



NOTICE OF MEETING

GOVERNANCE & AUDIT & STANDARDS COMMITTEE

THURSDAY, 27 JUNE 2013 AT 2.00 PM

CONFERENCE ROOM L - CIVIC OFFICES

Telephone enquiries to Vicki Plytas, Customer, Community & Democratic Services on 023 9283 4058

Email: Vicki.plytas@portsmouthcc.gov.uk

Membership

Councillor Terry Hall (Chair)
Councillor David Fuller (Vice-Chair)
Councillor Michael Andrewes
Councillor John Ferrett
Councillor Donna Jones
Councillor Phil Smith

Standing Deputies

Councillor Peter Eddis
Councillor Aiden Gray
Councillor Les Stevens
Councillor Sandra Stockdale
Councillor Alistair Thompson
Councillor Neill Young

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 **Apologies for Absence**
- 2 **Declarations of Members' Interests**
- 3 **Minutes - 14 March 2013** (Pages 1 - 10)

To confirm the minutes of the meeting held on 14 March 2013 (including the exempt minute) as a correct record.

RECOMMENDED that the minutes of the meeting held on 14 March 2013 (including the exempt minute) be confirmed and signed by the Chair as a correct record.

(Please note that if there is any discussion on the exempt minute this will need to be in exempt session)

- 4 **Updates on actions identified in the minutes**
- 5 **Update report from the External Auditor**

A verbal update will be provided by the External Auditor.

RECOMMENDED that the update from the External Auditor be received

- 6 **School Transport & Student Awards Appeal Committee - Appointments 2013/14**

The purpose of this item is to confirm the appointment of three members and three standing deputies to serve on the School Transport & Student Awards Appeal Committee for the 2013/14 municipal year.

One of the responsibilities of the Governance & Audit & Standards Committee is to deal with school transport appeals, and a panel of three members is appointed annually for this purpose. The panel considers appeals regarding the payment of school transport costs and meets as and when required. The members whose appointments for the 2013/14 municipal year are to be confirmed by the committee are Councillors Terry Hall, David Fuller and Neill Young. The standing deputies whose appointments are to be confirmed are Councillors Michael Andrewes, Phil Smith and Donna Jones.

RECOMMENDED that the appointment of Councillors Hall, Fuller and Young be confirmed by the Governance & Audit & Standards Committee to serve on the School Transport & Student Awards Appeal Panel for the 2013/14 municipal year, with Councillors Andrewes, Smith and Jones being appointed as standing deputies.

- 7 **Update on the Council's compliance with its Equality Duty and Equality**

Impact Assessment Process (Pages 11 - 14)

The purpose of the report is to update the Committee on the compliance of council services with the Equality Duty and the Equality Impact Assessment process since the last report dated 24th January 2013.

RECOMMENDED

- (1) That the Committee notes the contents of the report;**
- (2) That the Committee continues to monitor the compliance of the Council services with the Equality Duty and the Equality Impact Assessment process adopted by the Council, on a quarterly basis.**
- (3) That the City Solicitor continues to report on such compliance to the Committee on a quarterly basis.**

8 Modification to the Petitions Scheme (Pages 15 - 18)

The purpose of the report is to present to Council proposals to revise the petitions procedure arising out of the full council meeting held on 11 June 2013.

RECOMMENDED

That the Committee recommends to Council that

- (1) The petition scheme be changed so that Petitions for debate submitted with the support of at least 1000 signatures, be reported to and considered by the relevant decision making Body of the Council, on the basis that the relevant decision making Body of the Council has not already determined the matter which is the subject of the petition.**
- (2) Further to (1) above, for petitions received on matters that have been determined by the Authority, a threshold of at least 5000 signatures would be required to trigger a debate by the appropriate decision making Body of the Council,**
- (3) The City Solicitor be authorised to make the requisite changes to the scheme and associated supporting documents to reflect the above:**
- (4) Standing Order 13 (f) be amended by the inclusion of the following words in brackets after "receive and debate written petitions" (submitted from the public at least 12 days before the meeting and which contain at least 1000 signatures and are on issues within the power of, but have not already been determined by Full Council. For petitions concerning issues which the Council has already determined, at least 5000 signatures would be required to trigger a**

Council debate.

Debates will commence with the lead petitioner being given 6 minutes to present their petition, followed by the Administration proposing its response to the petition and the normal rules of debate applying).

9 Annual Internal Audit Report for the 2012/13 Financial Year (Pages 19 - 62)

The purpose of the report is to give the Annual Audit Opinion on the effectiveness of the control framework, based on the Internal Audit Performance for 2012/13 to highlight areas of concern and to advise Members of the Audit Plan for 2013/14

RECOMMENDED

(1) That Members note the Audit performance for 2012/13.

(2) That the highlighted areas of control weakness for the 2012/13 Audit Plan are noted by Members.

(3) That Members note the Annual Audit Opinion on the effectiveness of the system of internal control for 2012/13.

(4) Members note the Audit Plan for 2013/14.

10 Update on the Development of the 2012/13 Annual Governance Statement (Pages 63 - 106)

The purpose of this report is to:

- a) Provide an update on progress being made against the key governance issues, as highlighted in the 2011/12 Annual Governance Statement.
- b) Provide an update on the development of the Annual Governance Statement for 2012/13.

