

NOTICE  
OF  
MEETING



**AUDIT AND PERFORMANCE REVIEW PANEL**

will meet on

**THURSDAY, 10TH DECEMBER, 2015**

at

**7.00 PM**

in the

**COUNCIL CHAMBER - TOWN HALL,**

TO: MEMBERS OF THE AUDIT AND PERFORMANCE REVIEW PANEL

COUNCILLOR PAUL BRIMACOMBE (CHAIRMAN)  
COUNCILLORS STUART CARROLL, DR LILLY EVANS, LYNNE JONES,  
JACK RANKIN, ADAM SMITH (VICE-CHAIRMAN), LISA TARGOWSKA AND  
EDWARD WILSON

SUBSTITUTE MEMBERS: COUNCILLORS MALCOLM BEER, JOHN COLLINS,  
DAVID EVANS, RICHARD KELLAWAY, ROSS MCWILLIAMS, COLIN RAYNER,  
WESLEY RICHARDS, JOHN STORY AND SIMON WERNER

Karen Shepherd  
Democratic Services Manager  
Issued: Date Not Specified

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the  
Panel Administrator

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## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>WARD</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES</u> To receive any apologies for absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		5 - 6
3.	<u>MINUTES</u> To approve the Part I minutes of the meeting held on 17 November 2015.		7 - 12
4.	<u>2015-16 SHARED AUDIT AND INVESTIGATION SERVICE RBWM INTERIM REPORT</u> To consider the report.		13 - 24
5.	<u>RBWM KEY RISKS REPORT</u> To consider the report.		25 - 34
6.	<u>ODFIELD SCHOOL BUILDING PROJECT</u> To consider a presentation on the successes and lessons learnt from the project.		Verbal
7.	<u>PARKING ENFORCEMENT</u> To respond to questions raised by Panel Members.		Verbal

## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

#### **DISCLOSABLE PECUNIARY INTERESTS (DPIs)**

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

#### **PREJUDICIAL INTERESTS**

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

#### **DECLARING INTERESTS**

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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# Agenda Item 3

## AUDIT AND PERFORMANCE REVIEW PANEL

TUESDAY, 17 NOVEMBER 2015

PRESENT: Councillors Paul Brimacombe (Chairman), Stuart Carroll, Lynne Jones, Jack Rankin, Adam Smith (Vice-Chairman) and Edward Wilson

OFFICERS: Duncan Laird (KPMG), Rocco Labellarte, Richard Bunn, Andrew Brooker, Simon Fletcher, Mark Lampard and David Cook.

### APOLOGIES

Apologies for absence were received by Councillors Lilly Evans and Lisa Targowska.

### DECLARATIONS OF INTEREST

There were no declarations of interest received.

### MINUTES

The Part I minutes of the meeting held on 8 September 2015 were approved as a true and correct record subject to the following amendments:

- 17/15 Statement of Account 2014-15 Following Audit. Add to the recommendation that the Finance Department be commended for their work.
- Add Cllr Rankin as in attendance.
- Change Cllr 'Carrol' to Cllr Carroll.

The Chairman requested that the requests / updates made at the meeting be circulated to Members.

### ANNUAL AUDIT LETTER 2014/15

Duncan Laird introduced the Annual Audit Letter 2014/15 that summarised the key findings of KPMG's audit of RBWM's financial statement and VFM conclusion. The report brought together identified risk elements, summarised the outputs from their financial audits of the borough including those of the Pension Fund and it was the last document brought to the Panel before they closed the 2015/15 audit. They had now seen the Pension funds Annual Report and were in the process of drafting a response to a public objection to the accounts.

The Chairman asked for clarification if the inquiry to the accounts from a resident had turned into an objection and was informed that the resident had confirmed that they wanted their inquiry to become an objection and this related to process and thus did not change the over all conclusion.

Cllr Carroll questioned the benchmark for the audit fee and was informed that the audit fee was set by the public sector audit body (previously the Audit Commission) and would benchmark against similar sized organisations. The Chairman informed that over the last couple of years there had been a reduction in fees because of this benchmarking.

Cllr Rankin pointed out that the report showed that the authority was maintaining an efficient use of resources whilst maintaining service delivery to residents.

### UPDATE ON THE ICT STRATEGY 2010-15

The Chairman informed that he had asked for this to come to Panel as there had been a long journey since the ICT Strategy had been adopted, we had new Members and we did not have in any one place the journey the authority had undertaken; it was often forgotten where we started from to where we are today.

There had been a lot of successes behind us and it was a good time to review the journey. RBWM started with a strategy document in 2010; that was not very good and thus was updated in 2012. Rocco Labellarte joined the authority and took on this challenge.

Rocco Labellarte informed that the report before the Panel gave an indication of the journey they had been on with regards to implementing the ICT strategy and its subsequent updates. There had been a lack of investment in ICT so the strategy was starting from a low base, however in 2012 there was a shift from traditional working methods towards investment into 'the cloud' and the smarter working project. The report showed 17 key achievements and if you looked back to 2012 this showed the challenges faced by the authority; it was a useful reflection of what we didn't have at that time.

Today we have a new website, joined up procurement and asset management, remote working was now embedded as was the use of Wi-Fi and mobile technology. We now have a reasonable decent infrastructure with better enablement of technology. A better resilient and defended environment had been introduced with frequent security checks showing year on year improvements. The authority was now about two thirds along the journey. We have moved from a capital intensive strategy to a hosted basis and the vast majority of business applications were now up to date.

Moving forward the authority was working towards a digital 24/7 council with the new website being refined. The introduction of a 'residents account' would form the foundation of bringing together services for residents and businesses as part of the digital transformation of our offer.

Cllr Jones asked if wireless networking was going to be introduced to York House, Windsor, and was informed that yes York House would be wireless enabled. With regards to a question about how the 'Paris' system was utilised differently by Adult Services and Children's service the panel were informed that Paris was one of the case management systems that the authority used that needed rationalisation. There was a general consensus that we need to move away from Paris to another solution, it was a complex move that would take at least two to three years to achieve the business and efficiency needs.

Cllr Rankin questioned the current position of the CRM replacement system and was informed that the aim was to have a single contact point for the resident that then went through the system to follow the journey of the contact. There had been one procurement process that hadn't delivered a workable solution so they were investigating a digital system; the current system was hindered by the need for 3rd party development driving up the price.

