

Minutes

Governance, Risk and Best Value Committee

10.00am, Tuesday 23 August 2022

Present

Councillors Campbell (Convener), Aston (substituting for Councillor Nicolson (item 8 onwards), Bandel, Dixon, Faccenda, Jenkinson, McVey (substituting for Councillor Nicolson (items 1-7), Miller, Mowat, Rust, Thornley and Younie.

1. Urgent Motion by the SNP Group – Industrial Action

The following motion by Councillor Campbell was submitted in terms of Standing Order 4.5 and ruled urgent by Councillor Campbell in order that it could be considered before COSLA's scheduled talks on 23 August 2022 concerning the local government pay offer.

Motion

"Notes the ongoing strikes by Unite and GMB members of the waste and cleansing department, and the subsequent impact on the streets of Edinburgh.

Notes that COSLA met on the 12th August and agreed an offer of 3.5%, which the council leader voted for, despite there being an alternate proposal of 5% on the table.

Notes that on the 19th August COSLA met again and this time agreed a 5% offer.

Requests an urgent briefing for Governance, Risk and Best Value (GRBV) members covering:

- 1) The information and advice that was provided to the council leader in advance of the COSLA meeting on the 12th of August
- 2) The subsequent information and advice provided to the council leader in advance of the COSLA meeting on the 19th of August
- 3) Details and minutes of any meetings the council leader had with the trade unions ahead of both COSLA meetings
- 4) Details and minutes of any meetings the council leader had with COSLA officials ahead of both COSLA meetings

- 5) Details and information provided to council leader by council officers on the affordability of a 5% pay offer and whether a 3.5% pay offer would have spent all of the available resources Edinburgh Council had in its budget, as well as those additional funds secured from the Scottish Government by COSLA to help meet an increased pay offer”

- moved by Councillor Campbell, seconded by Councillor McVey

Amendment

To take no action on the motion.

- moved by Councillor Mowat, seconded by Councillor Rust

Voting

The voting was as follows:

For the motion - 7 votes

For the amendment - 2 votes

(For the motion: Councillors Bandel, Campbell, Dixon, Faccenda, Jenkinson, McVey and Miller.

For the amendment: Councillors Mowat and Rust.

Abstentions: Councillors Thornley and Younie.)

Decision

To approve the motion by Councillor Campbell.

Declarations of Interest

Councillors Campbell, Faccenda, Jenkinson and Miller made transparency statements in relation to the above item as members of Unite the Union.

2. Minutes

Decision

To approve the minute of the Governance, Risk and Best Value Committee of 14 June 2022 as a correct record.

3. Outstanding Actions

Details were provided of the Outstanding Actions arising from decisions taken by the Committee.

Decision

- 1) To agree to close the following actions:

- Action 3 (3) – Gas Service Improvement Plan – B Agenda
 - Action 7 (1) – City of Edinburgh Council - 2020/21 Annual Audit Report to the Council and the Controller of Audit
 - Action 9 – Review of Effectiveness of Scrutiny of Governance, Risk and Best Value (GRBV) – Self-Evaluation and Lessons Learnt Report by the Interim Executive Director of Corporate Services
 - Action 11 (1&2) – Quarterly Status Update – Digital Services – Report by the Interim Executive Director of Corporate Services
 - Action 12 – Council Companies - Edinburgh Leisure Annual Report 2020/21 – Report by the Executive Director of Education and Children's Services
 - Action 14 – Outstanding Actions
 - Action 15 – Work Programme
 - Action 16 (1&3) – Business Bulletin
 - Action 18 – Whistleblowing - Major Investigation Outcome Report - MCEC-19-19 (private report)
- 2) To note the Budget Template circulated to members via email on 14 June 2022 would be recirculated.

- 3) To otherwise note the remaining outstanding actions.

(Reference – Outstanding Actions August 2022, submitted.)

4. Work Programme

The Work Programme for August 2022 was presented.

Decision

To note the Work Programme.

(Reference – Work Programme August 2022, submitted.)

5. Business Bulletin

The Committee Business Bulletin for August 2022 was presented.

Decision

To note the Business Bulletin.

(Reference – Business Bulletin August 2022, submitted.)

6. Internal Audit Annual Opinion 2021/22

Details were provided on the IA's annual opinion for the year ended 31 March 2022, based on the outcomes of the audits completed as part of the Council's 2021/22 IA annual plan, and the status of open IA findings as at 31 March 2022.

Decision

- 1) To note the Internal Audit annual opinion provided for the year ended 31 March 2022.
- 2) To note that all red rated Internal Audit reports would be presented to the next Committee in October.

(Reference – report by the Chief Internal Auditor, submitted.)

7. Annual Governance Statement

The draft Annual Governance Statement was presented to committee for scrutiny before it was finalised for the audited financial accounts. The Annual Governance Statement would be signed by the Chief Executive and Leader of the Council prior to the financial statements being signed and presented for approval.

