

# Minutes

## Governance, Risk and Best Value Committee

10.00am, Tuesday 17 September 2024

### Present

Councillors Campbell (Convener), Bandel, Caldwell, Cowdy, Faccenda, Kumar, Miller (substituting for Councillor O'Neill from item 8 onwards), Mowat, Nols-McVey, Young, O'Neill (items 1 to 7) and Pogson.

### 1. Minutes

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#### Decision

To approve the minute of the Governance, Risk and Best Value Committee of 4 June 2024 as a correct record.

### 2. Outstanding Actions

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

#### Decision

- 1) To agree to close the following actions:
  - Action 5 – Internal Audit Update Report: Quarter 3 2023/24
  - Action 8 – Motion by Councillor Jenkinson – IT Services Availability
  - Action 11 – Business Bulletin
  - Action 12(2) – Internal Audit Update Report: June 2024
  - Action 14 – Accessibility of Council Information
  - Action 15 – Quarterly Status Update – Digital Services
  - Action 16 – Response to Motion by Councillor Lang - Safety of Council Heavy Operated Vehicles
- 2) To otherwise note the remaining outstanding actions  
(Reference – Outstanding Actions 17 September 2024, submitted.)

### 3. Work Programme

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The Governance Risk and Best Practice Committee Work Programme was presented.

#### Decision

To note the Work Programme.

(Reference – Work Programme 17 September 2024, submitted.)

## 4. Business Bulletin

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The Governance Risk and Best Practice Committee Business Bulletin was presented.

### Decision

To note the Business Bulletin.

(Reference – Business Bulletin, 17 September 2024, submitted.)

## 5. Update on Council Transport Arms Length Companies - referral from the Transport and Environment Committee

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The Transport and Environment Committee had referred a report on the performance of the Council's Transport Arms Length Companies to the Governance, Risk and Best Value Committee for scrutiny.

### Decision

To note the report.

(References – Transport and Environment Committee, 15 August 2024 (item 6); referral from the Transport and Environment Committee, submitted.)

## 6. The City of Edinburgh Council – 2023/24 Annual Audit Report

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The annual audit report summarised the principal findings from the 2023/24 external audit. While primarily focused on the review of the financial statements, the wider scope aspects of the audit include consideration of the Council's financial management, financial sustainability, vision, leadership and governance and transparency and use of resources to improve outcomes.

### Decision

- 1) To note that, following the audit process, an unqualified audit opinion was expected to be issued on the Council's annual accounts for 2023/24.
- 2) To refer the audited annual accounts to the Finance and Resources Committee for approval and thereafter to Council for noting.
- 3) To note that, following approval by the Finance and Resources Committee, the audited annual accounts would be signed and submitted to the external auditor.
- 4) To note the external auditor's assessment of the four dimensions of the wider scope audit and implementation of the recommendations contained within the Council's Best Value Assurance Report and that progress in delivery of the improvement actions would be reported to the Committee during the coming year.
- 5) To note that, once approved, a summarised version of the annual accounts would also be published on the Council's website by 30 November.

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

## 7. Workforce Innovation – Best Value Thematic Work in City of Edinburgh Council 2023-24

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The principal findings and recommendations were presented of Audit Scotland's review to determine how councils were responding to local government and workforce challenges through building capacity, increasing productivity and innovation.

### Decision

- 1) To note the key messages emerging from the thematic Best Value work recently undertaken by Audit Scotland.
- 2) To note that the Committee would receive updates on implementation of its recommendations as part of wider Best Value Audit progress reports.

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

## 8. Corporate Leadership Team Risk Report as at 1 August 2024

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A report provided the details of the Council's risk profile as at 1 August 2024, highlighted the most significant risks facing the Council, and identified key actions being taken in response to those risks.

