

ABERDEEN CITY COUNCIL

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COMMITTEE	Audit, Risk and Scrutiny Committee
DATE	22 February 2018
REPORT TITLE	Internal Audit Report AC1816 – Training for Councillors
REPORT NUMBER	IA/AC1816
LEAD OFFICER	David Hughes
AUTHOR	David Hughes

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**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to present the planned Internal Audit report on Training for Councillors.

**2. RECOMMENDATION**

- 2.1 It is recommended that the Committee review, discuss and comment on the issues raised within this report and the attached appendix.

**3. BACKGROUND / MAIN ISSUES**

- 3.1 Internal Audit has completed the attached report which relates to an audit of Training for Councillors.

**4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report.

**5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from the recommendations of this report.

**6. MANAGEMENT OF RISK**

- 6.1 The Internal Audit process considers risks involved in the areas subject to review. Any risk implications identified through the Internal Audit process are as detailed in the attached appendix.

## **7. IMPACT SECTION**

7.1 **Economy** – The proposals in this report have no direct impact on the local economy.

7.2 **People** – There will be no differential impact, as a result of the proposals in this report, on people with protected characteristics. An equality impact assessment is not required because the reason for this report is for Committee to review, discuss and comment on the outcome of an internal audit. The proposals in this report will have no impact on improving the staff experience.

7.3 **Place** – The proposals in this report have no direct impact on the environment or how people friendly the place is.

7.4 **Technology** – The proposals in this report do not further advance technology for the improvement of public services and / or the City as a whole.

## **8. APPENDICES**

8.1 Internal Audit report AC1816 – Training for Councillors.

## **9. REPORT AUTHOR DETAILS**

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# ABERDEEN CITY COUNCIL

## **Internal Audit Report**

### **Corporate Governance**

### **Training for Councillors**

**Issued to:**

Morven Spalding, Head of HR (Interim)  
Fraser Bell, Head of Legal and Democratic Services  
Steven Whyte, Head of Finance  
External Audit

## **EXECUTIVE SUMMARY**

Councillors' induction and training has been a topic of interest for a number of years with the Scottish Local Authorities Remuneration Committee bringing the issue to the fore in 2006. It formed the view that it was important that Councillors actively engage with training and development opportunities on an ongoing basis and recommended that all Councillors, whether new to the role or long-serving, participate in a training needs analysis and agree a personal development plan.

Subsequent reviews by Audit Scotland have shown that progress was being made, across Scotland, but that Councillors' take-up of training was "at best variable". Reports stated that Councils must provide appropriate induction and training to support Councillors in their roles and that Councillors must make better use of training provided, ensure that they provide feedback on that training and explain their training needs to officers.

The objective of this audit was to ensure that appropriate arrangements were made for induction and training of Councillors following the May 2017 Local Government Elections, that training was delivered and was effective.

Whilst a comprehensive training programme was put in place, attendance was generally low with Councillors not attending sessions, including those that were considered mandatory. Responses to feedback surveys have also been low meaning that it is difficult to measure the effectiveness of the programmes and opportunities to make improvements to future training programmes and developing continuing training programmes may be missed.

