

Minutes

Governance, Risk and Best Value Committee

10.00am, Thursday 31 October 2024

Present

Councillors Campbell (Convener), Bandel, Caldwell, Cowdy, Faccenda, Heap (substituting for Councillor O'Neill), Mowat, Nicolson (substituting for Councillor Kumar), Nols-McVey, Young and Pogson.

1. Minutes

Decision

To approve the minute of the Governance, Risk and Best Value Committee of 17 September 2024 as a correct record.

2. Outstanding Actions

The Outstanding Actions for the Governance, Risk and Best Value Committee was presented.

Decision

- 1) To agree to close the following actions:
 - Action 4 - Motion by Councillor Younie - Data Literacy Rollout
 - Action 5 – Internal Audit: 2024/25 Internal Audit Annual Plan
 - Action 6 – Strategic Programme Board
 - Action 9 – Internal Audit Update report: June 2024
 - Action 10 – Proposals to End Library Overdue Fines
 - Action 13 (2) – Public Performance Scorecard – Annual Report
 - Action 14 – Investigation into Potential Governance Breaches
- 2) To request the briefing note for Action 1 – Edinburgh International Conference Centre – Annual Update for the year ending 31 December 2022 be circulated.
- 3) To request that the completion date for Action 7 - Complaints relating to Edinburgh's Christmas 2022 be updated to January 2025.
- 4) To otherwise note the remaining outstanding actions.

(Reference – Outstanding Actions, 31 October 2024, submitted.)

3. Work Programme

The Governance, Risk and Best Value Committee Work Programme was presented.

Decision

To note the Work Programme.

(Reference – Work Programme 31 October 2024, submitted.)

4. Business Bulletin

The Governance, Risk and Best Value Committee Business Bulletin was presented.

Decision

- 1) To note the Business Bulletin.
- 2) To request the next Business Bulletin contained an update on the EICC, including governance of funding, how much money was authorised and where these funds came from, to be presented in table form.
- 3) To add a 6-monthly update report on the Forth Green Freeport to the work programme.
- 4) To discuss reporting arrangements on Forth Green Freeport with members.

(Reference – Business Bulletin, 31 October 2024, submitted.)

5. Internal Audit: Audit Outcomes June to October 2024

Outcomes of the 2024/25 Internal Audits completed between 5 June to 2 October 2024 were presented.

Motion

- 1) To review the outcomes of 2024/25 internal audits completed during between 5 June to 2 October 2024 and management action plans to address the recommendations made.
- 2) To note the key thematic issues raised across the findings from audits completed during the period.
- 3) To note that management actions for the Directorates Cyber Incident Response audit completed in May 2024 had now been agreed and a copy of the report was presented for review.
- 4) To agree that the following actions would be taken in relation to Security Arrangements for Council Premises, Safety of Council Operated Heavy Goods Vehicles and Education Support Provision audits, noted below.
- 5) Security Arrangements for Council Premises
 - 5.1) To note that the management response had not yet been provided and the deadline for this was 31st March 2025
 - 5.2) To note with concern the lack of training and support for duty holders, and the lack of central reporting and recording when incidents occur
 - 5.3) To note with further concern that there was no formal process allocating spend when security assets reached end of life.

- 5.4) To agree that the management actions must provide a detailed and robust plan for budgetary responsibility and prioritising spend to ensure security of buildings, using improved incident data to inform the decision-making process.
- 6) Safety of Council Operated Heavy Goods Vehicles (HGVs)
- 6.1) To note that Limited assurance could be provided to confirm that HGV drivers and operational services consistently meet the compliance requirements as required in line with the Council's driving policy.
 - 6.2) To agree to refer this report to the Transport and Environment Committee and recommends that they consider future monitoring of the implementation of management actions, specifically including:
 - 6.2.1) The Driving for the Council policy would be updated and presented to committee in 2025/26
 - 6.2.2) Monitoring the establishment of the performance monitoring framework
 - 6.2.3) Monitoring the reintroduction of Driver Assessor Training and the restoration of ongoing completion of Certificate of Professional Competence (CPC) Training spaced over a five year period
 - 6.2.4) Monitoring the improved use of the functionality of the fleet systems to reduce risk and increase compliance
 - 6.2.5) Monitoring the introduction of safety standards for new vehicles
 - 6.2.6) Monitoring the introduction of the in-cab system with improved safety features
 - 6.2.7) Monitoring the process for improved incident and complaint monitoring, and ensuring that the data collected was used effectively to improve safety outcomes.
 - 6.2.8) Monitoring improved risk management processes.
 - 6.3) To agree to refer this audit to Policy and Sustainability Committee for consideration of Management Action 5.4 on the recommendation regarding drug and alcohol consumption while driving.
 - 6.4) To recommend that the Policy and Sustainability hold an engagement session with HR, Internal Audit and the Trade Unions to discuss the findings from the audit and consider options.
- 7) Education Support Provision
- 7.1) To refer this audit to the Education, Children and Families Committee
 - 7.2) To recommend that ECF Committee request a closure report to their committee, once the actions had been completed, which included:
 - 7.2.1) The completed IIA and the assessment of risks
 - 7.2.2) The outcomes of the lessons learned exercise

