

ANGUS COUNCIL

MINUTE of MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held remotely on Tuesday 25 January 2022 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 Item 5, Report 13/22 as a Council appointed Board member to AHSCP IJB and Chair of the AHSCP IJB Audit Committee. She indicated that she had a dispensation and would participate in any discussion and voting on the item.

Councillor Myles declared a non-financial interest in Items 4 and 5, Reports 12/22 and 13/22 as a Council appointed Board member to Tayside Contracts and AHSCP IJB (Vice Chair). He indicated that he had a specific exclusion and dispensation respectively and would participate in any discussion and voting on these items.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 30 November 2021 was approved as a correct record and signed by the Convener.

Councillor Brown joined the meeting during consideration of the following item.

4. TAYSIDE CONTRACTS ANNUAL PERFORMANCE REPORT 2020/21

With reference to Article 6 of the minute of meeting of this Committee of 1 December 2020, there was submitted Report No 12/22 by the Director of Strategic Policy, Transformation and Public Sector Reform presenting the Tayside Contracts Annual Performance Report for 2020/21.

The Report indicated that the Council had a variety of strategic and operational mechanisms in place to monitor the ongoing performance of Tayside Contracts. The Council had also established an Officer Monitoring Group covering all the Directorates where the Council engaged Tayside Contracts in the delivery of services. Operational meetings were also held with Tayside Contracts in each of the service areas to deal with day to day matters. The governance framework provided oversight of the whole Tayside Contracts operation and its service delivery performance for Angus Council.

Appendix 1 to the Report detailed the Tayside Contract Annual Performance Report for 2020/21 and highlighted some of the key achievements and developments during 2020/21.

Keith McNamara, Managing Director, Dougie McKay, Head of Operations and Frank Reilly, Head of Human Resources and Facilities Management, all Tayside Contracts provided an overview of Tayside Contracts and the top performance highlights, key performance indicators and targets, current challenges and strategic priorities.

Mr McNamara also emphasised that the period covered in the Report represented one of the most extraordinary times in global history, and that activities had been shaped by the response to COVID-19.

Thereafter the representatives answered questions from Councillors Bell, Whiteside, Duff, Devine and Braes in relation to apprenticeships, Brexit, Tay Cuisine (CPU) and a future site visit, secondary school meals uptake, the innovative technology project related to road maintenance and intended roll out in Angus, KPI's, local food growth, equal pay and wellbeing strategy.

Councillor Devine also took the opportunity to congratulate Mr McNamara and his team, and in terms of the Tayside Contracts achievements at the Public Service Excellence Awards.

The Convener thanked the representatives of Tayside Contacts for their interesting presentation and thereafter the Committee agreed to note the Tayside Contacts Annual Performance Report for 2020/21.

5. INTERNAL AUDIT ACTIVITY UPDATE

With reference to Article 7 of the minute of meeting of this Committee of 30 November 2021, there was submitted Report No 13/22 by the Service Leader - Internal Audit providing the Internal Audit Activity update on the main findings of the Internal Audit Reports issued since the date of the last meeting.

The Report presented an update in relation to the Internal Audit activity within the Council and provided an update on progress with the planned audit work, including new audits drawn from the audit pool; and the implementation of internal audit and counter fraud recommendations.

Appendix 2 to the Report outlined the Integration Joint Board's Internal Audit Plan for 2021/22.

The Service Leader – Internal Audit provided a summary and outlined the key areas of the Report and also highlighted the commencement of the audit work involving Procurement staff and the temporary secondment of one team member on a part time basis to support the activities of the Council Emergency Centre.

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

- LEADER
- Road Asset Maintenance Processes
- Review of Audit Scotland's Fraud and Irregularity Reports.

Councillors Duff and Devine raised questions in terms of the Roads Asset Maintenance Processes Audit, in particular, expenditure invested, carriageway backlog figures, and risk assessment process and in response, the Director of Infrastructure provided an update and also agreed to follow up and revert to both Councillors Duff and Devine, following the meeting.

The Service Leader – Internal Audit responded to Councillor Whiteside's question related to the development of a corporate policy for private use of council vehicles.

The Committee agreed:-

- (i) to note the update on progress with the planned Internal Audit work as outlined in Appendix 1 to the Report;
- (ii) to note management's progress in implementing internal audit and counter fraud recommendations as outlined in Appendix 1 to the Report; and
- (iii) to note the Angus Integration Joint Board's Audit Plan for 2021/22 as outlined in Appendix 2 to the Report, which was approved by the Integration Joint Board Audit Committee on 23 June 2021.

