



RISK AND ASSURANCE INAUGURAL COMMITTEE MEETING MINUTES

MINUTES OF THE INAUGURAL RISK AND ASSURANCE COMMITTEE MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON THURSDAY 9 FEBRUARY 2023 COMMENCING AT 1.00 PM

The Committee Meeting was live streamed to the Westland District Council YouTube Channel and presentations are made available on the council website.

1. MEMBERS PRESENT AND APOLOGIES

Chairperson:	Rachael Dean
Members:	Her Worship the Mayor
	Deputy Mayor Gillett
Cr Neale	Cr Baird
Kw Tumahai	Kw Madgwick

NGĀ WHAKAPAAHA

APOLOGIES

Kw Francois Tumahai

Moved Cr Neale seconded Her Worship the Mayor and **Resolved** that the apology from Kw Francois Tumahai be received and accepted.

STAFF PRESENT

S.R. Bastion, Chief Executive; L. Crichton, Group Manager: Corporate Services & Risk Assurance; S. Baxendale, Group Manager District Assets; D. Maitland; Executive Assistant, E. Rae, Strategy and Communications Advisor (via zoom); S. Johnston, Governance Administrator (via zoom).

2. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated via Microsoft Teams and available on the Council Chambers table. There were no changes to the Interest Register noted.

3. NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE URGENT ITEMS NOT ON THE AGENDA

Draft Risk and Assurance Committee Rolling Workplan

Moved Cr Neale, seconded Deputy Mayor Gillett and **Resolved** that a discussion on a Draft Risk and Assurance Committee Rolling Workplan be added to the Risk & Assurance Committee Agenda due to the following reasons:

The reason why the item is not on the agenda is due to there being insufficient time for the Group Manager Corporate Services and Risk Assurance and the Independent Chair to finalise the workplan in time to go out with the Risk and Assurance Committee Agenda.

The reason why the discussion of the item cannot be delayed until a subsequent meeting is because an up-to-date work plan is an integral part of the efficient and effective function of a Risk and Assurance Committee. Without a workplan Risk and Assurance Committees are vulnerable to:

- Operating in an ad-hoc way and lacking a structured approach to their work.
- Not knowing whether their work is covering the range of governance and assurance activities they should be covering

4. **NGĀ MENETI O TE HUI KAUNIHERA MINUTES OF MEETINGS**

The Minutes of the previous Meeting were circulated separately via Microsoft Teams.

- **Risk and Assurance Committee Meeting Minutes – 11 August 2022**

Moved Independent Chair Rachael Dean seconded Cr Neale and **Resolved** that the Minutes of the Risk and Assurance Committee Meeting held on the 11 August 2022 be received.

The Chair **Approved** that their digital signature be added to the confirmed Risk and Assurance Committee Meeting Minutes of 11 August 2022.

5. **ACTION LIST**

The Group Manager, Corporate Services and Risk Assurance spoke to the Action List and provided the following updates:

1. **Insurance Review of the Airport:**

The action from the last meeting was for the Chief Executive to bring to the Council Controlled Organisations attention.

The Chief Executive advised that this was raised with the CEO of Destination Westland, and they will carry this out.

The Mayor asked if this delays in problems.

The Group Manager, Corporate Services and Risk Assurance advised that the airport has not been valued in many years (maybe around 2011), which means the actual valuations are not correct. The sum it is insured for currently is not actually correct; which means if anything happened it would probably be under insured.

The Chief Executive advised that there will be a process put into place re: asset valuation to make them current. However, was unsure what stage they are at with that process.

The Group Manager, Corporate Services and Risk Assurance advised that there are two things that are different:

1. The Asset Valuation – important to have up-to-date asset valuations.
2. The Insurance Valuation – needs to be insured for the right amount. Insurers are wanting more information; everything is very specific, and everything needs to be name. If it is not named, it is not insured.

The Deputy Mayor queried how often the assets should be valued.

The Group Manager, Corporate Services and Risk Assurance advised that the Council Policy states every 3 years, and we would expect the Council Controlled Organisations (CCO's) to follow this policy.

The Chief Executive advised that there is a meeting regarding the Statement Of Intent with Westland Holdings on the 22 February 2023, and this item could be one of the talking points at that meeting.

