

SWT Audit, Governance and Standards Committee - 7 September 2020

Present: Councillor Lee Baker (Chair)

Councillors Derek Perry, Simon Coles, Caroline Ellis, Martin Hill, Steven Pugsley, Andrew Sully, Terry Venner, Dave Mansell (In place of Janet Lloyd) and Loretta Whetlor (In place of Hugh Davies)

Officers: James Barrah, Ian Candlish, Emily Collacott, Adam Evans, Paul Fitzgerald, Paul Harding, Jackson Murray, Alison North, Clare Rendell, Amy Tregellas and Alastair Woodland

Also Present: Councillors Chris Booth, John Hassall, Marcus Kravis, Libby Lisgo, Francesca Smith, Sarah Wakefield, Alan Wedderkopp and Brenda Weston

(The meeting commenced at 6.15 pm)

24. Apologies

Apologies were received from Councillor H Davies, who was substituted by Councillor L Whetlor, and Councillor J Lloyd, who was substituted by Councillor D Mansell.

25. Minutes of the previous meeting of the Audit, Governance and Standards Committee

(Minutes of the meeting of the Audit, Governance and Standards Committee held on 8 June 2020 circulated with the agenda)

Resolved that the minutes of the Audit, Governance and Standards Committee held on 8 June 2020 be confirmed as a correct record.

26. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr L Baker	All Items	Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr C Booth	All Items	Wellington and Taunton Charter Trustee	Personal	Spoke
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted

Cllr C Ellis	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Lisgo	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr D Mansell	All Items	Wiveliscombe	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr F Smith	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted

27. Public Participation

Susan Glenn, founder and representative of the Facebook Taunton Disability Action Group, spoke on agenda item 11, Equalities and Diversity Update Report:- Whilst we believed it important for all involved with the delivery of public services to be trained in the requirements of the Equality Act 2010, and other such laws and regulations that existed or came into existence, now or in the future. We also believed it imperative to have a top level with responsibility for providing joined up thinking, ensuring that the needs of the protected groups were understood, that any proposed changes which could affect those groups were put to wide consultation, enabling reasonable adjustments to be made, avoiding problems before they arose, protecting the council from adverse publicity and possible legal challenges if found wanting, whilst also ensuring the protected groups were indeed protected. This would ensure that any changes introduced were life enhancing, not life limiting by council putting barriers in the way of the protected groups, people who were already struggling with huge issues in just coping with day to day life. Our choices and joy of visiting the places we chose offered a means of distraction from our illness but was gradually being eroded, not by the illness/disease itself but by the choices made by the, mainly able bodied, council.

The creation of a joint officer and member equalities group, as a mechanism for providing addition focus on equality matters, was very much welcomed, providing those responsible have a background or experience in disability issues so that we did not see a repeat of the barriers, now placed before disabled and older people, with the closure of East Street, resulting in the exclusion and the removal of equality of opportunity of many in the protected groups. Had such a top level been in place these barriers could have been avoided. This was an opportunity for SWT to be held up as an Equality positive Council, recognised by the various disability and older people agencies and positively promoted as an accessible place to visit, currently the reverse view was being promulgated.

Questions:

1. What assurance could we have that there would be early involvement of disability and other protected groups in new policies and initiatives, in particular those around active travel and pedestrianisation?

2. What mechanisms would put in place to bring our voices directly into decision making?

Thank you, Susan Glenn

Response from the Portfolio Holder for Community:-

1. Not specific to just active travel and pedestrianisation , our absolute intention was to engage as early as possible with local or national groups representing people with Protected Characteristics around policy matters and proposed changes, in order to help shape change and enable reasonable adjustments to be made where necessary.

One of the key purposes of the proposed equality group would be ensure this was done consistently, to share good practice and to provide challenge where required.

We were also looking into the creation of member champions, including Equality and Disability, which would help with accountability.

2. The proposed equality group would act as champions for those who might face disadvantage due to their particular protected characteristics and I am sure would wish, as an early action, to consider how we could even better ensure that the voices of groups representing those with protected characteristics were heard and fully considered as part of the decision making process.