The Chairman informed that the original project had been halted because it was not the right solution at the right cost. The aim was to have residents telling us once and nether again, we should have one view across the council in real time and it should aid work flow distributing information to the right points. We were looking for better working methods.

The Chairman asked for an update on the town centre Wi-Fi project. The Panel were informed that this was not in the original strategy but as the opportunity arose to give residents free Wi-Fi in town centres; especially Windsor that had high footfall, the project was added to the work flow. The authority went to market and had 20 expressions of interests, however when they found out they had to do it for free this reduced to one expression of interest. The contract was agreed and awarded however in the end it was not fulfilled as the company wrongly thought they would also be including Ascot Racecourse and without this the finances did not add up. Other options were currently being explored at zero cost or adding onto another project at low cost.

Cllr Wilson asked if the community wardens were to be provided with tablets to aid them in their work and was informed that this went back to the earlier CRM discussion in enabling a single point of contact for residents. ICT were working with their internal customer to see what their requirements were and how best to meet them.

Cllr Wilson also questioned the safety of our residents' data and asked for reassurance. The panel were informed that every year the council was compliance tested and that the standards were becoming every increasingly more robust; the goal posts were constantly moving and because of this compliance was increasingly becoming more difficult to achieve. The Panel were informed that just over two years ago the Council's penetration test allowed access to our core data within about 11 seconds; corrective measures had improved this to over 4 hours. The Council's firewalls had also just been updated and all mobile devices were encrypted.

Cllr Smith questioned the very specific savings targets in the strategy and how on the revenue side this was £900k. The Panel were informed that all targets had not been met but they had reduce capital spend by £500k per year and with regards to revenue they were due to go to the Employment Panel to propose £259k of savings. There were also additional proposals as part of the Council's restructure. These would relate to £500k savings from staff costs. The delay into moving to the cloud had also delayed saving proposals.

Cllr Smith also mentioned that due to the work undertaken it was time to refresh the ICT Strategy and the Chairman agreed that the journey had been moved on since Rocco had been recruited and that it was time to see the strategy being updated.

The Chairman mentioned it was important to note that security was now cabinet compliant and that the vision of projects had vastly improved with visibility of all projects now available. The decluttering of project management and enabling of technology was part of the new journey. It was also recommended that a post implementation review of the ICT strategy be undertaken to show what we had achieved and if we did not achieve why not. It was agreed to circulate the summary document to all members.

**RESOLVED UNANIMOUSLY: That the Panel note the update.**

## COUNCIL RESERVES

Richard Bunn presented the paper that analysed the use of 'Usable' and 'Unusable' reserves held by the authority. The Panel were informed that there were 6 main usable categories:

- The General Fund, which was the main revenue from which the costs of service is met.
- Capital Reserves used for funding capital expenditure on short life assets.
- Insurance Reserves an internal insurance provision to cover the policy excesses met by the Council under its insurance arrangements for claims for damage to its own assets and its financial exposure to legal liability claims from third parties and employees.
- Corporate Development Fund that is utilised to pump-prime savings generating initiatives and general infrastructure support around the Borough.
- Capital Grants Unapplied. This reserve holds capital grants when all conditions of the grant have been met. The grant is recognised in the Comprehensive Income & Expenditure Statement and reversed out to the reserve via the Movement in Reserves
- School Revenue Balances & DSG Reserve. Schools receive delegated funding (known as the Individual Schools Budget (ISB)) each year to support expenditure on pupils.

Cllr Rankin questioned if the £3 million target under the Legacy Bridge Fund was achievable and if not should the £25k reserve be allocated elsewhere. The Chairman asked if the £25k could be used by the legacy group to help fund initiatives to raise the £3 million. The Panel were informed that it was part of the Participatory Budget but the campaign group had not raised the funding.

Cllr Jones questioned why the Capital Reserves allocation had decreased this year and was informed that funding to capital projects had not decreased it was a change in the way they were funded. MRP had been used to help fund capital projects and thus reduce the need for loan repayments; this was being reduced as there was increased income from capital gains due to planned redevelopment projects.

It was also noted that the Thames Path Missing Link Fund still had expenditure outstanding and that each line of the document were separate accounts.

**RESOLVED UNANIMOUSLY: That the Panel note the update.**

### INCOME GENERATED BY FINES

Mark Lampard circulated five years of data for the income generated by fines for:

- Litter
- Parking (off street)
- Parking (on street)
- School non-attendance
- Library Fines

In 2010/11 the total amount of fines collected was £1,467,580 and the projected figure for 2016/16 was £832,361; officers felt that this reduction was down to better compliance.

Cllr E Wilson raised concern that residents often felt that there was a lack of enforcement and used the example of volunteers collecting rubbish in their local area often collect sacks of rubbish with no sign of enforcement. Cllr E Wilson went on to ask if in this area resources had been decreased by 50% or if resilience had increased by 50%. The Panel were informed that resources had not been reduced but there were only 18 wardens who have the power to issue fines regarding litter, officers were reviewing alternative ways of empowering other officers to be able to issue fines.

It was noted that the level of fines issued for dog fouling was significantly less than for litter as the public were more compliant when they see wardens in the vicinity. The Panel requested that if it was possible to see the fines issued at a ward level and it was suggested that heat mapping could be used to identify problematic areas.

The Chairman mentioned that he had raised concern about the temporary suspension of parking bays and the level of fines that were generated as it was not clear that parking had been suspended. He recommended that if a bay / bays needed to be suspended then this should be for a limited period of time whilst work was being undertaken and that the organisation requesting the suspension should corner off the bays so there was no confusion.

**RESOLVED UNANIMOUSLY: That the Panel note the update.**

### HIGHWAYS STRUCTURAL MAINTENANCE

Simon Fletcher informed that a report was due to go to the Highways, Transport & Environment Overview & Scrutiny Panel so it had not been presented to this panel. The Chairman said that this Panel wished to examine the effective use of resources in this area and asked Cllr Wilson to email his questions to officers with a report being scheduled for a future meeting in the New Year.

