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Contact Officer:

John Armstrong,  
Democratic Services and Elections Manager  
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7 June 2023

Dear Councillor

Your attendance is requested at a meeting of the **CORPORATE GOVERNANCE AND STANDARDS COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **THURSDAY 15 JUNE 2023 at 7.30 pm** (or immediately following the induction session scheduled for 6.30pm).

Yours faithfully

Tom Horwood  
Chief Executive

**MEMBERS OF THE COMMITTEE**

Chairman: Councillor Phil Bellamy

Vice-Chairman: Councillor Bob Hughes

Councillor Joss Bigmore

+Murray Litvak

Councillor James Jones

^Julia Osborn

Councillor George Potter

^Ian Symes

Councillor James Walsh

^Tim Wolfenden

Councillor Fiona White

\*Independent member

^ Parish member

**Authorised Substitute Members:**

Councillor Bilal Akhtar

Councillor Vanessa King

Councillor Honor Brooker

Councillor Richard Mills

Councillor Ruth Brothwell

Councillor Howard Smith

Councillor Amanda Creese

Councillor Katie Steel

### **WEBCASTING NOTICE**

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

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### **QUORUM 3**

## THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

### **Our Vision:**

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

### **Our Mission:**

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

### **Our Values:** We will:

- put the interests of our community first.
- listen to the views of residents and be open and accountable in our decision-making.
- deliver excellent customer service.
- spend money carefully and deliver good value for money services.
- put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- support the most vulnerable members of our community as we believe that every person matters.
- support our local economy.
- work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- ensure that our councillors and staff uphold the highest standards of conduct.

### **Our strategic priorities:**

#### Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

#### Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

#### Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

## AGENDA

### ITEM

**1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

**2 LOCAL CODE OF CONDUCT - DISCLOSURE OF INTERESTS**

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, you must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

**3 MINUTES (Pages 5 - 16)**

To confirm the minutes of the meeting of the Corporate Governance and Standards Committee held on 15 March 2023.

**4 DECISION AND ACTION TRACKER (Pages 17 - 20)**

**5 RISK MANAGEMENT AND CORPORATE RISK REGISTER (Pages 21 - 42)**

**6 FREEDOM OF INFORMATION COMPLIANCE - ANNUAL REPORT 2022-23  
(Pages 43 - 52)**

**7 WORK PROGRAMME (Pages 53 - 64)**

# CORPORATE GOVERNANCE AND STANDARDS COMMITTEE

15 March 2023

- \* Councillor Deborah Seabrook (Chairman)
- \* Councillor Susan Parker (Vice-Chairman)

- \* Councillor Ruth Brothwell
- Councillor Liz Hogger
- \* Councillor Nigel Manning
- \* Councillor George Potter
- \* Councillor James Walsh

Independent Members:

- Maria Angel MBE
- \* Murray Litvak

Parish Members:

- \* Julia Osborn
- \* Ian Symes
- \* Tim Wolfenden

\*Present

The Lead Councillor for Planning Development, Legal and Democratic Services Councillor Tom Hunt, and the Lead Councillor for Customer and Community Services, Councillor John Redpath were also in attendance.

## **CGS58 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Maria Angel MBE.

## **CGS59 LOCAL CODE OF CONDUCT - DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

## **CGS60 MINUTES**

The minutes of the meeting of the Committee held on 19 January 2022 were approved as a correct record.

The Chairman signed the minutes.

## **CGS61 DECISION AND ACTION TRACKER**

The Committee noted that the decision and action tracker had been introduced to monitor progress against the decisions and actions that the Committee had agreed, which would be kept up to date for each meeting. When decisions/actions were reported as being 'completed', the Committee would be asked to agree to remove these items from the tracker.

The Committee noted that the first item on the tracker had been outstanding for nine months due to a combination of staff sickness and staff turnover. The Committee felt that it should remain on the tracker.

Having noted the update set out on the Supplementary Information Sheet, the Committee

RESOLVED: That the decision and action tracker be noted and that the actions reported as being completed be removed from the table.

## **CGS62 COMPLAINTS HANDLING AUDIT REPORT ACTIONS UPDATE**

The Committee considered an update report on progress being made against the management actions identified in the complaints handling audit report, which had been undertaken in August 2022.

The Committee noted that the nature of audits meant that the data that had been reviewed was retrospective and many of the issues identified and resulting actions in the audit report had already been identified by management prior to the audit and steps had begun to undertake improvements.

During the debate the following points were raised by the Committee:

- Dismay at the number of complaints received
- Concerns over the move towards an E complaints system, and the difficulties residents experience in communicating complaints to the Council, particularly those without access to a computer. In response, the Executive Head of Communications and Customer Service, explained that there were other options for customers to log complaints with the Council, for example by telephone or letter. Customer Services can also provide assistance to residents in submitting a complaint.
- The Executive Head of Communications and Customer Service confirmed that complainants were not required to complete an official complaints form. Complaints could also be logged over the telephone. The information contained in the report on the number of complaints received represented the number of complaints logged on to the system.
- Query regarding the extent to which matters raised with the Planning Enforcement team were “complaints”, and what actions could be taken in the context of performance indicators which would measure the extent to which such matters were satisfactorily addressed. This would be referred to the Planning Enforcement Team for a response.
- There needed to be mechanisms in place that informed residents that, if they were not satisfied with a response to a particular service-related enquiry, they could follow the Council’s complaints procedure. In response, the Executive Head of Communications and Customer Service confirmed that staff would be reminded to provide this information.
- In response to a query as to the number of vexatious complaints received, the Executive Head of Communications and Customer Service confirmed that the Council had a vexatious, malicious and persistent complainants policy that would be put into place if required. These cases were not reported publicly.
- Request that progress be made to implement action 2.4 “*analyse complaints data periodically to draw out common complaint themes to be fed back to service areas. Where actions have been identified for improvement, they should be tracked to completion.*” In response, the Executive Head of Communications and Customer Service confirmed that it was very likely that there were common themes amongst some of the complaints received and gave assurance that the Council was learning from complaints and appropriate actions were being taken to make improvements as a consequence of receiving complaints. The audit action was quite specific around having a specific corporate mechanism by which this could be done. Officers were looking at upgrading the current system in order to assist with this.

The Committee

RESOLVED: That the update report be noted.

Reason:

To respond to the Committee’s request for an update report on the progress against the audit actions.

<b>Action:</b>	<b>Officer to action:</b>
To identify, in relation to matters raised with the Planning Enforcement team for investigation, what actions could be taken in the context of performance indicators which would measure the extent to which such matters were satisfactorily addressed.	Planning Enforcement Team Leader
To communicate to staff the need to ensure that residents were informed that, if they are not satisfied with a response to a particular service-related enquiry, they could follow the Council's complaints procedure.	Executive Head of Communications and Customer Service

**CGS63 GENDER PAY GAP REPORT 2023**

The Committee was informed that the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 imposed obligations on employers with 250 or more employees to publish information annually relating to the gender pay gap in their organisation. In particular, employers were required to publish, amongst other information, the difference between the average hourly rate of pay paid to male and female employees; and the relative proportions of male and female employees in each quartile pay band of the workforce.

The Committee therefore considered Guildford's Gender Pay Gap Report for 2023, which would be published on the Council's website and on a publicly accessible Government website and retained for a period of three years.

The figures in the Report, which were based on hourly rates of pay, showed that:

- the Council's female employees had an average hourly rate that was 7% higher than male employees' hourly rate; and
- at the mid-point within the range of hourly earnings that the Council paid its employees, female employees had an hourly rate that was 12% higher than male employees' hourly rate.

The main reason for this gender pay gap was an imbalance of male and female colleagues across the services as there was a much higher proportion of men working in the Waste Operations and Parks & Street scene Services. Many of the roles within those services fell within the lower pay bands.

The report was provided to the Committee for information purposes only. In reviewing governance processes, it was proposed that in future this report was not submitted to the Committee, but instead shared with its members through a link to the document on the Council's website each year.

During the debate the following points were raised:

- It was suggested that committee members be sent copies of future years' reports by email.
- The Committee had previously requested comparative data in future years' Gender Pay Gap Reports, of how Guildford had performed nationally in respect of the gender pay gap, which had not been provided in this year's Report.

The Committee

RESOLVED:

- (1) That the Gender Pay Gap Report for the year 2023, attached at Appendix 1 to the report submitted to the Committee, be noted.

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- (2) That, in future, the Gender Pay Gap Report is no longer submitted to the Committee and instead is emailed to all committee members for information.

Reasons:

- (1) To provide the Committee with information on the Council's Gender Pay Gap.  
(2) To streamline the governance process for the report.

<b>Action:</b>	<b>Officer to action:</b>
<ul style="list-style-type: none"><li>• To email future Gender Pay Gap Reports to all committee members and to no longer submit the Reports to the Committee.</li><li>• To ensure that comparative data is provided in future years' Gender Pay Gap Reports of how Guildford had performed nationally in respect of the gender pay gap</li></ul>	Lead Specialist (Human Resources)

**CGS64 INTERNAL AUDIT PROGRESS REPORT (APRIL 2022 TO MARCH 2023)**

The Committee considered a report on progress made by the Council's internal audit manager (KPMG) on their internal audit plan for 2022-23 for the period April 2022 to March 2023, which included a summary of the work that they had concluded since the previous report to Committee.

The report had reviewed the design and effectiveness of:

- (a) budgetary controls for which KPMG had provided 'partial assurance with improvements required' (amber/red rating) in that regard;
- (b) controls over the general ledger for which KPMG had provided 'significant assurance with minor improvement opportunities' (amber/green rating);
- (c) controls over receipt and expenditure of s.106 contributions for which KPMG had provided 'significant assurance with minor improvement opportunities' (amber/green rating); and
- (d) controls around the preparation and posting of journals for which KPMG had provided 'significant assurance with minor improvement opportunities' (amber/green rating);

An additional review of the payroll budget discrepancy against the expected control environment had also been undertaken and KPMG had provided 'partial assurance with improvements required' (amber/red rating).

As part of their 2022-23 internal audit plan, KPMG had also followed up actions in previously audited areas and had prioritised looking at the 2021-22 reviews which had received 'no assurance' or 'partial assurance with improvements required', alongside a sample of reviews which received 'significant assurance with minor improvement opportunities'.

Following completion of all the programmed activities in the internal audit plan for 2022-23, KPMG had also produced their Head of Internal Audit Opinion for 2022-23, for which significant assurance with minor improvement opportunities had been given on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.

In debating this item, the Committee raised the following points:

- Concern over the auditor's finding of a lack of clarity of the total number of employees across the Council, and the apparent lack of progress to resolve the issue.



