

**EAST AYRSHIRE COUNCIL**

**GOVERNANCE AND SCRUTINY COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 23 OCTOBER 2009 AT 0900 HRS  
IN THE ROBERT BURNS SUITE, BURNS MONUMENT CENTRE,  
KAY PARK, KILMARNOCK**

**PRESENT:** Councillors Tom Cook, Willie Coffey, John Campbell, Alan Brown and Stuart Finlayson.

**ATTENDING:** Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; 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; David Mitchell, Head of Legal, Procurement and Regulatory Services; Bill Walkinshaw, Head of Democratic Services; Susan Taylor, Head of Service: Children & Families and Criminal Justice; John McRobert, Operations Manager, Roads Service; Ken McKinlay, Principal, Quality Improvement; and Stuart Nelson, Administrative Officer.

**APOLOGIES:** Councillors Helen Coffey, Jimmy Kelly and Barney Menzies.

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

**PREVIOUS MINUTES**

1. There were submitted, and approved as a correct record, the Minutes of the Meeting held on 25 September 2009 (circulated).

**1.1 MATTERS ARISING**

**1.1.1 Report on the Review of the Council's Winter Emergency Response Policy (Item 2.1(a), Page 856, 07/12)**

Noted, as confirmed by the Chair, that the outcome report by this Committee on the Review of the Council's Winter Emergency Response Policy, together with an Action Plan prepared by the Executive Director of Neighbourhood Services relative to the recommendations contained therein had been accepted by Cabinet on 21 October 2009.

**1.1.2 Exclusion from Schools in East Ayrshire 2008/2009 (Item 5(iii), Page 858, 07/12)**

Noted, as advised by the Chair, that he had, as yet, still to consult with the Head of Service (Schools) to identify a means of providing a measurement of pupil conduct/behaviour over time in order that this information might be incorporated within future reports on exclusions from schools in East Ayrshire.

**MATTERS ARISING UPDATE REPORT**

2. There was submitted a report dated 9 October 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.

It was agreed to note (a) the information provided in response to the matters arising as set out in Appendix I to the report; and (b) further information provided by Officers in response to questions put by Members during discussion relative to costs, timescales and transitional arrangements relative to implementation of the Flood Risk Management (Scotland) Act 2009; and on the level of flood risk assessment appropriate to different types of development.

### **AWARDING OF CONTRACTS - PERIOD FROM 15 AUGUST TO 9 OCTOBER 2009**

3. There was submitted a report dated 6 October 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided, for information, details of tenders which had been accepted on behalf of the Council for the period 15 August to 9 October 2009.

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

- The supply and price of rock salt and the Council's participation in consortium arrangements with other authorities to ensure that the best price could be obtained; and continuity of supply of rock salt and contingency arrangements in this regard; and
- Monitoring and benchmarking of works undertaken for the Council by Building and Works and private contractors, and the protocol for the letting of works contracts to Building and Works and private contractors.

It was agreed

- (i) to note that the Executive Director of Neighbourhood Services would advise all Members, for information, of arrangements for "dry runs" which would be carried out by gritting vehicles over the next week or so, as part of the preparations for the forthcoming winter period;
- (ii) that the Head of Legal, Procurement and Regulatory Services report back to the next meeting on the reasons for inviting tenders from the large number of contractors referred to in the report, for the Domestic Energy Performance Certificate contract; and
- (iii) otherwise, to note the terms of the report.

### **ATTAINMENT AND ACHIEVEMENT**

4. There was submitted a report dated 6 October 2009 (circulated) by the Executive Director of Educational and Social Services which advised of the overall achievement and attainment in East Ayrshire schools in session 2008/09.

