

EAST AYRSHIRE COUNCIL**CORPORATE GOVERNANCE COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 9 JUNE 2005 AT 1000 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors John Knapp, Stephanie Young, Daniel Coffey, Douglas Reid, Gordon Cree, John Weir, Drew McIntyre, Ray Murray, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Tommy Farrell, William Menzies, William Crawford and Jimmy Carmichael.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; John Clayton, Head of Corporate Development & Communication; Chris McAleavey, Head of Housing; Eddie Fraser, Community Care Manager, Educational & Social Services; George Park, Employee Relations Manager; Robin Baker, Financial Controller; and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors Jim O'Neill, Brian Reeves, Iain Linton, Eric Ross and Elaine Dinwoodie.

CHAIR: Councillor John Knapp, Chair.

MINUTES**SUB-COMMITTEE MINUTES**

1. There were submitted and approved both as a correct record and in respect of the recommendations contained therein the undernoted Sub-Committee Minutes (circulated), viz:-
 - 1.1 **APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE OF 11 MAY 2005 (APPENDIX I).**

CHAIRS' MONITORING GROUP

2. There were submitted for information and noted Minutes of the Chairs' Monitoring Group of 28 April and 26 May 2005 (circulated).

GOVERNANCE MATTERS**TRANSITIONAL AUDIT ACTION PLAN UPDATE (Item 4, Page 998, 03/07)**

3. There was submitted a report dated 18 May 2005 (circulated) by the Head of Corporate Development and Communication which advised on progress in the implementation of Best Value and Community Planning Transitional Audit Action Plan.

It was agreed:-

- (i) to note the good progress made in implementing the Transitional Audit Action Plan;

- (ii) to note that notwithstanding this, Officers would continue to seek to further improve the Council's arrangements in this regard, particularly as additional statutory guidance was issued; and
- (iii) otherwise, to note the report.

REVIEW OF EFQM PATHWAY (Item 9, Page 575, 03/07)

4. Councillor Farrell joined the meeting at this point.

There was submitted a report dated 19 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised on the outcome of the first review of the Council's use of Quality Scotland's Pathway Software for EFQM assessments.

It was agreed:-

- (i) to note the excellent progress being made with EFQM assessments;
- (ii) to approve the continued use of the Pathway Software on an annual basis for each of the Council's Service Units;
- (iii) that the Depute Chief Executive/Executive Director of Corporate Support prepare a guidance note on the storage of completed assessments and review the text content of the grading panels on the software;
- (iv) to approve ongoing monitoring of the use of the Pathway product to ensure that it continued to meet the Council's needs; and
- (v) otherwise, to note the contents of the report.

LOCAL CODE OF CORPORATE GOVERNANCE (Item 3, Page 819,03/07)

5. There was submitted a report dated 9 May 2005 (circulated) by the Chief Executive which advised on progress in implementing the Council's Corporate Governance Action Plan and sought approval for the adoption of an updated local Code of Corporate Governance and revised Action Plan.

It was agreed:-

- (i) to note the process of review for the Council's Corporate Governance arrangements;
- (ii) to note the good progress made in the implementation of the previously agreed Corporate Governance Action Plan;
- (iii) to approve the revised East Ayrshire Local Code of Corporate Governance for 2005/06, set out in Appendix 2 of the report;
- (iv) to approve the proposed Corporate Governance Improvement Action Plan for 2005/06, set out in Appendix 3 of the report;
- (v) to note that the revised Local Code of Corporate Governance and the Corporate Governance Improvement Action Plan would be published and made available to the general public; and
- (vi) otherwise, to note the contents of the report.

**ANNUAL REPORT - 2004/05: ON COMPLAINTS AND COMMENTS (Item 10,
Page 2608, 99/03)**

6. There was submitted and noted a report dated 26 May 2005 (circulated) by the Chief Executive which provided information relating to the formal complaints received and resolved by the Council for the period 1 April 2004 to 31 March 2005 (i.e. those complaints that were not resolved to complainant's satisfaction at the first point of contact).

OTHER BUSINESS

**CoSLA - SCOTTISH EXECUTIVE JOINT STAFFING WATCH
RETURN AT 15 MARCH 2005**

7. There was submitted a report dated 19 April 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised (i) on the number of employees employed by the Council as at 15 March 2005 reported to CoSLA as required under the Joint Staffing Watch arrangements; and (ii) on a proposed revised reporting method to reflect the new Joint Staffing Watch statistical data requested by CoSLA effective from June 2005.

It was agreed:-

- (i) to note the Joint Staffing Watch statistics for the March 2005 quarter;
- (ii) to approve the proposed revised reporting method to reflect the new Joint Staffing Watch statistical data requested by CoSLA effective from June 2005; and
- (iii) otherwise, to note the report.

**RACE RELATIONS (AMENDMENT) ACT 2000 COUNCIL WIDE YEAR 2
SUMMARY UPDATE (Item 5, Page 553/ 03/07)**

8. There was submitted and noted a report dated 16 June 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support on the actions undertaken by the Council as a whole as well as the specific Departmental actions by the Department of Corporate Support in response to the Race Relations (Amendment) Act 2000 during Year 2 of the Council's Race Equality Scheme.

EMPLOYEE RECOGNITION EVENT (Item 9, Page 1280, 03/07)

9. There was submitted a report dated 12 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided an update on progress with the employee recognition event and sought nominations to participate in the judging of entries for the event.

It was agreed:-

- (i) to note progress on the employee recognition event;
- (ii) that three members to judge nominations for the awards would be submitted to the next meeting of East Ayrshire Council; and
- (iii) otherwise, to note the report.