- Concern as to how the audit of Financial Controls: Payroll in October 2022, which received significant assurance contrasted with the additional audit review of Payroll Budget Discrepancy which received only partial assurance. In response, Mr Crouch of KPMG confirmed that the two reviews were two separate pieces of work with very different scopes. The Executive Head of Finance confirmed that the payroll discrepancy was on the budget not on the payroll itself. The scope of the October 2022 audit on payroll had focused entirely on the accuracy of the payroll which was reported as being compliant. The payroll discrepancy referred to the way numbers were budgeted for. During the Future Guildford process, the piece of work undertaken to identify the savings and to reshape services took 2019-20 as the base budget, and working from that going forward, savings were identified and indicative budgets for services were established. At that point, there was a “broad-brush” approach to budgeting, rather than budgets being costed at individual member of staff level. In the meantime, the payroll itself increased in line with agreed pay increments, and cost of living pay awards. The payroll discrepancy was first identified in 2021-22. It was not clear why this had happened. There had not been a direct reconciliation between the number of people on the payroll and the number of people being costed into the budget. Measures to address the discrepancy were set out in the budget approved by the Council on 8 February 2023.
- The Executive Head of Finance had adjusted capacity in the finance team to address these issues and to ensure that these reconciliations were implemented. Accountants would be working alongside frontline managers to ensure that those numbers going into the ledger were accurate and that we fully understand where we were with expenditure, in compliance with the Constitution. A revised budget would be submitted to the Council in July 2023, which would include a very clear strategy to address the £18 million deficit in the Medium-Term Financial Strategy over the next four years.
- Mr Crouch of KPMG confirmed that references made in their reports were comments at a point in time, so following completion of this work, they were satisfied that, through conversations with the finance team, and the Joint Strategic Director, their findings were being addressed and taken forward with agreed timelines for implementation.
- It was suggested that this Committee should be updated as soon as possible on the progress being made with these actions.
- Concern that the target dates agreed to implement the management actions were too long.

Having thanked the auditors and the Executive Head of Finance, the Committee

RESOLVED: That the Internal Audit Progress Report (April 2022 to March 2023), attached as Appendix 1 to the report submitted to the Committee, together with the key findings from the reviews undertaken since the last report to the Committee, be noted.

Reason:

To ensure good governance arrangements and internal control by undertaking an adequate level of audit coverage.

**CGS65 INTERNAL AUDIT CHARTER 2023-24**

The Committee considered a report from the Council’s new Internal Auditors (Southern Internal Audit Partnership) on the proposed Internal Audit Charter, which was a formal document that defined the internal audit activity’s purpose, authority and responsibility consistent with the Definition of Internal Auditing, the Code of Ethics and the Public Sector Internal Audit Standards. Those Standards required the Charter to be reviewed and approved annually.

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The Standards (attribute standard 1000) also required that all internal audit activities maintain an 'internal audit charter'. The internal audit charter established internal audit's position within the organisation including:

- Recognising the mandatory nature of the Public Sector Internal Audit Standards
- Defining the scope of internal audit responsibilities.
- Establishing the organisational independence of internal audit.
- Establishing accountability and reporting lines (functional and administrative).
- Arrangements that exist with regard to anti-fraud and anti-corruption.
- Establishing internal audit rights of access.
- Defining the terms 'board' and 'senior management' for the purpose of internal audit.

A draft copy of the Internal Audit Charter 2023-24 was appended to the report for review and comment.

The Committee

RESOLVED: That the Internal Audit Charter for 2023-24, attached as Appendix 1 to the report submitted to the Committee, be approved

#### Reason:

The Committee has a responsibility to approve the Internal Audit Charter in accordance with the Public Sector Internal Audit Standards.

### **CGS66 INTERNAL AUDIT ANNUAL PLAN 2023-24**

The Committee considered a report on the proposed Internal Audit Plan for 2023-24 submitted by Southern Internal Audit Partnership, the aim of which was to provide independent and objective assurance to management, in relation to the business activities; systems or processes under review that:

- the framework of internal control, risk management and governance is appropriate and operating effectively; and
- risks to the achievement of the Council's objectives are identified, assessed and managed to a defined acceptable level.

The Internal Audit Plan provided the mechanism through which the Chief Internal Auditor could ensure most appropriate use of internal audit resources to provide a clear statement of assurance on risk management, internal control and governance arrangements.

It was noted that internal audit focus should remain proportionate and appropriately aligned to key areas of organisational risk.

All auditable areas of review remained within the audit 'universe' and were subject to ongoing assessment. The audit plan would remain fluid to ensure that internal audit was able to react to the changing needs of the Council.

Other reviews, based on criteria other than risk, could also be built into the work plan. These might include 'mandatory' audits or reviews requested or commissioned by management. Any commissioned review must be able to clearly demonstrate a contribution to the audit opinion on risk management, control and governance.

A copy of the draft Internal Audit Plan 2023-24 was appended to the report for review and comment by the Committee.

During the debate, the Committee made the following comments:

- Assurance was requested, and given, that the new internal auditors pick up the areas that KPMG had flagged us as having partial assurance with improvements required, and that there would be a handover process with KPMG.
- Assurance was requested, and given, that the Audit Plan would include financial controls on major projects.

The Committee

RESOLVED: That the Internal Audit Plan for 2023-24, attached as Appendix 1 to the report submitted to the Committee, be approved.

Reason:

To ensure good governance arrangements and internal control by undertaking an adequate level of audit coverage.

**CGS67 ANNUAL REPORT OF THE MONITORING OFFICER REGARDING MISCONDUCT ALLEGATIONS**

The Committee received and noted the Monitoring Officer’s annual report about decisions taken on standards allegations against borough and parish councillors for the 12-month period ending 31 December 2022.

Throughout this period, there had been a total of four complaints received - two relating to borough councillors, and two relating to parish councillors. There were also three complaints which had started in 2021.

The two complaints against borough councillors referred to above were rejected at stage 1 for not providing any substantiating information. Two of the three complaints from 2021 had proceeded to stage 6, Hearings Sub-Committee.

As at the end of December 2022, there were three ongoing complaints (two against parish councillors, and one against a borough councillor).

The origin of the complaints (whether from members of the public, officers, or elected members of the authority) was set out in Appendix 1 to the report. The time taken for consideration and determination of a complaint was also set out in Appendix 1.

By way of comparison and to put the statistical information on the number of complaints received into context, the Committee noted that the number of misconduct allegations received by the Monitoring Officer over the past three years was as follows:

Year	Total received	Borough Councillors	Parish Councillors
2022	4	2	2
2021	14	14	0
2020	17	9	8

The report had also set out details of the consideration by the Corporate Governance Task Group of a review of the extent to which outcomes of misconduct complaints against councillors should be published.

The Council’s current Arrangements provide that the identity of all councillors against whom a misconduct complaint has been made remains anonymous, except for those whose complaint is referred to the Hearings Sub-Committee for determination. A copy of the current Arrangements is attached, for information, at **Appendix 2**.

Following a request last year by the then Chairman of this Committee, Councillor George Potter,

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the Corporate Governance Task Group, at its meeting on 20 February 2023, considered a report on the extent to which outcomes of misconduct complaints against councillors should be published.

The Task Group noted the various stages of a misconduct complaint, as set out in the Arrangements, where there could be an “outcome”, which were as follows:

- The Monitoring Officer (MO) could discontinue a complaint or terminate an investigation in certain circumstances (see paras 5.1 and 5.2 of the Arrangements).
- The complaint may fail the initial jurisdiction test (Stage 1) – section 6 of the Arrangements.
- The complaint may, following initial assessment (Stage 2), be subject to an Informal Resolution (Stage 3) – sections 7 and 8 of the Arrangements.
- The complaint may, following formal investigation, be terminated because the Investigating Officer finds no breach of the Code (Stages 4 and 5) - sections 9 and 10 of the Arrangements.
- The Investigating Officer may, during formal investigation of the complaint, identify criminal conduct by the subject member (the councillor against whom the complaint was made) (see paras 19 and 20 of Appendix 2 to the Arrangements), in which case the MO would suspend the investigation pending the outcome of any separate Police investigation.
- Following formal investigation and referral to the Hearings Sub-Committee (Stage 6), the outcome of the complaint may be that there has been no breach of the code and no further action taken, or that there has been a breach and appropriate sanction(s) have been determined.

The Task Group noted that the Arrangements for dealing with misconduct complaints published by the other Surrey councils, generally followed Guildford’s approach regarding publishing outcomes – i.e. that no specific information about the identity of the Subject Member or the nature of the complaint against them are published, except at the formal standards hearing stage.

The Task Group had considered whether there was a case to publish the identity of a Subject Member and details of the complaint against them, at any stage in the process other than when it was referred to the Hearings Sub-Committee. The Task Group felt that any change to the Arrangements to provide for publication of details of Informal Resolutions might have the effect of deterring councillors from agreeing to them, and hence a greater number of complaints being referred for a formal investigation, which would be both time-consuming and costly. The Task Group therefore concluded that no changes should be made to the Arrangements to provide for public disclosure of outcomes of misconduct complaints against councillors, other than when they were referred to the Hearings Sub-Committee following formal investigation.

The Task Group was content with the existing arrangements for publication on the website of a decision notice setting out the findings at a Hearings Sub-Committee with full disclosure of the identity of the Subject Member, and the details of the complaint. It was noted, however, that decision notices were currently published with the Hearings Sub-Committee papers. It was suggested, for added transparency, that such decision notices, along with a link to the relevant committee papers should also be published on the specific webpages dealing with Councillor Conduct.

It was also suggested that the table in Appendix 1 to the report showing details of complaints received, and decisions taken in relation to Allegations of Misconduct against Borough Councillors and Parish Councillors under the Arrangements, for the previous calendar year should also be posted on the Councillor Conduct webpages referred to above, and updated at least twice yearly as appropriate by the Monitoring Officer showing decisions taken in respect of

those complaints, and new complaints received.

The task group also requested the Councillor conduct webpages to include links to the latest Monitoring Officer Annual Report to the Corporate Governance and Standards Committee.

The Task Group had also suggested minor amendments to add clarity to two paragraphs within Appendix 1 to the Arrangements (Communications Policy in relation to Member Complaints), details of which were set out in the report.

The Task Group had decided that, at its next meeting on 27 March 2023, it would like to review the wording of the Arrangements as a whole and make recommendations for any changes to this Committee and to full Council, noting that any such recommendations would be considered following the Borough Council elections in May. The suggested amendments to the Arrangements referred to above would be picked up in this review process.

The following points were raised by the Committee in the debate:

- Concern over the lengthy timescales built into the Arrangements which meant that complaints often took more than a year to deal with.
- General concern over the length of time taken for investigations into complaints to be completed.

Having considered the report, the Committee

RESOLVED:

- (1) That the cases referred to the Monitoring Officer under the Council's arrangements for dealing with allegations of misconduct by councillors for the period 1 January to 31 December 2022, be noted.
- (2) That the Monitoring Officer be asked to note and follow-up the following area of concern upon which further work would be carried out:
  - Concern over the lengthy timescales built into the Arrangements which meant that complaints often took more than a year to deal with.
- (3) That no changes be made to the public disclosure arrangements for dealing with allegations of misconduct by councillors and co-opted members i.e. only to disclose the outcome after referrals to the Hearings Sub-Committee following formal investigation.
- (4) That decision notices following determination of a complaint by the Hearings Sub-Committee be published on the Councillor Conduct webpages on the Council's website, together with a link to the relevant committee pages.
- (5) That the table in Appendix 1 to the report submitted to the Committee showing details of complaints received, and decisions taken in relation to Allegations of Misconduct against Borough Councillors and Parish Councillors under the Arrangements, for the previous calendar year be posted on the Councillor Conduct webpages and updated as appropriate by the Monitoring Officer at least twice per year to show decisions taken in respect of those complaints, and new complaints received.
- (6) That links to the latest Monitoring Officer Annual Report to the Corporate Governance and Standards Committee be included in the Councillor conduct webpages.

