

Internal Audit – Review of Air Quality Management - Findings and Action Plan (Agreed October 2016)

	Finding	Implication	Recommended Action	Priority
01	<p>The data verification exercise for 2013, 2014 and 2015 identified a significant numbers of errors between the air pollution figures received from the laboratory and those recorded on the air quality spreadsheet maintained by the team. This data has been used to inform the following:</p> <ul style="list-style-type: none"> • Annual Progress Reports to DEFRA • FOI and EIR requests • Planning Applications • Queries from elected members and members of the public • Information requests from Air Quality Consultants working on behalf of developers • Consideration of the requirement for Air Quality Management Areas (AQMA's) and the associated action plans. <p>In addition, there are concerns around the appropriateness of an exercise in April 2014 that resulted in the monitoring of 41 diffusion tubes being ceased.</p>	<p>The provision of inaccurate air quality data may have resulted in incorrect or inappropriate decisions or actions being taken by both the Council and outside bodies or individuals. Furthermore, this may have resulted in a failure to take appropriate decisions or actions.</p>	<p>An independent Air Quality expert should be commissioned to determine and report on the full impact and implications of the errors that have been made and to determine the actions required to ensure that CEC is fulfilling its statutory responsibilities with regards to air quality.</p>	High
Management Response				
<p>Agreed: Yes Responsibility: Kath O'Dwyer Target Date: ASAP Response: Action completed prior to issue of final report</p>				

Internal Audit – Review of Air Quality Management - Findings and Action Plan (Agreed October 2016)

	Finding	Implication	Recommended Action	Priority
02	The audit has not identified any reason as to why the errors may have occurred. However, a review of the figures revealed patterns with regards to the same sites being subject to repeated and regular reductions in recorded NO ₂ levels of either 10 or 20 µg/m ³ . This suggests that the errors may not have been random or as a result of human error. At this time it is unclear as to who may be responsible or the reason why this may have taken place.	One or more individuals may have deliberately manipulated the air quality monitoring results resulting in artificially low figures being reported and used for decision making purposes. This may also have resulted in required mitigations not being put in place.	An independent investigation should be commissioned to determine the following: <ul style="list-style-type: none"> • The reason for the errors and who is responsible. • Whether it is appropriate for any further action to be taken against anyone found to be responsible. 	High
	Management Response			
	Agreed: Yes Responsibility: Kath O'Dwyer/Sara Barker Target Date: ASAP Response: Action completed prior to issue of final report			
	Finding	Implication	Recommended Action	Priority
03	An Air Quality Steering Group has been established and will provide a governance framework and means of obtaining assurance that Cheshire East Council is fulfilling its responsibilities with regards to the management of air quality. However, at the time of the audit, the group was yet to hold its inaugural meeting.	There is currently a lack of governance in relation to air quality that has contributed to the issues identified during this audit.	It is essential that the Steering Group is operational and the terms of reference agreed as soon as possible. This will provide a governance framework and means of obtaining assurance that Cheshire East Council is fulfilling its responsibilities with regards to the management of air quality.	High
	Management Response			
	Agreed: Yes Responsibility: Steph Cordon Target Date: ASAP Response: Meeting arranged for 10 November 2016			

Internal Audit – Review of Air Quality Management - Findings and Action Plan (Agreed October 2016)

	Finding	Implication	Recommended Action	Priority
04	The review has identified that there are no policies and procedures in place to ensure that air quality is effectively managed in accordance with statutory requirements.	The detailed Technical Guidance issued by DEFRA may not be correctly interpreted and consistently applied resulting in Cheshire East Council failing to fulfil its responsibilities in relation to air quality.	<p>In order to provide an appropriate level of assurance to the Air Quality Steering Group, the service should develop appropriate policies and procedures to ensure that DEFRA guidance is applied effectively and consistently. In particular, the following should be progressed as a priority:</p> <ul style="list-style-type: none"> • Performance measures should be developed and subject to regular reporting and challenge by the Air Quality Steering Group. • Agreement of the criteria for the commencement and cessation of air quality monitoring including the level of evidence required to support decisions and a written scheme of delegation for the authorisation of such decisions. • Detailed procedures should be developed for the recording of results from the laboratory to ensure consistency of approach, a move away from manual input of data and the introduction of a quality assurance process. • The introduction of a naming protocol for monitoring sites along 	High

Internal Audit – Review of Air Quality Management - Findings and Action Plan (Agreed October 2016)

			<p>with an agreed protocol for the reporting of results by the laboratory.</p> <ul style="list-style-type: none"> • Access and version control should be introduced over computerised records to ensure that data is secure and only accessible to those officers that need it to fulfil their duties. • The website should be subject to regular review to ensure that it contains up to date and accurate information and that the public are fully informed with regards to air quality across the borough. • A formal process should be developed for responding to requests for air quality data, both internal and external, and the current informal sharing of information with consultants working on behalf of developers should be stopped. 	
	Management Response			
	<p>Agreed: Yes</p> <p>Responsibility: Kath O'Dwyer</p> <p>Target Date: ASAP</p> <p>Response: Passed to Steph Cordon to arrange implementation of actions.</p>			