

SPECIAL COUNCIL MEETING MONDAY 30 OCTOBER 2023

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No.	Item	Decision
1.	Apologies	<i>Alderman McAuley, McKillop, Councillor Anderson, Huggins, Stirling, Watson</i>
2.	Declarations of Interests	<i>None</i>
	<i>'In Committee' (Items 3-6)</i>	
3.	Final update report (Director of Environmental Services)	<i>That Council is committed to further improving the weaknesses identified in the Extraordinary Audit report and acknowledges the oversight of the Department during the process of implementing the recommendations; That Council accepts that the actions associated with the eight recommendations in the NIAO Extraordinary Audit report have been completed and notes the final summary update on the implementation of the recommendations contained in the Action Plan. That Council approves the updates to the costs required for the delivery and implementation of the recommendations as</i>

		<i>laid out in the table at paragraph 3.6.</i>
4.	Local Government Staff Commission Report (LGSC) (Director of Corporate Services – D Stewart)	<i>1. That Council consider this Report on the implementation of Recommendations 6 and 7 of the NIAO Extraordinary Audit Report of Causeway Coast and Glens Borough Council;</i> <i>2. That Council confirm their assurance of the processes followed in the implementation of Recommendations 6 and 7;</i> <i>3. That Council consider the further recommendations detailed in Section 6.0 of this Report;</i> <i>4. That Council recognise that in view of the confidentiality of internal Council employment processes, details of independent investigations shall not be publicly accessible.</i>
5.	Department for Communities (DfC) (Deputy Secretary – M O'Donnell)	<i>Information</i>
6.	Extraordinary Audit Independent Adviser's Report to Council (E Murray)	<i>That Council agree to implement all of the recommendations arising from the Reviews to address the recommendations from the Extraordinary Audit and to set these out as a comprehensive Transformation Programme to ensure that the matters that led to the</i>

		<p>Extraordinary Audit will not re-emerge.</p> <p>Specifically, Council further RESOLVED:</p> <ol style="list-style-type: none"> 1. To set up an Implementation Oversight Panel to oversee the Transformation Programme and its implementation 2. As a priority, to engage the Local Government Staff Commission to undertake the review of the Senior Leadership structure and the Organisational 'Health Check'. 3. To appoint an Independent Implementation Oversight Adviser to oversee the programme of work, Chairing an Implementation Steering Group and provide quarterly reports to the Department for Communities.
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UNCONFIRMED

**MINUTES OF THE PROCEEDINGS OF THE SPECIAL MEETING OF
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON MONDAY 30 OCTOBER 2023 AT 7:00PM**

- In the Chair** : The Mayor, Councillor Callaghan (C)
- Present** : Alderman Boyle (C), Callan (C), Coyle (C), Fielding (C),
Hunter (R), Knight-McQuillan (C), Scott (C), Stewart (C)
- C Archibald (C), N Archibald (C), Chivers (R), Holmes
(R), Kennedy (C), Kane (C), Kyle (C), Mairs (C), McAuley
(C), McCully (C), McGlinchey (C), McGurk (R), McKillop
(C), McMullan (C), McQuillan (C), McShane (C), Nicholl,
(R) Peacock (C), Schenning (R), Storey (C), Wallace (C),
Watton (C), Wilson (R), Wisener (R)
- Officers Present** : A McPeake, Director of Environmental Services (C)
I Owens, Committee and Member Services Officer (C)
- E Murray, Independent Advisor (C)
M O'Donnell, Deputy Secretary, Department for
Communities (DfC) (C)
D Stewart, Director of Corporate Services, Local
Government Staff Commission (LGSC) (C)
C Campbell, Solicitor, Belfast City Council (R)
- In Attendance:** L Irwin, PR Officer (R)
A Lennox, ICT Mobile Operations Officer (C)
C Thompson, ICT Officer (C)

Key – C = Attended in the Chamber
R = Attended Remotely

The Mayor advised that ICT required to make an adjustment to recording facilities due to technical issues in advance of commencing meeting.

The Director of Environmental Services undertook a roll call.