Reasons:

- To ensure members of the Committee and others to whom the report is circulated are updated as to complaints received and to enable them to consider learning points for the future.
- To seek to promote and maintain high standards of conduct amongst Members.

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- To ensure as far as possible, the openness and transparency of the councillor complaints procedure
- To respond to recommendations of the Corporate Governance Task Group.

<b>Action:</b>	<b>Officer to action:</b>
<p>To note and follow-up the following area of concern upon which the Committee would like further work to be carried out:</p> <ul style="list-style-type: none"> <li>• Concern over the lengthy timescales built into the Arrangements which meant that complaints often took more than a year to deal with.</li> </ul>	Monitoring Officer
<p>To publish decision notices following determination of a complaint by the Hearings Sub-Committee on the Councillor Conduct webpages on the Council's website, together with a link to the relevant committee pages.</p>	Democratic Services & Elections Manager
<ul style="list-style-type: none"> <li>• To post on the Councillor Conduct webpages the table in Appendix 1 to the report submitted to the Committee showing details of complaints received, and decisions taken in relation to Allegations of Misconduct against Borough Councillors and Parish Councillors under the Arrangements, for the previous calendar year.</li> <li>• To update the table on a six-monthly basis, as appropriate at least twice per year to show decisions taken in respect of those complaints, and any new complaints received.</li> </ul>	<p>Democratic Services &amp; Elections Manager (done)</p> <p>Monitoring Officer</p>
<p>To include links to the latest Monitoring Officer Annual Report to the Corporate Governance and Standards Committee in the Councillor conduct webpages.</p>	Democratic Services & Elections Manager (done)

## **CGS68 FINANCIAL MONITORING 2022-23**

The Committee considered a report which summarised the projected outturn position for the Council's General Fund (GF) revenue account and Housing Revenue Account, based on the latest financial data to January 2023.

There was a projected net overspend on the General Fund revenue account of £3.2million resulting primarily from utility price inflation and the payroll budget correction. Due to the relatively short-term inflation pressures and an establishment budget adjustment, it was more appropriate to resolve the deficit through the use of revenue reserve rather than putting additional pressure on the already stressed service delivery capacity by cutting back on expenditure to save money.

The surplus on the Housing Revenue Account would enable a projected transfer of £7.1 million to the new build reserve and meet the forecasted £2.5 million to the reserve for future capital at year-end.

Progress against significant capital projects on the approved programme as outlined in section 7 of the report was underway. The Committee noted that the Council was expected to spend £39 million on its capital schemes by the end of the financial year.

During the debate, the Committee made the following comments:

- Concerns over the accuracy of some of the information in the table showing the Approved Capital Programme (e.g. Scheme ED27 – North Street Development)

- Request for clarification as to whether the Council would be entitled to funding announced by the Government in the Budget for supporting swimming pools.
- In response to a request for clarification as to the nature of the correction to the Town Centre Management budget in the table on Fees and charges budget variances, the Executive Head of Finance confirmed that this was merely a budget income correction.
- In relation to the variances to budget in Appendices 1A (salaries) and 1B (non- staff expenditure), clarification was sought as to why waste and refuse appeared as a considerable overspend in both areas, what was being done to address it, and whether it would impact adversely on the service. The Executive Head of Finance confirmed in respect of waste that this was how the services had operated up until now, but that changes were being put in place that would set budgets to correctly reflect the true cost of operating those services. No assurance could be given at this stage that there would be no adverse impact on the service. The Committee was reminded that £3.2m would need to be found in 2023-24 and that the Council in July would be asked to consider options as to how that deficit could be addressed. The Medium-Term Financial Plan had also identified the need to find a further £8m in the following financial year, and £6m in the financial year after that.

Having considered the report, the Committee

RESOLVED: That the Council’s financial forecast outturn for the financial year 2022-23 be noted, together with the comments and observations referred to above.

Reason:  
To allow the Committee to undertake its role in relation to scrutinising the Council’s finances.

**CGS69 WORK PROGRAMME**

The Committee

RESOLVED: That the updated 12 month rolling work programme, as set out in Appendix 1 to the report submitted to the Committee, be approved.

Reason:  
To allow the Committee to maintain and update its work programme.

The meeting finished at 9.25 pm

Signed .....

Chairman

Date .....

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## Corporate Governance and Standards Committee

**15 June 2023**

### Decision and Action tracker

This tracker monitors progress against the decisions and actions that the Committee has agreed since January 2022. It is updated for each committee meeting. When actions are reported as being ‘completed’, the Committee will be asked to agree to remove these items from the tracker.

The actions listed below are outstanding.

Date of Meeting	Item	Decision/Action requested	Responsible Officer	Update on implementation
16 June 2022	Planning Appeals Monitoring Report	To provide an update to members of the Committee on the outcome of a review of the correspondence received from a member of public in relation to alleged inaccuracies in the figures in the report.	Interim Executive Head of Planning Development	Not yet provided
6 October 2022	Financial Monitoring 2022-23	To ensure that future reports clarify the extent to which debts were overdue and further information as to the reason why a high proportion of overdue debt has no payment plan.	Executive Head of Finance	Not yet provided
15 March 2023	Complaints Handling Audit Report Actions Update	<p>(a) To identify, in relation to matters raised with the Planning Enforcement team for investigation, what actions could be taken in the context of performance indicators which would measure the extent to which such matters were satisfactorily addressed.</p> <p>(b) To communicate to staff the need to ensure that residents were informed</p>	<p>Planning Enforcement Team Leader</p> <p>Executive Head of Communications</p>	

Date of Meeting	Item	Decision/Action requested	Responsible Officer	Update on implementation
		that, if they are not satisfied with a response to a particular service-related enquiry, they could follow the Council’s complaints procedure.	and Customer Service	
15 March 2023	Gender Pay Gap Report 2023	<ul style="list-style-type: none"> <li>• To email future Gender Pay Gap Reports to all committee members and to no longer submit the Reports to the Committee.</li> <li>• To ensure that comparative data is provided in future years’ Gender Pay Gap Reports of how Guildford had performed nationally in respect of the gender pay gap</li> </ul>	Lead Specialist (Human Resources)	Noted for future reports
15 March 2023	Annual Report of the Monitoring Officer Regarding Misconduct Allegations	<p>(a) To note and follow-up the following area of concern upon which the Committee would like further work to be carried out:</p> <ul style="list-style-type: none"> <li>- <i>Concern over the lengthy timescales built into the Arrangements which meant that complaints often took more than a year to deal with.</i></li> </ul> <p>(b) To publish decision notices following determination of a complaint by the Hearings Sub-Committee on the Councillor Conduct webpages on the Council’s</p>	<p>Monitoring Officer/Democratic Services &amp; Elections Manager</p> <p>Democratic Services &amp; Elections Manager</p>	<p>(a) The Corporate Governance Task Group finalised its review of the Arrangements for dealing with misconduct complaints at its meetings on 27 March and 17 April 2023. The Group’s findings will be reported to the Committee in September and Council in October.</p> <p>(b) Noted for future decision notices</p>

Date of Meeting	Item	Decision/Action requested	Responsible Officer	Update on implementation
		<p>website, together with a link to the relevant committee pages.</p> <p>(c) To post on the Councillor Conduct webpages the table in Appendix 1 to the report submitted to the Committee showing details of complaints received, and decisions taken in relation to Allegations of Misconduct against Borough Councillors and Parish Councillors under the Arrangements, for the previous calendar year.</p> <p>(d) To update the table on a six-monthly basis, as appropriate at least twice per year to show decisions taken in respect of those complaints, and any new complaints received.</p> <p>(e) To include links to the latest Monitoring Officer Annual Report to the Corporate Governance and Standards Committee in the Councillor conduct webpages.</p>	<p>Democratic Services &amp; Elections Manager</p> <p>Monitoring Officer</p> <p>Democratic Services &amp; Elections Manager</p>	<p>(c) Completed <a href="#">Councillor conduct - Guildford Borough Council</a></p> <p>(d) Noted for future action</p> <p>(e) Completed <a href="#">Councillor conduct - Guildford Borough Council</a></p>

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# Guildford Borough Council

**Report to:** Corporate Governance and Standards Committee

**Date:** 15 June 2023

**Ward(s) affected:** All

**Report of Director:** Transformation & Governance

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**Report Status:** Open

## Risk Management and Corporate Risk Register

### 1. Executive Summary

- 1.1. This report presents the changes to the corporate risk register since it was last presented to the Committee in November 2022.
- 1.2. This report also details how the new process continues to achieve the desired outcomes set out in the Risk Management Strategy and Policy as well as setting out any changes made to the Strategy and Policy by the Risk Management Group.

### 2. Recommendation to Committee

- 2.1. That the Committee considers the progress made to implement the risk management process and makes any observations or comments.

**3. Reason(s) for Recommendation:**

- 3.1. The Risk Management Strategy and Policy states that this Committee will review the corporate risk register on a six-monthly basis. It is the responsibility of the Committee to ensure it is satisfied that the Council operates and maintains a robust and effective risk management process.

**4. Exemption from publication**

- 4.1. This report and any part of it is not exempt from publication.

**5. Purpose of Report**

- 5.1. The purpose of this report is to present the changes to the corporate risk register since it was last presented to the Committee in November 2022.

**6. Strategic Priorities**

- 6.1. To achieve its strategic priorities, the Council must identify, manage, and learn from corporate risks. The new corporate risk register enables the Council to better articulate and mitigate the risks to achieving its strategic priorities.

**7. Background**

- 7.1. At its meeting in November 2022, the Committee received the new corporate risk register and the Risk Management Strategy and Policy. The report can [be accessed online](#). Since then, the Risk Management Group (RMG) has met four times and reported to Corporate Management Board (CMB) in accordance with the roles and responsibilities set out within the Strategy and Policy document.

**8. Corporate Risk Register**

- 8.1. This report outlines the changes to the corporate risk register since November 2022, including the addition of new risks and changes to scoring which are detailed in Appendix 1. It should be noted that although some risks have been raised by Executive Heads of Service, they are still to be approved and developed by the Risk Management Group and CMB, to include factors affecting likelihood, scoring and mitigation measures.

