

SUBJECT: INTERNAL AUDIT

Limited Internal Audit Opinions 2021/22

DIRECTORATE: Resources

MEETING: Governance and Audit Committee

DATE: 13 October 2022

DIVISION/WARDS AFFECTED: AII

1. PURPOSE

To consider the explanations and assurances from the respective service managers that improvements have been made following the implementation of the internal audit recommendations.

2. RECOMMENDATION(S)

That Members of the Governance and Audit Committee accept the explanations and assurances of the service managers which will be confirmed by the follow up internal audit review.

Or

Don't accept the explanations and escalate their concerns to the Chief Officer and to the Senior Leadership Team.

3. KEY ISSUES

- 3.1 The Public Sector Internal Auditing Standards requires the Chief Internal Auditor to present a formal annual report to the Governance and Audit Committee which gives an opinion on the overall adequacy and effectiveness of the Council's internal control environment. The annual report should also:
 - a. disclose any qualifications to that opinion, together with reasons for the qualification;
 - b. present a summary of the audit work undertaken to formulate the opinion;

- c. draw attention to any issues the Chief Internal Auditor judges particularly relevant to the preparation of the annual governance statement (to be reported separately);
- d. compare the work actually undertaken with that planned and summarise the performance of the internal audit function against its performance measures and criteria;
- 3.2 The annual report was presented to the Governance and Audit Committee in July 2022, which included all audit opinions issued within the year. The opinion definitions are shown at Appendix A. 2 **Limited assurance** internal audit opinions were issued during 2021/22; Concessionary Travel and Fleet Health and Safety / Driver Management. Details as to why only Limited assurance could be given are shown at Appendix B.

4. REASONS

- 4.1 Members of the Governance and Audit Committee have requested that the respective service managers and heads of service of these reports be invited into the Governance and Audit Committee to:
 - a. Explain why there was a weakness in control
 - b. Provide assurances on the progress of the implementation of the audit recommendations in order to demonstrate an improvement in the control environment
 - c. Explain why they are accepting the risk for not implementing the audit recommendation.
- 4.2 The service managers have been given the opportunity to provide commentary on the progress of the implementation of the internal audit recommendations which is also shown at Appendix B.

5. RESOURCE IMPLICATIONS

None.

6. CONSULTEES

Deputy Chief Executive & S151 Officer

7. BACKGROUND PAPERS

Internal Audit Annual Report 2021/22 Operational Internal Audit Plan 2021/22

8. AUTHOR AND CONTACT DETAILS

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LEVEL OF ASSURANCE	DESCRIPTION
	Substantial level of assurance.
SUBSTANTIAL	Very well controlled, with numerous strengths identified and any risks being less significant in nature.
	Considerable level of assurance.
CONSIDERABLE	Generally, well controlled, although some risks identified which should be addressed.
	Reasonable level of assurance.
REASONABLE	Adequately controlled, although risks identified which could compromise the overall control environment. Improvements required.
	Limited level of assurance.
LIMITED	Poorly controlled, with unacceptable levels of risk. Fundamental improvements required urgently.

2021/22 Limited Assurance IA opinions

Job number	Directorate	Service	Job Name	Risk Rating / Priority	Final as at 31-3-22	Opinion given
P2122/40	Enterprise	Strategic Projects	Concessionary Travel	Medium	Draft	Limited
P2122/50	Resources	Commercial, Property, Facilities & Fleet	Fleet - Health & Safety and Driver Management	Medium	Final	Limited

Concessionary Travel

RATING	RISK DESCRIPTION	IMPACT	TOTAL IDENTIFIED DURING REVIEW
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2	Moderate	(Important) – Risk identified that requires attention. Risks identified which are not business critical but which require management attention as soon as possible.	8
3	Minor	(Minimal) – Low risk partially mitigated but should still be addressed. Audit comments highlight a suggestion or idea that management may want to consider.	6
4	Strength	(No risk) – Good operational practices confirmed. Well controlled processes delivering a sound internal control framework.	10

