's letter, and that he anticipated that the current year's report from the Ombudsman would not show a repeat of them.
- c) **Correction of Report.** The Committee noted that the heading of line 4.1 should include the word "Equality" before "Impact Assessment".
- d) **Interim reports.** The Committee considered that regular reports on Ombudsman complaints would be more beneficial than a single report presented at the end of the year detailing all complaints over the previous 12 months. The Interim Director of Corporate Services agreed that updates would be provided regularly at each future meeting of the committee.
- e) **Complaint Procedure.** A Member asked if complaints are referred to the Ombudsman by the council or whether complainants approach the Ombudsman of their own accord. In response, the Interim Director of Corporate Services informed the Committee of the council's two stage complaint process and explained that complainants were informed of their right to refer the matter to the Ombudsman if they were not satisfied with the outcome of the council's investigation. The Ombudsman had the right to not accept a case if it has not gone through the council's full two stage process.
- f) **Housing Ombudsman.** In response to a question regarding the Housing Ombudsman Service, the Interim Director of Corporate Services detailed that there are a number of Ombudsman who deal with public services. The Local Government Ombudsman was working in partnership with the Housing Ombudsman to develop a complaint handling code and training programme.

A Member asked if the data presented in the report included housing complaints taken to the Ombudsman. The Interim Director of Corporate Services responded that the report did include relevant Housing

complaints taken to the Ombudsman, but that the council no longer managed its own social housing stock.

Following consideration, the Committee unanimously resolved to:

- (8) Receive and note the Local Government and Social Care Ombudsman Annual Review Letter 2021-2022.**

41 COMMITTEE WORK PROGRAMME 2023-2024

The Committee received a report updating the Committee with the work programme for 2023-2024.

Following consideration, the Committee unanimously resolved to:

- (9) Agree the on-going work programme for 2023-2024 as presented in Section 2 of the report.**

The meeting began at 7.30 pm and ended at 8.03 pm

COUNCILLOR STEVE BRIDGER (CHAIR)