

EAST AYRSHIRE COUNCIL

CORPORATE GOVERNANCE COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 15 FEBRUARY 2007 AT
1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

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

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; Colin Houston, Chief Auditor; David Mitchell, Head of Administrative and Legal Services; John Clayton, Head of Corporate Development and Communication; Sandy Gillat, Acting Head of Roads and Transportation; George Park, Employee Relations Manager and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors John Knapp, Iain Linton and Ray Murray.

CHAIR: Councillor William Crawford, Vice-Chair.

CHAIR'S REMARKS

1. The Chair, on behalf of the Committee, welcomed Alyia Zaheed who had recently been appointed to the post of Equalities and Diversity Officer within the Council.

MINUTES

SUB-COMMITTEE MINUTES

2. There were submitted and approved, as a correct record the undernoted Sub-Committee Minutes (circulated), viz:-
 - 2.1 **APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE OF 30 NOVEMBER AND 21 DECEMBER 2006 AND 1 AND 6 FEBRUARY 2007- (Appendices I – IV).**
 - 2.2 **CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE OF 7 AND 12 DECEMBER 2006 AND 25 JANUARY AND 7 FEBRUARY 2007 – (Appendices V – VIII).**

RISK AND AUDIT SCRUTINY GROUP

3. There were submitted for information and noted Minutes of the meeting of the Risk and Audit Scrutiny Group held on 23 November 2006 (circulated).

CHAIRS' MONITORING GROUP

4. There were submitted for information and noted Minutes of the meetings of the Chairs' Monitoring Group held on 9 November and 6 December 2006 and 31 January 2007 (circulated).

CENTRAL JOINT CONSULTATIVE COMMITTEE

5. There were submitted for information and noted Minutes of the meeting of the Central Joint Consultative Committee held on 7 December 2006 (circulated).

Councillor Reid joined the meeting at this point

CHAIR'S REMARKS

6. The Chair, at his discretion, and in terms of Standing Order 19 agreed to alter the order of business to that shown below.

PERSONNEL ISSUE

**IMPLEMENTATION OF SINGLE STATUS AGREEMENT – APPEALS
PROCEDURE (Item 2, Page 2624, 03/07)**

7. There was submitted a report dated 17 January 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of an Appeals Procedure in respect of the implementation of the job evaluation element of the Single Status Agreement.

It was agreed:-

- (i) to approve the Appeals Procedure appended to the report; and
- (ii) otherwise to note the report.

CORPORATE GOVERNANCE

**2005/2006 STATUTORY PERFORMANCE INDICATORS (SPIs) COUNCIL
PROFILES**

8. There was submitted a report dated 18 January 2007 (circulated) by the Chief Executive which provided summary information relating to the Council's relative position in respect of the 2005/2006 Statutory Performance Indicators (SPIs) as reported by Audit Scotland.

It was agreed:-

- (i) to note the relative improving performance in the 2005/2006 Statutory Performance Indicators, as reported in Audit Scotland's SPI Council Profiles document and to congratulate all officers involved;
- (ii) that Executive Directors take appropriate management and performance improvement related action designed to drive up third and fourth quartile SPIs into the upper and second quartiles for 2006/2007 and beyond, whilst maintaining our 49 SPIs currently in the upper/second quartile, and report progress in this area to Service Committees; and
- (iii) otherwise to note the contents of the report.

BEST VALUE**DEPARTMENT OF CORPORATE SUPPORT BEST VALUE PROGRESS
(Item 9, Page 2274, 03/07)**

9. There was submitted a report dated 23 January 2007 (circulated) by the Depute Chief Executive/ Executive Director of Corporate Support which advised on progress made by the Department of Corporate Support against our Best Value commitments, particularly in the implementation of the European Foundation for Quality Management Excellence Model (EFQM) and in the Department's programme for Best Value Review.

