

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE – 2 OCTOBER 2003

ACCOUNTS COMMISSION FOR SCOTLAND CONSULTATION ON THE 2003 DIRECTION AND AMENDMENTS TO THE 2001 AND 2002 DIRECTIONS

Report by Depute Chief Executive/Director of Corporate Resources

1. PURPOSE OF REPORT

- 1.1 To advise the Committee of amendments to the 2001 and 2002 Directions issued by the Accounts Commission and of the receipt of their consultation paper on the 2003 Direction and to request approval of the Officers' response to the consultation document.

2.0 BACKGROUND

- 2.1 The Accounts Commission has published its consultation paper on the 2003 Direction in which it sets out its proposals for the Performance Information to be reported by Scottish Councils in 2004/05.

- 2.2 As a result of last year's consultation, the Commission has introduced a number of changes to the SPIs which will:

- simplify and reduce the amount of peripheral information in a number of indicators;
- revise the Social Work SPIs in order to make more of them better meet the Accounts Commission's selection criteria and reflect current policy affecting service delivery; and
- regroup the service headings of indicators to reflect management arrangements in Councils.

- 2.3 As a consequence of the above changes the Commission have indicated that they have sought to limit change to the current indicators in the 2003 Direction, the proposals for which are outlined below.

- 2.4 Comments on the Direction were required to be submitted to the Accounts Commission by 5 September 2003. In order to comply with this timescale, a provisional Officer's response has been submitted, subject to approval by this Committee.

3.0 PROPOSALS FOR THE 2003 DIRECTION

- 3.1 Within the 2003 Direction the Accounts Commission have continued to look for opportunities to bring indicators into line with their criteria. This year, their priorities have been to:

- maintain the availability of trend information by minimising change within the current indicators;
- improve transitional indicators to reflect performance against national or common standards or targets, where these exist or can be agreed;
- review the use of indicators reflecting equalities issues; and

- develop proposals for new indicators in service areas not previously covered.

3.2 Two indicators have been simplified and one deleted. A total of 4 new indicators are, however, proposed. These focus on access to council buildings for disabled people, web enabled services, road restrictions due to weak bridges and on street cleanliness.

3.3 The Commission have also indicated that they do not propose to introduce any indicators about Councils Community Planning activities in 2004/05. Rather they will continue to work with Councils and other Community Planning Partner Organisations to develop a strategy for consideration in future years.

3.4 The table below shows the extent of the proposals contained within the Direction in relation to Council services.

Exhibit 1: Proposals for changes to the indicators

Service	Unchanged indicators	Simplified indicators	Changed indicators	Deleted indicators	New indicators	Total indicators proposed for 2004/05
Adult social work	8 ^(1t)			(1 ^(t))		8
Benefits Administration	2	1				3
Children's services	13 ^(1t)		1			14
Corporate management	7				2	9
Cultural & Community services	7					7
Development services	4					4
Housing	6 ^(1t)					6
Protective services	5 ^(1t)		1			6
Roads and Lighting	3	1			1	5
Waste management	4				1	5
Total	59^(4t)	2	2	(1^(t))	4	67

Note: (t) = Transitional Indicator (an indicator that does not meet the selection criteria but has been retained for other reasons)

4.0 PROPOSED RESPONSE ON THE DIRECTION

4.1 A copy of the Council's proposed response on the Direction is attached as an appendix to this report.

4.2 This response has been compiled following consultation with all Council departments and includes only those indicators relating to services provided by Local Authorities which are changed, new, or where specific comments on existing indicators have been requested by the Accounts Commission.

5.0 AMENDMENTS TO THE 2001 AND 2002 DIRECTIONS

5.1 Following a recent consultation by the Accounts Commission on the requirements for the publication of Statutory Performance Information and the introduction of the Local Government in Scotland Act 2003 in April of this year, the Commission has confirmed that the 2001 and 2002 Directions will now simply require that the Performance Information be in the Public Domain and advertised as available by 30 September each year. This removes the requirement to place a 'statutory advertisement' giving all the performance information in a newspaper circulating within the Authority's area.

