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AUDIT AND SCRUTINY COMMITTEE THURSDAY, 30TH NOVEMBER, 2017

A MEETING of the AUDIT AND SCRUTINY COMMITTEE will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on THURSDAY, 30 NOVEMBER 2017 at 11.00 am or at the conclusion of the Council Meeting, whichever is the later.

J. J. WILKINSON,
Clerk to the Council,

23 November 2017

BUSINESS		
1.	Apologies for Absence.	
2.	Order of Business.	
3.	Declarations of Interest.	
4.	Minute. (Pages 3 - 6) Minute of Meeting of the Audit and Scrutiny Committee held on 26 October 2017 to be approved and signed by the Chairman. (Copy attached.)	5 mins
5.	Scrutiny Work Programme 2017/2018 (Pages 7 - 12) Consider report by Chief Executive. (Copy attached.)	10 mins
6.	Any Other Scrutiny Items Previously Circulated.	
7.	Any Other Scrutiny Items which the Chairman Decides are Urgent.	

NOTES

1. Timings given above are only indicative and not intended to inhibit Members' discussions.
2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.

Membership of Committee:- Councillors S. Bell (Chairman), H. Anderson, K. Chapman, J. A. Fullarton, S. Hamilton (Vice-Chairman), N. Richards, H. Scott, R. Tatler and E. Thornton-Nicol

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**SCOTTISH BORDERS COUNCIL
AUDIT AND SCRUTINY COMMITTEE**

MINUTES of Meeting of the AUDIT AND SCRUTINY COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells on Thursday, 26 October 2017 at 10.00 am

Present:- Councillors S Bell (Chairman), H Anderson, K Chapman, S Hamilton, N Richards, H Scott, R Tatler and E Thornton-Nicol.
Apologies:- Councillor J A Fullarton.
In Attendance:- Chief Executive, Clerk to the Council, Democratic Services Officer (P Bolson).

1. WELCOME AND INTRODUCTIONS

The Chairman welcomed those present to the meeting.

2. SCRUTINY WORK PROGRAMME 2017-2019

- 2.1 There had been circulated copies of a briefing note by the Chief Executive explaining the background to the proposed Scrutiny Work programme for 2017–2019. At its meeting on 28 June 2017, Members of the Audit and Scrutiny Committee had suggested a number of areas for review, with a further two subjects being added to that list since then. Members were advised that, in keeping with the remit of the Committee, the focus should be on their strategic role. It would not therefore be appropriate for reviews to look at operational matters such as the detailed implementation of individual projects but it would be relevant for reviews to scrutinise delivery against a plan, or benefit realisation against a target. Scrutinising risk policy process and management for example would be appropriate but not the individual risk registers for specific projects.
- 2.2 The briefing note itemised each area that had been suggested for review, the Lead Officer where appropriate and the proposed outcome or action. During discussion, Members were advised that reviews should look at end to end processes, including scrutiny that: processes were robust and transparent; how reports were monitored throughout the term; and how these processes were delivered across the whole Council. Members acknowledged that their remit did not include scrutinising each area or project to operational level and in terms of Risk Management, noted that this was an operational matter and was therefore the responsibility of officers.
- 2.3 Members went on to discuss each review topic in turn and agreed outcomes and actions for each.
- (a) Health and Social Care Integration Joint Board – the proposed outcome was for the Committee to gain a greater understanding of how the Integration Joint Board delivered the Health and Social Care Strategic Plan to improve the lives of Borderers. Members agreed that this item should be taken forward as a presentation initially, with the option to review at a later date. The Lead Officer would be Mr McCulloch-Graham, Chief Officer Health and Social Care. Provision of Services by SB Cares – Members agreed that this be combined with the presentation on Health and Social Care Integration Joint Board. Following the presentation, a decision would then be made as to whether Provision of Services by SB Cares would go forward as a Review in the Scrutiny work programme. The presentation should include information on the performance of SB Cares in relation to the aims and targets set within SB Cares Business Plan and contain an assessment of the organisation’s capacity to adequately meet current and future

demand for its services within the current and projected financial constraints. The Lead Officer would be Mr Philip Barr, Managing Director of SB Cares.

