

## LEGAL AND DEMOCRATIC SERVICES

### COMMITTEE DECISION SHEET

#### AUDIT, RISK AND SCRUTINY COMMITTEE - THURSDAY, 26 NOVEMBER 2015

Please let the Committee Officer know as soon as possible if you do not agree with any action proposed in this decision sheet. These are decisions of the Committee and there is an expectation that action will be taken. If for any reason it is apparent that you will not be able to act on these instructions in full or in part or that there will be a delay, please let the Committee Officer know as it may be necessary to advise the Committee or seek further instructions from the Committee.

	Item Title	Committee Decision	Services Required to take action	Officer to Action
1	<u>Determination of Exempt Business</u>	<b><u>The Committee resolved:</u></b> The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for articles 26 and 27 so as to avoid disclosure of exempt information of the class described in paragraph 1 (article 26) and paragraphs 1 and 2 (article 27).		
1.1	<u>Deputation Request - Mr Tommy Campbell, Unite and Mr Steve Dillon , Ucatt</u>	<b><u>The Committee resolved:</u></b> to agree to hear the deputations at the start of the meeting and discuss the reports at the appropriate time on the agenda.		
2	<u>Deputation in relation to agenda items 8.1 and 8.2</u>	<b><u>The Committee resolved:</u></b> (i) to note the information provided by Mr Campbell and Mr Dillon specifically in relation to agenda item 8.2; (ii) to note the legal advice provided that the exempt reports should not be shared due to the risk to the Council under Data Protection legislation; (iii) to request Committee Services to redact the report and provide a copy to Mr Campbell and Mr Dillon to allow	Committee Services	F Bell

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		them to continue with their deputation prior to consideration of the exempt report and that the redacted version be given to members in order for them to ask questions suitable for within the public session.		
2.1	<u>Minute of Previous Meeting of 29 September 2015</u>	<b>The Committee resolved:</b> to approve the minute as a correct record.		
2.2	<u>Workplan</u>	<b>The Committee resolved:</b> to note the content of the workplan.	Committee Services	K Rennie
2.3	<u>Decision Tracking Statement</u>	<b>The Committee resolved:</b> (i) in relation to items 5 (Compliance with Laws and Regulations) and 6 (Arm's Length External Organisations), to note the update provided and agree to remove both items from the tracking sheet; (ii) to remove items 2 (Transfer of Site, Langdykes Road), 4 (PVG Checks, Community Centres), 8 (Housing Rent Assessment) and 10 (Community Centres) subject to the decisions taken later on the agenda; and (iii) to otherwise note the content of the tracking sheet.	Committee Services	K Rennie
2.4	<u>Minute of Corporate Health and Safety Committee of 22 May 2015</u>	<b>The Committee resolved:</b> to note the minute		
3.1	<u>Elected Member Development - report by the Interim Director for Corporate</u>	<b>The Committee resolved:</b>		

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	<b><u>Governance</u></b>	to note the content of the report.		
3.2	<b><u>Internal Audit Progress and Performance - report by the Internal Auditor</u></b>	<p><b><u>The Committee resolved:</u></b></p> <p>(i) to note that the current programme had been delayed and that the remaining audits would be prioritised in order for them to be progressed;</p> <p>(ii) to note that two audits relating to recruitment procedures would now be covered in the same report to Committee;</p> <p>(ii) to otherwise note the content of the report.</p>	Internal Audit	D Hughes
3.3	<b><u>External Audit Progress Report - report by External Auditor</u></b>	<p><b><u>The Committee resolved:</u></b></p> <p>to note the content of the report.</p>	External Audit	A MacDonald
3.4	<b><u>Data Protection Reporting July to September 2015 - Report by the Interim Director for Corporate Governance</u></b>	<p><b><u>The Committee resolved:</u></b></p> <p>(i) in response to a question from Councillor Flynn relating to the percentage of Subject Access Requests responded to within 40 days and what had been done to improve the figures, the Head of Legal and Democratic Services advised that he had requested services to provide information relating to these and that one service in particular struggled to meet the timescales due to the nature of the information sought;</p> <p>(ii) in response to a request from the Vice Convener for the figures to be provided by Service, to note that this</p>	Legal and Democratic	F Bell

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		would be included for future reports; and (iii) to otherwise note the content of the report.		
4.1	<b><u>Protecting Vulnerable Groups (PVG) Scheme - report by the Interim Director for Corporate Governance</u></b>	<b><u>The Committee resolved:</u></b> (i) to note that work was currently being undertaken to identify those Councillors or lay members that required to be PVG checked and that this information would be provided to the Committee; (ii) to note that substitutes to Committees that required Councillors to be PVG checked would be allowed however they would not be covered by PVG as the work would be incidental and not regulated work; (iii) to otherwise note the content of the report.	Corporate Governance	W Taylor R MacBeath
5.1	<b><u>Housing - Rent Assessment - Report by the Internal Auditor</u></b>  Please note this is the revised report as requested at the meeting on 29 September 2015	<b><u>The Committee resolved:</u></b> to note the content of the report and endorse the recommendations for improvement.	Communities and Housing	G Stuart
5.2	<b><u>Transfer of Site, Langdykes Road - report by the Internal Auditor</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report.		
5.3	<b><u>Risk Management - report by the Internal Auditor</u></b>	<b><u>The Committee resolved:</u></b> (i) in response to a question from the Vice Convener relating to the Risk Management Strategy and Statement of Control Annual Report to this	IT and Transformation	N Buck

