

GOVERNANCE & AUDIT COMMITTEE: 23 January 2024

TERMS OF REFERENCE - WASTE MANAGEMENT POST TRIAL REVIEW

REPORT OF THE CORPORATE DIRECTOR RESOURCES

AGENDA ITEM: 14

Reason for this Report

1. The Terms of Reference of the Governance and Audit Committee requires (amongst other matters) that Members:
 - Consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
 - Review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
 - Monitor the Counter-fraud strategy, actions and resources.

Background

2. The Governance and Audit Committee received a confidential post trial [update](#) in November 2023, relating to a large-scale investigation in the Waste Management Service. This followed sentencing which took place on 9 November 2023 at Swansea Crown Court, in respect of five individuals (four former council workers and a third party) who were convicted of Bribery Act offences relating to the waste management service.
 3. The confidential briefing provided details of:
 - Internal and police referrals, associated investigations, and outcomes.
 - Asset recovery proceedings being sought by the prosecution and the Council for the loss resulting from the offence.
 - Assurance and advisory work of the Internal Audit Team which has supported the improvement of controls.
 - The interventions that were put in place immediately following arrests.
 4. The Committee had previously been advised that a Post-Trial Review would be completed and led by the Section 151 Officer (Corporate Director - Resources). In the November meeting, it was advised that the Terms of Reference for this review would be prepared by the Section 151 Officer with the engagement of the Monitoring Officer for Committee consideration on 23 January 2024.
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Issues

5. **Appendix A** contains the proposed Terms of Reference for the Waste Management Post Trial Review, for the consideration of the Governance and Audit Committee. This includes background details, the high-level scope, the detailed assurance objectives, and an outline of the approach, reporting and quality review arrangements.
6. Whilst the criminal case referred to in the background of this report was a trigger for this review, the proposed purpose of the review is to provide current assurance on the effectiveness of systems in place to mitigate the risk of fraud, bribery and corruption within the waste management service more widely.

Legal Implications

7. In considering this matter, the Committee should ensure it is satisfied that the draft Terms of Reference for the proposed review are sufficiently clear and comprehensive to assist the Committee to discharge its responsibilities in relation to assessing the adequacy of the Council's governance, risk and control arrangements, specifically, the responsibilities set out in paragraph 2 of the report.

Financial Implications

8. There are no direct financial implications arising from this report.

RECOMMENDATIONS

9. That the Governance and Audit Committee considers and comments on the draft Terms of Reference for the Post Trial Review in Waste Management (Appendix A) and receives a further report once this review has concluded.

CHRIS LEE
CORPORATE DIRECTOR RESOURCES

January 2024

The following are attached:

Appendix A - Terms of Reference – Waste Management Post Trial Review
