



## Public Document Pack

North Devon Council  
Brynsworthy Environment Centre  
Barnstaple  
North Devon EX31 3NP

K. Miles  
Chief Executive.

### **GOVERNANCE COMMITTEE**

A meeting of the Governance Committee will be held in the Barum Room - Brynsworthy on **TUESDAY, 15TH NOVEMBER, 2022 at 6.30 pm.**

**(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. For meetings held at Brynsworthy only, you can join the meeting virtually via Microsoft Teams. There are also limited spaces to attend the meeting in person. Please check the Council's website for the latest information regarding the arrangements that are in place and the requirement to book a place 2 working days prior to the meeting. Taking part in meetings ([northdevon.gov.uk](http://northdevon.gov.uk)))**

Members of the Governance Committee      Councillor Roome (Chair)

Councillors Bushell, Campbell, Henderson, Phillips, Topps, Turton and Walker

### **AGENDA**

8.      Audit Recommendation Tracker (Pages 5 - 20)  
        Report by the Chief Executive (attached).

**If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253**

7.11.22



### **North Devon Council protocol on recording/filming at Council meetings**

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

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For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

North Devon Council offices at Brynsworthy, the full address is:  
Brynsworthy Environment Centre (BEC), Roundswell,  
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please sign in using the Track and Trace App and follow the signage and instructions in order to access the Meeting Rooms. Alternatively, dial 8253 for Corporate and Community Services if you have any problems.





## **NORTH DEVON COUNCIL**

Report Date: 15<sup>th</sup> November 2022

Topic: **AUDIT RECOMMENDATION TRACKER**

Report by: CHIEF EXECUTIVE

### **1 Introduction**

1.1 This is the regular progress report to the Committee in relation to action taken to address internal and external audit recommendations.

### **2 Recommendations**

2.1 That the Committee note the actions that have been taken to address identified risks since The 26<sup>th</sup> September 2022 Governance Committee meeting.

2.2 That the Committee raises any areas of concern arising from the list of outstanding recommendations.

### **3 Reasons for Recommendations**

3.1 To give assurance to the Committee that audit recommendations are being actively managed, and to give the Committee a full opportunity to review any areas of concern.

### **4 Report**

4.1 SMT has reviewed the high and medium risk audit recommendations to assess progress and instigate any required actions.

4.2 Since the last meeting the number of recommendations has risen to 1,374.

Table A) Live Audit Reports, Status & Numbers

Code	Title	Status	Progress	High Risk	Medium Risk	Low Risk
16 PL	Planning Applications 2015/16	▶ In Progress	82%	0	3	0
20 BC	Business Continuity 2018/19	▶ In Progress	95%	3	1	0
20 MCS&BC	Main Accounting System & Budgetary Control 2020/21	▶ In Progress	50%	1	1	0
20 C	Creditors	▶ In Progress	80%	0	3	0
21 SC-19 O	Safe Covid-19 Operations 2020/21	▶ In Progress	93%	2	5	0
21 CSM&R	Cyber Security – Malware & Ramsonware April 2021	▶ In Progress	68%	8	9	3
21 CCG	Climate Change Governance	▶ In Progress	65%	0	3	1
21 D	Debtors August 2021	▶ In Progress	90%	0	2	3
21 P	Payroll 2020/21	▶ In Progress	78%	0	9	6
21 H&S	Health & Safety 2021/22	▶ In Progress	85%	0	7	2
22 EPCC	Emergency Planning Civil Contingencies 2021/22	▶ In Progress	56%	0	4	0
22 FUBCM	Follow Up Business Continuity Management 2021/22	▶ In Progress	87%	6	3	0
22 L	Licencing 2021/22	▶ In Progress	25%	0	1	0
22 P	Planning Oct 2021	▶ In Progress	0%	0	2	1
22 S	Safeguarding Feb 2022	▶ In Progress	42%	0	5	0
22 C&C	Contracts & Commissioning 2021/22	▶ In Progress	0%	0	2	1
22 CCG	Climate Change Governance	▶ In Progress	0%	0	7	3
22 GM	Grounds Maintenance	▶ In Progress	42%	0	5	0
22 MA	Members Allowances	▶ In Progress	66%	0	1	2
22 PAY	Payroll	▶ In Progress	33%	0	1	1
22 S	NDC Security	▶ In Progress	25%	0	4	1
22 W&R	Waste & Recycling 2022/23	▶ In Progress	0%	1	2	1
22 D	Debtors June 2022	▶ In Progress	0%	0	6	0