### Decision

- 1) To note the Council's risk profile as at 1 August 2024, the most significant risks facing the Council and the key actions taken in response to those risks.
- 2) To note the enterprise risks which currently exceeded Risk Appetite the Council's Risk Appetite levels and the measures taken in these areas specified within the Council Leadership Team risk profile.
- 3) To note recent changes had been made to the Council's risk reporting format. Service risk registers were currently being managed on Excel and included risk profiles (the list of risks in current order with heatmap to show the risk qualification). The purpose of this was to provide clarity in terms of where the risks currently sat. The risk register included information in respect of action ownership and timelines. Moving the risks to Excel paved the way for the move to Pentana risk management software to manage the risk information.
- 4) To note with concern that "the Council was observing a persistently high level of incidents relating to Unacceptable Behaviour (Violent incidents)".
- 5) To note that there was already a report, following a motion by Councillor Nicolson, that would go to the Policy and Sustainability Committee asking for the council to determine what steps it would need to take in order to sign up to UNISON's End Violence at Work Charter.
- 6) To agree that report should make reference to the inclusion of violent incidents on the risk register and this committee's concern at the persistently high level.
- 7) To agree to receive an update, in a future risk report, on all further actions taken to reduce violent incidents including work with the trade unions and the high level outcomes of that report to the Policy and Sustainability Committee.

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

## **9. Corporate Governance Code Self-Assessment 2023/24**

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The Council's self-assessment of its compliance with the Corporate Governance Code for the financial year 1 April 2023 to 31 March 2024 was presented for scrutiny.

### **Decision**

- 1) To note the Corporate Governance Code Self-Assessment 2023-24.
- 2) To note the ongoing development of an effective framework for the Council, with a focus on continuous improvement.
- 3) To agree the Improvement Actions set out in the Corporate Governance Code Self Assessment 2023-24.

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

## **10. Independent Inquiry & Whistleblowing Culture Review Update**

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An update on the implementation of the recommendations from the Independent Inquiry and the Whistleblowing Culture Review agreed by Council was provided.

### **Decision**

- 1) To note the progress of implementation of the recommendations agreed at Council in respect of both the Independent Inquiry and the Whistleblowing Culture Review.
- 2) To note implementation of the recommendations in the context of delivering the Council's People Strategy 2024-2027 to support enduring cultural transformation.

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

## **11. Public Performance Scorecard - Annual Report**

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The first Public Performance Scorecard - Annual Report presented an overview of Council performance in 2023/24. It provided a summary of the quarterly reports that had been considered by Governance, Risk and Best Value Committee during the year, data up to the end of March 2024 and an analysis of performance for Key Performance Indicators.

### **Motion**

- 1) To note the performance shown in the Public Performance Scorecard – Annual report which covered 2023/24.
- 2) To refer the Annual Performance Report to the City of Edinburgh Council of 26 September 2024.
- 3) To provide a briefing note clarifying the discrepancy between literacy and attainment gap data presented to ECF Committee and the Scorecard and the current attainment gap position.
  - moved by Councillor Campbell, seconded by Councillor Kumar

## **Amendment**

- 1) To note the performance shown in the Public Performance Scorecard – Annual report which covered 2023/24.
  - 2) To refer the Annual Performance Report to the City of Edinburgh Council of 26 September 2024.
  - 3) To note the ongoing challenge in responding to 100% of Freedom of Information (Fol) requests (as set out in legislation) in both this report and recent Quarterly Scorecards.
  - 4) To note the Council's, and particularly Council officer's, commitment and effort at all levels to information transparency, and re-affirms committee's support for open data.
  - 5) To note the reason(s) given for the Fol missed targets and that Council does not have certain powers that other public-sector organisations may have, such as Ministerial Veto, when dealing with Fols.
  - 6) To therefore, requests a Business Bulletin update in two cycles that outlines:
    - 6.1) The potential causes for such a consistent increase in Fol requests.
    - 6.2) Broad-stroke areas where improved data transparency could help alleviate the pressures on the Information Governance team from the number of Fols.
    - 6.3) Any dialogue with other local authorities via COSLA whether they have also seen an increase in Fol Requests.
- moved by Councillor Caldwell, seconded by Councillor Young

In accordance with Standing Order 22.13, the amendment was adjusted and accepted as an addendum to the motion by Councillor Campbell.

