

## **ANGUS COUNCIL**

MINUTE of MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held in the Town and County Hall, Forfar, on Tuesday 22 November 2016 at 2.00pm.

**Present:** Councillors BRIAN BOYD, BILL DUFF, CRAIG FOTHERINGHAM, JIM HOUSTON, IAN MCLAREN, ROB MURRAY, BOB MYLES, RONNIE PROCTOR MBE and MARK SALMOND.

Councillor BOYD, Vice-Convener, in the Chair.

**1. APOLOGIES/SUBSTITUTES**

An apology for absence was intimated on behalf of Councillor Jeanette Gaul.

**2. DECLARATIONS OF INTEREST**

The Committee agreed to note that no declarations of interest were made.

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Committee of 27 September 2016 was approved as a correct record and signed by the Vice-Convener.

**4. SCOTTISH FIRE AND RESCUE QUARTERLY PERFORMANCE REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2016**

With reference to Article 4 of the minute of meeting of this Committee of 23 August 2016, there was submitted Report No 410/16 by Colin Grieve, Local Senior Officer, Scottish Fire and Rescue Service, containing performance information relating to the second quarter (July – September) of 2016/17 on the performance of the Scottish Fire and Rescue Service in support of member scrutiny of local service delivery.

Attached as Appendices 1 and 2 to the Report was the detailed breakdown and analysis of all data collected during the reporting period along with a performance summary for the period 1 April to 30 September 2016.

Colin Grieve, Local Senior Officer provided an overview and highlighted a number of key performance results.

Following discussion, where questions were answered, the Committee agreed to note the performance of the Scottish Fire and Rescue Service against the priorities, performance indicators and targets detailed within the Local Fire and Rescue Plan for Angus 2014-17.

**5. ANGUS LOCAL POLICING AREA PERFORMANCE RESULTS FOR THE PERIOD 1 APRIL TO 30 SEPTEMBER 2016**

With reference to Article 5 of the minute of meeting of this Committee of 23 August 2016, there was submitted Report No 411/16 by Chief Superintendent Paul Anderson, which updated the Committee on the performance results for the period 1 April to 30 September 2016.

Attached as Appendix A to the Report were performance indicators that had been sub-divided into priorities within the Report which were the Local Policing Priorities as identified in the 3 year Local Policing Plan:-

- Serious and Organised Crime
- Public Protection and Safety
- Road Safety
- Antisocial Behaviour
- Theft and Scams

Superintendent Graeme Murdoch accompanied by Chief Inspector David McIntosh, provided an informative overview of the report.

Following discussion, where members' questions were answered and having also heard from Councillor Houston who highlighted that it would be helpful and informative for the report to include details in relation to wildlife crime, Chief Inspector David McIntosh indicated he was content to review the report to include these details.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to request Chief Superintendent Paul Anderson to include in future reports, further update information in relation to wildlife crime.

Thereafter, Iain Whyte, Board Member, Scottish Police Authority provided an overview and update in relation to the review of governance in policing, highlighting the importance of local policing scrutiny arrangements.

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

## **6. DIRECTORATE ANNUAL REPORT 2015/16**

With reference to Article 4 of the minute of meeting of this Committee of 29 September 2015, there was submitted Report No 412/16 by the Chief Executive, advising of the production of the 2015/16 Directorate Annual Report.

The Report indicated that as an integral part of the Council's performance management arrangements, each directorate prepared an Annual Report for the previous year reporting to their service committee in the first cycle after recess. The Report was designed to give members, employees and the public an update on the performance within directorates during the previous financial year.

The Committee then heard from the Vice Convener who read a statement on behalf of the Strategic Director - Children and Learning and from the Strategic Directors, Resources and Communities in relation to their annual report.

Having heard from a number of members, the Committee, for its interest, agreed to note the contents of the Report.

## **7. INTERNAL AUDIT ACTIVITY UPDATE**

With reference to Article 5 of the minute of meeting of this Committee of 27 September 2016, there was submitted Report No 413/16 by the Acting Service Manager - Governance and Consultancy, providing the Audit Manager's update on the main findings of the Internal Audit Reports issued since the date of the last meeting.

Two Internal Audit Reports had been issued since the last Committee, these being:-

- Fleet Management
- LEADER Review

The Report provided an update in relation to the progress of Internal Audit activity within the Council up to the end of October 2016, the progress with the 2016/2017 Internal Audit Plan and the progress with implementing Internal Audit recommendations.

Councillor Murray raised concerns that a number of outstanding level 1 recommendations had no notes input into the Council's covalent system and as a result, a number of actions had not been completed. The Audit Manager provided an update and indicated that he would progress these actions.

