

## **ANGUS COUNCIL**

MINUTE of HYBRID MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 15 June 2023 at 2.00pm.

**Present:** Councillors CRAIG FOTHERINGHAM, CHRIS BEATTIE, JULIE BELL, LYNNE DEVINE, HEATHER DORAN, IAIN GALL, RONNIE PROCTOR MBE, MARTIN SHEPHERD, LOIS SPEED AND DEREK WANN.

Councillor FOTHERINGHAM, Convener, in the Chair.

Prior to the commencement of business, the Convener advised that this was Karen Maillie, Committee Officer's last meeting before taking up a new role within Legal and Democratic Services, and on behalf of the Committee expressed gratitude for her support and guidance over the years, and wished her well in her new post.

### **1. APOLOGIES/SUBSTITUTES**

Apologies for absence were intimated on behalf of Councillors Ross Greig, Gavin Nicol and Louise Nicol.

### **2. DECLARATIONS OF INTEREST/STATEMENTS OF TRANSPARENCY**

There were no declarations of interest or statements of transparency made.

### **3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Committee of 25 April 2023 was approved as a correct record and signed by the Convener.

### **4. SCOTTISH FIRE AND RESCUE SERVICE - QUARTERLY MONITORING REPORT FOR THE PERIOD 1 JANUARY 2023 TO 31 MARCH 2023**

With reference to Article 4 of the minute of meeting of this Committee of 9 March 2023, there was submitted Report No 168/23 by the Local Senior Officer, Scottish Fire and Rescue Service, relating to quarter four (1 January to 31 March) of 2023 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.

Jason Sharp, Local Senior Officer gave a brief overview and highlighted that elected members had also been invited to a briefing next week in relation to the Scottish Fire & Rescue Service Strategic Service Review Programme update.

Mark Lowe, Group Commander provided a brief overview of the Report and was also heard in relation to the key performance indicators, targets and the Community Safety Engagement Programmes and Notable Events as outlined in Appendices 1 and 2 of the Report. He also confirmed that the performance summary, headline indicator 9, non-fatal road traffic collision casualties should have read Q4 - 3; and year to date - 28, instead of the figures stated in the Report.

Councillor Bell raised concerns regarding wildfire incidents in rural Angus and in response, Cammy Sands, Station Commander provided an update in relation to the partnership approach to water safety and confirmed that Lintrathen and Backwater had been identified as priority risk areas. Work was in progress to continue the proactive and preventative approach going forward.

Councillors Devine, Proctor, Speed, Shepherd and Beattie raised questions in relation to bike marking, unwanted fire alarm signals (UFAS) in schools, fatal casualties, fire risks in relation to empty buildings; foodbank donations and go safe initiative, and in response, Local Senior Officer, Group Commander and Station Commander provided informative updates.

In commending the Report, the work of the service including the vast amount of community safety and engagement activities undertaken, 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 2023 to 31 March 2023.

## **5. POLICE SCOTLAND - ANGUS LOCAL POLICING AREA QUARTERLY REPORT FOR THE PERIOD 1 JANUARY 2023 TO 31 MARCH 2023**

With reference to Article 5(a) of the minute of meeting of this Committee of 9 March 2023, there was submitted Report No 169/23 by Chief Superintendent Phil Davison, which updated the Committee on the performance results for the period 1 January 2023 to 31 March 2023.

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.

Superintendent Iain Wales, accompanied by Chief Inspector Leanne Blacklaw, Local Area Commander for Angus provided a brief introduction to the Report and also confirmed that quarterly reports would be presented in the new format going forward.

Thereafter Chief Inspector Blacklaw provided an informative overview of the 7 local policing priority areas of the Report.

Councillors Beattie, Proctor, Doran, Shepherd and Speed raised questions and sought further information in relation to wildlife crime detection rate; wildfire incidents; electric scooters; speeding; hate crime statistics and in response, Superintendent Wales and Chief Inspector Blacklaw provided informative updates.

Chief Inspector Blacklaw also provided an assurance that Police Scotland would continue to work with colleagues and partner agencies to drive forward preventative measures related to wildfire incidents in rural Angus.

