

MORAY COUNCIL

Minute of Meeting of the Audit and Scrutiny Committee

Wednesday, 27 February 2019

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor James Allan, Councillor Frank Brown, Councillor Theresa Coull, Councillor John Cowe, Councillor Lorna Creswell, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Derek Ross, Councillor Amy Taylor

APOLOGIES

IN ATTENDANCE

The Chief Executive; the Head of Financial Services; the Audit Manager; Mr R MacDonald, Energy Officer; Ms M Bruce, External Auditor; and Mrs C Howie, Committee Services Officer as Clerk to the Meeting.

ALSO PRESENT

Councillor Leadbitter (ex-Officio)

1 Chair of Meeting

The meeting was chaired by Councillor Macrae.

2 Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' code of Conduct, Councillor Brown declared an interest in Item 12 of the agenda 'Social Work Complaints Review Committee - Case Number CO201702' as those involved in the case were known to him. Thereafter the meeting noted there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any other declarations of Member's interests in respect of any item on the agenda.

3 Resolution

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

4 Minute of Meeting of 4 December 2018

The Minute of the meeting of the Audit and Scrutiny Committee dated 4 December 2018 was submitted and approved.

5 Written Questions **

The Committee noted that no written questions had been submitted.

6 External Audit Plan for the Year Ending 31 March 2019

A report by the Corporate Director (Corporate Services) provided Committee with a copy of the External Auditor's annual plan for 2018/19.

Discussion took place on the requirement for longer term planning and how this can be accomplished when the amount of funding from the Government is advised annually.

The External Auditor advised that Audit Scotland was of the view that when funding changes annually it was more important to consider requirements for medium and long term planning, allowing for different scenarios.

Councillor Gatt sought clarification on the Council's preparations for EU withdrawal.

In response the Chief Executive advised he would brief Councillors in private on current preparations.

The External Auditor advised there was an Audit Scotland report on EU withdrawal preparations that draws attention to some areas that audited bodies might be interested in considering.

In response to a query from Councillor Brown on the external audit fee, Ms Bruce advised it was set having regard to the public audit model applied by audit Scotland.

Thereafter the Committee agreed to note the contents of the External Auditor's annual audit plan for 2018/19.

7 Report on the Work of the Internal Audit Section in the Period from 1 October 2018 to 31 December 2018

A report by the Corporate Director (Corporate Services) advised Committee on the work of the Internal Audit Section for the period from 1 October 2018 to 31 December 2018.

Councillor Feaver sought clarification on the percentage of placements carried out outwith the Additional Resource Allocation Group (ARAG) process and if there may be a need to review the Policy.

In response the Audit Manager advised he was not aware of the exact number however it was relatively small in the context of the total number of placements. He further advised there was an intention to review the policy on care placements however any changes would be considered at the Service Committee, not at this Committee.

Councillor Brown sought clarification on the robustness of the ARAG as only Social Work and Education were involved with no involvement from NHS personnel.

In response the Audit Manager advised that while he understood there were no advisors from outwith the Council on the Group, information was available from professionals in partner agencies, where appropriate, to inform decision making processes.

Councillor Gatt sought clarification on advance payment for Out of Area placements as Appendix 2 of the report states at 5.3 that authorisation should be sought from the Head of Financial Services for advance payment, however in the Key Control it states no advance payment is allowed.

In response the Audit Manager advised the financial regulations provide for advance payment to be made in certain circumstances. The Head of Financial Services will look at the particular circumstances of a case and if there are exceptional circumstances it is then possible for an award to be made, however the general position adopted is that payment will only be made once services have been provided.

In response to a query from Councillor Ross in respect of supply teacher absence cover near a holiday period the Audit Manager advised it was for Head Teachers to determine if a supply teacher was required. In some cases, if near to the summer break and circumstances so dictated, they could decide not to call in a supply teacher.

Thereafter having considered the contents of the report and sought clarification where required the Committee agreed to note the report.

8 Local Government in Scotland Financial Overview 2017-18

A report by the Corporate Director (Corporate Services) informed Committee of Audit Scotland's report on the Financial Overview 2017/18, part of the Local Government in Scotland series of national reports.

Following discussion the Committee agreed to note Audit Scotland's Financial Overview 2017/18 report.

9 Scottish Public Services Ombudsman Recommendations Report

A report by the Chief Executive asked Committee to consider the Scottish Public Services Ombudsman (SPSO) Recommendations Report to demonstrate that SPSO recommendations are considered at a senior level.

Following consideration the Committee agreed to approve the report.

10 Statement of Outstanding Business at February 2019

A report by the Chief Executive asked Committee to consider progress and times in relation to follow-up reports and actions requested by the Committee at previous meetings.

In response to a query from Councillor Feaver, the Chief Executive advised either a report would be provided to the next meeting in regard to the feasibility of publishing hospitality records for staff or a completion date would be provided.

In response to a query from Councillor Gatt, the Chief Executive advised it was the intention to include all committee Chairs and Depute Chairs when considering the content of an Internal Scrutiny Charter.

Thereafter the Committee agreed to note progress and timescales in relation to follow-up reports requested by the Committee.

11 Question Time ***

Councillor Eagle sought clarification on whether the school bus contracts would be scrutinised by the Committee as he was aware of complications when setting up the contracts.

In response the Chief Executive said it would be for the Service Committee to scrutinise this in the first instance.

Councillor Gatt sought clarification on whether a report on the dredger would be coming to a public session of this Committee.

In response the Chair advised a report had been considered in the confidential session of the Economic Development and Infrastructure Services Committee on 19 February and that operational information would have to be removed before this could be considered in a public session. He further advised it was hoped a report would be available for the next meeting of this Committee.

Councillor Feaver sought clarification on the publishing of hospitality records for staff.

In response the Chief Executive advised workload had prevented this being moved forward and that either a response, or a date for completion, would be provided for the next meeting in April.

Councillor Leadbitter left the meeting at this juncture.

12 Social Work Complaints Review Committee - Case Number CO201702 [Paras 3 and 4]

Having declared an interest in this item Councillor Brown left the meeting at this juncture taking no part in the discussion or decision.

A report by the Corporate Director (Corporate Services) asked the Committee to approve the decision of the Social Work Complaints Review Committee in respect of Case Number CO201702 and to decide what action, if any, to take in respect of the complaint.

Following consideration the Committee agreed:

- i. to approve the decision of the Social Work Complaints Review Committee in respect of Case Number CO201702; and
- ii. that no further action was required in respect of the case.