



# NOTICE OF MEETING

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**GOVERNANCE & AUDIT & STANDARDS COMMITTEE**

**FRIDAY, 27 JUNE 2014 AT 3.00 PM**

**CONFERENCE ROOM B - CIVIC OFFICES**

Telephone enquiries to Vicki Plytas on 023 9283 4058

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## **Membership**

Councillor Simon Boshier (Chair)  
Councillor Eleanor Scott (Vice-Chair)  
Councillor John Ferrett  
Councillor Colin Galloway  
Councillor Leo Madden  
Councillor Hugh Mason

## **Standing Deputies**

Councillor David Fuller  
Councillor Phil Smith  
Councillor Rob Wood

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(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](http://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 - 13 March 2014**

To confirm the minutes of the meeting held on 13 March 2014 as a correct record.

**RECOMMENDED that the minutes of the meeting held on 13 March 2014 be confirmed and signed by the Chair as a correct record.**

**4 Updates on actions identified in the minutes**

**5 External Audit (1) Sector Update and (2) Progress Report - Ernst & Young (Pages 1 - 20)**

**(1) Sector Update**

The purpose of this report is to provide an overview of issues relevant to the local government sector and also wider matters of potential interest to PCC.

**(2) Audit Progress Report to June 2014**

The purpose of this report is to provide the Audit Committee with an overview of progress against the milestones set out in the 2012/13 Audit Plan and is the first step in ensuring that the audit is aligned with the Committee's service expectations.

**RECOMMENDED that**

**(1) the sector update be noted;**

**(2) the Audit Progress Report to June 2014 be noted.**

**6 Update on the council's compliance with its Equality Duty and Equality Impact Assessment Process (Pages 21 - 26)**

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 30 January 2014

**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**

**7 Update on the Annual Governance Statement (Pages 27 - 66)**

The purpose of this report is to provide an update on progress made in addressing the significant governance issues reported in the 2012/13 Annual Governance Statement and to outline steps taken to develop the Annual Governance Statement for 2013/14.

**RECOMMENDED that the Committee**

- (1) **Note the work that has been undertaken to address the significant governance issues reported in the 2012/13 Annual Governance Statement and confirm if the committee is satisfied that they have received adequate assurance on mitigating measures taken to resolve the issues identified.**
- (2) **Note the process followed to develop the draft 2013/14 Annual Governance Statement and provide feedback on the contents.**

**8 Performance Management Update - Quarter 4, 2013-14 (Pages 67 - 82)**

The purpose of the report is to inform members of performance issues arising in the final quarter of the 2013-14 reporting period.

**RECOMMENDED that the Governance and Audit and Standards Committee are asked**

- (1) **to note the report; and**
- (2) **to comment on the performance issues highlighted in section 4.**

**9 Notice of Motion Referral re publication of reports (Complaints procedures) (Pages 83 - 86)**

**10 Filming, photographing and recording of public meetings of the Council (Pages 87 - 92)**

The purpose of the report is to provide information to the Council on how best to ensure compliance with the new legislative requirements under the Local Audit and Accountability Act 2014, which requires (once the necessary secondary legislation is in place) Councils to allow the filming, photographing and recording of all meetings of the Council to which the public are admitted.

**RECOMMENDED**

- (1) **that the Council agree the proposed rules for governing the filming, photographing and recording of Council meetings to**

**which the public are entitled to attend (see appendix A below) which will form part of the Constitution, subject to any revisions that may be necessary once the Secondary legislation is published**

- (2) that Standing Order 36 (c) relating to public conduct be deleted and replaced by the following -**

**The public and broadcasters are permitted to film or record meetings to which they are allowed access so long as they do so from areas specifically allocated to them and in a manner which does not disrupt the running of the meeting**

**The use of digital and social media recording and communication tools including Twitter, Blogging or audio recording will be allowed so long as it does not interfere with the running of the meeting.**

**The filming or recording of members of the public is prohibited in circumstances where they are not making representations to the meeting. Where a member of the public who is addressing the meeting does actively object to being filmed, they should also not be filmed.**

