



**MINUTES OF MEETING of the AUDIT AND SCRUTINY COMMITTEE held in Council
Chambers, Kilncraigs, Alloa on THURSDAY 26 OCTOBER 2023 at 9.30 AM.**

PRESENT

Councillor Janine Rennie (Chair)
Councillor Denis Coyne (Vice Chair)
Councillor Kenneth Earle (on Teams)
Councillor Ellen Forson
Councillor Fiona Law (S)
Councillor Bryan Quinn

IN ATTENDANCE

Stuart Crickmar, Strategic Director (Partnership & Performance)
Lorraine Sanda, Strategic Director (People)
Colin Bruce, Chief Education Officer (People)
Sharon Robertson, Chief Social Work Officer (People)
Chris Alliston, Senior Manager, HR & Workforce Development (Partnership & Performance)
Cherie Jarvie, Senior Manager, Partnership & Transformation (Partnership & Performance)
Lindsay Sim, Chief Finance Officer (Partnership & Performance)
Michael Boyle, Improving Outcomes Business Manager (People)
Seonaid Scott, Health and Safety Manager (Partnership & Performance)
Alastair Hair, Team Leader, Workforce Development and Learning (Partnership & Performance)
Elizabeth Hutcheon, Management Accountancy Team Leader (Partnership & Performance)
Chief Superintendent Barry Blair, Police Scotland
Chief Inspector Audrey Marsh, Police Scotland
DCI David MacGregor, Police Scotland
Lee Turnock, Local Senior Officer, Scottish Fire and Rescue Service
Rachel Rogers, Station Manager, Alloa, Scottish Fire and Rescue Service
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Committee)
Heather Buchanan, Solicitor, Legal and Governance (Partnership & Performance) (Clerk to the Committee)
Melanie Moore, Committee Services, Legal and Governance (Partnership & Performance)
Gillian White, Committee Services, Legal and Governance (Partnership & Performance)

ON TEAMS

Pete Leonard, Strategic Director (Place)
Derek Barr, Procurement Manager (Performance & Partnership)
Judi Richardson, Performance & Information Adviser (Partnership & Performance)
Sarah McPhee, Senior Internal Auditor, Falkirk Council
Annemargaret Black, Chief Officer, Clackmannanshire & Stirling Health and Social Care Partnership
Ewan Murray, Chief Finance Officer, Clackmannanshire & Stirling Health and Social Care Partnership
Karlyn Watt, External Auditor, Deloitte

The Chair advised Committee that this would be Heather Buchanan last Audit and Scrutiny Committee that she will Clerk. She wished her all the best for the Future.

AS(23)41 APOLOGIES

Apologies for absence were received from Councillor Phil Fairlie, Councillor Martha Benny and Councillor William Keogh. Councillor Fiona Law was in attendance as substitute for Councillor Fairlie.

AS(23)42 DECLARATIONS OF INTEREST

None.

AS(23)43 MINUTE OF AUDIT AND SCRUTINY COMMITTEE HELD ON 24 AUGUST 2023

The minutes of the meeting of the Audit and Scrutiny Committee held on Thursday 24 August 2023 were submitted for approval.

Decision

The minutes of the meeting of the Audit and Scrutiny Committee held on Thursday 24 August 2023 were agreed as a correct record by the Committee and signed off by the Chair.

AS(23)44 POLICE PERFORMANCE REPORT FOR CLACKMANNANSHIRE – OCTOBER 2022 TO MARCH 2023

A report, submitted by the Local Area Commander, provided the Committee with information on the performance of Police Scotland in the Clackmannanshire local authority area for the period of 1 October 2022 to 31 March 2023.

In addition DCI David MacGregor was in attendance to present a 15 minute presentation on serious criminality in Clackmannanshire as previously requested by Committee.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Ellen Forson.

Decision

Having challenged and commented on the report, the Committee agreed to note the report.

The Chair wished Audrey Marsh all the best for the future as she will be retiring in November.

Councillor Earle lost connection on Teams during this item (10.04 am)

AS(23)45 FIRE PERFORMANCE REPORT – ANNUAL (1 APR TO 31 MAR) 2022/23

A report, submitted by the Local Senior Officer Clackmannanshire –Stirling and Fife, provided the Committee with an overview of the year performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire covering the period 1 April 2022 to 31 March 2023. The report was based on performance against objectives and targets set out in the Local Fire and Rescue Plan for Clackmannanshire. Performance indicators were detailed in the summary report.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Denis Coyne.

Decision

Having challenged and commented on the report, the Committee agreed to note the report.

AS(23)46 PARTNERSHIP AND PERFORMANCE BUSINESS PLAN 2022/23 – YEAR END REPORT

A report, submitted by the Strategic Director, Partnership and Performance, provided Committee with an update on performance, risks and achievement, relating to the Business Plan 2021-23 which was agreed in August 2021. Appendix 1 provided a fuller update on the progress, however a number of areas are highlighted with the considerations section of the report.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Denis Coyne.

Decision

Having challenged and commented on the report, the Committee agreed to note the report.

In line with Standing Order 10.23, the Chair adjourned the meeting at 11.49 am for a ten minute comfort break. When the meeting resumed at 12.02pm, 5 members remained present.