EMPLOYEE ATTITUDE SURVEY

10. There was submitted a report dated 23 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised that an employee attitude survey would be carried out within the Council during June 2005.

It was agreed:-

- (i) to note that further reports would be submitted to the Corporate Governance Committee with the results of the survey; and
- (ii) otherwise, to note the report.

Councillor Cree left the meeting at this point.

EXCLUSION OF PRESS AND PUBLIC

11. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and/or 11 of Schedule 7A of the Act.

FINANCE SERVICE BEST VALUE SERVICE REVIEW (Item 9, Page 575, 03/07)

12. There was submitted a report dated 24 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for amendments to the staffing structure within the Finance Service of the Department of Corporate Support, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals contained in Paragraph 5 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise, to note the report.

EXTERNAL FUNDING (Item 9, Page 838, 03/07)

13. There was submitted a report (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented for consideration proposals for the future of the Council's External Funding and Sustainability function.

It was agreed:-

- (i) that the responsibility for the co-ordination of external funding, including European funding, be set within the Department of Corporate Support in the short-term, with the day to day responsibility of European funding remaining within the Department of Development and Property Services;
- (ii) to approve the staffing proposals contained in paragraph 4.1 of the report;
- (iii) to keep under review the role and remit of the External Funding and Sustainability Worker;
- (iv) to keep under review the foregoing arrangements and remit the Depute Chief Executive/Executive Director of Corporate Support to report back to Committee in due course; and
- (v) otherwise, to note the contents of the report.

TRANSFER OF COLLECTING HALL TO NEIGHBOURHOOD SERVICES

14. There was submitted a joint report dated 17 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval for the transfer of the management of the Collecting Hall from the Finance Service within the Department of Corporate Support to the Libraries, Registration and Information Services Section within the Department of Neighbourhood Services.

It was agreed:-

- (i) to approve the transfer of the management of the Collecting Hall from the Finance Service within the Department of Corporate Support to the Libraries, Registration and Information Services Section within the Department of Neighbourhood Services; and
- (ii) otherwise, to note the report.

Councillor Carmichael left the meeting at this point.

TRAFFIC SAFETY AND TRANSPORTATION SECTION

(Item 14.2, Page 1261, 03/07)

15. There was submitted a joint report dated 23 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Development and Property Services which sought approval to extend the temporary contract of an Assistant Road Safety Training Officer within the Traffic Safety and Transportation Section of the Department of Development and Property Services.

It was agreed:-

- (i) to approve the staffing proposal contained within the report; and
- (ii) otherwise, to note the report.

HOUSING BEST VALUE SERVICE REVIEW (Item 8, Page 1333, 03/07)

16. There was submitted a joint report dated 18 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval for amendments to the staffing structure within the Housing Service of the Department of Neighbourhood Services.

It was agreed:-

- (i) to approve the staffing proposals contained within paragraph 3 of the report with an effective date of 1 April 2005 for those employees re-graded; and
- (ii) otherwise, to note the report.

Councillor Carmichael re-joined the meeting.

JOINT MANAGER - SUBSTANCE MISUSE

17. There was submitted a joint report dated 17 May 2005 (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 three years of a Joint Manager (Substance Misuse) within the Social Work Service of the Department of Educational and Social Services.

It was agreed:-

- (i) to approve the staffing proposal contained in paragraph 4.1 of the report; and
- (ii) otherwise, to note the report.

STRENGTHENING FRONTLINE SERVICES

- 18.** There was submitted a joint report dated 17 May 2005 (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 6 of the report; and
- (ii) otherwise, to note the contents of the report.

SERVICES TO VULNERABLE ADULTS

- 19.** There was submitted a joint report dated 16 May 2005 (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 proposal contained in paragraph 3 of the report; and
- (ii) otherwise, to note the report.

BUILDING AND WORKS REVIEW OF STAFFING STRUCTURE (Item 1, Page 465, 03/07)

- 20.** There was submitted a joint report dated 16 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval for amendments to staffing structure of the Building and Works Division of the Department of Neighbourhood Services.

20.1 Declaration of Interest

Councillor Knapp declared a financial interest in the above item and having vacated the Chair left the meeting.

20.2 Consideration of Report

Councillor Crawford, Vice-Chair, assumed the Chair for the remainder of the meeting.

It was agreed:-

- (i) to approve the staffing proposals contained in the report effective from 1 April 2005; and
- (ii) otherwise, to note the report.

The meeting terminated at 1048 hours.

APPENDIX I

EAST AYRSHIRE COUNCIL

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

**MINUTES OF MEETING HELD ON WEDNESDAY 11 MAY 2005 AT 0934 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors William Crawford, Stuart Finlayson, Robert McDill, George Smith and Elaine Dinwoodie.

ATTENDING: Martin Rose, Head of Personnel; 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.

REMARKS BY THE APPELLANT'S REPRESENTATIVE

2. The appellant's representative requested that a copy of the notes of meeting be made available to the appellant in accordance with new Regulations.

The Head of Personnel advised that the notes would not be made available but that the Minute of the meeting would be made available.

ADJOURNMENT/RECONVENTION

3. The Sub-Committee adjourned at 0940 hrs and reconvened at 0945 hrs with the same Members and Officials present and in attendance.

CHAIR'S REMARKS

3. The Chair reiterated the comments made by the Head of Personnel regarding the appellant's representative's earlier request as detailed above.

DISCIPLINARY APPEAL NO D1/05

4. There was submitted a copy of the Disciplinary Appeals procedure together with submissions by the Department of Neighbourhood Services together with productions by the appellant's representative (all circulated).

OUTCOME OF APPEAL

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

The meeting terminated at 1204 hrs.