The Mayor advised Council of its obligations and protocol whilst the meeting was being audio recorded; and with the remote meetings protocol.

1. APOLOGIES

Apologies were recorded for Alderman McAuley, McKillop, Councillor Anderson, Huggins, Stirling and Watson.

2. DECLARATION OF MEMBERS' INTEREST

There were no declarations of interest.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Knight-McQuillan
Seconded by Alderman Scott and

AGREED – that Council move '*In Committee*'.

The information contained in the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

The Mayor advised Council of its obligations and protocol whilst the meeting was being audio recorded.

The Mayor welcomed guests to the Chamber.

3. FINAL UPDATE REPORT FROM DIRECTOR OF ENVIRONMENTAL SERVICES

Confidential report, previously circulated, was presented by the Director of Environmental Services who provided commentary on the report.

Purpose of Report

The report updates Council in relation to the progress made on the implementation of the recommendations contained within the Northern Ireland Audit Office ([NIAO Extraordinary Audit](#)) report, since the last Special Council Meeting on 27th March 2023. This report should be read in conjunction with the other reports listed on the agenda for the Special Council Meeting on 30th October 2023.

Background

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.

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

At the Special Council Meeting held on 26th July 2022 the Council resolved:

“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.

At the Special Council meeting held on 27th March 2023 Council received reports in relation to the completion of recommendations 1, 2, 3 and 5. Council resolved:

“That Council accept the Findings in these reports in full. Furthermore, that an implementation oversight panel is established (similar to what was taken forward with the Planning Review) to oversee the resolution of the issues outlined in these reports; to produce and progress an Action Plan and the implementation of these associated recommendations; the membership of 6 Elected Members by d’Hondt and a representative from the Department for Communities who have ultimate oversight authority to make sure there is change throughout this organisation and that it is overseen and engaged with.

Council agreed to send the reports to the Department for Communities and to note that progress continues to be made in respect of Recommendations 6 and 7 of the Extraordinary Audit.” Progress update

For completeness Annex 1, previously circulated, to this report provides a final status for each of the eight recommendations contained within the Extraordinary Audit report.

In respect of Recommendations 6, 7 and 8 separate reports listed on the agenda will provide the update. Council has received regular updates at previous meetings in relation to the costs of implementing the recommendations of the Extraordinary Audit. The table included in the report lists the final costs.

It is recommended:

That Council is committed to further improving the weaknesses identified in the Extraordinary Audit report and acknowledges the oversight of the Department during the process of implementing the recommendations.

That Council accepts that the actions associated with the eight recommendations in the Extraordinary Audit report have been completed and notes the final summary update on the implementation of the recommendations contained in the Action Plan.

That Council approves the updates to the costs required for the delivery and implementation of the recommendations as laid out in the table at paragraph 3.6.

The Mayor advised that if required opportunity would be given for those Elected Members who wished to have a few minutes to consider the reports. There were no such requests.

The Director of Environmental Services referred to the Annex in the report which he said would be discussed as the meeting progressed and brought Elected Members' attention to the updated costs analysis at 3.6.

The Director of Environmental Services advised that this report would be considered in conjunction with other reports being tabled at this meeting.

Councillor Storey said that the breakdown of costs did not include Director and Staff time and associated costs; additional resource or requirements for implementing procedure endorsed. Councillor Storey referred to the costs as eye-watering, saying that there were unanswered questions.

The Director of Environmental Services advised that a costing to include administrative costs and the work of the implementation team had not been undertaken.

Councillor Storey spoke of the likelihood that Council processes would become more process driven and bureaucratic as a result of this investigation.

Councillor Watton referred to the impact the cost of this investigation would have on rates setting and said there was no other option to Elected Members but to accept the recommendations.

Councillor McCully referred to Recommendation on page 7 of report in regard to Scrutiny and Challenge training given that there were 14 new Councillors and some had not undertaken this training.

The Director of Environmental Services advised that training would be arranged as quickly as possible.

Councillor McShane referred to withdrawal of SOLACE membership of which the Chair for a term was one of our Senior Officers from Causeway Coast and Glens Borough Council and questioned why membership was withdrawn without Elected Member consultation and what had led to this decision.

