

## EAST AYRSHIRE COUNCIL

### GOVERNANCE AND SCRUTINY COMMITTEE

#### MINUTES OF MEETING HELD ON FRIDAY 20 NOVEMBER 2009 AT 1035 HOURS IN NETHERTHIRD COMMUNITY CENTRE, RYDERSTON DRIVE, CUMNOCK

**PRESENT:** Councillors Tom Cook, Helen Coffey, Willie Coffey, Alan Brown, Stuart Finlayson, Jimmy Kelly, Barney Menzies, Eric Ross and Drew Filson.

**ATTENDING:** Graham Short, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services, Alex McPhee, Executive Head of Finance and Asset Management; Eddie Fraser, Head of Service: Community Care; Martin Rose, Head of Human Resources; Malcolm Roulston, Head of Information Technology; David Mitchell, Head of Legal, Procurement and Regulatory Services; Gwen Barker, Community Planning and Partnership Manager; Julie McGarry, Administration Manager; David McDowall, Building Standards Manager; and Stuart Nelson, Administrative Officer.

**APOLOGIES:** Councillors John Campbell and Elaine Dinwoodie.

**CHAIR:** Councillor Tom Cook, Chair.

#### PREVIOUS MINUTES

1. There were submitted and approved as a correct record, the Minutes of the meeting held on 23 October 2009 (circulated).

#### 1.1 Matters Arising

##### 1.1.1 Exclusion from Schools in East Ayrshire 2008/2009 (Item 1.1.2, Page 902, 07/12)

Noted, as advised by the Chair, that he had consulted with the Head of Service (Schools) regarding identification of a means of providing a measurement of pupil conduct/behaviour over time. Initial discussions indicated that there were various factors which might preclude the production of reliable information in this area, however, the matter would be subject to further examination.

##### 1.1.2 New Cumnock Primary School (Item 8, Page 905, 07/12)

Arising from discussion, it was agreed that the Executive Head of Finance and Asset Management provide a report to the next meeting giving detailed information on the reasons for the delay in progressing the project for replacement of Cairnhill and Castle Primary Schools, New Cumnock, and setting out arrangements for the ongoing provision of information to Elected Members on this project.

#### MATTERS ARISING UPDATE REPORT

2. There was submitted and noted a report dated 6 November 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided the Committee with a consolidated response to information requests made by Members at previous meetings.

## PERFORMANCE

### SINGLE OUTCOME AGREEMENT ANNUAL PERFORMANCE REPORT 2008/2009

3. There was submitted a report dated 11 November 2009 (circulated) by the Chief Executive which presented for consideration and review the first Annual Performance Report 2008/09 in respect of the East Ayrshire Community Planning Partnership Single Outcome Agreement (SOA).

During discussion, Members raised issues relative to the undernoted matters which were responded to by the appropriate Officers, namely:-

- the use of feedback on the Single Outcome Agreement provided at the Improvement Seminar for Members held on 28 September 2009, and future reporting arrangements;
- the reasons for the decision of the Scottish Government's Justice Committee to close the District Court in Cumnock; and the implications for employees;
- meetings of the Community Planning Partnership Board, the Community Health Partnership and the Ayrshire and Arran Alcohol and Drug Action Team being held in public;
- management approaches which would be required in Primary Schools to accommodate maximum class sizes of 18; and
- the level of funding provided to the Education Service under the Fairer Scotland Fund.

It was agreed:-

- (i) to note that the first SOA Annual Performance Report on progress made in 2008/2009 had been approved by both the Cabinet and the Community Planning Partnership Board on 30 September 2009 and submitted to the Scottish Government thereafter;
- (ii) to note the proposals to work towards the integration of reporting on the Community Plan Action Plan Annual Performance Reports with the SOA reporting process, where possible;
- (iii) to note the key strategic priorities/local outcomes linked to the SOA, which had been agreed by the CPP Board;
- (iv) to receive future SOA Annual Performance Reports as part of the Committee's future work programme;
- (v) to note that the Chief Executive would provide a report back to both Cabinet and this Committee on the actions being taken from a Council perspective to improve performance;
- (vi) that the Head of Legal, Procurement and Regulatory Services confirm the status of the decision taken by the Justice Committee to close the District Court in Cumnock;
- (vii) that the Executive Head of Finance and Asset Management provide further information on the level of funding provided to the Council's Education Service through the Fairer Scotland Fund; and

(viii) otherwise, to note the terms of the report.

#### **AUDIT SCOTLAND REPORT - IMPROVING CIVIL CONTINGENCIES PLANNING**

4. There was submitted a report dated 11 November 2009 (circulated) by the Executive Director of Neighbourhood Services which advised on the findings of the Audit Scotland report "Improving Civil Contingencies Planning", which was published in August 2009.

It was agreed:-

- (i) to note the action being taken to meet the findings of the Audit Scotland report; and
- (ii) otherwise, to note the terms of the report.

#### **AUDIT SCOTLAND - MAKING AN IMPACT : OVERVIEW OF AUDITS OF BEST VALUE AND COMMUNITY PLANNING 2004/2009**

5. There was submitted a report dated 6 November 2009 (circulated) by the Executive Head of Finance and Asset Management which provided a summary of the Audit Scotland report, "Making an Impact: Overview of Audits of Best Value and Community Planning 2004/09".

It was agreed:-

- (i) to note the findings of the Accounts Commission report;
- (ii) to note East Ayrshire Council's involvement in BV2 as a pathfinder Council and that the draft pathfinder report be submitted to this Committee for consideration, when available;
- (iii) otherwise, to note the terms of the report; and
- (iv) arising from discussion, that the appropriate Officers consider comments made regarding reporting and feedback arrangements and Community Planning Partner participation in relation to the Local Community Planning Forums.

