



**MINUTES OF MEETING of the AUDIT AND SCRUTINY COMMITTEE held via VIDEO  
CONFERENCE (MS TEAMS) on THURSDAY 27 OCTOBER 2022 at 9.30 AM.**

**PRESENT**

Councillor Kenneth Earle (Chair)  
Councillor Denis Coyne (Vice Chair)  
Councillor Craig Holden (S)  
Councillor William Keogh  
Councillor Jane McTaggart (S)  
Councillor Bryan Quinn  
Councillor Janine Rennie

**IN ATTENDANCE**

Stuart Crickmar, Strategic Director (Partnership and Performance)  
Pete Leonard, Strategic Director (Place)  
Lorraine Sanda, Strategic Director (People)  
Martin Devanny, Audit Scotland  
Pamela Morrison, Audit Scotland  
David Sim, Audit Scotland  
Lindsay Sim, Chief Finance Officer (Partnership & Performance)  
Sharon Robertson, Chief Social Work Officer (People)  
Mark Bryce, Area Commander & LSO, Stirling-Clackmannanshire and Fife  
Paul Cunningham, Group Commander, Stirling-Clackmannanshire- Fife LSO Area  
Chief Inspector Audrey Marsh, Police Scotland  
Chief Superintendent Alan Gibson, Police Scotland  
Chris Alliston, Senior Manager, HR & Workforce Development (Partnership & Performance)  
Cherie Jarvie, Senior Manager, Partnership & Transformation (Partnership & Performance)  
Ali Hair, Organisational Development Adviser (Partnership & Performance)  
Sarah McPhee, Senior Internal Auditor, Falkirk Council  
Ewan Murray, Chief Finance Officer, Clackmannanshire & Stirling Health and Social Care  
Partnership  
Rose Hetman, Strategy & Performance Adviser (Partnership & Performance)  
Judi Richardson, Performance & Information Adviser (Partnership & Performance)  
Seonaid Scott, Health and Safety Manager (Partnership & Performance)  
Tony Cain, Senior Manager, Housing (Place)  
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk  
to the Committee)  
Gillian White, Committee Services, Legal and Governance (Partnership & Performance)  
Melanie Moore, Committee Services, Legal and Governance (Partnership & Performance)

**AS(22)15      APOLOGIES**

Apologies for absence were received from Councillor Martha Benny, Councillor Ellen Forson and Councillor Phil Fairlie. Councillor Craig Holden was in attendance today as substitute for Councillor Ellen Forson and Councillor Jane McTaggart was in attendance as substitute for Councillor Phil Fairlie.

**AS(22)16      DECLARATIONS OF INTEREST**

None.

**AS(22)17      MINUTE OF AUDIT AND SCRUTINY COMMITTEE HELD ON 27 AUGUST 2022**

The minutes of the meeting of the Audit and Scrutiny Committee held on Thursday 27 August 2022 were submitted for approval.

**Decision**

The minutes of the meeting of the Audit and Scrutiny Committee held on Thursday 27 August 2022 were agreed as a correct record by the Committee.

**AS(22)18      ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER 2021-2022**

The report, submitted by the Chief Social Work Officer, presented the Chief Social Work Officer (CSWO) Annual Report reflecting the period 1 April 2021 – 31 March 2022 (attached at Appendix 1). The report and its consideration are a requirement to ensure oversight and accountability within the local authority for all social work and social care services, including those delegated to the Integration Joint Board. Following scrutiny and consideration by Council, the report is required to be submitted to Scottish Government.

**Motion**

That Committee agrees the recommendations set out in the report.

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

**Decision**

The Committee agreed to:

1. note, challenge and comment on the report as appropriate and
2. note that the Chief Social Work Officer Annual Report 2021/22 is submitted to the Office of The Chief Social Work Advisor, Scottish Government subject to Council approval.

**Action**

Chief Social Work Officer

**AS(22)19      POLICE PERFORMANCE REPORT FOR CLACKMANNANSHIRE OCTOBER 2021 TO MARCH 2022**

A report, submitted by the Local Police Commander, provided the Committee with information on the performance of Police Scotland in the Clackmannanshire local authority area for the period of 1 October 2021 to 31 March 2022.

Councillor Holden formally requested that the numbers of fixed penalty notices outwith the 3 days of action be provided to the next meeting of the Audit and Scrutiny Committee.

**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(22)20 FIRE PERFORMANCE REPORT – ANNUAL REPORT 2021/22**

A report, submitted by the Local Senior Officer Clackmannanshire –Stirling and Fife, provided the Committee with an overview of the half year performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire covering the period 1 April 2021 to 31 March 2022. 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 at Appendix 1.