A key part of this would be developing good quality Equality Impact Assessments which were built on engagement with groups representing people with protected characteristics, and provided evidence of the conversations that have taken place, the issues identified and the mitigation proposed.

Additionally, individuals or groups representing people with a protected characteristic would continue to be welcomed to participate in Council meetings and submit questions, show support or challenge as appropriate.

28. **Audit, Governance and Standards Committee Forward Plan**

(Copy of the Audit, Governance and Standards Committee Forward Plan, circulated with the agenda).

Councillors were reminded that if they had an item they wanted to add to the agenda, that they should send their requests to the Governance Team.

Resolved that the Audit, Governance and Standards Committee Forward Plan be noted.

29. **Equalities and Diversity Update Report**

During the discussion, the following points were raised:-

- The Portfolio Holder for Community was very supportive of the report and thanked fellow Councillors and officers for their work in raising the concept to be adopted.
- Councillors requested clarification on the current position with the Taunton Deane Disability Discussion Group and whether they were still holding meetings. They also congratulated the public speaker for her work on the action group.

The Strategy Specialist advised that the group still met twice a year and had met since the creation of Somerset West and Taunton Council (SWT) but he was not sure if they had met during lockdown. He also advised they were still funded by the Council. A review was being carried out on funding for voluntary groups, which meant that the funding for groups such as Compass would be reviewed.

- Councillors queried the items marked as 'not yet progressed' and whether those items would be picked up by the Working Group once it was formed. *The Strategy Specialist advised that the action plan was a 'living' document and subject to change, the deadlines on each item were flexible and had been impacted by the Covid Pandemic. The Working Group would assist on some of the items but there were some challenging pieces of work to be carried out which would take time.*
- Councillors queried whether the officer role would be a full time position or whether it would be filled by an existing member of staff. *The Strategy Specialist advised that it would be filled by several existing officers as part of their job roles, who would work with Councillors on the Working Group.*
- Concern was raised on the work to be carried out to identify a location for a pitch/provision for travellers and that no action had been taken yet and that Councillors wanted to see results. *The Strategy Specialist advised that there had been some longstanding issues on some of the sites that had been identified and that once the Working Group had been formed, they could investigate those issues in more detail.*
- Councillors requested clarification on the items that were showing as cancelled. *The Strategy Specialist advised that those items were being led by other organisations, who had advised they were no longer going ahead. SWT were only assisting with the publicity of those items, so were not aware of the reasons.*
- Councillors queried whether the Working Group would be held in public session to allow for greater inclusion and feedback from the many different action groups and organisations. *The Strategy Specialist advised that because the Working Group was not a decision making body and could only make recommendations to Council, they had planned to hold the meetings internally, however, he welcomed the inclusion of any of the action groups and organisations to assist with the work to be carried out.*
- Concern was raised that extra resource had not been given and that it was a legal requirement but it was expected to be added on to an officer's existing role. *The Strategy Specialist advised that resource was being given to the work and that it would be part of many officer's roles as they had already been carrying out the work but that the Working Group would help the progression of many of the items on the action plan. Equality Impact Assessments should be carried out on any projects the Council undertook, which would highlight the resource required.*
- Councillors were disappointed not to have an ambassador already implemented as a culture change was required. They were pleased to see

that the Working Group would be non-political and were keen for this work to be carried on into the future.

- Councillors thanked the officers and the Portfolio Holder for Community for their work on the report and looked forward working together with the public.

Resolved that the Audit, Governance and Standards Committee:-

- Noted the position with regard to the Corporate Equalities Action Plan;
- Supported the creation of the joint Officer and Member Equalities Group; and
- Approved the terms of reference of the Group.

30. **Grant Thornton - External Audit - Progress Report and Sector Update**

During the discussion, the following points were raised:-

- Councillors queried whether the delays were caused by the Covid Pandemic or whether there were other factors that had not been mentioned.

The External Auditor advised that the delay was caused by the Covid Pandemic and the extra work lockdown had caused for the Finance Team. The Section 151 Officer gave clarification on the extra workload placed on the Team.

