



Audit and Standards Committee

Tuesday 7 December 2021 on the rising of the Audit & Standards Advisory Committee

Conference Hall - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Please note that this meeting will be held as a socially distanced physical meeting with all Committee members required to attend in person.

Guidance on the safe delivery of face-to-face meetings is included at the end of the agenda front sheet.

Due to current restrictions and limits on the socially distanced venue capacity, any press and public wishing to attend this meeting are encouraged to do so via the live webcast. The link to attend the meeting will be made available [here](#).

Membership:

Members

Councillors:

Lo (Chair)
Akram
Donnelly-Jackson
Johnson
Kansagra
Long
Naheerathan

Substitute Members

Councillors:

Afzal, S Choudhary, Colacicco, Gbajumo, Kabir and
W Mitchell Murray

Councillors:

Colwill and Maurice

For further information contact: Andrew Phillips, Governance Officer
Tel: 020 8937 4219; Email: Andrew.Phillips@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

| Item | Page |
|--|--------|
| 1 Apologies for absence and clarification of alternate members | |
| 2 Declarations of Interests | |
| Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate. | |
| 3 Deputations (if any) | |
| To hear any deputations received from members of the public in accordance with Standing Order 67. | |
| 4 Minutes of the previous meeting | 1 - 2 |
| To approve the minutes of the previous meeting held on Wednesday 22 September 2021 as a correct record. | |
| 5 Review of the Financial and Procedural Rules governing the Mayor's Charity Appeal | 3 - 12 |
| The purpose of this report is to update the Audit and Standards Advisory Committee on a recent review of the financial and procedural rules for governing the Mayor's Charity Appeal. | |

Guidance on the delivery of safe meetings at The Drum, Brent Civic Centre

- We have revised the capacities and floor plans for event spaces to ensure they are Covid-19 compliant and meet the current social distancing guidelines.
- Attendees will need to maintain the necessary social distancing at all times.
- Signage and reminders, including floor markers for social distancing and one-way flow systems are present throughout The Drum and need to be followed.
- Please note the Civic Centre visitor lifts will have reduced capacity to help with social distancing.
- The use of face coverings is encouraged with hand sanitiser dispensers located at the main entrance to The Drum and within each meeting room.
- Those attending meetings are asked to scan the coronavirus NHS QR code

for The Drum upon entry. Posters of the QR code are located in front of the main Drum entrance and outside each boardroom.

- Although not required, should anyone attending wish to do book a lateral flow test in advance these are also available at the Civic Centre and can be booked via the following link: <https://www.brent.gov.uk/your-community/coronavirus/covid-19-testing/if-you-dont-have-symptoms/>



Brent

MINUTES OF THE AUDIT AND STANDARDS COMMITTEE
Held in the Conference Hall, Brent Civic Centre on Wednesday 22 September 2021
on the rising of the Audit and Standards Advisory Committee

PRESENT: Councillor Lo (Chair) and Councillors Johnson, Long and Naheerathan and Councillor Akram was also present in remote attendance.

Also Present: Councillor McLennan (Deputy Leader and Lead Member for Resources – in remote attendance), David Ewart (Independent Chair of the Audit & Standards Advisory Committee), Mark Mills (in remote attendance) and Javed Ansari (Independent Co-Opted Members Audit & Standards Advisory Committee) and Vineeta Manchanda (Independent Advisor Audit & Standards Advisory Committee).

1. Apologies for absence and clarification of alternate members

Apologies were received from Councillors Donnelly Jackson and Kansagra.

It was noted that whilst also present, Councillor Akram would not be able to formally participate in any decisions taken during the meeting given he was in remote attendance.

2. Declarations of Interests

None.

3. Deputations (if any)

None.

4. Minutes of the previous meeting

RESOLVED to approve the minutes of the last meeting of the Committee held on Monday 26 July 2021.

5. Statement of Accounts

The Committee received a report detailing progress in approving the Council's Statement of Accounts for 2020/21 and providing a draft Letter of Representation for consideration in advance of final sign off and Grant Thornton being able to issue a final audit opinion.

Members noted that the Statement of Accounts had been referred on to the Committee for formal approval following its detailed consideration at the preceding meeting of the Audit & Standards Advisory Committee.

