

EAST AYRSHIRE COUNCIL**GOVERNANCE AND SCRUTINY COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 11 MARCH 2011 AT 0933 HOURS
IN MEETING ROOM 1, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Tom Cook, John McGhee, Helen Coffey, John Campbell, Alan Brown, Stuart Finlayson, Jimmy Kelly and Elaine Dinwoodie.

ATTENDING: Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Alex McPhee, Executive Director of Finance and Corporate Support; Craig McArthur, Head of Finance; Malcolm Roulston, Head of Information Technology and Asset Management; David Mitchell, Head of Legal, Procurement and Regulatory Services; Andrew Sutherland, Head of Service: Schools; Ian McArthur, Health and Safety Manager; Simon Bell, Project Delivery Manager; Paul Todd, Regulatory Services Manager; and Stuart Nelson, Administrative Officer.

ALSO ATTENDING: Dr Jane Cooper, Consultant in Public Health Medicine, NHS Ayrshire and Arran.

APOLOGIES: Councillors Willie Coffey, Eric Ross and Drew Filson.

CHAIR: Councillor Tom Cook, Chair.

CHAIR'S REMARKS

1. The Chair introduced and welcomed to the meeting Dr Jane Cooper, Consultant in Public Health Medicine with NHS Ayrshire and Arran and explained that Dr Cooper was in attendance in respect of Item 8 on the Agenda - "Joint Health Protection Plan 2010-2012" in order to respond to any questions which Members may have relative to the NHS Ayrshire and Arran perspective.

ORDER OF BUSINESS

2. The Chair advised that Item 8 on the Agenda - "Joint Health Protection Plan 2010-2012" would be dealt with immediately following Item 2 - "Matters Arising Update Report", and this was noted.

PREVIOUS MINUTES

3. There were submitted and approved as a correct record, the Minutes of the Meeting held on 11 February 2011 (circulated).

The Chair confirmed, and it was noted, that, with regard to Item 2 (i), it was anticipated that a report by the Alcohol and Drugs Partnership on the relative needs identified at National Outcome 6 "We Live Longer, Healthy Lives - Alcohol and Drugs Agenda" and the response by partners, would be submitted to this Committee at the next meeting; with regard to Item 4(i), information on the level of staff absence due to stress arising from work related reasons and personal reasons was provided within the Matters Arising Update Report at Item 2 on the agenda; and that with regard to Item 6(iii) the Executive Director of Educational and Social Services had provided him with further information with regard to the issuing of tenders for the construction of the new Gargieston Primary School.

MATTERS ARISING UPDATE REPORT

4. There was submitted and noted a report dated 25 February 2011 (circulated) by the Executive Director of Finance and Corporate Support which provided a response to an information request made at the last meeting.

SCRUTINY

JOINT HEALTH PROTECTION PLAN 2010-2012 (Item 5, Page 1519, 07/12)

5. There was submitted a report dated 24 February 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised of the Joint Health Protection Plan 2010 – 2012 prepared by NHS Ayrshire and Arran in conjunction with North, South and East Ayrshire Councils.

In the course of discussion, the Head of Legal, Procurement and Regulatory Services, the Regulatory Services Manager and Dr Jane Cooper, provided clarification on a range of matters raised by Members relative to the following, namely:-

- the nature of the day to day working arrangements which exist between NHS Ayrshire and Arran and East, South and North Ayrshire Councils in this area of operational activity;
- the involvement and role of General Practitioners;
- detailed arrangements for the inspection of premises by the Environmental Health Service, and the impact of recent restructuring of staffing resources within Regulatory Services;
- the arrangements in place for quality sampling of private water supplies and the powers available to the Council in this regard;
- the absence of evidence to support the perception of higher rates of cancer within the local area arising from the Chernobyl incident a number of years ago; and
- the local position with regard to swine flu risk.

It was agreed:-

- (i) to note the terms of the Ayrshire and Arran Joint Health Protection Plan 2010-2012, as set out in Appendix 1 to the report;
- (ii) to note the statutory arrangements for review of the Health Protection Plan to ensure resilience in responding to public health incidents;
- (iii) to note the joint collaborative working arrangements between the NHS and the local authorities in preparation and implementation of the Plan;
- (iv) that the Executive Director of Finance and Corporate Support provide, within the Matters Arising Update report to the next meeting, a breakdown of the type and number of premises at which inspections and sampling of private water supplies are carried out by the Environmental Health Service; and
- (v) otherwise, to note the terms of the report.

