

## **ANGUS COUNCIL**

MINUTE of HYBRID MEETING of the **SCRUTINY AND AUDIT COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 27 August 2024 at 2.00pm.

**Present:** Councillors CRAIG FOTHERINGHAM, BRENDA DURNO, LINDA CLARK, LYNNE DEVINE, HEATHER DORAN, IAIN GALL, ROSS GREIG, RONNIE PROCTOR (MBE), LOIS SPEED and IAN McLAREN.

Councillor FOTHERINGHAM, Convener, in the Chair.

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

Apologies for absence were intimated on behalf of Councillors Chris Beattie with Brenda Durno substituting, Julie Bell with Linda Clark substituting, Louise Nicol, Gavin Nicol, Martin Shepherd and Derek Wann with Councillor Ian McLaren substituting.

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

Councillor Doran made a statement of transparency in relation to items 4 and 5, in that she had recently undertaken workplace projects with the Scottish Fire and Rescue Service and Police Scotland, which had no bearing on the reports submitted.

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

The minute of meeting of this Committee of 13 June 2024 was approved as a correct record and signed by the Convener.

### **4. SCOTTISH FIRE AND RESCUE SERVICE – QUARTERLY MONITORING REPORT FOR THE PERIOD 1 APRIL 2024 TO 30 JUNE 2024**

With reference to Article 4 of the minute of meeting of this Committee of 13 June 2024, there was submitted Report No 230/24 by the Local Senior Officer, Scottish Fire and Rescue Service relating to quarter one, 1 April 2024 to 30 June 2024 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 Appendix 1 to the Report was a detailed breakdown and analysis of all data collected during the reporting period. Headline indicators within the Report provided Members with an overview of the performance summary for the reporting year. The Report also provided an update in regard to Community Safety engagement events and partnership working and highlighted any notable incidents and events.

The Area Commander provided a brief overview of the Report and was heard in relation to the key performance highlights updating key performance figures for performance management targets and the Community Safety Engagement Programmes.

Following questions and comments, 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 April 2024 to 30 June 2024.

### **5. POLICE SCOTLAND – ANGUS LOCAL POLICING AREA QUARTERLY REPORT FOR THE PERIOD 1 APRIL 2024 TO 30 JUNE 2024**

With reference to Article 5 of the minute of meeting of this Committee of 13 June 2024, there was submitted Report No 231/24 by the Chief Superintendent, Police Scotland which updated the Committee on the performance results for the period 1 April 2024 to 30 June 2024.

Members were updated in relation to the recent consultation for the Forfar Police Station building and the relocation of this. The consultation period was now closed and as a result of this a full report would be provided publicly with full analysis on the Police Scotland engagement hub. Details would be communicated to members in the coming days and questions would be answered following analysis of the consultation information.

Thereafter, the Chief Inspector provided members with an overview of the Report which outlined the performance of Police Scotland and information in relation to some of the work which had taken place within the Angus Local Policing Area. The data provided within the Report was for information purposes to allow members to conduct their scrutiny responsibilities under the Police and Fire Reform (Scotland) Act 2012.

Following questions and comments and having heard Police Representatives indicate that they would review future reports to provide further breakdowns in terms of the detail, the Committee agreed to note the Angus Local Policing Area Quarterly Report for the period 1 April 2024 to 30 June 2024.

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

## **6. TREASURY MANAGEMENT ANNUAL REPORT 2023/24**

With reference to Article 6 of the minute of meeting of this Committee of 29 August 2023, there was submitted Report No 232/24 by the Director of Finance detailing Angus Council's treasury management arrangements, activity and performance during 2023/24.

The Report indicated that the financial year 2023/24 had seen significant events that impacted on treasury operations. Angus Council continued to hold temporary cash balances that had reduced from the levels held in 2022/23. This reduction was mainly due to increased expenditure on large capital projects and the decision not to undertake new borrowing in 2023/24. Currently, there was no urgency to take new borrowing particularly given that borrowing rates had increased during 2023/24. The expectation that rates were likely to reduce in the medium term allowed the Director of Finance to take a prudent view that further additional borrowing was unnecessary in the financial year and could be deferred.

The Committee agreed to note the 2023/24 treasury management annual report and its associated appendix.

## **7. ANNUAL GOVERNANCE STATEMENT ASSURANCES**

With reference to Article 10 of the minute of meeting of this Committee of 13 June 2024, there was submitted Report No 233/24 by the Chief Executive advising members of governance assurances in respect of those organisations included in the Council's group accounts. The Report also provided the wording to be included in draft letters of assurance from the Convener on behalf of the Scrutiny & Audit Committee to Angus Health & Social Care Integration Joint Board (IJB) and Angus Alive for approval.

The Report indicated that the final Annual Governance Statement required to reflect the governance arrangements of the "Group" which, for the year to 31 March 2024, included Tayside Valuation Joint Board (TVJB), Tayside Contracts, Angus Alive and Angus Health and Social Care Partnership, noting that assurances had not been received at the time when Report 193/24 was written.

Sections 5.2 to 5.5 of the Report summarised the assurances in respect of those organisations included in the Council's group accounts.

