

Title of Report:	Proposals in respect of Extraordinary Audit Report and Action Plan
Committee Report Submitted To:	Full Council
Date of Meeting:	2nd August 2022
For Decision or For Information	For Decision

Linkage to Council Strategy (2019-23)	
Strategic Theme	Improvement and Innovation
Outcome	Delivery of Action Plan by 30th December 2022
Lead Officer	Director of Environmental Services
Cost: (If applicable)	n/a

Budgetary Considerations	
Cost of Proposal	Costs will include independent bodies/individuals to implement actions. To be advised as process progresses. Staff time costs.
Included in Current Year Estimates	YES/NO
Capital/Revenue	Revenue
Code	n/a
Staffing Costs	Internal Staffing costs

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

- 1.1 The report requires Council consider and approve the proposed Action Plan to address the recommendations as contained within the Extraordinary Audit Report and to consider a number of proposals associated with the outcome of the report.

2.0 Background

- 2.1 On 30th November, the Minister for Communities directed the Local Government Auditor to hold an extraordinary audit of Causeway Coast and Glens Borough Council concentrating on land disposals and easements and related asset management policies and procedures.
- 2.2 On 7th July 2022 the Local Government Auditor published a report summarising the findings of an extraordinary audit of Causeway Coast and Glens Borough Council, it details the findings and recommendations emanating from the audit of land disposals and easements since the Council was formed in April 2015.
- 2.3 At the Special Council Meeting held on 26th July 2022 the Council resolved to:

“That this Council accepts the findings contained within the extraordinary audit. That this Council immediately moves to implement all eight recommendations contained within the Extraordinary Audit. That the Ministerial letter of the 7th July 2022 be responded to confirming all the above and an action plan be completed by the 8th August 2022 that shows how the Auditor’s recommendations will be fully implemented by 30 December 2022.

We note the established mechanism for investigating questions of discipline raised in connection with a Chief Executive of a local authority in Northern Ireland. This mechanism is specified in the 1996 Agreement on Discipline, Capability and Redundancy of the Joint Negotiating Committee for Clerks/Chief Executives to Local Authorities in Northern Ireland.

Paragraphs 3 to 11 of that agreement establish the process to be followed and we call on Council to incorporate this approach as part of its response to Recommendations 6 and 7, whilst also recognising that distinct disciplinary processes may exist for other local government employees.

We also request that Council seek regular and detailed cooperation with the Local Government Staff Commission of Northern Ireland in respect of any relevant matters arising from the Audit Report recommendations and their implementation.”

- 2.4 Annex A of the Extraordinary Audit Report lists eight recommendations to be addressed and implemented by Council by 30th December 2022. This report lists steps proposed to address these recommendations, identifies officers to lead on the implementation of each recommendation and a draft Action Plan, attached as Appendix A, for consideration by Council and forwarding to the Department for Communities when approved.

3.0 Proposals

- 3.1 Due to the significance and urgency of the matter consideration is given to holding an additional Council meeting each month to deal with matters requiring Council approval as the action plan is implemented. Suggested dates are: Monday 19th September, Monday 17th October, Monday 14th or 21st November and 19th December, all at 7.00pm.
- 3.2 The Director of Environmental Services will work collaboratively across Heads of Service and responsible Officers to co-ordinate the action plan as presented to the Department for Communities (DfC).
- 3.3 Council will write to DfC and request that the Department appoint a key point of contact to advise and guide Council in relation to the fine detail for the implementation of recommendations as listed within the Report.

4.0 Recommendation(s)

The Council is committed to further improving the weaknesses identified in the Extraordinary Audit Report and acknowledges the oversight of the Department for Communities. It is recommended that:

- 4.1 Council approves the Action Plan detailed in Appendix A to implement the recommendations of the NIAO recommendations of the Extraordinary Audit Report.
- 4.2 Council schedules an additional monthly Council Meeting September – December 2022.
- 4.3 The Director of Environmental Services will work collaboratively with the identified officers to co-ordinate the action plan as presented to the Department for Communities (DfC).
- 4.4 Council will write to DfC and request that the Department appoint a key point of contact to advise and guide Council in relation to the fine detail for the implementation of recommendations as listed within the Report.

APPENDIX A

Action Plan to implement the NIAO Recommendations contained in the Extraordinary Audit Report

NIAO Recommendation 1

An independent Council-wide review of governance arrangements should be carried out immediately to ensure that significant weaknesses highlighted in this report are addressed. This review should be overseen by the Department including monitoring the implementation of any recommendations from the review.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

Appoint a suitably qualified independent organisation/individual to conduct a Council-wide review of governance arrangements to address the weaknesses identified in the NIAO Extraordinary Audit Report. This review will encompass the issues raised in The Annual Report to Those Charged with Governance.