- 8) To defer the Education Support Provision and Early Years Cross-Boundary Places audits to the next GRBV Committee meeting, and to write to the Service Director requesting attendance of officers.

- moved by Councillor Campbell, seconded by Councillor Nicolson

Amendment

- 1) To refer Internal Audit Report: PL2403 - Safety of Council Operated HGVs to Full Council on 7 November 2024, noting:
- discussions with officers “regarding their strong concerns around the potential use of alcohol or drugs whilst driving for the Council but there was no evidence-based procedures e.g. random or ‘with cause’ drug/alcohol testing to deal with suspected instances.”
 - that in May 2023 the Council took a position that it would not approve drug and alcohol testing at work unless there was a motion at Full Council to reverse this position.
 - that the Audit report details the implications that not having such a policy in place may have on the insurance premiums and that the External Review carried out in 2021 recommends such a policy was put in place and therefore.
- 2) To agree:
- that an amendment to the Drug and Alcohol policy would bring benefits to the Council.
 - to bring proposals for such an amendment to Policy and Sustainability Committee in two cycles.

- moved by Councillor Mowat, seconded by Councillor Cowdy

At this point of meeting the amendment was withdrawn and the motion was verbally adjusted.

Decision

To approve the following adjusted motion by Councillor Campbell:

- 1) To review the outcomes of 2024/25 internal audits completed during between 5 June to 2 October 2024 and management action plans to address the recommendations made.
- 2) To note the key thematic issues raised across the findings from audits completed during the period.
- 3) To note that management actions for the Directorates Cyber Incident Response audit completed in May 2024 had now been agreed and a copy of the report was presented for review.
- 4) To agree that the following actions would be taken in relation to Security Arrangements for Council Premises, Safety of Council Operated Heavy Goods Vehicles and Education Support Provision audits, noted below.

- 5) Security Arrangements for Council Premises
 - 5.1) To note that the management response had not yet been provided and the deadline for this was 31st March 2025
 - 5.2) To note with concern the lack of training and support for duty holders, and the lack of central reporting and recording when incidents occur
 - 5.3) To note with further concern that there was no formal process allocating spend when security assets reached end of life.
 - 5.4) To agree that the management actions must provide a detailed and robust plan for budgetary responsibility and prioritising spend to ensure security of buildings, using improved incident data to inform the decision-making process.
- 6) Safety of Council Operated Heavy Goods Vehicles (HGVs)
 - 6.1) To note that Limited assurance could be provided to confirm that HGV drivers and operational services consistently meet the compliance requirements as required in line with the Council's driving policy.
 - 6.2) To agree to refer this report to the Transport and Environment Committee and recommends that they consider future monitoring of the implementation of management actions, specifically including:
 - 6.2.1) The Driving for the Council policy would be updated and presented to committee in 2025/26
 - 6.2.2) Monitoring the establishment of the performance monitoring framework
 - 6.2.3) Monitoring the reintroduction of Driver Assessor Training and the restoration of ongoing completion of Certificate of Professional Competence (CPC) Training spaced over a five year period
 - 6.2.4) Monitoring the improved use of the functionality of the fleet systems to reduce risk and increase compliance
 - 6.2.5) Monitoring the introduction of safety standards for new vehicles
 - 6.2.6) Monitoring the introduction of the in-cab system with improved safety features
 - 6.2.7) Monitoring the process for improved incident and complaint monitoring, and ensuring that the data collected was used effectively to improve safety outcomes.
 - 6.2.8) Monitoring improved risk management processes.
 - 6.3) To agree to refer this audit to Policy and Sustainability Committee for consideration of Management Action 5.4 on the recommendation regarding drug and alcohol consumption while driving.

