

Minute of Meeting Audit, Risk and Scrutiny Board

Date	Time	Venue
Monday, 21 January 2019	10:00	Corporate Meeting Room 1, Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Tom Begg, Councillor Bill Binks, Councillor Stephen Burns, Councillor Michelle Campbell, Councillor Jim Harte, Councillor Emma Rodden, Councillor Jim Sharkey

Chair

Councillor Binks, Convener, presided.

In Attendance

L McIntyre, Head of Policy & Commissioning (Chief Executive's Service); G Hannah, Strategic Change Manager and M Higginbotham, Development Manager (both Environment & Infrastructure); K Graham, Head of Corporate Governance, L Neary, Head of Transformation & Organisational Development, A MacArthur, Head of Finance, A McMahon, Chief Auditor, A Connor, Records Manager and C MacDonald, Senior Committee Services Officer (all Finance & Resources); and D Wilson, Social Work Manager, Renfrewshire Health and Social Care Partnership.

Also Attending

J Cornett, Director and M Ferris, Senior Audit Manager (both Audit Scotland).

Declaration of Interest

Councillor Campbell declared a non-financial interest in Item 5 of the agenda as she was employed by NHS Greater Glasgow and Clyde. However, as she considered the interest was not significant she did not consider it necessary to leave the meeting.

Order of Business

In terms of Standing Order 16, the Convener intimated that he proposed to alter the order of business to facilitate the conduct of the meeting by considering Item 3 of the agenda after Item 7.

1 Internal Audit and Counter Fraud Progress and Performance for Period to 31 December 2018

There was submitted a report by the Chief Auditor relative to Internal Audit and Counter Fraud performance from 1 April to 31 December 2018 in terms of the delivery of the Audit Plan for the year and outlining actual performance against targets set by the Director of Finance & Resources. No formal performance targets for fraud investigation had been established as a major part of the team's work involved being the single point of contact for the Department for Work and Pensions (DWP) Single Fraud Investigation Service.

It was noted that the focus over the last year had been on increasing fraud awareness amongst employees to prevent fraud from occurring against the Council. The types of fraud referrals received to date were wide-ranging and the team's objective was to concentrate on investigating those referrals considered to contain the greatest fraud risk. The report also detailed the progress made against local and national initiatives involving Internal Audit and the Counter Fraud Team.

The report advised that 2018/19 Internal Audit Plan included an assignment for "Disclosure Checks – Review Arrangements" which had been due to be undertaken however, the process for managing disclosure arrangements was changing and disclosure checks were to be monitored using the Business World system once it had been implemented. As a result, the report proposed that it would be more beneficial to undertake the audit engagement when the new processes had been fully implemented.

DECIDED:

(a) That the Internal Audit and Counter Fraud Team progress and performance to 30 December 2018 be noted; and

(b) That the proposed changes to the internal audit plan be agreed.

2 Summary of Internal Audit Reports for the Period 10 October to 31 December 2018

There was submitted a report by the Chief Auditor relative to the requirement in terms of the Public Sector Internal Audit Standards (PSIAS) that Internal Audit communicate the results of each engagement to the Board. A further report relative to two investigations was considered at Item 9 of this Minute.

The Appendix to the report detailed the category of assurance, service, engagement and assurance rating and recommended risk ratings for each engagement as either critical, important, good practice or service improvement. A summary of findings was also

provided in relation to final reports issued for those engagements completed during the period 1 October to 31 December 2018.

The report intimated that in addition to the reports listed in the Appendix, Internal Audit had an ongoing commitment to arrange corporate and service initiatives, progress information security matters in partnership with ICT and Legal Services, provide regular advice to officers, provide Internal Audit services to the associated bodies for which Renfrewshire Council was the lead authority and to Renfrewshire Leisure Limited and Renfrewshire Health and Social Care Integration Joint Board, coordination of the Council's Corporate Risk Management activity and management of the counter fraud, risk management and insurance teams.

DECIDED: That the summary of Audit findings report for the period 1 October to 31 December 2018 be noted.