- Concern was raised on the delays that were highlighted prior to the Covid Pandemic and whether lockdown was being used to mask the real reasons for the delays.

The External Auditor gave information on the previous delays which had been caused by the predecessor councils and the creation of the New Council. There had also been a change in the national deadlines for the submission of the accounts which had led to nationwide delays. The Covid Pandemic had caused unprecedented delays and had impacted on the whole sector.

Resolved that the Audit, Governance and Standards Committee noted the report.

31. **SWAP Internal Audit – Progress Report 2020-21**

During the discussion, the following points were raised:-

- Concern was raised that the Covid Pandemic had made processes more difficult to carry out. Councillors queried whether there were enough reserve days held for the Internal Auditors to carry out their work within the given timeframes.

The Internal Auditor advised that in any 'normal' year, the reserve days were often all used as part of their workload. However, most of the work was normally carried out in quarter three and four, but nothing was certain as it was unknown if a second wave of Covid would impact on the sector further. The Internal Auditors would deliver as much as they could in the time allocated. The Action Plans were also reviewed by the Senior

Management Team, so they would be aware of any need for extra resource.

- Concern was raised on the statement made on Asbestos Management in the report and whether the work to rectify the risk had been completed. *The Internal Auditor advised that a partial opinion had been given and a follow-up audit had been carried out which addressed the controls and risks mentioned.*
- Councillors queried why the concern on Asbestos Management had not been picked up earlier. *The Internal Auditor advised that there was a rolling programme of audits carried out on the housing stock and this was the first time they had carried out an investigation on Asbestos Management. The Director for Housing advised that there were several controls in place for Asbestos Management and that officers knew which properties contained asbestos and what controls to take when work was carried out. The officers had also introduced a review on the asbestos surveys.*

Resolved that the Audit, Governance and Standards Committee noted the progress made in delivery of the 2020/21 internal audit plan and significant findings since the previous update in June 2020.

32. **Summary of Outstanding Level 1 and 2 Internal Audit Actions Report**

During the discussion, the following points were raised:-

- Concern was raised that the DLO were highlighted under the debtors section in the report again and further concern was raised on the figures quoted in the report. *The Assistant Director for Customer had carried out a lot of work with the DLO to improve their processes for debtors.*
- Councillors wanted reassurance that action would be taken on the DLO debtors list and that the Committee would see an improvement at the next meeting. *The Assistant Director for Customer advised that he was carrying out a separate piece of audit work on the DLO processes and that they needed to show improvement in their own billing processes. The Section 151 Officer gave further details on how the internal billing processes were calculated, specifically for before and after Somerset West and Taunton Council was formed.*
- Councillors suggested that the DLO required further administrative support to ensure their processes were improved.
- Concern was raised on the loss of income due to the school contracts being stopped and whether that had impacted on the DLO figures. *The Assistant Director for Customer advised that the audit had picked up the amount lost on the school contracts and that work had been done to reconcile the gap on those figures. He further advised that the change in resources due to Transformation had impacted on the service and that he wanted to ensure that moving forward, more robust processes were put in place to prevent this from happening again.*

Resolved that the Audit, Governance and Standards Committee reviewed the overdue actions contained in the report and noted progress to date.

33. **Treasury Management Outturn Report 2019-20**

During the discussion, the following points were raised:-

- Councillors queried whether any of Somerset West and Taunton Council's investments were involved in any fossil fuel developments.
The Section 151 Officer advised that he was not aware of any investments linked to fossil fuels, however, funds may change within the investments.
- Concern was raised on the timespans used to pay back money that the Council had borrowed, £5,000,000 over 57 years was quoted. Councillors requested further explanation and for examples to be given to the Committee to help better explain.
The Section 151 Officer would send out information after the meeting.

Resolved that the Audit, Governance and Standards Committee noted the Treasury Management activity for the 2019/20 financial year and compliance with the Prudential Indicators before recommendation to Full Council for information.

