



## Independent Audit Committee

21 March 2023

### **OPPORTUNITY TO REVIEW ACCESSIBILITY AND TRANSPARENCY ARRANGEMENTS**

#### **1.0 PURPOSE OF THE REPORT**

- 1.1 For members to deliberate and determine a view about whether – and if so in what way – to refresh the approach to public accessibility to the Independent Audit Committee meeting (IAC)
- 1.2 In particular, for members to
  - 1.2.1 consider the feasibility of live streaming and/or recording the meeting
  - 1.2.2 discuss and review the current provisions in place for public attendance at the meeting

#### **2.0 BACKGROUND**

- 2.1 Meetings of the Independent Audit Committee are currently held on Microsoft Teams or in a hybrid manner, with some attendees co-located in person and some joining by Teams. There is no formal requirement for members to attend in person.
- 2.2 No decisions can be made at the meeting unless at least 3 members of the IAC are present.
- 2.3 The current arrangements are that the public shall be admitted to all meetings of the IAC unless excluded by resolution in accordance with the provisions of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985.
- 2.4 A member of the public will not be permitted to speak or ask questions at the meeting except with the consent of the meeting Chair.
- 2.5 The public must be excluded from meetings whenever it is likely that confidential information would be disclosed. Confidential information means information given to the Commissioner or Chief Constable by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

- 2.6 Individual members of the public may be excluded at the discretion of the Chair on the basis of maintaining good order.
- 2.7 In North Yorkshire, public attendance at the meeting can be requested and will be considered by the Chair who will make their decision based on the presumption set out at paragraph 2.3 and on the nature of the business to be transacted and whether confidential information will be disclosed.
- 2.8 Papers are published on the OPFCC website.
- 2.9 Meetings may be recorded so as to aid the production of minutes, after which recordings are dispensed with.
- 2.10 At present, the meetings are not live streamed. Neither are the recordings published.
- 2.11 The Police, Fire and Crime Commissioner (PFCC) has publicly expressed an intention to review how her own Public Accountability Meeting arrangements are handled to ensure accessibility for the public.
- 2.12 One member of the public has written to both the PFCC and the Chief Executive & Monitoring Officer expressing their concern that the Policing and Crime JIAC and the Fire IAC meetings are not held in public. They also conveyed these concerns on social media.
- 2.13 The Chief Executive & Monitoring Officer has written to the member of the public informing them of his intention to invite the Independent Audit Committee Chairs to determine whether they wished to do anything different.
- 2.14 It is entirely a matter for Members to decide whether and if so in what way – to refresh the approach to public accessibility.
- 2.15 A like report is being provided for deliberation by the Policing and Crime JIAC.

### **3.0 OPFCC RESEARCH INTO BROADCASTING OF IAC MEETINGS**

- 3.1 The Chief Executive tasked the team in the OPFCC to research how many other PFCC audit committees are broadcast and how many other PCC/Mayor audit committees are broadcast.
- 3.2 Results of this research shows that out of the 42 Offices researched, only 2 broadcast their audit committee meetings – MOPAC and Hampshire.
- 3.3 The overall trend for public access to the meetings is in-line with that of North Yorkshire with attendance being at the discretion of the Chair. A copy of this research is in **Appendix 1**
- 3.4 There are no regulations in place which state that Independent Audit Committees should be recorded or live streamed.
- 3.5 The Chartered Institute of Public Finance and Accountancy (CIPFA) updated their position statement on audit committees in local authorities and police in October 2022
- 3.6 The revised statement represents CIPFA's view on audit committee practice and principles that local government bodies should adopt, aiming for effective audit committee arrangements. The position statement does not state that the meetings should be recorded or live streamed. It follows that such arrangements can be considered locally.

### **4.0 DECISIONS REQUESTED**

- 4.1 For members to determine whether they feel a review of the current approach to the meeting is desirable.
- 4.2 For members to liaise with the Chief Finance Officer and the Chief Executive & Monitoring Officer to consider the financial implications of any changes to meeting arrangements.
- 4.3 For members to provide feedback to the Chief Executive, Chief Finance Officer and Chief Fire Officer about any aspect of the accessibility and/or transparency of these meetings.

