

ANGUS COUNCIL

MINUTE of MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held remotely on Thursday 23 June 2022 at 2.00pm.

Present: Councillors CRAIG FOTHERINGHAM, GAVIN NICOL, CHRIS BEATTIE, JULIE BELL, LYNNE DEVINE, HEATHER DORAN, IAIN GALL, ROSS GREIG, LOUISE NICOL, MARTIN SHEPHERD and LOIS SPEED.

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. COMMITTEE MEMBERSHIP

With reference to Article 8 (b) of the minute of meeting of Angus Council of 26 May 2022, the Committee agreed to note the members appointed to this Committee.

4. SCRUTINY AND AUDIT COMMITTEE – REMIT

There was submitted and noted the remit of the Scrutiny and Audit Committee.

5. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 1 March 2022 was approved as a correct record and signed by the Convener.

6. SCOTTISH FIRE AND RESCUE SERVICE – QUARTERLY MONITORING REPORT FOR THE PERIOD 1 JANUARY 2022 TO 31 MARCH 2022

With reference to Article 4 of the minute of meeting of this Committee of 1 March 2022, there was submitted Report No 153/22 by Stephen Wood, Local Senior Officer, Scottish Fire and Rescue Service, relating to quarter four (1 January to 31 March) of 2022 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.

Scott Gibson, Area Commander – Local Senior Officer intimated that the service had commenced the public consultation on the draft strategic plan for the period 2022 to 2025. The consultation period was open to 10 July 2022 and encouraged members to participate and also thanked those members who had already responded. A brief summary of the Report was also provided.

Thereafter, Steven Low, Group Commander was heard in relation to the 12 key performance indicators and targets; and the Community Safety Engagement Programme as outlined in Appendices 1 and 2 of the Report.

Councillors Fotheringham, Bell and Devine raised questions in relation to unwanted fire alarm signals, impact of the new legislation related to interlinked smoke and heat alarms and the recent social media fire alarms issue, and in response, the Local Group Officer provided updates and confirmed that the social media trend had resulted in considerable activity in

secondary schools across Angus and that the service was working with the colleagues in Police Scotland and education including headteachers to take action in this regard. He also advised that this was a country wide issue and not solely related to Angus.

Councillor Bell also commended the continued partnership working in the community, particularly in regards to the Glen Clova incident and the support provided by the service following the recent storms.

The Convener also commended the service and other emergency services for their excellent support provided during the recent storms, thereafter 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 January to 31 March 2022.

7. POLICE SCOTLAND – ANGUS LOCAL POLICING AREA QUARTERLY REPORT FOR THE PERIOD 1 JANUARY TO 31 MARCH 2022

With reference to Article 5 of the minute of meeting of this Committee of 1 March 2022, there was submitted Report No 154/22 by Chief Superintendent Phil Davison, which updated the Committee on the performance results for the period 1 January 2022 to 31 March 2022.

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 a refreshed local policing plan covering the period 2023 to 2026 was in progress with further information to be provided in due course. A brief overview of the Report was provided and indicated that the quarter four period had continued to deal with the longer term effects of the pandemic in terms of recorded crime, confirming that the five year average was considered a more accurate comparison.

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 Bell, Greig and Speed in relation to concern regarding roads safety particularly rural roads and requested further information on any planned initiatives to address road safety issues; serious organised crime – drug supply and possession; stop and search and cyber related criminality including raising awareness plans.

In further response to Councillor Bell's points raised in terms of road safety, Chief Superintendent Davison intimated that he could arrange for a specialist Road Policing officer to attend a future meeting of the Committee to provide a broader background to road safety.

The Convener also commended the service for their excellent support provided during the recent storms and on behalf of the Committee welcomed and took up the offer by Chief Superintendent Davison for a specialist Road Policing officer to attend a future meeting.

The Committee agreed to note the Angus Local Policing Area Quarterly Report for the period 1 January 2022 to 31 March 2022.

8. ANGUS CHILD PROTECTION COMMITTEE ANNUAL REPORT 2020 TO 2021

With reference to Article 4 of the minute of adjourned meeting of Angus Council of 24 September 2021, there was submitted Report No 155/22 by the Chief Executive and Member of Angus Chief Officers' Group presenting the Angus Child Protection Committee (ACPC) Annual Report for August 2020 to July 2021.

