

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Audit and General Purposes Committee**  
Held in the at 6.00 pm on **Thursday, 23 September 2021**

### PRESENT

Councillors: Alex Postan (Chairman), Dan Levy (Vice-Chair), Rupert Dent, Colin Dingwall, Harry Eaglestone, Duncan Enright, Gill Hill, Martin McBride, Elizabeth Poskitt, Dean Temple and Alex Wilson.

Officers: Elizabeth Griffiths (Chief Finance Officer, Deputy Chief Executive and Section 151 Officer), Amy Bridgewater-Carnall (Democratic Services Manager), Emma Cathcart (Counter Fraud Unit Manager), Lucy Cater (SWAP) and Michelle Ouzman (Strategic Support Officer).

Also present via video link: Peter Barber, Grant Thornton.

### **12 Minutes of Previous Meeting**

The minutes of the meeting held on 24 June 2021 were approved and signed by the Chairman as a correct record, subject to the following amendments:

Minute Number 8 – External Auditor 2020/21 Audit Plan – paragraph 4 be amended to add the words “For comparison, Councillor Postan requested that the next triennial review be accompanied by a non-binding example of a calculation to show surplus or deficit on the assumption that the interest rate basis was set at 1% higher than the GAD rate at the time of the triennial review.”

Minute Number 11 – Member Questions:

Paragraph 3 be amended to read “Councillor Postan highlighted a risk that the Council’s position as the founders of the 2020 vision / Publica plan, any new Council membership would have the effect of diluting the importance of its interests and that effort should be made into scrutiny of this possibility.

Paragraph 4 be amended to include the words “ without contributing to the cost of setting up.”

### **13 Apologies for Absence**

Apologies for absence were received from Councillors Ashbourne and Cooper.

Councillor Temple substituted for Councillor St John.

### **14 Declarations of Interest**

There were no declarations of interest received.

### **15 Participation of the Public**

No requests were received.

### **16 External Audit Progress Report & Sector Update**

The Committee received an update report from a representative of the Council’s External Auditor, Grant Thornton who had joined the meeting via video link. Mr Barber addressed Members and apologies for being unable to attend the meeting in person. Mr Barber outlined the reasons for the delay in submitting the audit of the Council’s financial statement.

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Members were advised that whilst work had commenced in early July 2021, progress had been slower than anticipated due to a number of factors including resource challenges at Grant Thornton. This combined with working virtually, an increased volume of work and additional scrutiny from the regulator had resulted in Grant Thornton needing to revise their completion timetable.

Members questioned Mr Barber on a number of aspects including whether the difficulties this year may impact on future years, the implications of the delay and the unique aspects of local government accounting compared to the corporate sector.

Mr Barber advised that Grant Thornton were looking to strengthen their capacity and resource and outlined the difficulties in recruitment which had been exacerbated by Covid-19. With regards to the implications of the delay, it was not felt there would be any other than an impact on staff. The Deputy Chief Executive assured members that Grant Thornton and Council officers were working very hard to complete the work. She advised that the Finance team was now up to capacity and the delay was unfortunate. She felt the Committee should applaud them and the Finance team, who were about to move into budgeting.

Councillor Postan reiterated that there was no risk of a penalty and the audit should be of a high quality. Mr Barber agreed that the co-operation with Council officers had been excellent.

Councillor Postan concluded that the comments from Mr Barber had been taken on board and proposed that Members note the progress so far. It was hoped that the audit would be complete by the end of November at which point the Committee would meet again.

**Resolved** that the update be noted.

### 17 Internal Audit Progress Report

The Committee received a report from the Council's Internal Audit Services, SWAP, which set out the work undertaken by SWAP for the Council since the last meeting of this Committee. The report followed the risk-based auditing principles and, therefore, was an opportunity for the Committee to be aware of emerging issues which had resulted from SWAP involvement.

The progress report enabled the Committee to monitor the work of the Internal Audit Service and ensure that it remained effective. It also provided the Committee with assurance opinions over areas reviewed within the reporting period, details of audit recommendations and the outcome of follow-up reviews conducted on previous audit recommendations.

Lucy Cater, from SWAP introduced the report and advised that this also included an audit of the Authority's response to Covid-19. She highlighted to members the high priority findings and agreed actions as outlined in Appendix D to the report.

Appendix B to the report detailed the Audit Plan Progress and explained those audits that were in draft or in progress in 2020/21. The internal audit final reports included were for the following service areas: Payroll; Accounts Payable; Human Resources (Learning and Development) and Data Recovery Capabilities (although due to the sensitive nature of the audit the report was not published).

