

# Report of the Performance and Audit Scrutiny Committee: 29 September 2022

<b>Report number:</b>	<b>CAB/WS/22/050</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	18 October 2022
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**Decisions Plan:** This item is not required to be included on the Decisions Plan.

**Wards impacted:** All wards.

**Recommendation:** It is recommended that Report number: CAB/WS/22/050, being the report of the Performance and Audit Scrutiny Committee, be noted.

## 1. Context to this report

1.1 On 29 September 2022, the Performance and Audit Scrutiny Committee considered the following items:

1. Ernst and Young – External Audit Plan and Fees 2021 to 2022
2. Local Government and Social Care Ombudsman: Annual Report 2020-2021
3. Regulation of Investigatory Powers Act 2000 - Annual Report and Review of the RIPA Guidance
4. Delivering a Sustainable Medium-Term Budget
5. Appointment to Sub-Committee Vacancies
6. Work Programme Update

## 2. Proposals within this report

2.1 **Ernst and Young – External Audit Plan Fees 2021 to 2022 (Report number: PAS/WS/22/014)**

2.1.1 The Committees received and **noted** the above report from Ernst and Young (EY), the Council's appointed external auditors, who were required to provide an audit plan, attached at Appendix A, which covered the work they planned to perform in order to provide the Council with:

- An opinion on whether the financial statements of the Council gave a true and fair view of the financial position as at 31 March 2022 and of the income and expenditure for the year then ended; and
- Commentary on the Council's arrangements to secure economy, efficiency and effectiveness (value for money).

2.1.2 David Riglar, Partner from EY presented this report, which summarised EY's assessment of the key risks which drive the development of an effective audit for the Council and outlined their planned audit strategy in response to those risks. Officers would be working with EY over the coming months to ensure that these risks were managed and where possible to come to an agreement over their treatment prior to issuing of the Annual Results Report, and Audit Opinion.

2.1.3 He drew Members' attention to the summary of audit risks set out in the report, the planned work, materiality levels and value for money arrangements.

2.1.4 The Committee considered the report and asked questions to which responses were provided. In particular members discussed the valuation of the council's solar farm asset.

**2.2 Local Government and Social Care Ombudsman: Annual Report 2021-2022 (Report number: PAS/WS/22/015)**

2.2.1 The Committee received and **noted** the above report, which set out the context and the outcome of complaints considered by the Local Government and Social Care Ombudsman (LGSCO).

2.2.2 The LGO issues an annual report each year on its activity, which maps the volume and nature of complaints it had received across the country. This was available on the LGO's website. Each council was also issued with its own performance report. The report presented to the Performance and Audit Scrutiny Committee informed members on the outcome of the complaints considered by the LGSCO about West Suffolk Council for the period 2021 to 2022. Of the 16 complaints considered by the LGSCO, none progressed to further investigation.

2.2.3 The Committee considered the report in detail and asked questions to which responses were provided. In particular comparisons were made in relation to figures reported last year to the LGSCO and whether residents knew how they could raise a complaint with the council. In response officers explained the complaints process and how this was promoted by the council.

2.2.4 Discussions were also held on the total number of complaints reported to the Council which did not require consideration by the LGSCO, which officers advised was outside of the scope of this report.

**2.3 Regulation of Investigatory Powers 2000 - Annual Report and Review of the RIPA Guidance (Report number: PAS/WS/22/016)**

2.3.1 The Committee received and **noted** the above report, which set out the Regulation of Investigatory Powers Act 2000 (RIPA) activity at West Suffolk Council and RIPA Guidance.

2.3.2 The Council's RIPA guidance made sure that when the council used covert techniques to help prevent or detect crime or disorder the council did so in compliance with RIPA.

2.3.3 Authorisations are regularly reviewed by an authorising officer and a confidential register detailing all covert surveillance authorisations is held by the legal service. No RIPA authorisations have been requested in the preceding year.

2.3.4 The RIPA guidance is currently fit for purpose. One minor revision has been made to remove an authorising officer who is no longer employed by the council.

2.3.5 The Committee considered the report and asked questions to which responses were provided. In particular discussions were held on whether covert surveillance was used for fly-tipping issues and possible benefit fraud.