In response to Councillor Bell's question related to possession of drugs gender breakdown statistics, Chief Inspector Blacklaw provided an update of the work involved and link with the Glen Clova project and confirmed that the statistical data would be provided in due course. She also intimated that she would welcome further feedback from Councillor Speed around further community engagement events, particularly related to antisocial behaviour matters.

The Convener also took the opportunity to commend the work of the services.

Thereafter, the Committee agreed to note the Angus Local Policing Area Quarterly Report for the period 1 January 2023 to 31 March 2023.

## **6. JOINT INSPECTION OF ADULT SUPPORT AND PROTECTION IN ANGUS**

With reference to Article 6 of the minute of meeting of this Committee of 9 March 2023, there was submitted Report No 170/23 by the Chief Executive, providing an update on the development and progression of the improvement plan required by the Care Inspectorate following the outcome of the joint inspection of multi-agency arrangements for adult support and protection in Angus that took place between September 2022 and January 2023.

The Report indicated that the multi-agency improvement plan was submitted to the Care Inspectorate in March 2023 and had been finalised following consultation with all multi-agency partners and the Care Inspectorate Link Inspector for Angus. The plan had now been approved by the Angus Adult Protection Committee, the Care Inspectorate and the Angus Chief Officer's Group.

The improvement plan focussed on 5 main areas for improvement in Angus as recommended in the inspection report, and as outlined in Section 4.1 of the Report. The Angus Adult Protection Self Evaluation and Continuous Improvement Sub-Group had been allocated responsibility for monitoring progress of the actions within the improvement plan.

The Depute Chief Executive provided a brief overview of the Report.

Thereafter, Fiona Davidson, Service Leader, Improvement and Development, AHSCP highlighted the key areas of the Report and provided an update in relation to the 5 areas identified for improvement within Angus.

Councillors Bell and Speed raised questions in relation to action areas (1) and (5) of the Improvement Plan and, in response, the Service Leader, Improvement and Development confirmed that she would refer Councillor Bell's comments around raising awareness more widely and promptly from partner agencies to the Adult Protection Committee in early course. Also in terms of Councillor Speed's question related to training targets referred to in Section 1 (b) of the action plan, agreed that she would further investigate and revert back in due course.

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

*At this point, the Scottish Fire and Rescue Services and Police Scotland representatives and the Service Leader, Improvement and Development, AHSCP left the meeting.*

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

With reference to Article 5 of the minute of meeting of this Committee of 25 April 2023, there was submitted Report No 171/23 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 provided an update in relation to the Internal Audit activity within the Council from June 2022 and 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.

The Service Leader, Internal Audit highlighted progress with the Internal Audit activity and provided a summary of the Data Analysis/Continuous Auditing; Random Cash Counts and Cash Handling and Surplus Assets audits; progress of internal audit actions for the directorates and counter fraud.

Paul Kelly, Azets provided an overview and highlighted the key findings of the IT User Access Administration – SEEMIS audit.

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.

## **8. CORPORATE COUNTER FRAUD REVIEW 2022/23**

With reference to Article 13 of the minute of meeting of this Committee of 23 June 2022, there was submitted Report No 172/23 by the Service Leader, Internal Audit, summarising the activity undertaken by the Corporate Fraud Team (CFT) in the year to 31 March 2023.

The Report indicated that during the financial year to 31 March 2023, the CFT identified recoveries in excess of £134k (2021/22 £135k) from investigative work and did not take into account future losses which would have accrued without CFT intervention. Action was taken by relevant Angus Council services to recover these monies.

The Service Leader, Internal Audit provided an overview of the key areas of the Report, and in response to questions raised by the Convener in terms of housing tenancy and school placements, the Team Leader, Counter Fraud provided an update.

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, as outlined in Appendix 1 to the Report.

## **9. INTERNAL AUDIT ANNUAL REPORT AND REVIEW OF CORPORATE GOVERNANCE**

With reference to Article 10 of the minute of meeting of this Committee of 23 June 2022, there was submitted Report No 173/23 by the Service Leader, Internal Audit, presenting the Internal Audit Annual Report and independent assurance opinions in relation to both the overall corporate governance arrangements and internal controls for 2022-23.

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 2022-23 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 Service Leader, Internal Audit provided a detailed overview of the key areas of the Annual Report.

