

Wiltshire Council

Cabinet

8 September 2020

Questions from Chris Caswill about the Audit Committee Issues

Agenda Item 5 – Public Participation

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Question 1:

In July 2019 the Council's Audit Committee approved a new Anti Fraud Theft Corruption and Bribery Action Plan which called in 4.1 for the publication on the Council's web site of a dedicated Fraud and Corruption Page. This appears not to have been implemented. Why is that and will you now commit to it happening within the next three months?

Response:

There is a web page established for the sole purpose of reporting fraud or malpractice. This also has a link through to the My Wiltshire, so reports can be made anonymously.

The web link is as follows:

<https://www.wiltshire.gov.uk/council-democracy-report-fraud>

Question 2:

Are you aware of the July 2020 Transparency International report Permission Accomplished, which assesses the risks of corruption within Local Authority planning processes, and ranks Wiltshire as one of the Authorities with the second highest level of unaddressed risk?

Response:

Yes. The council takes its ethical responsibilities and standards of conduct as a planning authority very seriously, as reflected in the councillor training, guidance, code of conduct and other constitutional requirements already in place. Officers are confident in the councils process, however we are currently reviewing the report and are seeking to clarify the scoring methodology used, which is unclear from the report itself.

Question 3:

Recognising that this is a question of risk and in no way an assertion about current Wiltshire Council process and practice, will you consider the findings as a matter of priority and ask the Audit Committee to consider and report on them at their next meeting, in conjunction of course with the Council's Monitoring and Section 151 officers.

Response:

Once there is clarity regarding the methodology used, consideration will be given to referring the report to the appropriate councillor body.

Question 4:

Will you also ask the above to include the same risks as far as unelected officials are concerned?

Response:

The council will continue to take all opportunities for improving the council's practice as a planning authority, following the review of the report's methodology outlined above.

Question 5:

When Cabinet papers are not published by close of play on the day before the deadline for questions guaranteed a written answer, will you agree there should automatically be an extension of that deadline, published on the Cabinet meeting web page?

Response:

If any member of the public wishes to ask a question on one of the reports that was published later than normal, the cabinet member will endeavour to answer any questions at the meeting. The Cabinet will always answer questions received at any time and will respond in writing to any that cannot be answered in advance of the meeting.

Question 6:

I notice on the Audit Committee pages that the external auditors Deloitte do not consider the level of Council reserves to be within their remit. Given the importance and sensitivity of that issue, will you agree to take steps to have it included from now on?

Response:

The external auditor will give an assessment and view on the financial health, future and sustainability of the organisation through their annual value for money assessment as part of their annual audit.

It is not part of the external auditors remit under the current audit regulations which are set by H.M Government to give a specific view on the level of reserves.

As part of the setting the annual budget the Section 151 Officer provides a view and an assessment on the robustness of estimates as well as a level of general fund reserves held is commensurate with the level of risk.

Whilst the VFM conclusion is considered as part of the accounts by the Audit Committee, the setting of the budget, and therefore the level of reserves held, is a Full Council decision which is also subject to Scrutiny.

Question 7:

I understand the Council has an arrangement with the consultancy firm Atkins that allows officers to call on Atkins for consultancy reports without going out to competitive tender. How is this arrangement monitored and independently audited?

Response:

The Council has a tendered term Highways Consultancy contract with Atkins which enables them to provide a range of specialist technical services to the Council when required. The contract was tendered in March 2019 and started in December 2019. The contract is for five years and can be extended for a further two years, subject to performance. The performance of the supplier is reported annually to the Council's Environment Select Committee.

The councils controls for contract management procedures are subject to internal audit.

Question 8:

It is clear from the papers that went to Cabinet on the HIF Bid that the initial decisions to proceed were taken by officers, presumably under their Delegated Powers. What arrangements are in place for independent scrutiny of those decisions?

Response:

The decision to make a bid for HIF funding in March 2018 was made by officers as an officer decision. The submission of the full business case in March 2019 was made as an officer decision. Officer decisions would be made by or overseen by the Executive Director for Place.

There have been two reports to cabinet concerning the HIF bid, one in March 2019 and one in October 2019 both seeking authority for on going work to develop the HIF proposals. Both those reports could have been subject to the Council's scrutiny arrangements. The decision as to whether to commit the Council to a contract with Homes England for HIF funding and the project will be taken by cabinet and will be subject to the Council's scrutiny arrangements.