

ANGUS COUNCIL

MINUTE of MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held remotely on Tuesday 1 March 2022 at 2.00pm.

Present: Councillors ALEX KING, BILL DUFF, JULIE BELL, BRIAN BOYD, KENNY BRAES, LYNNE DEVINE, BEN LAWRIE, MARK MCDONALD, IAN McLAREN, DAVID LUMGAIR, MARK SALMOND and BETH WHITESIDE.

Councillor KING, Convener, in the Chair.

Prior to the commencement of business, the Convener intimated that this was the last meeting of the Committee prior to the Election in May and took the opportunity to remind members of the Scrutiny and Audit Committee Annual Self-Assessment meeting scheduled to take place on 10 March 2022 at 10am.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Bob Myles with Councillor David Lumgair substituting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 25 January 2022 was approved as a correct record and signed by the Convener.

4. SCOTTISH FIRE AND RESCUE SERVICE – QUARTERLY MONITORING REPORT FOR THE PERIOD 1 OCTOBER TO 31 DECEMBER 2021

With reference to Article 4 of the minute of meeting of this Committee of 30 November 2021, there was submitted Report No 72/22 by Stephen Wood, Local Senior Officer, Scottish Fire and Rescue Service, relating to quarter three (1 October to 31 December) of 2021 on the performance and activities in support of the priorities in the Local Fire and Rescue Plan for Angus 2020 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.

Stephen Wood, Local Senior Officer provided a brief summary of the Report, and Scott Gibson, Local Group Officer was heard in relation to the 12 key performance indicators and targets; the Community Safety Engagement Programme as outlined in Appendix 1 to the Report, and the Notable Events related to Rossie Young People's Trust – Young Fire Fighters; Safe Angus; Challenge Poverty Week; Christmas Toy Appeal; Young Fire Fighters Arbroath; Bonfire safety message to Angus Schools; and White Ribbon Campaign -16 Days of Action.

Councillors Whiteside, Bell and Duff raised questions and comments related to the proposals for the new Road Safety Education Strategy for 2021/22; Rossie Young People's Trust including the engagement with young people; and the Man-Down project at Montrose, and in response, the Local Senior Officer provided an update and also advised that details of the new Road Safety Education Strategy plan would be brought forward to this Committee in due course.

Thereafter Councillors Boyd and Devine commended the work of all those involved in the Challenge Poverty Week, White Ribbon Campaign and the Bonfire Safety Message delivered to Angus Schools.

The Convener on behalf of the Committee conveyed gratitude to the Local Senior Officer and Local Group Officer, and also their predecessors, for their contributions.

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 October to 31 December 2021.

5. POLICE SCOTLAND – ANGUS LOCAL POLICING AREA QUARTERLY REPORT FOR THE PERIOD 1 OCTOBER TO 31 DECEMBER 2021

With reference to Article 5 of the minute of meeting of this Committee of 30 November 2021, there was submitted Report No 73/22 by Chief Superintendent Phil Davison, which updated the Committee on the performance results for the period 1 October 2021 to 31 December 2021.

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.

Chief Superintendent Phil Davison, also accompanied by Chief Inspector Leanne Blacklaw, Local Area Commander for Angus, highlighted that quarter three had continued to be a challenging period for policing, as a result of the significant issues arising from Storm Arwen, the re-introduction of restrictions due to the Omicron COVID-19 variant, COP26 and multi-agency meetings. Chief Inspector Blacklaw thereafter provided a brief summary of the key areas of the Report.

Chief Superintendent Davison and Chief Inspector Blacklaw also provided detailed and informative responses to questions and comments from Councillors Whiteside, Devine, Bell, Duff and Lawrie in relation rural crime priorities, domestic housebreaking trend/pattern, Operation CEDAR including driving habits of vulnerable road users, policing perspective around the 20mph zone/speed limits; hate crime awareness, and changes to drug policy measures related to Class A drugs including reported Angus figures, possession of drugs including antisocial behaviour strategy; and also advantage/disadvantage of social media in cases of missing persons.

Chief Inspector Blacklaw confirmed that she would require to revert back in terms of questions raised related to whether the New Driver Scheme (NDS) was mandatory, and regarding the police warning figures of individuals found to be in possession of Class A drugs, in Angus.

The Convener on behalf of the Committee, conveyed gratitude to the Chief Superintendent and Chief Inspector and also their predecessors, for their contributions.