Responsible Officer

The Audit, Risk and Governance Manager will lead on this recommendation and liaise with the Department of Communities to agree a Terms of Reference. Terms of Reference to include but not limited to the following areas; roles and responsibilities, law and compliance, financial management, risk management, committee structure, reporting arrangements.

Timescales

Completed by 30th December 2022.

NIAO Recommendation 2

The Council should arrange an independent detailed review of all of its land related policies and procedures to ensure that all policies comply with the legislation and guidance as noted in the background section of this report.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

Appoint independent person/body to carry out a detailed review of all land related policies and procedures.¹

¹ This review to include how the content of Recommendation 5 can be best demonstrated by Council

Responsible Officer

The Democratic & Central Services Manager will lead on this recommendation and will follow direction from NIAO in terms of appointment of independent body/person

Timescales

Completed by 30th December 2022

NIAO Recommendation 3

The findings in this report have identified a number of failings in relation to record keeping, particularly around key matters demonstrating compliance with legal and accountability requirements. The Council should carry out a review of its procedures to ensure adequate records are used to support decision making.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

Carry out review of procedures to ensure adequate records are used to support decision making to address the recommendations in relation to record keeping.

Responsible Officer

The Head of Policy & Community Planning will lead on this recommendation

Timescales

Completed by 30th December 2022.

NIAO Recommendation 4

The Council should provide comprehensive and regular training to its Members to facilitate their understanding of the level of challenge and scrutiny needed when holding Council Officers to account.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

Review training programme prioritising scrutiny and challenge with input from professional bodies and internal audit, where required.

Responsible Officer

The Democratic and Central Services Manager will lead on this recommendation.

Timescales

Completed by 30th December 2022.

NIAO Recommendation 5

The Council should ensure that it demonstrates clearly that it is meeting the legislative requirements and best practice in land and property transactions and that this is clearly documented. The Council should follow LPS guidance and its own Land and Property policy in complying with the requirement to obtain best price as directed by legislation. This includes, but is not limited to, ensuring that valuations are up to date, valuations take into account all relevant information and are appropriately challenged, costs are recovered from the purchaser and consideration in all cases is given to open market sale. Where best price cannot reasonably be obtained, approval must be sought from the Department to proceed.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

The review to implement Recommendation 2 will include recommendations as to how Council can demonstrate clearly on files how legislative requirements are documented.

Responsible Officer

The Democratic and Central Services Manager will lead on this recommendation.

Timescales

Completed by 30th December 2022.

NIAO Recommendation 6

The Council should take appropriate action where it has been demonstrated from this report that the behaviour of Senior Council Officers has fallen short of the standards expected of an official in a public body.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

Request assistance from the NI Local Government Staff Commission (completed).

Agree Terms of Reference with Staff Commission in terms of its involvement.

In relation to the JNC (Joint Negotiating Committee) Agreement on Discipline, Capability and Redundancy for Chief Executives of Local Authorities 1996, the Mayor will appoint no fewer than 3 Elected Members to the Investigation Sub-Committee. The Sub-Committee to have the power to investigate and suspend, if deemed appropriate.

The Local Government Staff Commission will facilitate training for the investigation committee and undertake a preliminary investigation for consideration by that committee. Liaise with the committee to appoint an independent person and report progress as required.

In relation to other officers the Local Government Staff Commission will undertake on behalf of Council the disciplinary process as provided for within the scope of the Council's Disciplinary Policy adopted 2018 and report progress as required.

Responsible Officer

The Head of Organisation Development and Human Resources in conjunction with the Local Government Staff Commission will lead on this recommendation.

Timescales

Completed by 30th December 2022.

NIAO Recommendation 7

The Council should refer Senior Council Officers to the relevant professional bodies where it has been demonstrated from this report that the behaviour of those Officers has fallen short of the standards and behaviours expected by those bodies.

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

Council will refer Senior Council Officers to the relevant professional bodies.

Responsible Officer

The Head of Organisation Development and Human Resources in conjunction with the Local Government Staff Commission will lead on this recommendation.

Timescales

Completed by 30th December 2022.

NIAO Recommendation 8

The Department should carry out a detailed consideration of its responsibilities for this Council in light of the significant failings identified by this audit and take the required appropriate action and use its powers to intervene if necessary

Causeway Coast and Glens Borough Council accepts this recommendation.

Actions

That Council writes to the Department to identify a key contact within the Department to liaise with Council in the implementation of this plan.

Responsible Officer

The Director of Environmental Services will write to the Department for Communities and lead on the co-ordination of the action plan.

Timescales

Completed by August 2022



**Causeway
Coast & Glens
Borough Council**