34. **Landlord Health and Safety Property Compliance Update Report**

During the discussion, the following point was raised:-

- The Director for Housing advised the Committee of the most up to date figures, which were contained in the presentation attached to the minutes.

Resolved that the Audit, Governance and Standards Committee noted the contents of the report and progress being made in relation to landlord property safety compliance.

35. **Local Government Ombudsman Summary of Complaints for 2019-20**

During the discussion, the following point was raised:-

- Councillors requested that the data was presented in a different manner.

Resolved that the Audit, Governance and Standards Committee noted the Local Government Ombudsman letter and reports (attached as Appendices A to D).

36. **Monitoring Officer Update**

The Monitoring Officer gave the Committee an update on her case load that related to complaints received on Local Councillors, which included one complaint that was being investigated and one that was being taken to a Standards Sub-Committee Hearing.

(The Meeting ended at 8.45 pm)

Landlord Health and Safety Compliance Update

Background and Context

- Updated position for the main landlord health and safety property compliance disciplines:
 - Asbestos management
 - Electrical safety
 - Fire safety
 - Gas safety
 - Lift and Stair-lift management
 - Water management (Legionella)
- Monitoring split by Housing Revenue Account (HRA) or General Fund (GF)
 - HRA Blocks
 - HRA Commercial
 - HRA Dwellings
 - GF Properties

Background and Context

- Covid-19 pandemic!
 - Resource availability - internally and external contractors
 - Access issues
- Now recommenced all required compliance activities
- Review of all compliance areas against every property
- Updated property compliance database - improved monitoring
- Some property numbers will have changed
- All potential compliance activities to be checked
- Environment and climate change - mitigate negative impacts

Asbestos Management

Property Account Type	Number of Properties	Number Surveyed	Percentage Surveyed
HRA - Blocks	551	545	99%
HRA – Dwellings	5631	2620	47%
HRA - Commercial	3	3	100%
GF – All Properties	50	41	82%

Asbestos Management - Actions

- Additional specialist consultancy (GF)
- Accelerated survey programme with existing consultancy - HRA dwellings programmed for completion by December 2021
- GF properties are programmed for completion by December 2020
- All void properties - asbestos survey undertaken prior to re-letting
- New Asbestos Management Policy and associated Procedures

Electrical Inspections

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Property Account Type	Number of Properties	Number Inspected	Percentage Compliant
HRA - Blocks	369	254	69%
HRA - Dwellings	5760	2666	46%
HRA - Commercial	3	2	67%
GF - Properties	49	44 42	90% 86%

Electrical Inspections - Actions

- One existing external contractor recommenced testing and remedials
- Commenced procurement for long-term external support
- All void properties - electrical inspection undertaken prior to re-letting
- Electrical tests to HRA Blocks - due for completion end Sept 2020
- HRA Dwellings - due for completion end Dec 2021

Fire Safety

Fire Risk Assessments (FRAs)

Property Account Type	Number of Properties	Number Inspected	Percentage Compliant
HRA- Blocks	557	494	89%
HRA- Commercial	4	4	100%
GF- Properties	23	17	74%

- HRA Blocks – previously 100%: fallen out of date during the lockdown period
- Outstanding FRA's programmed for completion by end December 2020

Fire Safety

FRAs – Remedial actions

Property Account Type	Number of Outstanding FRA Remedial Actions	Number of Overdue Actions
HRA - Blocks	2610 2894	819 857

Number of outstanding actions 'moving target' due to:

- Remedial actions from new FRAs supersede previous FRA's
- Works are undertaken to resolve existing remedial actions
- Additional remedial actions from new FRA's due to changes in legislation or best practice

Fire Safety

FRAs – Remedial actions (Detailed breakdown)

Remedial Action Type	Number of Outstanding Actions	Number of Overdue Actions
Fire safety signage	237	227
Bin storage	392	389
Flat entrance doors	370	27
Windows on fire escape routes	34	0
Fire safety housekeeping	46 71	39 64
Repairs (e.g. alterations to storage cupboards, etc.)	349	106
Electrical improvements	317	5
Compartmentalisation checks	487	0
Flooring checks	104	0
Communal exit doors inspection	53	0
Landing surveys to fire escape routes	0 177	0
Electrical testing / electrical heater inspection	87 169	0 13
Fire proofing to electrical distribution boards	36	5
Miscellaneous actions	98	21
Total	2610 2894	819 857

