

THE MORAY COUNCIL

MINUTE OF MEETING OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE

WEDNESDAY 3 MARCH 2010

COUNCIL OFFICE, ELGIN

PRESENT

Councillors G. McDonald (Chairman), G. Coull, J. Hogg, J. MacKay, M. Shand, J Sharp, R Shepherd and I Young.

APOLOGIES

Councillors B. Jarvis, P. Paul, D. Ross, A. Wright (Chairman of Policy & Resources Committee and G. McIntyre (Ex-officio)

ALSO PRESENT

Councillors L. Bell (Chairman of Health & Social Care Services Committee), E. McGillivray (Chairman of Communities Committee), and J. Russell (Chairman of Economic Development & Infrastructure Services Committee).

IN ATTENDANCE

The Chief Executive, Chief Legal Officer, Director of Educational Services, Director of Environmental Services, Head of Development Services, Head of Direct Services, Chief Housing Officer, Corporate Policy Unit Manager, Head of ICT Services (Item 12), Head of Children & Families and Criminal Justice (Item 7), Acting Head of Community Care (item 7), Service Manager (Criminal Justice) (Item 7), Senior Auditor (Items 11 and 12), Housing Needs Manager (Item 8).

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

14

Para. No. of Schedule 7A

12 and 14

3. WRITTEN QUESTIONS

The Committee noted that there were no written questions submitted.

4. SINGLE OUTCOME AGREEMENT: QUARTER 3 TO 31 DECEMBER 2009 - MONITORING STATEMENTS

There was submitted a report by the Chief Executive asking Committee to consider progress against completion of Key Actions (for which the underlying milestones were due to have been completed in quarter 3) that address Single Outcome Agreement Local and National Outcomes.

During discussion clarification was sought as to why particular milestones have not been met and it was agreed that this information be included in future reports.

Following consideration the Committee agreed:-

- (i) to note that 88% of specific milestones due to be completed are either completed or show good progress being made;
- (ii) that future reports will include information explaining why any particular milestone has not been completed within agreed timescales.

5. MORAY 2020

There was submitted a report by the Director of Environmental Services providing a report on the Moray 2020 strategy and its links to the Single Outcome Agreement.

The meeting noted the three aspects of the strategy and accompanying action plan, namely eight overarching themes, five strands and 56 projects. During discussion Members raised concerns that the information within the strategy and plan was not up to date and that it did not provide details as to how they were measured and what timelines were applied.

Following further discussion the Director of Environmental Services advised the meeting that the information would be updated in time for a forthcoming Strategic Defence Review to be undertaken by the UK Government.

Thereafter the Committee agreed to:

- (i) note the content of the report;
- (ii) request an update from the Community Planning "Wealthier and Fairer" Strategic Group of all three aspects of the Moray 2020 strategy;
- (iii) the document being updated in time for the Defence Review and that a progress report be brought forward to this Committee in 6 months time on 1 September 2010 with a report to include up to date information, measurements of performance and timelines.

6. BEST VALUE 2 "(BV2)" AUDIT

There was submitted a report by the Chief Executive inviting the Committee to scrutinise the Council's progress to date in meeting the requirements of the BV2 Audit.

Following consideration the meeting agreed to note the required self-evaluation had been submitted to the local team of BV2 inspectors. This would in turn be evaluated by that team to determine the level of inspection and scrutiny to be applied to the Council. This too was noted.

7. STATUTORY PERFORMANCE INDICATORS RANKED WITHIN THE LOWEST QUARTILE

There was submitted a report by the Chief Executive inviting the Committee to scrutinise performance against statutory performance indicators ranked within the lowest quartile of all Scottish Councils.

During discussion the Chairman commended the Criminal Justice Service's report which showed how improvements in performance are being achieved and provided the previous quarter's information. This demonstrated to the Committee that improvements were actioned. He went on to state that it would be useful to have information in this format for all indicators where improvement was required. He further stated he would wish to have this report brought back to the next meeting of this Committee on 28 April 2010 showing details of the actions and improvement being undertaken for all indicators. This was agreed.