PERFORMANCE

2009/2010 STATUTORY PERFORMANCE INDICATORS

6. There was submitted a report dated 10 March 2011 (circulated) by the Executive Director of Finance and Corporate Support which (i) presented the Council's 2009/2010 Statutory Performance Indicators (SPIs), with comparative performance information for previous years, and contextual information on performance trends; and (ii) provided summary information on the Council's position in relation to all other Scottish Councils for the 2009/2010 SPIs as reported by Audit Scotland.

During discussion, the Officers concerned provided clarification in respect of the following matters raised by Members, namely:-

- the nature of the information provided within Indicator 13: Sickness Absence, which was a national indicator, and the availability of other related information on this aspect;
- the wider societal factors which may impact upon Indicator 65: Domestic Noise Complaints;
- assessment of the quality of care delivered by Home Carers employed by East Ayrshire Council;
- the number of pupils in East Ayrshire with additional support needs;
- the work which was being undertaken by the Council, in conjunction with partners, to promote skills development and employment opportunities, including for school leavers;
- the review of the operational arrangements for Occupational Therapy Services to ensure a more effective and continuing high quality service;
- the need to accommodate an appointments system within the Housing Repairs Service and the impact of this on the reported outcomes for Indicator 55: Repairs to Council Dwellings;
- the merit of the cost information provided within Indicator 10: Winter Maintenance;
- the sharing of information between the range of Council services about individuals who require to relinquish the tenancy of a Council house due to imprisonment;
- the factors influencing the number of visits by members of the public to swimming pools and museums, including the Dick Institute and the Baird Institute during 2009/2010;
- the current in year performance in relation to Indicator 44: Planning Applications, which showed a continued improvement and the approach which would be pursued to ensure high levels of performance in this area in the event of an economic upturn and receipt of increased numbers/value of planning applications;
- the approach adopted by the Risk Management Centre in dealing with reports from the public about failures to temporary traffic lights;

- the factors influencing the relative performance of East Ayrshire Council compared to other Scottish Councils, as indicated within Appendix 3 to the report; and
- the impact upon those indicators relating to homelessness of individuals who, for whatever reason, do not wish to be housed.

It was agreed:-

- (i) to note the Council's performance for 2009/10 in relation to the National and Local Statutory Performance Indicators and the performance trends for each;
- (ii) to note East Ayrshire's comparative performance in respect of the National Statutory Performance Indicators relative to other Scottish Councils, as reported by Audit Scotland in the Council Compendium;
- (iii) to note the changes to Audit Scotland's reporting arrangements for 2009/10;
- (iv) that the Depute Chief Executive/Executive Director of Neighbourhood Services provide within the Matters Arising Update Report to the next meeting, the following information, namely:-
 - (a) arising from Indicator 73: Street Lighting/Traffic Lights, the number of street lighting columns for which the Council is responsible, both metal columns and concrete columns;
- (v) that the Executive Director of Finance and Corporate Support provide, within the Matters Arising Update Report to the next meeting, the following information, namely:-
 - (a) arising from Indicator 2: Freedom of Information, the number of Freedom of Information requests received during the years 2007/08 to 2010/11;
 - (b) arising from Indicator 5: Invoices, which service areas of the Council have been identified as performing less well against this Indicator;
 - (c) arising from Indicator 16: Assets, an explanation of the criteria used to assess the suitability of accommodation;
 - (d) arising from Indicator 24: Accessibility, the percentages for this Indicator excluding new build properties;
 - (e) arising from Indicator 65: Domestic Noise Complaints, the numbers of complaints made against the same perpetrators/properties; and
 - (f) arising from Indicator 69: Food Hygiene Inspections, a breakdown of the number of premises included within each of the two frequency categories (6 months and 12 months);
- (vi) that the Executive Director of Educational and Social Services provide, within the Matters Arising Update Report to the next meeting, the following information, namely:-
 - (a) arising from Indicator 18: Occupancy, the occupancy rates for classroom accommodation, expressed as square metres per pupil;
 - (b) arising from Indicator 33: Accessibility, the target time for carrying out an Occupational Therapy Assessment; and