The Committee agreed to note the Angus Local Policing Area Quarterly Report for the period 1 October 2021 to 31 December 2021.

6. ANGUS ADULT PROTECTION COMMITTEE ANNUAL REPORT 2020 TO 2021

With reference to Article 4 of the minute of meeting of this Committee of 26 January 2021, there was submitted Report No 74/22 by the Chief Executive presenting the Angus Adult Protection Committee (AAPC) Annual Report for 2020/21.

The Report indicated that AAPC had continued to work together to improve adult protection practice in Angus throughout the reporting period and highlighted that the Annual Report predated the recent update provided to members on the publication of the P19 Significant Case Review.

The new AAPC Strategic Plan 2020-2023 was based around the statutory functions of an Adult Protection Committee as set out in legislation. The plan would be regularly updated to include any emerging national or local priorities and remained flexible to take into account any future impact arising from the COVID pandemic. Section 4.5 of the Report detailed the areas identified for development and progression.

The Chief Executive provided a brief overview and highlighted that there had been a significant increase in adult protection activity during the period April 2020 to March 2021.

Mr Ewen West, Independent Chair of the Angus Adult Protection Committee also reiterated the significant increase in referrals, from 400 reported in the previous year to 728 to March 2021; and thereafter provided an informative summary of the referral pathways, multi-agency response; P19 Significant Case Review and the identified key priorities of the Strategic Plan 2020-23 including Service User Involvement and Participation, Self-Evaluation and Continuous Improvement and Transitions.

Mr West and George Bowie, Head of Community Health and Care Services, AHSCP responded to questions from Councillors Whiteside and Devine in relation to the Biennial Reporting period and future reporting timeline; Early Screening Group outcomes particularly NFA3 and NFA4; Figure 3 Referrals Leading to Inquiry; Age of adults at risk; and Transitions.

Mr West confirmed that the Biennial Report cover period should have read 2020 and not 2019 as reported, also the reporting timeframe and the graph outlined in Figure 3 of the Report would be further reviewed. The Head of Community Health and Care Services agreed to review the NFA3 and NFA4 position and would revert back in due course.

The Chief Executive, in response to Councillor Devine's question, intimated that the Governance Priorities would be reviewed, to take cognisance of the role of Scrutiny and Audit Committee.

Thereafter, the Committee, having welcomed the Report and the work of the Angus Adult Protection Committee, agreed:-

- (i) to note the contents of the Angus Adult Protection Committee (AAPC) Annual Report 2020 to 2021, outlined as an Appendix to the Report; and
- (ii) to note the key trends and areas for development emerging from the Report.

7. ANGUS VIOLENCE AGAINST WOMEN PARTNERSHIP ANNUAL REPORT 2020 TO 2021

There was submitted Report No 75/22 by the Chief Executive presenting the first Angus Violence Against Women Partnership (AVAWP) Annual Report for March 2020 to April 2021. Equally Safe was Scotland's national strategy for preventing and eradicating violence against women and girls, with local Violence Against Women partnerships providing the multi-agency forum to deliver this. Chief Officers across Angus individually and collectively had responsibility to ensure that there were clear reporting processes in place between AVAWP and the Chief Officers Group.

The Report presented the work undertaken in Angus by individual agencies and in partnership to delivery national, Tayside-wide and local outcomes to prevent and eradicate all forms of violence against women and girls. The Annual Report had been approved by AVAWP and the Angus Chief Officer Group, the multi-agency governance group with operational accountability for protecting people arrangements in Angus.

The AVAWP continued to work together to promote awareness of and improve practice in relation to all forms of gender-based violence. Section 4 of the Report outlined progress during the reporting period and areas for development and progression.

The Chief Executive introduced the Report and thereafter the Committee also heard Mr Ewen West, Independent Chair of the Angus Violence Against Women Partnership highlight that this

was the first Annual Report presented to members and emphasised the collective partnership commitment to delivering the key services across Angus.

A progress update was provided in terms of data set and future comparative data, training, implementation of the multi-agency good practice guidance, the continued promotion of Safe and Together and intervention and prevention measures. In terms of gender based violence, he stressed that one of the main key areas was online abuse and that the extent and impact of such abuse in Angus was unclear and, as the Chair, he had requested further work to be undertaken to ascertain the position and the preventative measures required.