The Director of Environmental Services said that it was a variety of circumstances which led to withdrawal of membership and that it was clear in light of recent investigation the added value of being part of this group and to continue as a member.

Councillor Wallace asked why the cost of £40,175 subsequently increased to £134,086.15. D Stewart, advised that the £40,000 was only for the initial first phase of the process and said that with all processes one cannot predetermine the direction of travel and advised that Elected Members had been provided with updated reports at every stage of process undertaken. D Stewart advised

that these costs were for third party and not Local Government Staff Commission.

Alderman Boyle acknowledged the report and referred to the findings as eye watering and said she welcomed the improved climate in Chamber, improved relationships between Councillors and Councillors/Staff. Alderman Boyle said a lot of good had come out of the Extraordinary Audit alongside challenges and said that this could have been undertaken at an earlier stage with less expense. Alderman Boyle said she was committed to the challenges and all that we have learned throughout process.

Councillor Storey asked if there was still an ongoing PSNI investigation into issues which were on the peripheral saying it is vitally important if there is an investigation that in retrospect it will be something which can be revisited as it may or not have implications for decision which were made in this Chamber. Councillor Storey said it would be helpful if we could have an indication if there is an ongoing PSNI investigation re matters in part or in whole relating to the material in front of Council this evening.

The Director of Environmental Services advised that he was not aware of an ongoing PSNI investigation linked directly to this evenings reporting and advised that if he became aware of any he would let members know.

Proposed by Councillor Peacock
Seconded by Alderman Boyle

1. That Council is committed to further improving the weaknesses identified in the Extraordinary Audit report and acknowledges the oversight of the Department during the process of implementing the recommendations.
2. That Council accepts that the actions associated with the eight recommendations in the NIAO Extraordinary Audit report have been completed and notes the final summary update on the implementation of the recommendations contained in the Action Plan.
3. That Council approves the updates to the costs required for the delivery and implementation of the recommendations as laid out in the table at paragraph 3.6.

The Mayor put the motion to the Chamber and as no objections were made:

RESOLVED:

1. That Council is committed to further improving the weaknesses identified in the Extraordinary Audit report and acknowledges the oversight of the Department during the process of implementing the recommendations.
2. That Council accepts that the actions associated with the eight recommendations in the NIAO Extraordinary Audit report have been

completed and notes the final summary update on the implementation of the recommendations contained in the Action Plan.

3. That Council approves the updates to the costs required for the delivery and implementation of the recommendations as laid out in the table at paragraph 3.6.

4. LOCAL GOVERNMENT STAFF COMMISSION REPORT (LGSC)

Confidential report, previously circulated, was presented by D Stewart, Director of Corporate Services, Local Government Staff Commission, who provided commentary on the report.

Introduction

This Report summarises the outcome of the implementation of Recommendations 6 and 7 of the NIAO Extraordinary Audit of Causeway Coast and Glens Borough Council, namely:

'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, and

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.'

Background and Context

The Council accepted the findings contained within the Extraordinary Audit Report and resolved to immediately implement all 8 recommendations at the Council meeting on 26 July 2022. At the same meeting, Council noted the established mechanism for investigating questions of discipline raised in connection with a Chief Executive of a local authority in Northern Ireland.

The Council agreed at its meeting on 26 July 2022 that it will comply with their obligations under the 1996 Agreement JNC (Joint Negotiating Committee) Agreement on Disciplinary, Capability and Redundancy for Chief Executives of Local Authorities (where appropriate) and in line with the recommended Codes of Practice as part of its response to the Extraordinary Audit Report recommendations 6 and 7.

Council also noted there is distinct disciplinary process which may exist for other local government employees. Council resolved to incorporate this approach as part of its response to Recommendations 6 and 7 of the Extraordinary Audit Report.

At the same meeting, Council resolved to seek the assistance of the Local Government Staff Commission of Northern Ireland (the Commission) in respect of Recommendations 6 and 7.