	Previous	Change	Reasoning
1	CR2 Risk description: There is a risk that the public is involved in an incident or accident relating to the Council's work or services carried out by a contractor or partner delivered on the Council's behalf	There is a risk that the public is involved in an incident or accident relating to the Council's work, or services carried out by a contractor or partner delivered on the Council's behalf, including the Freedom Leisure and G Live contracts	Addition by Risk Management Group following query from CMB to ensure the risk is managed in our contracted services and facilities.
2a	CR9 (incorporates CR28)	Revised consequence: Which could result in the Council not achieving its priorities, reputational damage, and financial difficulty through an increase in costs/ <b>major overspend (e.g. in construction)</b>	Reviewed by EHOS and Risk Management Group
2b	CR9 (incorporates CR28)	Additions to factors affecting likelihood: Verto (programme and project management system) being implemented for programmes and projects. Loss of project managers Inadequate business cases <b>Existing slippage on major projects and programmes</b> <b>Economic climate (inflation)</b> <b>Council's poor visibility within construction market</b>	
2c	CR9 gross likelihood score changed from 5	to 6	
2d	CR9 gross overall score change from 20	to 24	
2e	CR9	Addition to mitigation measures: PPM Governance procedures in place Regular monitoring through Major Projects programme board and regular financial reporting to CMBT Enterprise Portfolio Board <b>Comprehensive oversight of forthcoming procurement of</b>	

	Previous	Change	Reasoning
		<p>projects and programmes</p> <p>Consideration of best route to market to deliver value for money</p> <p>Build relationships with contractors</p>	
2f	CR9 residual impact from 4	to 5	
2g	CR9 residual impact overall score change from 16	to 20	
3	CR15 Risk description: There is a risk that financial fraud is committed by a resident, contractor, or service user	There is a risk that financial fraud is committed by a resident, <b>staff member</b> , contractor, or service user	
4a	CR17 Factors affecting likelihood	<p><b>Council-wide restructure across two organisations requiring managers to access staff records within a different organisation.</b></p> <p>Human error, failure to observe policy, failure to attend training, technical faults.</p> <p>Lack of agreed data sharing process between the two councils.</p> <p>Information Security Officer post is vacant.</p>	Addition by Risk Management Group
4b	CR17 Mitigation measures: GDPR training included as part of the corporate induction programme Egress System - secure email	<p>GDPR training included as part of the corporate induction programme.</p> <p>Egress System - secure email</p> <p><b>Close working between HR and ICT and development of structure in Business World. Being considered in discussion re staff sharing.</b></p>	Addition by Risk Management Group
5	CR21 Risk description: There is a risk that the Council fails to meet its target of becoming net carbon zero by 2030	<p>Addition to include:</p> <p>There is a risk that the Council fails to meet its target of becoming net carbon zero by 2030 <b>for the Council's own operations in Scope 1 &amp; 2*</b></p>	Addition by Risk Management Group



	Previous	Change	Reasoning
6	CR22	Factors affecting likelihood – removed specific reference to parkour as not current reported issue.	Draft scoring and mitigations to be reviewed and agreed by RMG
7a	CR24 Risk description: There is a risk that the Council does not achieve the most efficiency and value of key IT systems for example Business World, Virgin, Salesforce modules	There is a risk that the Council does not achieve the most efficiency and value of key IT ( <b>service specific</b> ) systems for example Business World, Virgin, Salesforce modules	Update by Risk Management Group
7b	CR24 Factors affecting likelihood: Not all modules from key systems are currently being utilised	Some service specific Not all modules from key systems are currently being <b>purchased or not</b> utilised	Addition by Risk Management Group
8	CR26 – There is a risk there is a lack of decision making in relation to service delivery in response to the current economic climate and financial challenges	Budget reviews, <b>service challenge process</b> , development of clear mandates. Select priorities through conversations with lead councillors. Review of service provision. <b>Prioritisation of projects and programmes, committee decisions scheduled on biggest projects and programmes (Category A), escalation of projects and programme to EPB.</b>	Addition by Risk Management Group
9a	CR27 – risk description: There is a risk that the model isn't applied effectively across services	There is a risk that the <b>operating case</b> model isn't applied <b>consistently and</b> effectively across services	Addition by Risk Management Group
9b	CR27 consequence: Which would result in confusion and inefficiency	Which would result in confusion, inefficiency, <b>and inconsistency of outcomes</b>	New risk, awaiting draft scoring and review of mitigations and agreement by RMG.
9c	CR27	Mitigation measures: Review and undertake outstanding actions with specific services implemented	

	Previous	Change	Reasoning
		through FG to support case model.	
9d	CR27	Owners added: JMT; Executive Head of Communications & Customer Services	
10		Addition of CR29 – There is a risk that the Council doesn't spend sufficient RTB receipts	
11		Addition of CR30 – There is a risk that the current IT model and level of resource is not sufficient or viable for the level of change happening in the organisation.	New risk, awaiting review of draft scoring and mitigations and agreement by RMG.
12		Addition of CR31 – There is a risk that procurement processes are not being adhered to across the Council.	New risk, awaiting draft scoring and review of mitigations and agreement by RMG.
13	CR32	Addition of CR32: There is a risk of designation by the Planning Inspectorate for determination for failing to determine the required number of applications within the required timeframe	New risk, awaiting review of draft scoring, factors affecting likelihood, mitigations and agreement by RMG.

\* **Note:** Scope 1 is defined as the direct emissions created by the actions of the Council itself, such as gas and direct fuel usage such as from vehicles. Scope 2 is the indirect emissions from electricity generation for use within our buildings in the pursuit of the activities the Council, and Scope 3 is defined as the indirect emissions arising from the Council's third-party relationships, through the procurement or supply of goods and services. There is not, as yet, a defined methodology for calculating or influencing Scope 3 emissions.

8.2. Following a recommendation from CMB, it was agreed to work with our insurers, Zurich, to hold service level risk challenge sessions with all Executive Heads of Service to provide assurance for risks that are showing a red RAG rating. The aim of the sessions is to assess whether the mitigation measures identified in the corporate risk register will address the risks identified and factors affecting likelihood.

- 8.3. These sessions will be carried out over the summer and outcomes will be reported to the Committee in November.

**9. Update to the Committee’s questions/comments – November 2022**

- 9.1. The response to questions and comments from the Committee at its meeting on 17 November 2022 is attached as Appendix 3.
- 9.2. Should members of the Committee have any queries about specific risks, please contact the report author at least two days prior to the Committee meeting, so we can liaise with the risk owner to provide a response for the meeting.

**10. Consultations**

- 10.1. Executive Heads of Service are consulted on the corporate risk register regularly, including in advance of each Risk Management Group meeting and report to CMB.

**11. Key Risks**

- 11.1. Without a fit-for-purpose and consistent risk management process the Council risks being exposed to unnecessary and unacceptable risks.

**12. Financial Implications**

- 12.1. There are no financial implications arising directly from this report although individual risk mitigations may have financial implications. These will be progressed through the appropriate governance.

**13. Legal Implications**

- 13.1. The Accounts and Audit Regulations 2015, Regulation 3, provides that: ‘A relevant authority must ensure that it has a sound system of internal control which—(a) facilitates the effective exercise of its functions and the achievement of its aims and objectives; (b) ensures that the financial and operational management of the authority is effective; and (c) includes effective arrangements for the management of risk.
- 13.2. The proposals in this report contribute to the Council’s effective arrangements for the management of risk.

#### **14. Human Resource Implications**

- 14.1. The Council's Risk Management Strategy and Policy sets out the approach to risk management at both strategic and operational levels and outlines the roles and responsibilities of posts and services across the Council. Accountabilities and responsibilities of employees and specific posts for managing risks are clearly communicated in the risk register. All senior managers have overall responsibility for managing risks in their service area. We will increase the understanding and expertise of these risk management roles through targeted training of employees and the sharing of good practice.
- 14.2. The Council is responsible as an employer for the health and safety of its employees, councillors and the general public. The aim of the Risk Management Strategy and Policy is to implement common methods of risk identification, assessment and monitoring to provide protection from harm. The risk management process supports the service specific risk processes that are in place for health and safety. As the Council moves to different models of service delivery the health and safety risks will be reviewed through those processes.

#### **15. Equality and Diversity Implications**

- 15.1. The Public Sector Equality Duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

#### **16. Climate Change/Sustainability Implications**

- 16.1. There are no direct climate change or sustainability implications arising from this report. The Council must manage risk effectively, especially risks relating to programmes and projects, to achieve its goal of being net-zero carbon by 2030.

#### **17. Conclusion**

- 17.1. The new risk management process is embedding with risks being effectively identified, articulated, and escalated through the appropriate governance channels. The Committee will receive the next 6-monthly report in November 2023 detailing the latest changes to the corporate risk register together with any updates made.

**18. Background Papers**

- 18.1. [Risk Management Strategy and Policy 2022](#) (see agenda item 8 of the Corporate Governance & Standards Committee: 21 April 2022)

**19. Appendices**

Appendix 1: Corporate Risk Register

Appendix 2: Corporate Risk Register Risk Matrix and Scoring Criteria

Appendix 3: Risk heatmap

Appendix 4: Response to questions and comments from the Committee  
(17 November 2022)

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Date risk added	Relation to Corporate Plan	Risk domain most impactful on rating	Risk ref	Risk description (there is a risk that...)	Consequence (which could/would result in)	Factors affecting likelihood	Gross likelihood of risk	Gross impact of risk	Gross score	Mitigation measures - reduce impact or likelihood	Target dates for mitigation	Action owner / Executive Head	Residual likelihood	Residual impact	Residual score	Comment
2022	Excellence and Customer Service	Health and Safety	CR1	There is a risk that a member of staff or a Council contractor is involved in an incident or accident at work	Which could result in serious injury, ill health or loss of life and could result in financial loss and reputational impact to the Council. This risk is most significant in Operational and Technical Services (depot, refuse collection)	The Council regularly undertakes work which can be dangerous without proper training and application e.g. refuse collection and the operation of large machinery	3	4	12	Risk assessments in place for all appropriate activities and appropriate measures put in place; New starters are required to attend corporate induction training which includes health and safety in the workplace. All staff complete appropriate training related to health and safety in the workplace Corporate Health & Safety Policies in place, including Accident, Occupational Health, Near Miss, Dangerous Occurrence Reporting Procedure; Corporate Construction Design & Management Policy; Corporate Contractor Activity Control Procedure; Fire Safety; Legionella Control and Asbestos; Lone working & violence at work policy Fire Drills Corporate Health and Safety Group	Ongoing (as part of Corporate Induction); Risk assessments are ongoing.	All Exec Heads Corporate Health and Safety Group Premises Managers	2	4	8	
2022	Excellence and Customer Service	Health and Safety	CR2	There is a risk that the public is involved in an incident or accident relating to the Council's work or services carried out by a contractor or partner delivered on the Council's behalf, including the Freedom Leisure and Glive contracts	Which could result in injury, ill health or loss of life and could result in financial loss and reputational impact to the Council.	The Council regularly undertakes and contracts work and activities within its facilities which can be dangerous without proper management, training and application and monitoring e.g. refuse collection and the operation of large machinery, sports and leisure venues.	3	4	12	All teams providing services to the public must complete risk assessments where appropriate and report to the corporate Health and Safety Group. Corporate Health & Safety Policies in place, including Accident, Occupational Health, Near Miss, Dangerous Occurrence Reporting Procedure; Corporate Construction Design & Management Policy; Corporate Contractor Activity Control Procedure; Fire Safety; Legionella Control and Asbestos;	Risk assessments are ongoing.	All Exec Heads Corporate Health and Safety Group	2	4	8	
2022	Excellence and Customer Service	Health and Safety	CR3	There is a risk that vulnerable adults and children are not properly safeguarded	Which would result in harm to those vulnerable adults and children and the inability to meet statutory duties which could result in associated legal challenge and potentially reputational damage to the Council		3	4	12	Safeguarding policy and procedures are reviewed regularly and included in the corporate induction training. DBS checks carried out for all key roles	Ongoing (as part of Corporate Induction)	Exec Head of Community Services, Sam Hutchison	2	4	8	
2022	Excellence and Customer Service	Service delivery	CR4	There is a risk that the Council suffers a loss of premises, operational property, facilities and/or equipment across some or all of its properties	Which could result in the disruption of key services and activities for customers.		2	4	8	The Council completes and keeps up to date a corporate business continuity plan and all services complete and update their own service business continuity plans	01/04/2022 for completion with ongoing updates	Exec Head of Organisational Development, Robin Taylor	2	3	6	
2022	Excellence and Customer Service	Service delivery	CR5	There is a risk that the Council experiences a loss of IT systems or data, from example as a result of a cyber security incident	Which would result in the Council being unable to operate as normal and disruption to services	International political unrest and conflict (eg, Ukraine) - hostile state actors seeking to disrupt workings of western governments. Multiple databases contained within Salesforce as a single platform	3	4	12	The Council completes and keeps up to date a corporate business continuity plan and all services complete and update their own service business continuity plans. The Council conducts regular PEN tests and reduces reliance on older systems with less security	01/04/2022 for completion of BCPs with ongoing updates. Reduction in use of older IT systems	All Exec Heads Exec Head of Customer and Communications - Nicola Haymes, IT Lead Specialist James Beach Exec Head of Organisational Development - Robin Taylor	2	3	6	