Table B: Audit recommendations setting completed since the last Audit Committee

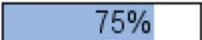
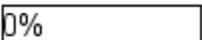
Recommendation	Closure Note	Original Due Date	Completed Date
20 CC 02 Copy of PCI Completed ASAP	Our two main IP addresses passed the PCI scan in August 22. A PCI policy has been approved and training has been arranged for all staff taking card payments. PCI is included on the corporate risk register which will pick up any further actions required.	31-Mar-2022	03-Nov-2022
21 D 05 SMT should co-ordinate effective action to reduce the level of debt by reviewing aged sundry debtors, setting targets and quantify the risk relating to housing deposits.	Outstanding debt had reduced by £436k in quarter 1 22/23 compared to the same quarter in the previous financial year. A presentation on the Housing Deposits Scheme was received by the Chief Executive, Director of Resources & Deputy Chief Executive and Head of Governance outlining improvements to the scheme. Currently awaiting next Internal Audit report on debt recovery, which is focusing on debts over 1 year.	30-Apr-2022	13-Sep-2022

<p>21 H&amp;S 07 All risk assessment logs should be reviewed to ensure that those risk assessments overdue for review are refreshed</p>	<p>PAC and the Graduates did start to look at all the RAs but were not best placed to review them or to decide if they were still relevant or not. Having discussed the number of RAs in W&amp;R with Managers it was decided that all were relevant and to reduce the number of them might mean that some risks were not covered. Managers of Service areas need to be responsible for the maintenance, review and updating of their risk assessments. Email reminders have been sent to Middle Managers and the next reminder email is due Dec 2022. PAC has created YouTube video of the Risk Assessment Power Point, and the link was emailed out to all Middle Managers on 31/10/22. A My Insite Quiz will be created, and all Middle Managers will be required to complete the quiz by way of showing that they have watched the Power Point and have understood the content. This will be done in the next few days. It is going to be an ongoing issue for Managers to review and refresh their RAs, I am therefore signing this action off as completed.</p>	<p>31-Jan-2022</p>	<p>02-Nov-2022</p>
<p>21 P 02 Develop an action plan to effect Procurement to include larger scale procurements to the team can be resources to secure value for money</p>	<p>Procurement has been restructured into wider Legal Team, with dedicated Procurement Officer and Support Officer post. Procurement is also supported by the PMO team for some of the large projects</p>	<p>31-Dec-2021</p>	<p>31-Oct-2022</p>
<p>21 P 03 Add additional guidance in the Council regulations related to compliance with procurement regulations &amp; the need to report &amp; investigate instances where these have not been followed</p>	<p>Constitution has been updated accordingly</p>	<p>31-Oct-2021</p>	<p>31-Oct-2022</p>

<p>21 P 04 The process to approve Waivers should be reviewed to ensure there is reasonable review &amp; scrutiny of those issued</p>	<p>The process for waivers has been reviewed and is now on Moderngov. The list of waivers will be reviewed by SMT</p>	<p>30-Nov-2021</p>	<p>03-Nov-2022</p>
<p>21 P 05 Clearer guidance related to the use of procurement waivers should be provided in Council regulations, which would replace the current Contract Procedure Rules Section 4.1 - 4.4 and 12.1-12.2:</p>	<p>The constitution has been updated accordingly</p>	<p>30-Nov-2021</p>	<p>31-Oct-2022</p>
<p>21 P 07 To include clear guidance in the Constitution related to breaches of Contract Procedures</p>	<p>The constitution has been updated</p>	<p>31-Oct-2021</p>	<p>31-Oct-2022</p>
<p>20 PO 02 Copy of Further work to be undertaken to improve the management information available to support regular review of PCN collection rates to support improvements to processes where necessary</p>	<p>Work complete along with datasets - data shows collection rates are up and cancelled/written off PCN's are showing a downward trend.</p>	<p>31-Oct-2022</p>	<p>02-Nov-2022</p>
<p>22 EPCC 04 An Exercising &amp; Testing Strategy will be developed to incorporate the Organisational Emergency Plans &amp; Business Continuity Plans</p>	<p>Due to Operation London Bridge this was slightly delayed albeit now signed off. On 26 September a pilot exercise was run with EH Managers, and therefore SMT signed off on the 3 October 2022. The intention is to roll out the Play Book and Schedule through managers with the aim to complete one exercise before Christmas.</p>	<p>10-Oct-2022</p>	<p>19-Oct-2022</p>

20 C 02 Ensure Purchase Orders are raised before goods and services are ordered	All Managers have been e-mailed to ensure that purchase orders are raised before goods and services are received. The accountants will discuss with budget holders during revenue monitoring. We will continue to monitor results	31-Dec-2021	09-Nov-2022
21 P 01 Consider how it will be taking forward the actions in the Procurement Strategy, perhaps for inclusion in the Action Plan	The Procurement Working Group has been re-established following the restructure of procurement and will pick up the action plan	31-Dec-2021	09-Nov-2022
21 H&S 05 Officers responsible for recording fire alarm tests, emergency lighting, firefighting equipment & signage have refresher training on the procedures & frequency necessary	Officers have received refresher training	31-Jan-2022	09-Nov-2022
22 S 04 Review to ensure that correct level of vetting takes place for appropriate roles at NDC	NDC are now registered with DCC to carry out our DBS checks for new and existing staff where appropriate. Managers are being contacted to help to identify those reporting to them who may require a DBS to be actioned	30-Sep-2022	04-Nov-2022