# 1. INTRODUCTION

- 1.1 The Scottish Local Authorities Remuneration Committee reported, in January 2006 that it felt that the public were entitled to have high expectations of their Councillors and to feel confident that they are carrying out their role effectively and efficiently. It formed the view that it was important that Councillors actively engage with training and development opportunities on an ongoing basis and recommended that all Councillors, whether new to the role or long-serving, should participate in a training needs analysis and agree a personal development plan as soon as possible after election. The plan should be based around the core competencies determined as being important to the effectiveness of Councillors.
- 1.2 In August 2010, Audit Scotland produced their publication “Roles and working relationships: are you getting it right?” as part of their How Councils work: an improvement series for Councillors and Officers. This provided guidance and recommendations relating to Councillor training and development. It stated that “Good governance requires those involved with leadership, management and decision-making are clear about their roles and responsibilities, and those of others. Training for Councillors and Officers, as well tailored guidance, can help them understand roles and responsibilities.” Such training can be supplemented with activities to develop the confidence and skills of Councillors to help support improvement.
- 1.3 The Audit Scotland report found that most Councils were making good progress with developing training needs analysis and personal development plans, monitoring attendance at training events and reviewing / assessing training delivered.
- 1.4 In conclusion, the above report stated that Councils must, amongst other things:
- Ensure all newly elected councillors are provided with training and support to help them understand their role and responsibilities;
  - Provide guidance, training and advice to councillors serving on external boards and highlight the specific responsibilities attached to these roles;
  - Provide regular training and support to councillors to help them fulfil their roles; and
  - Review induction training and consider introducing practical guidance to provide new councillors with a more detailed understanding of what their roles and responsibilities mean on a day-to-day basis.
- 1.5 The report also concluded that Councillors must, amongst other things:
- Ensure they are aware of expected behaviour and conduct set out in the Councillors’ Code of Conduct;
  - Communicate with officers and explain their training and development needs;
  - Provide feedback on training courses to help ensure their needs are met; and
  - Make better use of training and development opportunities to help them fulfil their roles.
- 1.6 A further 2016 report by Audit Scotland entitled “How councils work - Roles and working relationships in councils: are you still getting it right?” identified several issues and matters for future consideration by councils for the training of councillors. These include, but are not limited to, the following:
- Evidence from Best Value audits highlighted that Councillors’ take up of training is at best variable and sometimes they have poor perceptions of the training they receive;
  - Councils should consider the role of their training and development programmes in advising members and officers on their responsibilities in relation to ALEOs, in particular the Following the Public Pound code and declarations of interest;

- Involving councillors (both incumbents and newly elected) can help tailor training programmes to be more effective and wide-ranging, covering all issues and help prevent knowledge gaps developing once new councillors begin their duties; and
- Training and development should be an ongoing process, not just a one-off induction.
- Ensure councillors receive training in the essential areas of scrutiny, audit and financial decision making.

1.7 The objective of this audit was to ensure that appropriate arrangements were made for training Councillors following the May 2017 Local Government Elections, that training was delivered and was effective.

1.8 The factual accuracy of this report and action to be taken with regard to the recommendations made have been agreed with Morven Spalding, Head of HR (Interim), Dorothy Morrison (HR and Customer Service Team Leader) and Lucy Mackay (Organisational Development Advisor).

## 2. FINDINGS AND RECOMMENDATIONS

### 2.1 Written Procedures

- 2.1.1 Comprehensive written policies and procedures which are easily accessible by all members of staff can reduce the risk of errors and inconsistency. They are beneficial for the training of current and new employees and provide management with assurance of correct and consistent practices being followed. Desired training outcomes are more likely to be achieved if the training planning, delivery and evaluation process is well documented.
- 2.1.2 A Member Development Framework was drafted in 2014 following the previous induction training programme and this included feedback from Councillors regarding that programme. The framework was not finalised or approved by management hence there are no complete and approved written procedures in place. The training co-ordinator has stated that a pack is under development, and will be completed once all feedback from the 2017 training programme has been collated, and the training development plans and training needs analyses have been produced (see Section 2.6 below). A recommendation has been included for tracking purposes.

#### **Recommendation**

The Service should develop comprehensive written procedures for the planning, delivery and evaluation of Councillor training.

#### **Service Response / Action**

Agreed. A pack is being created to follow for Election purposes, this will provide advice and guidance for Officers to follow when planning an induction process. In addition, the Elected Member Development Framework drawn up in 2014 will be reviewed and updated to reflect current requirements.

#### **Implementation Date**

March 2018

#### **Responsible Officer**

Training Co-ordinator /  
Members Support

#### **Grading**

Important within audited  
area

### 2.2 Planning

- 2.2.1 Planning should be performed and concluded prior to the commencement of a task to ensure risks are managed and intended goals are achieved in a timely manner. The training coordinator developed an induction programme prior to the May 2017 elections in collaboration with Heads of Service, Service Managers and Councillors. This included a detailed induction timetable, clearly showing dates and times of training events, the content to be covered and whether the session was mandatory or recommended.
- 2.2.2 The Elected Member Development Timetable was presented to the Governance Review Programme Board on 22 March 2017. The Board discussed the importance of role profiles; 360 degree assessments for elected members; and personal development plans to record training and development. The group noted and thanked officers for the work done.
- 2.2.3 Input was sought from officers and Councillors when developing the training programme, however the training plan was not approved by the Corporate Management Team or Group Leaders. This increases the risk that required training will be omitted.