6. CORPORATE GOVERNANCE – ACTION PLAN UPDATES

With reference to Article 7 of the minute of meeting of this Committee of 26 January 2021, there was submitted Report No 14/22 by the Director of Strategic Policy, Transformation and Public Sector Reform presenting an update in relation to the Action Plan included in the 2020/21 Annual Governance Statement and also providing an update in relation to the Action Plan from the 2020/21 Scrutiny and Audit Committee Annual Report to Council.

The Report indicated that the final 2020/21 Annual Governance Statement was included in the Council's 2020/21 audited Annual Accounts, which were approved by this Committee on 30 November 2021. The Annual Governance Statement included a number of improvement actions to be taken forward during 2021/22 to strengthen the Council's corporate governance.

An update to the Annual Governance Statement and Scrutiny and Audit Committee Annual Report Action Plans were included within Appendices 1 and 2 to the Report and approval was sought to extend the completion dates on a number of actions. A further update would be reported to this Committee in June 2022 as part of the annual corporate governance review and August 2022 as part of the draft annual report for 2021/22 and would include any new actions identified as part of the 2022 self-assessment exercise.

The Service Leader (Governance and Change) provided an overview of the Report and also responded to Councillor Whiteside's question in relation to the Review of the Social Care Billing process proposed target completion date extension to 31 March 2023.

The Committee agreed:-

- (i) to note the update to the 2020/21 Annual Governance Statement Action Plan included in Appendix 1 to the Report;
- (ii) to note the update to 2020/21 Scrutiny and Audit Committee Annual Report Action Plan to Council included in Appendix 2 to the Report; and
- (iii) to approve the extension to the completion dates on specific actions as set out in Sections 3.2 and 4.2 of the Report.

7. REPORTS TO COUNCIL AND COMMITTEES RELEVANT TO SCRUTINY AND AUDIT COMMITTEE

With reference to Article 7 of the minute of meeting of this Committee of 23 September 2021, there was submitted Report No 15/22 by the Service Leader - Internal Audit advising members of reports submitted to other Angus Council committees, the Council, Tayside Contracts and to the Integration Joint Board that were relevant to the work of the Scrutiny and Audit Committee.

Attached as Appendix 1 to the Report was a list of reports covering the period 13 August 2021 to 17 December 2021.

Having heard from the Convener, the Committee agreed:-

- (i) to note the Reports listed in Appendix 1 to the Report; and
- (ii) that no further detailed discussion on any of the Reports was required at this time.

8. CORPORATE RISKS AND RISK MANAGEMENT

With reference to Article 12 of the minute of meeting of this Committee of 24 August 2021, there was submitted Report No 16/22 by the Chief Executive providing an update on the work being undertaken to embed the Council's Risk Management Framework and included a reviewed and updated Corporate Risk Register for consideration.

The Report indicated that the two-yearly review of the Council's Risk Management Strategy was commenced in July 2021 but had been impacted by higher priority work. The Corporate Risk Register had been reviewed and risks and associated actions updated.

A new corporate risk titled Data Migration had recently been included and was centred around migration of data from the Care First system to the Eclipse system. The risk had been escalated from the Children, Families and Justice Service's Risk Register.

Appendices 1 and 2 of the Report detailed the Corporate Risk Dashboard and Corporate Risk Report.

Councillors Bell and Devine raised questions related to Performance Management, Legislation, Climate Change, Pandemic-COVID-19, and the Exit from the EU risks and thereafter, in response, informative and progress updates were provided by the Chief Executive, Depute Chief Executive, Director of Finance, and Director of Strategic Policy, Transformation and Public Sector Reform.

In response to Councillor Duff's request for further information related to the new Data Migration risk, the Director of Children, Families and Justice provided background detail and highlighted the key existing controls and actions in place to mitigate risk and to reduce the risk score. She also responded to questions from the Convener and Councillor Whiteside related to system design failure and the potential for recompense.

Thereafter, the Committee agreed:-

- (i) to note the ongoing work to take Risk Management forward; and
- (ii) to note the Corporate Risk Register Dashboard and all risks contained therein.

9. DETAILED RISK REPORTING TO SCRUTINY AND AUDIT COMMITTEE

With reference to Article 10 of the minute of meeting of this Committee of 30 November 2021, there was submitted Report No 17/22 by the Service Leader - Internal Audit presenting detailed risk information in line with proposals agreed by the Committee in August 2021, Report 256/21 refers.

The Depute Chief Executive provided a brief outline of the Health and Safety Compliance Risk highlighting that a number of additional controls and actions were in place to enable working towards a reduced overall risk score from 12 to 6.

The Team Leader, Risk Resilience and Safety gave an informative presentation on the Health and Safety Compliance Risk. He also highlighted the key controls and action areas including the EastScot partnership working with Clackmannanshire and Perth and Kinross Councils on all Health and Safety matters, progression of a development plan that would enable the review and completion of a number of topic areas comprising risk assessments guidance, templates and training.