Date risk added	Relation to Corporate Plan	Risk domain most impactful on rating	Risk ref	Risk description (there is a risk that...)	Consequence (which could/would result in)	Factors affecting likelihood	Gross likelihood of risk	Gross impact of risk	Gross score	Mitigation measures - reduce impact or likelihood	Target dates for mitigation	Action owner / Executive Head	Residual likelihood	Residual impact	Residual score	Comment
2022	Excellence and Customer Service	Service delivery	CR6	There is a risk that the Council is unable to recruit and retain staff, including as a result of the Guildford/Waverley collaboration	Which could result in reduced capacity to deliver, compromise service delivery and quality, redirection of resources and increased spend on consultants and agency staff.	The Council is currently experiencing these issues. Various key vacant posts in Planning (Case Services). The Waverley/Guildford collaboration may make this more likely Some posts are especially difficult to fill - senior planning officers, surveyors and caseworkers	6	3	18	Agency recruitment through Comensura or procurement exemption Acting up of junior officers to fulfill these roles Considering 'grow your own' training programmes Consider fundamental review or recruitment and retention Annual pay negotiations Making use of potential collaboration opportunities	Ongoing	Exec Head of Organisational Development - Roin Taylor, Lead Specialist - HR - Francesca Chapman	6	2	12	
2022	Excellence and Customer Service	Service delivery	CR7	There is a risk that external events cause major emergencies and incidents in the borough (such as flooding, fire, terrorism, climate change, pandemic/new variant of Covid-19)	Which would result in disruption to service delivery and redirection of resources/temporary reduction or loss of staff, loss of income/increased costs		3	4	12	Covid group meeting regularly* Business Continuity and Recovery Plans in place	Ongoing	Exec Head of Organisational Development - Robin Taylor Exec Head of Regulatory Services - Richard Homewood	3	3	9	
2022	Excellence and Customer Service	Financial	CR8	The a risk that the Guildford-Waverley collaboration does not meet its objectives.	Which could result in: increased/sustained financial difficulty to the Council and may cause resources to be redirected; the Council being unable to produce a balanced budget and reputational damage; disruption to service delivery	Need for robust business cases and strategic direction Some teams are already reporting being under-resourced, changes to staffing structure may result in a reduction in capacity.	4	3	12	Completed Inter-Authority Agreement Comprehensive risk register in place for collaboration Council's Constitution; Financial Procedure Rules; High-level financial feasibility study by local partners;	Ongoing	Joint Chief Executive - Tom Horwood	3	2	6	
2022	Excellence and Customer Service	Financial	CR9	There is a risk that capital programmes and projects experience issues that affect time, quality or budget	Which could result in the Council not achieving its priorities, reputational damage and financial difficulty through an increase in costs/major overspend (e.g in construction)	Verto (programme and project management system) being implemented for programmes and projects at present Loss of project managers Inadequate business cases Existing slippage on major projects and programmes Economic climate (inflation) Council's poor visibility within construction market	6	4	24	PPM Governance procedures in place Regular monitoring through Major Projects programme board and regular financial reporting to CMT Enterprise Portfolio Board Comprehensive oversight of forthcoming procurement of projects and programmes Consideration of best route to market to deliver value for money Build relationships with contractors	Ongoing	Exec Head of Regeneration and Planning Policy - Abi Lewis Exec Head of Finance - Peter Vickers	5	4	20	Reviewed by EHOS and RMG
2022	Excellence and Customer Service	Financial	CR10	There is a risk of bankruptcy of a supplier of a major contract	Which could result in service failure, increased demand in other service areas, bringing services back in-house which could lead to a significant escalation of costs or loss of income	Economic conditions	3	3	9	Full due diligence process when procuring Suitable legal clause in contracts Critical contracts register in place where identified contractors are subject to Financial monitoring	Ongoing	Exec Head of Legal and Democratic Services - Susan Sale, Exec Head of Finance - Peter Vickers, Procurement Lead Specialist - Adrian Swift, Finance Lead Specialist - Victoria Worsfold	2	3	6	



Date risk added	Relation to Corporate Plan	Risk domain most impactful on rating	Risk ref	Risk description (there is a risk that...)	Consequence (which could/would result in)	Factors affecting likelihood	Gross likelihood of risk	Gross impact of risk	Gross score	Mitigation measures - reduce impact or likelihood	Target dates for mitigation	Action owner / Executive Head	Residual likelihood	Residual impact	Residual score	Comment
2022	Homes and Jobs	Financial	CR11	There is a risk that the Council will be unable to achieve its ambitions in certain areas as a result of being unable to access certain funding, for example for infrastructure from LEP, Homes England etc	Which could result in the inability to commence and/or complete certain projects of work and insufficient funding to deliver services	Government's Levelling-Up Agenda and priorities for investment High national debt, national recession, Projects not meeting milestones in funding agreements	4	3	12	Regular relationship management meetings with funding bodies to promote GBC schemes Consider alternative funding mechanisms where possible Grant agreements in place with LEP and HE. Fair funding review / levelling up. Close project monitoring. Horizon scanning of funding changes.	Ongoing	Exec Head of Regeneration and Planning Policy - Abi Lewis Exec Head of Finance - Peter Vickers	3	3	9	
2022	Excellence and Customer Service	Financial	CR12	There is a risk that the Council will be unable to make the savings required to close the budget gap	Which would result in being unable to achieve the Medium Term Financial Plan (MTFP)	Political will	4	3	12	Robust budget forecast and discipline, savings strategy and effective decision-making. More thorough interrogation on assumptions when budgeting, monthly updates to Finance on forecasted spend for the year	Ongoing	Exec Head of Finance - Peter Vickers, Lead Specialist - Finance - Victoria Worsfold	3	3	9	
2022	Excellence and Customer Service	Financial	CR13	There is a risk that the Council experiences loss of income from local income streams eg, fees and charges / council tax / property rents etc	Which would result in the budget being insufficient or incorrect and could result in closure or cessation of discretionary services, a reduction in service delivery or redirection of budgets.	Economic conditions Climate change and change of population behavioural changes and working patterns Cost of living may impact on residents' ability to pay council tax, rent etc. Business changes e.g. downsizing and office space Reduction in Govt funding Reduction in demand; Income streams haven't fully recovered to pre-covid19 levels	4	3	12	Sensitivity analysis. Financial monitoring. Reserves	Ongoing	Exec Head of Finance - Peter Vickers, Lead Specialist - Finance - Victoria Worsfold	4	2	8	
2022	Excellence and Customer Service	Financial	CR14	There is a risk that the Council experiences increased costs	Which would result in the budget being insufficient or incorrect	Economic conditions; Higher demand for some services Reduction in demand for discretionary services will increase costs for the Council Increased regulation and compliance Income streams may not fully recover to pre-covid levels Long-term behaviours in working patterns; Increase in price of fuel, salaries, energy, repairs etc Increase in construction costs if projects slip	6	4	24	Sensitivity analysis. Financial monitoring. Reserves Inter-authority agreement for Guildford/Waverley collaboration Review of service provision, financial prioritisation	Ongoing	Exec Head of Finance - Peter Vickers, Lead Specialist - Finance - Victoria Worsfold	6	4	24	
2022	Excellence and Customer Service	Financial	CR15	There is a risk that financial fraud is committed by a resident, staff member, contractor or service user	Which could result in loss/misapplication of public money or property, potential investigation into the Council's operating procedures and a compromised democratic process	Internal control weakness	3	2	6	Anti-fraud and corruption policy Procurement process asks for declaration on grounds for mandatory exclusion to include bribery, corruption, conspiracy, terrorism, fraud and money laundering	Feb-23	Exec Head of Finance - Peter Vickers, Lead Specialist - Finance - Victoria Worsfold	2	1	2	
2022	Excellence and Customer Service	Legal/regulatory	CR16	There is a risk that the Council experiences a major data breach	Which would result in multiple sensitive records of service users' personal data being leaked and could result in associated legal governance and potentially reputational (and/or financial) damage to the Council	Human error, failure to observe policy, failure to attend training, technical faults Lack of agreed data sharing process between the two councils Information Security Officer post is vacant	3	4	12	GDPR training included as part of the corporate induction programme Egress System - secure email; Information Risk Group and Action Plan; Data Protection Training Adequate technical measures	Ongoing	Exec Head of Legal and Democratic Services - Susan Sale	2	4	8	

