

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 19 MAY 2010 AT 1123 HOURS
IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Iain Linton, John MacKay, Hugh Ross, Robert McDill, Jim Roberts, and Kathy Morrice; Parent Representative David Fraser; and Teacher Representative Bryce Wilson.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Finance and Corporate Support; Bill Walkinshaw, Head of Democratic Services; Martin Rose, Head of Human Resources; Chris McAleavey, Head of Housing; David Mitchell, Head of Legal, Procurement and Regulatory Services; Susan Taylor, Head of Service: Children, Families and Criminal Justice; Eddie Fraser, Head of Service: Community Care; Kay Gilmour, Head of Service: Community Support; John Bryson, Head of Roads and Transportation; Ian McArthur, Health and Safety Manager; and Christine Baillie, Senior Administrative Officer.

ALSO ATTENDING: Peter Ralston, Principal Consultant, Chalker Health and Safety.

APOLOGIES: Councillors Douglas Reid, Maureen McKay and Jim Buchanan; and Church Representatives Bill McGregor and Maria Dorrian.

CHAIR: In the absence of the Leader and Depute Leader, Councillor Bobby McDill was unanimously appointed and took the Chair for part of Item 1E and Councillor Iain Linton, Depute Leader of the Council occupied the Chair for all other items.

PROMOTING LIFELONG LEARNING**REVIEW OF HEALTH AND SAFETY ARRANGEMENTS - IMPROVEMENT
PLAN PROGRESS (Item 1E, Pages 944, 945, 07/12)**

- 1E.** There was submitted a report dated 10 May 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided details on progress made against the Improvement Plan that had been developed to implement the conclusions and recommendations of the Ralston Review of the Council's Health and Safety arrangements.

Cabinet noted the presentation by Peter Ralston to Council Members and Senior Officers prior to the Cabinet meeting.

Cabinet agreed:-

- (i) to note the progress made in relation to the Health and Safety Improvement Plan;
- (ii) that the Health and Safety Manager report to Cabinet on a three monthly basis with relevant information on Health and Safety performance within the Council;

- (iii) that the Depute Chief Executive present six monthly progress reports to the Governance and Scrutiny Committee;
- (iv) that the Depute Chief Executive develops a three year Health and Safety Road Map, in accordance with the anticipated recommendation of Peter Ralston;
- (v) that strategic management of Health and Safety sits within the remit of the Depute Chief Executive; and
- (vi) that the Council's Stress Management Policy of 2001 be reviewed, revised and amended to meet legislative requirements, best practice and the passage of time and that the policy be brought to the attention of all employees within three months of this meeting.

Cabinet also noted having heard from the Chief Executive, that in addition to reporting under (ii) above, performance reporting on Health and Safety would also be included within the Finance and Service Strategy Report which was submitted to Cabinet on a more regular basis, thereafter, Cabinet, after an appropriate period could determine which method of reporting would be most beneficial.

Cabinet further noted that the Central Joint Consultative Committee at its meeting held on 13 May 2010 had agreed to support the suggestion that consideration be given to a way of marking International Workers Memorial Day on 28 April each year in a manner that highlighted the importance of health and safety in the workplace and that appropriate recognition would be considered within the Council's events programme and communications strategies in order to further highlight the importance of health and safety.

Having heard from the Head of Legal, Procurement and Regulatory Services that he sought to update Cabinet regarding legal proceedings being brought before the Council in respect of a fatal accident inquiry involving an employee, it was agreed that this be taken as the last item on the agenda under Exclusion of Press and Public on the basis that the matter was sub judice.

Councillor Iain Linton joined the meeting during discussion of the above item and took the Chair.

REVISED HARASSMENT AND BULLYING POLICY AND PROGRESS (Item 11, Page 382, 07/12)

- 2E.** There was submitted a report dated 10 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which asked Cabinet to approve proposed amendments to the Council's Harassment and Bullying Policy and Procedures.

Cabinet agreed:-

- (i) to approve the changes detailed in the report to the Council's Harassment and Bullying Policy and Procedures;
- (ii) to submit the revised Harassment and Bullying Policy and Procedures to the East Ayrshire Council Joint Negotiating Committee for Teachers for approval; and
- (iii) otherwise, to note the contents of the report.

EMPLOYEE EXCELLENCE AWARDS

- 3E.** There was submitted a report dated 4 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which recommended revised arrangements for the Employee Awards Ceremony.