**Recommendation**

The Service should document the approval of training plans and training content as appropriate.

**Service Response / Action**

Agreed. CMT involvement in the approval of the programme is detailed in the dashboard previously submitted to Audit. The intention would be to ensure this involvement is maintained as each year’s development programme is prepared.

**Implementation Date**

December 2018

**Responsible Officer**

Training Co-ordinator /  
CMT

**Grading**

Important within audited  
area

2.2.4 An induction programme was provided to all prospective and incumbent Councillors prior to the May 2017 election showing the dates of courses, the content and whether the courses were mandatory or discretionary. This allowed Councillors the opportunity to ensure they could make arrangements to attend their required and desired training sessions.

**2.3 Training Delivery**

2.3.1 In total 33 different training events were delivered across 55 sessions between the months of May and October 2017. The attendance at these sessions were either determined to be:

- Mandatory/Required;
- Strongly Recommended; or
- Recommended.

2.3.2 The percentage of Councillors having completed the training was as follows:

Classification	% Completion
Mandatory/Required	52%
Strongly Recommended	29%
Recommended	21%

2.3.3 The overall uptake of mandatory training was poor. Newly elected members completed, on average, 73% of the required mandatory training compared to 33% of incumbent members. Mandatory training events included Councillor Networking; Bond Training; Inside Information; Corporate Change Programme; Planning; Media Awareness; School Placings and Exclusions Appeal Committee; Licensing Board (session 1 and 2), Finance (session 1); Signing Duty; Audit, Risk and Scrutiny Committee; Appeals Committee; Pensions Committee; and Recruitment..

2.3.4 Discretionary courses were less well attended than mandatory courses. Discretionary sessions included: How Committees Work; Standing Orders; Councillors Code of Conduct; various Finance sessions; and the Licensing Committee. 19 different discretionary training courses were offered to Councillors in total with varying uptake (0% to 71%). 8 training sessions had to be cancelled, including Education and Children’s Services and various Finance courses, due to no Councillors attending or, in one case, due to low numbers.

**Recommendation**

The Service should consider how to improve Councillor training attendance. This might include making courses available on-line.



**Service Response / Action**

Agreed. Surveys have been carried out to establish reasons for low attendance and identify preferences for method of delivery and responses have been taken into account when planning training. Benchmarking has also been carried out with other councils for lessons learned – all are experiencing similar issues with attendance.

**Implementation Date**

Implemented and Ongoing

**Responsible Officer**

Training Co-ordinator

**Grading**

Significant within audited area

- 2.3.5 The Licensing Act (Scotland) 2005 makes provision for regulating the sale of alcohol and for regulating premises on which alcohol is sold. The Act requires Councillors sitting on the Licensing Board to be adequately trained. Councillors must produce to the clerk of the board evidence that they have complied with the training requirements within 4 months of the day they are elected / re-elected.
- 2.3.6 Licensing Board training was delivered in two stages. Part One is mandatory under statute, and was delivered by Alcohol Focus Scotland on 22 May 2017 and was attended by 7 Councillors. One Councillor attended the training from Alcohol Focus at Moray Council on 5 June 2017. One Councillor attended the training from Alcohol Focus at Aberdeenshire Council on 26 May 2017. Part Two was provided by the Gambling Commission on 16 June 2017 and was attended by 3 Councillors. Session two was mandatory under the Governance Review Programming Board. Licensing objectives under the Act include preventing crime and disorder; securing public safety; preventing public nuisance; protecting and improving public health and protecting children and young people from harm. It is a statutory requirement for Councillors to be adequately trained in Part One above in order for the Licencing Board to meet these objectives.
- 2.3.7 Audit, Risk and Scrutiny Committee training was mandatory for Councillors appointed to that Committee. The training is deemed necessary for Councillors to participate fully in sittings of the Committee and covered: the role of the Audit, Risk and Scrutiny Committee; an overview of the system of risk management; an overview of the work of internal audit on the internal control environment; and the Committee’s responsibilities in terms of the financial reporting statements of the Council. Training was provided on 30 May and 22 June 2017. 8 Councillors attended in total, representing 47% of those whose attendance was required.
- 2.3.8 Nine Councillors attended the first Licensing Board meeting immediately following the elections, whilst 16 attended the first Audit, Risk and Scrutiny Committee meeting. This means that, whilst the training was considered mandatory, Councillors who had not attended the training, participated in the meetings.

