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SCOTLAND'S PROSECUTION SERVICE

# COPFS and QLTR Audit and Risk Committee

## Minutes of the meeting held on 24 November 2021

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## **COPFS and QLTR Audit and Risk Committee**

**Minutes of the meeting held on 24th November 2021**

**(via MS Teams)**

### **Present:**

#### **Members**

Robert Tinlin	Non-Executive Director (Chair)
David Watt	Non-Executive Director
Vanessa Davies	Non-Executive Director

#### **In Attendance**

David Harvie	Crown Agent, Chief Executive and COPFS Accountable Officer
Robert Sandeman	QLTR Accountable Officer
Ian Walford	COPFS Deputy Chief Executive
Gillian Woolman	Audit Director, Audit Scotland
Jim Montgomery	Audit Manager, SG Internal Audit Directorate
William Wilkie	Senior Auditor, SG Internal Audit Directorate
Marlene Anderson	COPFS Director of Finance and Procurement
Nikolas Koutris	COPFS Head of Financial Accounting & Finance Systems
Sharon Davies	COPFS Head of Management Accounting and Planning
Ian Palmer	COPFS Secretariat

#### **Apologies**

Esther Scoburgh	Senior Audit Manager, Audit Scotland
Taiba Hussain	Senior Auditor, Audit Scotland

### **1. Welcome / Apologies / Introductions / Declarations of Interest and Feedback on pre-meetings**

The Chair welcomed the group

There were no declarations of interest.

There was no feedback of any pre-meetings.

## 2. Minutes of the Previous Meeting

The minutes of the ARC meetings held on 25th August and 22nd September 2021 were approved.

**Action: Secretariat to arrange for the approved minutes to be published on COPFS website and action tracker updated with publication date.**

## 3. Matters Arising / COPFS ARC Action Tracker

General discussion in relation to progress with tracker items. The committee noted most have now been completed. Secretariat will update tracker accordingly.

## 4. Audit Action Tracker – Internal/External Audit

It was noted that the RAG Status (Red Amber Green) traffic light system incorporated in the tracker has been enhanced to provide clarity.

Finance Governance and Sustainability will have a follow up audit in Quarter 4.

It was agreed that the publication date of each set of approved Committee minutes would be reported at each ARC meeting.

## 5. Finance Update 2021-22 and 2022-23

MA presented paper ARC(2021) 53.

It was noted that potential underspends are to be redeployed into areas of the business where the most significant pressure has been identified.

Progress continues in the recruitment of staff to all budgeted posts.

It was noted that the Pay Settlement has not yet been concluded and any additional costs will need to be borne from the existing budget.

Overtime is currently over-budget This is being offset by savings in staffing costs made through management of vacancies.

The committee noted contents of the paper.

## 6. COPFS Update

DH (CA) gave a verbal update which covered issues including:

## **Spending Review**

DH(CA) gave an overview of the current position. It was agreed that it is a constantly moving picture and things can change significantly between now and end of the month. Further conversations likely with Ministers and others.

## **High Profile and Serious Cases**

General update given and noted.

## **COP 26**

DH (CA) grateful for the contribution made by COPFS and the excellent interagency cooperation that took place during the event. Well focussed contingency planning had allowed things to go relatively smoothly from the CJ partners perspective.

## **COVID 19**

Additions to the existing AD cadre is assisting the implementation of Evidence on Commission to help minimise delays for vulnerable witnesses giving evidence.

Forensic Toxicology – update to be given in December with a view to further discussion.

Court Recovery Programme is making gradual improvements.

## **7. QLTR Update**

BS gave a general update.

On case volumes. National Ultimus Haeres Unit (NUHU) advise they are at sufficient capacity both in terms of staffing and PPE to meet expected spikes over the winter period, and his own department is keeping an eye on case volumes and company dissolution data.

ARC met with COPFS, QLTR and associated parties on 18 November 2021 to discuss matters in relation to the Property Transfer Scheme.

BS gave a brief overview of that meeting and progress was noted.

### **Action:**

**BS to present a further update re Property Transfer Scheme to the ARC May 2022 meeting.**

## **8. Risk Management Update**

DW provided an update.

The following papers were noted:

**ARC (2021) 55** RMG Meeting Minutes October 2021

## **ARC (2021) 56** RMG Meeting Minutes September 2021

General discussion followed. It was agreed that issues would be further explored at the Risk Management Workshop to be held by MS Teams on 26 November 2021.

## **9. Internal Audit**

**WW presented (ARC 2021) 57** DIAA Progress Report and general discussion followed.

The following papers were noted for information:

**(ARC 2021) 58** IA Guidance Note – Assurance Mapping

**(ARC 2021) 59** Quarterly Bulletin – Cybersecurity

**(ARC 2021) 59A** Cyber GIAA

**(ARC 2021) 59B** EY Thought Leadership

In relation to Cybersecurity it was agreed that it would be useful for ARC to be given further insight into what action COPFS are taking in this regard. This could include the COPFS Chief Digital Officer (Keith Dargie) giving an update at a future ARC Meeting, exploring BPIC papers and the RMG Deep Dive.

Internal audit, they advised of a change to the programme of audit work, moving Toxicology to Q1 2022-23 and bringing forwards Future Ways of Working.

### **Action**

**IW(DCE) to discuss Cybersecurity ARC update with Keith Dargie**

## **10. HM Inspectorate of Prosecution Annual Report**

**HM Inspectorate Report on Inspection of Management by COPFS of Criminal Allegations against the Police (CAAP)**

The above reports were noted, and general discussion followed.

### **Action:**

**DH(CA) to advise the February 2022 ARC meeting of the COPFS response to the HM Inspectorate CAAP Management Report and thereafter give updates on recommendations progress.**

## **11. Assurance Mapping: Group 3 Update**

ARC welcomed the progress being made in relation to:

3.1 Financial Management;

3.2 Procurement;

3.4 Fraud.

In relation to section 3.3 (Information including Data Loss), ARC observed that the content and presentation of the update requires further development.

**Action: IW (DCE) to discuss content and presentation of section 3.3 update with COPFS Chief Digital Officer.**

**Action**

**Agreed that ARC Members will review the expected content and presentation of these reports with DFP.**

## **12. AOB**

MA reported that work is ongoing in preparing the design aspects of the COPFS Annual Report and Accounts (20-21) for publication. ARC will be updated with progress.

MA proposed that the ARC meeting to approve the COPFS Annual Report and Accounts (21-22) be held in August 2022. This was agreed.

## **13. Next Meeting**

ARC will next meet on 23<sup>rd</sup> February 2022 at 11 am.

**Subsequently changed to 3 March 2022 at 2pm**

COVID regulations permitting, it will take place in Crown Office, Edinburgh.