No.	Audit Ref.	Issue & Risk	Recommendation	Management Action / Progress to Date
1	3.8b	Hardship payments totalling over £46k had been claimed from Welsh Government which had not been invoiced for by the operators or paid over to them. Risk – Operators are not provided with support that they are entitled to, which potentially could cause them financial difficulties. Reputational damage to the Authority.	The hardship payments that have not been invoiced for by the operators should be investigated and either paid to operators or monies returned to Welsh Government. Any future hardship payments should not be claimed until an invoice has been received from the relevant operator and payments has been made to them. Management Response: This we don't believe to be a significant risk as you are aware the grant is managed quarterly and then annually, this came at the end of the financial year and was accrued and has been paid back in Quarter 4 this year after the operator confirmed they wouldn't sign BES 2 which meant they were not able to claim the hardship element of the funding. This process has been managed through, we knew the figures and how to deal with this at every stage, it may have been done quicker had the operator responded quicker to us but at no point was there a risk to the operator, Monmouthshire CC or to Welsh Government. We have to claim these figures quarterly and as we were waiting confirmation from the operator then	This has been fully implemented and monies returned to Welsh Government, this was as stated in our management response that we knew the figures they were accrued for and have now been repaid in the quarter 4 return at end of financial year. This was all due to the operator changing their mind about receiving these payments once they realised Welsh Government would be reconciling their operational accounts and they didn't sign up for Bus emergency scheme 2 payments. The historical claims were only included as part of the BES2 scheme and were not part of BES1 or 1.5 funding as this was a separate scheme at that point. There are no historical payments made any longer from 1st August 2022 payments are now only on actuals so this will not re-occur.

No.	Audit Ref.	Issue & Risk	Recommendation	Management Action / Progress to Date
			we needed to add into the claim and accrue our side until it was resolved but it has been completely managed and all figures were known to us.	
			The hardship element is something that has only been in place since the pandemic and will not be there until July 22 when BES2 ends and numbers go back to actuals.	
	1.0			
2	4.3	Quarterly Claims forms have been submitted late and without the necessary approval of the section 151 officer. All claims had been sent directly to Welsh Government and there had been no independent verification of the claims prior to submission.	All grant claims should be processed in accordance with the requirements of the Authority's Internal Grant Protocol. These should be submitted prior to the deadline, with specific time built in to allow the appropriate review and sign off by the necessary parties. In particular, claim forms should only be submitted in the name of the section 151 Officer when confirmation has been received of the completion of the necessary	RE Signed Concessionary fare re Attached is a response from Welsh Government on this issue, a large number of authorities have this issue because they only receive invoices from corporate and some SME operators once they have been
		Risk - Potential that error or fraud may not be detected. Authority's accounts may not accurately reflect the grant transactions.	checks by the Finance Department. Where claims need to be submitted prior to review by Finance and then sign-off, then Welsh Government should be clearly informed that the claim is in draft only	checked by their accountancy departments which means we sometimes only get the ticket machine data to work out the claim. This process will become slightly

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		Terms and conditions of the grant	and is subject to review.	easier now we are back on actual
		sign-off not adhered to.		passengers rather than also paying
		Grant monies could be withheld.	Management Barnage	historical payments but internal
		Breach of the Authority's Internal	Management Response:	processes don't allow us enough
		Grant Protocol.	This is a position we find ourselves in with all	time to meet the 20 th deadline and
			authorities as it is impossible to get the grant claim in by the 20 th of the following month at the end of	get it signed off by the 151 officer as they also need assurance from
			each quarter and signed off by finance as the	accountants that the claim is correct
			invoices take much longer to go through our	before sign off this has also been
			systems, we struggle to get just the information	made longer by paying centrally as
			through from operators by this time , it has been	invoices take much longer to reach
			flagged with Welsh Government and we have	us and get entered into the agresso
			agreed that the return goes in unsigned first and	system. The attached e-mail from
			then once reconciled by finance and signed by the	Welsh Government explains why
			151 officer a signed copy can be sent. This process	they chose the date but they also
			was introduced by WAO a number of years ago as it	realise that only a very small number
			was previously only the annual return that needed a	of authorities are able to meet this
			151 officer to sign off but they didn't understand	with a signed form. We can chase
			the issues that it has caused in getting a return to	operators but this process also
			WG in time for them to reserve the money in their	needs internal sign up from
			budgets.	payments and accountants to ensure
			The quarterly returns were only signed by a Head of	it can be processed as near to the
			The quarterly returns were only signed by a Head of service or Manager originally.	20 th as possible. This condition was only added by
			Service of manager originally.	Wales Audit Office as a
			We acknowledge that we need to work on the bus	recommendation to Welsh
			operators to provide us with timely returns but	Government a few years ago but
			some corporate operators have central payment	without realising the practicalities of