### OPERATIONS DIRECTORATE PLAN



Simon Fletcher presented the Operations Directorate Business Plan 2015/16 – 2018/19. The Panel were informed that the directorate plan set out the key outputs for the directorate and was supported by services plans detailing how these key outputs would be achieved. It was proposed that the Audit and Performance Review Panel review the directorate plan on a regular basis to review progress against their objectives. Simon Fletcher went through the different sections of the plan and informed that it would be published on the RBWM website.

The chairman informed the Panel that he had asked for the plan to be monitored to assess performance and that it was good to see that the document contained mainly data rather than unnecessary words. It was recommended that the name be changed to 'service objectives' rather than business plan.

In response to questions the Panel were informed that targets would have baseline data added to them where possible, that certain targets would be retained (even though they had consistent high performance) so they could be monitored as we shift to more self service and that the directorate had been reduced from 8 heads of service to 7.

It was noted that they could not target increased Penalty Charge Notices' however as it was costing more to issue tickets than collected they were aiming to reach a break even point. With regards to landfill a reduced target remained as only about 90% of waste could be recycled.

**RESOLVED UNANIMOUSLY: That the Panel note the plan and add a review to their work programme.**

#### LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on following items on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

**PRIVATE MEETING - PART II**

MINUTES

**(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)**

The Part II minutes of the meeting held on 8 September 2015 were approved as a true and correct record.

The meeting, which began at 7pm, finished at 8.45pm.

CHAIRMAN.....

DATE.....



Report for:  
ACTION/INFORMATION

<b>Contains Confidential or Exempt Information</b>	NO - Part 1
<b>Title</b>	2015-16 Shared Audit and Investigation Service RBWM Interim Report
<b>Responsible Officer(s)</b>	Andrew Brooker, Head of Finance
<b>Contact officer, job title and phone number</b>	Catherine Hickman, Service Manager – Shared Audit & Investigation Service 07917 265742
<b>Member reporting</b>	Cllr Paul Brimacombe
<b>For Consideration By</b>	Audit and Performance Review Panel
<b>Date to be Considered</b>	10 <sup>th</sup> December 2015
<b>Implementation Date if Not Called In</b>	Ongoing
<b>Affected Wards</b>	All
<b>Keywords/Index</b>	Audit and Investigation

## Report Summary

1. This report summarises the Shared Audit and Investigation Service (SAIS) activity, including progress in achieving the 2015/16 Internal Audit Plan, during the first six months of 2015/16 to 30 September 2015. This report will complement the 2015/16 Annual Audit and Investigation Report that will be presented to the Audit & Performance Review Panel (A&PRP) in June 2016.
2. It recommends that Members note the activity of the SAIS during the first six months of the 2015/16 financial year and the outcome of the audit reviews and investigations undertaken.
3. This recommendation is being made to ensure that the Council meets its legislative requirements as well as the requirements of the A&PRP's Terms of Reference (ToR) and the Council's Anti Fraud and Anti Corruption Strategy.
4. If adopted, the key financial implications for the Council are contributing revenue costs to the SAIS.

## If recommendations are adopted, how will residents benefit?

Residents will have independent and objective assurance that the Council's control environment (comprising risk management, control and governance) is operating effectively, that resources are being used economically, efficiently and effectively and that public monies and the Council's assets and interests are being safeguarded.	Ongoing
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## 1. Details of Recommendation

**RECOMMENDED:** That Members are asked to note the Shared Audit and Investigation Service RBWM activity for the six months ending 30 September 2015.

## 2. Reason for Decision and Options Considered

- 2.1 The Accounts and Audit Regulations 2015 require that every local authority undertakes an effective internal audit of their risk management, internal control and governance processes.
- 2.2 In addition, the Council's Chief Financial Officer (Head of Finance) has a statutory duty under Section 151 of the Local Government Act 1972 to establish a clear framework for the proper administration of the authority's financial affairs. To perform that duty, the Section 151 Officer relies, amongst other things, upon the work of Internal Audit in reviewing the operation of systems of internal control and financial management. The SAIS carries out the work required to satisfy this legislative requirement and reports its findings and conclusions to the A&PRP.
- 2.3 The aim of the report attached at Appendix A and the supporting Appendix A(i) is to cover these legislative requirements and it also provides a summary of the Council's investigation activities, as required to be reported on a half yearly and annual basis to the A&PRP in accordance with the Council's Anti Fraud and Anti Corruption Strategy.
- 2.4 The 2015/16 Internal Audit Plan was approved by the A&PRP on 17 February 2015. The emphasis on developing the Internal Audit Plan was based on mandatory and legislative requirements and the risks set out in the Corporate Risk Register (CRR) and it is clearly targeted at assisting the Council in achieving its key objectives.
- 2.5 Whilst a number of audit reviews are effectively considered as mandatory (key financial systems, particularly high risk items etc), others enter or leave the Audit Plan based on the CRR uncontrolled risk rating and the views of officers and Members. As such, the Plan is fluid and is regularly realigned to accommodate changes to the CRR, thereby ensuring that it remains current and focussed on the key risks affecting the Council. Audits programmed for the remainder of the financial year, after realignment are listed within the attached report as Appendix A(i)

Option	Comments
Accept the attached report and supporting appendix and note the RBWM activity of the SAIS during the first six months of the financial year. <b>Recommended</b>	This will ensure that the Council meets its statutory requirements. In addition, the A&PRP will comply with its responsibilities as set out within their ToR and also the requirements of the Council's Anti Fraud and Anti Corruption Strategy.

Accept this report with amendments.	Members may wish to request that this report be amended / altered if they feel that there are material issues which have not received sufficient emphasis or if there are specific issues the report is deficient in.
Not approve this report.	This may expose the Council to unnecessary risks by not having an adequate internal control framework leading to poor performance and poor outcomes for service users/residents.  It may result in a qualification in the External Auditors' Annual Management Letter.