Table C: Outstanding Audit Recommendations where Head of Service have requested a revision to the due date

Code	Description	Progress	Latest Note	Original Due Date	Due Date
22 EPCC 01 MEDIUM RISK Page 11	Develop an overarching response & Recovery plan to support the DEPP Plans.		19-Oct-2022 Operation London Bridge and Avian Influenza has caused a delay to the implementation of this area of work, due to reduced capacity of the Emergency Planning Officer. Work intended to be provided now in revised timeframe (which allows for pre-booked leave and new community impact assessment) for year end.  <b>Request extension date: 31<sup>st</sup> December 2022</b>	31-Jul-2022	17-Oct-2022
22 EPCC 02 MEDIUM RISK	Once relevant risks from all sources have been collated, analysis of current plans & identification of any gaps in the planning process where further plans or mitigations would be beneficial		19-Oct-2022 National Security Risk Assessment has been delayed so we do not wish to pursue this piece of work based upon out of date data. It is due for 'imminent release' (described by Govt representative) after which the LRF risk working group will meet to determine the relevance of each risk and formulate the community risk register which will feed into this piece of work. Based upon perceived timings of the above (likely	30-Sep-2022	30-Sep-2022

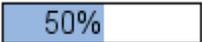
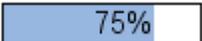
			meeting in early 2023), it is <b>requested that an extension be provided until June 2023.</b>		
22 EPCC 03  MEDIUM RISK	Provide to all members an awareness session based on LGA Guidance 'Role of Councillors in Civil Emergencies' plus capture the role of member within NDCs Response & Recovery Plan.		19-Oct-2022 Due to unfortunate circumstances, during (around half way through) the delivery of the awareness session for members, an announcement was made of the death of the Queen, which invoked the Council's London Bridge Plan. It is now intended that the presentation be emailed to all members to complete at home and a 'mop up' session will be scheduled to answer any outstanding questions and to allow the Environment Agency and Devon Communities Together to present on community resilience and flood risk (this element was not subject to the audit).  <b>Proposal to extend until the 1 December 2022 to email with instructions for members.</b>	30-Sep-2022	30-Sep-2022
22 S 06  MEDIUM RISK	Section 11 Assurance Statement to be made as soon as possible		02-Nov-2022 <b>Request of extension to 31st December 2022 due to awaiting password from DCC.</b> Email chasing password has been sent again today.	30-Jun-2022	30-Sep-2022

Table D: Outstanding Audit Recommendations

Code	Description	Progress	Latest Note	Original Due Date	Due Date
22 P 02 MEDIUM RISK	Learning a lesson from obtaining consultee responses should be replicated for the whole consultee list	<input type="text" value="0%"/>		30-Sep-2022	30-Sep-2022

**5 Progress tracking of Annual Governance Statement**

- a. An annual review of NDC’s governance arrangements leads to the Annual Governance Statement, which forms part of the Statement of Accounts.
  
- b. In addition to any other issues the review captures recommendations from external and internal audit and inspections and sets out an action plan. This plan is tracked through Covalent; Table E below.

**6 Constitution Context**

Appendix and paragraph	Referred or delegated power?
5.5	Delegated

**7 Statement of Internal Advice**

- c. The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

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Author: Sarah Higgins    Date: 11<sup>th</sup> November 2022

Reference: Audit Recommendation Report November 2022 V1.1

Table E: Annual Governance Statement 2020/21 Recently Completed Actions, Request for Revised Due Date and Overdue

Code	Description	Status	Progress Bar	Latest Note	Original Due Date	Due Date
21 AGS 01	Training on the Members' Code will need to be provided again by the new Head of Governance	Complete	100%	16-Feb-2022 Training was provided to Members on 20th January 2022 by the Monitoring Officer. The session was also recorded	31-Mar-2022	31-Mar-2022
21 AGS 02	The Register of Interest needs updating as it was last updated in February 2019	Complete	100%	16-May-2022 The registers of interests on the website for both District Councillors and Parish Councillors are up-to-date with the registers of interests that we have received.	31-Mar-2022	31-Mar-2022
21 AGS 03	Undertake a review of the Complaints Procedure to confirm that it is operating effectively	Complete	100%	14-Sep-2022 This action is now complete. The feedback process was mapped which resulted in a new Firmstep form to report complaints, compliments and comments. A recent Audit report of W&R gave assurance of the complaint procedure. The team	31-Mar-2022	31-Dec-2022

