

At a meeting of the SCRUTINY CO-ORDINATING COMMITTEE held in COMMITTEE ROOM 1, CITY HALL, SUNDERLAND on THURSDAY, 9TH MARCH 2023 at 5.30 p.m.

Present:-

Councillor D.E. Snowdon in the Chair.

Councillors Bond, Curtis, Doyle, Mason-Gage, Mullen, H. Trueman and Watson.

Also in attendance:-

Mr Nigel Cummings, Scrutiny Officer, Law and Governance, Smart Cities and Enabling Services Directorate

Mr Paul Davies, Assistant Director of Assurance and Property Service, Finance Directorate

Ms Tracy Davis, Senior Manager - Assurance, Finance Directorate

Mr David Noon, Principal Governance Services Officer, Law and Governance, Smart Cities and Enabling Services Directorate

Ms Gillian Robinson, Scrutiny, Mayoral and Members Support Co-ordinator, Law and Governance, Smart Cities and Enabling Directorate

The Chairman welcomed everyone to the meeting.

Apologies for Absence

Apologies for absence were received from Councillors Edgeworth, Hartnack, P. Smith and D. Snowdon.

Minutes of the last meeting of the Committee held on 9th February 2023

1. RESOLVED that the minutes of the last meeting of the Committee held on 9th February 2022 (copy circulated), be confirmed and signed as a correct record.

Declarations of Interest (including Whipping Declarations)

Item 6 – Notice of Key Decisions

Councillor Doyle made an open declaration in respect of item number 220621/720 (To approve funding options in respect of development at Nile and Villiers Street Sunnyside) due to the involvement of his employer in relation to the matter on the notice regarding the development.

Council Risk Register

Paul Davies, Assistant Director of Assurance and Property together with Tracy Davis, Senior Manager -Assurance, presented a report (copy circulated) which briefed the Committee on the structure and operation of the Council's Risk Register.

(For copy report – see original minutes.)

Mr Davies advised that the item had been brought to the Scrutiny Co-ordinating Committee at the request of Councillor Mullen and whilst it was recognised that awareness of the Risk Register could help inform the Scrutiny Committee's workplan or reviews, the responsibility for oversight of the Register lay with the Audit and Governance Committee alone. He added that the 'ownership' of the risks within the Register lay with various Officers across the Authority and whilst he had a high-level overview, and would endeavour to address Members questions, there may be queries that he would have to take away and provide the Committee with a written answer.

The Committee was informed that the Key Risks to the Council were set out in two documents, the Strategic Risk Profile which set out the risks against the key areas in the Council's City plan (and which was attached as Appendix 1 to the report) and the Corporate Risk Profile (attached as Appendix 2), which set out the risks against the Council's key procedures and arrangements for managing operational day to day business. All the information included within the risk profiles was reported to Chief Officers and the Audit and Governance Committee on a quarterly basis. In addition, the Audit and Governance Committee submitted an Annual Report to Council setting out the areas of activity that it had been involved in over the previous financial year. Members wishing to view the register could do so via the CMIS system where it was publicly available.

The Chair thanked Mr Davies for his report and invited questions and comments from the Committee.

Councillor Mullen referred to Risk R11 on the Strategic Register (Unable to control variants of the Covid virus, and other communicable diseases, which could increase the spread of the infection across Sunderland) and asked why it was ranked so highly as a risk to the Council as he believed the responsibility for this lay more with Central than Local Government. Mr Davies replied that the ranking related to activities undertaken in respect of those areas that the Council could control however he would speak to the Director of Public Health regarding Cllr Mullen's comment for the next review of the Register.

With regard to Risk R04 on the Strategic Register (The qualifications and skills which Sunderland's residents have may not match the needs of industry in the city), Councillor Mullen commented that it should also reflect the need to ensure that already highly skilled and talented people also received further upskilling to meet changing demands and skills requirements across different sectors. It was an issue that he had already raised with the Chief Executive.

Councillor Mullen raised the issue of the risk of illegal activity and asked where this was covered on the Register? Mr Davies replied that it would be covered by Risk R18 (Legality) and drew the Committee's attention to this on Page 14 of the agenda.

Councillor Mullen referred to whistleblowing and stated that there had been incidents in the last three years of people being arrested for breaking the law and queried why, as a result, the risk on the register was deemed to be low? Mr Davies replied that the organisation employed thousands of people and therefore there would be incidents of wrongdoing, however across the Council as a whole, isolated cases would not change the overall position of low risk. With regards to whistleblowing, Mr Davies advised that Internal Audit would look at issues of financial irregularity and HR would look at personnel issues.

Councillor Mullen informed the Committee that while he could not go into the specifics of a case he was involved with by naming individuals or the service area, he was aware of instances where whistle blowers had had their identities revealed by Senior Council Officers dealing with the complaints. He believed this was illegal and a failure of organisational culture. Mr Davies repeated his view that the Council was a large organisation and that isolated incidents wouldn't alter the overall picture.