Cabinet agreed:-

- (i) that the Employee Awards Ceremony be held every two years;
- (ii) that the next event be held in October 2011;
- (iii) that Executive Directors seek to attract increased levels of sponsorship; and
- (iv) otherwise, to note the contents of the report.

PAYMENT TO PARTNERS PROVIDERS (Item 2E, Page 1060, 07/12)

- 4E.** There was submitted a report dated 6 May 2010 (circulated) by the Executive Director of Educational and Social Services which sought approval for the minimum level of payment to Partner Providers for academic session 2010/11.

Having heard comments from the Head of Service: Community Support that changes to the Admissions Policy, which had resulted in children being offered a place the month after their third birthday had led Officers to review the practicalities of paying providers and that Partner Providers would continue to be paid at the start of each term, and following the termly census, payment adjusted accordingly. A shadow budget would be monitored this year to determine the feasibility of paying Partners for the actual number of weeks of a child's participation, being mindful of the impact this may have on the viability of smaller providers, Cabinet agreed:-

- (i) to approve the level of £1,704 for payment to Partner Providers; and
- (ii) otherwise, to note the contents of the report.

EFFICIENCY STRATEGY 2011/12-2013/14 (SRRB2) (Item 4E, Pages 993, 994, 07/12)

- 5E.** There was submitted a report dated 7 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought approval of a strategy to review the Council's Revenue Budget with the aim of continuously driving up efficiency levels and ensuring that resources were applied effectively to achieve the Council's key strategic outcomes.

Cabinet agreed:-

- (i) to approve the Efficiency Strategy as detailed in the report;
- (ii) to approve the review strands as detailed in paragraph 3 of the report;
- (iii) that proposals on workforce planning be presented to the Cabinet before the end of June;
- (iv) to approve the proposed arrangements for continuing engagement; and
- (v) otherwise, to note the contents of the report.

FAIRER SCOTLAND FUND REVIEW PROCESS (Item 10E, Page 971, 07/12)

- 6E.** There was submitted a report dated 15 April 2010 (circulated) by the Executive Director of Finance and Corporate Support which presented to Cabinet for consideration the proposed review process for services/projects currently funded by the Fairer Scotland Fund.

Cabinet agreed:-

- (i) to approve the proposed review process; and
- (ii) otherwise, to note the contents of the report.

Parent Representative David Fraser and Teacher Representative Bryce Wilson left the meeting at this point.

IMPROVING COMMUNITY HEALTH AND WELLBEING

SOCIAL WORK SUSTAINABILITY (Item 13E, Page 972, 07/12)

- 7.** There was submitted a report dated 3 May 2010 (circulated) by the Executive Director of Educational and Social Services which advised Cabinet of progress in the Social Work Sustainability Programme and which sought approval for the next stages.

Cabinet agreed:-

- (i) to note the progress that had been made to date with Social Work Sustainability;

Community Care Services

- (ii) to the development of a new joint Kilmarnock Town Centre facility between Social Work and Community Services to provide day services and integrated and approved facilities for the wider community with full details being brought forward to a future Cabinet;
- (iii) to the provision of an option appraisal on replacement facilities for Roseburn to be brought forward for future consideration by Cabinet;
- (iv) that the Executive Director of Educational and Social Services note the priorities within the "Getting It Right for Everyone" report and include an Action Plan to meet those priorities within the 2010 Partnership in Practice Agreement;
- (v) to note the progress with Integrated Resource Framework;
- (vi) to note the option appraisal for the development of facilities in the Auchinleck area following the NHS's announced intention to relinquish ownership of the Roseburn facility in Cumnock where day facilities for older people were currently provided;
- (vii) to note the participation in Re-shaping Care for Older People Engagement Programme through the Community Health Partnership;
- (viii) that the Executive Director of Educational and Social Services include emerging themes from the engagement in the 2010 East Ayrshire Older People Strategy;

