



## Minutes of the Overview & Scrutiny Committee

### Held at the Union Jack Club, London on 7<sup>th</sup> February 2018.

<b>Present</b>			
<b>Councillors:</b>	Keith Morley Paul Kimber	Hon Associate (Chair) Weymouth PHA	KM PK
<b>Officers:</b>	Andrew McClenaghan	Belfast PHA	AM
<b>In attendance</b>	Gary Gould Gill Morgan	Exec Off Swansea Bay PHA (T&F Gp)	GG GM
<b>Minutes taken by</b>	Gary Gould		
<b>O&amp;S 18/01 – Welcome and apologies for absence</b>			
<p>KM welcomed everyone and opened the meeting at 11.00 by declaring that it was quorate.</p> <p>There were no apologies, however:</p> <p>Clifford Smith - Highland Council was on sick leave WO Dan Biggs - RAF was on deployment in Africa.</p>			
<b>O&amp;S 18/02 - Declaration of Interests</b>			
<p>There were none.</p>			
<b>O&amp;S 18/03 – Election of Chair and Vice Chair</b>			
<p>GG explained that because this was the first meeting of the committee following the AGM, in accordance with the Articles, the Committee were required to elect the Chair and Vice Chair.</p> <p>AM proposed that KM continue as Chair. This was seconded by PK. KM agreed to continue in this role.</p> <p><b>Agreed All</b></p> <p>KM then suggested that Cllr. Derek Brown (DB) continue as Vice Chair. As he was absent, it was agreed that PK would stand in as Vice Chair for this meeting and that KM would contact DB to confirm that he was content to continue in the role. PK confirmed should DB decline the invitation, he would take on the role.</p> <p><b>Agreed All</b></p>			

**Action:** KM to contact DB to discuss whether he would continue as Vice Chair.

**Secretary's Note:** Following discussion with KM, DB confirmed he was content to continue as Vice-Chair.

### **O&S 18/04 - Jonathon Williams RHE Communication Platform Presentation**

Due to unforeseen circumstances Jonathon did not attend the meeting.

**Action:** AM and GG to liaise with Jonathon to discuss/take this matter forward.

### **O&S 18/05 - Minutes of the last O&S meeting held on 21<sup>st</sup> November 2017**

a. The minutes were accepted as a true record of the meeting

Proposed AM, seconded PK.

#### **Agreed all**

b. Matters arising:

**Item 17/03e** KM to contact Cllr. Steve Hunt to make use of his database of elected members. KM had briefed the Executive Board on this matter at their last meeting. A new database was available for use. GM commented that she had spoken to Cllr. Hunt at the last Board meeting of Swansea Bay PHA and reported that he was very keen to re-join the O&S Committee now that he has recovered from a period of ill health. There was some discussion as to the mechanics of this but it was agreed that Cllr. Hunt could be invited onto the Committee to fill a casual vacancy but would need to be formally elected at the next opportunity, i.e. later this year.

#### **Agreed All.**

**Action:** GG to ensure that Cllr. Hunt is invited to attend the next O&S Committee meeting.

**Item 17/07** GG to follow up with DB regarding MPs from the River Tees PHA area who may be able to support the Association. GG reported that there was no progress to date on this action.

**Action:** GG to contact DB and determine progress.

**Item 17/19a** GG reported that he had contacted Highland Council and had been informed that Clifford Smith was on long term sick leave. He had a discussion with Alan Yates about the possibility of someone deputising for Clifford whilst he was off work; Alan had agreed to make some enquiries. This was followed up with an email from GG explaining the roles of the Executive Board and the O&S committee but he had not had a response to date.

**Action:** GG agreed to follow this matter up with Highland Council.

**Item 17/35** Regarding Manchester PHA's membership of APHA. GG confirmed that he had

sent a "testimonial" on behalf of APHA and by email to a list of Manchester PHA Board members supplied by KM before their meeting on 27 Nov 17. KM reported that the decision taken by their Board to delay the decision for a further year. They would then review APHAs "achievements" and take a decision at their Board meeting in Nov 18.

