

## **ANGUS COUNCIL**

MINUTE of HYBRID MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 23 April 2024 at 2.00pm.

**Present:** Councillors CRAIG FOTHERINGHAM, GAVIN NICOL, CHRIS BEATTIE, JULIE BELL, LYNNE DEVINE, HEATHER DORAN, IAIN GALL, ROSS GREIG, LOUISE NICOL, IAN MCLAREN, MARTIN SHEPHERD, LOIS SPEED AND DEREK WANN.

Councillor FOTHERINGHAM, Convener, in the Chair.

**1. APOLOGIES/SUBSTITUTES**

Apologies for absence were intimated on behalf of Councillor Ronnie Proctor MBE, with Councillor Ian McLaren substituting.

**2. DECLARATIONS OF INTEREST AND 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 7 March 2024 was approved as a correct record and signed by the Convener.

**4. EXCLUSION OF PUBLIC AND PRESS**

The Committee agreed, in terms of Standing Order 27(2), that the public and press be excluded during consideration of Item 14 so as to avoid the disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, Paragraphs 6, 8 and 9.

**5. ANGUS ADULT PROTECTION COMMITTEE (AAPC) ANNUAL REPORT APRIL 2022 – MARCH 2023**

With reference to Article 7 of the minute of meeting of this Committee of 9 March 2023, there was submitted Report No 117/24 by the Chief Executive presenting the Angus Adult Protection Committee Annual Report for March 2022 to April 2023. The Adult Support and Protection (Scotland) Act 2007 set up multi-agency Adult Protection Committees (APCs) in every council area. APCs are responsible for monitoring and advising on adult protection procedures and practice, to ensure appropriate co-operation between agencies and for improving the skills and knowledge of those with responsibility for the protection of adults at risk. Chief Officers across Angus individually and collectively have responsibility to ensure that the Angus APC's authority carry out its functions effectively and was recognised by local agencies that the Angus APC had lines of accountability to the Council, NHS Board and Police Scotland.

Ewen West, Independent Chair introduced the AAPC Report for the period April 2022 to March 2023, which presented the work undertaken across Angus by individual agencies and in partnership to deliver national, Tayside-wide, and local adult protection outcomes to improve the lives of adults at risk of harm.

The Report highlighted the ongoing work of multi-agency partners to ensure that vulnerable adults and their carers continued to be well supported as we continue to experience the cost of living crisis and further austerity cuts.

The Care Inspectorate had undertaken a multi-agency Adult Support and Protection Inspection in late 2022 and feedback was positive. Identified areas of improvement by the Care Inspectorate had been noted in advance by the AAPC multi-agency partners and were being taken forward through the relevant areas.

Section 5 of the Report also outlined the key trends and areas of development and progression.

Following questions and comments, the Committee agreed:-

- (i) to note the Angus Adult Protection Committee (AAPC) Annual Report 2022 to 2023 as appended to the Report; and
- (ii) to note the key trends and areas for development emerging from the Report.

## **6. TREASURY MANAGEMENT STRATEGY STATEMENT 2024/25**

With reference to Article 6 of the minute of meeting of Angus Council of 21 March 2024, there was submitted Report No 102/24 by the Director of Finance seeking members approval of the proposed Treasury Management Strategy for Angus Council for financial year 2024/25.

The Report indicated that the production of a Treasury Management Strategy Statement for the forthcoming financial year was a requirement of the Treasury Management in the Public Services Code of Practice issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).

The Committee having reviewed and scrutinised, agreed the proposed Treasury Management Strategy Statement and Annual Investment Strategy for 2024/25 as outlined in Appendix A to the Report.

## **7. EXTERNAL AUDIT – ANNUAL AUDIT PLAN**

With reference to Article 8 of the minute of meeting of this Committee of 25 April 2023, there was submitted Report No 118/24 by the Director of Finance presenting the External Auditor's Annual Audit Plan for 2023/24.

The Report indicated that as set out in Appendix A the proposed audit fee had increased from £300,960 to £311,900, an increase of £10,940 (3.6%) for the Council and the Council Charities. The 2024/25 budget for this cost was £311,000 so a small adjustment to that budget (virement from the Provision for Additional Burdens budget) would be required as part of preparing the Council's 2024/25 Final Budget.

Pauline Gillen, Audit Scotland, provided a summary of the Annual Audit Plan 2023/24 and highlighted the main areas including Materiality, Wider Scope and Best Value. The 2023/24 significant audit risks were outlined in Exhibit 2 of the Appendix to the Report.