## **5.0 AUTHORS**

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## Appendix 1



## Customer Request Report

### Comparison PCC/PFCC Audit Committee Public Access

This table displays data collected to understand and identify how the public can access audit committees across all PCC/PFCCs in England and Wales.

PCC	Joint Audit Committee Broadcast?	Public Access
<b>Avon &amp; Somerset</b>	No (public)	Any member of the public wanting to attend a JAC meeting must submit a written application and secure written agreement of the JAC Chair. A member of the public may only address the meeting, for a maximum of five minutes, where a statement has been previously provided to the JAC Chair and prior sanction has been granted.
<b>Bedfordshire</b>	No (public)	Members of press and public can attend but no standing agenda space for them and by request only.
<b>Cambridgeshire</b>	No (private)	Reports, agendas, and minutes published.
<b>Cheshire</b>	No (public)	Any member of the public who wishes to observe this meeting is asked to register. A link to enable access to the meeting and joining instructions will then be provided to all attendees in advance of the meeting.
<b>Cleveland</b>	No (public)	The Public shall be admitted to all meetings of the Audit Committee unless excluded by resolution. A member of the public will not be permitted to speak or ask questions at the meeting except with the consent of the meeting chair.
<b>Cumbria</b>	No (public)	The public need to request if they want to attend.
<b>Derbyshire</b>	No (public)	Meetings will be held in public and can attend by request, with the matters discussed being placed in the public domain. Where items are considered commercially sensitive or contain issues which are deemed confidential, these may be considered privately.
<b>Devon &amp; Cornwall</b>	No (public)	The two Chief Constables and the two PCCs agreed with the recommendation to constitute a new single audit committee to service the four legal entities through the realignment and renaming of the Strategic Alliance

		Audit Committee (SAAC), Joint Audit Committee (JAC) and Joint Independent Audit Committee (JIAC). Therefore, the existing Joint Audit Committee (JAC) for Devon and Cornwall and the Joint Independent Audit Committee (JIAC) for Dorset have been formed into a single Independent Audit Committee (IAC), working across both forces and OPCCs. Public access by request and chair discretion.
<b>Dorset</b>	No (public)	Meetings are open to the public and press, who may attend as observers only, for the open part of the agenda. Public access to virtual meetings will be managed in the same way as physical meetings, request must be made before, and the Chair has the right to refuse or deny access.
<b>Durham</b>	No (private, but changes this year suggesting public attendance)	In September 2022, the minutes recorded the following - "The question was raised around introducing members of the public... to attend meetings? Mrs Jenny Flynn (JF) advised that she does not have any issues with members of the public attending the meetings and Cllr Heather Scott agreed this was not problem."
<b>Dyfed-Powys</b>	No (public)	Members of the Public are required to provide at least 7 days' notice to guarantee attendance.
<b>Gloucestershire</b>	No (private)	Agenda only published.
<b>Gwent</b>	No (private)	The agenda, reports and minutes of formal meetings will be made available.
<b>Hampshire</b>	Yes (YouTube)	Public can watch.
<b>Hertfordshire</b>	No (private)	Agenda and minutes available.
<b>Humberside</b>	No (public)	Agenda, reports and minutes available.
<b>Kent</b>	No (public)	Members of the public or media are welcome to attend these meetings but should notify the OPCC in advance. All agendas, minutes available.
<b>Lancashire</b>	No (private)	It is intended that the Joint Audit Committee's meetings would not be open for public attendance, however, all meeting papers which were not confidential will be published on the OPCC's website for transparency. The Committee members agreed this was appropriate and is common practice.
<b>Leicestershire</b>	No (public)	Their 'Joint Audit Risk and Assurance Panel' meetings are public meetings and documents from previous meetings are publicly available.
<b>Lincolnshire</b>	No (public)	All meetings of the JIAC will be open to the press and public, subject to conditions. There is no right for anyone to record the proceedings. Documents published if suitable.
<b>Merseyside</b>	No (public)	Members of the public are welcome to 'observe' this meeting but must register in advance. All papers are published online.

