

CORPORATE AFFAIRS AND AUDIT COMMITTEE

A meeting of the Corporate Affairs and Audit Committee was held on 26 May 2020.

PRESENT: Councillors Rathmell, (Chair), T Higgins, J Hobson, Hubbard, D Rooney and S Walker

PRESENT AS OBSERVERS: Councillor McTigue

PRESENT BY INVITATION: Councillor C Hobson, Executive Member for Finance and Governance

ALSO IN ATTENDANCE: M Rutter, S Reid, External Auditors, Ernst Young
P Jeffrey, Internal Auditor, Veritau

OFFICERS: C Benjamin, S Bonner, J Bromiley, B Carr, N Finnegan, S Lightwing, R Painter, S Reynolds, A Wilson

APOLOGIES FOR ABSENCE were submitted on behalf of Councillor T Mawston.

DECLARATIONS OF INTERESTS

There were no Declarations of Interest at this point in the meeting.

20/1 MINUTES - CORPORATE AFFAIRS AND AUDIT COMMITTEE - 5 MARCH 2020

The minutes of the meeting of the Corporate Affairs and Audit Committee held on 5 March 2020 were taken as read and approved as a correct record, subject to the following amendment:

Page 2, Agenda Item 4 - Middlesbrough Council Audit Planning Report, paragraph 6: £0.9 million amended to read: £9.0 million.

NOTED**20/2 UPDATE RE ARRANGEMENTS FOR LEGAL SERVICES PROVISION TO MIDDLESBROUGH COUNCIL'S CHILDREN'S SERVICES**

The Director of Legal and Governance Services presented a report to clarify a point made in the previous briefing to the Committee of 5 March 2020 and to provide a second update in the context of the OFSTED report on Children's Services.

At the previous meeting, it had been confirmed that all current employees carrying out lawyer roles for the Council were qualified lawyers. Whilst it was the case that those carrying out lawyer roles held the required legal qualifications, not all were members of their respective regulatory bodies and as such the use of the word 'lawyer' to describe those employees was unhelpful.

The Council's Corporate Management Team had given approval for the recruitment of four additional lawyers and one legal assistant to manage current demand in legal services and enable effective response to the issues raised by OFSTED in relation Children's Services. However, due to the current pandemic all recruitment across the Council had been put on hold.

The Council was now moving into a recovery strategy and for the time being Counsel would be instructed for all Issues Resolution/Final Hearings. This move created capacity for the in-house team to more proactively provide assistance to Children's Services, as outlined in the previous briefing. This also provided a wider range of barristers to choose from to ensure that the expertise of the barrister fit the case. This measure would be kept under regular review.

Details of the approach taken to provide best legal representation to the Legal Gateway Panel were also outlined at paragraph seven of the submitted report.

In response to a query regarding the recruitment of additional lawyers, and the length of time that had passed since approval was given to recruit, the difficulties in recruiting lawyers to local authorities was highlighted as a national issue. The posts had been advertised on two occasions without successful recruitment. Legal Services were working closely with Human Resources on new approaches to recruitment, promoting both the job opportunities and lifestyle available in Middlesbrough. The Council was now using a national, rather than a regional, recruitment website.

AGREED that:

1. the information provided was received and noted.
2. feedback would be provided to the Committee on the outcome of the recruitment to the Legal Services' posts.

20/3

COUNCIL DIARY 2020 - 2021

The Director of Legal and Governance Services presented a report requesting the Corporate Affairs and Audit Committee to approve the timetable of meetings for the Municipal Year 2020/2021 as detailed in the appendix attached to the submitted report. It was highlighted that at the current time three meetings of full Council had been scheduled and those meetings did not allow for questions from members of the public. Discussions were underway with the Chair of the Council, Monitoring Officer and Democratic Services as to how full Council meetings could best be facilitated and scheduled during the Covid-19 pandemic.

Several Members expressed concern that full Council meetings were not taking place at the current time and that there was no plan for an Annual Meeting. Concerns were also raised in relation to Members' engagement in the Council's decision-making during the pandemic.

