

## CORPORATE COMMITTEE

THURSDAY 14 NOVEMBER 2019 AT 6.00 PM

### MINUTES

PRESENT: Councillor Scott Ainslie, Councillor Linda Bray (Substitute), Councillor Adrian Garden (Chair) and Councillor Jackie Meldrum

APOLOGIES: Councillor Anna Birley and Councillor Peter Ely

#### 1. DECLARATION OF PECUNIARY INTERESTS

There were no declarations of interest.

#### 2. MINUTES

**RESOLVED:** That the minutes of the meeting dated 25 July 2019 be approved and signed as a correct record of proceedings.

#### 3. WORK PROGRAMME AND ACTION MONITORING

Members discuss the work programme and action monitoring log and noted:

- The Homes for Lambeth (HfL) Challenge Session was due to occur in the New Year;
- Item 16 (agenda pack, page 19) was to be completed on 19 December 2019; and,
- Climate emergency and climate footprint issues were not on the work programme and discussion was required on what basis it was to be discussed.

**RESOLVED:**

1. To note the Corporate Committee's work programme for 2019/20.
2. To note the Corporate Committee's actions monitoring log.

#### 4. LGO REPORT - PARKING COMPLAINT

Shannon Consses, Parking & Enforcement Service Development Manager; David Couldridge, Contract Manager; and, Sophia Skyers, Policy and Communications Manager (Complaints), introduced the report and in response to questions from Committee members noted:

- The Local Government Ombudsman (LGO) had upheld a parking complaint from a disabled customer appealing two penalty charge notices, issuing a public interest report with extensive recommendations. The customer was awarded £750 compensation and given a verbal apology, completed in August.
- Penalty charge Notices were being reworded to ensure compliancy with the Equality Act, with expected implementation in January 2020. Measures had also been put in place for reasonable adjustments and tracking of these; further information on how to challenge charges; and, handover arrangements for enforcement agencies and reasonable adjustments.
- The upgrades and measures covered Capita staff and the Parking team.
- Members would be provided with the training course for parking staff and on making reasonable adjustments by the Director of Human Resources.

- There was be a Council-wide review on recording and making reasonable adjustments; however, recognising reasonable adjustment depended on customer requests and was customer-led.
- It was necessary to be mindful, and correctly store and share personal data in handling adjustments.
- The use of bailiffs was captured under the wider review and all bailiffs had disability training during recruitment and their annual review.
- All contracts had a standard requirement to cover all disability and equality legislation.

The Chair thanked officers for their report, and asked that Corporate Committee see measures to follow up these lessons learnt for all staff.

#### **RESOLVED:**

1. To note and consider the Local Government and Social Care Ombudsman's (LGO) findings and recommendations, as detailed in paragraph 2, below.
2. To note the improvements introduced.
3. To note the Council has agreed to the remedies recommended by the LGO.

#### **5. COMPLAINTS, MEMBER'S ENQUIRIES AND FREEDOM OF INFORMATION ACT REQUEST 2018/19**

Alison McKane, Director of Legal and Governance; Matthew Ginn, Head of Information Governance; Majella Sharma, Interim Deputy Director for Resident Experience; and, Sophia Skyers, Policy & Communications Manager (Complaints); introduced the report and answered questions as follows:

- Officers would add comparative data with other councils in future.
- The 32% of upheld complaints was high and needed improvement, to a recommended 12-15%.
- The Council was undertaking a review of data protection for SARs and Fols, under the GDPR Phase 2 project and wider transparency agenda. The Council would also have a new department for business data and would bring a report on that to a future meeting.
- Lambeth's complaints included any expression of dissatisfaction, and as such many service requests were submitted as complaints.
- Lambeth's senior officials meeting, Management Board, were cognisant of issues and the Chief Executive had commissioned a strategic review to be brought back to the Committee.
- A review of iCasework was instigated as result of the GDPR project and risk-assessing the Council.
- Officers were meeting with Civica to upgrade iCasework systems and migrating data to the cloud.

Corporate Committee Members noted the following:

- The number of complaints and lessons learnt were unchanged from previous reports, and the unnecessary cost arising from complaints and lack of lessons learnt was a concern.
- Councillors needed training and a system to handle data that met with regulations.
- The Council was tenth highest for complaints out of 365 local authorities.
- On-time complaint responses had declined and highlighted a continuing processing problem.
- Comparative data was needed in the report to compare the council against its peers.
- Councillors had been asking for one portal for all services requests for 10 years without success.

- Not all service requests needed to be treated as a complaint.
- The report needed to be much shorter and highlight areas of concern, measures to address these and prevent future complaints arising, and reflect the behaviour of change.

