

Policy and Sustainability Committee

10:00am, Tuesday, 30 November 2021

Policies – Assurance Statement – Legal and Assurance

Item number	
Executive/Routine	Routine
Wards	
Council Commitments	

1. Recommendations

- 1.1 To note the update in relation to the Council policies detailed in this report and that work is ongoing to update some of the policies to ensure that they reflect current legislative requirements and best practice and are fit for purpose.

Stephen S. Moir
Executive Director of Corporate Services

Contact: Nick Smith, Service Director: Legal and Assurance / Council Monitoring Officer
Legal and Assurance Division, Corporate Services Directorate
E-mail: nick.smith@edinburgh.gov.uk | Tel: 0131 529 4377

Policies – Assurance Statement – Legal and Assurance

2. Executive Summary

- 2.1 To ensure that Council policies reflect current legislative requirements and best practice, all Council directorates and policy owners are required to review their policies on an annual basis.
- 2.2 A number of policies owned by Legal and Assurance are presently under review.

3. Background

- 3.1 Council policies are key governance tools. Developing, implementing and following these policies helps to achieve the Council's vision, values, pledges and outcomes. They are critical to the Council's operations and compliance with the policies ensures that statutory and regulatory obligations are met in an efficient and accountable manner.
- 3.2 To strengthen governance arrangements in this area, a policy framework has been developed to ensure that all Council policies are easily accessible and are created and renewed in a consistent manner and to an appropriate standard. This includes the development of a comprehensive register of Council policies and the introduction of a policy template to provide the Council with a standardised format in terms of content and style.
- 3.3 The then Corporate Policy and Strategy Committee agreed the approach detailed above on 3 September 2013.

4. Main report

- 4.1 A critical element of the policy framework is to ensure that all Council policies remain fit for purpose. This requires each directorate and policy owner to review, on an annual (or other agreed period) basis, all policies relevant to their services and to provide the necessary level of assurance that these policies are current and relevant or make the required changes to the policies.

4.2 Legal and Assurance are responsible for the following Council policies:

- 4.2.1 Health and Safety Policy;
- 4.2.2 Smoke Free Policy;
- 4.2.3 Asbestos Policy;
- 4.2.4 Fire Safety Policy;
- 4.2.5 Water Safety Policy;
- 4.2.6 Enterprise Risk Management Policy;
- 4.2.7 Risk Appetite Statement;
- 4.2.8 Internal Audit Charter;
- 4.2.9 Civic Hospitality Policy;
- 4.2.10 Corporate Complaints Policy;
- 4.2.11 Information Governance Policy;
- 4.2.12 Managing Customer Contact in a Fair and Positive Way Policy; and,
- 4.2.13 Whistleblowing Policy.

4.3 The current status of each of these policies is set out in the table below:

Policy	Status
Health and Safety Policy	Presented to Policy and Sustainability Committee on 1 December 2020, to be reviewed December 2023 unless any legislative changes before that date.
Smoke Free Policy	Presented to Policy and Sustainability Committee on 1 December 2020, to be reviewed December 2023 unless any legislative changes before that date.
Asbestos Policy	Presented to Policy and Sustainability Committee on 5 October 2021, to be reviewed October 2024 unless any legislative changes before that date.
Fire Safety Policy	Presented to Policy and Sustainability Committee on 10 June 2021, to be reviewed June 2024 unless any legislative changes before that date.
Water Safety Policy	Presented to Policy and Sustainability Committee on 10 June 2021, to be reviewed June 2024 unless any legislative changes before that date.
Enterprise Risk Management Policy	The revised policy is being presented at today's Policy and Sustainability Committee for approval.
Risk Appetite Statement	The revised policy is being presented at today's Policy and Sustainability Committee for approval.
Internal Audit Charter	Presented to Governance, Risk and Best Value Committee on 23 March 2021, to be reviewed in March 2022.