- (b) IT within Scottish Borders Council - the proposed outcome was to confirm that the deliverables set out in the ICT programme were in place to deliver the business transformation programme and other corporate plan outcomes of the Council. Following discussion, Members agreed that Business World/ERP would be incorporated into a combined presentation on both of these items. The Lead Officer would be Mr David Robertson, Chief Financial Officer.
- (c) Waste Disposal Plant at Easter Langlee – it had been suggested this was the subject of an information briefing for all Members as part of the Members Development Programme. Following discussion, Members agreed that this item be deferred until the decision of the Planning and Building Standards Committee was known.
- (d) Managing Risk within Major Capital Projects – Members agreed that this be the subject of an information briefing for all Members as part of the Members Development Programme and that it could be brought into the Scrutiny Work Programme for review at a later date if required.
- (e) Community Access to Schools - the proposed outcome was to ensure that community groups and the public were aware of and able to make full use of available infrastructure in schools for learning, leisure and sport. Members were advised that when new schools were being built, the facilities available within the campus would be made available to the whole community and that these arrangements would be communicated to the wider public at that time. The Lead Officer would be Mr Martin Joyce, Service Director Assets & Infrastructure.
- (f) Provision of Janitorial and Cleaning Services – Members agreed that this would be the subject of an information briefing for all Members as part of the Members Development Programme.
- (g) Provision of Services by SB Cares – Members agreed that this be combined with the presentation on Health and Social Care Integration Joint Board referred to in paragraph 2.3(a) above.
- (h) Provision of Services by Live Borders – Members agreed that this item would be the subject of an information briefing for all Members as part of the Members Development Programme and that it would include information on the performance of Live Borders in relation to the aims and targets set within Live Borders Business Plan and evaluate the organisation’s relative performance across its broad remit to provide leisure, sport, cultural and community services.
- (i) Contract Management – Members agreed that this item be deleted from the Scrutiny work programme.
- (j) Following the Public Pound – Members agreed that the outcome of this would be to assess whether adequate and robust governance mechanisms and procedures were in place to protect the Council’s interest when administering public funding through a third party, and, where required, strengthen these procedures to ensure that the Council could comprehensively ensure good governance of public funds through third parties. During discussion, Members were advised that strict processes were in place in relation to Following the Public Pound, including those required for any Community Grant funding by SBC. It was agreed that a briefing for Members be provided on how “value for money” was measured across the range of grant funding available from the Council. The Lead Officer would be Jenni Craig, Service Director Customer and Communities.

- (k) Performance Criteria and Outcomes on Common Good Funds – the Committee was advised that the Trustees of the Common Good Funds ie the Elected Members made the decisions as to whether grants were managed in a sustainable way for future generations and this was not a matter for Scrutiny review. It was agreed that this item be removed from the Scrutiny work programme and further work be progressed out-with the Committee to look at how all Common Good Funds operated across the area.
 - (l) Business World/ERP – Members agreed that this would be incorporated into the presentation on IT within Scottish Borders Council, as detailed in paragraph 2.3(b) above.
 - (m) Procurement Process – Members agreed that this would be the subject of a presentation for all Members as part of the Members Development Programme and that the item could be added to the work programme at a later date as determined by the Committee if required.
- 2.4 With reference to the proposed review on the Cost of Delivery of Services per Person across the Council, Members were advised that a “like for like” comparison across other Local Authorities would be difficult, given that Councils calculated these costs in a number of different ways. The information Members had requested could be provided using data from the Local Government Benchmarking Framework. It was agreed that this item be removed from the work programme and it was further noted that a private Members’ Briefing would be arranged in advance of publication of benchmarking data.
- 2.5 Members were advised that there were two outstanding update reports carried forward from the previous Scrutiny Committee, namely Home Schooling; and Review of 2D and 3D pitches. These reports were due for presentation in February 2018 and June 2018 respectively.
- 2.6 The amended Scrutiny work programme would be presented to the Committee on 30 November 2017 and to full Council in December 2017 for approval.