**RESOLVED:**

1. To note the contents of the report.

**6. RISK MANAGEMENT STRATEGY AND POLICY 2017-20**

James Rimmington, Risk Manager; provided an update on the Risk Management Strategy and Policy, and answered questions as follows:

- The Strategy identified four air quality and air pollution risks, with specific climate emergency and carbon neutral risks to be added in after discussion with the sustainability Manager.
- The strategy did not identify risks, but detailed how to address and manage risk.
- There were only slight changes from previous editions, including the risk escalation process.
- The Strategy was fully refreshed every three years, with the next scheduled for September 2020.
- There was a risk e-learning module available online.

**RESOLVED:**

1. To complete the annual review of the risk management strategy and policy 2017-20.

**7. CORPORATE AND STRATEGIC RISK REPORT**

Christina Thompson, Director of Finance and Property; and, James Rimmington, Risk Manager, introduced the report and responded to questions as below:

- Specific risks on the climate emergency would be addressed and added to matrices.
- Paragraph 2.10 (agenda pack, page 96) provided an explanation of risk-making and meeting risk appetite; and paragraph 2.11 (agenda pack, pages 96-103) set out key risks and associated activity.
- An assurance map would come to the 19 December 2019 meeting.
- Brexit risks were detailed on pages 104 and 149-150 in the agenda pack.
- Emergency planning was a top risk and officers were asked to draft an action plan in response following the audit planned later this year.
- Officers would provide an outcome of the *Governance and Compliance* risk on inadequate governance and control of purchase cards and control measures. In discussion it was noted that this risk related to systems and not fraud.
- Risk trends were largely level, with 80% the same.
- Following an audit of contract management, a new structure and arrangements were in place to review all contract management, training and workshops; and this would also be audited.

The Chair thanked the Risk Manager for the report, but noted that future reports needed to be shorter and more succinct.

**RESOLVED:**

1. To note the key Corporate and Strategic risks identified for 2019/20 (tables 1-5 and Appendices A-B).
2. To note our intention to introduce assurance mapping for key risks (paragraphs 2.10-

2.11).

## 8. RUSH COMMON ANNUAL REPORT

Andrew Mulindwa, Area Team Manager; and, Akshay Sisodia, Senior Planner, introduced the report, noting that:

- Appendix 1 (agenda pack, pages 169-180) set out the Rush Common action plan.
- The policy guidance note, FAQ document and local plan policy were being updated for April 2020 and would be dispatched to Rush common residents when complete – comprising the main expense set out in the report. The wording on the website would also be updated by 2020.
- The photographic survey comprised significant volumes of information, but would be made available to Members once complete although careful management of sensitive information was required. This document would serve as a basis for enforcement investigations and reference point for the future, although some properties were not as visible as desired.
- There were 12 active Rush Common enforcement cases, with seven open since the last annual report, and one predating the 2018 report, as set out in Appendix 2 (agenda pack, pages 181-186).
- The Church on 101-3 Brixton Hill would be reviewed, and a summary provided to the Committee.
- The Committee had previously decided not to undertake a test case due to resource implications.

The Chair asked that detail prior to 2017 be removed from future reports to focus on current developments, and Members agreed that Rush Common was an important Lambeth asset that required protection.

### RESOLVED:

1. That the update on the action plan (Appendix 1) be noted.
2. That the Rush Common Report 2018-2019 (Appendix 2) be noted.

## 9. POLLING DISTRICT REVIEW

Alison McKane, Director of Legal and Governance, introduced the report and answered questions as below:

- A polling district review was required every five years, and this report requested minor changes with the ongoing Boundary Review possibly requiring further changes in future. The Boundary Review comprised the first part on council size to be completed by February 2020 and the second part on warding patterns, which would be consulted on starting in June 2020, and expected to be in place by mid-2021.
- There were a few changes to polling stations detailed in the agenda pack, some due to access and where possible moving from schools so that they could remain open, although a high percentage of polling stations still remained in schools.
- Appendix B (agenda pack, pages 265-8) listed consultees and Appendix A (pages 221-264) maps; with Appendix C (page 269) detailing the Returning Officer's comments.
- The Electoral Register would be updated on 01 December 2019 and that would be used for the upcoming General Election on 12 December 2019.