Date risk added	Relation to Corporate Plan	Risk domain most impactful on rating	Risk ref	Risk description (there is a risk that...)	Consequence (which could/would result in)	Factors affecting likelihood	Gross likelihood of risk	Gross impact of risk	Gross score	Mitigation measures - reduce impact or likelihood	Target dates for mitigation	Action owner / Executive Head	Residual likelihood	Residual impact	Residual score	Comment
2022	Excellence and Customer Service	Legal/regulatory	CR17	There is a risk that the Council experiences a minor data breach	Which would result in a very small amount of service users' or employees' data being shared with the wrong person and could result in financial payment	Council-wide restructure across two organisations requiring managers to access staff records within a different organisation. Human error, failure to observe policy, failure to attend training, technical faults Lack of agreed data sharing process between the two councils Information Security Officer post is vacant	5	1	5	GDPR training included as part of the corporate induction programme Egress System - secure email Close working between HR and ICT and development of structure in Business World. Being considered in discussion re staff sharing	Ongoing	Exec Head of Legal and Democratic Services - Susan Sale Exec Head of Organisational Development - Robin Taylor Executive Head of Communications and Customer Service - Nicola Haymes	4	1	4	
2022	Excellence and Customer Service	Legal/regulatory	CR18	There is a risk that FOIs are not responded to in the legal timeframe	Which could result in a failure to meet our statutory duties and/or legal challenge	Only one officer in the Council coordinates FOIs	4	1	4	Robust monitoring of performance to ensure compliance with target of 90% of responses within legal timeframe	Ongoing	Exec Head of Customer and Communications - Nicola Haymes	3	1	3	
2022	Excellence and Customer Service	Legal/regulatory	CR19	There is a risk that councillors or staff breach their codes of conduct	Which could result in poor, or lack of, decision-making and/or acting unlawfully which may have an adverse impact on the Council's reputation	Lack of knowledge; Inexperienced councillors or staff	4	1	4	New Councillor Induction programme; Councillor training; Staff Induction programme; Training Programme; Councillors ICT Policy; Councillor Code of Conduct; Staff Code of Conduct; Monitoring Officer	Ongoing	Monitoring Officer - Susan Sale Exec Head of Organisational Development - Robin Taylor, Lead Specialist HR - Francesca Chapman	3	1	3	
2022	Excellence and Customer Service	Legal/regulatory	CR20	There is a risk that the Council fails to make lawful decisions and follow governance procedures	Which could result in legal challenge, reputational damage and costs to the Council		3	3	9	Regular review of constitution and training for decision-makers; Decision making processes in place / role of Monitoring Officer	Ongoing	Monitoring Officer - Susan Sale Exec Head of Organisational Development - Robin Taylor, Lead Specialist HR - Francesca Chapman	2	3	6	
2022	Environment	Reputational	CR21	There is a risk that the Council fails to meet its target of becoming net carbon zero by 2030 for the Council's own operations in Scope 1 & 2	Which would result in a missed opportunity to reduce the Council's impact on the environment and reputational damage	The delivery of this priority is impacted by competing objectives and important income generation streams (e.g. car parking revenue)	5	3	15	Action plan adopted to provide clear pathway to net zero carbon. A revised carbon reduction trajectory report has been commissioned and is expected later this year*, allowing the Council to better forecast its success at reaching the target.	Q2 2022/23	All Exec Heads	5	3	15	Draft scoring and mitigations to be reviewed and agreed by RMG
2022	Excellence and Customer Service	Health and Safety	CR22	There is a risk that a member of the public suffers injury or loss of life at a Council property or premises	Which could result in financial loss and reputational impact to the Council.	Current issue of parkour/roof-running and vandalism in town-centre on roof of GBC property	2	4	8	Access points assessed, working with neighbouring property owners. Risk assessment completed, liaising with schools, scaffolding to reduce cost of repairs, temporary mobile CCTV, Compliance presence at key times of the day, consideration of gate, insurers visit, Police and community safety involvement. Corporate Health & Safety Policies in place, including Accident, Occupational Health, Near Miss, Dangerous Occurrence Reporting Procedure; risk assessments completed where/when appropriate	Nov-22	All Exec Heads Corporate Health and Safety Group Premises Managers	2	4	8	

Date risk added	Relation to Corporate Plan	Risk domain most impactful on rating	Risk ref	Risk description (there is a risk that...)	Consequence (which could/would result in)	Factors affecting likelihood	Gross likelihood of risk	Gross impact of risk	Gross score	Mitigation measures - reduce impact or likelihood	Target dates for mitigation	Action owner / Executive Head	Residual likelihood	Residual impact	Residual score	Comment
2022	Excellence and Customer Service	Service delivery	CR23	There is a risk that Council staff or contractual staff take industrial action	Which could result in disruption to service delivery, reputational damage and financial implications	Industrial action being taken across the country. Low level of union membership	2	2	4	Monitor likelihood and impact	Ongoing	Executive Head of Organisational Development - Robin Taylor and HR Lead Specialist - Francesca Chapman	2	2	4	
2022	Excellence and Customer Service	Financial	CR24	There is a risk that the Council does not achieve the most efficiency and value of key IT (service specific) systems for example Business World, Virgin, Salesforce modules	Which could result in less than optimal value for money	Not all modules from key systems are currently <b>not</b> being <b>purchased</b> or <b>not</b> utilised	6	2	12	Paper to CMB containing context and options for resolution Addition of this risk in relevant service risk registers	TBC	All Exec Heads	6	2	12	
2022	Homes and Jobs	Financial	CR25	There is a risk the management and governance processes in place are not fully utilised for all programmes and projects	Which could result in the Council being unable to mitigate costs related to time, quality and budget slippage on capital projects and programmes, resulting in overspend/underspend, lower quality results and delayed projects and programmes.	Scale, complexity and variety of projects and programmes being undertaken by the Council	6	4	24	Improved financial planning at project and programme level and continue to work with Executive Heads and programme/project managers to support them in following governance processes including Enterprise Portfolio Board and Major Projects Board.	Apr-23	Executive Head of Organisational Development - Robin Taylor	4	4	16	
Page 35 2022	Excellence and Customer Service	Financial	CR26	There is a risk there is a lack of decision making in relation to service delivery in response to the current economic climate and financial challenges	Which could result in overspend, service failure or unsustainable services	Economic circumstances, financial challenges	6	4	24	Budget reviews, <b>service challenge process</b> , development of clear mandates. Select priorities through conversations with lead councillors. Review of service provision. <b>Prioritisation of projects and programmes, committee decisions scheduled on biggest projects and programmes, escalation of projects and programme to EPB</b>	Ongoing	Executive, JMT	4	4	16	
22.12.2022	Excellence and Customer Service	Financial	CR27	There is a risk that the <b>operating case</b> model isn't applied <b>consistently and effectively</b> across services	Which would result in confusion, inefficiency <b>and inconsistency of outcomes</b>	Current issue in Finance service risk register	4	2	8	<b>Review and undertake outstanding actions with specific services implemented through FG to support case model.</b>		JMT; Executive Head of Communications & Customer Services			0	New risk, awaiting draft scoring and review of mitigations and agreement by RMG.
25.01.23	Homes and Jobs	Financial	CR29	There is a risk that the Council doesn't spend sufficient RTB receipts	Which would result in having to repay money and reputational damage	Occurred in 2021 Resource/capacity challenges	3	4	12	Project monitoring and delivery of programme	Ongoing	Executive Head of Housing	3	4	12	New risk, awaiting review of draft scoring and mitigations and agreement by RMG.
02.02.23	Excellence and Customer Service	Service delivery	CR30	There is a risk that the current IT model and level of resource is not sufficient or viable for the level of change happening in the organisation	Which would result in impact on the collaboration and/or BAU for the IT team	Current model not sufficient. IT vital enabler to collaboration	6	3	18	IT prioritisation workshop 23 March Growth bid submitted		Executive Head of Communications and Customer Service			0	New risk, awaiting draft scoring and review of mitigations and agreement by RMG.
06.02.23	Excellence and Customer Service	Financial	CR31	There is a risk that procurement processes are not being adhered to across the Council	Which would result in reduced value for money and lack of financial and legal control	WUV audit findings on lack of proper procurement processes. Projects moving ahead without consulting and fully involving Procurement <b>Finance resources and linked to services</b>	4	4	16	Implementation of Council's project and programme methodology (PPM framework) Financial alignment with PPM framework Enforcement of frameworks and processes		Executive Head of Finance Executive Head of Regeneration & Planning Policy	3	4	12	New risk, awaiting review of draft scoring, factors affecting likelihood, mitigations and agreement by RMG.

Date risk added	Relation to Corporate Plan	Risk domain most impactful on rating	Risk ref	Risk description (there is a risk that...)	Consequence (which could/would result in)	Factors affecting likelihood	Gross likelihood of risk	Gross impact of risk	Gross score	Mitigation measures - reduce impact or likelihood	Target dates for mitigation	Action owner / Executive Head	Residual likelihood	Residual impact	Residual score	Comment
18.05.23		Service delivery	CR32	There is a risk of designation by the Planning Inspectorate for determination for failing to determine the required number of applications within the required timeframe	Reputational damage Unable to determine our own planning applications				0							0 New risk, awaiting factors affecting likelihood, review of draft scoring, mitigations and agreement by RMG.

Agenda item number: 5  
Appendix 1

		Impact			
		Small	Significant	Critical	Devastating
Likelihood	Very high	6	12	18	24
	High	5	10	15	20
	Medium	4	8	12	16
	Low	3	6	9	12
	Very low	2	4	6	8
	Almost impossible	1	2	3	4

Score	Likelihood	Indicators
1	Almost impossible	Less than 1% chance of occurring Has happened rarely/never before
2	Very low	1-10% change of occurring Only likely to happen once in three or more years May have happened in the past
3	Low	10-20% chance of occurring Reasonable possibility it will happen in the next three years Has happened in the past
4	Medium	20-50% chance of occurring Likely to happen at some point in the next one-two years Circumstances occasionally encountered
5	High	50-80% chance of occurring Almost certain to happen within next 12 months Regular occurrences frequently encountered
6	Very high	Above 80% chance of occurring Inevitable it will happen within the next 6 months No influence/control over event occurring

Score	Impact	Indicators
1	Small	Loss <£100k Trivial breach or non-compliance Insignificant injury (first aid) Negligible disruption/unnoticed by service users Insignificant damage
2	Significant	Loss from £100k - £250k Isolated legal action or regulatory breach Minor injury (medical attention) Small disruption/inconvenience to service One-off adverse local publicity
3	Critical	Loss >£250k - £500k Sustained legal action or (limited) regulatory fine Serious injury (not life threatening) Substantial, short-term disruption/inconvenience to service Short-term, but wide reaching adverse publicity
4	Devastating	Loss >£500k Major legal action or regulatory sanction Death(s) or multiple serious injuries Major, sustained disruption/serious inconvenience to service Major, long-term damage

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**Appendix 2 - Risk Change Heatmap**

This document shows how the residual scores of risks on the corporate risk register have changed since the document was seen by the Corporate Governance and Standards (CGS) Committee in November 2022.