During discussion, the Executive Director of Educational and Social Services and the Principal, Quality Improvement, responded to questions put and issues raised by Members during discussion relative to the undernoted matters, namely:-

- Factors which influence comparisons of the levels of attainment and achievement over the range of featured indicators across the comparator family authorities;
- Particular factors which impact on the comparative levels of attainment and achievement of primary and secondary schools;
- Factors which influence levels of attainment and achievement at Standard and Higher Grades, respectively; and

- The Council's approach in terms of the Education (Scotland) Act 1980 with regard to the education of pupils in accordance with their parents' wishes, and the bearing this has on facilitating selection of subjects by pupils.

It was agreed:

- (i) to note the positive performance of young people in East Ayrshire schools;
- (ii) that the provision of appropriate vocational courses in partnership with Ayr and Kilmarnock Colleges be encouraged;
- (iii) that the Executive Director of Educational and Social Services provide to Members, information on the educational levels which were being offered within individual schools in East Ayrshire; and
- (iv) otherwise, to note the terms of the report.

### **KEY DEVELOPMENTS IN ADOPTION AND FOSTERING SERVICES**

5. There was submitted a report dated 7 October 2009 (circulated) by the Executive Director of Educational and Social Services which advised of the outcome of the inspection of Adoption and Fostering Services which took place in March 2009.

The Head of Service: Children & Families and Criminal Justice responded to questions put by Members during discussion relative to the undernoted matters:-

- Progress in taking forward the two requirements set out in the inspection recommendations relative to the Fostering Service;
- The nature of the Council's responsibilities in relation to private fostering; and
- The role of the Independent Chair of the Fostering and Resources Panel.

It was agreed:

- (i) to note the contents of the report; and
- (ii) to note that the inspection findings had been reported to Cabinet on 2 September 2009.

### **AYRSHIRE CRIMINAL JUSTICE PERFORMANCE INSPECTION BY THE SOCIAL WORK INSPECTION AGENCY**

6. There was submitted a report dated 7 October 2009 (circulated) by the Executive Director of Educational and Social Services which advised of the final outcome of the performance inspection which was undertaken by the Social Work Inspection Agency (SWIA) of the Ayrshire Criminal Justice Social Work Partnership in December 2006/ January 2007.

Arising from discussion, the Head of Service: Children & Families and Criminal Justice provided further information on the areas included within the audit schedule which had been established within the Partnership.

It was agreed:

- (i) to note the progress made in improving the delivery of Criminal Justice Social Work Services in East Ayrshire, as noted by the Social Work Inspection Agency in July 2009;

- (ii) to note that the findings had been reported to the Ayrshire Criminal Justice Joint Committee, which has delegated authority to manage Criminal Justice Social Work Services across Ayrshire;
- (iii) to note that the findings had been reported to Cabinet on 16 September 2009; and
- (iv) otherwise, to note the terms of the report.

**REVIEW TOPIC - REASONS FOR THE LEVEL OF COMPLAINTS  
ON CONTRACT UPGRADES TO THE COUNCIL'S HOUSING STOCK  
UNDER THE CAPITAL PROGRAMME**

7. There was submitted a report dated 7 October 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented, for approval, the proposed 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; together with the scoping paper relative to the review as approved by this Committee on 13 March 2009.

After discussion, it was agreed:

- (i) to note that a Focus Group would be held to canvass the views of tenants directly affected by contract upgrades carried out at the houses which they occupy;
- (ii) that a presentation be made to members of the Committee by the Executive Director of Neighbourhood Services on development of the Single Business Unit and the potential which this may have with regard to contract complaints issues; and
- (iii) to continue consideration of the Work Programme for this topic review to the next meeting, in order that provision be made within the Programme for the above events.

**NEW CUMNOCK PRIMARY SCHOOL**

8. There was submitted a report dated 7 October 2009 (circulated) by the Executive Head of Finance and Asset Management which advised of the current position in relation to the replacement of Cairnhill and Castlehill Primary Schools, New Cumnock.

Having heard the Executive Head of Finance and Asset Management and the Head of Legal, Procurement and Regulatory Services in further explanation of particular aspects of the report in response to issues raised by Members, it was agreed to note the terms of the report.

The meeting terminated at 1038 hrs.