The Committee agreed:-

- (i) to note the update on the completion of the 2016/17 Internal Audit Plan; and
- (ii) to note the management progress in implementing Internal Audit recommendations.

## **8. CORPORATE COUNTER-FRAUD MID YEAR REVIEW**

With reference to Article 9 of the minute of meeting of this Committee of 19 April 2016, there was submitted Report No 414/16 by the Chief Executive providing a summary of the work undertaken by the Corporate Fraud Team (CFT) during the 6 months to 30 September 2016.

The Report indicated that on 1 May 2015 the responsibility for investigating allegations of Housing Benefit fraud in Angus transferred to the Department for Work and Pensions Single Fraud Investigation Service (SFIS). All other corporate fraud work remained the responsibility of the Council.

The Report also indicated that in accordance with CIPFA's Code of Practice on Managing the Risk of Fraud and Corruption, the Counter Fraud Team had continued to carry out data matching exercises to identify fraud and error. In addition to data matching initiatives, the Corporate Fraud Team examined any allegations of fraud received; identified benefit overpayments which were recoverable and worked in collaboration with colleagues throughout the Council.

Section 4.2 of the Report detailed the summarised results of the Corporate Fraud Team activity in the 6 months to 30 September 2016.

The Committee agreed to note the contents of the Report.

## **9. CORPORATE RISK REGISTER UPDATE**

With reference to Article 12 of the minute of meeting of this Committee of 23 August 2016, there was submitted Report No 415/16 by the Chief Executive presenting the quarterly Corporate Risk Register update for review and challenge.

The Report indicated that the Council Management Team (CMT) reassessed the risks on the corporate risk register and some changes had been made. The main change was that six risks had been removed from the register as they had either been deemed to be now sitting at a directorate level or were merged with another existing risk. A number of risks were reworded to reflect the changes that had taken place regarding organisation culture and also the evolving environment in which we worked and lived. A summary of these changes were attached as Appendix 1 to the Report.

Appendix 2 to the Report detailed the 12 corporate risks and a tracked version of the changes had been made available in the Members' Information Hub.

A risk champion from the Council Management Team had been appointed for each risk and their role was to act as a critical friend, challenge the risk owner and to encourage updates/periodic review of the risk.

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

## **10. TREASURY MANAGEMENT ANNUAL REPORT - 2015/16**

With reference to Article 8 of the minute of meeting of Angus Council of 27 October 2016, there was submitted Report No 370/16 by the Head of Corporate Improvement and Finance presenting Angus Council's Annual Report on Treasury Management activities in 2015/16.

The Report indicated that as a result of sound treasury management activity, the Council had been able to meet all its financial obligations and cash flow requirements throughout the financial year without encountering any liquidity problems. Additionally, a higher than budgeted return on investments had been delivered in compliance with the Treasury Management Policies and Strategies set by the Council.

The Committee agreed to note the annual report on the 2015/16 Treasury Management activities for Angus Council, attached as Appendix 1 to the Report.

## **11. REVIEW OF COMPLAINTS HANDLING PROCEDURE**

With reference to Article 9 of the minute of meeting of the Strategic Policy Committee of 4 December 2012, there was submitted Report No 416/16 by the Chief Executive requesting members to note that the review of the complaints handling procedure had taken place.

The Report indicated that in February 2015, an Internal Audit of Complaints Management had been undertaken and it had recommended that a review of the Complaints Handling Procedure be carried out to determine whether the reporting arrangements detailed within the Complaints Handling Procedure still reflected the requirements of the Council.

The Review of the Complaints Handling Procedure had now been carried out and since implementation in 2013, social work complaints were now managed in line with the Council's Complaints Handling Procedure except that these complaints continued to have a Stage 3 appeal to the Complaints Review Committee.

The Committee agreed to note that the required Review had taken place and that an amended Complaints Handling Procedure would be presented for approval in 2017 in view of the forthcoming changes in the national arrangements for the investigation of Social Work Complaints by the Scottish Public Services Ombudsman.

## **12. COMPLAINTS**

With reference to Article 13 of the minute of meeting of this Committee of 19 April 2016, there was submitted Report No 417/16 by the Chief Executive, highlighting the complaints received from 1 April to 30 September 2016 and updating members on the action being taken to ensure the effectiveness of the complaints handling procedure and to learn from complaints.

