

ANGUS COUNCIL

MINUTE of MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held remotely on Tuesday 25 August 2020 at 2.00pm.

Present: Councillors ALEX KING, BILL DUFF, JULIE BELL, BRIAN BOYD, KENNY BRAES, COLIN BROWN BEM, LYNNE DEVINE, BEN LAWRIE, MARK MCDONALD, IAN MCLAREN, BOB MYLES, MARK SALMOND and BETH WHITESIDE.

Councillor KING, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

Councillor Bell declared a non-financial interest in Items 6 and 7 (Report Nos 202/20 and 203/20) in that she was an elected/voting member of Angus Health and Social Care Integration Joint Board and Audit Committee. She indicated that she would participate in any discussion and voting on these items.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 16 June 2020 was approved as a correct record and signed by the Convener.

4. SCOTTISH FIRE AND RESCUE SERVICES QUARTERLY MONITORING REPORT FOR THE PERIOD 1 APRIL 2020 TO 30 JUNE 2020

With reference to Article 4 of the minute of meeting of this Committee of 16 June 2020, there was submitted Report No 200/20 by Gordon Pryde, Local Senior Officer, Scottish Fire and Rescue Service, containing performance information relating to quarter one (1 April to 30 June) of 2020 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 My Street 2.

Gordon Pryde, Local Senior Officer highlighted that the new Local Fire and Rescue Plan for Angus would be brought to the Scrutiny and Audit Committee on 1 December 2020 but in the meantime, the plan would be circulated to members for their interest, following this meeting.

Scott Gibson, Group Commander summarised the 2020/21 quarter one activities and provided a detailed 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.

The Group Commander responded to Councillor Whiteside's comment in relation to deliberate fires, particularly around the Monifieth and Sidlaw area.

Councillor Bell highlighted that she had been dealing with a number of areas of concern regarding wild camping, water supply pollution and littering in beauty spots within her ward. In

linking these issues with the youth engagement programme, she suggested that some of these issues were caused by persons older than youths. She highlighted that this was also a national issue, post the Covid-19 lockdown. She enquired whether there was any intelligence or proposals to engage with partners and communities, both locally and nationally, to address these issues and to get the message across in terms of countryside behaviours and practice.

The Group Commander advised that he was unaware of any issues in Angus but highlighted there had been engagement work undertaken with Police Scotland and Perth and Kinross Council.

The Local Senior Officer confirmed that the Police Focus Group had targeted some areas of wild camping. He highlighted that through the Local Resilience Partnership (LRP) there was joint working with all three local authority areas to ensure a joint approach. Under the LRP, a Place Group had been set up to target this type of work and to ensure that the education element was present. In addition, he indicated that SFRS would provide support to ensure that local communities were aware of the guidance available around the current Covid-19 pandemic and that they would continue to work in partnership with others.

Councillor Bell thereafter highlighted that whilst wild camping was permitted under the Scottish Outdoor Access Code, the issues raised were on a different level and beyond the responsible experienced wild campers. She emphasised that she would not wish to have restrictions implemented on responsible wild campers as a result of the issues raised. In response the Local Group Officer provided an update highlighting the positive support and engagement work being undertaken with campers during the current challenging period.

Councillor Devine referred to the deliberate fires that had been started by youths in the Forfar area. She highlighted the involvement of Police Scotland and the Council in their work in dealing with these matters but suggested that it would be beneficial for Scottish Fire and Rescue Service to link in with the youth workers from Pitstop to work together in this area of work.

The Group Commander in response provided an update and indicated that he would request the Community Engagement Teams to liaise with Pitstop to progress collaborative working.

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 April 2020 to 30 June 2020.

5. ANGUS LOCAL POLICING AREA PERFORMANCE RESULTS FOR THE PERIOD 1 APRIL 2020 TO 30 JUNE 2020

With reference to Article 5(a) of the minute of meeting of this Committee of 16 June 2020, there was submitted Report No 201/20 by Chief Superintendent Andrew Todd, which updated the Committee on the performance results for the period 1 April 2020 to 30 June 2020.

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 under the Police and Fire Reform (Scotland) Act 2012.

The Report made reference to specific crimes mentioned in the local policing plan and also complimented the force priorities and supported reporting through Community Planning Partnership structures.

Superintendent Elaine Logue provided an overview of the Angus Local Policing Plan for 2020-2023, highlighting the inclusion of the summary report for the period 1 April 2020 to 30 June 2020.