6.0 PROPOSALS FOR PUBLICATION OF STATUTORY PERFORMANCE INFORMATION

6.1 This amendment to the requirements for the publication of Statutory Performance Indicators allows Councils to determine the most appropriate approach to ensuring that Performance Information is in the public domain and advertised as available.

6.2 Accordingly, it is proposed that a number of means of communicating and distributing Statutory Performance Information within East Ayrshire Council be adopted, including:-

- copies of the Statutory Performance Information will be available to the general public from Council Offices and Council Libraries;
- a press release will be prepared for the local newspapers advising of the availability of the Performance Information;
- a box advertisement will be taken out within the local newspapers, again advising of the availability of the Statutory Performance Information; and
- all of the Performance Information will be placed on the Council's website.

7.0 POLICY/FINANCIAL/LEGAL IMPLICATIONS

7.1 The Local Government in Scotland Act 2003 removes the need for Councils to place a statutory advert in newspapers circulating within an authority's area. The requirement for Councils to put performance information into the public domain by 30 September each year as required by the 1992 Act remains in force. The revised arrangements proposed within this report will allow the Council to continue to meet its statutory obligations without any consequential impact on existing budgets set aside for this purpose.

8.0 CONCLUSION

8.1 The collection and publication of Statutory Performance Information is central to the process of ensuring that the Council provides continuously improving services. The opportunity to comment on the Direction is consequently welcome in order to ensure that the views of practitioners are incorporated within future performance

indicators. The revised requirements in relation to the publication of performance information are also welcomed by the Council.

9.0 RECOMMENDATIONS

9.1 The Committee is asked to:

- (i) agree to the response on the 2003 Direction, as appended to this report as the Council's response to the Accounts Commission's consultation;
- (ii) note the change in the requirement for the publication of Statutory Performance Information;
- (iii) agree to the proposed approach for the distribution of Statutory Performance information within East Ayrshire as outlined in section 6 of this report; and
- (iv) otherwise note the contents of this report.

Fiona Lees
Depute Chief Executive/Director of Corporate Resources

17 September 2003

LIST OF BACKGROUND PAPERS

Accounts Commission 2003 Direction; and Amendments to the 2001 and 2002 Directions

Any person wishing to inspect the above background papers or wishing further information on this report should contact Fiona Lees, Depute Chief Executive/Director of Corporate Resources (tel. 01563 576019) or James Lally, Senior Officer, Corporate Development and Communication (tel. 01563 576148)

IMPLEMENTATION OFFICER: John Clayton, Head of Corporate Development and Communication (tel. 01563 576165)

COMMENTS ON THE ACCOUNTS COMMISSION CONSULTATION ON THE 2003 DIRECTION

1.0 GENERAL COMMENTS

1.1 Equalities

The Council is committed to the promotion of equal opportunity both as an employer and as a service provider and welcomes the discussions between the Accounts Commission, the Equalities Commissions and COSLA's equalities adviser to develop the Commission's strategy in relation to equalities issues within their studies. Specific comments on the proposed introduction of the new equalities SPI, the need for which is recognised by the Council, are provided later in this response.

1.2 Supporting People

The Council is pleased to see that the Commission are considering the introduction of an indicator on the effectiveness of the 'supporting people' initiative and would suggest that the measure of success would be the sustainability of any tenancy which has an "Advisory and Guidance Service" attached to it. The measure should therefore count the number of such tenancies and how long they have remained in force.

2.0 SPECIFIC INDICATORS

2.1 Adult Social Work – Indicator 2 – Expenditure

The Council agrees with the deletion of this indicator.

2.2 Children's Services – Indicator 7 – Child Protection

Child Protection is such an important area of service that the Council consider it should continue to be reported in some format. It is suggested that further discussions in this respect should be held with the Social Work Statistics Liaison Group and the Association of Directors of Social Work prior to the proposed deletion of this indicator in the 2004 Direction.

Possible suggestions for reporting in this area of activity include the percentage of children referred who went on to case conference and the percentage of children who were subject to a case conference who subsequently became registered, however, as indicated above further discussion around this issue is required.

2.3 Children's Services – Indicator 8 Academic Achievement of Looked After Children

The proposed amendment to this indicator to include SCQF achievements is a change welcomed by the Council. The previous reliance on standard grades overlooked the achievements of looked after children in attaining other qualifications.