Councillor Bell highlighted that today was an important milestone for the Angus Violence Against Women Partnership and was vital for elected members to have sight of and to scrutinise the detail provided, to raise awareness of the issues across Angus and the partnership working being undertaken. Emphasising that the scale of violence against women in Angus was shameful, she highlighted there was now the opportunity to tackle and address these issues and to also effectively engage with parents, men and boys to develop healthy respectful relationships. In reflecting the Motion brought forward to Council in 2018, she referred to the achievements and progress of the multi-agency partnership and extended her gratitude to the Chair and all those involved in work of the Angus Violence Against Women Partnership.

Councillors Bell, Whiteside, Devine and Braes raised questions and comments related to COVID-19 data gaps, AVAWP Workplace Policy Pledge, Communication and Engagement Strategy, White Ribbon Campaign, and in response, Mr West provided an update. The Chief Social Work Officer also responded to questions in respect of the perpetrator helpline and the high quality evidenced based and non-court mandated programmes.

The Committee having welcomed the Report, agreed:-

- (i) to note the contents of the Angus Violence Against Women Partnership (AVAWP) Annual Report 2020 to 2021, attached as an Appendix to the Report; and
- (ii) to note the key trends and areas for development emerging from the Report.

At this point, the Scottish Fire and Rescue Services and Police Scotland representatives left the meeting.

8. ANGUSALIVE ANNUAL REPORT 2020/21

With reference to Article 6 of the minute of meeting of this Committee of 2 March 2021, there was submitted Report No 76/22 by the Director of Strategic Policy, Transformation and Public Sector Reform, presenting ANGUSalive's Annual Report for 2020/21 and the financial overview for the period ending 31 March 2021.

The Report focussed on ANGUSalive's key achievements and developments during 2020/21 and included a financial overview. More detailed financial information was available in ANGUSalive's Report and consolidated financial statements for the period ended 31 March 2021, which were accessible direct from Office of the Scottish Charity Regulator (OSCR)/ Companies House.

Kirsty Hunter, Chief Executive of ANGUSalive advised of the significant impact that the coronavirus had on the charity's ability to operate and generate income, and also highlighted the close partnership working with Angus Council. An overview of some of the key areas of the Report was provided including the increase in downloads of the ANGUSalive App from 2,000 to 10,000 in 2022; online events; grants and funding awarded in 2020/21; Creative Scotland; case studies; and ANGUSalive at 5. The Chief Executive of ANGUSalive also took the opportunity to commend the local community and visitors for their continued support.

Councillors Duff and Whiteside sought further information in terms of comparative membership figures across Scotland, and in going forward, requested that consideration be given to

reviewing the gender balance position, particularly related to the Board of Directors, and in response, the Chief Executive, ANGUSalive provided an update.

The Committee agreed to note the ANGUSalive Annual Report for 2020/21 as outlined in Appendix 1 to the Report.

9. INTERNAL AUDIT ACTIVITY UPDATE

With reference to Article 5 of the minute of meeting of this Committee of 25 January 2022, there was submitted Report No 77/22 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.

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

- Non-Domestic Rates
- Continuous Auditing Creditors
- IT User Access Administration - IDOX

The Service Leader – Internal Audit provided a brief overview of the key areas of the Report.

Paul Kelly, Director of Audit and Assurance, Azets provided an overview of the IT User access administration – IDOX audit and highlighted the main key areas identified for improvement including the wider learning points.

Councillors Bell, Duff and Braes raised questions in terms of the Corporate Parenting and IT User access administration – IDOX audits and the Finance Service capacity review, and in response, the Service Leader – Internal Audit provided an update. In response to Councillor Duff's question related to the IDOX system for postal voting process, the Service Leader – Internal Audit confirmed that she would require to look further into this and revert back in due course.

The Director of Finance also provided an update in terms of the Finance Service capacity review.

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 move the Finance Service Capacity Review to the Pool.

Councillor McLaren left the meeting.

10. ANNUAL INTERNAL AUDIT PLAN 2022-23

With reference to Article 9 of the minute of meeting of this Committee of 2 March 2021, there was submitted Report No 78/22 by the Service Leader - Internal Audit providing the Service Leader's Annual Internal Audit Plan for 2022/23 for approval.

