

LEGAL AND DEMOCRATIC SERVICES

COMMITTEE DECISION SHEET

AUDIT, RISK AND SCRUTINY COMMITTEE - TUESDAY, 26 SEPTEMBER 2017

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>Request to move item 10.1 into exempt or public</u>	The Committee resolved: to note that a further redacted version of the confidential appendix had been prepared and was issued to all members and those in attendance at the meeting.		
2.1	<u>Determination of Exempt Business</u>	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 item 11.1 so as to avoid disclosure of exempt information of the class described in paragraph 6.		
3.1	<u>Members are requested to intimate any declarations of interest</u>	The Committee resolved: (i) to note that Councillor Nicoll and Councillor Lumsden declared an interest in item 11.1 (Garthdee Alpine Sports) by virtue of their position as Directors of Garthdee Alpine Sports Board, they considered that the nature of their interest required them to leave the meeting at that item on the agenda; and		

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		(ii) to note that Councillor Cooke declared an interest in item 9.8 (ALEO Assurance Hub – Terms of Reference) and 9.13 (ALEO’s – Management by Services Internal Audit) by virtue of his position as Director of Sport Aberdeen, he considered that the nature of his interest did not require him to leave the meeting at that item on the agenda.		
5.1	<u>Minute of Previous Meeting of 27 June 2017</u>	The Committee resolved: to approve the minute as a correct record.		
6.1	<u>Committee Business Statement</u>	The Committee resolved: (i) subject to the decisions taken later on the agenda, to delete items 2 (Whistleblowing Policy) and 3 (ALEO Assurance Hub – Terms of Reference); and (ii) to otherwise note the content of the business statement.	Committee Services	K Finch
6.2	<u>Committee Tracker</u>	The Committee resolved: to note the content of the Committee Tracker.		
9.1	<u>Annual Report to Members and the Controller of Audit on the 2016/17 Accounts</u>	The Committee resolved: (i) to note that an unqualified independent audit opinion had been issued for the annual accounts and the registered charities for the financial period 1 April 2016 to 31 March 2017; (ii) to note the awards the Finance Team had achieved over the financial period; (iii) to otherwise note the content of the report.	External Audit Finance	A Shaw S Whyte

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9.2	<u>Audited Annual Accounts 2016/17 - CG/17/111</u>	<p>The Committee resolved:</p> <p>(i) to approve the Council's audits annual accounts 2016/17 for signature by the Head of Finance, Chief Executive and Council Leader;</p> <p>(ii) to approve the audited annual accounts 2016/17 for those registered charities where the Council is the sole trustee, and nominate a trustee to sign the accounts;</p> <p>(iii) to note the thanks from the Head of Finance to all staff involved with the preparation of the annual accounts and to KPMG for the help and support since their appointment as External Auditors.</p>	Finance	S Whyte L Fullerton
9.3	<u>Internal Audit Progress Report - IA/17/014</u>	<p>The Committee resolved:</p> <p>(i) to approve the rescheduling of audits relating to PECOS and the Fixed Asset Register so that they are scheduled to be reported to Committee in February 2018; and</p> <p>(ii) to otherwise note the content of the report.</p>	Internal Audit	D Hughes
9.4	<u>Information Governance Report & the General Data Protection Regulation - CG/17/109</u>	<p>The Committee resolved:</p> <p>(i) to note the information provided about the Council's information governance performance at sections 3.1 to 3.6 of the report and in the Information Governance Report at Appendix 1;</p> <p>(ii) to note the information about the General Data Protection Regulation (GDPR) and its anticipated impact on</p>	IT and Transformation	H Cannings/ C Anderson

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		<p>the Council at sections 3.7 to 3.11 of the report;</p> <p>(iii) to note the Council's GDPR readiness approach as part of the Council's wider information assurance improvement plan at sections 3.2 to 3.14 of the report;</p> <p>(iv) to request officers to submit a report to a future meeting of this Committee providing an update on the position with data governance standards as they are developed as part of the Transformation Programme; and</p> <p>(v) to request Internal Audit to undertake a review of the processes in place for determining what information can be released to the public.</p>	Internal Audit	D Hughes
9.5	<p><u>RIPSA - Office of the Surveillance Commissioner's Inspection Report - CG/17/112</u></p>	<p><u>The Committee resolved:</u></p> <p>(i) to note the inspection report;</p> <p>(ii) to instruct the Head of Legal and Democratic Services to ensure that this Committee received updates on the Council's activities in accordance with paragraph 10.1 of the OSC Inspection Report; and</p> <p>(iii) to note that guidance on test purchases has been amended and communicated to all staff involved with RIPSA activity.</p>	Legal and Democratic	J Anderson
9.6	<p><u>Risk System Review - CG/17/103</u></p>	<p><u>The Committee resolved:</u></p> <p>(i) to note the progress made in delivering the project;</p> <p>(ii) to note the Corporate Risk Register and the actions identified to improve</p>	Corporate Governance	N Buck