### 3. Key Implications

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
SAIS work is effective and is on track to achieve the RBWM 2015/16 Internal Audit Plan, approved by A&PRP on 17 February 2015. In addition, the Panel is complying with the requirements of its ToR and the requirements of the Council's Anti Fraud and Anti Corruption Strategy.	Failure of the Council to meet its statutory requirements and failure of the A&PRP to discharge its responsibilities.	Council meets its statutory requirements to provide an adequate and effective internal audit of its system of internal control. A&PRP discharges its responsibilities.	n/a	n/a	Ongoing
Unqualified External Audit Financial Accounts and Management Letter.	Adverse comment and a qualified External Audit Management Letter if the Council fails to maintain an adequate Internal Audit function.	Unqualified External Audit Management Letter as Council meets its requirements to provide an adequate and effective Internal Audit function.	n/a	n/a	Ongoing

Residents have confidence that public funds are being used economically, efficiently and effectively and that Council assets and interests are being safeguarded from misappropriation, loss or fraud.	Loss of residents' confidence, Council assets and interests may not be safeguarded and the Council's reputation may be affected if there are not effective Internal Audit and Investigation functions.	Gain residents confidence, Council assets and interests are safeguarded and the Council's reputation is protected as Council provides an effective Internal Audit and Investigation functions.	n/a	n/a	Ongoing
External Audit fee kept to a minimum.	Increase in the External Audit fee arising from them being required to undertake additional audit work by not being able to place reliance on the work of Internal Audit.	External Audit relies on the work of Internal Audit keeping External Audit fee to a minimum.	n/a	n/a	Ongoing

#### 4. Financial Details

##### a) Financial impact on the budget (mandatory)

Revenue - Officer time in dealing with provision of the SAIS  
Capital - None

##### b) Financial Background (optional) – N/a

#### 5. Legal

5.1 Accounts and Audit Regulations 2015  
CIPFA/IIA Public Sector Internal Audit Standards 2013  
Fraud Act 2006  
Regulation of Investigatory Powers Act 2000  
S151 Local Government Finance Act 1972  
Theft Act 1968.

#### 6. Value for Money

6.1 Internal Audit and Investigation work is planned to assist the Council in ensuring that its assets are used efficiently and effectively and that they are being properly safeguarded against misappropriation, loss and fraud. The Internal Audit function provides an independent, objective assurance and consulting activity designed to add value and improve the Council's operations. It helps the Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

## 7. Sustainability Impact Appraisal - N/a

## 8. Risk Management

Risks	Uncontrolled	Controls	Controlled
1. Failure of the Council to adequately plan and undertake audit reviews leading to failure to meet its statutory requirements. Without an adequate internal audit function, the Council's key systems and services are consequently at risk of not achieving their objectives in the most economic, efficient and effective way thus being exposed to misappropriation / loss.	High	Ensure and demonstrate an adequate internal audit function.  Provide a regular written progress report on the work of internal audit to those charged with governance for endorsement.	Low
2. Failure to provide assurance that the work of the Internal Audit function properly supports the RBWM governance framework, the content of the Annual Governance Statement and the requirement for additional External Audit work at an enhanced cost to the Council.	High	Internal audit coverage included as part of the governance assurance framework and informing the Annual Governance Statement.  Sufficient Internal Audit coverage for External Audit to be able to place reliance on the work.	Low

## 9. Community Safety - N/a

## 10. Links to Strategic Objectives

10.1 The 2015/16 RBWM Internal Audit Plan, which includes entries within the Council's CRR, helps the Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, governance processes, safeguard Council assets and undertake investigations into misappropriation, loss or fraud.

## 11. Equalities, Human Rights and Community Cohesion - N/a

## 12. Staffing/Workforce and Accommodation implications - N/a

## 13. Property and Assets - N/a

## 14. Any other implications - N/a

## 15. Consultation

15.1 Consultation has taken place with the Corporate Management Team, S151 Officer, Directorate Management Teams, Insurance and Risk Manager and External Audit in the preparation of the RBWM 2015/16 Internal Audit Plan.

15.2 Management and staff have been consulted prior to and during the course of the audits and at their conclusion to ensure that audits have been timed to suit both parties, to incorporate managements' priorities, to agree a course of action to implement the countermeasures to the concerns and causes that have been identified.

15.3 Consultation in respect of investigations work is as set down in the Council's Anti Fraud and Anti Corruption Strategy.

## 16. Timetable for Implementation

16.1 The timetable for completion of the RBWM 2015/16 Internal Audit Plan is 31 March 2016.

## 17. Appendices

Appendix A – Shared Audit and Investigation Service RBWM 2015/16 Interim Progress Report (to 30 September 2015)

Appendix A (i) – RBWM 2015/16 Internal Audit Plan status (1<sup>st</sup> April 2015-30<sup>th</sup> September 2015)

## 18. Background Information

RBWM 2015/16 Internal Audit Plan  
RBWM Anti Fraud and Anti Corruption Strategy.

## 19. Consultation (Mandatory)

Name of Consultee	Post held and Department	Date sent	Date response received	See comments in paragraph:
Internal				
Alison Alexander	Managing Director and Strategic Director of Children's Services	11/11/15	18/11/15	Report accepted with minor amendments
Corporate Management Team (CMT)	Managing Director, All Strategic Directors, Head of Finance	11/11/15	18/11/15	Report accepted with minor amendments
Cllr Paul Brimacombe	Chair of Audit and Performance Review Panel	01/12/15		
External Audit	KPMG			

## Report History

Decision type:		Urgency item?	
Key decision entered into the Forward Plan		N/a	
Report no.	Full name of report author	Job title	Full contact no:
	Catherine Hickman	Service Manager, Shared Audit and Investigation Service	07917 265742



Shared Audit and Investigation Service  
Royal Borough of Windsor and Maidenhead Performance Report

2015/16 Interim Progress Report (1 April 2015 to 30 September 2015)

## 1. INTRODUCTION

1.1 This report summarises the work of the Shared Audit and Investigation Service from 1 April 2015 until 30 September 2015. There are three key areas of the services work; Internal audit, Governance and Investigations.

1.2 Internal audit is a statutory function under the Audit and Accounting Regulations 2015. Internal audit is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

1.3 Investigation work involves the proactive prevention, detection and investigation of fraud, corruption and wrong-doing. The main focus of this activity is financial fraud against committed against the council. However the team can use their skills in other relevant cases i.e. disciplinary investigations.

1.4 The Service Manager, Shared Audit and Investigation Service as Regulation of Investigatory Powers Act 2000 (RIPA) as RIPA Monitoring Officer is responsible for oversight and control over RIPA applications. RIPA regulates the ways that government bodies, including the police, are allowed to carry out surveillance, which includes accessing any communications data, listening to phone calls, following people, taking photographs and intercepting e-mails.