Councillors Devine and Speed sought further information in relation to risk management and internal audit resource secondments, and in response, the Service Leader, Internal Audit and the Depute Chief Executive provided updates.

The Committee agreed to note the contents of the Internal Audit Annual Report for 2022-23.

## **10. REPORTS RELEVANT TO THE WORK OF THE SCRUTINY AND AUDIT COMMITTEE**

With reference to Article 10 of the minute of meeting of this Committee of 9 March 2023, there was submitted Report No 174/23 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 28 January 2023 to 11 May 2023.

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.

## **11. PROPOSED DETAILED RISK REPORTING TO SCRUTINY AND AUDIT COMMITTEE**

With reference to Article 9 of the minute of meeting of this Committee of 25 April 2023, there was submitted Report No 175/23 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 2023 to April 2024.

The timetable for 2023/24 as proposed was based on the Corporate Risk Register at 9 May 2023.

The Committee agreed the programme of risks as outlined in Section 4.1 of the Report to be presented to this Committee from August 2023 to April 2024.

## **12. CIPFA GUIDANCE FOR AUDIT COMMITTEES**

With reference to Article 4 of the minute of meeting of this Committee of 27 October 2022, there was submitted Report No 176/23 by the Director of Strategic Policy, Transformation and Public Sector Reform advising members that CIPFA had updated the publication 'Audit Committees- Practical Guidance for Local Authorities and Police'.

The Report indicated that the guidance represented best practice for audit committees in local authorities throughout the UK. The revised guidance took account of a number of developments in governance and audit practice. A review had identified that the Council already had a high degree of compliance with the revised guidance.

Section 3 of the Report outlined the main areas to consider for further improvement.

The Service Leader, Governance and Change provided a brief overview of the Report; and in response to Councillor Devine's question related to the addition of independent members, he confirmed that there were proposals to carry out further work in this regard and that the findings from this work would be reverted back in due course.

The Committee agreed:-

- (i) to note the revised guidance issued by CIPFA - 'Audit Committees – Practical Guidance for Local Authorities and Police (2022 Edition)';
- (ii) to note that the updated checklists from the revised guidance formed the basis of the 2022/23 Scrutiny and Audit Committee self-assessment which took place on 28 March 2023;
- (iii) there were no further specific areas identified for improvement that the Committee wished to address, considering the content of the revised guidance; and
- (iv) to note that the Order of Reference of Committees in the Council's Standing Orders would be updated to reflect any changes required to the Scrutiny and Audit Committee remit as a result of the revised guidance; and that this would be included in the work of the related Member Officer Group.

**13. LOCAL GOVERNMENT BENCHMARKING FRAMEWORK (LGBF) NATIONAL BENCHMARKING OVERVIEW REPORT 2021-22 AND PERFORMANCE-LED (PLED) COUNCIL PROGRAMME UPDATE**

With reference to Article 17 of the minute of meeting of this Committee of 23 June 2022, there was submitted Joint Report No 177/23 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 2021/22 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 Report indicated that the Council's performance against the 2021/22 LGBF continued to report there was good and improved performance in some areas and scope for improvement in other areas as outlined in Section 4 of the Report. The proportion of Angus Council's performance indicators in the top quartile was 33%, the highest over the five year period.

The Service Leader, Governance and Change highlighted that PLED stages 1 and 2 were complete and provided an update in terms of progress and next steps in relation to stages 3 and 4. He also referred members to the offer of a briefing session, as outlined in recommendation (ii) of the Report.

Councillor Devine welcomed the briefing and also suggested that other related PLED information be including with this session; and in response the Service Leader, Governance and Change confirmed that he was content to provide a combined briefing update to members in due course.

Councillors Doran and Speed sought further information in relation to 2 of the worst performing indicators by rank, and in response, the Service Leader, Governance and Change provided an update in terms of the % rent voids indicator position. In relation to the % of people 65 and over with long term care needs receiving care at home indicator, he advised that he would require to seek further information and revert back in due course.

Having heard from the Convener in terms of % rent voids indicator and future reporting updates, the Service Leader, Governance and Change intimated that he would look further into this request. Thereafter, Councillor Devine highlighted the ongoing discussions between Councillor Braes and the Service Leader, Housing and that rent voids were being treated as high priority.