2.4 **Delivering a Sustainable Medium-Term Budget (Report number: PAS/WS/22/017)**

2.4.1 The Committee received the above report, which informed Members on the approach and timescales for the 2023 to 2024 budget setting process and medium-term plans to 2026. The report set out the context to the 2023 to 2024 budget process; the approach for delivering a sustainable budget for 2023 to 2024 and beyond and timescales.

2.4.3 In the February 2022 Council meeting, the Budget and Council Tax Setting 2022 to 2023 and Medium-Term Financial Strategy 2022 to 2026 report set out the financial plan to 2026. The plan included the following indicative medium term budget gaps, which would be reviewed as part of the 2023 to 2024 budget process:

	<b>2023 to 2024</b>	<b>2024 to 2025</b>	<b>2025 to 2026</b>
Budget Gap	£1.2m	£1.7m	£3.0m

2.4.4 The Committee considered the report in detail, the approach and timescales for the 2023 to 2024 budget setting process and the medium-term plans. Members asked questions to which responses were provided. In particular, discussions were held on the held on the medium-term budget gaps; the levelling up of street lighting; the current employee pay award offer; and the government settlement.

2.4.5 There being no decision required at this stage of the budget process, the Committee **noted** the contents of the report.

2.5 **Appointment to Sub-Committee Vacancies (Report number: PAS/WS/22/018)**

2.5.1 Following the resignation of Councillor Elaine McManus there was a vacancy on the Financial Resilience Sub-Committee and a vacancy on the Health and Safety Sub-Committee. The Performance and Audit Scrutiny Committee was asked to appoint from its membership to the sub-committee vacancies.

2.5.2 At the conclusion of the discussions the following nominations were put forward and **Resolved** as follows:

Financial Resilience Sub-Committee

- Councillor Robert Nobbs (Conservative Group) to serve as full member on the Sub-Committee.
- Councillor Nick Clarke (Conservative Group) to serve as the substitute member on the Sub-Committee.

Health and Safety Sub-Committee

- Councillor James Lay (Conservative Group) to serve as the full member on the Sub-Committee.
- Councillor Karen Richardson (Conservative Group) to serve as the substitute member on the Sub-Committee.

**2.6 Work programme update (Report number: PAS/WS/22/019)**

2.6.1 The Committee received Report number PAS/WS/22/019, which provided information on the current status of its forward work programme for 2022 to 2023.

2.6.2 The Committee **noted** the contents of its forward work programme.

**3. Alternative options that have been considered**

3.1 Please see background papers.

**4. Consultation and engagement undertaken**

4.1 Please see background papers.

**5. Risks associated with the proposals**

5.1 Please see background papers.

**6. Implications arising from the proposals**

6.1 Financial:

Please see background papers.

6.2 Equalities:

Please see background papers.

## **7. Appendices referenced in this report**

7.1 Please see background papers.

## **8. Background documents associated with this report**

8.1 Report number: [PAS/WS/22/014](#) and [Appendix A](#) to the Performance and Audit Scrutiny Committee: Ernst and Young – External Audit Plan and Fees 2021 to 2022

8.2 Report number: [PAS/WS/22/015](#) and [Appendix 1](#), [Appendix 1a](#) and [Appendix 1b](#) to the Performance and Audit Scrutiny Committee: Local Government and Social Care Ombudsman: Annual Report 2021-2022

8.3 Report number: [PAS/WS/22/016](#) and [Appendix 1](#) to the Performance and Audit Scrutiny Committee: Regulation of Investigatory Powers Act 2000 - Annual Report and Review of the RIPA Guidance

8.4 Report number: [PAS/WS/22/017](#) to the Performance and Audit Scrutiny Committee: Delivering a Sustainable Medium-Term Budget

8.5 Report number: [PAS/WS/22/018](#), [Appendix 1](#) and [Appendix 2](#) to the Performance and Audit Scrutiny Committee: Appointment to Sub-Committee Vacancies

8.6 Report number: [PAS/WS/22/019](#) and [Appendix 1](#) to the Performance and Audit Scrutiny Committee: Work Programme Update