Role of the Local Government Staff Commission

The remit of the Commission, as approved by Council on 09 August 2022, was to manage the implementation of Recommendations 6 and 7 of the Extraordinary Audit Report. The agreed Terms of Reference stated the Commission will appoint independent person/s, as required, to undertake roles specified in the relevant Council procedures.

Outcome in relation to Recommendation 6

The appointed Independent Third Party, approved by Council on 04 October 2022, conducted and completed all investigations in accordance with the provisions of the 1996 Agreement and the Council's Disciplinary Procedure (2018).

Where the recommendation was that a formal disciplinary procedure be implemented the Council and/or the Independent Panel ultimately decided that no formal disciplinary sanctions were considered appropriate based on the available evidence.

Outcome in relation to Recommendation 7

Having decided that there were no formal disciplinary sanctions to be taken, no further action is required in respect of this recommendation.

It is recommended:

1. That Council consider this Report on the implementation of Recommendations 6 and 7 of the NIAO Extraordinary Audit Report of Causeway Coast and Glens Borough Council.
2. That Council confirm their assurance of the processes followed in the implementation of Recommendations 6 and 7.
3. That Council consider the further recommendations detailed in Section 6.0 of this Report.
4. That Council recognise that in view of the confidentiality of internal Council employment processes, details of independent investigations shall not be publicly accessible.

The Mayor advised that if required opportunity would be given for those Elected Members who wished to have a few minutes to consider the reports. There were no such requests.

Councillor Peacock spoke of the difficult situation faced by Elected Members who had to undertake a process beyond their expertise and that it was important to recognize that procedure in place is outdated going back to 1996 and hoped that Local Government Staff Commission will look at this. Councillor Peacock said that she welcomed the Department asking the Staff Commission to look at this in a broader nature and it was important to have procedures and processes which as members we can engage confidentially.

Proposed by Councillor Peacock
Seconded by Councillor McGlinchey

1. That Council consider this Report on the implementation of Recommendations 6 and 7 of the NIAO Extraordinary Audit Report of Causeway Coast and Glens Borough Council.
2. That Council confirm their assurance of the processes followed in the implementation of Recommendations 6 and 7.
3. That Council consider the further recommendations detailed in Section 6.0 of this Report.
4. That Council recognise that in view of the confidentiality of internal Council employment processes, details of independent investigations shall not be publicly accessible.

The Mayor put the motion to the Chamber and as no objections were made.

RESOLVED:

1. That Council consider this Report on the implementation of Recommendations 6 and 7 of the NIAO Extraordinary Audit Report of Causeway Coast and Glens Borough Council.
2. That Council confirm their assurance of the processes followed in the implementation of Recommendations 6 and 7.
3. That Council consider the further recommendations detailed in Section 6.0 of this Report.
4. That Council recognise that in view of the confidentiality of internal Council employment processes, details of independent investigations shall not be publicly accessible.

5. DEPARTMENT FOR COMMUNITIES (DFC)

Confidential correspondence from C Boyle, Permanent Secretary, previously circulated, was presented by M O'Donnell, Deputy Secretary, who provided commentary.

The Mayor advised that if required opportunity would be given for those Elected Members who wished to have a few minutes to consider the reports. There were no such requests.

M O'Donnell said he would draw attention to specific parts as follows:

The Department for Communities is primarily responsible for setting administrative and financial framework for all Council's to operate and sets governance framework.

The Department's range of statutory powers is appended to letter from C Boyle.

We take seriously the responsibility for setting governance and accountability framework for Councils and take an interest in how they are operated and applied by Council's.

It is important to make clear that the Department do not have direct control over Councils as the operation of the body is accountable to Elected Members who are responsible for actions of body corporate. There were a large number of recommendations, north of 100, as a result of Extraordinary Audit by Local Government Auditor. If you consider all together it paints a picture that the Department feels should be of concern to members of Council and to the Department.

The Department feels Council should be given an opportunity to demonstrate clear implementation of all the recommendations arising from various completed independent reports before drawing own conclusions on further intervention required or reaching a judgement. The Permanent Secretary has cited that if, in the Department's judgement Council fail to carry out the recommendations we will not hesitate to initiate further up interventions and potential follow up from the Local Government Auditor. In terms of a suitable timeframe compliance is expected in next year by 30th October 2024.

