

EAST AYRSHIRE COUNCIL

GOVERNANCE AND SCRUTINY COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 26 AUGUST 2011 AT 1000 HRS
IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillor Tom Cook, Willie Coffey, John Campbell, Alan Brown, Stuart Finlayson, Jimmy Kelly, Eric Ross, Elaine Dinwoodie and Drew Filson.

ATTENDING: Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Graham Short, Executive Director of Educational and Social Services; Eddie Fraser, Head of Service: Community Care; Susan Taylor, Head of Service: Children & Families and Criminal Justice; Craig McArthur, Head of Finance; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Julie McGarry, Administration Manager; Hugh Melvin, Acting Development Management Manager; and Lynn Young, Administrative Officer.

ALSO ATTENDING: David Richardson, Audit Manager, Audit Scotland.

APOLOGIES: Councillors John McGhee and Helen Coffey.

CHAIR: Councillor Tom Cook, Chair.

CHAIR'S REMARKS

1. The Chair welcomed to the meeting, David Richardson, Audit Manager, Audit Scotland, who was present in respect of Agenda Item 10: Corporate Governance Report 2010/11; and Agenda Item 11: East Ayrshire Council: Shared Risk Assessment: Assurance and Improvement Plan 2011/12 - Update.

PREVIOUS MINUTES

2.1 Approval as a Correct Record

There were submitted and approved as a correct record, subject to the inclusion of Councillor Dinwoodie's apologies, the Minutes of the Meeting held on 17 June 2011 (circulated).

2.2 Matters Arising: Internal Audit Annual Report 2010/11: First Year of Operation of Housing Asset Services (Item 2.2, Page 1697, 07/12)

Following a request for information from Councillor Kelly, the Depute Chief Executive/Executive Director of Neighbourhood Services confirmed that the Internal Audit Annual Report 2010/11: First Year of Operation of Asset Services and the Scottish Housing Regulators Housing Audit Inspection would be submitted to the next meeting of the Governance and Scrutiny Committee to be held on 23 September 2011. Figures relating to productivity would be included within the reports, however, the Depute Chief Executive/Executive Director of Neighbourhood Services further confirmed that she would forward information directly to Councillor Kelly.

SCRUTINY

QUARTERLY EMPLOYEE STATISTICS: APRIL-JUNE 2011

3. There was submitted and noted a report dated 9 August 2011 (circulated) by the Executive Director of Finance and Corporate Support on a range of employee statistics which included Staffing Watch and Absence for the period 1 April to 30 June 2011.

The Head of Human Resources advised that in Appendix V of the report, the "Other" column in the table for June 2010 should read 210 and not 21.0 as indicated.

PLANNING, ENFORCEMENT, LISTED BUILDING CONSENT APPEAL DECISIONS AND LOCAL REVIEW BODY DECISIONS: 1 JANUARY TO 31 DECEMBER 2010

4. There was submitted and noted a report dated 8 August 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which presented for information, an analysis of Planning (including Enforcement Notice) and Listed Building Consent appeal decisions received from the Scottish Government Directorate for Planning and Environmental Appeals (DPEA) during the period 1 January to 31 December 2010.

EXTERNAL SCRUTINY OF EAST AYRSHIRE SOCIAL WORK SERVICES

5. There was submitted and noted a report dated 16 August 2011 (circulated) by the Executive Director of Educational and Social Services which provided information in respect of external scrutiny of the Social Work Service, in particular, information on (i) the Social Work Inspection Agency (SWIA) publication "Report on the Follow-Up of Performance Inspections of Council Social Work Service"; and (ii) scheduled inspection of the Social Work Service in 2011/12 by Social Care and Social Work Improvement Scotland (SCSWIS).

PERFORMANCE

HEALTH AND SAFETY PERFORMANCE REPORT 2010/11 QUARTER 4 (JANUARY-MARCH 2011) AND HEALTH AND SAFETY ANNUAL REPORT 2010-11

6. There was submitted a report dated 15 August 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided information on the Health and Safety Performance Quarter 4 (January to March of 2010/11), and the Annual Health and Safety Performance Statistics for 2010/11.

During discussion, the Depute Chief Executive/Executive Director of Neighbourhood Services, the Executive Director of Educational and Social Services and the Head of Human Resources responded to questions put by Members relative to the difference between unannounced health and safety visits by the Health and Safety Section and also by the Executive Directors and the reporting arrangements arising from these in terms of health and safety issues; the figures relating to aggression and violence against East Ayrshire Council staff; and on the procedures and training in place within schools to address the incidences of violence against staff.

Following a request from Councillor Finlayson on a breakdown of the figures relating to incidents of falls and broken bones within games halls and sheltered housing complexes, the Head of Human Resources confirmed that he would provide the information direct to Councillor Finlayson and circulate the information to Members of the Governance and Scrutiny Committee.

It was agreed:

- (i) to note the Health and Safety Performance report for Quarter 4 of 2010/11 and the Annual Health and Safety Performance Report for 2010/11; and
- (ii) otherwise, to note the contents of the report.

INSPECTION OF SOCIAL WORK SERVICES IN HMP KILMARNOCK AND ACROSS SCOTLAND

7. There was submitted a report (circulated) by the Executive Director of Educational and Social Services which advised of progress in implementing the Social Work Inspection Agency (SWIA) Prison Based Social Work Action Plan; and which advised of the key findings in the national Thematic Inspection.