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		<p>Committee, to note that the new broader governance statement was not reflected in the Risk Management Strategy and that further work was required to amend the Strategy and that a report would be submitted to this Committee at its meeting on 28 April 2016;</p> <p>(ii) to otherwise note the content of the report and endorse the recommendations for improvement.</p>		
5.4	<b><u>Commercial and Procurement - Creditors System - report by the Internal Auditor</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report and endorse the recommendations for improvement.	Commercial and Procurement It and Transformation	G Stevens S Massey
5.5	<b><u>Human Resources &amp; Customer Service - Payroll System - report by the Internal Auditor</u></b>	<b><u>The Committee resolved:</u></b> (i) in response to a question from the Convener in relation to written procedures for the PSe System where agreement had not been met between the auditor and the service and whether this item would be included in outstanding recommendations report, to note that the auditor would always recommend best practice and to note that a brief outline of the system could be provided with a full manual being implemented for the replacement system; and (ii) to otherwise note the content of the report and endorse the recommendations for improvement.	Human Resources and Customer Service	D Cheyne
6.1	<b><u>Scottish Public Services Ombudsman Complaint Decisions - report by the Interim</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report.	IT and Transformation	L McKenzie

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	<u>Director for Corporate Governance</u>			
6.2	<u>Audit Scotland - Audit of Housing Benefit - Risk Assessment Report - report by the Interim Director for Corporate Governance</u>	<p><b>The Committee resolved:</b></p> <p>(i) in response to questions from Councillor Townson relating to the Single Fraud Investigation Service, to note that the Council had retained its counter fraud staff and they were based locally and to note that the Head of Finance would try to gain information on how the SFIS were structured and how they were operating across their full remit;</p> <p>(ii) in response to a question from Hutchison relating to the current amount of subsidy that the Council were unable to claim due to the value of local authority/administrative delay error overpayment being above DWP's threshold of 0.54%, to note that the Head of Finance would provide Councillor Hutchison with the current figure;</p> <p>(iii) in response to a question from Councillor Greig relating to what action the Council were taking to recover overpayments, to note that the Fraud team were looking at this and that those still in receipt of benefits had a percentage deducted to cover previous overpayments and those not claiming, other methods such as deduction from salaries were used; and</p> <p>(ii) to otherwise note the content of the</p>	Finance	S Whyte

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		report.		
6.3	<b><u>Food Standards Scotland Core Audit - Report by the Director for Communities, Housing and Infrastructure</u></b>	<p><b>The Committee resolved:</b></p> <p>(i) to note the praise given to the team from the Manager and the Committee; and</p> <p>(ii) to otherwise note the content of the audit report and the associated action plan prepared by the Environmental Health Service.</p>	Environmental Health	C Jackson A Carson
7.1	<b><u>Internal Audit Recommendations Outstanding against 2015/16</u></b>	<p><b>The Committee resolved:</b></p> <p>(i) to note that the item relating to Compliance with Laws and Regulations would be removed in relation to the decision taken at article 6 of this minute;</p> <p>(ii) in response to questions from Councillor Cameron in relation to Service Reviews and the additional time to complete the actions, to note that the Team Manager would liaise with the Head of Joint Operations to ensure the correct dates were added against each of the outstanding recommendations;</p> <p>(iii) in response to a question from Councillor Copland relating to the timing for the recommendations to be completed and whether the Integration Joint Board would have an opportunity to scrutinise the information prior to their inception on 1 April 2016, to note that the Team Manager would liaise with the Chief Officer and provide the information to the Committee;</p>	<p>Internal Audit</p> <p>Health and Social Care Partnership</p>	<p>D Hughes</p> <p>J Proctor T Cowan T Gillespie</p>

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		(iii) to otherwise note the content of the report.		
7.2	<b><u>Internal Audit Follow Up Recommendations - Report by the Internal Auditor</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report.	Internal Audit	D Hughes
7.3	<b><u>External Audit Recommendation Outstanding 14/15 - report by External Auditor</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report.	External Audit	A MacDonald
7.4	<b><u>Measures to Detect and Prevent Fraud - Report by the Interim Director for Corporate Governance</u></b>	<b><u>The Committee resolved:</u></b> (i) in response to a question from Councillor Townson relating to when Police Scotland would be contacted, to note that they would be contacted for all instances where a suspected fraud has taken place; (ii) to note that the Committee would receive an annual report to notify them of any activity in relation to fraud; (iii) to otherwise note the content of the report and attached Policy and Strategic Response to Fraud, Bribery and Corruption document; and (iv) to note that the Finance, Policy and Strategy Committee of 15 September 2015 approved the report and the appendix.	Finance	B Muldoon
7.5	<b><u>PVG Checks - Community Centres</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report.	Communities and Housing	J Mackie
8.2	<b><u>Window Replacements - Report by the</u></b>	<b><u>The Committee resolved:</u></b>		



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	<b><u>Director of Communities, Housing and Infrastructure</u></b>	(i) prior to considering the exempt report, the Committee heard the deputation in public session in relation to this item and thanked them for their presentation; (ii) to defer the report for further information to be provided; and (iii) to request the Internal Auditor to undertake an audit into the process for dealing with complaints against officers and to determine if the process was followed correctly in this case, and to make any recommendations as appropriate.	Internal Audit	D Hughes
8.1	<b><u>Craft Workers Terms and Conditions - Report by the Internal Auditor</u></b>	<b><u>The Committee resolved:</u></b> to note the content of the report and endorse the recommendations for improvement.	Land and Property Assets	J Quinn

If you require any further information about this decision sheet, please contact Karen Rennie, tel 01224 522723 or email [karrennie@aberdeencity.gov.uk](mailto:karrennie@aberdeencity.gov.uk)