The Annual Report presented the work undertaken in Angus individually and in partnership to deliver national, Tayside and local child protection outcomes to improve the lives of children at risk of harm.

The Report indicated that the Angus Child Protection Committee had continued to work together to improve child protection practice in Angus and also highlighted a number of areas of work together with the key trends and areas for future development and progression.

The Chief Executive provided a brief overview and referred to the increased activity during 2020/21, and notably, the effect on children and families lives as a result of the pandemic.

Alison Todd, Independent Chair of Angus Child Protection Committee provided a detailed overview of the Report and highlighted a number of key areas including the significant increases and decrease in 2020/21 compared to the previous year reporting, in respect of Engagement with the Public - Initial Contacts increased to 291 from 260; Referrals increased to 1874 from 1422; Child Protection Orders increased to 25 from 13; and a decrease in Joint investigative Interviews over the last two year period to 136 from 178.

She also referred to the recent change in child protection legislation related to the Children (Equal Protection from Assault) (Scotland) Act 2019 including training and raising public awareness, pre-birth pathways, Significant Case Reviews (SCR), PREpare and MyViewsApp; the Angus Promise and the Strategic Plan 2020/2023.

Following a number of questions from members in relation to the Glen Clova Project, Angus Promise, Emotional Abuse; Child Protection Register including length of registration; Strategic Plan Action point 3; and Transitions, and in response, the Independent Chair, (ACPC), Chief Social Work Officer and Chief Superintendent Davison provided informative and detailed updates.

The Committee agreed:-

- (i) to note the contents of the Angus Child Protection Committee (ACPC) Annual Report 2020 to 2021, as appended 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.

9. INTERNAL AUDIT ACTIVITY UPDATE

With reference to Article 9 of the minute of meeting of this Committee of 1 March 2022, there was submitted Report No 156/22 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.

Updates, Internal Audit Reports and the Consultancy Review undertaken since the last meeting were as detailed:-

- Risk Management Update
- Housing Rent Arrears
- Data Analysis/Continuous Auditing – Payroll, Creditors and Systems Access
- IT Project Management
- Organisational Resilience – Consultancy Review

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

The Committee agreed:-

- (i) to note the update on progress with the planned Internal Audit work as outlined in Appendix 1 to the Report; and
- (ii) to note management's progress in implementing internal audit and counter fraud recommendations as outlined in Appendix 1 to the Report.

10. INTERNAL AUDIT ANNUAL REPORT AND REVIEW OF CORPORATE GOVERNANCE

With reference to Article 7 of the minute of meeting of this Committee of 1 June 2021, there was submitted Report No 157/22 by the Service Leader – Internal Audit, presenting the Internal Audit Annual Report and independent assurance opinion in relation to both the overall corporate governance arrangements and internal controls for 2021/22.

The Report indicated that the Internal Audit Annual Report and review of Corporate Governance provided an overall opinion from the Service Leader – Internal Audit on the internal control and internal financial control environment within the Council for the 2021/22 financial year. This would be used to inform the production of the Council's Annual Governance Statement.

Appendix 1 to the Report detailed the Internal Audit Annual Report and provided the information and assurances in relation to the matters outlined in Section 3 of the Report.

The Team Leader provided a brief overview of the Report.

The Committee agreed to note the contents of the Internal Audit Annual Report for 2021/22.

11. CORPORATE GOVERNANCE – LOCAL CODE OF CORPORATE GOVERNANCE (2022)

With reference to Article 9 of the minute of meeting of this Committee of 1 June 2021, there was submitted Report No 158/22 by the Chief Executive, advising of the outcome of the review of the Local Code of Corporate Governance and presenting the revised Local Code for approval.

The Report indicated that Angus Council first adopted a Local Code in 2002. It had been regularly reviewed and updated to ensure consistency with best practice and guidance, in particular the CIPFA/SOLACE framework *Delivering Good Governance in Local Government*. The framework was revised during 2016 and related Scottish Guidance Notes were published in November 2016. The framework set out seven core principles for good governance, which were outlined in Section 4 of the Report.

The Local Code of Corporate Governance affirmed the Council's commitment to achieving a good standard of corporate governance. It set out the key policies, procedures and structures which demonstrated the Council's compliance with the seven core principles as outlined in Appendix 1 to the Report.

The Chief Executive provided a brief overview of the Report, and in response to Councillor Devine's question regarding the timeline for progressing the review of governance arrangements Member Officer Group and Sustainable Energy and Climate Action Plan (SECAP) Steering Group, confirmed that she would follow this up and revert back in due course.