AS(23)47 CLACKMANNANSHIRE LOCAL CHILD POVERTY ACTION REPORT 2022/23

A report, submitted by the Strategic Director, Partnership and Performance, presented Clackmannanshire's Local Child Poverty Action Report for the period 2021/23 as required under the Child Poverty (Scotland) Act 2017. The report has been jointly prepared with NHS Forth Valley with contributions from a wide range of additional partners in line with the statutory guidance.

Motion

That the Committee agrees the recommendations as set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Janine Rennie.

Decision

The Committee agreed to:

1. Note comment on and challenge the report; and
2. Note that the report will be considered by the Clackmannanshire Alliance on the 1 December 2023 and published on our website thereafter in line with requirements set out in the Child Poverty (Scotland) Act 2017.

AS(23)48 HEATH AND SAFETY ANNUAL REPORT 2022/23

A report, submitted by the Health and Safety Manager, provided the 2022/23 annual report on Health and Safety performance across the Council.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Denis Coyne.

Decision

Having challenged and commented on the report, the Committee agreed to note the report.

AS(23)49 COUNCIL FINANCIAL PERFORMANCE 2022/23 AS AT 31 JUNE 2023

The report, submitted by the Chief Finance Officer, provided an update on the financial performance for the Council as at June 2023, in respect of the General Fund (GF) revenue and capital spend and the achievement of savings, for the current financial year 2023/24, the Clackmannanshire element of the Stirling & Clackmannanshire Health and Social Care Partnership (H&SCP) revenue spend and the Housing Revenue Account (HRA) revenue and capital spend, for the financial year, 2023/24.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Denis Coyne.

Decision

Having commented on and challenged the report, the Committee agreed to note the report on:

1. The General Fund revenue underspend of £(0.602)m for the year to 31 March 2023;
2. The Clackmannanshire element of the Health and Social Care Partnership (H&SCP) forecasted overspend of £3.417m as at June 2023, for the year to 31 March 2024;
3. The HRA revenue forecasted deficit of £0.555m less than the budgeted surplus for the year to 31 March 2024;
4. The HRA Capital programme forecasted underspend of £(1.500)m;
5. The General Fund Capital Programme forecasted underspend of £(1.098)m, and
6. Progress to date in delivering the £3.814m approved savings programme, currently forecast to achieve £2.616m, 68%, as at 31 March 2024.

Stuart Crickmar advised that a report will be provided on the Health and Social Care Partnership overspend. This will be provided as a separate report or as part of the Financial Performance Report, following a discussion with Lindsay Sim, Annemargaret Black and Ewan Murray.

Action

Strategic Director, Partnership and Performance

Lee Robertson took over as Clerk following Heather Buchanan's departure.

AS(23)50 INTERNAL AUDIT PROGRESS REPORT

The report, submitted by the Internal Audit Manager, provided an update on 2022/23 and 2023/24 Internal Audit work.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Ellen Forson.

Decision

The Committee agreed to note the outcome from the last finalised review from 2022/23 and progress being made with completion of the 2023/24 Internal Audit Plan.

AS(23)51 CORPORATE RISK REGISTER

The report, submitted by the Strategic Director, Partnership and Performance, provided the Committee with the 2023/24 half year update on Clackmannanshire Council's Risk Register (Appendix A).

Motion

That Committee agrees the recommendation set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Denis Coyne.

Decision

Having commented and challenged the report, the Committee agreed to note the report as appropriate.

AS(23)52 EXCEPTIONS FROM THE APPLICATION OF CONTRACT STANDING ORDERS

It is a requirement of Contract Standing Orders that exceptions should be reported to the next available Audit Committee. The purpose of the paper submitted by the Strategic Director, Partnership and Performance is to provide detail on Exceptions to Contract Standing Orders submitted in the previous quarter.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Ellen Forson.

Decision

Having challenged and commented on the report, the Committee agreed to note the report.

AS(23)53 REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000

The report, submitted by the Strategic Director, Partnership and Performance, updated Committee on the Council's use of The Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA) since the previous report of 25 August 2023.

Motion

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Bryan Quinn.

Decision

Having challenged and commented on the report, the Committee agreed to note the report.

AS(23)54 AUDIT AND SCRUTINY COMMITTEE ANNUAL REPORT AND FORWARD PLANNING 2023/24

The report, submitted by the Strategic Director, Partnership and Performance, is to finalise a forward plan for Audit and Scrutiny Committee for the coming year, and to agree Committee development priorities as part of an Annual Report to ensure continuous improvement in discharging its remit effectively.

Motion

That the Committee agrees the recommendations as set out in the report.

Moved by Councillor Janine Rennie. Seconded by Councillor Denis Coyne.

Decision

The Committee:

1. Noted the work undertaken by an informal session of the Committee that took place on 4 October 2023, outlined in the agenda as set out in Appendix 1;
2. Agreed its forward plan for 2023/24 as set out in Appendix 2 subject too Council approval;
3. Agreed to submit it's Annual Report 2023 (as set out at Appendix 3) to the next available Council meeting for comment, challenge and approval.

Action

Strategic Director, Partnership and Performance

Ends 1320 hrs