We were asked as part of proposals if Department wished to nominate an Officer to the Independent Oversight Panel and the Department declined deeming it inappropriate, however we will work with Council Officers around the recommendations and offer any assistance we can. It is important given the real broad scope of all these recommendations and some of them getting technical in places it would be helpful if Council would consider appointing an Independent Implementation Oversight Advisor who would Chair and oversee the Steering Group to ensure implementation of all recommendations. One year from today the Department needs to see full implementation of all recommendations and that has to be undertaken in a planned way. This should commence by a really robust action plan with specific actions, lead owners nominated within Council and a clear timeframe for completion. It needs to be indicated how Council propose to measure success of actions proposed.

Recommendations and reporting from Local Government Auditor experts paint a picture of a lot of work to be done in this Council and the Department will be there to support Council through this process.

Alderman Fielding asked if it was a legal requirement and spoke of the additional cost of this appointment.

M O'Donnell said it is a recommendation but for Council to make their own decision but that if the Department is saying it would be helpful to complete implementation of recommendations and it is not done and they are not implemented then the Department could only really conclude that Council were not taking seriously enough the recommendations in first place.

At the request of Alderman Fielding M O'Donnell said he was not in the position to determine the cost of appointment of an Independent Implementation Oversight Advisor.

Councillor McShane welcomed the report from the Deputy Secretary saying Council have the opportunity to be exemplar in Local Government if all 40 Elected Members and Officers take on challenge and implement the recommendations. One of the strongest things we can do is to recruit the Independent Implementation Oversight Advisor to instill confidence in Department and ratepayers in Council area given some of the press coverage for the duration of this process to date.

Councillor Storey said he was disappointed but not surprised at tone of letter from the Department and said he concurred with Councillor McShane's remarks in terms of work and effort required. In all good faith this Council have asked Department for help and gave them opportunity to be involved in a more formal structure but they have declined saying it would not be appropriate.

Every Councillor in Northern Ireland should read the extract given and may be good practice to send to all colleagues in all Councils.

***Councillor McGlinchey left the meeting in the Chamber at 7.50 pm.**

Despite opinion that we are entering into a new dawn of local democracy 96% of powers continue to reside with Government Departments. There is an issue for us as a corporate body in terms of where local government role really is as any Department in the Administration can write to us to say we wish you to carry out a report or provide relevant information. Not only should we take cognizance of recommendations and structures in place but commend work done and what will be done and read the powers of intervention in relation to Government Departments. Consideration should be given to look at the power set in the act and the powers of intervention as a direct result of correspondence sent to the Minister.

We have never, via Freedom of Information or by any other means found out who the person or persons were whether it would it be in keeping for that to be

disclosed to this Council so we know in spirit of openness and transparency which has been embraced. Nothing should be hidden from Elected Members in this Chamber as to who was responsible for either saying or not saying what should or should not be done which resulted in audit process Council have been subject to.

The Deputy Secretary advised that a number of representations were made to Department of Communities and it would not be possible to provide a comprehensive list at this time and agreed to respond as a request under Freedom of Information and if information is to be withheld will give reasons for same.

The Deputy Secretary advised Elected Members that it was not the representations which resulted in the recommendations it was the findings from the Local Government Auditor which put the findings on the table.

The Deputy Secretary agreed to write to Council through the Mayor if in order.

Councillor Peacock said she hoped that Council has demonstrated a willingness to engage in process of change and to implement recommendations given the unanimous agreement in Chamber to embrace and said she looked forward to working through the recommendations. Councillor Peacock said she hoped that it was clear the recommendations have come to an open Council willing to receive, accept and work on them.

Alderman Scott said that it was evidenced from the chat that 'Chamber 1 guest' had commenced a recording and asked for clarification. The Mayor advised that this was undertaken as the desktop recording mechanism used by the Committee and Member Services Officer experienced a technical issue.