<b>Norfolk</b>	No (public)	Members of the public who wish to attend the public part of the agenda, must email the office at least 4 days prior to the meeting. Each member of the public asking a question must give his or her name and the town that they live within Norfolk. We will publish the question and response on our website but redact individuals' details.
<b>North Wales</b>	No (public)	Meeting papers and minutes are published, and the meetings are open for the public to attend. To do this, a request must be made through the office and attendance is at the chair's discretion.
<b>Northumbria</b>	No (public)	Meetings are open to the press and public, but they may be excluded when information of an exempt or confidential nature is being discussed.
<b>Nottinghamshire</b>	No (public)	Members of the public are welcome to attend and observe these meetings. Agendas and documents published.
<b>South Wales</b>	No (private)	Minutes are published.
<b>South Yorkshire</b>	No (private)	Annual report published.
<b>Suffolk</b>	No (public)	Members of the public are welcome to attend the public part of the meeting. They should request attendance by email prior to the meeting. All papers published.
<b>Surrey</b>	No (public)	All papers published.
<b>Sussex</b>	No (public)	If you would like to attend the public meeting as a member of the public, a request must be made to the office at least 10 days before the meeting. Agendas and minutes published.
<b>Thames Valley</b>	No (public)	The agenda, reports and minutes of all Committee meetings will be published on the PCC and Force websites. However, members of the press and public shall be excluded from a meeting whenever it is likely that confidential information will be disclosed
<b>Warwickshire</b>	No (public)	The public are welcome to attend for open session agenda items and should contact our office for more detail.
<b>West Mercia</b>	No (public)	The Committee will normally conduct its business in public but may on occasion hold informal private sessions to deal with specific topics such as review of the draft statement of accounts prior to its publication. This will also be at the discretion of the Committee as advised by the Commissioners and Chief Constables on a risk basis, taking into account operational sensitivity and public reassurance. All agenda, minutes and papers published.
<b>West Midlands</b>	No (public)	Public welcome and all agenda, minutes and papers are published.
<b>Wiltshire &amp; Sindon</b>	No (public)	First half open to public upon request and at chair's discretion. Agenda and minutes published.

PFCC or Mayor	Joint Audit Committee Broadcast	Public Access
Essex (PFCC)	No (private)	Reports, agendas, and minutes published, and public can submit questions but cannot attend.
Northamptonshire (PFCC)	No (public)	Meetings are open to the public with minutes published. Members of the public, with the permission of the Chair of the Committee, may ask questions of members of the Committee, or may address the Committee, on an item on the public part of the agenda.
North Yorkshire (PFCC)	No (public)	The Public shall be admitted to all meetings unless excluded by resolution. A member of the public will not be permitted to speak or ask questions at the meeting except with the consent of the meeting Chair. Reports published.
Staffordshire (PFCC)	No (public)	Their audit committee is the Ethics, Transparency and Audit Panel which members are regarded as representing the public and members of the public are free to attend at the discretion of the chair.
Greater London (Mayor)	Yes, webcast	Audit and risk committee, agenda and minutes published.
Greater Manchester (Mayor)	No (public)	Police and Crime Joint Audit Panel and public can request to attend but is subject to chair discretion.
West Yorkshire (Mayor)	No (private)	Agenda and minutes published.

## Summary

35 PCCs, 4 PFCCs and 3 Mayor offices were researched for this work. Of the 42 offices, **only 2 broadcast** their Audit Committee meetings, in whatever form it is named, these being Greater London and Hampshire.

Most of the remaining offices, **80%, have public access available on request**, usually to be requested between 1 and 10 days before the meeting, with attendance being at the chair's decision. **8 offices hold the meetings in private** but publish minutes, agendas and papers alongside an annual report.