## **Decision**

To approve the following adjusted motion by Councillor Campbell:

- 1) To note the performance shown in the Public Performance Scorecard – Annual report which covered 2023/24.
- 2) To refer the Annual Performance Report to the City of Edinburgh Council of 26 September 2024.
- 3) To provide a briefing note clarifying the discrepancy between literacy and attainment gap data presented to ECF Committee and the Scorecard and the current attainment gap position.
- 4) To note the ongoing challenge in responding to 100% of Freedom of Information (Fol) requests (as set out in legislation) in both the report by the Executive Director of Corporate Services and recent Quarterly Scorecards.
- 5) To note the Council's, and particularly Council officer's, commitment and effort at all levels to information transparency, and to re-affirm committee's support for open data.

- 6) To note the reason(s) given for the Fol missed targets and that the Council did not have certain powers that other public-sector organisations may have, such as Ministerial Veto, when dealing with Fols.
- 7) To request a Business Bulletin update in two cycles that outlined:
  - 7.1) The potential causes for such a consistent increase in Fol requests;
  - 7.2) Any dialogue with other local authorities via COSLA whether they had also seen an increase in Fol Requests.

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

## **12. Investigation into Potential Governance Breaches**

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A report provided the outcome of an investigation into potential governance breaches when appointing a consultant in November 2022 and extending the contract in May/June 2023.

### **Decision**

- 1) To note the investigation and that no further action was recommended.
- 2) To welcome the improvements to the urgency process including the creation of a register.
- 3) To agree that meetings where urgency decisions were taken are minuted.
- 4) To agree this register should be reported to GRBV Committee annually, as a business bulletin item, allowing full public scrutiny.
- 5) To agree to include the following information:
  - The full value of the decision taken under urgency
  - The people consulted
  - The date of decision and the date of reporting to the parent executive committee
  - Links to minutes of meetings where urgency decisions were taken, where appropriate.

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

### **Declaration of Interest**

Councillor Pogson declared a non-financial interest in relation to the above item as the former chair of EIJB named in the report, left the meeting and took no part in the consideration of the item.

## **13. Update – Proposals to End Library Overdue Fines**

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Information was provided on proposals to end library overdue fines as requested by the Governance, Risk and Best Value Committee in June 2024.

## Decision

To note the report, in response to the decision at GRBV Committee on 4 June 2024, in relation to a referral from the Cultural and Communities Committee on proposals to end library overdue fines, at no detriment to the library service.

(References – Governance, Risk and Best Value Committee, 4 June 2024 (item 13); report by the Executive Director of Corporate Services, submitted.)

## 14. Quarterly Status Update – Digital Services

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The quarterly progress update on the Council’s Digital Services programme of works was provided.

### Motion

To note the progress detailed in the quarterly update.

- moved by the Councillor Campbell, seconded by Councillor Kumar

### Amendment

- 1) To note the progress detailed in the quarterly update.
- 2) To request future quarterly update included broad-stroke considerations on “offline” alternative customer journey channels (such as telephone or face-to-face contact) for ongoing IT projects (‘Strategic Programme of Work’ in the report) both with regard to:
  - ‘service users’ who may have issues accessing digital services; and
  - how alternatives could be utilised in the event of local or global IT disruptions.
- 3) To request that future quarterly updates made specific reference, at the discretion of officers, to how both in-house IT and external providers (such as CGI) monitored carbon footprints and reduced CO<sub>2</sub> emissions emitted from onsite and cloud-based data centres, and end-user devices deployed for the Council.

- moved by Councillor Caldwell, seconded by Councillor Young

In accordance with Standing Order 22.13, the amendment was adjusted and accepted as an addendum to the motion by Councillor Campbell.

## Decision

To approve the following adjusted motion by Councillor Campbell:

- 1) To note the progress detailed in the quarterly update.
- 2) To request the next quarterly update included broad-stroke considerations on “offline” alternative customer journey channels (such as telephone or face-to-face contact) for ongoing IT projects (‘Strategic Programme of Work’ in the report) both with regard to:
  - ‘service users’ who may have issues accessing digital services; and

- how alternatives could be utilised in the event of local or global IT disruptions.
- 3) To request the next quarterly update would make specific reference, at the discretion of officers, to how both in-house IT and external providers (such as CGI) monitored carbon footprints and reduced CO<sub>2</sub> emissions emitted from onsite and cloud-based data centres, and end-user devices deployed for the Council.