6. EXTRAORDINARY AUDIT INDEPENDENT ADVISER'S REPORT TO COUNCIL

Confidential report, previously circulated, was presented by E Murray, Independent Advisor, who provided commentary on the report.

Purpose of Report

This report provides a final update on the work to progress the recommendations of the Extraordinary Audit of Causeway Coast and Glens published on 7 July 2022 and accepted in full by Council on 26 July 2022. The report makes final recommendations for Council to consider in relation to moving on to implement the various improvements proposed in each Review conducted in response to the Extraordinary Audit.

Background

Council has previously been advised of the appointment of an Independent Adviser to provide support and challenge to the Council and assurance to the Department for Communities about the progress of the Council's work.

I was appointed as the Independent Adviser on 20 October 2022 and my work has involved:

Regular meetings with the officers of the Implementation Team to provide support and challenge and build good working relationships with them.

Following the Special Council Meeting on 27 March 2023, meetings have been light touch and infrequent focusing on providing support for queries and ensuring progress of the work to complete Recommendations 6 and 7.

Participation in joint progress meetings with those appointed to take forward the reviews required to address Recommendations 1, 2, 3 and 5.

Liaison with the Local Government Staff Commission to ensure progress was made on Recommendations 6 and 7 and the Department for Communities to provide reassurance on the Council's progress and the independence of the work.

Progress Update

At the last Special Council Meeting to consider the Extraordinary Audit on the 27 March 2023, Council considered the reports of the Reviews in respect of Recommendations 1, 2, 3 and 5. These reports and background papers are detailed in the Officers report at Item 3 of this agenda. Council accepted all of the recommendations from each review and as noted in the Officers report at paragraph 2.6, agreed to put in place an Implementation Oversight Panel comprising up to 6 members of the Council and a representative of the Department for Communities.

The work to undertake Recommendation 4 was completed at the start of 2023, and today's Special Council Meeting receives the report of the work undertaken by the Local Government Staff Commission in respect of Recommendations 6 and 7. The Department for Communities has written directly to the Mayor in response to previous correspondence from the Council and specifically in respect of recommendation 8. A copy of this letter is included on today's agenda at Item 5.

The three reports from the Reviews considered by Council on 27 March 2023 contained 79 recommendations as follows:

- Extraordinary Audit Recommendation 3 - **Review of Record Keeping** conducted by Professor Gordon Anthony BL contained 7 recommendations.
- Extraordinary Audit Recommendation 2 and 5 - **Review of Land and Property** conducted by Stephen Mungavin, Integritas contained 20 recommendations.
- Extraordinary Audit Recommendation 1 - **Review of Governance** conducted by Stephen Mungavin, Integritas contained 52 recommendations.

The report from the Local Government Staff Commission was considered at Item 4 of today's agenda. It contains 23 recommendations, which Council have been recommended to accept and develop into an integrated and holistic implementation plan. Two of the key recommendations within this report include an **organisational health check** and **organisational structure review**. Both of which are fundamental to moving the Council's improvement forward. They therefore require immediate implementation and to be conducted in a robust and independent manner. The Local Government Staff Commission are well-placed to support the Council with these critical pieces of work.

The letter from the Department for Communities at Item 5 of today's agenda recognises that, if Council accept the recommendations from the Local Government Staff Commission, then it will have completed all actions in respect of the recommendations arising from the Extraordinary Audit. It further recognises that this first phase would therefore be complete.

The Department now expects that the Council will rapidly move onto the next phase to implement the range of recommended improvements and changes from all of the Reviews conducted. It is important to recognise that while the Reviews were conducted as independent pieces of work the emerging recommendations are interlinked and complementary. Collectively they provide the basis for a significant and comprehensive Transformation Programme.

While the Department is clear that it would not be appropriate for it sit on the Council's proposed Oversight Implementation Panel, it does expect the Council to set up such a vehicle to ensure full member engagement and responsibility in taking the work forward, in line with the recommendations agreed at the Special Council Meeting on 27 March 2023. Further, the Department expects the Council to identify a named lead Council officer to support the Panel and appoint an Independent Oversight Implementation Adviser. The Adviser would Chair an Officer Implementation Steering Group and oversee the implementation of the Transformation Programme, providing quarterly reports on progress to the Department.