He indicated that the collaborative working approach had benefitted Angus greatly and that a reduced risk rating would be achieved, more quickly. He also highlighted that the impact of the pandemic had resulted in difficulties and challenges in the progress of the corporate Health and Safety action plan.

Staff recruitment was in progress that would enhance and support the EastScot project, build and roll out the digital system, develop and deliver training and the performance monitoring record, including reviews of the risk assessment and Health and Safety training.

The Council's new agile approach and pandemic restrictions highlighted the requirement to review and adapt the current training methods and to facilitate a more blended approach, and whilst this was being progressed, and to mitigate risk, the team would continue to assist and provide support on a one to one basis, directly to services, up until the new training module was

implemented. The mandatory training included toolbox talks with data to be held on Resourcelink to ensure training performance was being monitored.

Over the last two year period, the Team Leader advised that there had been significant challenges related to staffing levels and staff retention, HSE contacts, COVID-19 pandemic, severe weather and concurrent risks and collaboration with Trade Unions but emphasised that the team had remained resilient and looked for solutions to overcome those challenges.

In response to Councillor Bell's question, the Team Leader provided an update . Thereafter the Depute Chief Executive intimated that in terms of the Council's responses throughout the pandemic, it was noted that there was more corporate and collaborative joint working with the team which ensured the workforce were kept informed and that adequate controls were in place.

Having heard from the Convener who referred to the detailed risk reporting programme timeline and proposals for the reporting of the new Data Migration Risk, the Committee agreed:-

- (i) to note the information presented in relation to the Health and Safety Compliance Risk; and
- (ii) that the Climate Change Risk be presented to this Committee in March 2022 as per the original reporting timeline, with the Data Migration Risk to be brought forward to this Committee, following the election in May 2022.

Councillor Boyd left the meeting.

10. ANGUS ADULT PROTECTION COMMITTEE SIGNIFICANT CASE REVIEW P19

There was submitted Report No 18/22 by the Chief Executive presenting the Angus Adult Protection Committee (AAPC) Significant Case Review (SCR) P19 and the subsequent development of a draft Scottish Government Commission to Healthcare Improvement Scotland and the Care Inspectorate for Independent Assurance and Improvement Support.

The Report indicated that the Adult Protection Committees and Chief Officers had responsibility for commissioning SCRs and ensuring any improvements actions were delivered. There were 59 recommendations in the SCR Report assigned to a range of agencies including Angus Council and Angus Health and Social Care Partnership.

Since the publication of the SCR Report in November 2021, work had been ongoing locally and with Scottish Government colleagues to agree the steps required to prioritise and progress the full range of recommendations and actions arising from the Report. The Minister for Mental Health and Wellbeing and Social Care was in the process of commissioning Healthcare Improvement Scotland (HIS) and the Care Inspectorate (CI) to work together with partners in Angus.

Local partners had reviewed the detail of the commission and provided feedback, comment and had highlighted points for clarity. Following consideration of the feedback, the commission would be subject to a final sign off by the Minister. Partners, through coordination of Angus Adult Protection Committee, were requested to provide a status update Report on the recommendations, no later than mid-January 2022. Alongside this work, there was also an expectation that the full and complete multi-agency action plan would be drafted, agreed and in progress, no later than the end of February 2022.

A commission instructed to support a local area to deliver an improvement plan from an SCR was an indication of the significance of the findings, both locally and nationally, and the scale of work that was required to deliver the recommendations, in a meaningful way.

A full multi agency action plan was currently being developed to ensure that all 59 recommendations were progressed. Within the list of recommendations, there were three specific actions for Angus Council, as outlined in Section 4 of the Report, and a range of actions

which related to Angus Council's adult services provision as part of the Angus Health and Social Care Partnership.

Appendix 1 to the Report detailed the recommendations and progress to date.

The Chief Executive and the Head of Community Health and Care Service provided a summary of the background and outlined the key areas of the Report.

In response to Councillor Bell's question, the Head of Community Health and Care Services provided an update and confirmed that when reviewing the commissioned services work and the Adult Protection large scale audit (96 cases), no high risk situations were identified. He also confirmed that a number of systems were in place to scrutinise the quality of commissioned services. Also weekly meetings were in place to consider and prioritise cases, on a need and risk basis.

Thereafter, the Committee agreed:-

- (i) to note the Adult Protection Committee Significant Case Review P19;
- (ii) to note the initial improvement actions detailed for Angus Council and Angus Health and Social Care Partnership, the priority attached to these and for capacity to be made available to progress these actions;
- (iii) to note the ongoing work of the Adult Protection Committee partners to finalise a multi-agency improvement plan in response to the Significant Case Review and the complex and detailed nature of the work taking place; and
- (iv) that this Committee receive a further report detailing progress against actions in Autumn 2022.