DECISION

(a) NOTED that:-

- (i) in respect of Community Access to Schools, when new schools were built, the facilities available within the campus would be made available to the whole community and that these arrangements would be communicated to the wider public at the time; and**
- (ii) a private briefing would be provided to Members prior to the publication of the Local Government Benchmarking Framework data.**

(b) AGREED:-

- (i) the following items be included in the Scrutiny Work Programme:**
 - (1) Health and Social Care Integration Joint Board and the provision of services by SB Cares;**
 - (2) IT within Scottish Borders Council;**
 - (3) Community access to schools;**
 - (4) Update report on Home Schooling; and**

- (5) Update report on 2D and 3D pitches;**
- (ii) that Members receive briefings as part of the Members Development Programme on the following:**
 - (1) Waste Disposal Plant at Easter Langlee;**
 - (2) Managing Risks within Major Capital projects;**
 - (3) Provision of Janitorial and Cleaning services;**
 - (4) Provision of services by Live Borders;**
 - (5) How Value for Money is measured against the range of grant funding provided by Council; and**
 - (6) Procurement processes.**
- (iii) the following items not be taken forward for consideration by the Audit and Scrutiny Committee:**
 - (1) Contract Management;**
 - (2) Performance Criteria and Outcomes on Common Good Funds; and**
 - (3) Cost of Delivery of Services per Person across the Council; and**
- (iv) a report be presented to Audit and Scrutiny Committee at its meeting on 30 November 2017 with details of the final Scrutiny Work Programme.**

Meeting concluded at 10.50am.

SCRUTINY WORK PROGRAMME 2017-2018

Report by Chief Executive

AUDIT AND SCRUTINY COMMITTEE

30 November 2017

1 PURPOSE AND SUMMARY

- 1.1 **This report seeks approval for areas for Scrutiny review as part of a future Scrutiny work programme to be approved by Council.**
- 1.2 As detailed in the Scheme of Administration, the Audit and Scrutiny Committee is required to develop an annual programme of work for approval by Council. There are a number of ways in which the Audit and Scrutiny Committee can proceed with reviews – either by Information Briefing, Hearing, or Working Group review.
- 1.3 At its meeting on 26 October 2017, members of the Audit and Scrutiny Committee refined their proposals for areas for further review. The final proposed Work Programme is detailed in the Appendix to this report.
- 1.4 While it would be normal practice to submit an annual work programme to Council, it is proposed that due to the timing of the proposals, the work programme takes place over 15 months. Any other areas submitted for review in that period will be considered by Audit and Scrutiny Committee and approval sought from Council for inclusion in the work programme as appropriate.

2 RECOMMENDATIONS

- 2.1 **I recommend that the Audit and Scrutiny Committee agrees:-**
 - (a) **the Scrutiny review work programme as detailed in the Appendix;**
 - (b) **to recommend approval to Council of that work programme from January 2018 to March 2019; and**
 - (c) **to consider in future - as appropriate - additional items for inclusion in the Scrutiny work programme, with Council approval, up until March 2019.**

3 BACKGROUND

- 3.1 As detailed in the Scheme of Administration, the Audit and Scrutiny Committee is required to develop an annual programme of work for approval by Council, based on the following functions within its remit:
- (a) monitoring the performance of the Authority towards achieving its policy objectives and priorities in relation to all functions of the Council;
 - (b) reviewing the effectiveness of all the Council's work against agreed standards, targets and budgets for the levels of services provided; and
 - (c) acting as a focus for value for money and service quality exercises.
- 3.2 At its meeting on 28 June 2017, members of the Audit and Scrutiny Committee suggested a number of areas for review, and requested that other Elected Members and Community Councils were also contacted at this stage to see if they had any other proposals. At its meeting on 26 October 2017, the Committee refined the proposals to include in a programme of work for approval by Council.
- 3.3 In keeping with the remit of the Committee, members need to focus on their strategic role, so it would not be appropriate for reviews to look at the detailed implementation of individual projects, which is an operational matter, but it would be appropriate for reviews to scrutinise delivery against the plan, or benefit realisation against a target. An example would be that of risk – it is fine to scrutinise risk policy process and management but not individual risk registers for projects.