**Item 17/21** Chair of EB to contact the Chair of Mersey PHA Board and discuss membership. GG reported that the Chair of the EB and been in touch with the Chair of Mersey PHA Board and the question of membership was discussed at Mersey PHA's Board meeting in January. Unfortunately the decision was not to rejoin APHA but that their Chief Port Health officer would raise membership at the next Major Ports Group meeting in March.

### **Item 17/28 Minutes of Executive Board Meeting 18<sup>th</sup> October 2017**

**EB 17/35d.** GG confirmed that the task of compiling a list of non-member PHAs and allocating them to the Elected Members on the EB and O&S Committee had been added to the T&F Gp Action Plan.

**EB 17/49 APHA Administration.** GG briefed the Committee on discussions that he had had with Cllr. David Carr and video conferences with the Finance Team (FT) at Medway Council. GG was pleased to report that the management of the finance task was improving all the time as the team became more familiar with APHA. Following the intervention of Cllr. Carr and the discussions with the FT it was agreed that the Administrative Task in the SLA would be transferred to GM and her team at Swansea Bay PHA together with remuneration for this work. As Swansea PHA were actually undertaking a lot of the administrative task it was only formalising the existing arrangements and ensure that they were paid for the work that was being undertaken.

PK expressed concern that the management of the accounts were being undertaken by trainee accountants. GG explained that although they were trainees, they were not novices and had progressed some way into their training. He understood that the management of APHA Finances was pretty basic stuff from an accountancy viewpoint and well within their capabilities. Furthermore, they were supervised by Katey Arrowsmith, the third member of the team who was Head of Finance Strategy at Medway Council with another tier of supervision being provided by Phil Watts, the Finance Director.

PK proposed a vote of thanks to both Swansea bay PHA and Medway Council for their continuing support.

**EB 17/51 Membership and Renewals.** Colin MacDonald, the clerk for North Tyneside PHA Board attended the AGM in November. GG was pleased to inform the Committee that Colin was impressed by what he had observed and the work that APHA was doing such that he recommended to the North Tyneside Board that they should rejoin the Association. His recommendation had been accepted and they were, indeed, rejoining.

### **Item 17/29** Re APHA Membership, Finances & Scrutiny of Payments

a. The FT had tested the market and HSBC remains the most cost effective bank

account for our needs.

b. *Newport Norse* was identified as catering for the Welsh training event last February.

c. The income and expenditure table has now been amended to remove the confusion identified by PK. This was achieved by placing a border around the *Summary Statement*.

e. The tax rebate on 1 Sep 17 was a repayment of overpaid VAT.

f. *Advice Confirms* was the final payment from SHIPSAN.

g. Newry Mourne & Down (NM&D) had not yet paid their 2017/18 subscription. AM confirmed that they had raised a purchase order to pay the subscription as a Corporate Member but that they had not yet received an invoice. GG agreed to follow this matter up with FT.

**Action:** GG to contact FT with regards the invoice for NM&Ds subscription.

**Secretary's Note:** The FT have confirmed that they had received NM&D's subscription for 2017/18.

h. The FT have now drafted a specimen letter to Chief Execs for Credit Control purposes but GG explained that, as a members organisation, it would only be used as a last resort.

### Item 17/30

a. PK confirmed that he had contacted the Elected Member with port health responsibility for Poole who was interested in the Association. GG confirmed that Poole had recently re-joined APHA as PLaN members. PK agreed to continue dialogue with the Elected Member.

**Action:** GG to forward contact details of the relevant Elected Member to PK.

b. The EB took the decision to stay with the current format and location for the AGM in 2018. GG mentioned that because of the amount of work it took to run an AGM/Conference, if there was to be a change and the format extended, the EB should be considering it in the next few months for the 2019 event. AM confirmed that running the AGM and CPD event on one day presented challenges for delegates travel and that the day was "full on". He much preferred a format that ran over 1 ½ to 2 days. GG agreed that it would make for a better event in terms of delivery but the additional workload would be beyond the capacity of the T&F Gp to organise which could mean reverting to looking for a PHA to host. There followed some discussion over the location of the event and it was acknowledged that if a PHA was to host it would be located in their area. It was agreed that the easiest location for delegates to travel to was London so it should remain based in the capital to secure maximum attendance. PK agreed that the event was well supported by Weymouth PHA because it was one day and held in

London which kept the T&S costs to a minimum. He suggested that now was not the time to change the format. GM commented that there was very poor attendance by Corporate Members. GG confirmed that it was very challenging to secure attendance and that a lot of time and effort was put into marketing the last event to get the numbers we achieved. It was agreed that O&S recommendation to the Board would be that there is no change to the format for 2019 but that it should be kept under review.