**Recommendation**

The Service should consider the risk involved in Councillors participating in meetings having not attended mandatory training and then take appropriate action to mitigate the risk.

**Service Response / Action**

Agreed. A process will be included in the updated Elected Member Development Framework whereby the Training Co-ordinator advises Committee Services of who has attended mandatory training associated with specific committees so that appropriate action can be taken to address non-attendance.

**Implementation Date**

March 2018

**Responsible Officer**

Training Co-ordinator

**Grading**

Significant within audited area

2.3.9 Councillors are required to sit on the recruitment panel for appointment of Chief Officers, Head Teachers and Depute Head Teachers. Recruitment training was scheduled to take place on 5 October 2017 however this was postponed until 23 November 2017. In order to maintain the integrity of the recruitment process and ensure effective recruitment decisions are made, all Councillors who sit on recruitment panels are required to undertake this training. In this regard, training was provided to Councillors sitting on a recruitment panel in December 2017.

**Recommendation**

Recruitment training (refresher or induction) should be delivered to Councillors who will participate on future recruitment panels.

**Service Response / Action**

Agreed. Training will be provided in the first quarter of 2018 to those involved in upcoming recruitment panels.

**Implementation Date**

March 2018

**Responsible Officer**

Training Co-ordinator / HR Adviser

**Grading**

Significant within audited area

2.3.10 The Council's Corporate Data Protection Policy states that all Elected Members, who as part of their role, undertake the processing of personal information, will be required to undertake specified Data Protection Training at the commencement of their office and to undertake specified Refresher Training at appropriate intervals thereafter. The Information Commissioner's Office (ICO) states that Councillors have three roles as far as Data Protection is concerned:

- Where they process Council personal data e.g. when serving on Committees, etc. (Council is Data Controller)
- Where they process personal data on behalf of their constituents; (Councillor is Data Controller)
- Where they process personal data on behalf of their political party; (Political Party is Data Controller)

2.3.11 As far as processing personal data on behalf of the Council is concerned, the ICO considers Councillors to be "effectively the same as staff". If a Councillor were to lose Council personal data, the Council could face a fine similar to that if a member of staff were to lose the personal data. With General Data Protection Regulations coming into force in May 2018, the maximum fine for the Council for a breach of data protection regulations will rise from £500,000 to €20,000,000.

2.3.12 The training co-ordinator has advised that the Managing Information training sessions delivered on 4 and 20 September 2017, included data protection content. 3 Councillors attended these training sessions. Further training sessions are planned for Councillors in 2018, which will cover the new General Data Protection Regulations effective from 25 May 2018. Online data protection training is provided to employees through the Online Interactive Learning (OIL) service however this has not been accessed by Councillors.

**Recommendation**

The Service should determine the most appropriate way of managing the risk relating to Data Protection.