Following further discussion the Committee agreed:-

- (iii) to note the performance against statutory performance indicators ranked within the lowest quartile of all Scottish Local Authorities and the actions for improvement;
- (iv) that a report be brought back to the next meeting of this Committee on 28 April to include details of actions for improvements being undertaken for all indicators

8. PRESSURE ON HOMELESSNESS BUDGET

Under reference to paragraph 11 of the Minute of the Meeting of this Committee dated 16 December 2009, there was submitted a report by the Director of Community Services presenting information for scrutiny by the Audit and Performance Review Committee.

Following consideration the Committee agreed to: _

- (i) note the report which considered
 - (a) the areas of the homelessness budget under pressure
 - (b) the causes of these pressures
 - (c) the impact of these pressures for the budget
 - (d) actions being taken; and
 - (e) future priorities
- (ii) commend the staff and compliment them for such a detailed and comprehensive report.

9. PUBLIC TRANSPORT - BUDGET UPDATE

There was submitted a report by the Director of Environmental Services providing updated information on the Public Transport Unit budget position for financial years 2009/10 and 2010/11.

During discussion Members expressed their concerns in relation to private companies not being required to provide evidence of their operating costs when seeking subsidy from the local authority. In response the Head of Direct Services advised that the current legislation does not require private companies to provide this information.

Following further discussion it was agreed that the Chief Executive look at how the Council's dissatisfaction in this regard can be registered with the government.

Thereafter the Committee agreed:-

- (i) To note the contents of the report, and
- (ii) That the Chief Executive investigate how this authority's dissatisfaction with legislation in relation to private bus companies not being required to provide evidence of their operating costs when seeking subsidy from the local authority can be brought to the attention of the government.

10. SOCIAL WORK INSPECTION AGENCY (SWIA) - OUTCOME OF FOLLOW-UP INSPECTION 2009

There was submitted a report by the Director of Community Services advising Committee on the outcome of SWIA's follow up performance inspection which took place in June and August 2009. The report also outlines what has been both undertaken and planned in relation the four areas where SWIA considers more progress is required.

Following consideration the Committee agreed to note the outcome of the follow-up performance inspection of Social Work Services in Moray and the progress made and actions planned in relation to the remaining areas of practice requiring further development.

11. PROGRESS AGAINST ANNUAL AUDIT PLAN

There was submitted and noted a report by the Chief Financial Officer advising Members on progress made against the annual Audit Plan for the nine month period to 31 December 2009.

12. REPORT ON THE WORK OF THE INTERNAL AUDIT SECTION IN THE PERIOD FROM 1ST OCTOBER 2009 TO 31ST DECEMBER 2009

There was submitted a report by the Chief Financial Officer advising committee on the work of the Internal Audit section for the period 1st October 2009 to 31st December 2009.

During discussion concern was raised about the lack of a written contract for the disposal of computer hardware surplus to requirements to a charitable recycling company and the lack of quality checks to ensure that data cleansing standards are being maintained.

In response to the concerns raised the Chairman stated that he would request a report providing further detailed information about the actions being taken by ICT to remove data from computer hard drives prior to disposal to be submitted to the Policy and Resources Committee of the Council. This was agreed.

Following further discussion, concern was raised about ensuring that access to IT systems is withdrawn from staff when they are leaving the employment

of the Council. In response the Chief Legal Officer assured the Committee of the processes in place for staff leaving the employment of the Council. It was agreed that information about these processes be included in the report to the Policy and Resources Committee referred to above.

Following consideration the meeting agreed:-

- (i) to note the report, and
- (ii) that a report be submitted to the Policy and Resources Committee providing further detail in regard to the actions being taken by ICT in relation to the removal of data from computer hard drives prior to disposal and the actions taken in regard to the removal of pc's, access to IT systems from staff leaving the council's employment.

13. STATEMENT OF OUTSTANDING BUSINESS

There was submitted 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.

Following consideration the Committee agreed to note the report.

The meeting noted the Chief Legal Officer would take up with the Chairs of the Council's standing committees the suggestion of the meeting that those committees adopt the practice of this committee in producing a statement of outstanding business.

14. QUESTION TIME

There were no questions raised.

15. MORAY CHILDCARE PARTNERSHIP [PARAS 12 & 14]

There was submitted and noted a report by the Chief Financial Officer updating the Committee on the circumstances of a financial irregularity within the Moray Childcare Partnership.