

ANGUS COUNCIL

MINUTE of MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held in the Town and County Hall, Forfar, on Tuesday 19 November 2019 at 2.00pm.

Present: Councillors ALEX KING, BILL DUFF, JULIE BELL, BRIAN BOYD, KENNY BRAES, LYNNE DEVINE, BEN LAWRIE, MARK McDONALD, DAVID LUMGAIR, BOB MYLES, TOMMY STEWART and BETH WHITESIDE.

Councillor KING, Convener, in the Chair.

Prior to the commencement of business, the Convener, on behalf of the Committee referred to the sudden death of Bruce Thomson, Angus LEADER/EMFF Finance Officer and extended deepest sympathy to his family.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Colin Brown BEM, Ian McLaren and Mark Salmond with Councillors David Lumgair and Tommy Stewart substituting for Councillors McLaren and Salmond respectively.

2. DECLARATIONS OF INTEREST

Councillor Bell declared a non-financial interest in Item 11 (Report No 388/19) in that she was a member of Angus Health and Social Care Integration Joint Board. She indicated that she would participate in any discussion and voting on this item.

Councillor Myles declared a non-financial interest in Item 11 (Report No 388/19) in that he was a member of Angus Health and Social Care Integration Joint Board. He indicated that he would participate in any discussion and voting on this item.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 24 September 2019 was approved as a correct record and signed by the Convener.

4. SCOTTISH FIRE AND RESCUE SERVICES QUARTERLY MONITORING REPORT FOR THE PERIOD 1 JULY 2019 TO 30 SEPTEMBER 2019

With reference to Article 5 of the minute of meeting of this Committee of 20 August 2019, there was submitted Report No 381/19 by Gordon Pryde, Local Senior Officer, Scottish Fire and Rescue Service, containing performance information relating to quarter two (July to September) of 2019 on the performance and activities in support of the priorities in the Local Fire and Rescue Plan for Angus 2017 and the wider community planning priorities.

Attached as an Appendix to the Report was the detailed breakdown and analysis of all data collected during the reporting period which also included an overview of a range of community safety engagement events and partnership working. The Report also provided context to the performance of the Scottish Fire and Rescue Service in the Angus area against indicators and targets.

Appendix 2 to the Report provided details of a notable event in relation to residential caravan safety.

Gordon Pryde, Local Senior Officer, introduced Scott Gibson, Group Commander.

He thereafter provided a brief summary of the 2018/19 quarter two activities and an overview of some of the performance highlights of the twelve headline indicators and targets, highlighting accidental dwelling fires, non-domestic building fires, road traffic collisions, unwanted fire alarm signals and deliberate primary and secondary fires. Looking ahead to quarter three he highlighted that the annual Safe Drive Stay Alive Event would take place in November.

Following discussion, and having heard from some members, the Committee agreed to note the performance of the Scottish Fire and Rescue Service as outlined in the quarterly monitoring Report for the period 1 July 2019 to 30 September 2019.

5. ANGUS LOCAL POLICING AREA QUARTERLY POLICE REPORT FOR THE PERIOD 1 JULY 2019 TO 30 SEPTEMBER 2019

With reference to Article 6 of the minute of meeting of this Committee of 20 August 2019, there was submitted Report No 382/19 by Chief Superintendent Andrew Todd, which updated the Committee on the performance results for the period 1 July 2019 to 30 September 2019.

Appendix A to the Report outlined the performance in relation to the identified policing objectives and outcomes which were monitored and reviewed at the monthly Tasking and Delivery meeting. The data provided in the Report was for information purposes to allow members to conduct their scrutiny responsibilities.

The Report made reference to specific crimes mentioned below the local outcomes which were:-

- Putting Victims at the Heart of What We Do
- Tackling Crime and Anti-Social Behaviour
- Protecting Vulnerable People
- Maintaining Public Safety

Chief Superintendent Andrew Todd indicated that the Local Police Plan 2017/2020 was under review and would require to be consulted upon with a view to the Plan being submitted to this Committee before the end of the financial year, in order for the Plan to be effective from 1 April 2020. In reference to the newly revised Appendix to the Report and previous request to include the Performance Summary page, he indicated that it was not anticipated to make any further amendments to the format of the Report until the Local Police Plan 2017/2020 review was concluded.

Chief Inspector Wayne Morrison thereafter highlighted a number of key areas of the Report.