**Motion**

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

Moved by Councillor Kenneth Earle. Seconded by Councillor Denis Coyne.

**Decision**

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

**AS)22)21 BUSINESS PLAN 2021/23 – UPDATE REPORT**

The report, submitted by the Strategic Director, Partnership and Performance, provided the Committee with an update on performance, risks and achievements, 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 this report.

**Motion**

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

Moved by Councillor Janine Rennie. Seconded by Councillor William Keogh.

**Decision**

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

*The Convenor adjourned the meeting at 11.35 am for a comfort break. The meeting resumed at 11.50 am with 7 members present.*

**AS(22)22 INTERNAL AUDIT PLAN 2022/23**

The report, submitted by the Internal Audit Manager, presented to Committee a 2022/23 Internal Audit Plan for approval.

**Motion**

That Committee agrees the recommendations set out in the report.

Moved by Councillor Denis Coyne. Seconded by Councillor William Keogh.

**Decision**

The Committee agreed to:

1. note the resources available to Internal Audit;

2. note that the plan is indicative and flexible;
3. agree the Internal Audit Plan for 2022/23; and
4. note that progress will be reported to the Audit Committee on an ongoing basis.

**Action**

Internal Audit Manager

**AS(22)23 COUNCIL FINANCIAL PERFORMANCE 2022/23 AS AT JUNE 2022**

The report, submitted by the Chief Finance Officer, provided an update on the financial performance for the Council as at June 2022, in respect of the General Fund (GF) revenue and capital spend and the achievement of savings, for the current financial year 2022/23, the Clackmannanshire element of the Stirling & Clackmannanshire Health and Social Care Partnership (H&SCP) revenue spend and Housing Revenue Account (HRA) revenue and capital spend, for the financial year, 2022/23.

**Motion**

That Committee agrees the recommendations set out in the report.

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

**Decision**

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

1. the General Fund (GF) revenue overspend of £2.226m for the year to 31 March 2023;
2. the Clackmannanshire element of the Health and Social Care Partnership (H&SCP) underspend of £(0.840)m as at June, for the year to 31 March 2023;
3. the HRA revenue forecasted surplus of £(0.019)m over the budgeted surplus for the year to 31 March 2023;
4. the HRA Capital programme underspend of £(1.300)m which it is proposed to be carried forward;
5. the General Fund Capital Programme underspend of £(3.855)m, and
6. progress to date in delivering the £1.838m approved savings programme, currently forecast to achieve £1.490m, 81%, as at 31 March 2023.

**AS(22)24 HOUSING BENEFIT PERFORMANCE AUDIT**

Audit Scotland recently carried out an audit on the Council's Housing Benefit Service. Appendix A contained the final report with proposed recommendations and agreed management actions.

**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 the report, the Committee agreed to note the report.

### **AS(22)25 CORPORATE RISK REGISTER**

The report, submitted by the Strategic Director, Partnership and Performance, provided the Committee with the 2022/23 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 Denis Coyne. Seconded by Janine Rennie.

### **Decision**

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

### **AS(22)26 REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000**

The report, submitted by the Senior Manager Legal and Governance updated the Committee on the outcome of a recent inspection of the Council's use of The Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA) by a representative of the Investigatory Powers Commissioner's Office (IPCO), the recommendations made and actions required following on from that.

### **Motion**

That Committee agrees the recommendations set out in the report.

Moved by Councillor William Keogh. Seconded by Councillor Kenneth Earle.

### **Decision**

The Committee agreed to:

1. note there have been no authorisations granted under RIPSA since the previous inspection; and
2. note the report whilst having commented and challenged as appropriate.

### **AS(22)27 ANNUAL COMPLAINTS REPORT 2021/22**

The report, submitted by the Strategic Director, Partnership and Performance, presented an overview of performance in relation to complaints handling during the year 2021/22.

### **Motion**

That Committee agrees the recommendations set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Denis Coyne.

**Decision**

Having commented and challenged the report, the Committee agreed to note the performance in relation to complaints handling during the year 2021/22.

**AS(22)28 HEALTH AND SAFETY ANNUAL REPORT 2021/22**

The report, submitted by the Health and Safety Manager, provided Committee the 2021/22 annual report on Health and Safety performance across the Council.

**Motion**

That Committee agrees the recommendation set out in the report.

Moved by Councillor Janine Rennie. Seconded by William Keogh.

**Decision**

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

Ends 1243 hrs