Chief Inspector Wayne Morrison thereafter provided a summary of the key areas of the Report.

In response to Councillor Devine's question relating to hate crimes, Superintendent Logue provided an update in terms of the summary report and confirmed that hate crimes were incorporated within the Public Protection priority.

Councillor Duff, in reference to the speeding measure, also referred to the recent introduction of 20mph zones and enquired whether these new zones would figure in enforcement by the traffic police. He also highlighted the probability that there would be an increase in constituency questions and complaints and the public perception of enforcement.

Chief Inspector Morrison provided an update and confirmed that the history of collisions, casualties and serious injuries would remain the target priority zones and not the new 20 mph zones, given that information revealed that it was excessive speed that seriously injured or killed people. He emphasised the importance of trying to change driver behaviours and by introducing traffic calming and other measures that hopefully the message would get across to the public.

Councillor Bell highlighted the notable example as outlined in the Report, of the conviction of a male from Angus who was the subject of a protracted investigation by the Domestic Abuse Task Force and enquired if there had been a rise in domestic abuse since lockdown. Chief Inspector Morrison provided an update and confirmed that the number of domestic related crimes recorded for Angus had decreased from the previous year.

Councillor Bell in reference to hate crimes referred to Councillor Lawrie's motion and deputation by Daniella Dampney, Member of the Scottish Youth Parliament for South Angus at the recent Angus Council meeting on 12 August 2020 and enquired if there was any progress in terms of the Hate Incident Multi Agency Panel (HIMAP) arrangements. Chief Inspector Morrison advised that a meeting of HIMAP was scheduled to take place on 30 September 2020 and requested all partners involved to take a positive view and support Police Scotland in taking this forward.

Following on from Councillor Bell's comments, Councillor Lawrie thanked Police Scotland for providing further statistical information relating to hate crimes. In referring to the Black Lives Matter and the global events that ignited the movement, he emphasised the importance of taking the matter seriously and the need to engage with our black and minority ethnic communities. He referred to Daniella Dampney's deputation on racial equality and highlighted that it had been suggested that many people of colour were not comfortable to speak or report matters to the Police. He thereafter referred some questions to Police Scotland.

In response, Superintendent Logue provided an informative update and advised that Police Scotland encouraged anyone to come forward to report incidents of hate crime whether they were a victim or a witness. She highlighted the importance of raising awareness, recent interactions via social media, and the requirement to continue to build on these relationships to continue to promote trust and confidence and encourage reporting.

Councillor Bell enquired in terms of counter terrorism and domestic extremism as to whether there were any national and if possible local statistics, including demographics available. Chief Inspector Morrison provided an update and indicated that he would require to look further into this area and revert back in due course,

In terms of Wildlife Crime, Councillor Bell expressed her disappointment that the report indicated that increased crimes were expected given the rural landscape in Angus. She thereafter referred to the type of crimes being committed and emphasised how important it was for the public to report these crimes. Noting that additional resources had been made available within Tayside to enable collaborative working to maintain a consistent approach within all aspects of Rural and Wildlife Crimes, she enquired whether there were now adequate resources in place to target and improve the statistical position.

Chief Inspector Morrison provided an update and gave an example of good collaborative partnership work with neighbouring local authorities. He also emphasised the importance of reporting crimes at the time and not several weeks later.

Councillor Devine welcomed the extra resources in terms of wildlife and rural crime. She thereafter highlighted the positive proactive approach to hare coursing and questioned whether there was any information available in terms of hare culling. Chief Inspector Morrison advised that he was unaware of hare culling but would require to investigate and revert back in due course.

Having heard from Councillor Braes who provided his viewpoint in terms of hare culling, the Committee agreed to note the contents of the Report.

At this point, Councillor Salmond and the Scottish Fire and Rescue Service and Police Scotland representatives left the meeting.

6. INTERNAL AUDIT ACTIVITY UPDATE

With reference to Article 10 of the minute of meeting of this Committee of 16 June 2020, there was submitted Report No 202/20 by the Service Leader - 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 due to the impact of Covid-19 on the ability to complete planned internal audit work and the change in risk assessments, a revised plan was currently being developed and would be brought to the September meeting of this Committee.

All internal auditors in Scottish Local Authorities were contacted in July regarding a project being taken forward by the Scottish Government Directorate of Internal Audit and Assurance to help improve counter fraud measures across the public sector. Angus Council was not involved at this stage but may be involved in future as the project progressed.