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	Ref.		machines to the operator are checked and sent to us the invoice usually takes about another 30/45 days to come from Stockport where they deal with the whole company accounts to us and get through our own payments system. We also acknowledge that we need more resource to enable us to deal with these claims in a more timely manner. This process has been managed by the LA's and WG for a number of years and hasn't seen any payment issues to date so we don't agree it is a significant issue as it is again a managed process which is acknowledged by WG. Audit Comment: Welsh Government are the funding organisation	
			which has set the deadlines for submission of claim forms. These deadlines therefore need to be met. A requirement of the Welsh Government process is for claims to be correctly authorised pre submission. Therefore, all claims must be signed by Section 151 Officer before submission.	

No.	Audit Ref.	Issue & Risk	Recommendation	Management Action / Progress to Date
3	1.1	The Grant terms and conditions letter was not received by the grant administrator and Finance until halfway through the grant period. Formal acceptance of the grant had	The Grant Administrator should ensure that a formal grant offer letter has been received at the start of each financial year. The Grant Administrator should ensure that formal acceptance of the grant offer has been submitted within	RE Signed Concessionary fare re Please see attached e mail received
		not been sent within the 21 day deadline as required. Risk -	the required timeframe and by the end of the first quarter and should retain a copy of the signed acceptance returned.	from Welsh Government on this issue which shows that this is an internal Welsh Government issue In relation to any changes to the terms and conditions of the grant not
		Any changes in terms and conditions of grant may not be identified. Risk of losing funding at cost to the Authority or impacting the operators.	Management Response: This again has been an inherent problem as it is not something, we can control these letters come from Welsh Government have to go through their processes and we never receive them on time. They are sent to the Chief Executive and if they are not passed onto us in a timely manner then we can't get them signed and sent back. It is something we are chasing all the time from the Welsh Government but I have asked that they let me know when the letters are released so I can then chase it from our end if we don't receive it within a few days.	being identified we liaise with Welsh Government regularly and would be informed if any changes were going to be made but also we have to give 4 months noticed to operators of any changes to terms and conditions We can only carry on chasing these every year but since they have introduced new internal procedures in WG this has been an issue.
			Don't agree about the changes to terms and conditions as we have to give operators 4 months notice of any change once notified by WG and they are aware of this.	

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			Audit Comment: As the Administrator of this annual grant, it would be good practice for Transport Unit (MCC) to chase the Grant Award letter if it has not been received early in the financial year.	
4	1.2	There were no specific internal guidance documents and procedures to ensure that the Scheme was administrated in line with Welsh Government expectations, particularly should the Passenger Transport Publicity & Infrastructure Officer be absent or unavailable. Risk - Failure to deliver the role as the grant administrator. Operator grants or reclaims not made or made incorrectly.	Documentation of the administrative processes should be undertaken to meet the requirements placed on the Authority through the Concessionary Travel Scheme and to provide contingency in the event of the Passenger Transport Publicity & Infrastructure Officer's absence. Management response: Agree that we should document the process so it can be picked up by others if necessary	Agree that this needs to be put in place and we are currently in the process of completing an internal guidance document for the administration of Concessionary Travel Scheme.
5	2.1	Some operators were submitting claims which had not been supported with Smart Card data to substantiate more than 98% of their claim. **Risk - Claims may not be accurate,**	Operators should be encouraged to provide Smartcard data which supports at least 98% of their claim, where this has not been done then a suitable explanation should be required from operators. If a satisfactory explanation has not been provided the	We now have ticketer machine data from Monmouthshire School and Community Transport section and Newport Bus as they have had new ticket machines installed but we are not able to get this data from any