RECOMMENDED that the Committee

- a) **Note the progress made against the 2011/12 annual governance issues.**
- b) **Note the process followed to identify significant governance issues and consider the content of the draft 2012/13 Annual Governance Statement.**

11 Performance Management Update (Pages 107 - 112)

The purpose of the report is to outline to members the work being undertaken

around corporate performance management and proposals for future development.

RECOMMENDED that the Governance and Audit and Standards Committee are asked to note the report and comment on:

- a) **The further work proposed in section 5, with a specific focus on issues of Value for Money, as in paragraph 5.4.**

12 Risk Management (Pages 113 - 128)

The purpose of the report is to update Governance and Audit and Standards Committee Members on the proposed changes in arrangements for risk management and the revised draft risk management Policy and Procedures.

RECOMMENDED that Governance and Audit and Standards Committee approve

- (1) The draft Policy and Procedures;**
- (2) The next steps towards embedding a risk culture,**
- (3) A review in 6 months' time of progress**

13 Proposed Revision to the Terms of Reference of the Health Overview and Scrutiny Panel (Pages 129 - 132)

The purpose of the report is to consider proposed revisions to the terms of reference of the Health Overview and Scrutiny Panel (HOSP) which need to be updated following recent changes.

RECOMMENDED that the Committee recommends to full council that the proposed changes to the terms of reference of the Health Overview and Scrutiny Panel, as set out in attached appendix 2, are approved.

14 Data Breaches and associated remedial action

(Please note that appendix 1 is exempt so if the Committee wishes to discuss this, the meeting will need to move into exempt session at that point)

The purpose of the report is to update Members on Data Breaches that have arisen during 2013 and the actions taken. The appended report is exempt

RECOMMENDED that Members of the Governance and Audit and Standards Committee note the breaches that have arisen and the action determined by CIGP

15 Regulation of Investigatory Powers Act 2000 (RIPA) (Pages 133 - 136)

(Please note that the letter from OSC and their inspection report is

exempt so if the Committee wishes to discuss it, the meeting will need to move into exempt session at that point)

The purpose of the report is to update Members on the Authority's use of Regulatory Powers for the period from March 2013 and the changes required to the Policy following the visit by the OSC Inspector as well as the outcome of that visit.

RECOMMENDED that the Committee

(1) Note the RIPA applications authorised since March 2013,

(2) Approve the required changes to Policy as a result of the OSC Inspection regarding the inclusion of the 4 proportionality tests, recording of dates and times of surveillance, update of Code of Practice references and removal of urgency provisions,

(3) Note the OSC inspectors report from the 4th April 2013 inspection.

16 Procurement Management Information (Pages 137 - 142)

(Please note that appendices 2 and 3 are exempt so if the Committee wish to discuss these , the meeting will need to move into exempt session)

The purpose of the report is to update Members on steps being taken to demonstrate that PCC is achieving value for money from its contracts for goods and services.

RECOMMENDED that

(1) members note we have surpassed the target of 95% conformance and achieved 98% for April 2013.

(2) That members note the performance of our suppliers and contractors and action in progress to address poor performance.

17 Southsea Community Leisure Limited Internal Audit Report (Pages 143 - 146)

(Please note that appendix A - two documents - is exempt so if the Committee wish to discuss these, the meeting will need to move into exempt session.)

The purpose of the report is to update Members on any progress made by Southsea Community Leisure Limited (SCLL) in addressing the issues and concerns raised in an earlier audit carried out in August 2012.

RECOMMENDED that given a number of improvements are still to be

implemented and those which have been cannot yet be assumed to be embedded a further follow-up audit is undertaken in the autumn of 2013.

18 Exclusion of Press and Public

That in view of the contents of the following item on the agenda the Committee is **RECOMMENDED** to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the press and public be excluded for the consideration of the following item(s) on the grounds that the report(s) contain information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972”.

The public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Senior Local Democracy Officer at the conclusion of the meeting for shredding.)

<u>Item</u>	<u>Exemption Para No.*</u>
19. Data Breaches - Appendix 1 Paragraph Exemption Nos:	1,2 and 3
20. Regulation of Investigatory Powers Update Appendix A *Paragraph Exemption Nos:	3, 4 and 5
21. Procurement Management Information Appendices 2 and 3 Paragraph Exemption No:	3
22. Southsea Community Leisure Ltd Exempt Appendix A	3
23. Exempt appendix to open Minute 30	1 and 2
1. Information relating to any individual 2. Information that is likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information) 4. Information relating to any consultations or negotiations or contemplated negotiations or contemplated consultations or	

negotiations, in connection with any labour relations matter arising between Portsmouth City Council and the Trade Unions
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

- 19 Data Breaches - exempt appendix 1.(to follow) (Pages 147 - 148)**
- 20 Regulation of Investigatory Powers Update - (Exempt Appendix A)**
- 21 Procurement Management Information (Exempt appendices 2 and 3)**
- 22 Southsea Community Leisure Limited (Exempt Appendix A)**
- 23 Exempt Minute from 14 March 2013 (Exempt Appendix to open Minute 30)**