The 100+ recommendations from all Reviews will require the Council to take a 'Whole Council' approach to their implementation creating a portfolio of transformation workstreams that are interlinked and include all staff and Elected Members. A number of themes were identified across all reports – Leadership, Governance, Culture and Relationships and more specifically Financial Governance, Land and Property and Record Keeping and Information Management.

These themes indicate that it is possible to create a programme which takes all of the recommendations, from all of the Reviews, and implement them in a way that supports organisational change.

This could also provide a clear opportunity for a range of staff to be part of the changes, ensuring that an inclusive approach is adopted.

This programme, in line with the letter from the Department, should be clearly timetabled taking account of 'business as usual', but allowing rapid improvement to be made within the next year. This will demonstrate that the Council is visibly improving and provide confidence to Elected Members and the Department for Communities that the appropriate change is taking place.

It is recommended:

That Council agree to implement all of the recommendations arising from the Reviews to address the recommendations from the Extraordinary Audit and to set these out as a comprehensive Transformation Programme to ensure that the matters that led to the Extraordinary Audit will not re-emerge.

Specifically, Council is requested to agree:

1. To set up an Implementation Oversight Panel to oversee the Transformation Programme and its implementation.
2. As a priority, to engage the Local Government Staff Commission to undertake the review of the Senior Leadership structure and the Organisational 'Health Check'.
3. To appoint an Independent Implementation Oversight Adviser to oversee the programme of work, Chairing an Implementation Steering Group and provide quarterly reports to the Department for Communities.

The Mayor advised that if required opportunity would be given for those Elected Members who wished to have a few minutes to consider the reports. There were no such requests.

E Murray said she was aware that there are new members elected since inception of her role as Independent Advisor on 20th October 2022. E Murray said regular meetings have taken place with the implementation team led by Mr McPeake with whom there have been good relationships and support was provided for the team as required. She maintained liaison with LGSC ensuring that Recommendations 6 and 7 were progressed to reach a conclusion. E Murray said she had also maintained a role with Department of Communities regarding progress of the work.

As requested earlier in the meeting Mr McPeake will consider further training for new members in relation to Scrutiny and Challenge.

E Murray said, having accepted the LGSC report she wished to highlight the requirement for an organisational health check and organisational structure review which will be fundamental in helping Council to achieve a good platform

for moving forward and which is important at this point in time. LGSC would be able to undertake this work on Council's behalf.

Acceptance and agreement by Council of all of the recommendations from each of the Reviews means they will have completed the Recommendations from the Extraordinary Audit, and this phase will be completed. The next phase will be an implementation phase which will be for the Council to create and implement a Council-wide improvement programme.

The Department of Communities expects Council to move forward rapidly to action the emerging recommendations. They recognise the need for a Member Oversight Implementation Panel to be put in place and also ask the Council to identify a named lead Council Officer to support the Panel.

They have asked Council to appoint an Independent Implementation Oversight Advisor to advise and Chair an Officer Implementation Steering Group, providing oversight to the Implementation panel and work closely with senior officers. E Murray referred to paragraph 3 of her report noting key themes which have emerged from the Reviews and highlighted some of the findings in relation to leadership, culture, relationships, finance, governance, land and property and record keeping.

She commented that a number of staff could be involved as part of the change process which would allow for an inclusive approach to be taken to implementation. She pointed out the importance of ensuring that the transformation programme should be clearly timetabled and take account of business as usual.

E Murray said that she was aware Elected Members wished to move forward and be future focused and that this provided an opportunity for that to happen.

E Murray said if Council focused on the range of recommendations made and implemented a holistic transformation programme that she believed that the issues that led to the Extraordinary Audit would not re-emerge and good practice could be demonstrated.

As a priority, Council should engage the LGSC to review the Senior Management Team structure and undertake the Organisational Health Check, in tandem with the appointment of an Independent Implementation Oversight Advisor who will report quarterly to Department of Communities. Early progress with these issues will provide confidence that work is moving forward in a meaningful way.