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		as a result of error, fraud or malpractice. The Authority cannot adequately evidence the journeys that it is paying and claiming reimbursement for. Claims could be reduced or reclaimed by Welsh Government.	Authority may want to consider an appropriate course of action. Management Response: This cannot be done for operators who are based in England as the machines are not compatible. The Newport Bus and Monmouthshire Bus should not be a problem moving forward as they are now using Ticketer machines. The issues arose as they were changing between Wayfarer ticket machines and moving over to Ticketer for Newport where the old machines were not registering for Newport Bus and Monmouthshire Bus was a training issue with drivers which has now been resolved.	English operators who claim concessionary fares as their machines are not compatible with the Welsh scheme. English operators are exempt from providing Concessionary Travel data, their ticket machines are not compatible with the Welsh scheme. Information from these operators is provided via a spreadsheet.
6	2.2	Dates for submission of claims from operators have not been set, resulting in these being regularly received late. Risk - Insufficient time allowed for administrative checks of operators returns prior to Welsh Government deadlines. Late submission of claims to Welsh Government. Delays in receiving payments from Welsh Government.	Deadlines should be agreed with the operators so that claims data can be provided to the Authority in sufficient time to allow the necessary checks and sign-off internally before submission of the Authority's quarterly claims to Welsh Government. Management Response: This has been explained in an earlier risk and the whole process and submission dates need looking at as they are set by WG. We can look at setting a submission date from	We can set submission dates but when you are dealing with some very small operators and some CT charities who have volunteers they are only able to do these on the days they are in work. There is also an issue in getting invoices sent from some of the corporate operators as although we get ticket machine data from the local source the invoicing is done centrally in other parts of the UK. Setting submission dates is easy but getting operators to meet

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			operators but we really need at least a week before the submission date and although some operators are good at getting claims in we need to concentrate on those that don't. The biggest issue is if we don't get the numbers on each claim it makes the following claim more difficult as well.	these is more difficult, this is more crucial at the end of a quarter as we need to get the return in to Welsh Government. We have set some dates and send them out to operators. All operators have been provided a deadline to submit their Concessionary Travel data and invoices. Operators committing to these deadlines is challenging, Community Transport administration is completed by volunteers, whilst
				larger operators invoicing is completed centrally. This does lead to delays in receiving invoices.
7	2.5	Monthly reports are available to help identify potential fraudulent behaviour however these are unable to be used at present. Risk - Fraudulent activity may go undetected. The Authority may	The issue with accessing the analytical reports should be resolved as a matter of urgency and the reports utilised to identify any potential fraudulent activity. Outstanding reviews of previous months' data should also be carried out. Management Response:	The reports have only become incompatible since the data systems were changed and we also upgraded our systems. We will work with SRS and Fujitsu to see if we can find a solution asap.
		suffer financial loss and reputational damage.	This is a recent problem since ACT changed their data systems and amalgamated with Fujitsu they	

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			are now not compatible with our own systems. Both SRS and Fujitsu were contacted regarding the problem, we hope to find a solution ASAP.	short the password verification does not appear. Fujitsu (WG data provider) are aware of this problem and are working with MCC to rectify. We will continue to liase with Fujitsu and SRS to find a solution to the issue and aim to resolve this before the end of November.
8	2.6	The Authority does not have a programme in place for inspectors to board vehicles which are used to carry concessionary passenger for spot checks on processes and the number of passengers carried. Risk - Operators could potentially be manipulating the data, exaggerating the numbers of journeys taken to increase their income at a cost to the Authority/Welsh Government.	The Authority should establish a random programme to carry out inspections on vehicles which are used to carry concessionary passengers. Management Response: This has had to be postponed due to COVID we were not allowed to access buses and check tickets or passes over the past two years, we also have a capacity issue in that this is something we cannot do as regular as we would like Although we have done it prior to Covid and we will see if we can begin the process again now restrictions are lifted although with only one resource available we will need to identify further resources to ensure we can do this regularly.	This will be restarted as soon as we have the capacity to do this. We are looking at an extra post in the team to help with administration which should leave more time for an officer to carry out regular checks.

