

**EAST AYRSHIRE COUNCIL****CORPORATE GOVERNANCE COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 29 MARCH 2007 AT 1000 HOURS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors John Knapp, Jim O'Neill, Stephanie Young, Brian Reeves, Douglas Reid, Gordon Cree, John Weir, Drew McIntyre, Harry Wilson, Iain Linton, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Tommy Farrell, William Menzies and William Crawford.

**ATTENDING:** Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; David Mitchell, Head of Administrative and Legal Services; John Griffiths, Head of Leisure; Martin Rose, Head of Personnel; and Gillian Hamilton, Administrative Officer.

**APOLOGIES:** Councillors John Weir, Ray Murray, Elaine Dinwoodie and Jimmy Carmichael.

**CHAIR:** Councillor John Knapp, Chair

**MINUTES****SUB-COMMITTEE MINUTES**

1. There were submitted and approved as a correct record the undernoted Sub-Committee Minutes (circulated), viz:-
  - 1.1 **APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE OF 21 FEBRUARY 2007 – APPENDIX I**
  - 1.2 **CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE OF 1 AND 22 MARCH 2006 – APPENDICES II AND III**

**CHAIRS' MONITORING GROUP**

2. There were submitted for information and noted Minutes of the meetings of the Chairs' Monitoring Group held on 1 and 14 March 2007 (circulated).

**PERSONNEL ISSUES****POLICY FOR HEALTH, SAFETY AND WELFARE AT WORK (Item 13, Page 2002, 03/07)**

3. There was submitted a report dated March 2007 (circulated) by the Chief Executive which sought approval of the Council's Policy on Health, Safety and Welfare at Work, in accordance with the statutory requirements of the Health and Safety at Work etc Act 1974, Section 2 (2).

It was agreed:-

- (i) to recommend to Council approval of the revised Policy on Health, Safety and Welfare at Work;

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- (ii) that each Executive Director implement the requirements of the Policy within their own areas of responsibility;
- (iii) that the Policy be reviewed at regular intervals; and
- (iv) otherwise to note the report.

#### **CORPORATE HEALTH AND SAFETY ACTION PLAN 2006/2007 AND 2007/2008**

4. There was submitted a report dated March 2007 (circulated) by the Chief Executive which advised on progress on the Corporate Health and Safety Action Plan 2006/2007 and proposed a new Corporate Health and Safety Action Plan for the period 2007/2008.

It was agreed:-

- (i) to approve the proposed Health and Safety Action Plan 2007/2008;
- (ii) that each Executive Director submit a Departmentally-related Health and Safety Action Plan to the appropriate Committee before May 2007; and
- (iii) otherwise to note the report.

#### **CONTRACT FOR OCCUPATIONAL HEALTH PROVISION**

5. There was submitted a report dated March 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised on the outcome of the Joint Tendering exercise for Occupational Health Provision; recommended approval of the preferred bidder; sought agreement for the continuation of Associated Health Specialists Ltd as East Ayrshire Council's Occupational Health provider pending the Joint Provision taking effect on 14 May 2007; and sought agreement for changes to charges for the physiotherapy service.

It was agreed:-

- (i) that Associated Health Specialists Ltd be appointed as the provider of Occupational Health services to the three Ayrshire Councils;
- (ii) that Associated Health Specialists Ltd be appointed as the provider of Occupational Health services to East Ayrshire Council pending the new joint contract on 14 May 2007;
- (iii) to approve the amended charges for physiotherapy appointments; and
- (iv) otherwise to note the report.

#### **TACKLING THE STIGMA OF MENTAL ILL HEALTH: THE SEE ME ANTI STIGMA PLEDGE**

6. There was submitted a report dated 6 March 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which recommended that the Council demonstrate its commitment to tackling the stigma experienced by people with mental health problems by signing the "See Me" pledge.

It was agreed:-

- (i) to sign the "See Me" pledge;
- (ii) that the Depute Chief Executive/Executive Director of Corporate Support take the necessary action; and

- (iii) otherwise to note the report.

#### **MATERNITY AND ADOPTION LEAVE (Item 7, Page 3119, 03/07)**

7. There was submitted a report dated 15 March 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised on changes to the Maternity Leave and Adoption Leave provisions to ensure compliance with the Work and Families Act 2006, which come into force for employees whose babies are due to be born on or after 1 April 2007, or who are due to adopt a child on or after 1 April 2007.

