


Business Bulletin

Governance, Risk and Best Value Committee

10.00am, Thursday, 23 January 2025

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

Governance, Risk and Best Value Committee

Convener:	Members:	Contact:
<p>Councillor Kate Campbell</p> 	<p>Councillor Jule Bandel Councillor Jack Caldwell Councillor Christopher Cowdy Councillor Katrina Faccenda Councillor Simita Kumar Councillor Joanna Mowat Councillor Adam Nols-McVey Councillor Kayleigh O'Neill Councillor Tim Pogson Councillor Louise Young</p>	<p>Rachel Gentleman Committee Services Manager</p>

Recent news	Background/Contact								
<p><u>Edinburgh International Conference Centre Loan Stocks</u></p> <p>At GRBV committee on 31 October 2024, in relation to the information on the business bulletin, the information below was requested.</p> <p>1) To request information on how much money was authorised and where funds had come from was presented in table form on the next Business Bulletin for the EICC update.</p> <table border="1" data-bbox="236 1335 1126 2007"> <thead> <tr> <th>Original source of funds:</th> <th>Amount authorised for reimbursement:</th> <th>Loan stock to be issued:</th> <th>Loan stock duration</th> </tr> </thead> <tbody> <tr> <td> Lothian Road Income Trust: The Income Trust initially received the considerations for the disposal of Edinburgh District Council's and the City of Edinburgh Council's interests in the Exchange </td> <td> £475,919.50 in respect of the financial year to 31 December 2023 </td> <td> £475,919.50 </td> <td> 25 years, repayable in 2048 </td> </tr> </tbody> </table>	Original source of funds:	Amount authorised for reimbursement:	Loan stock to be issued:	Loan stock duration	Lothian Road Income Trust: The Income Trust initially received the considerations for the disposal of Edinburgh District Council's and the City of Edinburgh Council's interests in the Exchange	£475,919.50 in respect of the financial year to 31 December 2023	£475,919.50	25 years, repayable in 2048	<p>Alison Henry</p> <p>Head of Corporate Finance</p> <p>Corporate Services Directorate</p> <p>Tel: 0131 469 3172</p>
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- 2) To request information on the governance of the EICC funding was included in the next Business Bulletin update.

The reimbursement process was established a number of years ago – EICC submits a detailed list of capital expenditure to the Corporate Accounts Team within Finance, who review the list for appropriateness. Finance colleagues have authority to sign payments up to specified amounts, and in this instance, the value required two authorisations. There is no requirement under the established process to refer the matter to the Finance and Resources Committee for approval.

Public Performance Scorecard - Annual Report

At GRBV committee on 17 September 2024 in relation to item 8.6 Public Performance Scorecard – Annual Report, the information below was requested in two cycles.

1.4.4.1 The potential causes for such a consistent increase in FoI requests.

1.4.4.3 Any dialogue with other local authorities via COSLA whether they have also seen an increase in FoI Requests.

The Scottish Information Commissioner's most recent annual report highlights a 13.6% increase on FOI requests received across the public sector for 2023-24. This is based on figures provided by public authorities through the Commissioner's Statistics Portal. The Council's request totals are consistent with this increase, with 3036 requests received for the same reporting period – an increase of 388 requests on the previous year (12.8%).

While the increase in FOI volumes cannot be attributed to any one factor, there are several patterns of behaviour which contribute to the overall increase. 46% of the requests received by the Council during 2023-24 were submitted by individuals and are specific to Edinburgh. While an applicant's reasons or motives for submitting a request do not have to be provided, it is clear from the subject matter that FOI is increasingly viewed as a route to help address specific citizen concerns. This is particularly evident when the Council introduces new initiatives which affect individuals and communities directly e.g., short-term lets, low emission zones, spaces for people, new tram developments, charging for garden waste.

Requests received from certain other 'requestor types' (e.g., media, businesses, and academic researchers) have remained

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relatively static overall. A significant number of these requests are “round robin” requests, submitted to more than one (or all) local authority. However, in recent years, the number of requests from researchers and staff at the Scottish Parliament has increased significantly. These requests can cover a myriad of subjects and now account for 12% of the requests received by the Council.

Despite the challenges faced with increased request totals, the Council is still responding to 87% of FOI requests within statutory timescales.

There has been no specific dialogue with COSLA concerning the increase in FOI volumes. However, the Council is a member of SOLAR’s Data Protection and FOI Group, and also attends the Information Requests Network Group. Representatives from other Scottish local authorities at both forums have confirmed the increase in request totals and the challenges that brings. Like other local authorities, the Council is committed to improving response times and continuously explores ways to do this through regular communications, better reporting, training and awareness, proactive publication of information, and use of new technologies.

Update on Ad hoc Mixed Tenure Repairs Internal Audit

On 28 November 2023, Committee considered the Internal Audit Update [report](#): Quarter 2 2023/24 which included the outcomes of the audit carried out on Ad Hoc Mixed Tenure Repairs. The overall assessment of the audit was “limited assurance” and nine recommendations were made. Seven of the agreed management actions in response to these recommendations are closed; two are overdue and the date for these actions has been revised to 31 March 2025.