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9	3.8a	Minor errors were identified in two of the historic figures used within the 2021/22 Quarter 1 BES2 calculations.	Bus Emergency Scheme payments should be revisited to ensure that the figures used were accurate, where errors have been identified then the operator should be notified and the next claim adjusted appropriately.	Rectified
		Risk - Incorrect payments made.		
		Impacts on public purse and the	Management Response:	
		operators' revenues.	Agree. This should have been picked up by us or by finance, we will ensure we get the invoices double	
			checked in future. This error has been rectified.	
10	4.4	Overall claim balances relating to the first two quarters of 2020/21 had not been settled or recorded in the financial ledger system.	The reimbursement from Welsh Government from the	Payments during Covid were changed with interim payments being ,made to authorities and then reconciled at year end this has now reverted to the original payments in
		Risk - Financial loss to the Authority or incorrect financial accounts.		reverted to the original payments in arrears so this should be alleviated. The payments were on the ledgers but were originally miscoded but finance have confirmed that they were showing on the ledgers. They would not be settled at the end of the first two quarters as this would be done at year end when the adjustments were made.

Fleet - Health & Safety and Driver Management

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1	Significant	(Significant) – Major / unacceptable risk identified. Risks exist which could impact on the key business objectives. Immediate action required to address risks.	4
2	Moderate	(Important) – Risk identified that requires attention. Risks identified which are not business critical, but which require management attention as soon as possible.	3
3	Minor	(Minimal) – Low risk partially mitigated but should still be addressed. Audit comments highlight a suggestion or idea that management may want to consider.	3
4	Strength	(No risk) – Good operational practices confirmed. Well controlled processes delivering a sound internal control framework.	7

No.	Audit Ref.	Issue & Risk	Recommendation	Management Action / Progress to Date
1	1.1	There was no central management of the Health and Safety of Fleet and Driver Management within the Authority. **Risk - inconsistency in driver and**	MCC should work towards centralising the management of Health and Safety and driver management. Management Response:	Fleet budgets were centralised in September 22. This will now enable the Fleet service to adopt a corporate approach to the management of the fleet including health and safety management.
		vehicle management.	Whilst we agree that, the central management of fleet would be beneficial. We do not accept this as a failing against the fleet team. Currently the management of fleet and their staff is devolved. Whilst we are working towards a process of centralising the service, this is not yet in place and therefore we cannot be held accountable for the practices of service areas. We do however accept that there should be a suite of policies to support driver behaviour and fleet management and these are being prepared. Being able to implement central management of fleet is dependent upon potential restructure and additional posts in the department.	Following the appointment of an Accident Investigation & Training Officer from the 1st September all new drivers have undergone a driving induction and assessment. The new starter form has been amended so that Transport are notified of new starters that are required to drive a vehicle. The Fleet team will then check their driving licence and carry out the assessment and train them on the accident reporting and driver defects app. If the driver is required to tow a trailer separate trailer and load safety training is undertaken at Raglan depot.

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2	1.2	Lack of Policies and Procedures in place to manage Fleet use. Risk - Staff unaware of roles and responsibilities. Expectations not clearly communicated to staff.	A suite of Health and Safety Policies for fleet should be developed to guide drivers and managers. Namely, a Driving at Work policy and an updated Drug and Alcohol Policy including a testing protocol. A Driver's Handbook should be developed which could hold all information and policies together. This could be in physical or digital form. Management Response: The creation of a drug and alcohol policy is owned by the Corporate Health & Safety Group and we are happy to support this work.	A driver's handbook has been drafted and will be consulted on shortly. The policy on Drug and Alcohol testing rests with the People and Governance Directorate as this is broader than the Transport Service.
3	3.1	Training documentation was incomplete Risk – Staff are not appropriately trained to undertake their role.	A training policy should be developed in line with HSE guidance. Departments should ensure that a training matrix is in place for each role and that regular training is provided.	An Accident Investigation and Training Officer has been appointed. The Transport Service keeps records on any training that it has
			Training records should be maintained and reviewed to ensure that training due to expire is highlighted and	undertaken. This is currently