Following questions and comments, the Committee having reviewed, agreed to note the proposed External Auditor's Annual Audit Plan for 2023/24.

## **8. LOCAL GOVERNMENT IN SCOTLAND – FINANCIAL BULLETIN 2022/23**

There was submitted Report No 119/24 by the Director of Finance which presented the Accounts Commission's Local Government in Scotland Financial Bulletin 2022/23. The Bulletin provided a high-level independent analysis of the financial performance of Scotland's Councils during 2022/23 and their financial position at the end of that year. The Report highlighted the issues councils were most concerned about and may need to be addressed.

Appendix A to the Report provided a list of six recommendations together with Angus Council's Self-Assessment. Four improvement actions had been identified, 3 of which were minor in nature, and were summarised in Section 5 of the Report.

The Financial Bulletin had been used as a learning exercise and had helped identify areas for improvement.

Following members questions, and in response the Director of Finance provided an update, thereafter the Committee agreed:-

- (i) to note the publication of the Accounts Commission's Local Government in Scotland Financial Bulletin 2022/23 Report and the Key Messages from the Report included within Section 4 of the Report;

- (ii) having reviewed and scrutinised, to note the recommendations in the Commission's Report regarding Angus Council's current position and approach to addressing these as set out in Section 5 and Appendix A to the Report; and
- (iii) to note that the Commission's Report was about Local Government in Scotland as a whole rather than Angus Council specifically.

## **9. REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 – QUARTERLY REPORT**

With reference to Article 4 of the minute of meeting of this Committee of 23 January 2024, there was submitted Report No 120/24 by the Director of Legal, Governance and Change 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 January 2024 to 31 March 2024.

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 January 2024 to 31 March 2024 no covert surveillance activity had been 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 January 2024 to 31 March 2024.

## **10. DETAILED RISK REPORTING TO SCRUTINY AND AUDIT COMMITTEE**

With reference to Article 9 of the minute of meeting of this Committee of 7 March 2024, there was submitted Report No 121/24 by the Service Leader - Internal Audit, presenting the detailed risk information in line with the programme updated by the Scrutiny and Audit Committee in January 2024 (Report 20/24 refers).

Anthony McGuinness, Service Manager – Development Plan, Environment and Climate Change gave an overview of the Climate Change risk and also provided members with a deeper understanding of the key corporate risks that may prevent achievement of the Council Plan, and the steps being taken to mitigate the risk.

Following questions and comments, the Committee agree to note the information presented in relation to the Climate Change risk.

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

With reference to Article 9 of the minute of meeting of this Committee of 28 November 2023, there was submitted Report No 122/24 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 19 October 2023 to 18 March 2024.

The Committee agreed:-

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

## **12. ANNUAL INTERNAL AUDIT PLAN 2024-25**

With reference to Article 9 of the minute of meeting of this Committee of 9 March 2023, there was submitted Report No 123/24 by the Service Leader - Internal Audit providing the Annual Internal Plan for 2023/24, 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.

Appendix 1 to the Report outlined the outcomes of the annual planning exercise.

The Service Leader, Internal Audit provided a brief overview of the key areas of the Report including the planning approach and assurance framework.

The Committee agreed:-

- (i) to note that a risk-based approach methodology had been utilised to develop the proposal Internal Audit Plan for 2024/25; and
- (ii) to approve the proposed 2024/25 Internal Audit Plan.

*Prior to consideration of the following Item, the Committee having agreed Item 4 above, considered the exempt Appendix 2 in relation to Report No 124/24, in private.*

*Thereafter, the meeting resumed in public.*

## **13. INTERNAL AUDIT ACTIVITY UPDATE**

With reference to Article 8 of the minute of meeting of this Committee of 7 March 2024, there was submitted Report No 124/24 by the Service Leader - Internal Audit, providing an assurance update on Internal Audit matters including the main findings from Reports issued since the date of the last Scrutiny and Audit Committee, and progress with implementation of agreed Internal Audit and Counter Fraud actions.

The Service Leader – Internal Audit, provided an overview of the Report including the summary of assurances as outlined in the Appendix to the Report and confirmed that from the list provided, 13 audit items remained outstanding.

In response to Councillor Speed's question in relation to the 44% training time, the Service Leader-Internal Audit confirmed that she would require to look further into this and revert back in due course.

The Convener conveyed his gratitude for the work involved and the achievements to date.

The Committee agreed:-

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

## **14. INTERNAL AUDIT ACTIVITY UPDATE – APPENDIX 2**

This item had been considered as part of Item 13 above.