The Chair of the Council was present at the meeting and explained that he had taken the decision not to hold an Annual Meeting in line with new Government legislation that had been issued. The Chair of Council added that he would be happy to hold full Council meetings once additional testing of the current technology for virtual meetings, including two test meetings, had taken place. The Chair added that the Monitoring Officer would advise the Chair of Council when there was sufficient business that needed to be transacted by full Council.

A request was made for the January meetings of the Overview and Scrutiny Board and Planning and Development Committee to be moved to one week later, in consultation with the relevant Chairs of those Committees, to allow for the return to work following the Christmas and New Year break.

AGREED that the:

1. information provided was received and noted.
2. Council Diary 2020-2021 was approved.
3. proposed January dates for Overview and Scrutiny Board and Planning and Development Committee would be reviewed in consultation with the respective Chairs.

20/4

SECONDMENT TO POST OF DIRECTOR OF FINANCE – SECTION 151 OFFICER

AGREED that this item was **DEFERRED** until a future meeting of the Committee as further information had been requested.

20/5

STAFF TURNOVER SERVICE BREAKDOWN

Following information provided at the last meeting of the Committee in relation to staff turnover, the Head of Human Resources presented a series of slides showing a detailed breakdown of the number of leavers by Directorate and their reasons for leaving the employment of Middlesbrough Council.

Corporate turnover in 2019/2020 was 14.6% and an overview of the five Directorates identified the number and percentage of leavers in each. Details of the percentage turnover for each Directorate in relation to the number of people employed in that area were also given. The figures included staff who had left through TUPE arrangements.

The Chair commented that it would be helpful for the Committee to receive detailed information in relation to the costs of redundancies and compromise agreements during the last year. The Strategic Director, Finance, Governance and Support agreed to discuss this further with the Chair of the Committee.

AGREED that the information provided was received and noted.

20/6 **EXCLUSION OF PRESS AND PUBLIC**

ORDERED that the press and public be excluded from the meeting for the following items on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

20/7 **ANY OTHER URGENT ITEMS, WHICH IN THE OPINION OF THE CHAIR MAY BE CONSIDERED**

External Audit - Update

The External Auditor provided a verbal update on the audit. The statutory deadline for producing the Accounts had been moved by legislation to the end of August for the draft Accounts and to the end of November for the audit of the Accounts. However, the intention of the Council was to publish the draft Accounts as soon as reasonably practicable given the restrictions around Covid-19 and to have them open for the required six weeks for inspection. The External Auditor anticipated only a one or two week delay on their usual timetable, subject to other pressures. An addendum to the Audit Plan would be presented to the July meeting of the Committee which would set out how Covid-19 had been reflected in their risk assessment work. The audit results for both the Council and the Teesside Pension Fund would be completed for presentation to the respect Committees' September meetings.

Corporate Affairs and Audit Committee

The Chair invited Members to submit items that fell within the remit of the Corporate Affairs and Audit Committee for consideration for inclusion on the agenda of future meetings.

Strategic Director of Finance, Governance and Support

Committee Members paid tribute to James Bromiley who was leaving the Council to take up a new post elsewhere. The Chair thanked James for his contributions and wished him well for the future.

20/8 **SCHOOL GOVERNING BOARDS - APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

A joint report of the Director of Education, Prevention and Partnerships and the Executive Member for Education and Skills was presented regarding a vacancy for Local Authority appointed School Governor that had arisen as a result of resignations, the expiry of terms of office or the removal of Governors due to non-attendance as well as consideration of formally appointing some Governors as identified at Appendix 1 to the submitted report.

It was noted that there was currently 1 vacancy out of a total of 9 Governorships for Local Authority representatives. There was no nomination for the vacancy at Whinney Banks Primary School.

ORDERED as follows:

1. That the following appointments, for a four year term of office, as agreed by the individual School Governing Boards, were approved:

Newport Primary School - Miss S Gazeley

Park End Primary School - Mr D Jackson

Beverley School - Mrs J Fidan

Holmwood School - Mrs E Cowley