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## ADDITIONAL CIRCULATION



To: Councillor Flynn, Convener; Councillor Yuill, Vice Convener; and Councillors Allard, Duncan, Graham, Lumsden, Avril MacKenzie, Reynolds and Townson.

Town House,  
ABERDEEN 1 May 2018

## **AUDIT, RISK AND SCRUTINY COMMITTEE**

The undernoted items are circulated in connection with the meeting of the **AUDIT, RISK AND SCRUTINY COMMITTEE** to be held here in the Town House on **TUESDAY, 8 MAY 2018 at 2.00 pm.**

FRASER BELL  
CHIEF OFFICER - GOVERNANCE

### **BUSINESS**

- 7.1 Unaudited Annual Accounts 2017/18 - to follow
- 7.17 Fleet and Transport MOT Issues - OPE/18/024 (Pages 3 - 6)

Please note item 7.17 was missed from the original circulation in error.

Should you require any further information about this agenda, please contact Karen Finch, tel 01224 522723 or email [kfinch@aberdeencity.gov.uk](mailto:kfinch@aberdeencity.gov.uk)

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## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Audit, Risk and Scrutiny Committee
<b>DATE</b>	08 May 2018
<b>REPORT TITLE</b>	Fleet and Transport MOT Issues
<b>REPORT NUMBER</b>	OPE/18/024
<b>DIRECTOR</b>	Rob Polkinghorne
<b>CHIEF OFFICER</b>	Mark Reilly
<b>REPORT AUTHOR</b>	William Whyte
<b>TERMS OF REFERENCE</b>	6.2

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### 1. PURPOSE OF REPORT

The report provides members with information regarding Aberdeen City Council operating six vehicles without valid MOT certificates.

### 2. RECOMMENDATION(S)

That the Committee:

- 2.1 Notes the report and that the Corporate Investigation Team has been instructed to carry out an internal investigation of Fleet Services.
- 2.2 Instructs the Chief Operating Officer to report back to a future meeting of this committee following completion of the investigation and following consideration of the matter being concluded by the Operational Delivery Committee.

### 3. BACKGROUND

- 3.1 On 04/04/18, a media enquiry was received alleging that six vehicles had been operated with no MOT's for periods range from seventeen days to eleven-months.
- 3.2 All Council vehicles had received the relevant service safety checks and were serviced to the relevant schedules. All the vehicles were road taxed and insured over this period. The vehicles complied with all other legislation and requirements.

Following the allegations, all the MOT records for all Fleet have been checked to ensure that all vehicles have a current MOT. There are no Council vehicles that are operating without a current MOT and all are road taxed and insured.

### 3.3 The following actions have been taken:

- Every vehicle and all fleet management file data has been checked to ensure that there are no other failures of this nature and that all fleet vehicles are compliant.
- An internal investigation has been commenced by the Corporate Investigation Team
- An independent audit has been commissioned and will be undertaken by the Freight Transport Association commencing on 30/04/18
- The Council has implemented online renewal of road tax through the DVLA Fleet web site which commenced in April 2018.
- The Traffic Commissioner has been informed of the situation.

## 4. FINANCIAL IMPLICATIONS

4.1 The Chief Operating Officer committed from the current Fleet budget the independent audit to be undertaken by the Freight Transport Association. The cost of this is less than £3,500.

## 5. LEGAL IMPLICATIONS

5.1 This may impact on Fleet should the Traffic Commissioner decide to carry out an unannounced fleet and spot checks at numerous locations resulting in potential sanctions to the Council's Operator Licence. Where required vehicle's must operate with a valid MOT.

## 6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
<b>Financial</b>	Potential legal costs and fines.	(M)	Situation rectified immediately.
<b>Legal</b>	Failure to comply with statutory duties.	(H)	Situation rectified immediately.

<b>Employee</b>	Vehicles operated without a valid mot certificate.	(M)	Situation rectified immediately. And regular safety checks continued.
<b>Customer</b>	Could impact on services to deliver their duties on behalf of the Council.	(L)	Situation rectified immediately. And regular safety checks continued.
<b>Environment</b>	No significant risk.		
<b>Technology</b>	Continued lack of confidence and fitness for purpose with existing Fleet Management System.  Excessive cost and resource to render product more suitable for use.	(H)	Provision of more suitable Fleet Management System.
<b>Reputational</b>	Council failing to operate vehicles without MOT.	(M)	Matter rectified immediately and steps taken to ensure lessons learned and improvements to process identified.

## 7. OUTCOMES

<b>Local Outcome Improvement Plan Themes</b>	
	<b>Impact of Report</b>
<b>Enabling Technology</b>	n/a

<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>
<b>Customer Service Design</b>	n/a
<b>Organisational Design</b>	n/a
<b>Governance</b>	n/a
<b>Workforce</b>	n/a

<b>Process Design</b>	n/a
<b>Technology</b>	n/a

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality &amp; Human Rights Impact Assessment</b>	The recommendations arising from this report do not require that full Equality and Human Rights Impact Assessment is completed.
<b>Privacy Impact Assessment</b>	The recommendations arising from this report do not require that full Equality and Human Rights Impact Assessment is completed.
<b>Duty of Due Regard / Fairer Scotland Duty</b>	Not applicable.

## 9. BACKGROUND PAPERS

None

## 10. APPENDICES (if applicable)

Not applicable

## 11. REPORT AUTHOR CONTACT DETAILS

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