**Agreed All**

## **O&S 18/06 - Minutes of the last Executive Board meeting held on 18<sup>th</sup> October 2017**

**EB 18/06** AM requested clarification on what the acronym *iaw* meant. GG apologised and explained that it must have been his military background slipping in. The acronym meant *in accordance with*.

**EB 17/21** AM asked what progress Cllr. Davies has had in respect of the LGA. GG replied that WD had indicated that it would take some time. It was agreed that O&S would like to know of progress to date and how Cllr. Davies was taking things forward.

**Action:** GG to make enquiries with Cllr. Davies on the progress with the LGA.

**EB 17/51** AM asked whether GG had been in contact with Guernsey. GG replied that he had not been in touch yet because of other work of a greater priority but would be actioned in good time for the start of the new membership year in April.

**EB 18/09** AM asked whether Lansdowne had been invoiced for the advertising revenue for the handbook. GG replied that he understood that the invoice had been sent and been paid. AM then raised the question of the possibility of securing a Government grant. There was agreement that the action was worthwhile and that O&S would like an update on any progress made by Cllr. Davies.

There then followed some discussion with regards to the criteria to be applied to PHAs to qualify for PLaN membership. It was agreed APHA would prefer all PHAs to be Corporate members but accepts that in some circumstances the lesser PLaN membership would be appropriate. GG's suggested approach of basing it on the number of full time equivalent staff employed on port health duties was welcomed and accepted in principle but that more work was needed to define what the number of staff should be. O&S recommends that the EB continues to review the criteria whilst encouraging Corporate membership.

GG then provided more information on the meeting he had had with Karen Wheeler the DG for Cross Border Co-ordination and the subsequent meeting of Brexit affected PHAs scheduled for 26<sup>th</sup> February 2018. He had managed to make contact with most PHAs but there was difficulty in getting a response from Plymouth. PK agreed to help by making contact with the Leader of the Council.

**Action:** PK to make contact with the Leader of Plymouth Council.

GG confirmed that he had emailed Jon Averbs at the City of London regarding membership of APHA. Jon's response was that he had delegated any decision to Gavin Stedman, his head of

Port Health. GG is yet to hear back from Gavin but will follow up in due course.

**EB 18/11** GG confirmed that bookings had been received for the EofE Ships Inspection Workshop although he was disappointed at the take up. That said APHA was on course to break even for the event and there had been one or two enquiries that may result in more bookings leading to a small profit.

**EB 18/13** GG confirmed that the Webmaster had been sent a letter giving him notice that his current contract would terminate on 30 April 2018 and the reasons for this i.e. that as a public body, APHA was duty bound to seek best value. The T&F Gp had been tasked to seek alternative providers and make a recommendation to the EB at their meeting in April.

**EB 18/17** AM gave further detail on his understanding of the General Data Protection Regs and confirmed that he would ensure that APHA is updated on progress to ensure that we are compliant. It was his understanding that there may be some action required in terms of obtaining individuals consent for their information to be held on a database. O&S proposed a vote of thanks to AM for his help and assistance on this issue.

#### **Agreed All**

**EB 18/06 Disqualification From Membership** Owing to his personal involvement, KM handed the role of Chair to PK and left the room at this point. PK then said he would like to share one thought with the Committee: he had noted the disqualification and, given the nature of the Association, it was inevitable that there would be occasions when such action is required. He continued that, having known the individual for many years and the prominent role he had played within APHA, it was very upsetting that matters had come to this. There then followed some discussion confirming that the correct procedure had been followed and that the individual was given the opportunity of representation. PK asked about appeal procedures; GG replied that the letter to the individual concerned detailing the Board's decision was sent by the Chair of the Executive Board on 5<sup>th</sup> January 2018. There had been no response nor appeal and the time limit for an appeal had since expired.