### **SCRUTINY**

#### **FINAL MEASUREMENTS ON WORKS CONTRACTS FOR THE PERIOD 1 APRIL TO 31 OCTOBER 2009**

6. There was submitted a report dated 4 November 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided, for information, details of final measurements for capital works contracts which had been accepted on behalf of the Council for the period 1 April to 31 October 2009.

During discussion, Members raised issues relative to the undernoted matters which were responded to by the appropriate Officers, namely:-

- the cause of the underspend in relation to the contract for the Care Home for Adults at Backrogerton Crescent, Auchinleck; and
- arrangements for consultation liaison with the relevant client group with regard to the purchase of furnishings in connection with capital schemes.

It was agreed:-

- (i) to note the terms of the report; and
- (ii) to note that the Head of Legal, Procurement and Regulatory Services would be undertaking a review of the Standing Orders Relating to Contracts with a view to setting an appropriate de-minimis level in respect of the reporting of contract overspends to Cabinet, and would report on this matter to Council in due course.

### **EMPLOYEE STATISTICAL INFORMATION**

7. There was submitted a report dated 6 November 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided a range of employee statistics including Staffing Watch and Absence for the Council for the period 1 July to 30 September 2009.

It was agreed:-

- (i) to note the terms of the report;
- (ii) that the Head of Human Resources provide an update report to Members in respect of analysis of absence rates to incorporate information on Teachers which had been unavailable for the period in question;
- (iii) that future reports incorporate additional narrative in relation to (a) grievances by way of explanation of the pattern of grievances through the various stages; (b) the availability and actual use of Supply Teachers; and (c) the reasons for variation in the number of full time equivalent employees within salary band A1 as featured within Appendix 3 to the report;
- (iv) that the final quarter report of this type each financial year include information on cost savings to the Council arising from redundancy and voluntary severance during the preceding 12 months; and
- (v) to note that the format for future reports would be in the same style and layout as financial management reports.

### **SWIA PERFORMANCE INSPECTION ACTION PLAN**

8. There was submitted a report dated 6 November 2009 (circulated) by the Executive Director of Educational and Social Services which provided an Action Plan prepared in response to the Social Work Inspection Agency Performance Inspection of Social Work Services.

It was agreed:-

- (i) to note the Action Plan;
- (ii) that regular progress reports on the Action Plan be submitted to this Committee, the first of these being expected around June 2010;
- (iii) to note the use of the SWIA Guide to Self Evaluation from 2009/2010;
- (iv) otherwise, to note the terms of the report; and
- (v) that the Head of Service: Community Care provide information on the number of clients who were receiving services at home under the current personal care arrangements compared to the previous arrangements.

Councillor Eric Ross left the meeting at this point.

**REVIEW TOPIC - REASONS FOR THE LEVEL OF COMPLAINTS ON CONTRACT UPDATES TO THE COUNCIL'S HOUSING STOCK UNDER THE CAPITAL PROGRAMME (Item 7, Page 905, 07/12)**

9. There was submitted a report dated 13 November 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented, for approval, the amended Work Programme relative to the review topic "Reasons for the Level of Complaints on Contract Upgrades to the Council's Housing Stock under the Capital Programme" which had been selected for review in 2009/2010.

It was agreed to approve the amended work plan for this review topic as set out in Appendix 1 to the report whilst recognising that the programme may be subject to further adjustment as the review progresses through its remaining stages.

**REVIEW TOPIC - VEHICLE TRACKER SYSTEM  
(Item 3, Page 651, 07/12)**

10. There was submitted a report dated 13 November 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented, for approval, the updated scoping paper and the amended Work Programme relative to the review topic "Vehicle Tracker System" which had been selected for review in 2009/2010.

It was agreed:-

- (i) to approve the updated scoping paper for this review, as set out in Appendix I to the report;
- (ii) to approve the amended work programme as set out in Appendix 2 to the report, whilst recognising that the programme may be subject to adjustment as the review progresses through its various stages;
- (iii) to note that, arising from discussion during the awareness presentation which preceded this meeting, that Officers would provide Members with the information on timetabling for the commencement of this review; and
- (iv) otherwise, to note the terms of the report.

**FINANCE AND SERVICE STRATEGY REPORT TO PERIOD 6  
(20 SEPTEMBER 2009)**

11. There was submitted a report dated 11 November 2009 (circulated) by the Executive Head of Finance and Asset Management which advised of the projected financial position for the year based on expenditure to 20 September 2009 (Period 6) and information provided by Executive Directors.

During discussion, Members raised issues relative to the undernoted matters, which were responded to by the appropriate Officers, namely:-

- progress relative to the planning application for the proposed new Children's House in Kilmarnock;
- environmental improvements in the vicinity of the Baird Institute, Cumnock; and

- percentage of working days lost during the month of July within Educational and Social Services.

It was agreed:-

- (i) to note, as advised by the Chair, that, in future, the submission of the Finance and Service Strategy reports to the Committee would be rescheduled to ensure that they will be as contemporary as possible;
- (ii) that the Executive Head of Finance and Asset Management would investigate an apparent flooding problem within the car park at Patna community facility;
- (iii) that the Executive Director of Educational and Social Services confirm that the current St Xavier's Primary School continues to be fit for purpose;
- (iv) that the Executive Head of Finance and Asset Management confirm the position with regard to the completion of outstanding works to the sprinkler system within Netherthird Community Centre;
- (v) that the Executive Director of Neighbourhood Services confirm the current position with regard to negotiations with the landowner regarding acquisition of an area of land required to implement an improvement scheme on the A70 under the Rural Route Improvement Programme; and
- (vi) that future reports would show a split between Educational and Social Services staff when reporting absence management information.

The meeting terminated at 1245 hours.