Committee requested an update report to be provided on the management of ad hoc mixed tenure works to include an update on actions, sampling work and addressing concerns raised at the meeting around the potential for fraud.

The following actions have been progressed since the audit:

- A Working Group was established to take this work forward, supported and informed by the work and experience of the Mixed Tenure Improvement Service;
- A new procedure for progressing emergency ad hoc mixed tenure repairs has been developed and the roll out of this began on 1 August 2024;

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- A check for every common repair (to evidence what work has been carried out) has been built into the procedure for mixed tenure repair works before any bill is issued to owners;
- Training for staff has been undertaken on the new procedure and this is ongoing; and
- A sample of common repair works was undertaken in May 2024, with checks carried out to establish whether there were any concerns regarding fraudulent billing of works. No concerns regarding potential fraudulent activity were identified through this exercise.

Progress on developing and fully embedding the new procedure and completing the audit actions has been impacted by a number of factors. These include:

- The work involved in developing the procedures, systems and training was more complex and resource intensive than anticipated and took longer than planned;
- The service review in Housing and Homelessness introduced new roles that are critical to this area of work; this includes establishment of new Recharge Officer roles and resources in the Service Improvement Team to develop a Quality Assurance framework. It has taken longer than anticipated to reach these roles in the implementation of the new structure, but this is now moving forward; and
- Resources across teams in Housing and Homelessness have been diverted towards other priorities to support work on the Housing Emergency. This has impacted on the timescale for carrying out a review of the procedure which was planned for November 2024; and will now be taken forward in January / February 2025.

A full report providing an update on the audit actions and on the outcome of the review of the new procedure, will be presented to Committee in June 2025.

Scottish Public Services Ombudsman Consultation

The Scottish Public Services Ombudsman (SPSO) has launched a consultation on an update to the wording of the existing Statement of Complaints Handling Principles (the 'Principles'). The Principles are the foundation for the Model Complaints Handling Procedures (MCHPs) which are in place across most public services in Scotland, including a local authority MCHP on

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which the Council's own Complaints Handling Procedure is based.

The current Principles have remained unchanged since they were first published in January 2011, and the SPSO wishes to gather views on whether the updated wording of the existing Principles is clear and easy to understand. This is a welcome move and these changes are positive. The Council will monitor developments to ensure its own documentation mirrors any subsequent changes to the local authority MCHP.

To Request a Business Bulletin Update on Whistleblowing Actions.

An update was requested on [Item 8.2 – Internal Audit Activity Report: October 2024](#), considered at GRBV committee on 31 October 2024, regarding the internal audit of Flexible Workforce, which included consideration of the recruitment of supply workers within school establishments in the scope. This additional element was added into the audit as a result of a Management Action that was recommended and approved at the Whistleblowing Sub-Committee of 5 September 2024, for whistleblowing case CEC-35-23 (PSA Employment Contact Concerns), recommending that: *'An Audit of all supply worker posts is undertaken to ensure the Council are complying with their own policy.'*

The Children, Education and Justice Services (CEJS) directorate had advised that they did not have capacity to resource this, therefore Internal Audit were asked if they would be able to pick up the action. Internal Audit therefore agreed to include a focused element on supply workers within school establishments in the scope of the Flexible Workforce audit which is part of the approved 2024/25 IA plan to examine specific issues raised further, but noted they did not have capacity to cover all supply workers, and should the audit identify the need for a further review of all supply workers this would be referred to the service for completion.

Councillors expressed concern that the action which had been agreed at the Whistleblowing Sub-Committee would not be completed in full, leaving a gap in assurance with regards to supply worker posts. Officers were therefore asked to provide an update on assurance that services were compliant with Council guidance on supply worker posts. All other directorates within the Council have confirmed that they do not hold any supply worker posts within their service, and that these are only held within the CEJS directorate.

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CEJS explained until April 2023, supply bookings were handled by Customer Services rather than Education. At that time, the Head of Education tasked senior officers to look at alternative systems. Following liaison with Procurement, Finance and HR, 'Teacher Booker' was commissioned.

CEJS have recently agreed with IA that they (CEJS) will complete the full audit work and achieve the Management Actions by 30 June 2025. In the meantime, the following work is ongoing:

- Education Officers are in the process of reviewing the Supply Worker list and will be removing approx. 350 people who have not completed any supply work for CEC since April 2023.
- Officers are working with HR to review The Supply Worker Handbook in the Summer of 2025, which was relaunched in December 2023. Two years of data from Teacher Booker will be available at this point for review.
- Teacher Booker now runs reports on a monthly basis to track supply worker bookings lasting longer than two months. This is also monitored at the Education Operations Team weekly meeting.
- Reminders will be issued to all Business Managers and Head Teachers of the correct procedures for utilising supply workers.
- HR have recently attended Primary and Secondary Business Manager meetings, to share good practice for the operation of fixed term contracts and supply worker arrangements.