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

- Review of changes to policies and procedures due to Covid-19 response
- Data Analysis/Continuous Auditing: Payroll and Accounts Payable
- Update on Report 160/20 Audit Scotland and Irregularity Review 2018/19
- Eclipse Post-Implementation Review (Children and Families)
- IT Resilience and Disaster Recovery
- Covid-19 – Use of Delegated Powers

The Report presented the progress with the Internal Audit activity within the Council up to 23 July 2020, provided an update on progress with the 2018/19 and 2019/20 Internal Audit Plans and progress with implementing internal recommendations.

The Service Leader - Internal Audit provided an overview of the Report highlighting that Audit Scotland's, Fraud and Irregularity Update 2019/20 Report published on 30 June 2020, was available on Members' SharePoint site. She also provided an overview of the Scottish Government Audit Initiative in terms of Counter Fraud.

Paul Kelly, Director of Audit and Assurance, Scott-Moncrieff provided an overview of the Eclipse Post-Implementation Review (Children and Families); and IT Resilience and Disaster Recovery Audits.

In reference to the Covid-19 – Use of Delegated Powers Audit, Councillor Devine expressed her gratitude of the work undertaken by officers.

Councillor Myles thereafter commended the work of all partner agencies involved in the recent coronavirus outbreak in Coupar Angus.

The Committee agreed:-

- (i) to note the update on progress with the planned Internal Audit work;

- (ii) to note management's progress in implementing Internal Audit and Counter Fraud recommendations;
- (iii) to note Audit Scotland's publication of Fraud and Irregularities 2019/20 in June 2020 and that a report on the Council's internal control arrangements in relation to the control weaknesses highlighted nationally would come to a future Scrutiny and Audit Committee meeting;
- (iv) to note the update to Report 162/20 regarding Audit Scotland's Fraud and Irregularities 2018/29 in relation to Children and Learning; and
- (v) to note the Scottish Government's audit initiative to help improve counter fraud measurers in grant awards.

7. ANNUAL GOVERNANCE STATEMENT ASSURANCES

With reference to Article 13 of the minute of meeting of this Committee of 16 June 2020, there was submitted Report No 203/20 by the Chief Executive advising members of governance assurances in respect of those organisations included in the Council's group accounts. It also provided draft letters of assurance from the Convener on behalf of the Committee to Angus Health and Social Care Partnership and AngusAlive for approval, including an updated version of the draft Annual Governance Statement.

The Report indicated that Report 164/20 considered by this Committee on 16 June 2020 had provided the Council's draft Annual Governance Statement, for approval. Section 6 of the Report noted that the final Annual Governance Statement required to reflect the governance arrangements of the "Group" which, for the year to 31 March 2020, included Tayside Valuation Board, Tayside Contracts, AngusAlive and Angus Health and Social Care Partnership. Assurances had not been received at the time of Report 164/20 was written.

Sections 4.2 to 4.5 of the Report summarised the assurances in respect of those organisations included in the Council's group accounts.

The Chief Executive provided an overview of the Report.

Councillor Duff acknowledged the work undertaken by the Environment Health Service following an internal audit of the service in 2019.

Following a question raised by Councillor Duff relating to the 8% increase in 2019 of Freedom of Information (FOI) requests and the use of public money, the Chief Executive provided an update and provided examples of the subjects of requests received. She proposed that an overview report outlining key headings/themes be brought forward to a meeting of this Committee.

The Convener thereafter suggested a report outlining the key headings/themes in terms of FOI requests be brought back to the next meeting of this Committee.

Councillor Devine raised a question in terms of the Improvement Areas of the Report, in particular, the Local Governance Review (LGR) and enquired whether the participatory budget process would be linked with the review. In response, the Chief Executive confirmed that she would liaise with Communities colleagues to ensure that the connection between LGR and the participatory budget process was maintained. She also confirmed that she would revert back to Councillor Devine on this point, in due course.

Councillor Bell echoed Councillor Duff's earlier comments in terms of the Environmental Health Service. She thereafter commended the outstanding work of the Environmental Health Officers during the Covid-19 period. She highlighted that officers had been very helpful, supportive and responsive and had also prepared easy to follow guidance for business outlets during these difficult and challenging times.

The Chief Executive thereafter responded to a question raised by Councillor Bell in terms of the Review of the Council's existing Whistleblowing Policy and guidance in the context of Integration.

