

## **Minutes of the Audit Committee**

**10 December 2020**

**-: Present :-**

Councillor Loxton (Chairman)

Councillors Atiya-Alla, Brooks, Dart, Hill, Kennedy and O'Dwyer

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### **221. Apologies**

It was reported that, in accordance with the wishes of the Liberal Democrat Group, the membership of the Committee had been amended for this meeting by including Councillor Atiya-Alla instead of Councillor Howgate.

### **222. Corporate Performance and Corporate Risk Report**

At the meeting of the Audit Committee held on 23 November 2020 Members agreed to defer consideration of the Corporate Performance and Risk Report for Quarter 2 to enable them to speak directly to senior officers. Members received and noted the submitted report and undertook a deep dive in respect of four key areas with a summary of their questioning set out below.

Corporate Services – Matt Fairclough-Kay Interim Director of Corporate Services responded to questions in relation to:

- General Data Protection Regulation (GDPR), our compliance, safety of data, associated risks and implications after 31 December 2020 when the UK leaves the EU;
- Freedom of Information (FOI) and Subject Access Requests (SARs) and implications of not meeting statutory deadlines and the action being taken to address poor performance in this area, which included additional staff and increased staff training; and
- complaints and requests for information and how this was measured and how this could be used to help inform the Community Engagement and Empowerment Strategy to get an understanding of the issues that matter to our residents.

Place – Kevin Mowat Director of Place responded to questions in relation to:

- lack of actions for the last quarter to promote opportunities for investment through the Torbay Economic Growth Fund with the aim of regenerating our town centres and diversifying our economy and the adverse impact on new housing and employment growth. Members were informed that the priority

for employment space was to bring forward developments at Edginswell (funded by the Local Enterprise Partnership) and Lymington Road which would be coming to Cabinet soon as it required some match funding via a loan from the Economic Growth Fund, new housing would be delivered as part of the Town Deal for Torquay and the Future High Streets Fund for Paignton, if the Council was successful in obtaining this Government funding;

- issues in connection with land supply numbers, the Local Plan and Neighbourhood Plans and the associated planning, employment and regeneration risks;
- the lack of ambitious targets for climate change and how this could be addressed by the new Climate Change Officer and working with Devon and other regional and national authorities to develop meaningful Key Performance Indicators (KPIs) that can be easily benchmarked and monitored. Ideas for potential future KPIs included a carbon assessment of all assets, increasing recycling, improving energy efficiency and use of sustainable energy such as solar farms for Council buildings and working to improve the energy efficiency of all housing in Torbay working with partners to access grant funding to retrofit existing housing stock and educating and incentivising our communities to be more energy efficient;
- SWISCo and impact of missed collections, how these were managed and the action taken by staff and effect on other services such as grass cutting and street cleaning if staff were required to cover the waste and recycling collection. Members also discussed the rationale behind the structure of SWISCo and the benefits of the transfer services such as highways and natural environment;
- the impact of the number of planning applications not considered within the agreed national timescales, use of extensions and backlog of enforcements and the action being taken to address this such as reviewing the resources for Planning;
- risks associated with flooding and the impact of sea level rises, poor coastal infrastructure and increase in rainfall, and the reliance on the Environment Agency to fund flooding and drainage solutions. Members also discussed the need to improve our communication with our communities so that they were aware of the implications and what action was being taken such as the flood defence scheme for Paignton and Preston, which was being communicated through the Neighbourhood Forums and community groups;
- risk of failing coastal infrastructure and backlog of repairs and maintenance of assets and highways infrastructure and lack of funding to address this; and
- risks associated with Covid-19 including the impact on tourism and the economy.

Public Health – Bruce Bell, Public Health responded to questions in relation to:

- the impact and action being taken to address child and adult obesity, which was recognised as a national issue, but did not form part of the mandatory elements for the public health ring-fenced grant. Members noted that this was being explored further through a lifestyles service review;

- the key priority for public health was to tackle inequalities and there was a need to use proxy indicators such as data on deprived communities, healthy lifestyle behaviours, poor housing conditions, unemployment to monitor this;
- the lack of up to date data comparisons for public health and how meaningful or outcome related targets was a significant issue due to the time lag for publication of much of the national data in the Public Health Outcomes Framework. The impact of Covid-19 not being seen in this data for some time;
- risks and implications of successfully delivering flu and Covid-19 vaccines to all who need them and the actions being taken working with the NHS to deliver this; and
- reduction in the number of people undertaking drugs treatment and the link to Covid-19.

Children's Services – Nancy Meehan Director of Children's Services responded to questions in relation to:

- increased costs of Children's Services this year compared to the outturn last year but with a substantially lower number of looked after children with an increase in child protection plans. It was noted that this was as a result of investment in the Service but that there was a significant underspend projected by the end of the financial year as a result of the implementation of the invest to save proposals;
- impact on Children's Services as a result of cuts to other services such as drug and alcohol and mental health services, particularly in respect of pre-proceedings;
- high risks of not meeting some statutory timescales and the implications and actions being taken to reduce these risks, which included ensuring continued face to face contact with social workers and looked after children where ever they were based;
- impact of children living in poverty and links to potential criminal and sexual exploitation and the action being taken to address this;
- the different support options available to help families and levels of intervention to ensure a proportionate response in the best interest of the family and the child;
- impact of Covid-19 expectations and actual outcomes and additional support provided to families;
- the biggest risk related to practice and safeguarding children and if the Council was deemed to be inadequate at its next Ofsted Inspection it was unlikely that the Government Minister would allow Children's Services to continue to discharge the service;
- how the overall underspend in Children's Services had been used to provide additional support to children and families especially those impacted by Covid-19;
- what action was being taken to working with Pause.org.uk and other agencies to work with mothers and fathers who repeatedly had their babies taken into care. Members noted that a multi-agency task and finish group was being put together to work with mothers and fathers to help consider

- the emotional impact on the children as well as the impact on the parents;  
and
- the delay in the implementation of Liquid Logic which was replacing the Paris system.

The Committee felt it would be beneficial to measure the average cost for looked after children in the different types of care settings and the related outcomes e.g. educational achievements, employment etc. Members noted that this was being explored through the next Sufficiency Strategy and the Director of Children's Services agreed to explore this further for future performance reports. Members also suggested the merit of monitoring how many families Children's Services work with pre-proceedings and the cost and impact of this to explore if there was an invest to save or value for money opportunity.

The Committee also felt that future performance reports should capture the following performance information:

- (i) complaints;
- (ii) 3/5 year land supply and progress against delivery of this; and
- (iii) street cleaning programme to see if there has been a knock on impact of supporting other services such as waste collection.

Members requested a separate meeting to be arranged to consider the Quarter 3 Corporate Performance and Risk Report with the focus being on the following areas:

- (i) transformation and strategic direction of the Council – Interim Chief Executive;
- (ii) finance – Chief Finance Officer;
- (iii) community services – Assistant Director of Community and Customer Services;
- (iv) adult services – Director of Adult Services; and
- (v) education – Assistant Director of Education, Learning and Skills.