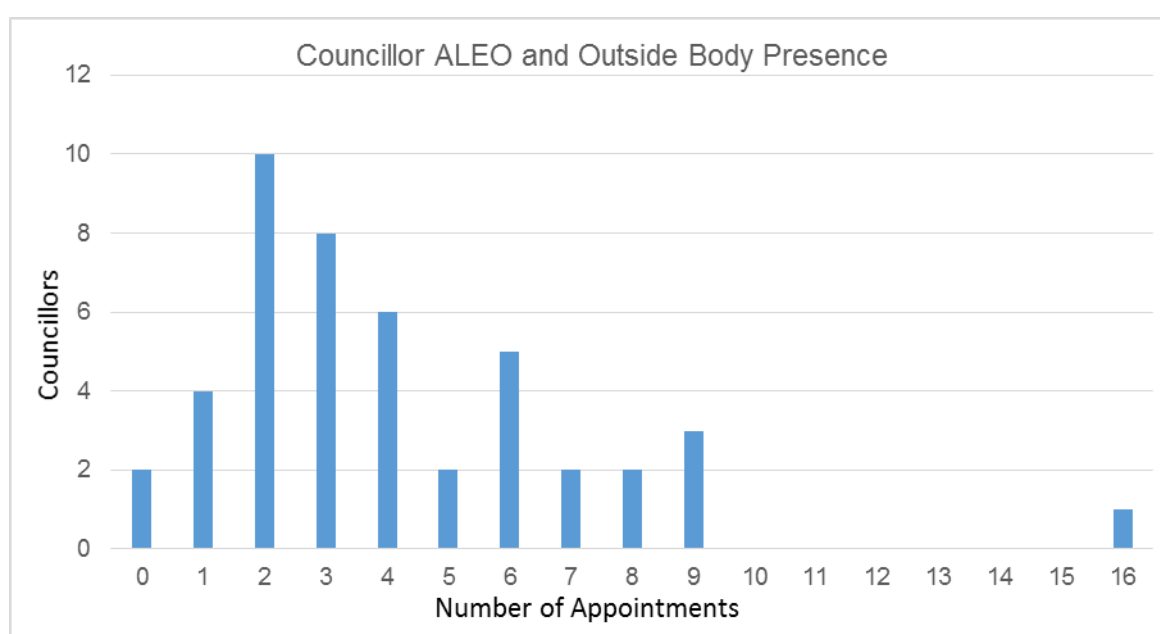
**Service Response / Action**

Agreed. The Data Protection (OIL) course is available to employees and Councillors – Councillors have not accessed this to date. In-depth sessions for Councillors on the changes to the Data Protection Law (GDPR) will be conducted as part of the Council's wider GDPR readiness programme.

<u>Implementation Date</u>	<u>Responsible Officer</u>	<u>Grading</u>
March 2018	IT&T Team Leader	Significant within audited area

2.3.13 In June 2011, Audit Scotland produced their publication “Arm’s-length external organisations (ALEOs): are you getting it right?” as part of their How Councils work: an improvement series for Councillors and Officers. This highlighted the need for ongoing training and guidance to be provided to Councillors involved in any capacity with ALEOs and other outside bodies, to ensure they have the necessary skills to undertake their duties, with Following the Public Pound principles continuing to provide the basis for sound governance of ALEOs and outside bodies.

2.3.14 ‘Guidance on appointments to outside bodies and on ALEOs’ training was strongly recommended for all Councillors. The following chart shows the membership of Councillors on ALEOs and outside bodies (as both sitting members and reserve members) per the Council website as at 20 November 2017.



2.3.15 The training was attended by 18 Councillors (40%), compared to 96% of Councillors being on ALEOs and outside bodies. Only 53% of newly elected Councillors attended the training despite 95% having a presence on ALEOs and outside bodies. Whilst incumbent Councillors may have undertaken training during prior years, this was the first opportunity for those newly elected to undertake the training session and gain an in-depth understanding of their roles on ALEOs and outside bodies.

2.3.16 The Councillors Code of Conduct (The Code) prescribes the expected behaviours and rules by which Councillors must adhere in the performance of their duties. Training on The Code was provided through two discretionary training sessions, of which a total of 22 Councillors (49%) attended. The course covered the Code; general conduct; registration and declaration of interests; lobbying; and the Bribery Act. Given the overarching prominence of The Code covering all aspects of a Councillors role, this training could be viewed as vital to a Councillor understanding their statutory responsibilities.

2.3.17 The Standards Commission for Scotland has statutory powers under which it can levy punishment on Councillors if found by the Commissioner for Ethical Standards in Public Life in Scotland to be in breach of the Councillors Code of Conduct. Such reprimands range from censure (a formal warning) to disqualification for up to 5 years.

**Recommendation**

The Service should consider making ALEO and Councillors' Code of Conduct training mandatory for all Councillors and consider how attendance can be improved.

**Service Response / Action**

Agreed. Committee Services will be asked to identify what training is mandatory for the forthcoming development programme. This will be included in the revised Elected Member Development Framework. The route for approval of the EMDF will be confirmed with the Head of Legal and Democratic Services.

**Implementation Date**

March 2018

**Responsible Officer**

Training Co-ordinator /  
Committee Services

**Grading**

Significant within audited  
area

2.3.18 A sample of 8 Councillor training logs was selected for testing and this confirmed that they were up-to-date and consistent with attendance registers.