				will continually review the process ongoing		
21 AGS 04	Undertake more periodic staff surveys to get a current view on how staff are feeling, and identify if staff have any issues, concerns or trends in areas such as Equality & Diversity, Bullying, Harassment, level of stress	Complete	100%	01-Jun-2022 We have just undertaken a comprehensive staff wellbeing survey, of which the results are being analysed.  These surveys will continue on a regular basis	31-Mar-2022	31-Mar-2022
21 AGS 05	Produce the Annual Equality Report which is a legal requirement	In Progress	0%	13-Dec-2021 This report is included in the Governance Action Plan with a target date of December 2022.	31-Mar-2022	31-Dec-2022
21 AGS 06	The Constitution will need to be updated to reflect the recent governance changes	Complete	100%	11-Nov-2021 <b>Closure Note:</b> The Monitoring Officer confirms that the Constitution for the purposes of this audit recommendations has been updated.	30-Nov-2021	30-Nov-2021
21 AGS 07	The Council should consider how to report more clearly how our	Request extension of time	25%	Delivery has been delayed by the restructure of the Finance Team. Currently looked at best practice at	31-Mar-2022	30-Sep-2022

	budget is spent and the impact it is having			other Councils. <b>Time extension requested to 30th June 2023</b>		
21 AGS 08	Remove the Browse Forward Plans with key decision notifications off the website as it contains no current information	Complete	100%	07-Dec-2021 Our software supplier has now removed this.	30-Nov-2021	30-Nov-2021
21 AGS 09	Update the Freedom of Information statistics as there is only coverage up to September 2020	Complete	100%	11-Nov-2021 The Monitoring Officer confirms that the FOI Stats are now up to date: <a href="https://www.northdevon.gov.uk/council/data-protection-and-freedom-of-information/freedom-of-information-statistics/">https://www.northdevon.gov.uk/council/data-protection-and-freedom-of-information/freedom-of-information-statistics/</a>	31-Dec-2021	31-Dec-2021
21 AGS 10	Discuss the LGA CPCs Follow Up review recommendations with Council officers when it is completed	Complete	100%	16-Feb-2022 CPCs original and final report was presented to Full Council in January 2022 and members noted the two reports and officers to publish them accordingly. The reports were also circulated to all staff.	31-Dec-2021	31-Dec-2021
21 AGS 11	Consider whether there is a need for a communication & engagement strategy to	Request extension of time	60%	Currently working on a draft community engagement vision for SMT's consideration.	31-Mar-2022	30-Sep-2022

	ensure the Council is reaching out to the community and is accessible in its communications			<b>Time extension requested 31st July 2023</b>		
21 AGS 12	Review & update the Corporate Plan and council priorities	Complete	100%	16-Feb-2022 Two Member workshops have been held to review the Corporate Plan and this also included engagement on the Programmes which look to deliver on the Council priorities	31-Dec-2021	31-Dec-2021
Page 18 21 AGS 13	Progress the recommendations within the Devon Districts Procurement Strategy & update the Procurement Sustainability Strategy	Request extension of time	40%	Procurement has been restructured within the Legal Team and a new Procurement Officer has been appointed. The Procurement Working Group has been re-established following these changes and will now progress this recommendation. <b>Time extension requested 30th September 2023</b>	31-Mar-2022	31-Oct-2022
21 AGS 14	Consider how to provide more summary information for the public on Council Performance, Performance and Financial Management & PIs as there is no easy	In progress	25%	26-May-2022 Heads of Service are currently reviewing their performance indicators. The publishing of summary information is within phase 2 of the financial security programme and will be	31-Mar-2022	31-May-2023

	access to information on delivery against priorities, plans or indicators			produced in line with the 22/23 Statement of Accounts.		
21 AGS 15 Page 19	Re-review the core performance indicators to confirm that they can be used to monitor and report performance in all important sectors	Request for Extension of time	55%	Our existing suite of KPIs and local indicators have been reviewed, resulting in a significant reduction in those lagging performance indicators and officer time to collate and update the system. We have reached out to the LGA and are taking part this month in round table discussion with 5 other local authorities to share good practice. In addition to this our Internal Audit Team, Devon Audit Partnership, have also arranged a performance management session with some of their local customers.  <b>Request Revised Due Date: 31<sup>st</sup> March 2023</b>	31-Mar-2022	30-Sep-2022
21 AGS 16	Undertake a compliance assessment against the new Financial Management Code as required by CIFPA	In Progress	20%	This assessment was delayed due to delay in external audit	31-Mar-2022	31-Jan-2023