2. Workshop: Evaluation of the Performance of the Committee:

The Independent Chair, Rachael Dean advised that at the end of 2022 it was proposed that there would be a review of the working committee with the view to look at improvement. Unfortunately, they were unable to get enough data from the participants to do the analysis, so was not completed, and suggested that after 12 months a review with the view to look at improvements, do an analysis to carry into 2024.

Moved the Mayor, seconded Cr Baird and **Resolved** that:

1. The updated Action List be received
2. A workshop to be scheduled to go with the November 2023 Risk & Assurance Committee Meeting. To go through the evaluation.

**6. NGĀ TĀPAETANGA
PRESENTATIONS**

No Presentations

**7. PŪRONGO KAIMAHI
STAFF REPORTS**

• **Risk and Assurance Committee – Terms of Reference**

Group Manager, Corporate Services and Risk Assurance, Lesley Crichton spoke to this report and advised that the purpose of this report is for the Risk and Assurance Committee to receive the Terms of Reference (ToR) adopted by Council on 24 November 2022.

To be noted that the date at the top of the report is incorrect – it should say 09 February 2023.

Moved Cr Deputy Mayor Gillett seconded Cr Neale and **Resolved** that:

1. The Risk and Assurance Committee – Terms of Reference report be received.
2. That the Committee receive the Terms of Reference for the Risk and Assurance Committee adopted by Council on 24 November 2022.

• **Quarterly Report – Q2 – October-December 2022**

Finance Manager, Lynley Truman, and Strategy & Communications Advisor, Emma Rae spoke to this report and advised that the purpose of this report is to inform the Committee of Council's financial and service delivery performance for the six months ended 31 December 2022 (Q2)

The Deputy Mayor made comment that the Westland District Council's You Tube Channel did not appear to have any recent uploads of Risk and Assurance Committee Meetings.

The Strategy & Communications Advisor advised that the You Tube channel is sorted into playlists and are grouped accordingly, and also advised that the recording and uploading of meetings to You Tube only started in mid-2021.

Regarding Diverse Economy and Resilient Communities on pages 32-33 of the Report, The Mayor questioned whether this was the only level of assessment or tools used to assess Councils performance in those categories.

The Group Manager, Corporate Services and Risk & Assurance advised that the main tools to assess are in the Long-Term Plan, that it was not best practise to put too many into the Long-Term Plan, and if there are any changes on how Council assess performance, then this will need to be made through the Long-Term Plan process.

Kw Madgwick queried the General Cemetery Maintenance Contract and asked about the comment in the report says that the 'maintenance contract remains satisfactory' – where did this comment come from and what was the measure of this.

The Group Manager, District Assets advised that the contract is assessed by a member of the District Assets Team, and there are liaison meetings in relation to that, and would need to find out the detail of the contract regarding frequency and get back to the Committee.

The Chief Executive advised that Council assesses the contractor against the requirements of the contract for maintenance. The Chief Executive also advised that the Parks and Reserves contract is up for renewal soon, and that process will come through Council to award that contract. He advised that it comes down to what Council is willing to pay for – whether it be gold standard, silver, or bronze. So, it is a decision for Council to decide what standard and what they are willing to pay.

Cr Neale commented that it would be good to know how many hard copy forms were filled in for comparison to the online forms. This was noted by the Group Manager, Corporate Services and Risk & Assurance.

Cr Neale also questioned how many of the 38 resource consents were publicly notified (page 29 of the report).

The Strategic and Communications Advisor commented that the information was not at hand and would speak to the Planning Department and get that information sent through to the Committee.

The Deputy Mayor asked what the committee's role was in regard to analysing and acting on the metrics – customer satisfaction, when we are missing the goal quite a bit?

Independent Chair Rachael Dean advised that anything that creates a risk to council is something the Committee should comment on, bring it to Council and staff's attention and understand the reasons why the event is occurring. If there are ideas regarding possible avoidance of, or reduction in, or transfer of risk then the Committee should raise this as well.

Deputy Mayor = Effective engagement (page 28)

Page 31 of report – Building Consents – low satisfaction level there

A question was raised about previous councils' discussions regarding addressing the shortfalls of the satisfaction survey.

The Chief Executive advised that that was in the previous triennium, and the chair of Council at the time decided not to proceed knowing the Council was coming to the end of its term, with the suggestion that the new council pick it up as part of an ongoing piece of work. This hasn't been set a Workshop but would be happy to formalise this as an action from this meeting.