3 Scottish Information Commissioner - Annual Report 2017/18

There was submitted a report by the Director of Finance & Resources relative to the annual report 2017/18 by the Scottish Information Commissioner. The report intimated that the Freedom of Information (Scotland) Act 2002 (FOISA) created a general right to obtain information from any designated Scottish public authority subject to limited exemptions. The Commissioner's 2017/18 annual report explored the performance of the Office of the Scottish Information Commissioner across Scotland.

It was noted that in total there had been 77,528 Freedom of Information (FOI) requests in Scotland in 2017/18 which was an increase of 4.3% on the previous year. Renfrewshire Council received 1,502 FOI requests in 2017/18 compared to 1,418 in 2016/17.

A total of 507 appeals had been received by the Commissioner in 2017/18. Renfrewshire Council had three appeals submitted to the Commissioner, two of which were upheld and one case closed without requirement for a decision as the issue was resolved with the applicant.

The report advised that the low level of requirement for review compared to the high volume of requests processed by the Council, together with only three appeals to the Office of the Scottish Information Commissioner during 2017/18 indicated that the Council continued to manage its responsibilities well.

DECIDED: That the report be noted.

4 Commissioner for Ethical Standards in Public Life in Scotland Annual Report 2017/18

There was submitted a report by the Director of Finance & Resources relative to the annual report by the Commissioner for Ethical Standards in Public Life in Scotland. The report provided details of the investigation of complaints about the conduct of councillors, members of devolved public bodies and MSPs and scrutiny of Scotland's Ministerial public appointments process. The report also related to the second year of the Commissioner's 2016/20 strategic plan, looked forward to the 2018/19 period of the plan and provided an overview of the 2017/18 budget.

The report advised that while the Commissioner had experienced an increase in activity on public appointments, this had been balanced by a reduction of approximately 25% in the number of complaints received about the conduct of councillors or members of public bodies.

The largest category of complaints related to misconduct on individual applications. Nationally during 2017/18 the Commissioner received 146 complaints compared with 174 in 2016/17 and the subject matter of the complaints was detailed in the report. The Commissioner for Ethical Standards in Public Life in Scotland referred 10 reports to the Standards Commission in 2017/18. The Standards Commission determined to hold nine hearings and one was scheduled to be heard in 2018/19. The Standards Commission decided to take no action in respect of one of the 10 reports referred to it.

No specific figures relative to Renfrewshire Council were included in the Commissioner's report. However, information had been received separately from the Commissioner that, during the period covered by the report one complaint had been received against a Renfrewshire Councillor compared with four in 2016/17.

The report noted that, as part of the Council's elected members' induction programme of events and development opportunities, a briefing had been provided on 10 May 2017 on Standards & Ethics in Public Life and Roles and Responsibilities of Councillors which included specific guidance on the Code of Conduct for Councillors and on registering and declaring interests. A briefing was also held on 7 November 2018 for Councillors relative to the revised Code of Conduct for Councillors and associated guidance which had been issued by the Standards Commission.

DECIDED:

(a) That the 2017/18 Annual Report by the Commission for Ethical Standards in Public Life in Scotland be noted; and

(b) That the actions taken in Renfrewshire in relation to the Code of Conduct and members' induction programme of events and development opportunities be noted.

Declaration of Interest

Councillor Campbell having previously declared an interest in the undernoted item remained in the meeting.

5 Scottish Public Services Ombudsman (SPSO) Annual Report 2017/18

There was submitted a report by the Director of Finance & Resources relative to the Scottish Public Services Ombudsman's (SPSO) annual report 2017/18. The report intimated that the SPSO was the final stage for complaints about Councils, the National Health Service, housing associations, colleges, universities, prisons, most water providers, the Scottish Government and its agencies and departments and most Scottish public authorities. Local government remained the sector about which the SPSO received most complaints (29%) with the NHS receiving the second highest number (28%). No complaint details for specific organisations were included in the report. However,

information was received separately from the SPSO which indicated that the number of complaints received relative to Renfrewshire was 48 compared with 47 in 2016/17.