Councillor Devine indicated that she was unaware of the Angus Youth Concern Group given that there was a similar type group running in the Forfar area. She suggested that it would be beneficial for all, if both groups could work together to avoid unnecessary duplication of work. She also referred to the lack of information in the Report relating to rural crime and hare coursing.

In response to Councillor's Devine point in terms of hare coursing, Chief Superintendent Todd confirmed there was ongoing activity and that this was currently work in progress.

Councillor Bell referred to the legislative changes in relation to Domestic Abuse (Scotland) Act 2018, highlighting the 16 Days of Activism against Gender-Based Violence Campaign which was being run from 25 November to 10 December 2019 and the Violence against Woman Partnership. She encouraged elected member and the public to find out more and take cognisance of the campaign. She provided an overview of domestic abuse whilst highlighting that support and advice could be provided to both the victim and the perpetrator. She thereafter thanked Police Scotland for highlighting this matter within their Report.

In response to points raised by Councillors Devine and Myles, in terms of rural crime, Chief Inspector Morrison highlighted the work of Rural Watch Scotland crime prevention programme which was led by Special Constable Ricky Martin. He advised that there was still a long way to go but that the farming community could do more to protect themselves and their environment, given that reports received highlighted that vehicles were being stolen as a result of the keys being left in the vehicles or within a barn.

Chief Superintendent Todd responded to questions from some members in terms of Road Safety, and also referred to the challenges faced in relation to fitness to drive issues.

The Committee thereafter agreed to note the contents of the Report.

6. INTERNAL AUDIT ACTIVITY UPDATE

With reference to Article 6 of the minute of meeting of this Committee of 24 September 2019, there was submitted Report No 383/19 by the Service Lead (Internal Audit), providing the Internal Audit Activity update on the main findings of the Internal Audit Report issued since the date of the last meeting.

The Report indicated that work continued within the Internal Audit Team to complete a small number of items from the 2018/19 Internal Audit Plan agreed by this Committee in April 2018. The 2019/20 Internal Audit Plan was being progressed and adhoc requests for advice were being dealt with as they arose.

Two Internal Audit Reports had been issued since the last meeting, these were in relation to:-

- Contract Specification Process
- LEADER – Rural Funding

The Report presented the progress with the Internal Audit activity within the Council up to 8 November 2019, provided an update on progress with the 2018/19 Internal Audit Plan, the 2019/20 Internal Audit Plan, including a request to postpone two audits and progress with implementing internal recommendations.

The Service Leader (Internal Audit) provided an overview of the Report.

Councillor Bell raised a question relating to the LEADER Audit, in terms of whether there were any identified themes in respect of the three projects that had been revoked. In response, the Service Leader (Internal Audit) indicated that she was not aware of any identified themes but would investigate and revert back in due course.

The Committee agreed:-

- (i) to note the update on progress with the 2018/19 Internal Audit Plan;
- (ii) to note the update on progress with the 2019/20 Internal Audit Plan;
- (iii) to note management's progress in implementing Internal Audit recommendations; and
- (iv) to agree to the postponement of the "Identification of New Legislation" and "Private Water Supplies Legislation" until the 2021 Audit Plan.

7. SCRUTINY REVIEW - PARKING CHARGES

With reference to Article 11 of the minute of meeting of this Committee of 20 November 2018, there was submitted Report No 384/19 by the Service Leader (Internal Audit), presenting the draft Report of the Parking Charges Scrutiny Panel for consideration, agreement and outlined the ongoing monitoring arrangements.

The Report indicated that on 20 November 2018, this Committee agreed to undertake a scrutiny review to examine the process that had been undertaken to reach the decision to introduce car parking charges. The review covered the period between agreeing the budget and implementing the parking charges on 1 November 2018.

Councillor Duff, Chair of the Scrutiny Panel Review – Parking Charges provided an informative and detailed overview of the main findings and outcomes of the Review and referred to a number of key decisions that were taken including the absence of minutes of meeting, insufficient scrutiny and lack of transparency. He also highlighted that financially the project was unsuccessful as a result of the public avoidance of car parks and the continued increase in on street parking.

Councillor Devine raised her concerns in a number of areas of the Report. She thereafter recommended that the Committee approve the Report but expressed the importance that the Council not find themselves in a similar position in future.

Councillor Boyd also raised a number of concerns in terms of the process that had been undertaken including referring to the findings outlined in the Report.

Councillor Myles reiterated that the decision to introduce parking charges was supported and approved at the budget setting meeting. He also indicated that operational details were undertaken by officers.