During discussion, the Head of Service: Children & Families and Criminal Justice responded to questions put by Members relative to the existing Service Level Agreement with SERCO, and the potential for the Social Work Service to provide a more comprehensive service to a broader range of prisoners.

It was agreed to note:

- (i) that a further progress report would be submitted to the Governance and Scrutiny Committee in six months; and
- (ii) otherwise, to note the contents of the report.

SOCIAL BACKGROUND REPORTS TO CHILDREN'S HEARINGS

8. There was submitted a report (circulated) by the Executive Director of Educational and Social Services which advised of progress made in the performance of the Council against the National Standard and the target in submitting reports to Children's Hearings.

Discussion took place on benchmarking performance with other authorities and it was recognised that although this was important information to enable the Council to monitor and review its performance, there was a need to ensure this was measured against comparator authorities.

Following discussion, it was agreed:

- (i) to note the improved performance in this area;
- (ii) to note the arrangements in place to monitor performance;
- (iii) that a further update report be submitted to a future meeting of the Governance and Scrutiny Committee; and
- (iv) otherwise, to note the contents of the report.

AUDIT

ARMS LENGTH EXTERNAL ORGANISATIONS: ARE YOU GETTING IT RIGHT?

9. There was submitted a report dated 29 July 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised of the publication of Audit Scotland's report on Arms Length External Organisations (ALEO): Are You Getting it Right?; and which outlined the Council's position in response to the recommendations arising from the report.

It was agreed:

- (i) to note the publication of Audit Scotland's report on Arms Length External Organisations;
- (ii) to note the key messages of Audit Scotland's report on Arms Length External Organisations as summarised in Section 3 of the report;
- (iii) to note the improvement actions proposed at Section 4.5 of the report in response to the test of our existing management arrangements for Kilmarnock Leisure Centre Trust against Audit Scotland's checklist to support good management of ALEOs;
- (iv) to ensure that governance arrangements for the Kilmarnock Leisure Centre Trust continue to be developed and reflect good/advanced practice, that the next review of the Service Level Agreement between the Council and Kilmarnock Leisure Centre Trust be tested against Audit Scotland's toolkit for improving the governance of ALEOs;
- (v) that the key points for action as detailed within Audit Scotland's report be taken into consideration should the Council at a future date decided to establish any further ALEOs; and
- (vi) otherwise, to note the contents of the report.

AUDIT SCOTLAND AND ACCOUNTS COMMISSION ANNUAL REPORTS 2010/11

10. There was submitted and noted a report dated 26 July 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised of the availability of the Accounts Commission and Audit Scotland Annual Reports for 2010/11.

CORPORATE GOVERNANCE REPORT 2010/11

11. There was submitted a report dated 15 August 2011 (circulated) by the Executive Director of Finance and Corporate Support which introduced the Corporate Governance 2010/11 report, submitted by Audit Scotland.

The Head of Legal, Procurement and Regulatory Services and the Audit Manager, Audit Scotland, responded to questions put by Members relative to the National Anti Fraud Network, in particular confirming that the network shared experiences from other Councils who had suffered as a result of fraudulent activity.

It was agreed:

- (i) to note the Action Plan as attached to Audit Scotland's Corporate Governance report;

- (ii) that the Executive Director of Finance and Corporate Support report back to the Governance and Scrutiny Committee when all the actions had been completed; and
- (iii) otherwise, to note the contents of the report.

EAST AYRSHIRE COUNCIL - SHARED RISK ASSESSMENT: ASSURANCE AND IMPROVEMENT PLAN 2011/12 - UPDATE

12. There was submitted a report dated 1 July 2011 (circulated) by the Executive Director of Finance and Corporate Support which (i) advised of the outcome of the Local Area Network's First Annual Review of the Council's Shared Risk Assessment and Assurance and Improvement Plan (AIP) for the period 2010-13; (ii) provided details of the updated Shared Risk Assessment/Assurance and Improvement Plan for 2011/12; and (iii) outlined the level of scrutiny activity planned as a result of the review.

Councillor Finlayson asked whether a management tool could be developed to identify and also measure the rate of deterioration of buildings in a poor state of repair throughout towns and villages in order that plans could be put in place before they became derelict and dangerous.

The Audit Manager was unaware of whether this type of measurement existed but confirmed he would refer the matter back to the Audit Scotland Best Value Unit to see if something could be developed.

It was agreed:

- (i) to note the positive outcome of the Local Area Network's first annual review of the Council's Shared Risk Assessment and Assurance and Improvement Plan as set out in 2011/12 Update Report at Appendix I of the report;
- (ii) to note that no single area of concern had been identified by the Local Area Network which would require specific scrutiny activity to be undertaken within the Council's Assurance and Improvement Plan;
- (iii) to note the proportionate approach to Scrutiny Plan for East Ayrshire within the three year Scrutiny Plan for 2011/12 to 2013/14 as set out in Appendix I of the Local Area Network's 2011/12 Update Report;
- (iv) to remit to the Chief Executive to ensure that appropriate arrangements were in place to respond, as appropriate, to the planned audit and inspections proposed within the Council's Assurance and Improvement Plan during 2011/12; and
- (v) otherwise, to note the contents of the report.

The meeting terminated at 1145 hrs.