Original (agreed by CMB on 30 May 2023 and seen by CGS Committee November 2022)

<b>LIKELIHOOD</b>	6		CR6, CR24 (addition)		CR14
	5				
	4	CR17	CR13	CR23 (addition)	CR9, CR22 (addition), CR25 (addition)
	3	CR18 (new), CR19 (previously CR18)	CR8	CR7, CR11, CR12	
	2	CR15	CR23 (addition)	CR4, CR5, CR10, CR20 (previously CR19)	CR1, CR2, CR3, CR16
	1				
		1	2	3	4
		<b>IMPACT</b>			

**Unscored: CR20**

Revised

<b>LIKELIHOOD</b>	6		CR6, CR24		CR14
	5			CR21	CR9
	4	CR17	CR13		CR25, CR26
	3	CR18, CR19	CR8	CR7, CR11, CR12	CR29, CR31
	2	CR15	CR23	CR4, CR5, CR10, CR20	CR1, CR2, CR3, CR16, CR22
	1				
		1	2	3	4
		<b>IMPACT</b>			

**Unscored: CR27, CR30, CR32**

Risk number	Previous score	New score
CR9	4x4	5x4

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Question/comment from Committee	Update
<p>More detailed question on programmes and projects and why that risk has changed and what the mitigations are. CR9 is rated as over 80% probability on likelihood with significant impact. Requested more info on reasons for this change – it was suggested inflation and requested this was made clearer in future.</p>	<p>Response from the Head of Regeneration &amp; Planning Policy:</p> <p>The economic landscape has shifted considerably since originally scored (Q1 2022/23) with potential significant impacts on both construction cost and financing of schemes. Several schemes are now entering delivery phases and this instability in the overall economic picture is likely to have more acute and real impact.</p> <p>Further mitigations added and in the light of the current economic climate, the residual score for likelihood has increased. This is being monitored by the Major Projects Board.</p>
<p>Heatmap shows residual scores, not gross which is what would be more useful as a management tool. Ideally, they'd see the current scores pre-mitigation (gross) in the heatmap.</p>	<p>The Corporate Risk Framework and Policy provides the appropriate escalation process to CMB and CGSC of priority risks, where the risk owner is not able to manage or reduce the risk through mitigations or where the mitigations are not having an impact on the risk.</p> <p>The Heatmap is presented as residual risks because it presents the Committee with a more accurate picture of risk issues and priorities. The residual risk is effectively the current risk score.</p> <p>The relevant risk owner is responsible for ensuring the risk is being managed and reduced through mitigations. Assurance of this is being sought.</p>
<p>At least two risks have moved to red residual, requested more explanation in the report as to why that is. This Committee would expect anything above 4 on either column would need explanation.</p>	<p>We will provide more detail and explanation in future reports and direct the reader to factors affecting likelihood and mitigation columns.</p> <p>Where appropriate the risk owner will be invited to attend Committee to answer specific questions.</p>
<p>Comprehensive set of movement arrows so they can see all of the movements.</p>	<p>For clarity, we have revised Appendix 2 to make things clearer. The final table shows previous scores and new scores of risks.</p>
<p>Can the order of risks on the register be by highest current score (gross).</p>	<p>The Corporate Risk register is in the format approved by the Risk Management Group and is aligned to risk numbers. The movement of risks makes this a more consistent approach. The RAG rating aims to draw the attention of the reader to the priority risks.</p>
<p>CR23 duplicate in heatmap, CR25 should be reduced as per discussion with KPMG, CR21 isn't on heatmap</p>	<p>CR21, CR23 and CR25 have all been scored and are included in the heatmap. The draft scoring and mitigations for CR21 will be reviewed by RMG at their next meeting.</p>

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# Guildford Borough Council

**Report to:** Corporate Governance and Standards Committee

**Date:** 15 June 2023

**Ward(s) affected:** Not applicable

**Report of Director:** Community Wellbeing

**Author:** Ciaran Ward, Information Governance Officer

**Tel:** 01483 444072

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**Lead Councillor responsible:** Angela Goodwin

**Tel:** 01483 824616

**Email:** angela.goodwin@guildford.gov.uk

**Report Status:** Open

## Freedom of Information Compliance: Update

### 1. Executive Summary

- 1.1 This is a regular report to monitor the Council's performance in dealing with Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests.
- 1.2 Following a fall in performance standards during 2020-21 largely due to the Covid pandemic lockdown and recent corporate restructures, performance rates for timely delivery of FOI/EIR requests have since improved over the 2021-22 and 2022-23 financial years.

### 2. Recommendation to Committee

- 2.1 That the Committee notes the improved response rates and officer actions and continues to receive regular updates.

### **3. Reason(s) for Recommendation:**

- 3.1. To ensure that the Committee is kept up to date with developments in the FOI/EIR framework.
- 3.2. To ensure that the Committee has the necessary information to enable requests for information to be made easily to the Council and properly responded to.
- 3.3. To assist with learning lessons and improving performance following requests for information made to the Council.

### **4. Exemption from publication**

- 4.1 No part of this report is exempt from publication.

### **5. Purpose of Report**

- 5.1 The Committee has requested this report to ensure the Council improves its response timescales for FOI and EIR requests and maintains standards.

### **6. Strategic Priorities**

- 6.1. To promote openness and transparency in Council policy and decision-making in order to uphold public confidence within the Borough and improve prosperity and well-being as outlined in the Strategic Framework – i.e. the Council “will be open and accountable”.
- 6.2. Effective compliance with information governance, including the management of the Council’s FOI/EIR regime plays a key part in achieving this objective.

### **7. Update on Progress 2022-23**

- 7.1. The Council is required to respond to FOI and EIR requests within 20 working days – subject to certain exceptions as long as the requester is kept informed – for example extra time can be taken to consider the Public Interest Test.

- 7.2. The Council received 691 FOI/EIR requests during the financial year 2022-22 (April 2022 – March 2023). Of these, 92.7% were responded to within the 20-working day deadline, compared to the very similar figure of 92% for 2021-22. Both of the previous years' figures indicate a steady improvement when compared with the 2020-21 financial year when 82% of requests were answered within the target. The Council therefore has now exceeded the Information Commissioner's performance indicator of 85%, and the 90% target agreed by Corporate Management Board for two consecutive years.
- 7.3. Furthermore, following the Committee's request to monitor, as an additional target, response rates dealt with promptly within 10 working days, we can report that, during 2022-23, 253 requests (36.5% of the total) were responded to within 10 or fewer working days.
- 7.4. Planning received the most requests over the twelve-month period with a total of 116 (almost 16% of the total requests received across all service areas). A creditable 91% of these requests were responded to in time.
- 7.5. The second busiest service area was Environmental & Regulatory Services which received 111 requests, followed by Human Resources with a total of 53.
- 7.6. A total of 22 service areas have exceeded the Information Commissioner's Office regulatory performance target of 85%. Notably, 11 service areas deserve special commendation for achieving a 100% compliance rate.
- 7.7. The most frequently used exemption under the Freedom of Information Act for withholding requested information (either partially or completely) was section 21 (information available by other means), which was used on 47 occasions - marking a similar trend to previous years. This is largely due to the information being readily available on the [Disclosure Log](#) section of the Council's website – e.g. information on expenditure, procurement, business rates, public health funerals, planning applications, houses in multiple occupation (HMOs).

7.8. The highest proportion of requests during the stated period came from private companies (35% of all FOI/EIR requests), closely followed by members of the public at 33.5% of the total. See table below for full figures – which reveals a broadly similar pattern to that of previous years.

**Figure 1 – Categories of Requester, 2022-23**

Correspondent Group	No. of requests	%
Private Company	242	35%
Charity/Campaign Group	28	4%
Media	76	11%
“WhatDoTheyKnow”	59	8.5%
Member of the Public	234	34%
Other (includes Legal/trade unions/political parties/ local authorities/academics)	52	7.5%

## 8. Appeals/Reviews

8.1 Five internal reviews were received during 2022-23 (slightly up on the previous 2021-22 year’s total of four). Three reviews upheld the original decision. In one case the appeal was allowed in part and in another allowed in full. Details are contained in the table below.

**Figure 2 – Internal Reviews, 2022-23**

Case ref	Case Title	Information requested	Received	Exemption	Outcome
IR2022/00343	Empty Properties	List of vacant properties in Shere	19/04/22	FOIA S31 (law enforcement)	Original decision upheld
IR2022/00052	Council spending data	Annual spending data for the past 3 years along with all invoices and receipts that match this data	19/01/23	FOIA section 12 (Cost of compliance exceeds appropriate limit)	Original decision upheld

Case ref	Case Title	Information requested	Received	Exemption	Outcome
IR202/01056	Animal Protection correspondence	Copies of all correspondence between GBC and Animal Protection Agency / World Animal Protection in relation to Surrey Reptile & Amphibian Society (SRAS) Breeders Meetings, for the period 1 January 2021 to 1 October 2022.	20/10/22	FOIA S30 - Investigations & proceedings conducted by public authorities	Original decision partially overturned
IR2022/00920	Planning Applications	All information on planning applications (Referenced) (includes corresponding planning committee meeting held on 16/06/22, site visits made and enforcement complaints	09/09/22	FOIA S21 - The information had already been provided	Original decision upheld
IR2023/00265	Correspondence between GBC and Ole & Steen bakery on state of building	Correspondence between GBC and the Ole and Steen bakery regarding the state of the building in the lead up to its opening	08/03/23	FOIA S.43 - Commercial interests	Original decision overturned

## 9. Data Subject Access Requests (DSARs)

9.1 The Council received 12 DSARs (requests for personal information relating to an individual) during 2022-23. All requests were dealt with within the standard time limit.

## 10. Consultations

10.1 Not applicable.

## **11. Key Risks**

- 11.1 Poor performance rates run the risk of reputational damage for the Council and would affect public confidence and transparency.

## **12. Financial Implications**

- 12.1 There are no financial implications to this report.

## **13. Legal Implications**

- 13.1 Failure to respond to FOI/EIR requests within 20 working days is a breach of the respective legislation. Requesters whose FOIs/EIRs have not been answered within the statutory time limit have the right to request an internal review and/or to make a formal complaint to the Information Commissioner's Office (ICO). There are therefore direct legal implications associated with the risk of reputational damage to the Council, adverse publicity and active monitoring by the ICO.

## **14. Human Resource Implications**

- 14.1 Not applicable.

## **15. Equality and Diversity Implications**

- 15.1 Not applicable.

## **16. Climate Change/Sustainability Implications**

- 16.1 Not applicable.

## **17. Conclusion**

- 17.1 Now that performance levels are exceeding expected standards in terms of target attainment, it is imperative that these standards are maintained. The appropriate measures will continue to be carried out in order to achieve this and to improve performance rates further.



17.2 These measures include:

- Continuing to closely monitor approaching deadlines and enforce if necessary.
- Directors ensuring that requests in their service areas remaining overdue or approaching their deadline date are resolved as soon as possible so that standards can be maintained, and if possible, improved on.

**18. Background Papers**

None.

**19. Appendices**

Appendix 1: FOI/EIR Requests received by service area (2022-23)

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**FOI/EIR Requests received by service area, 2022-23**

<b>Service Area</b>	<b>Total requests</b>	<b>Total answered in time</b>	<b>Percentage</b>
Asset Management	9	9	100%
Benefits	13	13	100%
Bereavement	3	1	33%
Business Rates	43	43	100%
Climate Change & Energy	4	4	100%
Community Services	17	17	100%
Council Tax	27	26	92%
Customer Services	8	7	87.5%
Democratic Services & Elections	11	11	100%
Engineers	1	1	100%
Environment & Regulatory Svcs.	111	106	95.5%
Facilities	3	3	100%
Finance	17	14	82%
Fleet & Waste	28	22	78.5%
Heritage & Culture	3	3	100%
Housing Advice	51	50	98%
Human Resources	53	45	85%
ICT	32	30	93.5%
Legal	12	9	75%
Leisure Services	4	4	100%
N'hood & Housing Management	32	30	93.5%
Parking Services	29	28	96.5%
Parks & Countryside	21	20	95%
Planning	116	106	91%
Strategy & Communications	25	24	96%
Private Sector Housing	5	5	100%
Procurement	13	10	77%
<b>TOTAL</b>	<b>691</b>	<b>641</b>	<b>92.7%</b>

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# **Guildford Borough Council**

**Report to:** Corporate Governance and Standards Committee

**Date:** 15 June 2023

**Ward(s) affected:** n/a

**Report of Director:** Transformation & Governance

**Author:** John Armstrong, Democratic Services & Elections Manager

**Tel:** 01483 444102

**Email:** john.armstrong@guildford.gov.uk

**Report Status:** Open

## **Corporate Governance and Standards Committee – 12 month rolling Work Programme**

### **1. Executive Summary**

- 1.1 The Committee is asked to consider its 12-month rolling work programme, which is set out in Appendix 1.