On the basis of the discussion and comments made at the preceding Audit & Standards Advisory Committee it was **RESOLVED** to approve the draft Letter of

Representation to Grant Thornton and sign off of the Statement of Accounts, subject to a written assurance being provided that all outstanding matters and adjustments had been addressed and made.

The meeting closed at 8:10pm

Councillor Vincent Lo
Chair

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|---|---|
|  <p>Brent</p> | <p>(1) Audit and Standards Advisory Committee</p> <p>(2) Audit and Standards Committee</p> <p>7 December 2021</p> |
| <p>Report from the Director of Legal, HR, Audit & Investigations</p> | |
| <p>Update on Financial and Procedural Rules Governing the Mayor's Charity Appeal</p> | |

| | |
|---|--|
| Wards Affected: | All |
| Key or Non-Key Decision: | Not applicable |
| Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small> | Open |
| No. of Appendices: | One: A: Financial and Procedural Rules Governing the Mayor's Charity Appeal |
| Background Papers: | None |
| Contact Officer(s): <small>(Name, Title, Contact Details)</small> | (1) Debra Norman, Director of Legal, HR, Audit & Investigations (ext. 1578) (2) Bianca Robinson, Senior Constitutional & Governance Lawyer (ext. 1544) |

1.0 Purpose of the Report

- 1.1 The purpose of this report is to update the Audit and Standards Advisory Committee on a recent review of the financial and procedural rules for governing the Mayor's Charity Appeal.

2.0 Recommendations

- 2.1 That the Audit and Standards Advisory Committee, note the contents of the report and the financial and procedural management of the Mayor's Charity Appeal as set out in Appendix One of this report.

- 2.2 That the Audit and Standards Committee consider the contents of the report and approve the proposed changes to the Financial and Procedural Rules governing the Mayor's Charity Appeal.

3.0 Detail

- 3.1 The Mayor in their capacity as First Citizen is expected to:
- a) act as the representative of the area;
 - b) participate in and help initiate activities that enhance the economic, social, cultural and environmental well-being of the borough; and
 - c) act as an advocate of the local community.

It is in this capacity, that each new Mayor chooses one or more charities which they intend to support through donations/fund raising events during the Mayoral year.

- 3.2 The Financial and Procedural Rules (the Rules) governing the Mayor's Charity Appeal were last put before the Standards Committee in March 2019. At that time the Rules were updated to ensure transparency and reflect financial regulations.
- 3.3 To ensure the Rules remain transparent and accurate, a periodic review is undertaken. Following this review, it is proposed to make a few minor modifications reflecting the organisational changes of officers involved in the day to day management and approval process of the Mayor's Charity Appeal. Attached to this report is Appendix A are the Financial and Procedural Rules Governing the Mayor's Charity Appeal with proposed changes marked in red.
- 3.4. Changes to the Financial and Procedural Rules Governing the Mayor's Charity Appeal requires formal approval of the Audit and Standards Committee and this committee is asked to recommend the changes in Appendix 1 to that committee.

4.0 Financial Implications

- 4.1 There are no financial implications arising out of this report. The funds collected by the Mayor's Office on behalf of the charities are governed by trustee and charity law.

5.0 Legal Implications

- 5.1 The civic role of the Mayor is governed by s3 the Local Government Act 1972. However, when the Mayor nominates and then supports one or more charities by raising proceeds which are then donated to a charity, or charities, of their choice, the Council is exercising its wellbeing powers pursuant to s2 Local Government Act 2000.

6.0 Equality Implications

- 6.1 The Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, s149 Equality Act 2010.
- 6.2 The s149 Public Sector Equality Duty (outlined above) in the Equality Act 2010 covers the following nine protected characteristics: age, disability, marriage and civil partnership¹, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 “Due regard” is the regard that is appropriate in all the circumstances. The weight to be attached to the effect is a matter for the council. As long as the council is properly aware of the effects and has taken them into account, the duty is discharged.
- 6.4 There are no equality implications arising out of this report.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Not applicable.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 Not applicable.

Report sign off:

Director of Legal, HR, Audit & investigations

¹ 6.1(b) &(c) above does not apply to this protected characteristic..