## 2. INTERNAL AUDIT

2.1 Performance against Audit Plan to 30 September 2015 is as follows;

- Appendix A(i) presents progress made against the 2015/16 Internal Audit Plan April 2015 to 30 September 2015.
- Based on audits at Final Report stage assurances can be given that most key Treatment Measures are in place and are operating effectively, with the majority of residual risks being reduced to an acceptable level and reported concerns being of a moderate impact or less. Where appropriate, managers have revisited their Treatment Measures to ensure they are sufficiently robust and operating as described.

- The Management Action Plan for those audits with a second category audit opinion have moderate impact concerns (in accordance with the approved Risk Management Strategy Framework) which prevented them from obtaining a first category overall opinion. Managers are therefore aware of the concerns that need to be addressed to obtain a first category opinion.

Overall Opinion	No of Audits
1	0
2	7
3	1
4	0
<b>Total</b>	<b>8</b>

- Management have the opportunity to challenge findings where they believe that there is additional evidence or audit’s assessment of the priority of the concerns. No challenges have been made to the overall audit opinion for the audits completed in the period April 2015-September 2015.

2.2 Of the audits completed in the year to date, one has resulted in the third category of opinion as shown below.

Commissioning (Placements) – Children’s Services

- This audit was requested by management after the outcome of the Ofsted Inspection in March 2015 and the principal objective was to conclude whether the arrangements and controls in place with regard to commissioning of placements for Children in Care are adequate, effective and efficient. As part of the audit, the comments in the Ofsted report were taken into account.
- There are a number of areas which have been highlighted as a result of this audit and these are all process related.
- The 4 major concerns relate to:
  - Risk Assessments
  - Site visits
  - Provision for support for children in need reaching adulthood
  - Service providers business continuity plans

- Appropriate management actions and timescales have been provided and Senior Officers are comfortable with the level of risk.

2.3 There is an allocation of 40 days for contingency work within the plan. Until the end of September 2015, 30 days have been spent on unplanned work requested by management in the following areas:

- Health & Safety;
- Homecare Costs;
- Planning Returns;
- Delegated Schools Grant Assurance;
- Department of Transport Grant Certifications;
- Bus Operations Grant Certification;
- Mail Merge Errors; and
- Pay Award Check.

2.4 None of the contingency work completed has resulted in a category 3 or 4 audit opinion. Details of the results of this work is detailed in Appendix A(i). The above grants work has been certified within the prescribed timescales.

### **3. DEVELOPMENT OF NEW SYSTEMS/SPECIAL PROJECTS**

3.1 Internal Audit has attended the Information Security Management Group to advise on information security and information governance issues/issues arising from information security audits and to monitor the implementation of audit concerns.

### **4. GOVERNANCE**

4.1 Work is underway with the appropriate senior managers to commence and streamline the process for the preparation of the 2015/16 Annual Governance Statement.

## 5. INVESTIGATIONS

- 5.1 The work undertaken by the Investigation Team has included re-active investigations as well as developing pro-active fraud drives on areas such as Council Tax Reductions, Council Tax Discounts, Business Rates and Personal Budgets and Direct Payments.
- 5.2 The first six months performance of investigations covers the losses identified to the Council.

**Table 1 Financial Results – Identified Losses to 30 September 2015**

Area of work	Value (£'s)	Comments
Council Tax - discount/exemption	20,997	
Social Care/Direct Payments	7,490	Estimated full year ongoing impact of case = £10k
Other	7,138	Theft (£5,072). Pension saving contribution (£2,066).
Council Tax Reduction Scheme (CTRS)	2,314	
<b>Total</b>	<b>37,939</b>	

- 5.3 The current position of the proactive drive work is outlined below.

**Table 2 – Investigation Drives**

Area of Drive	Comments
CTRS compliance	Ongoing agreed new way of working
Single Person Discount	In progress
NNDR (Business Rates) exemptions and reliefs	In progress – first visits commenced September.
Personal Budgets and Direct Payments	TBA

## 6. REGULATION OF INVESTIGATORY POWERS ACT

- 6.1 No investigation cases have been undertaken during the first six months of 2015/16 that have required RIPA surveillance approval to be requested.

**2015/16 Royal Borough of Windsor and Maidenhead Internal Audit Plan Status  
1 April 2015 - 30 September 2015**

<b>AUDIT TITLE</b>	<b>DIRECTORATE</b>	<b>STATUS</b>	<b>OPINION</b>
<b><u>2014/15 Audits</u></b>			
<b><u>Key Operational Risks</u></b>			
<b>Transforming Social Care</b>	Adult and Community Services	FINAL	2
<b><u>Mandatory Key Systems</u></b>			
<b>Processing</b>	Operations	DRAFT	
<b>Assessments</b>	Operations	DRAFT	
<b><u>Management Request</u></b>			
<b>Health and Safety (Part I)*</b>	Corporate Services	DRAFT	
<b><u>2015/16 Audits</u></b>			
<b><u>Key Strategic Risks</u></b>			
<b>S106</b>	Corporate Services	FINAL	2
<b>Crime and Disorder including Security Threats</b>	Operations	FINAL	2
<b>Technology Obsolescence</b>	Operations	WIP	
<b>Projects Fail to Deliver Planned Benefits</b>	Cross Cutting	WIP	
<b><u>Key Operational Risks</u></b>			
<b>Customer Needs Assessment</b>	Adult and Community Services	FINAL	2
<b>Health and Social Care Act</b>	Adult and Community Services	DRAFT	
<b>Adult Social Care - Demographic Growth</b>	Adults and Community Services	WIP	
<b>Borough Local Plan</b>	Corporate Services	FINAL	2
<b>Commercial Rents</b>	Corporate Services	FINAL	2
<b>Adoption</b>	Children's Services	FINAL	2
<b>School Trips</b>	Children's Services	WIP	
<b>Flooding</b>	Operations	DRAFT	
<b>IT Audit Risk Register</b>	Operations	DRAFT	
<b>Waste Management</b>	Operations	WIP	
<b><u>Secondary, Special and Middle Schools</u></b>			
<b>Manor Green School</b>	Children's Services	WIP	
<b><u>Auditor Judgement</u></b>			
<b>Wessex Primary School &amp; Nursery</b>	Children's Services	WIP	

