

REPORT OF THE MONITORING OFFICER

AUDIT AND GOVERNANCE COMMITTEE – 19TH JANUARY 2022

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – FOLLOW-UP REPORT

1. Purpose of the Report

- 1.1 This brief report brings to the Committee's attention an update on the final requirements of the Local Government and Social Care Ombudsman (LGSCO) following their report regarding a complaint.

2. Recommendations

- 2.1 **It is recommended that the Committee receive and consider the report, and acknowledge the actions taken and planned to address the LGSCO's recommendations.**

3. Background Information

- 3.1 The Committee will recall that it received a report from the Service Director – Regeneration and Culture at its meeting on 28th July regarding a specific element of an LGSCO finding relating to a planning matter.
- 3.2 That specific matter has been fully resolved but the LGSCO recommended that the Committee receive assurances more broadly regarding the Council's compliance with the Openness of Local Government Bodies Regulations 2014. The 2014 regulations require that certain decisions and their background papers are publicised on council websites, as soon as is practicable after the decision is made.
- 3.3 The Council fulfils its statutory obligations in respect of the Openness of Local Government Bodies Regulations 2014 in a number of ways. All officer decision records are placed on the Council's website and are available for inspection at our Council offices. Where the Scheme of Delegation provides for decisions to be taken where the relevant Cabinet Member with portfolio responsibility, in consultation with the Executive/Service Director is permitted to do so, these are presented to the next meeting of Cabinet. Barnsley Council operates a fortnightly cycle for its Cabinet meetings which means that such decisions are in the public domain in a timely manner. These meetings are webcast and an archive recording of the meeting placed on the website for a period of six months.
- 3.4 All decisions determined as being a key decision, i.e., the receipt or expenditure exceeding £500k or impacting two or more Ward areas are presented to Cabinet for decision and are open to call-in.

- 3.5 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 applies to council meetings, which should be held in public unless certain exceptions apply. In seeking to comply with these regulations the Council again publishes on its website all agendas/minutes and supporting papers where legally required to do so. Meeting details are published in accordance with meetings access requirements and final decisions published for absolute transparency.
- 3.6 The Council is undertaking a review of its Constitution over the next few months, which will include its Scheme of Delegation. A working group has now been established and it is recommended that its findings be presented to the Audit and Governance Committee for consideration and assurance purposes.
- 3.7 In addition, an internal audit has been commissioned to look at how the Council complies with the statutory Local Government Transparency Code 2015 and associated LGA Practical Guidance with regard to the publication of specified categories of data. The result of that audit will be brought to the Committee's attention in due course.
- 3.8 The LGSCO have been informed of progress and been provided a copy of this report.

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