It was agreed:-

- (i) to note the progress made in the Department of Corporate Support's implementation of EFQM and in its agreed programme for Best Value Review;
- (ii) to endorse the Department's consolidated EFQM Action Plan appended to the report;
- (iii) to note that further reports providing detailed recommendations on individual Best Value Reviews would be brought to future Committees in accordance with the agreed programme; and
- (iv) otherwise to note the terms of the report.

PERSONNEL ISSUES**CoSLA - SCOTTISH EXECUTIVE JOINT STAFFING WATCH RETURN AT 9
DECEMBER 2006**

10. There was submitted and noted a report dated 19 January 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised on the number of employees employed by the Council as at 9 December 2006 which had been reported to CoSLA as required under the Joint Staffing Watch arrangements.

**SCOTLAND'S HEALTH AT WORK (SHAW) MEN'S HEALTH WEEK – 13-17
NOVEMBER 2006**

11. There was submitted a report dated 22 January 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised on activities that were held within the Council as part of Men's Health Week – 13 – 17 November 2006 and of changes which were being made to Scotland's Health at Work Scheme (SHAW).

It was agreed:-

- (i) to note the activities carried out during Men's Health Week;
- (ii) to note the proposed changes to SHAW; and
- (iii) otherwise to note the report.

EXCLUSION OF PRESS AND PUBLIC

12. 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

ROADS AND TRANSPORTATION (LIGHTING SECTION)

13. There was submitted a joint report dated 18 January 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 amendments to the staffing structure of the Roads and Transportation Division’s Lighting Section within 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

HOUSING SERVICE – EXTENSION OF EXTERNALLY FUNDED POSTS (Item 31, Page 2280, 03/07)

14. There was submitted a joint report dated 23 January 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval for the temporary extension of externally funded posts within the Housing Service of the Department of Neighbourhood Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals contained in paragraph 4 of the report, subject to the award of grant in respect of Private Sector Housing Grant and consultation with Trade Unions; and
- (ii) otherwise to note the report.

SENSORY IMPAIRMENT SERVICES

15. There was submitted a joint report dated 26 January 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 of 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 DEVELOPMENT – EXTENSION OF EXTERNALLY FUNDED POSTS
(Item 35, Page 2281, 03/07)**

16.1 Declaration of Interest

Councillor McIntyre declared a non-financial interest in accordance with Paragraphs 5.17 and 5.18 of the Code of Conduct and withdrew from the meeting.

16.2

16.3 Consideration of Item

There was submitted a joint report dated 18 December 2006 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval for the temporary extension of externally funded posts employed in the Community Health Improvement Partnership (CHIP) Project within the Leisure Development Section of the Department of Neighbourhood Services.

It was agreed:-

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

The meeting terminated at 1145 hours.

APPENDIX I

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 30 NOVEMBER 2006 AT
1005 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Tommy Farrell, Jim O'Neill, Brian Reeves, Robert McDill and Elaine Dinwoodie.

ATTENDING: Martin Rose, Head of Personnel; and Anne Marie Carr, Senior Administrative Officer.

CHAIR: Councillor Tommy Farrell, 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act.

GRIEVANCE APPEALS NOS G22/06, G23/06 AND G24/06

2. There was submitted a copy of the Grievance and Disputes Procedure together with submissions by the appellants and report dated 21 November 2006 by the Executive Director of Educational and Social Services which enclosed submissions by the appellants (all circulated).

OUTCOME OF APPEALS

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

The meeting terminated at 1040 hrs.

APPENDIX II

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 21 DECEMBER 2006 AT
1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Jim O'Neill, Brian Reeves, Ray Murray, Robert McDill and Elaine Dinwoodie.

ATTENDING: Martin Rose, Head of Personnel; and Anne Marie Carr, Senior Administrative Officer.

CHAIR: Councillor Jim O'Neill, Chair.

CHAIR

1. In the absence of Councillor John Knapp, Chair, it was agreed that Councillor Jim O'Neill be appointed as Chair.

EXCLUSION OF PRESS AND PUBLIC

2. 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 G25/06

3. The appellant's representative raised a point of order on whether the Hearing could proceed given the fact that the management representative who had been present at Stage 3 of the grievance process was not present at this meeting.