Decision

- 1) To note the Annual Governance Statement prior to its signing and incorporation into the Council's audited financial statements that would be presented to Council for approval.
- 2) To request officers consider the role of the GRBV Committee in performance monitoring including potential dashboard reporting and the referral process between Policy and Sustainability Committee and GRBV Committee for overall scrutiny of council performance.

(Reference – report by the Chief Executive, submitted.)

8. Corporate Governance Code

The Council's self-assessment of its compliance with the Code for the financial year 1 April 2021 to 31 March 2022 was presented for scrutiny. Members were asked to note that there were a number of areas where the Council changed its governance arrangements and design of controls in order to better respond to Covid-19.

Decision

- 1) To note the Corporate Governance Code Self-Assessment 2021-22.
- 2) To note ongoing development of an effective framework for the Council, with a focus on continuous improvement.

- 3) To note the continued impact, in this period, of the Covid-19 pandemic on the Council's control framework.
- 4) To request that a section on areas for improvement and potential actions to address areas where there were issues would be considered in the next self-assessment exercise and provided in the next iteration of the report.

(Reference – report by the Interim Executive Director of Corporate Services, submitted.)

9. Annual Assurance Schedule – Edinburgh Health and Social Care Partnership

Details were presented on the annual assurance schedule, covering 2021-22 for the Edinburgh Health and Social Care Partnership.

Decision

- 1) To note the Partnership annual assurance schedule 2022-23 would be submitted for scrutiny to GRBV in 12 months.
- 2) To request information on the percentage of teams which currently had a risk register in place and that greater detail on progress be provided in future Annual Assurance Schedules.

(Reference – report by Chief Officer – Edinburgh Health and Social Care Partnership, submitted.)

10. Gas Services Improvement Plan Closure Report

Updates on the work completed as part of the Gas Service Improvement Plan (GSIP) were provided.

Decision

- 1) To note the progress made with the Gas Service Improvement Plan.
- 2) To continue the report for two cycles to allow completion of the two audits currently underway and for these to be presented to the Committee with the report.

(Reference – report by the Interim Executive Director of Place, submitted.)

11. Revenue Budget 2022/27 Framework: progress update

The Finance and Resources Committee referred a report on the Revenue Budget 2022/27 Framework: progress update to the Governance, Risk and Best Value

Committee as part of its work programme. The report provided updates on the overall budget position for 2022/23, including the provisional outturn for 2021/22, and set out the main implications for the Council's medium-term financial planning framework of the publication of the Scottish Government's Resource Spending Review on 31 May 2022.

Decision

- 1) To note the report.
- 2) To note that GRBV members would be alerted when the Finance and Resources Committee meeting papers were published with the next Revenue Budget update report.
- 3) To note that the Interim Executive Director of Corporate Services would review how Finance and Resources Budget reports were brought to GRBV Committee, to ensure accurate information would be presented in a more efficient manner.

(References – Finance and Resources Committee of 16 June 2022 (item 5); referral from the Finance and Resources Committee, submitted.)

12. Edinburgh Living Annual Update 2020 and 2021

The Housing, Homelessness and Fair Work Committee referred a report on the Revenue Budget 2022/27 Framework: progress update to the Governance, Risk and Best Value Committee for consideration. In line with the agreed governance structure set out for the Council's housing delivery Limited Liability Partnerships (LLPs), known as Edinburgh Living, an annual update providing an overview of each financial year was required to be submitted to the Governance, Risk and Best Value Committee. The report was submitted to the Housing, Homelessness and Fair Work Committee for noting, prior to referral to the Governance, Risk and Best Value Committee, setting out the activities carried out by Edinburgh Living in 2020 and 2021, the financial position at the end of both years and key areas of work for 2022.

Decision

To note the report.

(References – Housing, Homelessness and Fair Work Committee of 24 March 2022 (item 8); referral from the Housing, Homelessness and Fair Work Committee, submitted.)

Declarations of interest

Councillor Thornley made a transparency statement in relation to the above item as a tenant of a property factored by Lowther Homes.

Councillor Campbell made a transparency statement in relation to the above item as a Board member of Edinburgh Living.

13. Whistleblowing update

A high-level overview of the operation of the Council's whistleblowing service was provided for the quarter 1 April – 30 June 2022.

Decision

To note the report.

(Reference – report by the Chief Executive, submitted.)

14. Whistleblowing Monitoring Report

The Committee in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 12 and 15 of Part 1 of Schedule 7A of the Act.

An overview of the disclosures received and investigation outcome reports completed during the quarter 1 April – 30 June 2022 was presented.

Decision

To agree the closure of whistleblowing cases for the quarter 1 April – 30 June 2022.

(Reference – report by the Chief Executive, submitted.)

15. Whistleblowing - Major Investigation Outcome Report

The Committee in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 12 and 15 of Part 1 of Schedule 7A of the Act.

A major investigation outcome report in relation to Housing Property Services was submitted to the Committee for consideration.

Decision

To continue the report to the next meeting for members' specific questions to be answered and issues raised in the investigation report to be cross referenced with relevant findings of a previous Internal Audit report.

(Reference – report by the Service Director – Legal & Assurance and Council Monitoring Officer, submitted.)