Children and Families Services

- (ix) to note the key findings and requirements of the audit work in relation to Children and Families Services as detailed at paragraph 21 of the report;
- (x) to approve the workload model as detailed at paragraphs 21.4(viii) and 21.8(iii) for practitioners and managers;
- (xi) to approve the re-shaping and development of the existing service with Chances (Action for Children) to enable the implementation of an intensive support and monitoring service as detailed in paragraph 21.6(x);
- (xii) to approve the service developments and improvements as detailed in paragraph 22 of the report for Children and Families Services;
- (xiii) to approve the priorities for the development of Children and Families Services as detailed in paragraph 23 of the report and summarised at Appendix 10;
- (xiv) to authorise the Head of Human Resources to maximise the use of new staffing resources through creating the most appropriate designation of posts as detailed in paragraph 32 of the report;
- (xv) to note that a further report would be submitted to Cabinet on future contractual arrangements with independent sector agencies, informed by the new design of Social Work Services to Children and Families;
- (xvi) that the Executive Director of Educational and Social Services provide future reports to Cabinet detailing the implementation of arrangements to support foster carers and care leavers;

Corporate Implications

- (xvii) to approve the financial commitments to service sustainability and service developments as detailed at paragraph 28 of the report;
- (xviii) that the resources required for future Social Work Sustainability be included within the SRRB2 exercise; and
- (xix) otherwise, to note the contents of the report.

COMMUNITY REGENERATION

STRATHCLYDE PARTNERSHIP FOR TRANSPORT'S TRANSPORT OUTCOMES REPORT FOR EAST AYRSHIRE COUNCIL 2010-11

8. There was submitted a report dated 13 May 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval for the East Ayrshire Strategic Transport Priorities, as set out in the Strathclyde Partnership for Transport's Transport Outcomes Report 2010-11.

Cabinet agreed:-

- (i) to approve Strathclyde Partnership for Transport's Transport Priorities for East Ayrshire as set out in the Transport Outcomes Report for 2010-11; and
- (ii) to note that Cabinet would receive a report on the feasibility and development of Decriminalised Parking in East Ayrshire at a future Cabinet meeting.

**ZERO WASTE FUND: PROPOSED FOOD AND PLASTICS COLLECTION TRIAL
(Item 7, Page 929,07/12)**

9. There was submitted a report dated 13 May 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided detailed proposals for the introduction of a pilot scheme for the collection of organic kitchen waste and mixed plastics as agreed, in principle, at the Cabinet meeting held on 18 November 2009.

Cabinet agreed:-

- (i) to approve the proposals for the introduction of a pilot scheme for the collection of organic kitchen waste and mixed plastics as detailed in paragraph 3 of the report;
- (ii) to note that further reports would be submitted to Cabinet in due course with proposals for additional Zero Waste Funded projects and on progress achieved in the first six months of the pilot scheme; and
- (iii) otherwise, to note the contents of the report.

COMMUNITY SAFETY

**STREET LIGHTING - ENERGY EFFICIENCY PROPOSALS
(Item 6, Page 179, 07/12)**

10. There was submitted a report dated 13 May 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised on advances in street lighting technology and which sought approval for the adoption of white, energy efficient lamps and the corresponding permissible reduction in lighting class on new and existing residential and minor roads as technology permits.

Cabinet agreed:-

- (i) to approve white light, energy efficient lamps ($Ra \geq 60$) as East Ayrshire Council's preferred lamp for all existing and new residential and minor roads as the technology allows;
- (ii) to approve adoption of an EN13201 S4 standard for street lighting designs for all existing and new residential and minor roads being lit with white light ($Ra \geq 60$), where technically possible;
- (iii) to approve corresponding reductions in lighting levels on other classes of roads where appropriate technology permits; and
- (iv) to approve the use of other energy saving light technology such as LEDs, as and when technology permits and they prove cost effective.

EXCLUSION OF PRESS AND PUBLIC

11. Cabinet resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the Paragraph of Schedule 7A of the Act as shown against each item.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

SEVERANCES (PARA 1) (Item 3, Pages 1100, 1101, 07/12)

12. There was submitted a report dated 13 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought Cabinet's approval of severance arrangements on the grounds of redundancy from 10 employees within the Housing Service of the Department of Neighbourhood Services.

Cabinet agreed to approve the severance arrangements as detailed in Appendix A to the report.

UPDATE BY THE HEAD OF LEGAL, PROCUREMENT AND REGULATORY SERVICES (PARA 12)

13. The Head of Legal, Procurement and Regulatory Services updated Cabinet on the current position regarding legal proceedings being brought against the Council in respect of a fatal accident inquiry involving an employee.

The meeting terminated at 1349 hours.