

MINUTE of MEETING of the GOVERNANCE AND RISK COMMITTEE held within WEBEX VIRTUAL MEETING ROOM, on 9 NOVEMBER 2020.

Present – Councillors Damian Timson (Chair), Lawrence Fitzpatrick, Harry Cartmill, Pauline Clark, Chris Horne, Robert Armstrong, Lay Member

In attendance – Graham Hope (Chief Executive), Graeme Struthers (Depute Chief Executive), James Cameron (Head of Education (Learning, Policy and Resources), Donald Forrest (Head of Finance and Property Services), Craig McCorriston (Head of Planning Economic Development and Regeneration), Jo MacPherson (Head of Social Policy), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager), James Millar (Governance Manager), Kim Hardie (HR Manager, Health and Safety) David Maule, Jim Jack (Head of Operational Services), Julie Whitelaw (Head of Corporate Services, AnnMarie Carr, (Head of Housing, Customer and Building Services, Sharon Leitch (Finance), Katy McBride (Housing, Customer and Building Services, Scott McKillop (Planning, Economic Development and Regeneration), Rob Allen (Social Policy).

1. DECLARATIONS OF INTEREST

Agenda Item 6, Covid-19 Governance Issues and Agenda Item 7, High Risk – Councillor Chris Horne declared an interest in these items of business in that he was a member of West Lothian Leisure Board of Directors. A specific exclusion applied, which allowed Councillor Horne to participate in these items of business.

2. ORDER OF BUSINESS

The Chair ruled that he was changing the order of business as follows:

To consider agenda items, 5, 7, 8, 9, 10, 11, 6 and 12.

The committee noted that an amended appendix had been submitted for agenda item 7 and had been circulated to members

3. MINUTE

The committee confirmed the Minute of its meeting held on 22 June 2020 as a correct record. The Minute was thereafter signed by the Chair.

4. CONCURRENT RISKS RESILIENCE AND PREPAREDNESS PLANNING

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an update to the Governance and Risk Committee on the concurrent risks identified by the council in relation to the UK's withdrawal from the EU at the end of the transition period, Covid -19 and other associated risks.

The report recommended that the committee

1. Notes the updates on the UK's trade negotiations following the UK's withdrawal from the EU;
2. Notes the latest position in relation to Covid-19 planning and guidance;
3. Notes the actions the council is taking to prepare, respond and adapt to the concurrent risks the council faces in relation to the EU Exit, Covid-19 and other associated risks over the next six-month period.
4. Agrees that a further update will be provided to a future meeting of the Governance and Risk Committee

Decision

1. To approve the terms of the report;
2. To agree that the report should be a standing item on agendas for future meetings; and
3. To agree that the report to the next meeting should provide detailed information on risks and plans associated in particular with economic downturn, public health and food safety.

## 5. MANAGEMENT OF HEALTH & SAFETY

The committee considered a report including an amended appendix, (copies of which had been circulated by the Head of Corporate Services providing information on Health and Safety incidents reported across all service areas. The report also contained annual incident statistics and a breakdown of violence and aggression incidents within Education.

The report recommended that the committee note the content of the report.

The Head of Corporate Services advised that Health and Safety had provided advice, support and guidance to all services throughout the current pandemic and would continue to support services in the interpretation and practical implementation of future changes to guidance.

In response to questions from members, officers explained the process through which decisions were made on returning to face-to-face service delivery and officers returning to the workplace after working from home. It included full engagement with the trade unions and a decision in each service after conducting a risk assessment and considering available resources.

Decision

To note the contents of the report.

6. HIGH RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing details of the council's high risks.

The report recommended that the committee:

1. Note the council's high risks, and the action being taken to mitigate them; and
2. Provide feedback to officers on the risks and the mitigating actions.

A number of questions were asked in relation to ash dieback disease and the percentage of trees that would be lost to this. It was advised that even with felling diseased trees there could be no guarantee that all the ash trees in the area could be maintained with the Woodland Trust expecting a loss of 80% loss of all ash trees.

Decision

To note the contents of the report.

7. STRATEGIC RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the council's strategic risks.

The report recommended that the committee note the council's strategic risks.

It was noted during discussion that the committee requested more detailed information in relation to most relevant strategic risks and in particular WLC023 (failure to deliver council's finance plan and risk WLC031 (West Lothian Leisure – failure to deliver financial plan).

Decision

1. To note the contents of the report.
2. To agree that the next report provide more detailed information on risk WLC023 (failure to delivery council's finance plan) and on risk WLC031 (West Lothian Leisure – failure to deliver financial plan).

8. EXTERNAL AUDIT REPORT 2019/20

The committee considered a report (copies of which had been circulated)

by the Governance Manager providing the parts of the report by the council's external auditors (EY) on the council's annual accounts which are relevant to the committee's remit.

The report recommended that the committee:

1. Note the terms of the 2019/20 Annual Audit Report which was reported to council on 29 September 2020 and that council referred the report to this committee in relation to the aspects of the wider-scope audit relevant to the committee's remit.
2. Specifically:
  - a) To note the auditors' unqualified audit opinion on the Council and Group financial statements
  - b) To note their "green" assessment of the Governance & Transparency element of the wider-scope audit and that they found the key features of good governance to be in place and operating effectively
  - c) To note their conclusion that the council responded quickly to ensure that governance arrangements were appropriate and operating effectively during the COVID-19 lockdown period
  - d) To note that there were no recommendations made requiring an action plan to be prepared in relation to any aspect of the accounts and statements
3. Note the summary of matters in the auditor' report which were relevant to the remit of this committee.
4. Note that due to the pandemic the auditors deferred some of their planned high-level Best Value plan/audit coverage until 2020/21.
5. Consider and identify any actions or recommendations made in relation to matters in the auditors' report which were relevant to the remit of this committee.

### Decision

To note the contents of the report.

## 9. COMMITTEE SELF-ASSESSMENT FEEDBACK

The committee considered a report (copies of which had been circulated) by the Governance Manager providing the results of the self-assessment undertaken by members.

The report recommended that the committee:

1. Note the results of the self-assessment questionnaire completed by members following committee's instruction on 24 February 2020.

2. To consider and identify any areas of concern and recommend appropriate actions to address them.

Decision

To note the contents of the report.

10. COVID 19: GUIDE FOR AUDIT AND RISK COMMITTEES

The committee considered a report (copies of which had been circulated) by the Governance Manager providing details of Audit Scotland's report "Covid-19: Guide for Audit & Risk Committees.

The report recommended that the committee:

1. consider the messages in Audit Scotland's report in relation to governance and risk management.
2. Note that Audit Committee on 26 October 2020 considered the themes of internal controls and assurance, and financial management and reporting.
3. Determine if further reports or information were appropriate concerning issues within the committee's remit.

Decision

To note the contents of the report.

11. GOVERNANCE AND RISK COMMITTEE WORKPLAN

To note the contents of the workplan