- (c) arising from Indicator 34: Staff Qualifications, the percentage of Personal Carers employed by the private sector within East Ayrshire who are qualified to SSSC Standards;
- (vii) that the Depute Chief Executive/Executive Director of Neighbourhood Services would discuss with Councillor Stuart Finlayson, outwith the meeting, the relationship between the information provided within Indicator 70: Roads Maintenance and the information provided on this area of responsibility to Cabinet at the last meeting;
- (viii) that arising from Indicator 1: Complaints, Officers give consideration to the future inclusion of information on the number of informal complaints received by the Council, and that this aspect be considered within the review of the Council's complaints processes;
- (ix) that, arising from Indicator 17: Energy Performance, officers give consideration to the future inclusion of the percentage of buildings rated in all categories from "A" through to "G", as featured within the Energy Performance Certificates;
- (x) that, arising from Indicator 9: School Meals, future reporting of this Indicator include information on the number of school meals provided, in numerical terms and as a percentage of school roles; and
- (xi) otherwise, to note the terms of the report.

2010/2011 STATUTORY PERFORMANCE INDICATORS REPORTING FRAMEWORK

7. There was submitted a report dated 28 February 2011 (circulated) by the Executive Director of Finance and Corporate Support which informed of the results of the Annual Review of the Council's Statutory Performance Indicator (SPI) reporting framework, and sought approval for the improved reporting framework for 2010/2011.

It was agreed:-

- (i) to approve the Council's revised 2010/11 Statutory Performance Indicator reporting framework, including the amendments as set out in Section 3 of the report, subject to the officers concerned giving further consideration to retention of information relative to age of client within the indicators relative to respite care;
- (ii) to note that reference within the report to the Concordat agreement between the Scottish Government and Councils was no longer current; and
- (iii) otherwise, to note the terms of the report.

GOVERNANCE

RELATED PARTY DISCLOSURES (Item 1.1.2, Page 1380, 07/12)

8. There was submitted a report dated 25 February 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised of the accounting and disclosure requirements associated with related party transactions and

recommended changes to the current practice to augment the Council's governance arrangements.

It was agreed:-

- (i) to expand the annual related parties assurance exercise to Elected Members, with appropriate support and guidance being offered; and
- (ii) otherwise, to note the terms of the report.

SCRUTINY

AWARDING OF CONTRACTS - PERIOD FROM 21 DECEMBER 2010 - 25 FEBRUARY 2011

9. There was submitted and noted a report dated 22 February 2011 (circulated) by the Executive Director of Finance and Corporate Support which provided, for information, details of tenders which have been accepted on behalf of the Council for the period from 21 December 2010 - 25 February 2011.

Arising from discussion, also noted that the Depute Chief Executive/Executive Director of Neighbourhood Services would confirm to Councillor Jimmy Kelly, outwith the meeting, the insurance arrangements relative to the costs incurred in reinstatement of a bus shelter located at Miller Road, Muirkirk, which had been damaged by high winds.

HEALTH AND SAFETY PERFORMANCE UPDATE REPORT 2010/2011: QUARTER 2 (Item 4E, Page 1526, 07/12)

10. There was submitted a report dated 1 March 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided information relating to Health and Safety Performance for Quarter 2: 2010 (July to September 2010).

Councillor Helen Coffey left the meeting at this point.

The Depute Chief Executive/Executive Director of Neighbourhood Services and the Health and Safety Manager provided further information on the following matters, in response to questions put by Members, namely:-

- notwithstanding a recorded decline in the level of reporting of near misses, the effectiveness of training for staff throughout the Council on health and safety aspects and an increasing awareness of the need for incident reporting;
- targeted action to respond to situations where an increase in particular injuries is identified;
- the number of Corporate Safety Advisors and Health and Safety Co-ordinators employed by the Council;
- arrangements for accident investigations, including those involved;
- the type of staff benefitting from Harness Awareness - Elevated Platforms Training and Working at Heights Toolbox Talks;
- those staff undertaking NEBOSH Training;

- the relationship between the Corporate Health and Safety Section and the rest of the Council's workforce, and the role of all employees in relation to Health and Safety;
- the awareness of Head Teachers of the need for health and safety risk assessments for their establishments and health and safety issues generally; and
- arrangements for regular visits by the Corporate Safety Team to sites operated by contractors carrying out work on behalf of the Council, including unannounced spot checks.