Review of outstanding actions – Implementation Plan to get works completed urgently

Fire Detection and Emergency Lighting

Property Account Type	Inspection Type	Number of Properties	Number Inspected	Percentage Compliant
Page 19 GF- Properties	Fire Alarm: weekly test	33	31 27	94% 82%
	Fire Alarm: 6 monthly service and test	34	34	100%
	Emergency Lighting: monthly service and test	27	17 16	63% 59%
	Emergency Lighting: annual service and test	27	21 16	78% 59%
HRA- Blocks	Fire Alarm: weekly test	25	22 14	88% 56%
	Fire Alarm: 6 monthly service and test	25	25 20	100% 80%
	Emergency Lighting: monthly service and test	26	21 17	81% 65%
	Emergency Lighting: annual service and test	26	8 6	31% 23%

Fire Detection and Emergency Lighting

Property Account Type	Inspection Type	Number of Properties	Number Inspected	Percentage Compliant
Page 20 HRA-Commercial	Fire Alarm: weekly test	3	3 2	100% 67%
	Fire Alarm: 6 monthly service and test	3	3 2	100% 67%
	Emergency Lighting: monthly service and test	2	2	100%
	Emergency Lighting: annual service and test	2	2	100%

Prioritising completion of outstanding inspections to all properties (GF & HRA) by external contractors and staff within the Property Compliance team

Fire Safety - Actions

- Specialist consultant undertaking FRAs (including fire door inspections)
- Housing team advising residents on fire safety
- Enforcing clearance of communal areas
- Works programme to carry out FRA remedial actions
- Training for Housing Property team - certificated fire door alterations
- Procurement of a certificated flat entrance fire door supply and fit contractor
- New Fire Safety Policy and associated Procedures

Gas Safety

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Property Account Type	Number of Properties with Gas	Number Inspected	Percentage Compliant
HRA– Dwellings	4511	4509	99%
HRA– Blocks	18	18	100%
HRA– Commercial	2	2	100%
GF– Properties	21	21 13	100% 62%

- GF properties prioritised for completion by the external contractor
- HRA dwellings - access issues due to the tenants medically shielding

Somerset West
and Taunton

Lift Maintenance

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Property Account Type	Inspection Type	Number of Properties	Number Inspected	Percentage Compliant
HRA - Dwellings	Stair-lifts: Annual service and inspection	79	74	94%
HRA - Blocks	Stair-lifts: Annual service and inspection	5	5	100%
HRA - Blocks	Passenger lifts: 6 monthly service and inspection	3	3	100%
GF - Properties	Passenger lifts: 6 monthly service and inspection	4	4	100%

- HRA dwellings – contractor resources, and access issues due to the tenants medically shielding

Water Safety – Water Risk Assessments (WRAs) and Monthly Temperature Checks

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Property Account Type	Properties Requiring a Water Risk Assessment	Properties with a Water Risk Assessment	Percentage Compliant
GF - Properties	48	21	44%

Outstanding WRA's due for completion by the end of November 2020

Property Account Type	Properties with Stored Communal Water	Properties with a monthly temperature check	Percentage Compliant
GF - Properties	36	30 14	83% 39%

External contractors - prioritising completion of outstanding checks

Somerset West and Taunton

Water Safety - Actions

- GF properties - water safety undertaken by external contractors who:
 - undertake WRA's
 - identify any potential hazards relating to legionella bacteria
 - carry out water temperature checks
- HRA properties - review and survey by the compliance team to identify where there may be a potential water safety hazard
 - 1249 dwellings, 140 blocks and 3 HRA commercial properties needing WRA
 - Procured and appointed specialist consultant to undertake WRA's (including GF properties requiring an updated WRA)
- Water Risk training programme undertaken - staff who have a responsibility for control of legionella bacteria risk in hot and cold water systems