The Group Manager, Corporate Services and Risk & Assurance advised that the Strategy & Communications Advisor has been doing quite a bit of work on looking at other ways of being able

to gather information. The biannual residential survey is lacking now and not ‘the way’ to do things. So, there is work being done in the background on some other ways, that can be brought to the committee or workshop to look at these other ways of gathering in the information to you.

Moved Independent Chair Rachael Dean, seconded Deputy Mayor Gillett and resolved that:

1. A workshop be formalised 2 hours prior to the next Risk and Assurance Committee Meeting on the 11 May 2023 to review and discuss the following items:
 - Improving performance measures.
 - The way customer/community satisfaction data and feedback is collected.

Moved Independent Chair Rachael Dean, seconded Her Worship the Mayor and **Resolved** that:

1. The report be received
2. The Committee receive the Quarterly Report Q2 July – December 2022, attached as Appx 1.

- **Draft Risk and Assurance Committee Rolling Workplan – Late Agenda Item**

Independent Chair Rachael Dean advised that the Rolling Workplan includes the necessary areas of work the Committee should cover during the period. Any other unexpected and necessary items are added as required.

Group Manager, Corporate Services and Risk and Assurance went through the items on the Rolling Workplan and advised that the timings are very similar to the previous Risk & Assurance meetings.

The only question marks would be around:

1. **The Insurance** – Council is heavily reliant on insurers and brokers for this. The current renewals for this year, the renewal period was the 1st of November 2022 and we have only just finalised some of the insurances this month (February 2023).
2. **External Audit** – looks fine, but very much dependent on audit timing.
3. **Risk Workshop** – has now been agreed upon for 11 May 2023
4. **Risk Assessment Workshop** – There is intention to have a Risk Workshop for all council that is mandatory. There is a manual that was reviewed at the last Risk Workshop; however, it was not completed as only 2 Councillors turned up. Councils’ tolerance for risk needs to be ascertained – this is something only Councillors can do (not Council Staff).
5. **Health & Safety Committee Wellbeing Update** – an update is required at every Risk & Assurance Meeting.
6. **Deep Dives** – these are often around Health & Safety and done by the relevant member of the leadership team, which enables the committee to focus on all different areas of potential risk. If there is any area of concern, or particular area of interest to look at, it can be done as a deep dive.

Area to Deep Dive – Cyber Crime to be added to the 11 May 2023 Confidential Agenda as a Discussion Item.

Moved Chair Rachael Dean, seconded Cr Baird and **Resolved**¹ that:

1. The Draft Risk and Assurance Committee Rolling Workplan be received.

8. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

¹ R&A Committee amended the minutes at R&A Committee meeting 11 May 2023

Moved Independent Chair Rachael Dean, seconded Her Worship the Mayor and **Resolved** that the Risk and Assurance Committee confirm that the public were excluded from the meeting in accordance with Section 48, Local Government Official Information and Meetings Act 1987 at 2.05 pm.

The general subject of the matters to be considered while the public are excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1.	Confidential Minutes – 11 August 2022	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2.	Information Technology Security Penetration Testing Report	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3.	Quarterly Report on Whistleblower Services at December 2022	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
4.	Risk Report	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
5.	Financial Year End 2021-22 Audit Report	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) and (d) of the Local Government Official Information and Meetings Act 1987 and the particular interests or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No.	Interest
1	Protect the privacy of natural persons, including that of deceased natural persons
1	Protect information where the making available of the information: (i) would disclose a trade secret; and (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)).
1	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
3,4	Maintain the effective conduct of public affairs through- (i) the protection of such members, officers, employees and persons from improper pressure or harassment; or (Schedule 7(2)(f))
3,4	Maintain legal professional privilege (Schedule 7(2)(g))
3,4	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or (Schedule 7(2)(h))
2	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))

Moved Independent Chair Rachael Dean, seconded Cr Neale and **Resolved** that the business conducted in the 'Public Excluded Section' be confirmed and accordingly, the meeting went back to the open part of the meeting at 2:48 pm

**DATE OF NEXT RISK AND ASSURANCE COMMITTEE MEETING – 11 MAY 2023
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 2:48 PM

Confirmed by:

Rachael Dean
Chair

Date: 11 May 2023