Councillor Levy raised a query relating to the Procurement Audit 41029 detailed on page 43 of the report. Officers advised that, although marked as closed, this recommendation would be reviewed as part of the new audit.

Following a question from Councillor McBride, officers outlined the audits that had been looked at specifically from a West Oxfordshire District Council viewpoint. Discussions continued as to whether each Council was charged an equal amount for the service SWAP provided and officers advised that they could not say for certain what figures were agreed

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when Publica joined SWAP. It was noted that officers would request the information from the Locality Director along with a summary of the principles agreed.

Having considered the report and having heard from the officers present, the Committee

**Resolved** that the report is noted.

### **18 Counter Fraud Unit Report**

The Committee received a report from the Counter Fraud Unit Manager which provided the Committee with assurance over the counter fraud activities of the Council. It was noted that direct updates would continue to be provided biannually.

Work plans were presented to the Committee detailing progress and results, for consideration and comment as the body charged with governance in this area. The current work plan for 2021/22 was attached at Annex A to the report.

The report noted that the Counter Fraud Unit (CFU) had been supporting work streams created as a consequence of the Covid-19 pandemic by providing advice relating to fraud risk and abuse, most significantly in relation to the Business Grant Schemes. To date, the team had received 274 cases to review with a number being confirmed as eligible and the grant awarded, however there had been some instances of fraud, error or ineligibility and these were listed in section 2.2 of the report.

The report also gave an overview of the wide range of enforcement and investigation work carried out since 1 April 2021, in addition to the annual work undertaken from the work plan.

The Counter Fraud Unit Manager introduced the report, explained the work undertaken and answered questions from Members.

In relation to the Business Grant Schemes, officers advised that information was cross matched with Companies House, along with relevant accounts and trading checks. Officers assured that they would confirm that a business was a legitimate trading entity and this confidence had been underpinned by the post-payment audit recently carried out.

Members were keen that the positive work of the team should be publicised and were advised that the Communications team were aware. It was agreed that this could be a future newsletter item.

Councillor Levy highlighted the error in paragraph 7.2 inferring that West Oxfordshire was part of the Gloucestershire county.

Having considered the report and having heard from the officers present, the Committee

**Resolved** that the report and work plan at Annex A, are noted.

### **19 Use of the Internet and Social Media in Investigations and Enforcement Policy**

The Committee received a report from the Counter Fraud Unit Manager which presented Members with a new Use of the Internet and Social Media in Investigations and Enforcement Policy, attached at Annex A to the report, for comment.

The report advised that the Council's Policies were based on the legislative requirements of the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 (IPA) and the Codes of Practice relating to directed surveillance and the acquisition of communications data. Councils had come under increased scrutiny in this area by the Investigatory Powers Commissioner's Office (IPCO) during inspections and there were a number of recommendations in their annual reports, procedures and guidance. This included that evidence should demonstrate that consideration had been given to whether the activity

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could be considered surveillance and the appropriate authorisation sought.

Existing arrangements had been reviewed and the policy for ensuring compliance had been developed.

The Counter Fraud Unit Manager explained that staff should not be using any personal social media accounts and that individuals had a right to privacy. Officers would use Council accounts to gather intelligence correctly.

Following a question from Councillor Levy, officers confirmed that the confidential procedure document which supports the policy was not being shared in order to keep it out of the public domain, however, the correct level of senior authority had been involved in the creation of it.

Further discussion evolved including the use of online shopping sites such as Ebay and Gumtree to investigate trading activity, the triggers to investigate on line if suspicions were aroused and the importance of logging those decisions.

Councillor Dent raised a query relating to Planning Enforcement and was advised that this was an area that was subject to prosecution. Officers confirmed that any activity that was classed as a criminal offence would apply, for example unlicensed breeding.

Having considered the report and having heard from the officers present, the Committee

**Resolved** that the Use of the Internet and Social Media in Investigations and Enforcement Policy is noted and recommended to Cabinet for approval.

### 20 Introduction of a Committee Work Programme

Members received a report from Democratic Services which introduced a Committee work programme for 2021/22. Prior to this point, the Committee had not had a formal work programme in place and officers explained that this helped all Members see what was coming forwards and enabled report authors to plan their workloads accordingly.

Councillor Postan advised the meeting that the Growth Board Scrutiny Panel had action sheets for individual items which helped to note progress. He agreed to share this with officers.

Having considered the report and having heard from the officers present, the Committee

**Resolved** that work programme be approved.

### 21 Minutes of Miscellaneous Licensing Sub-Committee

The minutes of the Miscellaneous Licensing Sub-Committees held on 18 March and 2 July 2021 were noted.

The Meeting closed 7.22pm

CHAIRMAN