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**Decision Maker:**      **AUDIT AND RISK MANAGEMENT COMMITTEE**

**Date:**                      **8<sup>th</sup> March 2023**

**Decision Type:**      Non-Urgent                      Non-Executive                      Non-Key

**Title:**                      **MATTERS ARISING**

**Contact Officer:**      Stephen Wood, Democratic Services Officer  
Tel: 020 8313 4316      E-mail: Stephen.Wood@bromley.gov.uk

**Chief Officer:**              **Tasnim Shawkat—Director of Corporate Services and Governance**

**Ward:**                      N/A

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1.      Reason for report

To update the Audit & Risk Management Committee on progress with Matters Arising (Part 1) from previous meetings and noting any matters that are still outstanding.

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2.      **RECOMMENDATION(S)**

**To note and comment on progress with matters arising from previous meetings.**

**To recommend any action as deemed appropriate with respect to matters that have not been resolved.**

### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Excellent Council—Managing Resources Well
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### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £366,000
  5. Source of funding: 2022/2023 revenue budget
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### Staff

1. Number of staff: 6 FTE
  2. If from existing staff resources, number of staff hours: Completion of “Matters Arising” reports for the Audit Sub Committee normally takes a few hours per meeting.
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### Legal

1. Legal Requirement: None:
  2. Call-in: Not Applicable: This report does not require an Executive Decision
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of members of the Audit Sub-Committee so that Committee Members can monitor progress made on matters that are outstanding from previous meetings.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

Attached is a schedule of matters outstanding from previous meetings of the Audit Sub Committee with a note of progress made. Most of these issues are taken up in more detail in the progress reports on the agenda (parts 1 and 2). Once an outstanding matter has been completed it will be removed from the schedule.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact officer)	Previous Minutes of the Audit & Risk Management Sub Committee.

## **Appendix 1**

<b>Issue &amp; Date</b>	<b>Summary</b>	<b>Update and/or Action being taken.</b>	<b>By</b>	<b>Status</b>
Minute 112 02/11/2022	Councillor Jeal proposed that Cllr Ruth McGregor be added to the Committee to fill in the seat that was vacant from the Labour Group. The Chairman allowed Cllr McGregor to sit in on the meeting but stated that formal ratification of her membership on the Committee would need to come from Full Council.	Cllr Ruth McGregor's adoption on to the Committee was ratified by Full Council in December.	Council	Closed
Minute 126 02/11/2022  Redacted Reports.	<p>Councillor Simon Jeal had given notice that he wanted to ask some questions regarding the Parks Management and Grounds Maintenance Report. He referred to the rationale behind the 75% performance target. He felt there was nothing in the report to clarify why this had been established as the appropriate performance target in this case, or how it underpinned and benchmarked against the performance indicators. He said that normally KPIs would be benchmarked against national targets or other local authority targets, but there was no indication from the report that this was the case, or how this may change if new KPIs were set. The Head of Audit and Assurance stated that to answer this question in depth would not be appropriate for the public domain. As it stood, the 75% target could only be changed either by re-tendering or by negotiation with the contractor. A proposal had been put forward to the contractor and a response was awaited.</p> <p>Cllr Jeal queried if the ECS PDS Committee was involved and if they had been informed of the findings of the report as this was the relevant scrutiny committee. The Head of Audit and Assurance ('HAA') said that she was not sure but would find out.</p> <p>A Member commented that in some contracts 'improvement clauses' were included and that with respect to the Parks and Grounds Maintenance Contract it would be helpful to know if this was the case.</p>	There is an annual performance report which goes to the Environment & Community Services PDS. Audit findings are not reported separately to ECS PDS as this is the remit of Audit and Risk Management Committee. There is no 'continuous improvement' clause but there are provisions in Schedule 4 that enable the council to submit amendments to the KPIs (albeit it the Contractor has to agree to these).	HAA	Closed
			HAA	Ongoing

Minute 128 02/11/22 Matters Arising	A Member expressed the view that the Assessor that had been appointed previously should be given a final chance and perhaps should receive a direct phone call to confirm. Members generally agreed that it would be sensible to try and make contact with the Assessor that had already been appointed to avoid paying extra costs, but that an appropriate timeframe should be set for this. The question was raised as to whether the Council could ask the London Group for a new Assessor without incurring any costs. It was agreed that an update on the matter would be provided at the next meeting.	We are arranging a meeting with the assessor and will provide a verbal update at the meeting.		
Minute 129 02/11/22 Internal Audit and Fraud Progress Report.	Members discussed blue badge fraud and it was noted that 75% of London Boroughs had a blue badge prosecution policy. LBB was ranked fourth in the country for blue badge prosecutions. It was noted that the money from any fines would be dispersed in part to the Council and the rest would pay for legal costs. It was thought that in certain cases, Civil Enforcement Officers had the power to confiscate blue badges and return them to the issuing authority. The HAA said that she would look into this matter and check with Parking Services.	Current practice is as adopted during Covid and the Council does not engage with drivers as part of Blue Badge enforcement.	HAA	Closed
Minute 132 02/11/22 Counter Fraud and Corruption Policies	The term 'genuine' concerns should be modified so that it would refer to concerns raised in 'good faith'	This action has been completed	HAA	Closed
Minute 132 02/11/22 Counter Fraud and Corruption Policies	Up to two Independent Members should be co-opted to the Audit and Risk Management Committee.	This has now been agreed by Council and recruitment is under way.	HAA Chair Vice Chair	Ongoing