## 2.4 Training Material

2.4.1 A sample of 5 mandatory and 3 discretionary training session materials was obtained and examined. This confirmed that the training addressed the subject matter adequately and, where applicable, referred to the relevant statutory requirements, to allow Councillors to effectively discharge their duties. The sample selected covered the following courses (percentage attendance relates to the percentage of Councillors required to attend):

### Mandatory

- Bond Training: Inside Information (71% attendance);
- School Placings and Exclusions Appeal Committee Training (29%);
- Appeals Committee Training (100%);
- Audit, Risk and Scrutiny Training (47%); and
- Corporate Change Briefing (22%)

### Discretionary

- Licensing Committee training (41%);
- Integration Joint Board training (75%); and
- Councillors Code of Conduct training (49%).

## 2.5 Evaluation

2.5.1 Audit Scotland has stated that Councillors must provide feedback on training courses to help ensure their needs are met. Failing to do so means that Officers will not be able to improve on areas where there may be perceived gaps. In view of the investment of Officer time in preparing and delivering training, and the importance of having a well-trained cohort of Councillors, all views are important in this respect.

2.5.2 Feedback was sought from all 45 Councillors through an online survey with opinions sought on: overall rating of induction programme; training programme issued prior to delivery (planned training); the networking day; improvements which could be made; the timing of sessions; whether training has been helpful in role so far; and any gaps in training provided. 16 Councillors responded to this survey (36%). From these responses, an average score of 7 out of 10 was given by Councillors for the overall induction training programme.

2.5.3 To gain more in-depth feedback, the Service is inviting Councillors to attend one-to-one meetings to discuss their opinions on the training programme. As at 30 November 2017 2 Councillors have participated in these optional meetings. A group session will also be

held in January 2018 to discuss the training and Councillors will again be invited to attend one-to-one sessions. Obtaining feedback through multiple channels enables the Service to gain both qualitative and quantitative information which can aid in producing more in-depth and focused training programmes in the future.

## **2.6 Training Needs and Personal Development Plans**

2.6.1 Whilst newly elected Councillors need training as detailed in the Induction Programme, to enhance their knowledge of the Council and its operations, it is important that future CPD is relevant and that training is targeted at needs, enhancing the recipient's knowledge, and generally adding value. In order to ensure this it is important to undertake a Training Needs Analysis and develop Personal Development Plans.

2.6.2 The Training Co-ordinator has stated that Member Support meet regularly with Councillors to discuss individual training needs. In addition Councillors are offered a 1-2-1 development discussion with the Training Co-ordinator at least annually to draw up their Personal Development Plans (PDPs), although not all take up this option. As a result, Training Needs Analysis or Personal Development Plans do not exist for all Councillors. Data obtained during this exercise may help inform future training and induction programmes. A recommendation is included for tracking purposes.

### **Recommendation**

The Service should develop a CPD training scheme and should take steps to improve Councillor engagement in completing Personal Development Plans.

### **Service Response / Action**

Agreed. The CPD training scheme will be added to the development programme, in future.

### **Implementation Date**

March 2018

### **Responsible Officer**

Training Co-ordinator /  
Member Support

### **Grading**

Important within audited  
area

**AUDITORS:** D Hughes  
A Johnston  
J Grigor

## Appendix 1 – Grading of Recommendations

GRADE	DEFINITION
<b>Major at a Corporate Level</b>	The absence of, or failure to comply with, an appropriate internal control which could result in, for example, a material financial loss, or loss of reputation, to the Council.
<b>Major at a Service Level</b>	<p>The absence of, or failure to comply with, an appropriate internal control which could result in, for example, a material financial loss to the Service/area audited.</p> <p>Financial Regulations have been consistently breached.</p>
<b>Significant within audited area</b>	<p>Addressing this issue will enhance internal controls.</p> <p>An element of control is missing or only partial in nature.</p> <p>The existence of the weakness identified has an impact on a system’s adequacy and effectiveness.</p> <p>Financial Regulations have been breached.</p>
<b>Important within audited area</b>	Although the element of internal control is satisfactory, a control weakness was identified, the existence of the weakness, taken independently or with other findings does not impair the overall system of internal control.