4 TYPE OF REVIEW

- 4.1 There are a number of ways in which the Audit and Scrutiny Committee can proceed with reviews. The first of these is through an information Hearing. Depending on the topic for review, invitations are made to officers, portfolio holders and, if appropriate, representatives of other organisations to attend Committee meeting and make a presentation on a particular subject. Members of Audit and Scrutiny can then decide whether they are satisfied with the outcome of the review, whether to make any recommendations or consider the subject further either through a more detailed Hearing or through the setting up of a Working Group to make a more thorough investigation.
- 4.2 In a similar way to an information Hearing, a more focussed Hearing could be arranged, whereby members of Audit and Scrutiny submit in advance to officers, portfolio holders and representatives of other organisations, questions which they wish answered. At the relevant Audit and Scrutiny meeting, these pre-submitted questions would be supplemented by others, to allow members to delve deeper into the particular topic. The Audit and Scrutiny Committee could either make recommendations based on their findings or decide that the matter required the setting up of a Working Group to probe further.

- 4.3 Again, depending on the topic, the Audit and Scrutiny Committee could decide to set up a Working Group straight away as the best way to take matters forward, with a report on the findings and conclusions of the Working Group being considered by the Audit and Scrutiny Committee. Membership of these Working Groups would not just be confined to members of Audit and Scrutiny, but include other Councillors, as well as, where appropriate, representatives from other agencies. Should specialist knowledge be required, then invitations could be made to experts to address a Working Group or to become a member of, or advisor to, such a Group.
- 4.4 Any Working Group set up by the Audit and Scrutiny Committee to investigate a particular topic should be required to submit for approval of the Committee a detailed remit in advance of its work. This will ensure that the Committee can check that the Working Group has not strayed from its original remit.
- 4.5 The breadth of some reviews will need to be taken into consideration, as will the number of reviews being undertaken at any given time, to ensure that members do not become over-burdened and resources are not stretched too thinly. Depending on the subject matter, officers from various Services of the Council can provide support to Audit and Scrutiny hearings and Working Groups.

5 PROPOSED REVIEWS

- 5.1 Following the meeting on 26 October 2017, the proposed Scrutiny Work Programme items therefore are:
- (a) Health and Social Care Integration Joint Board – to be taken forward initially as a presentation to Audit and Scrutiny Committee:
 - Proposed outcome – greater understanding of how the Integration Joint Board is delivering the Health and Social Care Strategic Plan to improve the lives of Borderers and meet the growth demands in the care sector. (Lead Officer: Rob McCulloch-Graham, Chief Officer, H&SCI)
 - (b) SB Cares – to be taken forward as a presentation to Audit and Scrutiny Committee:
 - Proposed outcome – the performance of SB Cares in relation to the aims and targets set within SB Cares Business Plan. (Lead Officer (SB Cares): Philip Barr, Managing Director, SB Cares)
 - (c) Delivery of the IT Strategy and Plan within Scottish Borders Council – to be taken forward initially as a presentation to Audit and Scrutiny Committee:
 - Proposed outcome – confirm the deliverables set out in the ICT programme are in place to deliver the business transformation programme and other corporate plan outcomes (Lead Officer: David Robertson, Chief Financial Officer)