It was agreed:-

- (i) to note the Council's position in relation to the rights contained in the Work and Families Act 2006;
- (ii) to approve the recommendation to make the necessary changes to the administrative arrangements before 1 April 2007;
- (iii) to approve the recommendation to pay employees their normal rate of pay for the hours in attendance at work in respect of "keeping in touch" days during maternity or adoption leave; and
- (iv) otherwise to note the report.

#### **CRAFT OPERATIVES 2006/2007 PAY AGREEMENT**

8. There was submitted and noted a report dated 21 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised that agreements had been reached in pay negotiations for Craft Operatives covering the period 2006/2007.

#### **EXCLUSION OF PRESS AND PUBLIC**

9. The Committee resolved that under Section 50(A) (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 Paragraphs 1 and/or 11 of Schedule 7A of the Act.

#### **STAFFING**

#### **MODERNISING GOVERNMENT FUND – EXTENSION OF TEMPORARY POST (Item 15, Page 1432, 03/07)**

10. There was submitted a report dated 21 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for the continuation for the post of Definitive Master Address Co-ordinator, within the Information Technology Service of the Department of Corporate Support for a further period up to June 2008, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the proposed continuation of the temporary post as detailed in paragraph 3 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise to note the report.

### **LICENSING STANDARDS OFFICERS**

11. There was submitted a report dated 21 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for amendments to the staffing structure within Administrative and Legal Services (Legal, Procurement and Regulatory Services post April 2007) of the Department of Corporate Support, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise to note the report.

### **CROSS CUTTING REVIEW OF REPAIRS SERVICE (Item 11, Page 2788, 03/07)**

12. There was submitted a report dated 7 March 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for an amendment to the staffing establishment of the Technical Services Division to enable the development and future support of Best Value and Partnership contracts subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposal contained in paragraph 3 of the report, subject to approval of the Housing Committee and consultation with Trade Unions; and
- (ii) otherwise to note the report.

### **RECORDS MANAGEMENT SERVICES (Item 23, Page 1414, 03/07)**

13. There was submitted a report dated 5 March 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for an amendment to the staffing structure within the Administration Section of the Department of Corporate Support, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposal contained in paragraph 4 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise to note the report.

### **TRAFFIC, SAFETY AND TRANSPORTATION SECTION – EXTENSION OF EXTERNALLY FUNDED POSTS (Item 18, Page 2003, 03/07)**

14. There was submitted a joint report dated 21 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Acting Executive Director of Development and Property Services which sought approval for the temporary extension of externally funded posts within the Traffic, Safety and Transportation Section for the Department of Development and Property Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report, subject to consultation with Trade Unions; and

- (ii) otherwise to note the report.

**CHANGING CHILDREN'S SERVICES FUND (Item 14, Page 2656, 03/07)**

15. There was submitted a joint report dated 23 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which sought approval for amendments to the staffing structure within the Social Work Service of the Department of Educational and Social Services.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report; and
- (ii) otherwise to note the report.

**ADMINISTRATIVE SUPPORT TO IN COURT ADVICE PROJECT**

16. There was submitted a joint report dated 23 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which sought approval for the temporary appointment for a period of two years of an employee in the In Court Advice Project within the Social Work Service of the Department of Educational and Social Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposal contained in paragraph 3 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise to note the report.

**STAFFING WITHIN ADULT RESIDENTIAL UNITS**

17. There was submitted a joint report dated 23 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which sought approval for amendments to the staffing structure within the Social Work Service of the Department of Educational and Social Services.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report; and
- (ii) otherwise to note the report.

**SUPERVISED ATTENDANCE ORDER (Item 27, Page 559, 03/07)**

18. There was submitted a joint report dated 26 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which sought approval for amendments to the staffing structure within the Social Work Service of the Department of Educational and Social Services.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report; and
- (ii) otherwise to note the report.

**COMMUNITY NETWORKS DAY SERVICES (Item 19, Page 2801, 03/07)**

19. There was submitted a joint report dated 26 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which sought approval for amendments to the staffing structure within the Social Work Service of the Department of Educational and Social Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report, subject to consultation with Trade Unions and any proposed regradings being subject to evaluation under the Council's Job Evaluation Scheme; and
- (ii) otherwise to note the report.

**BUILDING STRONG, SAFE AND ATTRACTIVE COMMUNITIES  
(Item 1, Page 890, 03/07)**

20. There was submitted a joint report dated 23 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which sought approval for amendments to the staffing structure within the Social Work Service within the Department of Educational and Social Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 3 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise to note the report.