Councillor Stewart referred to previous comments made by Councillors Duff, Devine and Boyd in terms of on street parking being utilised instead of car parks and indicated that whilst it had been highlighted that local businesses were losing revenue, he questioned the footfall in local shopping areas.

The Chief Executive thereafter welcomed the Report and thanked the Scrutiny Panel members for their contributions. The key messages from the Report was about lessons being learned, for both officers and elected members, to work closer together and to raise scrutiny levels when taking decisions. She indicated that officers would continue to work on reports to ensure they are clear, concise and readily accessible for scrutiny.

The Convener voiced his concerns on a number of points and in reference to the current reported financial position he highlighted that the income from car parking charges was estimated at 25% occupancy but disappointingly was nearer the 10% mark. He referred to Councillor Stewart's comments relating to on street parking being utilised instead of car parks and highlighted that it was time to deal with the imbalanced position in relation to both on street and off street car parking facilities

The Committee agreed:-

- (i) to note the draft Parking Charges scrutiny panel review Report attached as Appendix 1 to the Report;
- (ii) that the Report be placed before the Council at their meeting on 5 December 2019 with the recommendation from this Committee that the Report be noted and recommendations be agreed and the actions remitted to the relevant officers to implement;
- (iii) to note that a follow-up Report on progress with completion of the agreed actions would be brought to the November 2020 Scrutiny and Audit Committee, or first meeting after November 2020; and
- (iv) that they did not require regular follow-up reports on completion of actions at interim periods before the update in November 2020.

8. NATIONAL FRAUD INITIATIVE - PROGRESS REPORT

With reference to Article 9 of the minute of meeting of this Committee of 21 August 2018, there was submitted Report No 385/19 by the Service Leader (Internal Audit), updating members on the work of 2018 National Fraud Initiative.

The Report indicated that the National Fraud Initiative was a counter-fraud initiative which was undertaken every two years. Participation was compulsory for Scottish Local Authorities as part of their statutory audit. Participation in the NFI allowed the Council to match data held in different systems both in the Council's own organisation and those of other organisations. These exercises contributed to the security of public sector finances, helped ensure that services were provided to the correct people and reduced losses to fraud and error.

The Angus Council data sets for the 2018 NFI exercise were submitted in October 2018. The results of the data-matching exercise were released in the first quarter of 2019. The Council received 91 reports with a total of 4,138 individual matches. The overall approach to investigating these matches were agreed with the Director of Finance, focussing initially on those matches which NFI suggested should be prioritised for review and investigation. Investigatory work was near completion with 978 matches having been reviewed. Matches were selected for review and investigation based mainly on the percentage risk score attributed to each match by NFI.

Section 4 of the Report summarised the investigation outcomes as at 30 September 2019, with outcomes from NFI 2016 being included for comparison.

Given the size of the exercise and number of matches received and investigated, the level of outcomes provided assurance that, for those areas covered by NFI, the Council's internal control framework was operating effectively.

The overpayments identified, totalling £30,679, were being pursued through the Council's debt recovery processes.

The Service Leader (Internal Audit) provided an overview of the Report.

Following questions from the Convener and Councillor Boyd in terms of Blue Badges, and in response having heard from the Team Leader – Counter Fraud, the Committee agreed to note the progress in investigating the matches from the National Fraud Initiative (NFI) 2018 and external audit assessments of the Council's approach.

9. CORPORATE COUNTER FRAUD MID YEAR REVIEW

With reference to Article 13 of the minute of meeting of this Committee of 18 June 2019, there was submitted Report No 386/19 by the Service Leader (Internal Audit) summarising the work undertaken by the Corporate Fraud Team (CFT) during the 6 months to 30 September 2019.

The Report indicated that the Corporate Fraud Team was a specialist investigative team which operated within Strategic Policy, Transformation and Public Sector Reform.

Angus Council acknowledged its responsibility for ensuring the risks and negative impacts associated with fraud when managed effectively and any allegations of fraud and corruption were investigated by CFT staff in partnership with Council colleagues, where appropriate. Continued work of the CFT played a key role in the Council's response to the risk of fraud and corruption.

Corporate Fraud included instances where individuals seek to profit from their position as employees and cases where a third party would use deception to cause a loss to the Council. There were four ongoing investigations in respect of allegations of fraud or theft.

The CFT scrutinised all allegations of fraud received and, where applicable, worked with colleagues across the Council to investigate. The table outlined in Section 4 of the Report summarised the amounts identified for recovery by CFT activity.