The Committee agreed to approve the revised Local Code of Corporate Governance (2021).

12. CORPORATE GOVERNANCE – ANNUAL REVIEW AND DRAFT ANNUAL GOVERNANCE STATEMENT FOR YEAR TO 31 MARCH 2022

With reference to Article 9 of the minute of meeting of this Committee of 1 June 2021, there was submitted Report No 159/22 by the Chief Executive advising of the outcome of the annual

review of compliance with the principles of good governance and presenting the draft Annual Governance Statement for consideration.

The Report indicated that the overall conclusion of the review was that during 2021/22, the Council had demonstrated that the governance arrangements and framework within which the Council operated were sound and operating effectively and that the Council was generally compliant with the core principles of good governance, including the Council's Local Code of Corporate Governance.

Actions had been identified as part of the 2021/22 review process and included in the action plan as Appendix 1 to the Report. Progress on actions would be reported to this Committee in January and June 2023. The action plan included continuing actions from the previous year with approval being sought to extend the completion date of one action AC-CGOV-05 – Adequate Storage of Archive Documents from 31 March 2022 to 31 March 2023.

The Council's draft Annual Governance Statement for 2021/22, was detailed in Appendix 2 to the Report.

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

- (i) to note the 2021/22 draft Annual Governance Statement, including actions to be taken forward during 2022/23 as outlined in Appendix 1 to the Report;
- (ii) to note that 2021/22 draft Annual Governance Statement would be included in the Council's unaudited annual accounts, which would be submitted to the Controller of Audit;
- (iii) to note the impact of the exceptional events/concurrent risks throughout the 2021/22 draft Annual Governance Statement reporting period;
- (iv) to approve the extension to the completion date on the specific action as set out in Section 5.2 of the Report; and
- (iv) to note that the draft Annual Governance Statement would be kept under review and updated as necessary until the audited accounts were approved for signing later this year with the final statement being signed by the Leader of the Council and the Chief Executive at that time.

13. CORPORATE COUNTER FRAUD REVIEW 2021/22

With reference to Article 10 of the minute of meeting of this Committee of 1 June 2021, there was submitted Report No 160/22 by the Service Leader - Internal Audit, summarising the activity undertaken by the Corporate Fraud Team (CFT) in the year to 31 March 2022.

The Report supported the Council's zero tolerance approach to fraud and corruption. Corporate fraud included instances where individuals sought to profit from their position as employees. In 2021/22, the CFT concluded 12 corporate fraud investigations, with 6 cases ongoing as at 31 March 2022.

During the financial year to 31 March 2021, the CFT identified recoveries in excess of £137k (2020/21 £65k) from investigative work.

The Team Leader – Internal Audit provided an update to the Report and also responded to Councillor Devine's question to confirm that the Serious Organised Crime (SOC) Single Point of Contact for the Council was the Director of Finance.

The Committee agreed:-

- (i) to note the contents of the Report; and

- (ii) to note the results of the self-assessment against the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption, detailed in Appendix 1 to the Report.

14. SCRUTINY AND AUDIT COMMITTEE SELF-ASSESSMENT AND ANNUAL REPORT

With reference to Article 14 of the minute of meeting of this Committee of 1 June 2021, there was submitted Report No 161/22 by the Service Leader – Internal Audit, providing a draft Annual Report to Council on the work undertaken by the Scrutiny and Audit Committee during 2021/22.

The Report indicated that a self-assessment workshop had been held on 10 March 2022. Three self-assessments checklists from the CIPFA guidance formed the basis for discussion at the workshop and were as detailed in Section 3 of the Report.

The Annual Report appended as Appendix 1 to the Report had been prepared by the Convener and Vice Convener to inform Angus Council of the work carried out by this Committee during 2021/22. An action plan for 2022/23 was also included within the Appendix.

The Service Leader – Internal Audit provided an overview of the key areas of the Annual Report including the action plan update for 2021/22 and the review of the Scrutiny and Audit remit.

Councillor Devine re-iterated an earlier request for information to be made available to newly elected members in advance of membership appointments taking place at the Council's statutory meeting, in respect of the Scrutiny and Audit Committee role and skillset, and requested that this be taken forward for the next election.

Councillor Bell also reflected on previous self-assessment workshops process and trusted that a similar open and transparent process with members working together, would continue in future.

