

EAST AYRSHIRE COUNCIL**GOVERNANCE AND SCRUTINY COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 28 AUGUST 2009 AT 1000 HRS
IN THE ROBERT BURNS SUITE, BURNS MONUMENT CENTRE,
KAY PARK, KILMARNOCK**

PRESENT: Councillors Tom Cook, Helen Coffey, Willie Coffey, Alan Brown, Stuart Finlayson, Barney Menzies, Elaine Dinwoodie and Drew Filson.

ATTENDING: Fiona Lees, Chief Executive; 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; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; John Bryson, Head of Roads and Transportation; Gwen Barker, Community Planning and Partnership Manager; Colin Houston, Chief Auditor; Iain Tough, Corporate Business Manager; Robin Baker, Financial Controller; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors John Campbell, Jimmy Kelly and Eric Ross.

CHAIR: Councillor Tom Cook, Chair.

PREVIOUS MINUTES

1. There were submitted and approved as a correct record, the Minutes of the meeting held on 19 June 2009 (circulated).

MATTERS ARISING UPDATE REPORT

2. There was submitted and noted a report dated 17 August 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**THE COUNCIL'S SECOND COUNCIL-WIDE STRATEGIC SELF-ASSESSMENT
OF PERFORMANCE**

3. There was submitted a report dated 12 August 2009 (circulated) by the Chief Executive which advised of the completion and results of the Council's second Council-wide Strategic Self-Assessment of Performance, and referred to the high level Improvement Action Plan agreed by Cabinet in response to the Improvement Agenda arising from this exercise for the Committee's interest.

It was agreed:

- (i) to note the outcome and results of the second Council-wide Strategic Self-Assessment of Performance;

- (ii) to note the high level Improvement Action Plan to progress the Improvement Agenda arising from the second Council-wide Strategic Self-Assessment of Performance;
- (iii) that appropriate Senior Officers implement the actions detailed within the Improvement Action Plan;
- (iv) to receive annual progress updates against the Improvement Action Plan; and
- (v) otherwise, to note the terms of the report.

SCRUTINY

AWARDING OF CONTRACTS: PERIOD FROM 16 MAY TO 14 AUGUST 2009

4. There was submitted a report dated 6 August 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 from 16 May to 14 August 2009.

Arising from discussion, the Officers concerned responded to questions raised by Members relating to the following issues, namely:-

- the difference between the estimated and actual contract amounts for some contracts;
- arrangements to ensure quality of work and standards of performance in relation to carrying out the combined kitchens, bathrooms and rewiring programmes during the current year;
- difficulties in relation to the contract for window replacement at Cairns Nursery School and review of certain aspects of the arrangements relating to subcontractors as a consequence; and
- confirmation of the successful contractor and tender amount for the new Council Chambers contract.

It was agreed:

- (i) that the Executive Head of Finance and Asset Management bring back a report to this Committee on the circumstances pertaining to the difficulties experienced with the window replacement programme at Cairns Nursery; and
- (ii) otherwise, to note the terms of the report.

EMPLOYEE STATISTICAL INFORMATION

5. There was submitted a report dated 13 August 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 April to 30 June 2009.

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

- the general downward trend in the overall level of absences amongst employees;

- the action being taken by the Council to minimise the impact on those employees who will be in a detriment position at the end of the four-year cash conservation period following the introduction of the revised Pay and Grading Scheme;
- the definition of “debility” as a reason for absence as featured within Section 4 of Appendix 7 to the report; the levels of personal, as opposed to work related, stress experienced by employees; and the services available to employees affected by debility and also stress generally, including counselling;
- the possibility of “displaced stress” ie stress experienced by employees within the workplace as a result of the absence of others; and
- the current level of impact of the Swine Flu pandemic within East Ayrshire and the action taken by the Council to ensure continuity of service delivery in close consultation with the Scottish Government and local partners.