### RESOLVED:

1. To agree the following changes to the polling stations:

- a) That the polling place for SOB, Jubilee Primary School, Tulse Hill, Brixton, SW2 2JE, be relocated back to Raleigh Park Centre, Arodene Road, SW2 2BH.
  - b) That Wyvil Primary School, Wyvil Road, London, SW8 2TJ (VCC) be designated as a double polling station.
  - c) That Longfield Hall, 50 Knatchbull Road, SE5 9QY (VED) be relocated to Minet Library, 52 Knatchbull Road, SE5 9QY.
  - d) That St Margaret the Queen Church (STD) be relocated to the Church Hall on the same site.
  - e) That St Leonard's Church Hall, 8 Tooting Bec Gardens, SW16 1RB (SVB) to be designated as a double polling station.
  - f) That Hill Mead Primary School, Moorland Rd, Brixton, London SW9 8UE (NJD) be relocated to the Key Stage 1 building from the Key Stage 2 building.
  - g) That Park Campus Academy, Gipsy Rd, London, SE27 9NP (NNC) be relocated to Kingswood Lower Site, 55 Gipsy Road.
  - h) That the polling place for Jessop Primary School Jessop Primary School, Lowden Road, SE24 0BJ (NKC) is moved to the Children's Centre on the same site.
2. To note that the polling station for NND is Berridge Road Community Resources Centre, 13-17, Bridgetown Close, SE19 1JZ.
  3. To adopt a new polling district and polling places scheme as set out in Appendix A.

## 10. AUDIT COMMITTEE EFFECTIVENESS

Christine Webster, PwC; and, Justin Martin; Head of Internal Audit, answered questions as follows:

- This paper was in response to the Corporate Committee review of effectiveness reported on 27 September 2018, and entailed a self-assessment of skills through a questionnaire based on CIPFA standards.
- Co-optees needed to be experts in chosen fields that were felt not to be covered under Members' skills or knowledge, but it was noted they could usurp discussion.
- Two co-optees were held to be ideal with only one co-optee generally not thought to be as useful.
- Co-optees needed to be used in a purposeful way, which might necessitate more unified agendas.
- It was noted that sourcing independent members could be difficult.
- Changing the Committee's terms of reference in the Constitution to include two permanent co-optees would necessitate approval by the Constitution Working Group and then Full Council.

Members noted that Lambeth had a wide pool of highly talented residents with experience which could be utilised for Lambeth's advantage. Additionally, CIPFA guidelines recommended use of co-optees and almost one third of audit committees had co-opted members.

The Chair thanked officers for their work, but noted that poor completion rates by councillors (50%) meant that the analysis of training needs might be inaccurate. The Committee agreed to undertake training to improve Members' skills and for Committee members to consider co-optee recruitment.

### **RESOLVED:**

1. To consider the results of the Corporate Committee's self-assessment of knowledge and skills, which identifies potential training needs.
2. To agree a programme of training for Corporate Committee members, focusing on five

subject areas: risk management, internal audit, governance and legal, financial management and accountancy, and treasury management.

## 11. AUDIT AND INVESTIGATIONS UPDATE

Christina Thompson, Director for Finance and Property; Christine Webster, PwC; and, Justin Martin; Head of Internal Audit, and, Michael O'Reilly, Counter Fraud Manager, introduced the report and answered questions as follows:

- 87% of internal audits had started, with 15 audits completed since July.
- The report detailed 39% of management actions (agenda pack, pages 291-5) had been completed, but three further completions brought this total to 45%; whilst 11% of actions could not be assessed because action owners had not responded to requests for updates.
- Counter fraud was progressing well and was within normal bounds, but was not as high as last year due to ongoing prosecution activity moving resources from investigations.
- The 2018/19 purchase card audit was to be followed-up as part of the 2019/20 internal audit plan and was scheduled for completion after Christmas.
- The Loughborough EMB had done an independent audit and so the internal audit had been deferred. This independent audit would be obtained by officers and sent around to Committee members for their information.
- The GDPR Project Manager had now been appointed and detail on performance measures would be covered in the next report and picked up during Phase 2 of the Project Plan.
- Whilst there was currently only a 45% implementation of audit recommendation, with six outstanding management actions, it was difficult to reach 100% compliance and anything over 70-80% was judged to be effective. It was noted that this was monitored by the Council's Management Board and that the percentage completed was better adjudged at the annual report stage.
- The National Fraud Initiative was mandatory, with issues raised going through to the responsible teams and were not generally reviewed by the Counter Fraud team.
- Officers would report back on Jessop Stockwell Federation offline.
- Justin Martin gave a commitment to provide an updated management action progress report to the next meeting of the committee, which he hoped would show an improved position.

The Chair offered his thanks for Christine Webster's tenure at Lambeth and wished her the best of luck for the future, and welcomed Justin Martin back to Lambeth. The Chair also requested that owners of management actions provide explanations of delay and attend the next Committee meeting to explain the lack of progress, and to review the procedure of tracking recommendations to improve response rates and implementation.

### **RESOLVED:**

1. To receive and consider the report which provides an update on matters relating to the Internal Audit and Counter Fraud service, its activities and outcomes.