**The Chair of the meeting or anyone designated by the Chair shall stop the meeting and take appropriate action if anyone breaches the rules governing the filming, photographing and recording of Council meetings (appendix A refers)**

- (3) that Standing order 34 (a) (iii) relating to conduct of Councillors and members of the public in meetings, be deleted**
- (4) it is not considered necessary to make any material changes to the facilities currently afforded to the press and public in the meeting chamber and rooms currently used by the Council, however this may need to be reviewed once the detail of the Secondary legislation is known and if additional facilities are required to be provided; if such a review is required, it be undertaken through a Member/officer working group comprising representatives of all Groups on the Council.**

**11 Composition of Sub-Committees considering complaints against Members (Pages 93 - 94)**

The purpose of the report is to ask the Committee to consider whether it wishes to dis-apply the political balance rules in respect of its Sub-Committees which are considering complaints against Members. This would consequently mean that the three member panel shall wherever possible comprise a representative of three of the four groups on the Council, all the time those groups are represented on the main committee.

**RECOMMENDED that Members are asked to consider whether they wish to dis-apply the political balance rules in respect of its Sub-Committees when considering complaints against Members.**

**12 Annual Internal Audit Report for the 2013/14 Financial Year (Pages 95 - 136)**

The purpose of the report is

- (1) to give the Annual Audit Opinion on the effectiveness of the control framework, based on the Internal Audit findings for 2013/14 and highlight areas of concern.
- (2) to advise Members of the Audit Plan for 2014/15.

**RECOMMENDED that**

- (1) Members note the Audit performance for 2013/14.**
- (2) the highlighted areas of control weakness for the 2013/14 Audit Plan are noted by Members and actions being taken to remedy those weaknesses are endorsed**
- (3) Members note the Annual Audit Opinion on the effectiveness of the system of internal control for 2013/14.**
- (4) Members endorse the Audit Plan for 2014/15.**

**13 Service Charges Housing (Pages 137 - 166)**

This report is to advise Members of the outcome of an Audit Investigation carried out at the request of the City Solicitor & Monitoring Officer on the complaints made by private owners of ex-Council flats on some of their service charges. The full report is attached as Appendix A.

**RECOMMENDED that members note the outcome of the investigation namely**

- 1) A service review to be undertaken of changes in mark-up percentages on jobs and of the 12.5% professional fee.**
- 2) Internal Audit to undertake a review of the benchmarking of repair charges as well as trend analysis and analytical reviews of performance data.**

**14 Procurement Management Information (Pages 167 - 172)**

(NB Please note that appendices 2 and 3 of this report are Exempt and if the Committee wish to refer to these, there is provision to do so following the

exclusion of the press and public (see agenda item 16)

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 members note**

- 1) **we have surpassed the target of 95% conformance and achieved 98% for March 2014.**
- 2) **the performance of our suppliers and contractors and action in progress to address poor performance.**

**15 Data Security Breach Reporting (Pages 173 - 174)**

(NB Please note that the appendix to this report is Exempt and if the Committee wish to refer to this, there is provision to do so following the exclusion of the press and public (see agenda item 16)

To inform the Committee of any Data Security Breaches actions agreed/taken since the last meeting.

**RECOMMENDED that Members of the Governance & Audit & Standards Committee note the breaches (by reference to Exempt Appendix A) that have arisen and the action determined by the Corporate Information Governance Panel (CIGP).**

**16 Exclusion of Press and Public**

**That in view of the contents of the following items 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 items on the grounds that the reports 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.**

**Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012, regulation 5, the reasons for exemption of the listed items is shown below.**

**Members of the public may make representation as to why the item should be held in open session. A statement of the Council’s response to representations received will be given at the meeting so that this can**

be taken into account when members decide whether or not to deal with the item under exempt business.

**(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>
14. Procurement Management Information - Exempt Appendices 2 and 3	3
15. Data Security Breach Reporting - Exempt Appendix 1	1,2 and 3
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)	