

Audit Scope Document

Audit Title	Public Sector Ombudsman for Wales Report – Enforcement
Portfolio:	Planning Environment and Economy
Period:	2019/20
Chief Officer:	Andy Farrow
Service Manager:	Mandy Lewis, Sian Jones & Jenny Prendergast

Background to the proposed review:

This review is being carried out at the request of the Chief Officer, following a Public Services Ombudsman for Wales (PSOW) report into the handling of a case of Statutory Nuisance by a company trading without planning permission. The report identified maladministration, failings in record keeping, failure to follow statutory processes, poor internal communications and a failure to respond adequately to external communications.

Service / System Objective:

The Planning, Environment and Economy portfolio is responsible for delivering a planning and public protection service and taking timely and appropriate action to respond to complaints. The Council has the responsibility to investigate and the power to enforce under a range of legislation. The Council has a responsibility to ensure the rights of the citizens of Flintshire

Identified Risks:

The defined potential risks which may affect the achievement of the service / system objectives include:

- There are current cases which are suffering the same issues and have not been resolved over a long period
- The weakness in controls identified by the PSOW report have/are not being addressed and continue
- There is a failure to work jointing between planning enforcement and public protection (pollution control).

Identified Performance Indicators:

The PIs below measure progress against the implementation of the service objectives:

- These will be identified during the course of the review

Additional Management Concerns:

Management have responded to the PSOW report and identified actions they will take. The report is a public document which will be presented to Planning Committee on 4th March 2020 and Environment Overview and Scrutiny Committee on 10th March 2020 as required by the PSOW.

Audit Objective:

To ensure the weakness in controls raised in the PSOW report are being addressed and both Planning Enforcement and Community and Business Protection's Pollution Control team have reviewed all current open cases to ensure they are progressing in line with legislation and internally agreed processes.

Scope of review:

The audit will review and consider the adequacy and effectiveness of the operating controls in relation to Planning Enforcement and Pollution Control Statutory Nuisance Notice processes. Focus will be placed upon:

- A review of the progress of implementation of the agreed action plan from the PSOW report.
- Establish if all current cases in both Planning Enforcement and Pollution Control have been reviewed for progress in line with current legislation.
- Review how the service responds to corporate complaints.
- Review external correspondence processes in Planning Enforcement, Pollution Control and in the Chief Officer's office.
- A sample of current Planning Enforcement cases will be tested to ensure progression in line with legislation and internal procedures.
- A sample of current Pollution Control cases will be tested to ensure progression in line with legislation and internal procedures.
- Evaluate how the service provides assurance of the status of all car washes across Flintshire.

Approach to the review and deliverables:

The work will be performed following our standard audit methodology in conformance with Public Sector Internal Audit Standards (PSIAS).

Principal activities will include: e.g.

- A small number of material or key controls;
- Assessing compliance with established procedures and good practice;
- A review of the actions taken to implement previous recommendations;
- Meetings / discussions with key Flintshire managers, employees, partners etc
- Documenting procedures and controls
- Reviewing relevant documentation
- Examining a sample of transactions and reconciliations in detail
- Analysis of data and interpretation of results
- In all areas we consider the possibility of the risk of fraud or theft
- Consideration in all areas of GDPR

We will produce a draft report which sets out our findings and any identified risks / issues which we believe are not being managed appropriately. Once management has confirmed their agreed action to mitigate the risks identified we will produce a final report. Agreed actions will be the subject of tracking with management to confirm their implementation. A follow up review may be scheduled if major areas of concern are identified.

Records Required:

To enable us to commence our fieldwork on the agreed start date, we will require access to the following information, records or system at the start of the first day of the audit. This includes:

- Access to Flare
- Current case load for Planning Enforcement and Pollution Control
- Communication Policy for the service
- Complaints Policy for the portfolio and how the Corporate complaints policy is applied

Timing of the review and days available:

We will commence our fieldwork in week commencing 17 February 2020. We will aim to complete the fieldwork within 10 days and a debrief meeting will be arranged approximately 20 days after completing our fieldwork.

Days Available:	10 days
Location Based:	We will be based at Ty Dewi and County Hall Council Offices for 10 days.

Distribution of Scope:	Extension:
Xxx – Accountable Officers for the implementation of the Agreed Actions	
Andy Farrow – Chief Officer	3201

Flintshire Internal Audit

Mandy Lewis – Development Manager	3248
Sian Jones –Community and Business Protection Manager	2132
Jenny Prendergast – Health & Safety Team Leader	3382
David Glyn Jones – Development Management Team Leader	3281
Karl Slater – Development Management Team Leader	3259

Senior Auditor:	Beth Vaughan	Ext 2226
Principal Auditor:	Simi Johl	Ext 2248
Date of Scope:	12/02/2020	