Councillor Storey said there should be a caveat that we need the financial implications of fulfilling the recommendations and spoke of the ramifications for which Elected Members were accountable when rates striking takes place.

Councillor Storey referred to the cost of investigations and reports to date which increased from 40k to 134k and said that openness and transparency will come at a cost. Councillor Storey said he understood the need for openness with

regard to Audit Office, Risk Register and financial arrangements and questioned the governance with regard to the elevated cost which should not have happened, including the additional cost of third party involvement.

E Murray said she could see no reason why there could not be a fixed price for each piece of work going forward as it was very specific. Councillor Storey said there needed to be due diligence in accordance with procurement processes.

Councillor Storey asked if LGSC had the capacity to undertake what they were being tasked with in respect of the Senior Management team structure and organisational health check with specific emphasis on expertise and time. D Stewart advised that the Terms of Reference agreed as part of Recommendations 6 and 7 required third party involvement. There were no additional costs from LGSC as they are paid annually by subscription from Council. D Stewart assured Councillor Storey that LGSC have the capability and resources and also recognised the magnitude of the task in hand.

Councillor Storey said that given the findings of the report identified that there would be no formal disciplinary actions what is the status of Senior Management team who at this stage have no involvement with or knowledge of recommendations/actions advised. Councillor Storey spoke of the vacant Director post and his desire to get back to a position where the Senior Management team are resuming their position.

E Murray said there is no reason why the Senior Management team cannot be involved in implementation and that it would be unhelpful for them not to be very much at the front of this work. This is a programme of work which should be led by the current leadership of the Council.

M O'Donnell said it should be a top priority for Council and the Senior Management Team to implement the will of the Chamber. In accepting all of the recommendations Senior Management team need to grip that, prepare a plan and get behind the delivery. The Department is very clear that Council should continue with business as usual and that many organisations go through processes of change and improvement in tandem with running the day to day business. It would not be unusual for Senior Management team to lead and report back to Chamber.

Councillor Peacock said that there was a breakdown of costs at every stage of the process and Elected Members were aware that a third party would be involved as part of the investigation and this was clear from reporting and progress and said she felt assured that recommendations, including action plan, timeframe and cost would be agreed before we move forward.

Alderman Boyle referred to section 3.4 of the recommendations which required immediate implementation to be completed in a robust manner and referred to the collective responsibility for signing up to and completing the Transformation Programme.

Proposed by Councillor Peacock

Seconded by Alderman Boyle

That Council agree to implement all of the recommendations arising from the Reviews to address the recommendations from the Extraordinary Audit and to set these out as a comprehensive Transformation Programme to ensure that the matters that led to the Extraordinary Audit will not re-emerge.

Specifically, to agree:

1. To set up an Implementation Oversight Panel to oversee the Transformation Programme and its implementation.
2. As a priority, to engage the Local Government Staff Commission to undertake the review of the Senior Leadership structure and the Organisational 'Health Check'.
3. To appoint an Independent Implementation Oversight Adviser to oversee the programme of work, Chairing an Implementation Steering Group and provide quarterly reports to the Department for Communities.

The Mayor put the motion to the Chamber and no objections were made.

RESOLVED:

That Council agree to implement all of the recommendations arising from the Reviews to address the recommendations from the Extraordinary Audit and to set these out as a comprehensive Transformation Programme to ensure that the matters that led to the Extraordinary Audit will not re-emerge. Specifically,

1. To set up an Implementation Oversight Panel to oversee the Transformation Programme and its implementation.
2. As a priority, to engage the Local Government Staff Commission to undertake the review of the Senior Leadership structure and the Organisational 'Health Check'.
3. To appoint an Independent Implementation Oversight Adviser to oversee the programme of work, Chairing an Implementation Steering Group and provide quarterly reports to the Department for Communities.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman Scott
Seconded by Councillor Kane and

AGREED – that Council move '*In Public*'.

This being all the business, the Mayor thanked everyone for their attendance and the meeting closed at 8.30 pm.

Mayor

UNCONFIRMED