Councillor Devine requested further clarification in terms of the category titled Initiative – Students which was outlined in the table contained within Section 4 of the Report and having heard the response from the Team Leader – Counter Fraud, the Committee agreed to note the contents of the Report.

10. CIPFA's STATEMENT ON THE ROLE OF THE HEAD OF INTERNAL AUDIT IN A PUBLIC SERVICE ORGANISATION

With reference to Article 14 of the minute of meeting of this Committee of 18 June 2019, there was submitted Report No 387/19 by the Service Leader (Internal Audit) providing an update to Report 195/19 which noted the results of the self-assessment against the Statement on the role of the Head of Internal Audit in a Public Sector Organisation.

The Report indicated that the Statement was published in May 2019. The Service Leader (Internal Audit) was Angus Council's Head of Internal Audit (HIA) and the Scrutiny and Audit Committee was the Audit Committee as defined in the Statement. The Statement was Principle-based and should be relevant to all public sector organisations and their HIAs. It was intended to be helpful to a wide audience including leadership teams, chief executives, audit committees and other stakeholders as well as HIAs themselves.

The Statement set out five principles that defined the core activities and behaviours that belonged to the role of the HIA in public sector organisations and the organisational arrangements needed to support them.

Following the principles, the Statement included two further sections which were detailed in Section 3 of the Report.

The self-assessment against the organisational and HIA individual responsibilities under each principle in the Statement was undertaken by the Service Leader (Internal Audit). This identified that the Council, and Service Leader (Internal Audit) complied with the principles. A small number of items were identified for further consideration to improve current practices. The main areas for future improvement were outlined in Section 4 of the Report and would be progressed by the HIA.

Having heard from the Service Leader (Internal Audit), the Committee agreed:-

- (i) to note the results summarised at Section 4 of the Report from the reviews undertaken by the Service Leader (Internal Audit), Council Leadership Team (CLT) and Corporate Governance Officers Group (CGOG); and
- (ii) to note the points that were specifically for this Committee as outlined in Section 5 of the Report and confirmed that current arrangements were satisfactory; in addition it was agreed that should any member have any further proposals to the current arrangements that these should be referred back to the Service Leader (Internal Audit) as soon as practical.

11. ANGUS HEALTH AND SOCIAL CARE PARTNERSHIP (AHSCP) – MINISTERIAL STRATEGIC GROUP FOR HEALTH AND COMMUNITY CARE (MSG) – IMPROVEMENT ACTION PLAN

There was submitted Report No 388/19 by the Chief Executive setting out the Council's resulting responsibilities from its input to the Angus Health and Social Care Partnership Ministerial Strategic Group self-assessment exercise earlier this year.

The Report indicated that Angus Health and Social Care Partnership (AHSCP) invited Angus Council as a key partner to contribute towards a self-assessment exercise as part of the broader 2019 Ministerial Strategic Group review of progress with integration of health and social care. The review emerged from the earlier Audit Scotland Report on progress with health and social care integration which was published in November 2018. AHSCP staff were responsible for coordinating the exercise that also included contributions from NHS Tayside covering six topic areas which were outlined in Section 3.3 of the Report.

Feedback responses from Angus Council and NHS Tayside were collated and shared with Angus Health and Social Care Partnership. Representatives then met to assess responses to establish a mutual position. The self-evaluation assessment 2019 was attached as Appendix 1 to the Report.

AHSCP had developed an Improvement Action Plan which was outlined in Appendix 2 to the Report, which was based on the agreed collective responses. The Improvement Action Plan identified areas of progress to be made by all partners to address items emerging from the self-evaluation.

The Chief Executive referred to the Report and highlighted that the honest evidence based responses were reflected in the rating scores of partly established, established and exemplary. She highlighted that good progress was evidently being made however large hospital set aside budgets and acute services budget transferral remained an ongoing issue. She commended the Report to members highlighting that the Angus Health and Social Care Partnership was a partnership to be proud of.

Councillor Bell highlighted that she had considered the Report previously at both the Integration Joint Board Audit Committee and Integration Joint Board, where the Report had been debated at length. She raised that generally, there was a tendency to undersell the Partnership when completing self-assessment exercises which reflected the low score ratings within the Report, nevertheless she commended the Report and also officers support, in particular highlighting the valued contributions by the Chief Finance Officer. She echoed the Chief Executive's comments and indicated that she was proud to be a member of the Angus Health and Social Care Partnership Integration Joint Board.