During the period of the report the SPSO determined 48 complaints against the Council. Of the 48 complaints determined during the period, four were investigated, three were partly upheld and one was not upheld. Copies of the SPSO decision reports relative to the three partly upheld complaints were attached as appendices to the report. The SPSO would not generally consider a complaint unless the complainer had gone through the Council's complaints procedure fully. In 2017/18 the Council received 6,098 complaints compared with 6,364 in 2016/17.

DECIDED:

- (a) That the report be noted; and
- (b) That it be noted of the 48 complaints against Renfrewshire Council determined by the SPSO in 2017/18, four were investigated, three were partly upheld and one was not upheld.

6 Records Management Plan Update

There was submitted a report by the Director of Finance & Resources relative to an update on the Council's Records Management Plan (RMP).

The report intimated that in accordance with the Public Records (Scotland) Act 2011, the Council had in place a RMP to guide continual improvement of its record keeping. The RMP had been approved by Council on 25 February 2016 when it was agreed that an annual report would be submitted to the Board. Conditional agreement of the RMP was reached with the Keeper of the Records of Scotland on 16 August 2016. The Keeper had fully accepted 11 out of the 16 elements on the RMP with the remaining five elements being on an improvement plan.

DECIDED:

- (a) That the report be noted; and
- (b) That it be agreed that annual reports continue to be submitted to the Board.

Prior to consideration of the following item the Convener welcomed M Love, Brookfield Community Council to the meeting.

7 Review of the Newly-introduced Speed Limit in Brookfield (Lead Officer - David Wilson)

Under reference to Item 8 of the Minute of the meeting of this Board held on 5 November 2018, there was submitted a report by the Lead Officer relative to the review of the newly-introduced speed limit in Brookfield (A761).

The report advised that in 2006 the Scottish Government provided new guidance to Local Authorities regarding the speed limit on roads under their control. The guidance provided a detailed framework for how speed limits should be assessed and imposed. Within this guidance was an instruction for each Local Authority to carry out a "Speed Limit Review" on all A and B class roads by 2011.

In 2011, the Council carried out the review which identified several locations where the existing speed limit did not meet the framework's criteria and requested that consideration be given to reducing the speed limit at those locations. The review identified some locations where a technical evaluation suggested a raised speed limit. At that time Council officers suggested that there was little or no support for raising speed limits and consequently proposed none.

The Development Manager (Environment & Infrastructure Services) and M Love, Brookfield Community Council were present to provide information in relation to the review. A copy of Brookfield Community Council's submission relating to the review of the speed limit was attached as an appendix to the Lead Officer's report.

The report advised that no further witnesses or information would be presented and outlined the key findings which proposed that the current speed limit was appropriate, and no further action was required.

The Lead Officer indicated that as there were no questions or further clarification sought it was proposed that the report be taken forward for final consideration and approval by the Council on 28 February 2019. This was agreed unanimously.

DECIDED:

- (a) That the progress, information contained within the report and views of the final witnesses be noted;
- (b) That the findings of the review be agreed; and
- (c) That it be agreed that the report be approved for consideration by the Council on 28 February 2019.

8 Audit Scotland - Annual Audit Plan 2018/19

There was submitted a report by the Director of Finance & Resources relative to Audit Scotland's Annual Audit Plan 2018/19, a copy of which was appended to the report.

The report intimated that the audit plan outlined Audit Scotland's approach to the audit of the 2018/19 financial statements of the Council and the charities it controlled in order to assess whether they provided a true and fair view of the financial position of the Council, and also whether they had been prepared in accordance with proper accounting practice. The Plan outlined the responsibilities of Audit Scotland and the Council, their assessment of key challenges and risks, and the approach and timetable for completion of the audit.

DECIDED: That the report and Audit Scotland's Annual Audit Plan 2018/19 be noted.

Exclusion of Press and Public

The Board resolved that the press and public be excluded from the meeting during consideration of the following item as it was likely, in view of the nature of the business to be transacted, that if members of the press and public were present, there would be disclosure to them of exempt information as defined in paragraphs 1 and 14 of Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

9 Summary of Internal Audit Investigations Findings for Period 01 October to 31 December 2018