<b>Servicing the Business</b>			
<b>- Contingency</b>			
<b>Department of Transport Grant Certifications</b>	Operations	FINAL	Exempt
<b>Bus Operators Grant Certification</b>	Operations	FINAL	Exempt
<b>Mail Merge Errors</b>	Corporate Services	FINAL	Exempt
<b>Pay Award Check</b>	Corporate Services	FINAL	Exempt
<b>Planning Returns</b>	Corporate Services	FINAL	2
<b>Health and Safety (Part II)*</b>	Cross Cutting	WIP	
<b>Commissioning</b>	Children's Services	FINAL	3
<b>Delegated Schools Grant</b>	Children's Services	WIP	
<b>Homecare Costs</b>	Adult and Community Services	WIP	

### **Definitions**

- 
- 1 Complete and Effective
  - 2 Substantially Complete and Generally Effective
  - 3 Range of Risk Mitigation Controls is incomplete and risk are not effectively mitigated
  - 4 There is no effective Risk Management process in place
- 

\*A second audit of this area was commissioned in 2015/16 and the findings of the two audits will be combined in to one report to be issued in 2015/16.



Report for:  
INFORMATION

<b>Contains Confidential or Exempt Information</b>	NO
<b>Title</b>	RBWM key risks report
<b>Responsible Officer(s)</b>	Andrew Brooker, head of finance, 01628 796341
<b>Contact officer, job title and phone number</b>	Steve Mappley, insurance and risk manager, 01628 796202
<b>Member reporting</b>	<b>Councillor Simon Dudley</b>
<b>For Consideration By</b>	Audit and performance review panel
<b>Date to be considered</b>	10 December 2015
<b>Implementation date if Not Called In</b>	Ongoing
<b>Affected Wards</b>	All
<b>Keywords/Index</b>	risk management

## Report Summary

This report deals with risk management as part of the council's governance arrangements. It makes elected members aware of the developments during the 12 month period 1 November 2014 to 31 October 2015. The report includes:

- the council's key strategic risks and how they are identified, monitored and managed;
  - an overview of the risk management work and achievements during this reporting period;
  - the council's 2016/17 risk management strategy and policy.
1. These recommendations are being made because of the implications of failing to understand risks which carry the most damaging impacts on the council.
  2. An additional point to note is that some risks will always exist and can never be fully eliminated due to the council's statutory duties as a local authority.

## If recommendations are adopted, how will residents benefit?

1. The council will increase its operational stability.	Immediate and ongoing
2. Resources will be allocated to those areas where failure contains the most damaging implications.	Immediate and ongoing

## 1. Details of Recommendation

**RECOMMENDATION:** That members endorse the council's policy and strategy to identify, monitor and manage its risks.

## 2. Reason for decision and options considered

2.1 If the council fails to make good use of risk management processes, it could lead to ignorance of and exposure to many risks. The purpose of risk analysis is to help decision makers get a better feel for a realistic range of possibilities, what drives that uncertainty and therefore where one can focus efforts to manage the uncertainty. Resources can be wasted in over-controlling where the potential consequences can be tolerated if they fall within the council’s risk appetite.

2.2 The council’s risk appetite illustrates whether the council is prepared to accept or wants to reduce a risk. A structured level of informed risk taking is sensible for the council to be able to evolve and deliver its services where there are limited resources to do so. Mitigations can be used to move along the risk appetite spectrum to the preferred appetite position. The key thing is that the council considers the level and type of risks they want to take (or not).

Option	Comments
<b>Recommended:</b> To scrutinise this report and make comments as necessary.	The council must demonstrate that it complies with regulations <sup>1</sup> in relation to the publication of an annual governance statement. One of its core principles is a requirement to demonstrate how the council manages risk – to ensure that it has a system of controls that are key to mitigating the risks that may affect the achievement of the council’s objectives.
To accept the report without further comment.	This may expose the council to unnecessary risks or lead to it expending resources unnecessarily to over control tolerable risks. By not focussing resources where they are most needed, it could lead to poor performance and poor outcomes for residents.

**3. Key implications**

Defined outcomes	Unmet	Met	Exceeded	Significantly exceeded	Date they should be delivered by
Lead officers and members engaged in regular key risk reviews.	Risks are left without officer or member attention.	Lead officers and members are engaged in regular review of their key risks.	New risks / controls identified by input from all council officers.	None	Ongoing by bi-monthly and quarterly review.

3.1 The corporate risk register contains the council’s key strategic and operational risks. The key strategic risks were last presented to this panel meeting in the appendices to the report 14 April 2015. An up to date précis of the key strategic risks is contained in appendices A (heat map) and B (detail). Similar reports can be used for the operational risk framework but by request of panel members they are not included with this report.

3.2 Members are regularly notified of the key risks where they are named as the risk owner. They are asked to confirm the date of their review of these risks with the officer risk owner (appendix C) and those officers are tasked with ensuring that any comments are reflected in the assessment of the risk.

3.3 Risk reports are reviewed and debated by CMT, directorate management teams and elected members. Hence, these sessions continue to successfully bring together managers to discuss risk at directorate and corporate levels.

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<sup>1</sup> Regulation 4(2) of the Accounts and Audit Regulations 2003, as amended by the Accounts and Audit (Amendment) (England) Regulations 2006, 2009 and 2011



3.4 Table 1 details the key successes in risk management since the most recent strategy report to this panel 16 December 2014.

**Table 1: risk management developments**

Success	
1	New style briefing report on risks falling within member portfolios trialled and agreed with the strategic director of children's services. This will now be rolled out across the council during 2016.
2	The council focuses on its top rated risks by presenting quarterly risk reports to directorate management teams (DMT's), quarterly presentations to the CMT, quarterly updates by way of the IPMR report to cabinet. <ul style="list-style-type: none"> <li>• A senior officer and lead member own all key risks jointly. This provides members with awareness of the risks and the opportunity for dialogue with officers on the effectiveness of the controls.</li> <li>• Risks and treatment measures are reviewed and verified to provide assurance to members and officers on whether these operate effectively.</li> <li>• CMT reviews based around risk categorisation (a method used to aggregate risks from various parts of the organisation).</li> <li>• These dialogue sessions with the CMT provide a mechanism for immediate and ongoing debate on whether anything on the horizon ought to be considered as part of the council's risk management and governance framework.</li> </ul>
3	The majority of the scope and work of the 2015/16 internal audit plan is directly informed by the key risks. The methodology used to prepare the plan was approved by the panel in February 2011. Internal audit officers provide an opinion of the accuracy and effectiveness of the risk control measures.
4	The key strategic risks, heat maps and risk appetite commentary augment the quarterly integrated performance management report.
5	Assisting Wokingham BC with development of their risk management work including presenting to elected members of Wokingham BC Executive and their senior leadership team.