It was agreed:-

- (i) to note the position in relation to Health and Safety at Quarter 2, 2010/11 in comparison to Quarter 1, 2010/11 and the comparative reporting periods in 2009/10;
- (ii) to note the proactive and reactive management actions taken in respect of the matters identified;
- (iii) to note the further information provided by the Depute Chief Executive/Executive Director of Neighbourhood Services and the Health and Safety Manager;
- (iv) that the Depute Chief Executive/Executive Director of Neighbourhood Services arrange for future reports of this kind to include a breakdown of the number of verbal and of physical incidents experienced by Council staff arising from violence and aggression;
- (v) that the Depute Chief Executive/Executive Director of Neighbourhood Services provide, within the Matters Arising Update Report to the next meeting, information on the Departments/Sections within which those employees who have benefited from COSHH Toolbox Talks and Manual Handling Training, are employed;
- (vi) that the Depute Chief Executive/Executive Director of Neighbourhood Services continue to report regularly to this Committee on the matters contained within the report; and
- (vii) otherwise, to note the terms of the report.

PRIORITIES FOR RAISING ATTAINMENT IN EAST AYRSHIRE SCHOOLS AND EARLY YEARS ESTABLISHMENTS: PROGRESS REPORT ON FIRST YEAR OF IMPLEMENTATION

11. There was submitted a report dated 27 January 2011 (circulated) by the Executive Director of Educational and Social Services which updated and sought approval for the actions taken in year one of the report: Priorities for Raising Attainment in East Ayrshire Schools and Early Years Establishments (2009-2012).

During discussion, the Head of Service: Schools, provided further information and clarification in response to matters raised by Members relative to the following, namely:-

- the relative performance of a number of schools within the Doon Valley area and the factors influencing such performance as indicated within Appendix 1 to the report;

- the importance to a child's educational attainment of parental support, and associated initiatives such as the Nurture Programme and Girfec;
- the impact of a range of factors on a child's educational attainment including socio-economic aspects and quality of teaching; and
- joint working with partners to ensure relevant and appropriate final destinations for school leavers.

It was agreed:-

- (i) to approve the actions taken by educational establishments and the Department of Educational and Social Services in session 2009-2010 to continually improve attainment and achievement across all of its educational establishments;
- (ii) to note the progress made with regard to attainment, achievement, attendance, exclusions and leaver destinations during 2009-2010;
- (iii) that the Executive Director of Educational and Social Services continue to report annually on progress made against the benchmark performance set out in the original report; and
- (iv) otherwise, to note the terms of the report.

FINANCE AND SERVICE STRATEGY REPORT BASED ON PERIOD 11 (6 FEBRUARY 2011)

- 12.** There was submitted a report dated 2 March 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised of the projected financial position for the year based on expenditure to 6 February 2011 (period 12) and information provided by Executive Directors.

During discussion, the relevant Officers responded to questions from Members on the undernoted matters, namely:-

- budgetary arrangements for funding of the new Road Salt Store during 2011/12; and
- arrangements put in place to continue with progress in reducing the number of live housing repairs within the current year's HRA budget.

It was agreed:-

- (i) to note the recommendations to Cabinet on 9 March 2011 as set in Section 6 of the report;
- (ii) that the Executive Director of Finance and Corporate Support and the Depute Chief Executive/Executive Director of Neighbourhood Services provide within the Matters Arising Update Report (a) to the meeting to be held on 28 April 2011, information on the total costs incurred in 2010/11 though approved severance packages taken up by Council employees; and (b) to the next meeting, further details on the type and number of jobs included within the live housing repairs jobs list; and
- (iii) otherwise, to note the terms of the report.

The meeting terminated at 1319 hours.