- 6.4) To recommend that the Policy and Sustainability hold an engagement session with HR, Internal Audit, the department and the Trade Unions to discuss the findings from the audit and consider options.
- 7) To defer the Education Support Provision and Early Years Cross-Boundary Places audits to the next GRBV Committee meeting, and to write to the Service Director requesting attendance of officers.

(Reference – report by the Head of Internal Audit, submitted.)

6. Internal Audit Activity Report: October 2024

An update was provided on Internal Audit key issues and activity as at 2 October 2024 including overall progress with delivery of the 2024/25 Internal Audit plan. 13 audits were complete, 6 were in fieldwork and 12 were in planning.

Decision

- 1) To note inclusion of review of recruitment processes of supply workers in school establishments in the scope of the current Flexible Workforce audit underway, as requested by management following conclusion of a whistleblowing investigation.
- 2) To note progress on establishing internal control assurance arrangements for Council Arm's Length Organisations (ALEOs) as requested by Committee in March 2024 and June 2024.
- 3) To note progress with key issues impacting Internal Audit including progress with implementation of the new Global Internal Audit Standards.
- 4) To note progress with other Internal Audit key activities and risks.
- 5) To request a business bulletin update on whistleblowing actions.

(Reference – report by the Head of Internal Audit, submitted.)

7. Internal Audit Open and Overdue Internal Audit Actions – Performance Dashboard as at 13 September 2024

An update on progress of open and overdue Internal Audit management actions and key performance indicators as at 13 September 2024 was provided.

Decision

- 1) To note the status of open and overdue Internal Audit actions and key performance indicators as 13 September 2024.
- 2) To refer the report to the relevant council executive committees for ongoing scrutiny of the overdue actions relevant to their respective remits.
- 3) To refer the report to the Edinburgh Integration Joint Board Audit and Assurance Committee for information in relation to the current Health and Social Care Partnership position.

(Reference – report by the Head of Internal Audit, submitted.)

8. Public Performance Scorecard

A summary of performance up to end June 2024 across a range of Council services was provided.

Decision

- 1) To note the performance shown in the Public Performance Scorecard which covered the reporting period April to June 2024.
- 2) To note that work to incorporate the additional indicators was in progress.
- 3) To note that the next Public Performance Scorecard, covering July to September, would be submitted to the GRBV Committee on 23 January 2025.
- 4) To agree that future annual reports should cover all the long term data, and that quarterly updates should only cover data that was reported within the previous quarter, and that efforts should be made to consolidate the reporting period across all measures.

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

9. Annual Assurance Schedule 23/24 – Corporate Services

The Corporate Services Directorate Annual Assurance Schedule and Improvement Plan for the year 2023/24 were provided.

Decision

- 1) To note the Corporate Services Directorate annual assurance schedule for 2023-24.
- 2) To note the Directorate assurance schedule for 2022-23.
- 3) To note that the Corporate Services Directorate annual assurance schedule 2024-25 would be submitted for scrutiny in accordance with the Committee's work programme.
- 4) To note an annual report would be provided to the GRBV Committee on the information governance team.

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

10. Revenue Monitoring 2024/25 – month three report - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred the Revenue Monitoring 2024/25 – month three report to the Governance, Risk and Best Value Committee as part of its work programme.

Decision

To note the report.

(References – Finance and Resources Committee, 19 September 2024 (item 7); referral from the Finance and Resources Committee, submitted.)

11. Revenue Monitoring 2023/24 – outturn report – referral from the Finance and Resources Committee

The Finance and Resources Committee had referred the Revenue Monitoring 2023/24 – outturn report to the Governance, Risk and Best Value Committee as part of its workplan.

Decision

To note the report.

(References – Finance and Resources Committee, 19 September 2024 (item 12); referral from the Finance and Resources Committee, submitted.)

12. 2023-24 Capital Outturn, Month Three Capital Monitoring and Revised 2024-34 Capital Budget - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred the 2023-24 Capital Outturn, Month Three Capital Monitoring and Revised 2024-34 Capital Budget report to the Governance, Risk and Best Value Committee as part of its work programme.

Motion

To note the report.

- moved by Councillor Campbell, seconded by Councillor Nicolson

Amendment

- 1) To note the report.
- 2) To note and thank officers for the trialling of I4CE Climate and Nature Emergency Implication measurements under Section 8 of the report, and to request that future reports contained the relevant yearly I4CE measurements listed as an appendix.