#### 4. Financial details

**a) No financial implications on the budget.**

**b) Financial background.**

Revenue - resources required to implement actions proposed in the risk register should be contained within existing budgets.

Capital – none.

**5. Legal:** There are potential legal implications should the risks identified occur or not be addressed adequately. The purpose of the risk register is in part to avoid such consequences or at least provide an awareness of those implications so that officers and members can make a risk based judgement.

**6. Value for money:** A reduction in external insurance premiums at 2015 policy renewal was obtained by taking a risk based approach to claims exposure.

**7. Sustainability impact appraisal:** None, although some individual risks may contain associated obligations.

#### 8. Risk management

Risks	Uncontrolled Risk	Controls	Controlled Risk
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If the council fails to make good use of risk management processes, it is likely to lead to ignorance of any exposure to damaging strategic and operational risks to the council.	high	Risks are reviewed by risk owners, CMT, DMTs, the audit and performance review panel and cabinet members. This regular reporting and assessment structure ought to provide a robust framework for managing risk.	low
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**9. Links to strategic objectives:** All entries on the risk register are linked to one of the current strategic objectives.

**10. Equalities, human rights and community cohesion:** None, although some individual risks may contain associated obligations.

**11. Staffing/workforce and accommodation implications:** Not directly although some individual risks may contain associated obligations.

**12. Property and assets:** Not directly although individual risks may contain associated obligations.

**13. Any other implications:** None

#### **14. Consultation**

14.1 Consultations take place with KPMG (external audit), audit and performance review panel, CMT, audit and investigation unit and heads of service through directorate management teams.

14.2 The risk manager compared the council's risk registers with those of the other Berkshire unitaries to determine to what degree the content is aligned. All of these common risks are represented in RBWM risk registers unless they concern specific local matters.

**15. Timetable for implementation:** The risk register details the officers responsible for progressing actions, together with timescales for implementation.

#### **16. Appendices**

- Appendix A – heat map of the current assessments of the key strategic risks;
- Appendix B – (web only) detail of the key strategic risks and mitigation measures;
- Appendix C – summary of elected member and senior officer reviews.
- Appendix D – Risk management policy and strategy 2016/17. (To Follow)

#### **17. Background information**

17.1 Risk management is a governance process open to scrutiny from councillors and the public at the council's audit and performance review panel meetings.

17.2 The corporate risk register records the risks relating to the council's objectives.

17.3 The purpose of risk analysis to help decision-makers get a better feel for a realistic range of possibilities, what drives that uncertainty and therefore where efforts can be focussed to manage this uncertainty. Our aim is to recognise and evaluate all potential risks and capture these on our risk registers:

- a. Key strategic risks are those that directors identify as overarching and which require a corporate strategic response. Their assessments reflect the latest informed view of the pressures driving the risk and if the strategic efforts and/or

the underpinning operational controls in directorates are up to date and working. 'Directorate' risks can potentially be included if it is felt that failure could seriously compromise the whole council.

- b. Those risks specific to operational activities - matters that could go wrong on a day-to-day basis - where failure carries the most damaging impacts.
- c. Well managed risks in "a" and "b" where the director/head of service and member require a regular prompt to check adequate controls are up to date and working because the impact of failure carries the most damaging effects.
- d. Poorly managed risks in "a" and "b" where the director/head of service and member should have regular updates until the residual risk is acceptable.
- e. Emerging risks falling within any of the above.

17.4 The inclusion of risks within any level of risk register does not necessarily mean there is a problem – what it signifies is that officers are aware of potential risks and have devised strategies for the implementation of mitigating controls.

17.5 As the risk registers mature, some risks may be reassessed as falling outside the key risk criteria or be considered by officers to be of such low impact that there is little reason that ongoing monitoring will be of any benefit. The latter risks are hence removed to avoid "noise" that provides no use for management.

17.6 Monthly updates are provided to the joint head of audit and investigation for any changes affecting the key risks as this could affect the audit plan.

#### 18. Consultation (mandatory)

Name of consultee	Post held and department	Date sent	Date received	See comments in paragraph:
Richard Bunn	Chief accountant	11/11/15	11/11/15	None.
Andrew Brooker	Acting director of corporate services and head of finance	11/11/15	18/11/15	None.
CMT	Managing Director etc.	11/11/15	18/11/15	Use of corporate template for strategy, amend to 2016/17
Cllr Simon Dudley	Lead Member for Finance			
Cllr Paul Brimacombe	Chair of Audit and Performance Review Panel			
<b>External</b>	None			

#### Report history

<b>Decision type:</b>	<b>Urgency item?</b>
Non-key decision	No

Report no.	Full name of report author	Job title	Full contact no:
To follow	Steve Mappley	Insurance and risk manager	01628 796202