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Financial Rules Governing the Mayor's Charity Appeal

1. Role of Mayor's Office

General

- 1.1 The Mayor's Office will assist the Mayor in choosing the Charities for the year, should the incoming Mayor need guidance. Due care should be taken to ensure that the chosen charities are reputable and will benefit significantly from monies raised.
- 1.2 The Mayor's Office will ensure that the Mayor's Charity Appeal is registered under, and complies with, the Lotteries and Amusements Act 1976 (this relates to the selling of raffle tickets).

Day to day management

- 1.3 A receipt book will be maintained to record all receipts and donations.
- 1.4 All donations received will be receipted, acknowledged by a different person from the person who collected the donation, and passed to Finance to be banked.
- 1.5 The Civic & Member Services Executive Support Manager will be responsible for authorising expenditure from the Charity Appeal account.
- 1.6 Where raffle tickets are sold, a record will be kept of how many tickets have been issued and this will be cross referenced with the amount of money collected.
- 1.7 The Civic & Member Services Executive Support Manager will ensure all steps required to comply with Lotteries and Amusements Act are undertaken.

2. Role of Finance

General

- 2.1 A new charity appeal bank account will be opened at the beginning of each Mayoral Year. All transactions will be finalised within 3 months of the end of the Mayoral Year and the account will be closed no later than 6 months after the end of the Mayoral year.

Day to day management

- 2.2 Bank reconciliations will be carried out monthly and all discrepancies resolved monthly.
- 2.3 All donations passed on by the Mayor's Office will be banked and a receipt issued to the Mayor's Office for cash donations.

- 2.4 Invoices will only be paid if signed off by the Mayor's Office and Civic & Member Services Executive Support Manager or the Director of Performance, Policy and Partnership. Assistant Chief Executive

Finance will check the signature and invoice for accuracy and records will be kept on file.

- 2.5 Cheques can only be signed by an authorised signatory within Finance

3. General

- 3.1 All payments from the Charity Account should be by cheque. Where payments not exceeding £20 each need to be made in cash for expediency, then a receipt shall be obtained from the person who receives the cash, with details as to why the cash was paid.
- 3.2 The Council cannot pay advances into the Charity Appeal account in lieu of expected funds to be raised or underwrite any losses. Therefore, the Mayor's Charity Appeal account should not be overdrawn at any time.
- 3.3 Should the Mayor wish to invite interested persons to form a fundraising group to assist with the appeal, this group will play no active role in the finances of the Charity Appeal.

4. Public Accountability

- 4.1 On closing the account, monies will only be paid to a charity registered with the Charity Commission for England and Wales.
- 4.2 If the Mayor wishes to divide the funds other than equally between the chosen charities he/she must make this clear at the beginning of the Mayoral year so that donors are aware of where their contributions are going.
- 4.3 Donors should where practical be given the choice of donating to only one of the charities that the Mayor has chosen, rather than the donation

being split. A separate record will be kept by the Mayor's Office of donations falling into this category.

- 4.4 A clear statement giving details of all donations received and all expenditure incurred should be available for any member of the Council or for any member of the public to inspect by appointment.

Financial and Procedural Rules Governing the Mayor's Charity Appeal

1 The Mayor's Selection of Charities to support

- 1.1 The Mayor shall name not more than two charities which he or she wishes to support for his or her term of office as Mayor. For the avoidance of doubt, funds collected are in the name of the office of the Mayor of the London Borough of Brent and not in an individual capacity.
- 1.2 The incoming Mayor shall inform the Mayor's Office of the names of the charities which he or she wishes to support no later than four weeks before the Annual General Meeting or two weeks in exceptional circumstances.
- 1.3 The charities chosen by the incoming Mayor must be registered with the Charity Commission for England and Wales at the date they are selected.
- 1.4 The charities chosen by the incoming Mayor must be UK based and operate within Brent for the benefit the inhabitants of Brent.
- 1.5 Prior to announcement of the incoming Mayor's nominated charities at the Annual General Meeting, officers of the council shall confirm that the charities meet appropriate standards for governance, are financially viable, are likely to endure for the duration of the Mayoral year and have not been the subject of Charity Commission concerns within the last two years at the date officers make enquiries. If the requirements set out in this paragraph are complied with, a record shall be made accordingly. In the event that there are reasonable concerns expressed by officers, the Mayor shall be asked to make an alternative choice of charity to support.
- 1.6 If the incoming Mayor is a newly elected Councillor, he or shall inform the Mayor's Office of the charity (ies) he or she wishes to support within two weeks of taking office.