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

## **15. EIJB Internal Audit Update - referral from the EIJB Audit and Assurance Committee**

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The Edinburgh Integration Joint Board (EIJB) 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, 19 June 2024 (item 9); referral from the EIJB Audit and Assurance Committee, submitted.)

## **16. Community Learning and Development Partnership Plan**

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### **Decision**

To defer consideration of the report to the GRBV Committee meeting of 31 October 2024.

## **17. Westfield Court**

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### **Decision**

To defer consideration of the report to the GRBV Committee meeting of 31 October 2024.

## **18. Draft Climate Ready Edinburgh Plan – referral from the Policy and Sustainability Committee**

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The Policy and Sustainability Committee had referred a report on the Draft Climate Ready Edinburgh Plan to the Governance, Risk and Best Value Committee for consideration.

### **Motion**

To note the report.

- moved by Councillor Campbell, seconded by Councillor Kumar

### **Amendment**

- 1) To note the report.



- 2) To note the significant areas of crossover between the Climate Ready Edinburgh plan and the work of the GRBV Committee.
- 3) To request that officers engage with committee members and officers from across the Council (including members of CLT, if required) to bring a proposal to the next committee meeting about how committee papers can better reflect considerations from within the Climate Ready Edinburgh plan and build adaptation governance into routine committee decision making.
  - moved by Councillor Bandel, seconded by Councillor Miller

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 the significant areas of crossover between the Climate Ready Edinburgh plan and the work of committee.
- 3) To request that Officers would engage with committee members and officers from across the Council (including members of CLT, if required) to bring a proposal to the next committee meeting about how committee papers could better reflect considerations from within the Climate Ready Edinburgh plan and build adaptation governance into routine committee decision making.

(References – Policy and Sustainability Committee, 22 August 2024 (item 10); referral from the Policy and Sustainability Committee, submitted.)

## **19. Edinburgh Living Annual Update 2023 – referral from the Housing, Homelessness and Fair Work Committee**

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The Housing, Homelessness and Fair Work Committee had referred the Edinburgh Living Annual Update 2023 to the Governance, Risk and Best Value Committee for scrutiny, in line with Edinburgh Living's governance arrangements.

### **Decision**

To note the report.

(References – Housing, Homelessness and Fair Work Committee, 27 August 2024, (item 12); referral from the Housing, Homelessness and Fair Work Committee, submitted.)

## **20. 2023/24 Internal Audit Annual Report and Opinion**

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A summary was provided on internal audit activity and performance during 2023/24, and an independent opinion on the overall adequacy and effectiveness of the City of Edinburgh Council's governance, risk management and internal control systems for the year ended 31 March 2024. The overall opinion for the Council for 2023/24 was Reasonable Assurance.

## **Decision**

- 1) To note the 2023/24 Internal Audit Annual Report.
- 2) To note the outcomes of the Internal Audit on Historical Complaints – Education and Children’s Services, which was the final audit report to support the 2023/24 Annual Report and Annual Opinion.
- 3) To note the Annual Opinion on the adequacy of the Council's governance, risk management and internal control systems.
- 4) To agree to present an appropriately redacted version of the report at Appendix 2 to the next GRBV Committee meeting.
- 5) To agree to submit a closure report on the audit at Appendix 2 to the GRBV Committee following completion of audit actions.

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

## **21. Digital Services - Vulnerability Management**

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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 14 of Part 1 of Schedule 7A of the Act.

An update was provided on vulnerability management in digital services.

## **Decision**

To note the report.

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

## **22. Directorates Cyber Incident Response IA Report Phased Implementation Plan**

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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 14 of Part 1 of Schedule 7A of the Act.

An update was provided on progress on the Internal Audit Report that was considered by the Governance, Risk and Best Value Committee in May 2024.

## **Decision**

- 1) To note the report.
- 2) To agree to refer the report to executive committees for discussion and information.

(References – Governance, Risk and Best Value Committee, 7 May 2024, item 8; report by the Executive Director of Corporate Services, submitted.)