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

The Report also indicated that the analysis of figures during the first two quarters 1 April to 30 June and 1 July to 30 September had shown that complaints were, in the main, being addressed at the front line resolution stage (Stage 1). Of the 111 complaints received during the period, 95 were closed at the front line stage.

Appendices 1 and 2 detailed the investigation complaints and the lessons that the Council had taken from these complaints.

As requested by this Committee, service areas had produced a note of positive and complimentary comments received from citizens since April 2016. At present there was no facility for recording these comments within the Council's complaints handling system but a number of examples had been provided and were outlined in Section 6 of the Report.

The Committee agreed:-

- (i) to note the complaints closed between 1 April to 30 September 2016; and
- (ii) to note the learning as a result of the complaints.

## **13. ANNUAL REPORT FROM THE SCOTTISH PUBLIC SERVICES OMBUDSMAN 1 APRIL 2015 TO 31 MARCH 2016**

With reference to Article 9 of the minute of meeting of this Committee of 24 November 2015, there was submitted Report No 418/16 by the Head of Legal and Democratic Services advising members that the Scottish Public Services Ombudsman (SPSO) had presented his Annual Report for the period 2015/16 which enabled Angus Council to compare itself against the sector totals for specific areas of complaint.

The Report indicated that the annual Scottish Public Services Ombudsman's Report had been issued on 25 August 2016 and contained information relating to the operation of the standardised model Complaints Handling Procedure. The Report also provided statistical information in relation to the performance of each Local Authority enabling the Council to measure its performance against the sector totals of specific areas shown in the Appendix to the Report. Comparative information for the year 2014/15 was also contained within the Report.

The Scottish Public Services Ombudsman also provided details of complaints that were determined during the period 2014/15 and 2015/16. During 2014/15 a total of 40 complaints were determined and during 2015/16 a total of 24 complaints had been determined.

The Committee agreed to note the statistical information provided by the Scottish Public Services Ombudsman and the performance of Angus Council in relation to the sector totals.

#### **14. COMPLAINTS RAISED WITH SCOTTISH PUBLIC SERVICES OMBUDSMAN 1 APRIL 2016 TO 30 SEPTEMBER 2016**

With reference to Article 10 of the minute of meeting of this Committee of 24 November 2015, there was submitted Report No 419/16 by the Head of Legal and Democratic Services providing information about complaints made to the Scottish Public Services Ombudsman (SPSO) in respect of Angus Council during the period 1 April 2016 to 30 September 2016.

The Report indicated that the SPSO had required the Council to comply with the national complaints handling procedure which was adopted by Angus Council in December 2012. The purpose behind a single procedure was to enable Councils to compare the number and type of complaints with other Local Authorities but also to enable Councils to learn from the complaint and to use them to drive improvement within the Council service.

During the period 1 April 2016 to 30 September 2016 a total of 3 letters of complaint were received by the SPSO in relation to Angus Council. All three complaints were not pursued and brief details of these complaints were detailed in Appendix 1 to the Report.

Attached as Appendix 2 to the Report was details of a complaint which had been received during the period 1 October 2015 to 31 March 2016. This complaint has not been completed and would be reported back to this Committee at a later date.

The Committee agreed:-

- (i) to note the findings of the Scottish Public Services Ombudsman; and
- (ii) that the actions taken in respect of the Scottish Public Services Ombudsman recommendations were appropriate.

#### **15. WORKFORCE DATA REPORT**

There was submitted Report No 420/16 by the Head of HR, IT and OD providing information to members with regard to a change in the frequency and manner in which workforce data would be reported to Committee.

The Report indicated that historically the HR Service had provided a number of separate reports to Committee covering a range of information regarding the Council's workforce including sickness absence statistics and headcount information. This and further additional information had now been brought together into a single, more comprehensive Workforce Data Report and was attached as Appendix 1 to the Report.

It was intended to produce this Report biannually for services and for reporting to Committee twice each year, covering the period 1 April – 30 September and 1 October – 31 March.

Future reports would include figures in relation to vacant posts and turnover statistics and would continue to build on different data sets where these were considered useful. Attached as Appendix 2 to the Report was the analysis highlights in relation to each of the data sets.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the changes to reporting arrangements regarding Council workforce data.

**16. EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved, in terms of Standing Order 28(2) that the public and press be excluded from the meeting during consideration of the following item, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973, paragraph 6 and 12.

**17. INTERNAL AUDIT INVESTIGATION REPORT**

There was submitted Joint Report No 405/16 by the Chief Executive and Strategic Director - Communities providing an update on an investigation conducted jointly by Property and Internal Audit in 2014.

The Committee agreed to approve the recommendation, as detailed in the Report.