The Convener confirmed that subject to Committee approval, he had given his permission for his electronic signature to be used, in reference to recommendation (ii) of the Report.

The Committee agreed:-

- (i) to note the assurances relating to the IJB, Tayside Contracts, Tayside Valuation Joint Board and determined that there were no amendments required to the latest version of the Council's draft Annual Governance Statement, appended as Appendix 1 to the Report;
- (ii) to authorise the Convener of the Scrutiny and Audit Committee on behalf of the Committee to write to Angus Integrated Joint Board (Angus IJB) and AngusAlive confirming the adequacy and effectiveness of the Council's governance arrangements;
- (iii) to note the latest version of the draft Annual Governance Statement, appended as Appendix 1 to the Report, which had been updated since the last draft included in Report 164/20 Appendix 1; and
- (iv) to request the Chief Executive to review and bring forward a Freedom of Information (FOI) Report to include key headings/themes of requests, to the next meeting of this Committee.

8. ACCOUNTS COMMISSION REPORT: LOCAL GOVERNMENT IN SCOTLAND OVERVIEW 2020

There was submitted Report No 204/20 by the Director of Strategic Policy, Transformation and Public Sector Reform to make members aware of the 'Local Government in Scotland: Overview 2020' Report recently published by the Accounts Commission.

The Report indicated that the Local Government in Scotland: Overview 2020 report was published in June 2020, as outlined in Appendix 1 to the Report, noting that the Report had been produced prior to the Covid-19 pandemic, however only recently issued.

Appendix 2 to the Report contained a Supplement to the main report including 'Questions for Councillors' which covered the key recommendation areas to support Councillors with their scrutiny role.

The Report provided a useful summary of information highlighting the key challenges and performance issues that local government across Scotland were currently facing. The five key messages were summarised in Section 3.3 of the Report.

A number of recommendations were also included with the Report, the main themes of these recommendations were:- Governance; Collaboration; Capacity and Skills; and Services. Evidence of how the Council were progressing against these themes were outlined in Section 3.4 of the Report. These recommendations applied to councils and also integrated joint boards.

The Council was addressing each of the recommendations as part of its ongoing commitment to quality improvement, performance and change throughout all service areas of the Council.

The Service Leader (Governance and Change) provided an informative summary of the key themes of the Report.

Councillor Duff welcomed the Report. In referring to Appendix 2 of the Report – Questions for Councillors, he highlighted that it would be beneficial to review these questions at the future development session.

He thereafter raised a point in terms of Appendix 1 of the Report, Exhibit 2 in relation to the core funding per head of population. In response, the Senior Audit Manager, Audit Scotland confirmed that she would seek further confirmation from Audit Scotland and revert back to the Committee in due course.

Councillor McDonald also welcomed the Report and the opportunity to attend a future development session. In response to his query regarding the level of engagement and partnership working with Aberdeenshire Council, the Chief Executive provided an update on current partnership working and future opportunities.

Having heard from the Convener, the Committee agreed:-

- (i) to note the 'Local Government in Scotland: Overview 2020' Report, recently published by the Accounts Commission, appended as Appendix 1 to the Report;
- (ii) to note the Supplement to the main report including 'Questions for Councillors', which was appended as Appendix 2 to the Report; and
- (iii) to note that a development session for all members was to be arranged covering the 'Local Government in Scotland: Overview 2020' Report, along with the Accounts Commission Financial Overview 2018/29 Report considered by the Committee in January 2020 (Report 19/20 refers).

Councillor Boyd left during consideration of the following item.

9. 2019/20 UNAUDITED ANNUAL ACCOUNTS

With reference to Article 10 of the minute of meeting of this Committee of 20 August 2019, there was submitted Report No 205/20 by the Director of Finance, outlining the Council's 2019/20 unaudited Annual Accounts, which as required by law had been submitted to the Controller of Audit for audit purpose.

Appendix 1 to the Report included a summary of the Council's financial performance for the year which was an extract from the management commentary within the accounts.

As noted, the Annual Accounts were prepared on a draft basis and had been submitted to an External Auditor appointed by the Controller of Audit for independent review within the statutory timeframe.

The Annual Accounts had been prepared on a draft basis and submitted to the External Auditor appointed by the Controller of Audit for independent review within the statutory timeframe. The publication of the Local Government Finance Circular 10/2020 (Local Authority Accounts 2019/20 – Covid 19) had provided flexibility on the audit timeframe.