- (d) Community Access to Schools – to be taken forward as a presentation to Audit & Scrutiny Committee:
Proposed outcome – ensure community groups and the public make full use of availability of infrastructure in schools for learning, leisure and sport. (Lead Officer: Martin Joyce, Service Director Assets & Infrastructure)
- (e) Home Schooling Update - to be taken forward as a presentation giving an update on any legislative or guidance changes to home schooling requirements from the previous Scrutiny review carried out in February 2017. (Lead Officer: Donna Manson, Service Director Children & Young People)
- (f) 2G and 3G Sports Pitches Update – to be taken forward as a presentation giving an update on 2G and 3G artificial pitch provision in the Scottish Borders from the previous Scrutiny review carried out in February 2017. (Lead Officer: Martin Joyce, Service Director Assets & Infrastructure)

6 IMPLICATIONS

6.1 Financial

There are no costs attached to any of the recommendations contained in this report. Findings from reviews may have financial implications and they will be identified along with any recommendations for future action.

6.2 Risk and Mitigations

There is a reputational risk to the Council should the Audit and Scrutiny Committee propose a programme of work that is either too onerous and risks not being completed, or that it focuses on 'soft' subjects or easy options so that the programme fails to deliver sufficient independent scrutiny of the particular subject matter. Establishment of a realistic, appropriate programme of work is thus essential. Another risk could be if any outcomes or recommendations arising from reviews are too impractical or unrealistic e.g. for financial or service resources available, to be taken up or put into effect. These risks can be mitigated by ensuring each Review has a specific remit and measurable outcome.

6.3 Equalities

It is anticipated there will be no adverse impact due to race, disability, gender, age, sexual orientation or religious belief arising from the proposals in this report.

6.4 Acting Sustainably

There are no economic, social or environmental effects arising from the proposals in this report.

6.5 Carbon Management

There will be no impact on the Council's carbon emissions arising from the proposals in this report.

6.6 Rural Proofing

This is not a new or amended policy or strategy, therefore there is no requirement for rural proofing.

- 6.7 **Changes to Scheme of Administration or Scheme of Delegation**
No changes are required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

7 CONSULTATION

- 7.1 The Council's Corporate Management Team, the Chief Legal Officer, and the Chief Officer Audit and Risk, have been consulted and any comments received have been incorporated into the final report.

Approved by

Tracey Logan
Chief Executive

Signature

Author(s)

Name	Designation and Contact Number
Jenny Wilkinson	Clerk to the Council, Tel 01835 825004

Background Papers: Nil

Previous Minute Reference: Audit and Scrutiny Committee, 26 October 2017

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jenny Wilkinson can also give information on other language translations as well as providing additional copies.

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Scrutiny Work Programme 2018/19

	Review subject	Outcome/Lead Officer
1	Health and Social Care Integration Joint Board	<ul style="list-style-type: none"> Greater understanding of how the Integration Joint Board is delivering the Health and Social Care Strategic Plan to improve the lives of Borderers and meet the growth demands in the care sector. (Lead Officer: Rob McCulloch-Graham, Chief Officer, H&SCI)
2	SB Cares	<ul style="list-style-type: none"> The performance of SB Cares in relation to the aims and targets set within SB Cares Business Plan. (Lead Officer (SB Cares): Philip Barr, Managing Director, SB Cares)
3	Delivery of the IT Strategy and Plan within Scottish Borders Council	<ul style="list-style-type: none"> Confirm the deliverables set out in the ICT programme are in place to deliver the business transformation programme and other corporate plan outcomes (Lead Officer: David Robertson, Chief Financial Officer)
4	Community Access to Schools	<ul style="list-style-type: none"> Ensure community groups and the public make full use of availability of infrastructure in schools for learning, leisure and sport. (Lead Officer: Martin Joyce, Service Director Assets & Infrastructure)
5	Home Schooling Update	<ul style="list-style-type: none"> Presentation giving an update on any legislative or guidance changes to home schooling requirements from the previous Scrutiny review carried out in February 2017. (Lead Officer: Donna Manson, Service Director Children & Young People)
6	2G and 3G Pitches Update	<ul style="list-style-type: none"> Presentation giving an update on 2G and 3G artificial pitch provision in the Scottish Borders from the previous Scrutiny review carried out in February 2017. (Lead Officer: Martin Joyce, Service Director Assets & Infrastructure)