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		(iii) risk controls; and to note that a report providing an update on Risk Management would be submitted to the Committee's meeting on 23 November 2017.		
9.7	<u>Scottish Public Services Ombudsman and Inspector of Crematoria Complaint Decisions - CG/17/102</u>	<u>The Committee resolved:</u> to note the details of the report.	Human Resources and Customer Service	L McKenzie
9.8	<u>ALEO Assurance Hub - Terms of Reference - CG/17/108</u>	<u>The Committee resolved:</u> (i) to approve the ALEO Assurance Hub terms of reference as set out in Appendix A to the report; (ii) to note the ALEO Governance Framework as set out in Appendix B to the report; (iii) to note the proposed scheduling as set out in Appendix C to the report and further note the Assurance Hub would first report to this Committee at its meeting on 23 November 2017; (iv) to note the progress update with regards to the Audit Scotland Performance Audit on ALEO's; (v) to note that following each ALEO Assurance Hub meeting, a report would be submitted to this Committee for their consideration.	Legal and Democratic	I Robertson/ R MacBeath
9.9	<u>Whistleblowing Policy - CG/17/110</u>	<u>The Committee resolved:</u> (i) to note the details on the implementation, communication and monitoring of the Whistleblowing Policy; (ii) to note that the Interim Head of Human	Human Resources	M Spalding/ K Tennant

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		recommendations for improvement as agreed by the Service.	Internal Audit	D Hughes
9.13	<u>ALEO's - Management by Services - IA/AC/1722</u>	<u>The Committee resolved:</u> to note the content of the report and endorse the recommendations for improvement as agreed by the Service.	All Services Internal Audit	E Couperwhite A Stephen J Quinn D Hughes
9.14	<u>Business Continuity Planning - IA/AC/1804</u>	<u>The Committee resolved:</u> to note the content of the report and endorse the recommendations for improvement as agreed by the Service.	Communities, Housing and Infrastructure Internal Audit	D McIntosh D McGowan D Hughes
9.15	<u>Attendance Management - IA/AC/1805</u>	<u>The Committee resolved:</u> to note the content of the report and endorse the recommendations for improvement as agreed by the Service.	Human Resources Internal Audit	L MacInnes M Spalding D Hughes
9.16	<u>Corporate Landlord Responsibilities - IA/AC/1806</u>	<u>The Committee resolved:</u> to note the content of the report and endorse the recommendation for improvement as agreed by the Service.	Land and Property Assets	J Quinn
9.17	<u>Health and Safety - Scottish Schools Education Research Centre (SSERC) IA/AC/1803</u>	<u>The Committee resolved:</u> (i) to note that a report would be submitted to a future meeting of the Corporate Health and Safety Committee to provide an update on the progress made with implementing the recommendations contained in the internal audit report; and (ii) to otherwise note the content of the report and endorse the recommendations for improvement as agreed by the Service.	Education and Children's Services Internal Audit	E Couperwhite A Jones D Hughes
9.18	<u>Internal Audit Follow Up on</u>	<u>The Committee resolved:</u>		

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	<u>Recommendations - IA/17/015</u>	to note the content of the report and request all Services to undertake the work required to complete the outstanding audit recommendations.	All Services	All Directors and Heads of Service
9.19	<u>Wellington Brae Investigation CHI/17/241</u>	<p><u>The Committee resolved:</u></p> <p>(i) to request the Interim Director of Communities, Housing and Infrastructure to provide a response to the Committee relating to the background of the case between December 2015 and February 2016 and also to advise whether a draft report on the funding was ever issued to Committee;</p> <p>(ii) to note the Investigation Report and Recommendations and in particular in the Recommendations section of Appendix 1 paragraphs 6.18 (“Sustrans funding would have been made available irrespective of who owned the affected land...”); 4.64 (“... it seems obvious that emergency work was undertaken as there was an immediate and identifiable health and safety risk...”); 4.67 (“It was appropriate for Councillor Young to seek advice from the Monitoring Officer in order to address any perception that he was conflicted in his interests”); 4.68 (“The Monitoring Officer has stated that based on the information available to him at the time, Councillor Young did not require to declare a conflict of interest because he had not been asked to</p>	Communities, Housing and Infrastructure	B Marjoram

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		<p>make a decision as a Councillor on the works or the grant, but rather to provide his consent as a landowner.”); and paragraph 7.9 (“Councillor Young’s actions did not contravene the ICT Acceptable Use Policy as the emails did not concern any confidential information, were not protectively marked, and had been addressed to Councillor Young”);</p> <p>(iii) to note the Management Response to the recommendations of the Investigation Report;</p> <p>(iv) to instruct the Director of Communities, Housing & infrastructure to report back to the Audit, Risk and Scrutiny Committee at a future date to provide evidence of how the wider Service Review of the Planning and Sustainable Development Service referred to in paragraph 3.8.5 is taking full account of the need to implement additional safeguards to ensure that any debatable land ownership and contract procurement issues are appropriately escalated, resolved and recorded;</p> <p>(v) to instruct the Chief Executive on behalf of Aberdeen City Council to apologise to former councillor Young for the failure to follow council policy and procedure detailed in Appendix 1 which placed him in a vulnerable position; and</p> <p>(vi) to request that the report be issued to Audit Scotland for their consideration.</p>	Office of the Chief Executive	A Scott