It was agreed:

- (i) that the Head of Human Resources provide further information to Members to confirm (a) the number of employees who it is anticipated will be in a detriment position at the end of the four year cash conservation period following the introduction of the revised Pay and Grading Scheme; (b) the number of employees affected by stress/debility etc as referred to in Section 4 of Appendix 7 to the report, by Department; and (c) the designations of those eight temporary employees on funded posts who came into the employment of the Council since March 2009, as referred to in Section 8.1 of the report; and that information of this kind be provided in future quarterly reports; and
- (ii) otherwise, to note the terms of the report.

Councillor Drew Filson left the meeting at this point.

EAST AYRSHIRE COMMUNITY PLANNING PROCESS 2008/09 ANNUAL PERFORMANCE REPORT

6. There was submitted a report dated 22 July 2009 (circulated) by the Chief Executive which presented the 2008/09 Annual Performance Report for Community Planning in East Ayrshire.

Councillor Drew Filson rejoined the meeting at this point.

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

- the need to continue to work with Community Planning partners to further develop and raise awareness of the concept of Community Planning;
- the Test Purchasing Scheme as an initiative to tackle alcohol and drug misuse by young people;
- the outcome of the Council’s bid for funding under the “Future Jobs” initiative; and
- in relation specifically to the “Improving Health” planned action, the arrangements in place for support for Looked After and Accommodated Children, both within and outwith the school environment.

It was agreed:

- (i) to note the progress made in respect of implementing Community Planning within East Ayrshire;
- (ii) to note that the Performance Report had been considered and endorsed by Cabinet on 8 July 2009 and the Community Planning Partnership Board on 30 July 2009;
- (iii) to note that Officers had been remitted to consolidate the information contained within the 2008/09 Performance Report into the Council's wider Public Performance Report;
- (iv) that the Community Planning and Partnership Manager would advise Members of which secondary school did not attend the Big World Event and the reason for this non-participation; and
- (v) otherwise, to note the terms of the report.

REPORT ON THE REVIEW OF THE COUNCIL'S WINTER EMERGENCY RESPONSE POLICY

7. There was submitted a report dated 19 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented the outcome report by members of this Committee on the recent review of the Council's Winter Emergency Response Policy, and invited the Committee to agree the recommendations contained in the draft report for presentation to Cabinet.

It was agreed:

- (i) to approve the draft report and the review findings contained therein; and
- (ii) that the review report be presented to the next appropriate Cabinet meeting for consideration of the recommendations contained therein.

EXCLUSION OF PRESS AND PUBLIC

8. The Committee 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act".

GLAISNOCK TRUST: INTERNAL AUDIT EXAMINATION OF PAYMENTS

9.1 Declaration of Interest

Councillor Barney Menzies declared a non-financial interest in this item of business which he did not consider significant in terms of paragraphs 5.17 and 5.18 of the Code of Conduct having due regard to the subject matter and indicated his intention to remain and participate in consideration of the item in question.

9.2 Consideration of Item

There was submitted a report dated 13 August 2009 (circulated) by the Chief Executive which provided information on Internal Audit's investigation into grant payments made to Glaisnock Trust.

Having heard the Chief Executive, the Head of Legal, Procurement and Regulatory Services and the Chief Auditor in detailed explanation of the terms of the report and in response to issues raised and questions put by Members during full discussion, it was agreed:

- (i) to note the findings of Internal Audit's investigation of payments made to the Glaisnock Trust and that a further report would be submitted to a future meeting of the Governance and Scrutiny Committee in respect of the outstanding matters following conclusion of the current Police inquiries;
- (ii) that the Chief Executive report back to this Committee, as appropriate, on progress in the implementation of the Action Plan detailed in the report; and
- (iii) that for the purpose of providing some reassurance to the public and other interested parties, the Chief Executive arrange for the release of a suitably worded Press statement on the matters which were the subject of the report, setting out relevant information insofar as this is possible having regard to the circumstances pertaining to the matters in question.

The meeting terminated at 1154 hrs.