Following some deliberation, the committee agreed that it was very disappointing that the Executive Board had been forced into taking this action against someone who had been such a firm supporter of APHA for many years and it was sad that the individual's actions in recent months had led to this situation. In the absence of any other means to resolve matters, the O&S Committee fully endorse and support the decision of the Executive Board to disqualify the individual. Further, that O&S were content that due diligence and the correct procedures had been carried out throughout this process.

#### **Agreed by all O&S present**

KM was then invited to rejoin the meeting and resume the Chair.

#### **O&S 18/07 - APHA Membership, Finances & Scrutiny of Payments**

GG drew the committee's attention to the Income and Expenditure report produced by Medway in conjunction with himself. He explained that it was an essential part of the Committee's scrutiny role to examine all expenditure and challenge anything that they did not understand or was vague and ensure

that it was both justified and complied with the Articles and Operating Arrangements of the Association. It was also incumbent on the Committee to review income.

AM said that he was sure that all expenses were valid but that the Committee were unable to scrutinise the expenses because there was insufficient detail in the line entry. For example, it was insufficient to identify expenditure as "expenses" without clarification of what those expenses comprised. GG said that he had already raised this point with the FT at their video conference Friday last

**Action:** GG to confirm that the FT to add more information to the line entries so that the committee are able to undertake their scrutiny function.

AM commented that the spreadsheets were much easier to understand and a significant improvement on earlier versions.

PK asked about the auditing of the accounts. GG explained that under the Companies Act, APHA were legally exempt from having the accounts audited but that they were subject to thorough scrutiny by the EB, O&S and verified by others at Medway council.

**Secretary's Note:** Should it be required, independent auditing of the accounts can be requested but would come at a substantial cost to the Association.

There followed some discussion on the EBs decision to freeze membership subscriptions for a further year. The Committee agreed with the EBs decision and the necessity of growing the membership.

**Agreed All**

#### **O&S 18/08 - APHA T&F Group**

The T&F Group were scheduled to meet after the O&S meeting where progress on actions would be discussed. However, it was noted that it had been agreed that Elected Members were to contact neighbouring non-member authorities in order to grow the membership. To facilitate this the T&F Gp would identify and allocate non-member authorities. It was considered imperative that this action be completed and contact made in good time before the start of the new membership year.

**Action:** T&F Gp to complete the task of matching non members authorities with APHA Elected Members as a matter of priority.

#### **O&S 18/09 - Political Engagement**

KM briefed the committee on his efforts to establish contact with MPs and Peers in the House of Lords. He had sent a copy of the Chair of the EB's letter to the International Development Secretary to a total of 7 MPs/Peers. He only had one response and that was from his own MP who had forwarded the letter to the relevant minister. There followed some discussion as to whether it was appropriate to continue sending letters re training of third world countries in port health when APHA had already received a formal response on this issue. PK mentioned that to get further politically would probably require the support of professional lobbyists but it was agreed that this would come at a cost that APHA could ill afford. It was agreed that political engagement was essential but that it should be co-ordinated. KM and PK agreed to discuss with the Chair of the EB further political engagement.

**Action:** KM & PK to discuss political engagement with the Chair of the EB.

**O&S 18/10 - Any Other Business**

There was none.

**O&S 18/11 - Meeting Schedule for 2018**

The following meetings have been scheduled and will be held in the Lawrence Room of the Union Jack Club, commencing 11.00.

- a. 16<sup>th</sup> May 2018
- b. 1<sup>st</sup> August 2018
- c. 14<sup>th</sup> November 2018

**APHA AGM 2018**

The AGM will be held in the Gascoigne Suite of the Union Jack Club on the 18<sup>th</sup> October 2018.

There being no further business, the Chair closed the meeting at 14.15.

There then followed a meeting of the Task and Finish Group which concluded at 15.00.

G GOULD  
Executive Officer  
APHA