No.	Audit Ref.	Issue & Risk	Recommendation	Management Action / Progress to Date
			An appropriate training programme or delivery solutions should be identified and implemented to ensure drivers are able to access the training required and do to so on a timely basis. Management Response: As highlighted above we will put the policies in place, however services also hold responsibility for the implementation of these policies until such time responsibility for fleet is centralised.	corporate training system is rolled out we will ensure that our records are inputted into the centralised system. The Transport team would not undertake or record training that is specific to the job role for instance chain saw operation, this will remain the responsibility of the service area. We are working with the Head of Workforce Development to ensure that the necessary training is provided and recorded.
4	5.1	There was no Accident Policy or formal guideline in place. Accident records were incomplete and there was no central, comprehensive list of accidents. Risk - Staff unaware of roles and responsibilities. Expectations not clearly communicated to staff	A Policy should be developed which informs drivers and managers what to do in case of an accident. This should include guidance on such areas as: • how and when to investigate. • the need for an accident form and witness statements to be collected ASAP. • repercussions of not reporting an accident; and • disciplinary processes	Following the appointment of the Accident Investigation and Training Officer a new process on accident reporting has been developed and is being rolled out to Service Areas. The Transport Manager has also requested that the electronic accident reporting system can be adapted to include vehicle

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		Accident information not collated in a timely manner. Inability to fully assess extent of accidents. Inability to fully assess data.	The document should also cover how managers can highlight training needs identified throughout the investigation process. Consideration should also be given to making the accident reporting process electronic. Management Response: Not accepted that the Failure rests with the Transport Team – the current process is that the management of accidents is administered by the Insurance Team whose instructions result in accidents being reported directly to the insurance company with no notification to central fleet. We support a change to this process so that all accidents are reported via the Transport Team who can then collate information, monitor driver behaviour, and take appropriate action where necessary.	accidents which will improve the quality of the data received and this will be used to inform the Directorates Health & Safety Action Plan and the wider corporate Health & Safety Group. Accidents are now reported to the Transport team who will undertake a review of the event and if necessary, undertake an investigation. The team will liaise with MCC's Insurance team and insurance provider as required.
5	4.1	The reason for vehicle trackers and information usage was not clearly defined and documented. **Risk - Staff treated inconsistently.**	A document should be developed informing Managers when vehicle tracker information can be accessed and what the data can be used for. This must be agreed with all necessary parties including	A Tracker Policy has been developed and has been consulted upon with colleagues and union representatives.

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		Impact of Health and safety of fleet drivers	Unions. Management Response:	
		Unsuccessful disciplinary action.	Agreed	
6	4.2	Quartix (vehicle tracker) user list was not regularly reviewed. Risk - Inappropriate users access potentially sensitive data	Quartix should be contacted to remove inappropriate users. In future, a list of all users should be requested and reviewed on a 6 monthly basis to ensure that all users are current staff members. Options of including tracking system access on leaver forms should be explored. Management Response: Agreed. Will work with People Services to ensure that we are being notified of leavers	A Staff access to the system list is maintained by Transport and checked quarterly. The new starter form has been amended so that the Transport team are advised if a staff member needs access to the system. The termination form has been changed so that the Transport team are advised when a staff member leaves so that their access can be removed. This has provided an audit trail for new and removed users.
7	4.2	There was no formal policy stance on staff speeding in MCC vehicles. Risk - Staff unaware of roles and responsibilities. Expectations not clearly communicated to staff.	MCC should establish a stance on speeding whilst using an Authority vehicle and when travelling on work business. A policy should be introduced to inform staff and managers on MCCs stance on speeding. This should	The Tracker policy provides information on how data will be used which includes supporting disciplinary investigations which includes allegations of speeding.

N	Audi Ref.	Issue & Risk	Recommendation	Management Action / Progress to Date
		Damage to vehicles, staff or public as a result an accident caused by speeding.		The Drivers Handbook provides information for employees on their responsibilities including adherence to the Highway Code and speed limits.