

THE MORAY COUNCIL

**MINUTE OF MEETING OF THE AUDIT AND PERFORMANCE REVIEW
COMMITTEE**

WEDNESDAY 21 OCTOBER 2009

COUNCIL OFFICE, ELGIN

PRESENT

Councillors G. McDonald (Chairman), G. Coull, J. Hogg, B. Jarvis, J. MacKay, D. Ross, M. Shand, J Sharp and R Shepherd.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors P. Paul, I Young, and G McIntyre (Ex-officio).

ALSO PRESENT

Councillor J Russell.

IN ATTENDANCE

The Chief Executive, Chief Legal Officer, Director of Community Services, Director of Educational Services, Chief Housing Officer, Head of Direct Services, Principal Personnel Adviser, Corporate Policy Unit Manager, Mr A Scott, Team Leader, Internal Audit, Mr D Westmacott, Apprentice Committee Services Officer and Mrs S Kennedy, Committee Services Officer as Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillor's Code of Conduct the meeting noted that there were no declarations from Group Leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the agenda.

2. EXEMPT INFORMATION

The Meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the Items of Business appearing at the relevant Paragraphs of this Minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate Paragraphs of Part 1 of Schedule 7A of the Act.

Para. No. of Minute

11

Para. No. of Schedule 7A

12 & 14

3. WRITTEN QUESTIONS

The Committee noted that there were no written questions submitted.

**4. GOVERNANCE: REVISED PERFORMANCE REPORTING
FRAMEWORK**

Under reference to paragraph 17 of the Minute of the Meeting of this Committee dated 3 June 2009, paragraph 10 of the Minute of the special meeting of The Moray Council dated 2 July 2009 and paragraph 6 of the Minute of the special meeting of the Moray Council dated 30 September 2009, there was submitted a report by the Chief Legal Officer outlining proposals for a framework for reporting performance to the Audit and Performance Review Committee.

Following consideration the Committee agreed:-

- (i) to note the proposed framework and the best practice upon which it is based, and
- (ii) that the detailed programme of performance reporting, including the “call-in” arrangements be prepared by the Chief Executive and the Chief Legal Officer in consultation with the Chair of this Committee and reported to the next meeting of this Committee.

5. PROGRESS AGAINST ANNUAL AUDIT PLAN

There was submitted and noted a report by the Chief Financial Officer advising the Committee on progress made against the annual Audit Plan for the six month period to 30th September 2009.

**6. REPORT ON THE WORK OF THE INTERNAL AUDIT SECTION IN THE
PERIOD FROM 1ST JULY 2009 TO 30TH SEPTEMBER 2009**

There was and noted a report by the Chief Financial Officer advising the Committee on the work of the Internal Audit Section for the period 1st July 2009 to 30th September 2009.

7. EQUALITY IMPACT ASSESSMENTS

There was submitted and noted a joint report by the Corporate Policy Unit Manager and the Chief Legal Officer asking the Committee to note the position taken to manage the programme of equality impact assessments across the Council.

8. DRAFT HEALTH AND SAFETY ANNUAL REPORT

Under reference to paragraph 15 of the Minute of the Meeting of this Committee dated 3 September 2008, there was submitted a report by the Head of Personnel Services asking the Committee to consider the content of the draft Health and Safety Annual Report 2008-2009.

In response to Members concerns with regard to the detail of the report, the Chief Legal Officer sought agreement for a further report and action plan to be submitted to the next meeting of this Committee

Following consideration the Committee agreed that the Chief Legal Officer would submit a detailed report to the meeting of this Committee on the 16 December 2009 underpinning the core actions and providing a breakdown of category definitions.

9. STATEMENT OF OUTSTANDING BUSINESS

There was submitted and noted a report by the Chief Executive asking the Committee to consider progress and timescales in relation to follow-up reports and actions requested by this Committee at previous meetings.

10. QUESTION TIME

There were no questions at this meeting.

11. MORAY CHILDCARE PARTNERSHIP [Paras 12&14]

There was submitted a report by the Chief Financial Officer advising the Committee on the circumstances of a financial irregularity within the Moray Childcare Partnership and the actions taken in connection with the investigation into the matter.

Following consideration the Committee noted the current position and agreed that the Chief Financial Officer submit a further report in due course on the outcomes of the review together with proposals to address recommendations made by the Team Leader (Audit).