### **2. Recommendation to Committee**

- 2.1 That the Committee considers and approves its updated 12 month rolling work programme, as detailed in Appendix 1 to this report.

### **3. Reason(s) for Recommendation:**

- 3.1 To allow the Committee to maintain and update its work programme.

### **4. Exemption from publication**

- 4.1. This report and any part of it is not exempt from publication.

**5. Purpose of Report**

- 5.1 The draft work programme attached as Appendix 1 sets out the items scheduled to be considered by this Committee at its meetings over the next 12 months.

**6. Draft work programme**

- 6.1 The draft work programme for the Corporate Governance and Standards Committee is set out in Appendix 1 to this report. The timing of the reports contained in the work programme is subject to change, in consultation with the chairman. The items to be considered include decisions to be made by the Executive and/or full Council, with consideration of any comments or recommendations made by this Committee.

**7. Financial Implications**

- 7.1 There are no financial implications arising directly from this report.

**8. Legal Implications**

- 8.1 There are no legal implications arising directly from this report.

**9. Human Resource Implications**

- 9.1 There are no human resources implications arising directly from this report.

**10. Background Papers**

None

**11. Appendices**

Appendix 1: Corporate Governance and Standards Committee 12 month rolling work programme

## CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME

27 July 2023

Subject	Details of decision to be taken	Decision to be taken by	Contact Officer
Capital and Investment Outturn Report 2022-23	To submit any comments to the Executive, prior to determination by full Council.	Council: 10 October 2023 On the recommendation of: Corporate Governance and Standards Committee Executive: August 2023	Victoria Worsfold 01483 444834
Revenue Outturn Report 2022-23	To submit any comments to the Executive.	Executive: August 2023 On the recommendation of: Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Housing Revenue Account Final Accounts 2022-23	To submit any comments to the Executive	Executive: August 2023 On the recommendation of: Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Financial Monitoring 2023-24 Period 2 (April/May 2023)	To note the results of the Council's financial monitoring for the period April/May 2023	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Summary of Internal Audit Reports April to June 2023	To consider the summary of internal audit reports for the period April to June 2023.	Corporate Governance and Standards Committee	Iona Bond Southern Internal Audit Partnership 07784 265293
Annual Governance Statement 2022-23	To adopt the Council's Annual Governance Statement 2022-23	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834

**CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME**

<b>Subject</b>	<b>Details of decision to be taken</b>	<b>Decision to be taken by</b>	<b>Contact Officer</b>
		On the recommendation of: Executive: July 2023	
Review of Task Groups reporting to the Committee	To review the work carried out by the task groups over the past 12 months and work to be carried put in the next 12 months and appoint councillors to the groups	Corporate Governance and Standards Committee	John Armstrong 01483 444102
2020-21 Audit Findings Report: Year ended 31 March 2021	To note the external auditor's findings and management's response in the Action Plan	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Equality Scheme Action Plan	Annual monitoring report on the implementation of the actions in the Equality Scheme action plan approved in June 2021	Corporate Governance and Standards Committee	Ali Holman 01483 444008
Audit Report on the Certification of Financial Claims and Returns 2021-22: Housing Benefit Subsidy and Pooling Housing Capital Receipts	To note the position regarding the certification of financial claims and returns for 2021-22	Corporate Governance and Standards Committee	Belinda Hayden 01483 444867
Monitoring of S.106 Contributions	To note the six-monthly monitoring report on S.106 Contributions	Corporate Governance and Standards Committee	Rosie Trussler 01483 444463



## CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME

<b>Subject</b>	<b>Details of decision to be taken</b>	<b>Decision to be taken by</b>	<b>Contact Officer</b>
Planning Appeals	To consider the annual monitoring report of the Council's performance at appeals against refusal of planning permission.	Corporate Governance and Standards Committee	To be confirmed

**CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME**

**28 September 2023**

<b>Subject</b>	<b>Details of decision to be taken</b>	<b>Decision to be taken by</b>	<b>Contact Officer</b>
Financial Monitoring 2023-24 Period 3 (April to July 2023)	To note the results of the Council's financial monitoring for the period April to July 2023	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Councillor Training and Development Update	To consider a report from the Councillors' Development Steering Group relating to councillor training and development	Corporate Governance and Standards Committee	Sophie Butcher 01483 444056
Data Protection and Information Security Update Report	To consider the annual update on compliance with statutory requirements	Corporate Governance and Standards Committee	Ciaran Ward 01483 444072
Freedom of Information Compliance update	To consider the update report on the Council's performance in dealing with Freedom of Information requests (January to June 2023)	Corporate Governance and Standards Committee	Ciaran Ward 01483 444072
Annual Report of the Corporate Governance & Standards Committee	To consider the Annual Report for 2022-23	Council: 10 October 2023  On the recommendation of: Corporate Governance and Standards Committee	John Armstrong 01483 444102
Review of Arrangements for dealing with Misconduct Complaints against councillors	To consider the recommendations of the Corporate Governance Task Group	Council: 10 October 2023  On the recommendation of the Committee	John Armstrong 01483 444102

## CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME

**16 November 2023**

Subject	Details of decision to be taken	Decision to be taken by	Contact Officer
Financial Monitoring 2023-24: Period 6 (April to September 2023)	To note the results of the Council's financial monitoring for the period April to September 2023	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Summary of internal audit reports (April to November 2023)	To consider the summary of internal audit reports and progress on the internal audit plan for April to November 2023	Corporate Governance and Standards Committee	Iona Bond Southern Internal Audit Partnership 07784 265293
Corporate Risk Register	To consider the six-monthly review of the Corporate Risk Register	Corporate Governance and Standards Committee	Yasmine Makin 01483 444070
Monitoring of S.106 Contributions	To note the six-monthly monitoring report on S.106 Contributions	Corporate Governance and Standards Committee	Rosie Trussler 01483 444463
Regulation of Investigatory Powers Act 2000	To consider an annual report on the exercise of powers under the Regulation of Investigatory Powers Act 2000	Corporate Governance and Standards Committee	Ciaran Ward 01483 444072

**CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME**

**18 January 2024**

<b>Subject</b>	<b>Details of decision to be taken</b>	<b>Decision to be taken by</b>	<b>Contact Officer</b>
Capital and investment strategy (2024-25 to 2027-28)	To comment on various recommendations to the Executive and Council	Council: 7 February 2024  On the recommendation of: Corporate Governance and Standards Committee Executive: 25 January 2024	Victoria Worsfold 01483 444834
Financial Monitoring 2023-24 Period 8 (April to November 2023)	To note the results of the Council's financial monitoring for the period April to November 2023	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Summary of Internal Audit Reports (April to December 2023)	To consider the summary of internal audit reports for the period April to December 2022.	Corporate Governance and Standards Committee	Iona Bond Southern Internal Audit Partnership 07784 265293
Safeguarding	To consider report detailing progress against the approved Strategic Safeguarding Group Action Plan 2023-24	Corporate Governance and Standards Committee	Jo James Tel: 01483 444703

**CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME**

**(Wednesday) 13 March 2024**

<b>Subject</b>	<b>Details of decision to be taken</b>	<b>Decision to be taken by</b>	<b>Contact Officer</b>
Annual report of the Monitoring Officer regarding misconduct allegations	(1) To note the cases dealt with; and  (2) To advise the Monitoring Officer of any areas of concern upon which they would like further information and/or further work carried out.	Corporate Governance and Standards Committee	Monitoring Officer 01483 444991
Financial Monitoring 2023-24 Period 10 (April 2023 to January 2024)	To note the results of the Council's financial monitoring for period April 2023 to January 2024	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Summary of Internal Audit Reports (April 2023 to March 2024)	To consider the summary of internal audit reports for the period April 2023 to March 2024, and the draft 2024-25 internal audit plan, including head of internal audit opinion.	Corporate Governance and Standards Committee	Iona Bond Southern Internal Audit Partnership 07784 265293
Equality Scheme Action Plan	Annual monitoring report on the implementation of the actions in the Equality Scheme action plan approved in June 2021	Corporate Governance and Standards Committee	Ali Holman 01483 444008

## CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME

June 2024

Subject	Details of decision to be taken	Decision to be taken by	Contact Officer
Review of Task Groups reporting to the Committee	To review the work carried out by the task groups over the past 12 months and work to be carried put in the next 12 months and appoint councillors to the groups	Corporate Governance and Standards Committee	John Armstrong 01483 444102
Freedom of Information Compliance - Annual Report 2023-24	To consider the annual report for 2023-24 on the Council's performance in dealing with Freedom of Information requests.	Corporate Governance and Standards Committee	Ciaran Ward 01483 444072
Monitoring of S.106 Contributions	To note the six-monthly monitoring report on S.106 Contributions	Corporate Governance and Standards Committee	Rosie Trussler 01483 444463
Planning Appeals	To consider the annual monitoring report of the Council's performance at appeals against refusal of planning permission.	Corporate Governance and Standards Committee	To be confirmed
External Audit Plan and Audit Update and Fee Letter 2022-23	To approve the external audit plan for 2022-23, and to note the content of the External Auditor's update report and make any appropriate comments.  To consider the planned audit fee.	Corporate Governance and Standards Committee	To be confirmed
Corporate Risk Register	To consider the six-monthly review of the Corporate Risk Register	Corporate Governance and Standards Committee	Andrea Barnett 01483 444062

## CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME

Subject	Details of decision to be taken	Decision to be taken by	Contact Officer
Audit Report on the Certification of Financial Claims and Returns 2022-23: Housing Benefit Subsidy and Pooling Housing Capital Receipts	To note the position regarding the certification of financial claims and returns for 2022-23	Corporate Governance and Standards Committee	Belinda Hayden 01483 444867

### Unscheduled

Subject	Details of decision to be taken	Decision to be taken by	Contact Officer
Final 2020-21 audited statement of accounts	To approve the 2020-21 Statement of Accounts	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
2021-22 Audit Findings Report: Year ended 31 March 2022	To note the external auditor's findings and management's response in the Action Plan	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
Final 2021-22 Audited Statement of Accounts	To approve the 2021-22 Statement of Accounts	Corporate Governance and Standards Committee	Victoria Worsfold 01483 444834
External Audit Plan and Audit Update and Fee Letter 2021-22	To approve the external audit plan for 2021-22, and to note the content of the External Auditor's update report and make any appropriate comments.  To consider the planned audit fee.	Corporate Governance and Standards Committee	To be confirmed

**CORPORATE GOVERNANCE AND STANDARDS COMMITTEE: 12 MONTH ROLLING WORK PROGRAMME**

<b>Subject</b>	<b>Details of decision to be taken</b>	<b>Decision to be taken by</b>	<b>Contact Officer</b>
External Audit Plan and Audit Update and Fee Letter 2022-23	To approve the external audit plan for 2022-23, and to note the content of the External Auditor's update report and make any appropriate comments. To consider the planned audit fee.	Corporate Governance and Standards Committee	To be confirmed