ADJOURNMENT/RECONVENTION

4. The Sub-Committee adjourned at 1006 hours and reconvened at 1015 hours with the same Members and Officers present and in attendance.

CONTINUATION OF BUSINESS

5. Having heard the Head of Personnel who advised that he had discussed the matter with the appellant's representative and had confirmed that he did not wish to proceed with the Hearing for the reasons as detailed at paragraph 3 above, the Sub-Committee agreed to adjourn the grievance appeal hearing to a future date.

The meeting terminated at 1016 hrs.

APPENDIX III

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 1 FEBRUARY 2007 AT 1138 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors John Knapp, Ray Murray, Stuart Finlayson, Robert McDill and Elaine Dinwoodie.

ATTENDING: Peter Hessem, Team Leader (Litigation Team) and Anne Marie Carr, Senior 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.

GRIEVANCE APPEAL NO G25/06

2. There was submitted a copy of the Grievance and Disputes procedure together with submissions by the appellant and report dated 13 December 2006 by the Executive Director of Educational and Social Services which enclosed submissions by the appellant (all circulated).

OUTCOME OF APPEAL

3. 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 1303 hrs.

APPENDIX IV

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

**MINUTES OF MEETING HELD ON TUESDAY 6 FEBRUARY 2007 AT 1007 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Tommy Farrell, Gordon Cree, Robert McDill, William Menzies and Elaine Dinwoodie.

ATTENDING: Peter Hessem, Team Leader (Litigation and Advice Manager); and Anne Marie Carr, Senior Administrative Officer.

CHAIR: Councillor Tommy Farrell, 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 G1/07

2. There was submitted a copy of the Grievance and Disputes procedure together with submissions by the appellant and report dated 29 January 2007 by the Depute Chief Executive/Executive Director of Corporate Support which enclosed submissions by the appellant (all circulated).

OUTCOME OF APPEAL

3. 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 1100 hrs.

APPENDIX V

EAST AYRSHIRE COUNCIL

CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 7 DECEMBER 2006 AT 1112
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON
ROAD, KILMARNOCK**

PRESENT: Councillors John Knapp and William Crawford.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; Alex McPhee, Executive Head of Finance; Martin Rose, Head of Personnel; and Julie McGarry, Assistant Administration Manager.

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.

EARLY RETIREMENT

2. There was submitted a report dated 30 November 2006 (circulated) by the Chief Executive which sought approval of early retirement for two employees within the Department of Development and Property Services and the Department of Neighbourhood Services respectively.

It was agreed to approve the early retirements as detailed in Appendix A to the report.

The meeting terminated at 1115 hours.

APPENDIX VI

EAST AYRSHIRE COUNCIL

CHAIRS' SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 12 DECEMBER 2006 AT 1630 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 8 December 2006 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of requests for early retirement received from 41 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 contents of the report.

The meeting terminated at 1635 hours.

APPENDIX VII

EAST AYRSHIRE COUNCIL

**CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE
MINUTES OF MEETING HELD ON THURSDAY 25 JANUARY 2007 AT 0900
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors John Knapp and William Crawford

ATTENDING: George Park, Employee Relations Manager 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Schedule 7A of the Act.

EARLY RETIREMENT

2. There was submitted a report dated 19 January 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of a request for early retirement.

It was agreed:-

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

SEVERANCE ARRANGEMENTS

3. There was submitted a report dated 24 January 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of severance arrangements.

It was agreed:-

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

The meeting terminated at 0903 hrs

APPENDIX VIII

EAST AYRSHIRE COUNCIL

CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 7 FEBRUARY 2007 AT 1630 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors John Knapp and William Crawford

ATTENDING: George Park, Employee Relations Manager 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 2 February 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of severance arrangements for one employee within the Onsite Services Section of the Department of Educational and Social Services.

It was agreed:-

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

The meeting terminated at 1631 hrs