## 12. RISK UPDATE ON GDPR

During the discussion of this item, the guillotine fell at 8.00pm.

It was MOVED by the Chair, and,

**RESOLVED:** That in accordance with Standing Order 9.5-9.7, the meeting continue for a further

period of up to 30 minutes.

Alison McKane, Director of Legal and Governance; Pdraig O'Mahony, Project Manager; Matthew Ginn, Head of Information Governance; and, Majella Sharma, Interim Deputy Director for Resident Experience, noted the report and answered questions as follows:

- The GDPR Project Phase 1 had been completed, and the Council was now entering Phase 2, ensuring Lambeth met its obligations under the Data Protection Act.
- A comprehensive information asset register had been completed, with new obligations on accountability and demonstrating correct data handling, and ensuring training and awareness of staff. This was now in the implementation phase, with a high number of risks identified, which were being worked through as part of the project.
- Oversight of the GDPR Steering Group would be provided by a Project Board, Information Governance Group, Management Board and Corporate Committee.
- Alison McKane was the Project Sponsor, Matt Ginn was the statutory Data Protection Officer, and Pdraig O'Mahony was the Project Manager, with the latter responsible for project delivery.
- The Phase 1 Project had started in February 2018, with the Information Asset Register going beyond what other London boroughs had done and it was not accurate that the Council had been late to address this issue. Officers were confident that Lambeth had robust information governance processes in place.
- The three critical risks from 1,700 risks assessed, were denoted as unsustainable risks.
- Three project officers had been appointed to address risks, with a further post to be filled.
- The 1,700 risks appeared to be a lot, but each process had multiple risks attributed to it.
- The Information Asset Register online portal under development was to be digital and user friendly, and help engagement with business.
- The £680,000 cost allocated for Phase 2 was largely comprised the additional five officers over two years. Corporate Committee requested that they receive updates to monitor spend.
- iCasework was under review and had been identified as not fit for purpose and currently out of support. Officers were largely certain that data could be migrated across from the Hounslow server to the cloud, and iCasework would be provided with a copy of part of the database to be provided by 19 November 2019 to examine any issues between the existing locally hosted system and the proposed cloud solution. Officers would provide an update outside of the meeting as to the issues with iCasework relating to the Council's case management system (complaints, FoI, SARs, Member's Enquiries, etc.). There would be no downtime during the General Election period.
- Councillors could undertake GDPR training online, and this would be re-offered.
- Any organisations that shared or processed Lambeth's data would have contract clauses to ensure proper data management, with contract review forming part of the project, to ensure they were upholding agreed terms, and this was done via their data protection officers.
- Lambeth schools were able to buy into Lambeth's data protection service.

Corporate Committee thanked officers for their report, but noted that councillors' handling of data needed to be reviewed and included in the report as a significant risk, and that they be offered training on meeting data protection guidelines and provided with a system to handle enquiries or correspondence from the general public.

**RESOLVED:**

1. To note the work undertaken in Phase 1 of the GDPR Project (see appendix 1) including

- work carried forward to Phase 2.
2. To note the risk assessments and mitigating actions for all data processes within the council being undertaken as part of Phase 2 of the Project.
  3. To note the Information Governance framework including Information Management policy, procedure, training and awareness and to provide any comments on the implementation plan.
  4. To note the implementation plan for regularisation of all information sharing and data processing agreements between the council and third parties.

### **13. TREASURY MANAGEMENT PERFORMANCE REPORT**

Christina Thompson, Director of Finance and Property, introduced the report and answered questions as follows:

- Lambeth had had a cash-flow deficit 2-3 times over the last seven years.
- The significant expenditure of the Redress Scheme combined with other cash-flow requirements meant the Council had to borrow in the short-term, whilst previously it had been able to utilise reserves.
- A balance sheet review was underway and would be included as part of the Treasury Management Strategy for 2020-21.
- The Public Works Loan Board (PWLB) 1% rate rise was still favourable to market rates, and Lambeth was lending to HfL at an agreed commercial 6% rate.
- Interest income had over-achieved for the budget for the last few years, as the Council was able to lend to develop Hambrook House and Olive Morris House.
- The report would contain greater narrative in future additions to improve accessibility for laypersons.
- The level of payments was lower in July than August, with receipts and grant payments received during periods throughout year, but cash-flow management was satisfactory.
- Treasury management and financial performance would be added to future training courses.

#### **RESOLVED:**

1. To note the Treasury Management Performance Report for the six months to 30 September 2019.

The meeting ended at 8.25 pm.

CHAIR  
CORPORATE COMMITTEE  
Thursday 19 December 2019

Date of Despatch: Monday 25 November 2019

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