The Report indicated that in terms of the Public Sector Internal Audit Standards (PSIAS), the Service Leader - Internal Audit was required to set a risk based audit plan sufficient to provide

the required assurances to members and officers in relation to corporate governance, risk management and internal controls.

Attached as Appendix 1 to the Report were the outcomes of the annual planning exercise and the Service Leader's proposed 2022/23 Internal Audit Plan, for approval. The 2022/23 Internal Audit Plan set out the proposed activity to be performed by the Council's Internal Audit team in order to allow the Service Leader - Internal Audit to provide an Annual Internal Audit Opinion in June 2023.

Councillors Whiteside and Devine raised questions regarding the Private Water Supplies Testing Legislation and also whether information related to the role of this Committee could be made available to new elected members. Thereafter in response, the Service Leader provided an update and also confirmed that relevant information including the Committee's remit had been made available for inclusion within the induction training for elected members.

The Committee agreed:-

- (i) to note that a risk based approach methodology had been utilised to develop the proposed Internal Audit Plan for 2022/23; and
- (ii) to approve the proposed 2022/23 Internal Audit Plan.

11. EXTERNAL AUDIT – ANNUAL AUDIT PLAN 2021/2022

With reference to Article 5 of the minute of meeting of this Committee of 27 April 2021, there was submitted Report No 79/22 by the Director of Finance presenting the External Auditor's Annual Audit Plan for 2021/22.

The Report summarised the work plan for the 2021/22 external audit of Angus Council and outlined the main areas including financial statements audit planning, audit dimensions and Best Value, reporting arrangements, timetable, audit fee and other related matters.

The 2021/22 significant audit risks were outlined in Exhibit 2 of the Appendix to the Report.

Carole Grant, Audit Director, Audit Scotland provided a detailed overview and highlighted the various aspects of the Report.

The Committee agreed to note the content of the External Audit Annual Audit Plan for 2021/22.

12. DETAILED RISK REPORTING TO SCRUTINY AND AUDIT COMMITTEE

With reference to Article 9 of the minute of meeting of this Committee of 25 January 2022, there was submitted Report No 80/22 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 Service Leader, Planning and Sustainable Growth provided an overview and highlighted a number of key areas of the Climate Change risk including the increase in focus, review of controls/actions; the declaration of the Climate Emergency, both nationally and internationally; and climate change impacts as a result of severe weather events.

In referring to the Council's strategic aim of net zero emissions by 2045; she stressed the importance of immediate action to achieve this target, and in leading the way, it was anticipated that the wider Angus area, businesses and partners, would do likewise.

Services across the Council and associated partners required to address and embed climate change impacts as a priority, going forward. In terms of the existing and additional controls, intimated that the Local Heat and Energy Efficient Strategies Order (Draft), to be in place by 2023, would result in significant work for the Council.

Thereafter, the Project Officer, Climate Change provided a detailed and informative progress update in terms of the additional controls and actions in place that would work towards a reduced risk score, in future.

The Service Leader, Planning and Sustainable Growth responded to questions from Councillors Bell and Devine in regard to training resources and the programme of land use adaption projects.

The Committee agreed to note the information presented in relation to the Climate Change Risk.

13. REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 – QUARTERLY REPORT

With reference to Article 15 of the minute of meeting of this Committee of 30 November 2021, there was submitted Report No 81/22 by the Director of Legal and Democratic Services advising members of the use of surveillance powers by the Council in terms of the Regulation of Investigatory Powers (Scotland) Act 2000 in the period 1 July 2021 to 30 September 2021.

The Report indicated that Angus Council was a public authority for the purpose of the Regulation of Investigatory Powers (Scotland) Act 2000 (“RIP(S)A”) and had the power to authorise directed covert surveillance and the use of covert human intelligence sources. Covert activities covered by RIP(S)A would be lawful if the activities were authorised and if they were conducted in accordance with the authorisation.

In the period 1 July 2021 to 30 September 2021, no covert surveillance activities were authorised and there were no authorisations in respect of the use of a Covert Human Intelligence Source.

The Committee agreed to note that no authorisations were granted for surveillance and other investigatory activities regulated by the Regulation of Investigatory Powers (Scotland) Act 2000 in the period 1 July 2021 to 30 September 2021.

VALEDICTORY

The Convener intimated his thanks to Members and Officers, and in particular to Cathie Wyllie, Service Leader – Internal Audit, for their contribution and support provided over the last five years.