Councillor Myles referred to the excellent progress the Partnership had made to bring together Angus Council and NHS seamlessly and the valued work of officers involved. He thereafter highlighted that Angus was in a far better position than some other areas in Scotland but emphasised that there was still considerable work to be undertaken.

The Committee agreed to note the self-evaluation assessment 2019 attached as Appendix 1 to the Report and subsequent Improvement Action Plan and Council staff contribution towards delivery outlined in Appendix 2 to the Report.

12. REPORTS RELEVANT TO THE WORK OF THE SCRUTINY AND AUDIT COMMITTEE

With reference to Article 11 of the minute of meeting of this Committee of 18 June 2019, there was submitted Report No 389/19 by the Director of Strategic Policy, Transformation and Public

Sector Reform, advising members of reports submitted to other Angus Council committees and to the IJB that were relevant to the work of the Scrutiny and Audit Committee.

Attached as Appendix 1 to the Report was a list of reports submitted to other Angus Council Committees and the IJB for the period 1 June 2019 to 17 October 2019.

The Committee agreed:-

- (i) to note the reports listed in Appendix 1 to the Report; and
- (ii) that there were no reports that should be the subject of a more detailed discussion by this Committee.

13. ANGUS COUNCIL PLAN ANNUAL REPORT 2018 – 2019

With reference to Article 3 of the minute of special meeting of Angus Council of 21 February 2018, there was submitted Report No 390/19 by the Chief Executive presenting the Angus Council Plan Annual Performance Report for 2018-2019.

The Council Plan 2019-2024 was approved (Report No 51/19 refers) on 21 February 2019 in line with the 2019/20 budget setting process, which demonstrated the link between the Council's priorities and resources. The Council's Workforce Plan was also updated to demonstrate alignment for the Council's future operating model.

For the first time the Council had developed the Council Plan to integrate the Council's programme for change, priorities, investment in services in 2019/20 and future plans for change.

The Council had developed strategies and plans to support and complement the Council plans which were outlined in Section 4.1 of the Report.

Attached as Appendix 1 to the Report was the Annual Performance Report for 2018-2019, which focused on what success looked like, what had the Council done to date, good practice case studies, baseline statistics, improvement progress and how the Council was progressing. The Performance Report was designed to show how the Council was delivering their vision to make Angus Council better, stronger, more sustainable and smaller.

For the 2019-2020 Performance Report which would be presented to Council in September 2020, it was being planned that significantly more information would be drawn from Pentana, the Council's performance management system. To support this, an improvement project was currently underway, linked with making better use of the Council's performance data and the 'How Good Is Our Council' self-evaluation framework, to ensure that all staff would be using this in a consistent and purposeful manner to drive forward towards the Council's ambition of being a 'performance-led' Council.

The Chief Executive provided a brief overview of the Plan and advised that the Plan had been approved by the Council at their meeting on 17 October 2019. She also highlighted to members the excellent practices outlined in the case studies, attached as Appendix 2 to the Report.

Councillor Devine thereafter highlighted that the Report contained acronyms which should have been explained more clearly within the Report.

The Committee agreed:-

- (i) to note the Angus Council Plan Annual Performance Report 2018-2019; and
- (ii) to note that a Council Plan refresh would be brought to Committee in February 2020.

14. NATIONAL SCRUTINY PLAN FOR 2019/20

With reference to Article 9 of the minute of meeting of this Committee of 24 September 2019, there was submitted Report No 391/19 by the Director of Strategic Policy, Transformation and Public Sector Reform, providing to members, the National Scrutiny Plan for 2019/20.

The Report indicated that reference was made to Report No 312/19 which noted the revised approach to Scrutiny Coordination and Shared Risk Assessment being applied by the Strategic Scrutiny Group (SSG). The SSG, convened and chaired by the Accounts Commission,

comprised Scotland's main public sector scrutiny bodies and supported the delivery of better coordinated, more proportionate and risk-based local government scrutiny. The National Scrutiny Plan (NSP) was issued on behalf of the SSG for local government.

Having heard from the Service Leader (Governance and Change) and also the Senior Audit Manager, Audit Scotland, the Committee agreed:-

- (i) to note the issue of the National Scrutiny Plan for 2019/20 as detailed in Appendix 1 to the Report; and
- (ii) that there was no further feedback to be conveyed to the Strategic Scrutiny Group (SSG).

15. VALEDICTORY

The Convener advised the Committee that Shân Coombs, Manager – Governance, Risk and Scrutiny was retiring in December and that this would be her last Committee. On behalf of the Committee, he thanked Shân for her support and wished her a long and happy retirement.