The Convener acknowledged Councillor Bell's comments, thereafter the Committee agreed:-

- (i) to note the draft Annual Report for the year to 31 March 2022;
- (ii) to determine that there were no amendments required; and
- (iii) to note that the Annual Report would be signed by the Convener and would be submitted to full Council after the recess.

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

With reference to Article 7 of the minute of meeting of this Committee of 25 January 2022, there was submitted Report No 162/22 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 18 December 2021 to 12 May 2022.

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.

16. PROPOSED DETAILED RISK REPORTING TO SCRUTINY AND AUDIT COMMITTEE

With reference to Article 12 of the minute of meeting of this Committee of 1 March 2022, there was submitted Report No 163/22 by the Service Leader - Internal Audit presenting the proposed programme of detailed risk information to be presented to the Scrutiny and Audit Committee from August 2022 to April 2023.

The Report detailed the timetable for 2022/23 as proposed was based on the Corporate Risk Register at 17 May 2022.

The Committee agreed the programme of risks to be presented to this Committee in 2022/23.

17. LGBF NATIONAL BENCHMARKING OVERVIEW REPORT 2020-21 AND PERFORMANCE-LED COUNCIL PROGRAMME UPDATE

With reference to Article 13 of the minute of meeting of this Committee of 1 June 2021, there was submitted Joint Report No 164/22 by the Director of Finance and the Director of Strategic Policy, Transformation and Public Sector Reform advising members of the Local Government Benchmarking Framework (LGBF) - National Benchmarking Overview Report 2020/21 recently published by the Improvement Service and to highlight the key national and local issues emerging from the Report, along with progress made by Council services in relation to the Council's Performance-Led Programme of improvement work.

The LGBF - National Benchmarking Overview Report 2020//21 Report was published by the Improvement Service on 4 March 2022. Section 3 of the Report detailed the five key messages which all focused on the impact of the COVID-19 pandemic and also highlighted that the past two years had been significantly different from preceding years with dramatic and widely different impacts on local communities, service delivery and local government finances.

In terms of the Performance-Led (PLED) Council programme, the Report indicated that since the update provided to this Committee in June 2021, the programme had continued to work with all services to improve performance management, self-evaluation and use of data. The impact of working with the pandemic and other exceptional events, had meant that progress was not as advanced as intended but there was now engagement from all services. The programme was now over 50% complete in the initial stages 1 and 2 and work had commenced to further embed this improvement work in PLED stages 3 and 4, that would support improvement work in three main areas as outlined in Section 5 of the Report.

The findings from the LGBF Report and annual data returns would be integrated into the Performance-Led Council programme with services required to report on how they were performing in an annual improvement cycle of planning and performance reporting, which fed into the "Continuity, Evolution and Data Innovation" referenced in the LGBF Report.

The Service Leader – Governance and Change provided a detailed overview and highlighted a number of key areas of the Report.

Following discussion and having heard from Councillors Gavin Nicol and Bell who requested further detail in relation to housing regarding the rank status of rental lost to voids and non-emergency repairs indicators; and also children's services, both pre-school education and early years and primary education regarding developmental milestones and attainment gaps indicators, and in response, the Service Leader, Housing and Service Leader, Education and Lifelong Learning provided informative updates.

The Convener highlighted the significant challenges faced during the pandemic, and in welcoming the excellent comprehensive Report took the opportunity to pay tribute to the hard working staff and partner agencies during these difficult times.

The Committee agreed:-

- (i) to note the LGBF National Benchmarking Overview Report 2020/21;

- (ii) to note the key issues emerging from Council officers review of the LGBF Report, including the Angus position and what services were doing to improve, highlighting the key areas of improvement for the Council as detailed in Appendix 1 to the Report; and
- (iii) to note the progress being made by Council services in relation to the Performance-Led programme which included the use of LGBF Report findings (where relevant).

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

With reference to Article 13 of the minute of meeting of this Committee of 1 March 2022, there was submitted Report No 165/22 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 October 2021 to 31 March 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 October 2021 to 31 March 2022, 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 October 2021 to 31 March 2022.

19. ANNUAL COMPLAINTS PERFORMANCE REPORT 1 APRIL 2021 TO 31 MARCH 2022

With reference to Article 16 of the minute of meeting of this Committee of 1 June 2021, there was submitted Report No 166/22 by the Director of Legal and Democratic Services informing members of complaints statistics for 2021/22 and to assure members that by looking at complaints received, lessons were learned which should reduce the likelihood of a similar problem being repeated.