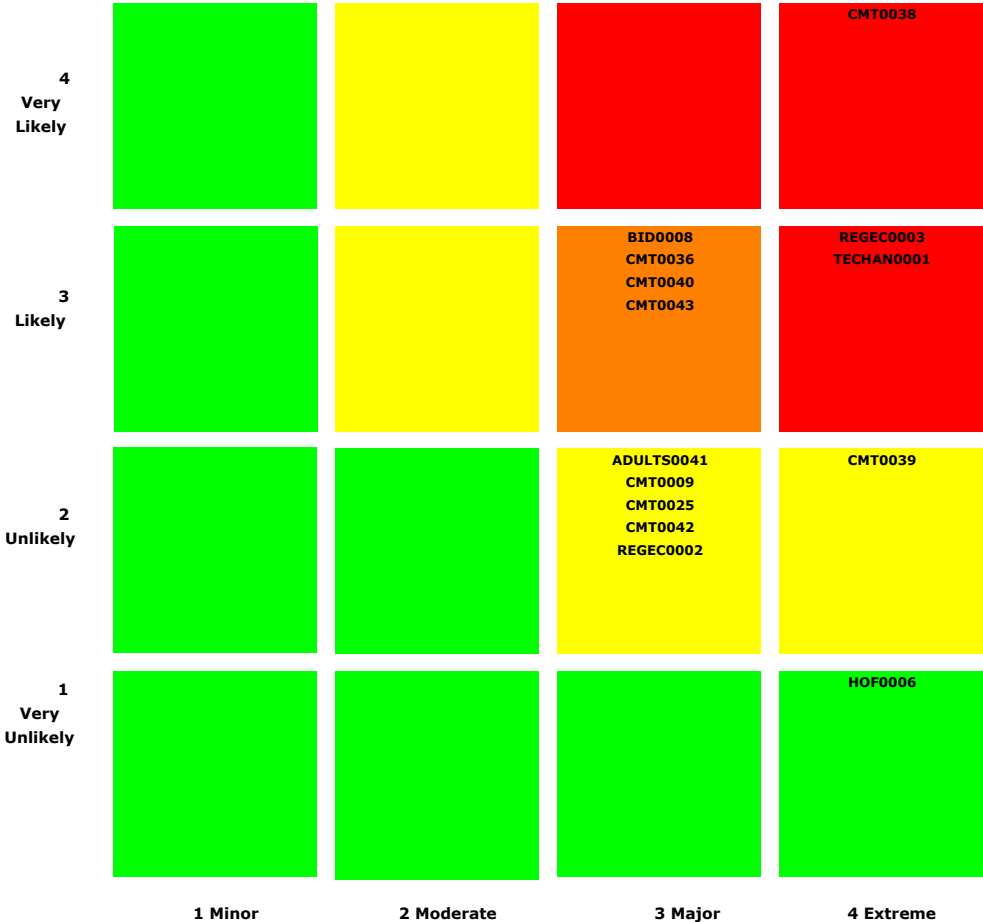
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# Appendix A - current key strategic risks



29

Probability



Impact

Rating	Risk Ref	Details	Assigned To
16	CMT0038	<b>Headline: acceleration in the impact of technology.</b> The CMT need to think about how specific technologies are likely to affect every part of the business and be completely fluent about how to use data and technology.	Andrew Brooker
12	REGEC0003	<b>Headline: failure to adopt a new Community Infrastructure Levy.</b> CIL will generate significantly less receipt to the authority in comparison to S106. The projected timetable for preparing our CIL will result in a period of several months during which we will not be able to collect any significant developer contributions for off-site infrastructure.	Chris Hilton with Andrew Booker as lead director
12	TECHAN0001	<b>Headline: IT infrastructure failure</b> IT infrastructure failure i.e data storage infrastructure, systems access or total loss of council data centre affects the ability to function normally.	Rocco Labellarte
9	BID0008	<b>Headline: data security</b> (a) Data loss leads to delays and errors in business processes. (b) Serious security breaches invoke fines of up to £500K. levied by the Information Commissioners Office. (c) The sophistication of cyber-attacks on the IT network is increasing.	Rocco Labellarte
9	CMT0036	<b>Headline: strategic leadership</b> No overall strategic leadership for the council leads to insufficient forward thinking and hence resource focussing overwhelmingly on the short term.	Alison Alexander
9	CMT0040	<b>Headline: local resilience</b> (a) Insufficient local resilience through the operation of the Thames Valley Local Resilience Forum to deal with emergency incidents. (b) Failures in our links with external networks and supply chains. (c) Financial impact on RBWM from a critical event.	Craig Miller
9	CMT0043	<b>Headline: safeguarding failure leads to injury</b> Particular focus on issues identified nationally on safeguarding children and child sexual exploitation (CSE).	Christabel Shawcross and Alison Alexander
8	CMT0039	<b>Headline: crime and disorder</b> (a) Risk of security and community problems arising from the actions and behaviour of extremist groups, particularly in the area around Windsor's Combermere and Victoria barracks. (b) Impact of Clause 26 of the Counter Terrorism and Security Act on the council checking use of its public buildings, its internet filters and any unregulated out of school settings.	Craig Miller
6	ADULTS0041	<b>Headline: adult social care demographic</b> Adult social care demographic - growth in number of older people with disabilities, transitions from children's services.	Angela Morris
6	CMT0009	<b>Headline: working with partners</b> (a) Ensure transformation programme accommodates the needs of the various community partners. (b) Engage with third parties for collaboration and cost savings.	Alison Alexander
6	CMT0025	<b>Headline: transformation programme</b> The need for fundamental transformation across the council raises the risk that management and staff at all levels will not be able to undertake the necessary transformation and change.	Andrew Brooker
6	CMT0042	<b>Headline: social cohesion</b> Significant increases of volume, complexity and in social cohesion of the borough population.	Alison Alexander
6	REGEC0002	<b>Headline: failure to deliver Maidenhead regeneration programme</b> The main financial risk is around the state of the economy and ability of developers to fund and have sufficient expertise to identify viable schemes / improvements, and also the capital programme.	Chris Hilton with Andrew Brooker as lead director
4	HOF0006	<b>Headline: MTFP fails</b> RBWM 's mid/long term strategy to deal with expenditure volatility - finance options/mitigations to match service demands and central government funding reduction	Andrew Brooker

Appendix C – Elected member and officer risk review summary

Directorate	Review details - officers	Most recent notification/review by cabinet member	Overdue reviews i.e. not done within last 6 months
Key strategic risks and CMT risks.	Quarterly. Focus is thematic or where risks are furthest from the agreed appetite.	Various – see directorate risk reviews below. 16/07/15 - Cllr Burbage 16/07/15 – Cllr Brimacombe	None
Operations	29/10/15 –Craig Miller 29/10/15 – Ben Smith	13/11/15 - Cllr Cox 28/07/15 - Cllr Hill 13/11/15 - Cllr Rayner	None
Corporate Services	18/11/15 -Andrew Brooker 18/11/15 – Chris Hilton	23/07/15 - Cllr Dudley 28/07/15 - Cllr Hill 17/07/15 – Cllr Bateson 16/07/15 – Cllr Claire Stretton 24/07/15 – Cllr Wilson	
Children's Services	15/10/15	Cllr Bicknell – 27/07/15	None
Adult and Community Services	10-11/06/15	Monthly with Nick Davies /Angela Morris - Cllr Coppinger 27/07/15 - Cllr Airey	None

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