The Committee agreed: -

- (i) to note the current position with assurances relating to Angus Health & Social Care Integration Joint Board, Tayside Contracts, Tayside Valuation Joint Board and Angus Alive, having determined that no amendments were required to the Council's draft Annual Governance Statement;
- (ii) to note the required improvement in relation to Tayside Contracts Physical Security arrangements and to agree to add this to Council's draft Annual Governance Statement, subject to the Tayside Contracts Internal Audit Annual Report being considered at Tayside Contracts Joint Committee meeting on 26 August 2024;
- (iii) to note that assurances from Angus Alive's Internal Audit Annual Report, along with the assurance letter from the chair of their Finance & Audit Sub-Committee, will not be authorised until after the Angus Alive Board meeting on 13 September 2024;

- (iv) to delegate authority, as a result of the timing of (iii) above, to the Director of Legal, Governance & Change, following consultation with the Convener of the Scrutiny & Audit Committee, to update the Council's draft Annual Governance Statement if required, once the relevant information was available from Angus Alive; and
- (v) to authorise the Convener of the Scrutiny & Audit Committee, on behalf of the Committee, to write to Angus Health & Social Care Integration Joint Board and Angus Alive confirming the adequacy and effectiveness of the Council's governance arrangements.

## **8. INTERNAL AUDIT ACTIVITY UPDATE**

With reference to Article 6 of the minute of meeting of this Committee of 13 June 2024, there was submitted Report No 234/24 by the Service Leader – Internal Audit providing assurance through an update on Internal Audit matters including main findings from reports issued since the date of the last Scrutiny and Audit Committee; progress with implementation of agreed Internal Audit and Counter Fraud actions, and an update on the Audit Charter review.

The Report indicated that the Angus Internal Audit Charter (the Audit Charter) should be regularly reviewed and updated when necessary. There had been no change in the guidance for the content of the Audit Charter and therefore no changes were proposed. The Audit Charter was last updated and agreed at a meeting of this Committee on 23 September 2021, Report No 295/21 refers.

Appendix 1 of the Report provided members with an update report, that was also summarised within Section 6 of the Report

Following several questions and in response having heard from the Service Leader – Internal Audit, the Committee agreed: -

- (i) to note the update on progress with the planned Internal Audit Work outlined within Appendix 1;
- (ii) to note management's progress in implementing internal audit and counter fraud recommendations as detailed within Appendix 1 to the Report; and
- (iii) to note the position with the review of the Internal Audit Charter, as detailed within Section 5 of the Report.

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

With reference to Article 10 of the minute of meeting of this Committee of 23 April 2024, there was submitted Report No 235/24 by the Service Leader – Internal Audit presenting detailed Education and Lifelong Learning risk information to the Committee.

It was noted that a programme of risk reviews to be discussed at forthcoming August to April Scrutiny and Audit committee meetings had usually been agreed in June each year. This year the program had been delayed pending completion of the Strategic Risk Register review that was currently underway.

The programme would be brought to a future meeting however, the proposal for the year was to cover strategic risks and directorate/service risk registers, with the first of these directorate presentations being made by the Education and Lifelong Learning Service. The relevant information from the risk register was included within Appendix 1 of the Report.

Following questions and comments, the Committee agree to note the information presented in relation to the Education and Lifelong Learning risk register.

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

With reference to Article 11 of the minute of meeting of this Committee of 23 April 2024, there was submitted Report No 236/24 by the Service Leader – Internal Audit advising members of reports submitted to other Angus Council Committees, the Council and partner bodies that were relevant to the work of this Committee.

Attached as Appendix 1 to the Report was a list of reports covering the period 19 March 2024 to 17 July 2024 which excluded Tay Cities Region Deal reports which had been presented to this Committee on 28 March 2024 within Report No 122/24.

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.

## **11. 2023/24 UNAUDITED ACCOUNTS**

With reference to Article 3 of the minute of meeting of this Committee of 29 August 2023, there was submitted Report No 237/24 by the Director of Finance presenting the Council's 2023/24 unaudited Accounts which, as required by law, had been submitted to the Controller of Audit for audit purposes.

The Report indicated that the Annual Accounts were prepared on a draft basis and submitted to the External Auditor appointed by the Controller of Audit for independent review within the statutory timeframe of 30 September 2024 and thereafter published on the Council's website no later than 31 October 2024.

The Director highlighted that the Usable Reserves total was £68.770 million and the Uncommitted General Fund Reserve £2.147 million, as reported in the unaudited accounts. However, the Usable Reserves had reduced by £12.400 million from 2022/23. Since publication of the accounts, officers had identified possible amendments which may need to be made to the commitments in the General Fund Reserve and this was likely to increase the Uncommitted General Fund Reserve balance reported in the accounts. However, this was unlikely to change the Council's total Reserves on the Balance Sheet.

A full review of existing Reserve commitments would be undertaken prior to setting the 2025/26 budget however, this may not be the final position and may change on completion of the audit process.

The Committee agreed, having reviewed the report, to note the Angus Council 2023/24 Unaudited Annual Accounts.

## **12. REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 - QUARTERLY REPORT**

With reference to Article 9 of the minute of meeting of this Committee of 23 April 2024, there was submitted Report No 237/24 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 April 2024 to 31 July 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 April 2024 to 31 July 2024 one 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 one authorisation had been granted for surveillance and other investigatory activities regulated by the Regulation of Investigatory Powers (Scotland) Act 2000, in the period 1 April 2024 to 31 July 2024.