- moved by Councillor Caldwell, seconded by Councillor Young

In accordance with Standing Order 22.13, the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Campbell:

- 1) To note the report.
- 2) To note and thank officers for the trialling of I4CE Climate and Nature Emergency Implication measurements under Section 8 of the report, and request that future reports would contain the relevant yearly I4CE measurements listed as an appendix.

(References – Finance and Resources Committee, 19 September 2024 (item 14); referral from the Finance and Resources Committee, submitted.)

13. Treasury Management: Annual Report 2023/24 – referral from the Finance and Resources Committee

The Finance and Resources Committee had referred the Treasury Management: Annual Report 2023/24 to the Governance, Risk and Best Value Committee for scrutiny.

Decision

To note the report.

(References – Finance and Resources Committee, 19 September 2024 (item 15); referral from the Finance and Resources Committee, submitted.)

14. Accounts Commission Briefing – Local Government Budgets, 2024/25 - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred the Accounts Commission Briefing – Local Government Budgets, 2024/25 report to the Governance, Risk and Best Value Committee as part of its work programme.

Decision

To note the report.

(References – Finance and Resources Committee, 19 September 2024 (item 6); referral from the Finance and Resources Committee, submitted.)

15. Internal Audit Update – referral from the EIJB Audit and Assurance Committee

The Edinburgh Integration Joint Board Audit and Assurance Committee had referred the Internal Audit Update to the Governance, Risk and Best Value Committee for information.

Decision

To note the report.

(References – EIJB Audit and Assurance Committee, 10 September 2024); referral from the EIJB Audit and Assurance Committee, submitted.)

16. Community Learning and Development Partnership Plan

The Education, Children and Families Committee had referred a report on the Community Learning and Development Partnership Plan to the Governance, Risk and Best Value Committee for scrutiny. Specifically, the referral was in relation to Education Scotland Community Learning and Development progress visit at Appendix 1 of the report by the Executive Director of Children, Education and Justice Services.

Decision

To note the report.

(References – Education, Children and Families Committee, 16 April 2024 (item 15); referral from the Education, Children and Families Committee, submitted.)

17. Westfield Court – referral from the Housing, Homelessness and Fair Work Committee

The Housing, Homelessness and Fair Work Committee had referred a report on Westfield Court to the Governance, Risk and Best Value Committee for consideration of whether the Council has met its obligations with regard to communication arrangements and repairs and maintenance, as set out in the Written Statement of Services (Appendix 2) and the Property Factors (Scotland) Act 2011.

Decision

- 1) To note the report.
- 2) To agree to receive a short, focused report on the boiler upgrades covering these points:
 - When the boiler was replaced in 2018, who replaced it?
 - Were they experienced and accredited in working with communal heating systems?
 - What was the make and model of boiler and how was it chosen?
 - What was the make and model of the boiler that was replaced?
 - Was a procurement exercise undertaken?
 - What work was undertaken to ensure that the existing pipes and boiler were compatible?
 - Please provide a table of natural gas use, by volume (rather than by cost) for the heating system each year since 2020
 - Please provide a copy of the building condition survey issued to the council in 2021

(References – Housing, Homelessness and Fair Work Committee, 27 August 2024 (item 14); referral from the Education, Children and Families Committee, submitted.)

18. Capital City Partnership: Progress Update, referral from Housing, Homelessness and Fair Work Committee

The Housing, Homelessness and Fair Work Committee had referred on 1 October 2024 the Capital City Partnership: Progress Update report to Governance, Risk and Best Value Committee for scrutiny.

Decision

To note the report.

(References – Housing, Homelessness and Fair Work Committee, 1 October 2024 (item 7); referral from the Housing, Homelessness and Fair Work Committee, submitted.)

19. Risk Management Policy and Risk Appetite and Risk Tolerance Statement – referral from the Policy and Sustainability Committee

The Policy and Sustainability Committee had referred a report on Risk Management Policy and Risk Appetite and Risk Tolerance Statement to the Governance, Risk and Best Value Committee for information.

Decision

To note the report.

(References – Policy and Sustainability Committee, 22 October 2024, (item 3); referral from the Policy and Sustainability Committee, submitted.)

20. Motion by Councillor Campbell - EVOC Funding

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 this item of business on the grounds that it would involve the disclosure of exempt information as defined in Paragraphs 6 of Part 1 of Schedule 7A of the Act.

Decision

Detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.