The Committee agreed:-

- (i) that having scrutinised, to note the Local Government Benchmarking Framework (LGBF) National Benchmarking Overview Report 2021-22;
- (ii) to note the Improvement Service had adopted the 'Power BI' digital reporting tool to support the online presentation and analysis of the wide ranging datasets; and that officers arrange a specific briefing to Committee members to assist with the use of the online tool to maximise the use of the new approach; and
- (iii) to note the progress being made by Council services in relation to the Performance-Led Council (PLED) Programme of improvement work.

**14. COMPLAINTS RAISED WITH SCOTTISH PUBLIC SERVICES OMBUDSMAN 1 APRIL 2022 TO 31 MARCH 2023**

With reference to Article 19 of this Committee of 23 June 2022, there was submitted Report No 178/23 by the Director 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 2022 to 31 March 2023.

The Report indicated that during the period 1 April 2022 to 31 March 2023, 22 letters of complaint had been received by the SPSO in relation to Angus Council. Of the 22 complaints received:- 18 were not investigated by SPSO; 1 withdrawn by customer; 1 closed by SPSO as customer was non-co-operative; and 2 remained outstanding.

In terms of the SPSO Investigative Training Course, during 2022/23 15 officers were trained with a further 15 officers planned to undertake the training in 2023/24.

The Service Leader, Legal and Democratic provided a brief summary of the Report.

In referring to the complaints process, Councillor Speed also sought an update in terms of the complaints process and procedure briefing; and in response, the Service Leader, Legal and Democratic confirmed that she would look further into the briefing position.

The Committee agreed to note the number of cases submitted to the SPSO in 2022/23.

#### **15. CORPORATE GOVERNANCE – LOCAL CODE OF CORPORATE GOVERNANCE (2023)**

With reference to Article 11 of the minute of meeting of this Committee of 23 June 2022, there was submitted Report No 179/23 by the Chief Executive, advising 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 Depute Chief Executive provided a brief overview of the Report following which the Committee agreed to approve the revised Local Code of Corporate Governance (2023).

#### **16. CORPORATE GOVERNANCE - ANNUAL REVIEW AND DRAFT ANNUAL GOVERNANCE STATEMENT FOR YEAR TO 31 MARCH 2023**

With reference to Article 12 of the minute of meeting of this Committee of 23 June 2022, there was submitted Report No180/23 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 2022/23, 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 2022/23 review process and included in the Corporate Governance Action Plan as outlined in Appendix 1 to the Report. Progress on actions would be reported to this Committee in January and June 2024. The action plan included continuing actions from the previous year with approval being sought to extend the completion date of two actions namely AC-CGOV-05 – Adequate Storage of Archive Documents and AC-CGOV-00043 – Review Social Care Billing to 30 September 2023.

The Council's draft Annual Governance Statement for 2022/23, was outlined in Appendix 1 to the Report.

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

- (i) to note the 2022/23 draft Annual Governance Statement, as outlined in Appendix 1 to the Report;
- (ii) to note that the 2022/23 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 updates to the Corporate Governance Action Plan and the Best Value Audit Action Plan outlined in Appendices 2 and 3 of the Report;
- (iv) to approve the extension to the completion dates on the specific Corporate Governance and Best Value Audit actions as set out in Section 4.2 and 4.3 of the Report; and
- (v) 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.

#### **17. SCRUTINY AND AUDIT COMMITTEE SELF-ASSESSMENT AND ANNUAL REPORT**

With reference to Article 14 of the minute of meeting of this Committee of 23 June 2022, there was submitted Report No 181/23 by the Service Leader, Internal Audit, providing a draft Annual Report to Council on the work undertaken by the Scrutiny and Audit Committee during 2022/23.

The Report indicated that a self-assessment workshop had been held on 28 March 2023 and that a number of actions were identified. The Annual Report outlined 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 2022/23, included an action plan for 2023/24 outlined as Annex A within the Appendix to the Report.

The Service Leader, Internal Audit provided an overview of the Report following which the Committee agreed:-

- (i) to note the draft Annual Report for the year to 31 March 2023;
- (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.