The Report indicated that the Scottish Public Services Ombudsman (SPSO) was the responsible body for complaints, and also set and monitored complaints handling standards for the public sector in Scotland. The model Complaints Handling Procedure (MCHP) defined how the SPSO expected the public service sector to handle complaints quickly and simply, with local and early resolution by empowered and well-trained staff.

In 2021/22, Angus Council received a total of 259 complaints. The SPSO had a variety of indicators as a basis for monitoring complaints handling performance and these were outlined in Section 5 of the Report. During 2021/22, 8 complaints were progressed to the SPSO, in all 8 cases, the SPSO had advised that they would not be progressing the complaints with reasons provided to these customers.

An update of the recent exercise carried out by the SPSO related to the refresh of the key performance indicators was outlined in Section 7 of the Report.

The Team Leader – Members Services provided an overview of the key areas of the Report.

Councillors Doran and Speed raised questions in relation to the key performance indicator reporting, including a request for further information to be brought forward in relation to the context and service areas of complaints; and publishing of quarterly information.

In response, the Team Leader – Members Services advised that she would review the information brought forward in order to consider the request to include further context around

the service area detail. She also confirmed that following the publishing of the quarterly information on the Council's webpage, the link could be emailed to elected members.

The Committee agreed:-

- (i) to note the complaints statistics for 2021/22, as outlined in the Report;
- (ii) to note the key performance indicators on complaints closed between 1 April 2021 and 31 March 2022;
- (iii) to note that there were now only four mandatory Key Performance Indicators as outlined in Section 7 of the Report;
- (iv) to note that the SPSO now only required organisations to report quarterly information to its senior management; and
- (v) that quarterly reports would be provided to this Committee in terms of key performance indicators and analysis of the trends and information on complaints outcomes and actions taken to improve services so that the Committee could review and oversee the operation of the Council's complaints procedures.

20. QUARTERLY COMPLAINTS REPORT – 1 OCTOBER -31 DECEMBER 2021 & 1 JANUARY – 31 MARCH 2022

With reference to Article 14 of the minute of meeting of this Committee of 30 November 2021, there was submitted Report No 167/22 by the Director of Legal and Democratic Services highlighting the complaints received in Quarters 3 and 4 of 2021/22 and to provide assurance to members that work was ongoing to learn from complaints received by Angus Council.

The Report indicated that the Scottish Public Services Ombudsman (SPSO) was the responsible body for complaints and that Councils were required to publish quarterly information.

During 1 October 2021 to 31 December (quarter three), Angus Council received 56 complaints, 47 from the Granicus online platform and 9 from ACCESSline; and from 1 January 2022 to 31 March (quarter four), the Council received 51 complaints, 47 from Granicus and 4 from ACCESSline.

Section 5 of the Report also provided a sample of the You Said – We Did changes made as a direct result of a complaint being received.

The Team Leader – Members Services highlighted that the Report covered quarters 3 and 4 of 2021/22 and that following up on Councillor Bell's previous request, further information regarding complaints by category was now provided in Section 4 of the Report.

Councillor Bell enquired whether there was an opportunity for a compliments and customer satisfaction portal to be taken forward. In response, the Team Leader – Members Services advised that whilst there was a link on the webpage, she would liaise further with the web publish team to enhance this particular area, in order to encourage and increase customer feedback, and would also consider including a Compliment and Customer Satisfaction Section in future reporting.

Thereafter, having heard from the Convener and an update from the Service Leader – Housing, the Team Leader – Members Services advised that a project on Customer Experience was being taken forward by the Director of HR, Digital Enablement, IT and Business Support that would look further at a Customer Satisfaction Survey for all council activity, and was scheduled for completion in March 2023.

The Committee agreed:-

- (i) to note the complaints statistics for the period 1 October 2021 to 31 December 2021 and 1 January 2022 to 31 March 2022;
- (ii) to note that whilst there was no requirement to submit quarterly information in the future but to publish outcomes and learning to improve service delivery, quarterly reporting to this Committee, would continue;
- (iii) to note that a Report would also be submitted quarterly to senior management on the key performance indicators and analysis of the trends and outcomes of complaints; and
- (iv) that information on complaints outcomes and actions taken to improve services would be published quarterly.