Councillor Mullen having asked Mr Davies if he was aware of any ongoing investigations into criminality, the Chair interjected, ruling that the Committee was not the correct forum to ask such a question. Mr Davies advised Councillor Mullen that if he had any concerns in that regard, he should raise them with the Monitoring Officer.

Councillor Mullen having placed on record that he strongly disagreed with the low rating in respect of Risk R18, turned to the issue of how safeguarding was managed in relation to asylum seekers. He asked what risk assessment were undertaken for example in terms of who was placed where and age verification. Mr Davies advised that it was not an issue covered by the Strategic Risk Register however he would refer Councillor Mullen's question to Graham Scanlon, Assistant Director of Housing Services, for a written answer.

Councillor Mason-Gage asked who was responsible for identifying the risks, suggesting that it was perhaps a case of the more people involved the better, on the basis 'that you don't know what you don't know.' Ms Davis replied that the risks presented in the registers before the Committee were at a high level and were identified working with the Chief Officer leads and appropriate Senior Officers. The Risk Register was a live document and was reviewed on a quarterly basis. With regard to the Corporate Risk Register there would be a greater number of risks that would fall lower than Director level. Mr Davies added that these lower level risks would be covered in other service or project risk assessments.

In response to an enquiry from Councillor Watson, Ms Davis confirmed that information regarding risk would occasionally be shared between Local Authorities and information would also be provided from external auditors. Councillor Watson also asked, were there any particular trends with regard to the overall levels of risk? Ms Davis replied that for example, the levels of risk in respect of delivering city regeneration were showing a downward trend as construction continued on sites like Riverside Sunderland. Risks in relation to the health and wellbeing of residents were remaining high in light of the cost of living crisis. The only risk that was currently showing an increase related to the ability of the city as a whole to meet its carbon reduction targets. This was not due to a lack of activity on the Council's part but was a recognition of how difficult it is to achieve given that it relies in some part on people changing their behaviours.

Councillor Bond expressed his concerns regarding the ability to fund adult social care and could not understand how the ratings with regard to Risks R12 and R13 were low given that the funding of the sector was one of the biggest challenges facing local authorities nationwide. Mr Cummings, Scrutiny Officer, advised that concerns regarding the issue were being considered by a Working Group of the Health and Wellbeing Scrutiny Committee which was looking into the Challenges of Adult Social Care in Sunderland. Councillor Bond as a Member of that Group confirmed that he would continue to raise his concerns in that forum. In response to an enquiry from Councillor Curtis, Mr Cummings added that if any Members of this Committee had any questions that they wished him to raise at the Working Group on their behalf, they should email him directly.

Councillor Doyle referred to R16 in the Corporate Risk register (VFM) and asked if there was anything used to monitor VFM in relation to other areas of risk such as the disposal of land. Mr Davies advised that he believed that this would come under 'Asset Management (R47)'. Having checked the Register he noted that disposal of land wasn't specifically mentioned under R47 but confirmed that this was where it would sit and that he would specifically reference it in future. Councillor Doyle then alluded to an agreement between Siglioni and the Council when Siglioni was established in 2014 regarding minimum land receipts which as a result led to some land disposals being undertaken in a way that did not secure best value. He asked would that not be an appropriate issue to look at. Mr Davies replied that he would take Councillor Doyle's point away.

There being no further questions or comments, the Chairman thanked Mr Davies and Ms Davis for their attendance and it was:-

2. RESOLVED that the report be received and noted:-

Annual Scrutiny Work Programme 2022/23

The Scrutiny, Mayoral and Member Support Co-ordinator submitted a report (copy circulated) attaching, for Members' information, the thematic Scrutiny Committee work programmes for 2022/23 and which provided an opportunity to review the Committee's own work programme for 2022/23.

(For copy report – see original minutes.)

Mr Nigel Cummings having presented the report, updating Members on the current position regarding the Work Programmes of the Scrutiny Committees, it was :-

3. RESOLVED that the Scrutiny Committees' work programmes for 2022/23 and the variations to these work programmes be noted, together with the current scrutiny budget position.

Notice of Key Decisions

The Scrutiny, Mayoral and Member Support Co-ordinator submitted a report (copy circulated), providing Members with an opportunity to consider those items on the

Executive's Notice of Key Decisions for the 28-day period from 15th February 2023 together with two supplementary notices issued thereafter.

(For copy report – see original minutes.)

Consideration having been given to the report, it was :-

6. RESOLVED that the Notice of Key Decisions be received and noted.

The Chairman then closed the meeting, having thanked everyone for their attendance and contributions.

(Signed) D. E. SNOWDON,
Chairman.