2 Collection and Donation of Funds

- 2.1 It shall be assumed that the funds collected during the Mayor's term of office shall be divided equally between the chosen charities unless otherwise

specified by the Mayor in writing at the outset of his/her term of office, or unless a donor specifies that their donation is for one specific charity.

- 2 Where more than one charity is named, donors should where practical be given the choice of donating to only one of the charities that the Mayor has chosen, rather than the donation being split. A separate record will be kept by Executive and Member Services of donations falling into this category.
- 2.3 The funds collected shall be used for the general purposes of the charity named and there shall be no collections for specific projects.
- 2.4 Where one or more of the Mayor's chosen charities is no longer deemed to be fit or able to receive the funds collected as determined by the Chief Finance Officer, or ceases for whatever reason to operate or be registered the relevant proportion of the funds shall (following consultation with the Mayor) be added to the funds to be donated to the remaining of the Mayor's chosen charities (if any) or a registered charity which has the closest aims and functions to those originally named.

3. Role of Mayor's Office

General

- 3.1 The Mayor's Office will assist the Mayor in choosing the Charities for the year, should the incoming Mayor need guidance. Due care should be taken to ensure that the chosen charities are reputable and will benefit significantly from monies raised.
- 3.2 The Mayor's Office will ensure that the Mayor's Charity Appeal is registered under, The Gambling Act 2005 (this relates to the selling of raffle tickets).

Day to day management

- 3.3 A receipt book will be maintained to record all receipts and donations.
- 3.4 All donations received will be receipted, acknowledged by a different person from the person who collected the donation, and passed to Finance to be banked.
- 3.5 The Civic & Member Services ~~Executive Support~~ Manager will be responsible for authorising expenditure from the Charity Appeal account.
- 3.6 Where raffle tickets are sold, a record will be kept of how many tickets have been issued and this will be cross referenced with the amount of money collected.
- 3.7 The Civic & Member Services ~~Executive Support~~ Manager will ensure all steps required to comply with The Gambling Act 2005 are undertaken.

4. Role of Finance

General

- 4.1 A new charity appeal bank account will be opened at the beginning of each Mayoral Year. All transactions will be finalised within 3 months of the end of the Mayoral Year and the account will be closed no later

than 6 months after the end of the Mayoral year by the payment of monies to the nominated charity(ies).

Day to day management

- 4.2 Bank reconciliations will be carried out monthly and all discrepancies resolved monthly.
- 4.3 All donations passed on by the Mayor's Office will be banked and a receipt issued to the Mayor's Office for cash donations.
- 4.4 Invoices will only be paid if signed off by the Mayor's Office and Civic & Member Services~~Executive Support~~ Manager or ~~the Director of Performance, Policy and Partnership.~~ Assistant Chief Executive

Finance will check the signature and invoice for accuracy and records will be kept on file.

- 4.5 Cheques can only be signed by an authorised signatory within Finance

5. General

- 5.1 All payments from the Charity Account should be by electronic funds transfer.
- 5.2 The Council cannot pay advances into the Charity Appeal account in lieu of expected funds to be raised or underwrite any losses. Therefore, the Mayor's Charity Appeal account should not be overdrawn at any time.
- 5.3 Should the Mayor wish to invite interested persons to form a fundraising group to assist with the appeal, this group will play no active role in the finances of the Charity Appeal.

6. Public Accountability

- 6.1 On closing the account, monies will only be paid to a charity registered with the Charity Commission for England and Wales.
- 6.2 If the Mayor wishes to divide the funds other than equally between the chosen charities he/she must make this clear at the beginning of the Mayoral year so that donors are aware of where their contributions are going.
- 6.3 Donors should where practical be given the choice of donating to only one of the charities that the Mayor has chosen, rather than the donation being split. A separate record will be kept by the Mayor's Office of donations falling into this category.
- 6.4 A clear statement giving details of all donations received and all expenditure incurred should be available for any member of the Council or for any member of the public to inspect by appointment.