Civic Hospitality Policy	Presented to Policy and Sustainability Committee on 23 February 2021, to be reviewed in February 2022.
Corporate Complaints Policy	Presented to Policy and Sustainability Committee on 23 February 2021, to be reviewed in February 2022.
Information Governance Unit Policy	Presented to Policy and Sustainability Committee on 23 February 2021, to be reviewed in February 2022.
Managing Customer Contact in a Fair and Positive Way Policy	Presented to Policy and Sustainability Committee on 23 February 2021, to be reviewed in February 2022.
Whistleblowing Policy	Presented to Policy and Sustainability Committee on 23 May 2019. Engagement with the trade unions is ongoing and an updated version will be submitted to Committee for approval on completion of Pinsent Masons' review.

- 4.4 All Council policies are available through an interactive directory on the Council's website.

5. Next Steps

- 5.1 These policies will continue to be reviewed on an ongoing basis to ensure that they remain fit for purpose.

6. Financial impact

- 6.1 There are no direct financial impacts as a result of this report.

7. Stakeholder/Community Impact

- 7.1 Consultation will be undertaken, where appropriate, with recognised trades unions as part of the Council's Working Together Protocol and local collective consultation arrangements.

8. Background reading/external references

- 8.1 [Corporate Policy and Strategy Committee Report 3 September 2013 – Review of Council Policy.](#)

- 8.2 [Governance, Risk and Best Value Committee Report 22 May 2014 – Review of Council Policy: up-date.](#)

9. Appendices

- 9.1 Appendix 1 –Detail on the relevant Policies

Appendix 1 – Policies

Title:	Council Health and Safety Policy
Approval date:	Policy and Sustainability Committee 1 December 2020
Approval body:	Policy and Sustainability Committee
Review process:	3 Years or before if legislation requires

Title:	Smoke Free Policy
Approval date:	Policy and Sustainability Committee 1 December 2020
Approval body:	Policy and Sustainability Committee
Review process:	3 Years or before if legislation requires

Title:	Council Asbestos Policy
Approval date:	Policy and Sustainability Committee 5 October 2021
Approval body:	Policy and Sustainability Committee
Review process:	3 Years or before if legislation requires

Title:	Council Fire Safety Policy
Approval date:	Policy and Sustainability Committee 10 June 2021
Approval body:	Policy and Sustainability Committee
Review process:	3 Years or before if legislation requires

Title:	Council Water Safety Policy
Approval date:	Policy and Sustainability Committee 10 June 2021
Approval body:	Policy and Sustainability Committee
Review process:	3 Years or before if legislation requires

Title:	Risk Appetite Statement
Approval date	Policy and Sustainability Committee 6 October 2020
Approval body:	Policy and Sustainability Committee
Review process:	Annual

Title:	Enterprise Risk Management Policy
Approval date	Policy and Sustainability Committee 6 October 2020
Approval body:	Policy and Sustainability Committee
Review process:	Annual

Title:	Internal Audit Charter
Approval date	Governance, Risk and Best Value Committee 23 March 2021
Approval body:	Governance, Risk and Best Value Committee
Review process:	Annual

Title:	Civic Hospitality Policy
Approval date	Policy and Sustainability Committee 23 February 2021
Approval body:	Policy and Sustainability Committee
Review process:	Annual

Title:	Information Governance Policy
Approval date	Policy and Sustainability Committee 23 February 2021
Approval body:	Policy and Sustainability Committee
Review process:	Annual

Title:	Managing customer contact in a fair and positive way
Approval date	Policy and Sustainability Committee 23 February 2021
Approval body:	Policy and Sustainability Committee
Review process:	Annual

Title:	Corporate Complaints Policy
Approval date	Policy and Sustainability Committee 23 February 2021
Approval body:	Policy and Sustainability Committee
Review process:	Annual

Title:	Whistleblowing Policy
Approval date	Finance and Resources Committee 23 May 2019
Approval body:	Finance and Resources Committee
Review process:	Annual