**LEISURE SERVICES – AMENDMENTS TO STAFF STRUCTURE**

21. There was submitted a joint report dated 21 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval to mainstream temporary funded posts within the Leisure Development and Arts and Museum Sections within the Department of Neighbourhood Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing amendments contained within the report, subject to consultation with Trade Unions; and
- (ii) otherwise to note the report.

The meeting terminated at 1010 hours.

**APPENDIX I**

**EAST AYRSHIRE COUNCIL**

**APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 21 FEBRUARY 2007 AT  
1400 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors William Crawford, Gordon Cree, Robert McDill, Neil McGhee and Elaine Stewart.

**ATTENDING:** David Mitchell, Head of Administrative and Legal Services; and Anne Marie Carr, Senior Administrative Officer.

**CHAIR:** Councillor William Crawford, Chair.

**EXCLUSION OF PRESS AND PUBLIC**

1. The Sub-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.

**GRIEVANCE APPEAL NO G2/07**

2. As a preliminary matter, the appellant's representative requested that the Sub-Committee give consideration to admitting into the proceedings additional productions prepared by the appellant, which were late submissions, and which the appellant's representative suggested might be helpful to the proceedings.

**ADJOURNMENT/RECONVENTION**

3. The Sub-Committee adjourned at 1415 hrs and reconvened at 1430 hrs with the same Members and Officials present and in attendance.

**GRIEVANCE APPEAL NO G2/07**

4. The Sub-Committee, having noted the concerns expressed by the management representative over the relevance of part of the additional productions, and having heard the Head of Administrative and Legal Services, agreed to allow the submission of the appellant's late productions subject to reservation of any argument over the relevance of any issues raised in relation to these productions during the Hearing. The Hearing then commenced.

**CONSIDERATION OF APPEAL**

5. There was submitted a copy of the Grievance and Disputes procedure together with submissions by the appellant and report dated 14 February 2007 (circulated) by the Executive Director of Educational and Social Services which enclosed submissions by the appellant (all circulated).

**ADJOURNMENTS/RECONVENTIONS**

6. The Sub-Committee adjourned at 1535 hrs and reconvened at 1547 hrs with the same Members and Officials present and in attendance.

The Sub-Committee adjourned at 1608 hrs and reconvened at 1615 hrs with the same Members and Officials present and in attendance.

The Sub-Committee adjourned at 1647 hrs and reconvened at 1650 hrs with the same Members and Officials present and in attendance.

**OUTCOME OF APPEAL**

7. Having heard both parties, the Sub-Committee unanimously agreed that the grounds of the appeal had not been substantiated and the appeal had not been upheld.

The meeting terminated at 1718 hrs.

**APPENDIX II**

**EAST AYRSHIRE COUNCIL**

**CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE**

**MINUTES OF MEETING HELD ON THURSDAY 1 MARCH 2007 AT 0900 HOURS  
IN MEETING ROOM 1, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors John Knapp and William Crawford

**ATTENDING:** Martin Rose, Head of Personnel and Gillian Hamilton, Administrative Officer.

**CHAIR:** Councillor John Knapp, Chair.

**EXCLUSION OF PRESS AND PUBLIC**

1. The Sub-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.

**REQUESTS FOR VOLUNTARY SEVERANCE**

2. There was submitted a report dated 26 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of requests for early retirement received from two employees within the Social Work Service of the Department of Educational and Social Services.

It was agreed:-

- (i) to approve the early retirement applications detailed in Appendix A of the report; and
- (ii) otherwise to note the report

The meeting terminated at 0902 hours.

**APPENDIX III**

**EAST AYRSHIRE COUNCIL**

**CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE**

**MINUTES OF MEETING HELD ON THURSDAY 22 MARCH 2007 AT 1150 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors John Knapp and William Crawford

**ATTENDING:** Martin Rose, Head of Personnel and Gillian Hamilton, Administrative Officer.

**CHAIR:** Councillor John Knapp, Chair.

**EXCLUSION OF PRESS AND PUBLIC**

1. The Sub-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.

**SEVERANCE ARRANGEMENTS**

2. There was submitted a report dated 19 March 2007 (circulated) by the Depute Chief Executive/ Executive Director of Corporate Support which sought approval of severance arrangements for two employees in the Department of Neighbourhood Services.

It was agreed:-

- (i) to approve the severance arrangements detailed in Appendix A of the report; and
- (ii) otherwise to note the contents of the report.

The meeting terminated at 1152 hours.