Under the new finance circular, the audit sign of date of 30 September 2020 was an 'aim' and the regulations therefore anticipated that there may be occasion when events prevented that being achieved. The publication deadline had been extended to 31 December 2020. External Audit had confirmed that they could not guarantee completion of their audit by the prescribed timescales of 30 September 2020 due to the impact that Covid-19 was having on their resources and the impact that remote working could have on audit tasks.

For the five year period commencing the audit of the 2016/17 accounts, Account Scotland had been appointed as Angus Council's external auditor. In light of Covid-19, the Council had been notified of an intended extension of the appointment which would take the appointment through to the 2021/22 audits and would be confirmed by the Auditor General and the Commission in the Autumn of 2020.

The ISA 260 Report for Angus Council would not be available until the audit work was completed. The findings from the audit work and the ISA 260 Report for Angus Council would be incorporated

into the Annual Report to Members seeking approval of the audited annual accounts. The Report noted that discussions were ongoing with External Audit regarding the timeframe for conclusion of the review work.

The Service Leader- Finance advised that following national agreement to extend the audit sign off date to 30 November 2020, Section 4 of the Report in terms of timescales was now outdated. He confirmed that to meet the revised statutory deadline, a Special Meeting of this Committee would take place on 24 November 2020.

He thereafter provided a detailed overview of the 2019/20 Unaudited Annual Accounts.

Councillor Duff raised questions in relation to slippage in capital outturn and also in terms of revaluation of non-current assets, and in response the Service Leader – Finance provided an update.

Councillor Bell raised a question in relation to the Housing Revenue Account – Capital Grant, in particular, the risk of claw back. The Service Leader – Finance advised that he was not aware of any grants being removed or recovered but highlighted that he would liaise with the Service Leader – Housing and revert back to Committee in due course.

The Committee agreed to note the Angus Council 2019/20 Unaudited Annual Accounts.

10. INTERIM MANAGEMENT REPORT 2019/20

With reference to Article 14 of the minute of meeting of this Committee of 20 August 2019, there was submitted Report No 206/20 by the Director of Finance providing Audit Scotland's Interim Management Report which contained a summary of the key issues identified during the interim audit work carried out at Angus Council for the Committee's review.

The Report indicated that the audit work had included testing key controls within the financial systems to gain assurances over the processes and systems used in preparing the annual accounts. A copy of the Management Report 2019/20 was attached as Appendix 1 to the Report.

Rachel Browne, Senior Audit Manager, Audit Scotland provided an overview of the Report.

The Committee agreed to note the contents of the Report.

11. ANNUAL COMPLAINTS REPORT – 1 APRIL 2019 TO 31 MARCH 2020

With reference to Article 12 of the minute of meeting of this Committee of 20 August 2019, there was submitted Report No 207/20 by the Director of Legal and Democratic Services highlighting the complaint statistics and satisfaction for 2019/20 and to assure members that learning was being taken on board from considering complaints to Angus Council.

The Report indicated that since 1 April 2013, the Council had been operating a Complaints Handling Procedure for Local Authorities as required by the Scottish Public Services Ombudsman.

During 2019/20, a total of 372 complains were recorded as closed off during the year. Details of the analysis of key indicators for 2019/20 were outlined in Section 4 of the Report and a full copy of the indicators were attached as Appendix 1 to the Report.

Indicator 7 of the Performance Management Framework required councils to report on customer satisfaction with the complaints process. To achieve this, satisfaction surveys were issued to all complainers within six weeks after the complaint had been closed. During 2019/20, 14 completed questionnaires were returned, and the results were outlined in Section 6.2 of the Report.

The Report highlighted that whilst the number of complaints continued to increase it must be acknowledged that there were fewer staff within the Council to both respond to issues timeously and to investigate complaints.

Section 8 of the Report outlined some examples of compliments received during 2019/20.

In July 2020, the Council moved to an online Contact Us system via the Firmstep Platform which would enable members of the public to submit Comments, Complaints and Compliments online. The approach was in line with the Council's commitment to Digital by Design and ensured that customers have the flexibility to access the service 24/7.

Having heard from the Chief Executive, the Committee agreed: -

- (i) to note the key performance indicators on complaints closed between 1 April 2019 and 31 March 2020;
- (ii) to note the results of the satisfaction survey sent to everyone who had made a complaint which was closed during 2019/20; and
- (iii) to note the complaints received by Service area as detailed in the Report.