

Questions to Council asked under Rule 8

In respect of the report placed before Governance Committee on 18 January 2023 could the Council Leader give a response, in particular to answer the following:-

1 Internal Audit state on page 70 that that the service had not maintained up to date and accurate records of safety checks. As they cannot provide assurance that all Gas and Electricity have been carried out could the Leader confirm that the Council has not broken the Law and that no member of the public or employees have been put at risk?

1b Why despite recommendations from Procurement Dating going back to 2017 was no procurement exercise undertaken for water supply and what is the potential cost to the Council for this failing?

2 Within the Commercial Services Directorate procurement could the Leader confirm:-

a When did he become aware of the Audit being carried out?

b From that date what action did he take to protect the Council?

c Why when he became aware were steps not taken to suspend relevant staff pending investigation?

d When did other members of the Labour Group become aware of the Audit and its findings?

e Can the Leader confirm whether the Information Commissioners Office has been made aware of any potential breach? Has the entirety of the data sent by the Contractor to his personal email address been checked to ensure there were no personal data?

f Could the Leader confirm that there has been no evidence of fraud under Section 4 of the Fraud Act 2006? Should the decision on whether an offence of fraud may have occurred be made by Police/CPS?

g Why were the findings within this report not brought before full Council and into the public domain?

h What data was available to the contractor named in the report?

i Why were members of SRBC made aware of this report prior to Chorley?

j What checks are now in place to ensure contractors do not have an unfair advantage by way of access to data?

k Of contracts noted in the report Audit are unable to identify how these were procured. Could the Leader confirm he believes these were acquired fairly and without breach of procurement rules?

l Within the report there are several failings in the award of contracts, including breaches of the 2015 Public Contracts Regulations. Could the Leader confirm to whom these breaches have been reported and what has been the comments of the External Auditors?

m Will the Leader ensure that any report of the External Auditor on these issues is made available to full Council Members?

n Could the Leader confirm whether the people named in the Report have, or will be asked, to sign non disclosure agreements?

2o What plans are there to make contractors aware that their commercially sensitive information has been handed to a competitor?