With regard to the possible introduction of a second part of this indicator to report the educational achievement of looked after children at home, the Council is aware that similar information is already collected by the Scottish Executive and consequently would have no difficulties with this proposal.

2.4 Corporate Management – Indicator 4 - Public Access

The Council welcomes the introduction of this Indicator. The Building Standards Amendment (Scotland) Regulations 2001 are currently being used as part of an Access Audit being carried out by the Council. The survey is scheduled to be completed by the beginning of January 2004 and thus the Council will be in a position to report on this Indicator.

There is, however, some concern that the definition of “suitable for and accessible to disabled people” as suggested in the indicator needs further clarification and strengthening as it could be misinterpreted by service providers and indeed service providers may not be fully aware of the specific standards that should be met to ensure compliance with Section 3 of the Disability Discrimination Act 1996 (DDA).

To ensure consistency in delivering against the performance criteria, it is essential that prescribed national standards are set and adhered to. This will require Councils to base their information on accredited Access Audits that not only review the public areas of the building against the Building Standards (Scotland) Regulations 1990 as amended, but also take cognisance of all other relevant guidance such as BS 8300 - The design of buildings and their approaches to meet the needs of disabled persons, and BS 5588 Part 8 - Code of Practice for means of escape for disabled people etc.

It is also important to note that the levels of investment Scottish Councils have made to their property portfolio in the lead up to comply with the October 2004 DDA deadline will be variable. Without a suitable Access Audit confirming compliance against the agreed standards, the performance information supplied as a Performance Indicator will be variable. Consequently, to ensure accuracy, the Performance Indicator must be based on agreed standards, which dovetail with the requirements of the Disability Discrimination Act.

In addition, it is hoped that the performance indicator relates only to the building(s) or part of the building(s) which are open for public access and not the staff areas where the public will have no access and that this position will be strengthened within the final definition for this indicator.

2.5 Corporate Management – Indicator 5 – E-Services

The Council believes that there is a need to define and agree a national set of Service descriptions to be web-enabled throughout Scotland for use by all local authorities. Each authority would be able to supplement this definitive list with their own local initiatives and services, which may be unique to that authority. At present, many authorities (including East Ayrshire) are using sets of services derived from various sources e.g. ESD Toolkit and modified sets obtained from other authorities etc. The Scottish Executive has also published a list of some 92 services which are currently being used to produce progress reports on electronic service delivery.

The e-Europe 4 stage framework defines the targets as (1) Information Only, (2) One Way Interaction, (3) Two Way Interaction, and (4) Full Online Transaction. This framework should be used to assess the progress each Authority is making in e-enabling each service.

Whether there is also the need to adopt the ESD Toolkit framework (which consists of 10 categories) in addition to the e-Europe framework is debatable but should also be given consideration.

The proposed introduction of this indicator using either of the frameworks outlined above gives a method of reporting progress in e-enabling services but does not address the wider need to measure performance improvements as a result of e-enablement. This is perhaps an issue which should be further considered by the Commission and could be achieved through the introduction of disaggregated data within specific SPIs to highlight improvements in service delivery as a result e-enablement.

2.6 Corporate Management – Indicator 8 – Council Tax Collection

The Council has no concerns regarding the proposal to show more detail about the council tax arrears collected for a number of previous years within this indicator as this information is already provided to the Scottish Executive.

To supply this information to the Commission also within the SPI proforma would not be an additional burden to the Council and to ensure accuracy, this method of providing information to the Commission is preferred as opposed to the Commission deriving these figures directly from the Scottish Executive.

2.7 Housing - Indicator 1 – Response Repairs

The Council do not support the idea of common definitions of repairs and their timescales. We consider the current ability of each authority to create its own policy and procedures based on its resources entirely justifiable. We do not support the withdrawal of the indicator and would refer to the Annual Performance & Statistical Return (APSR) which is completed annually by each RSL which, inter alia, collects statistics on repairs in a similar fashion to those of Indicator 1. As we are moving towards a commonality of indicators across the social rented sector, a withdrawal of this indicator would in the view of the Council be perceived as a retrograde step.

2.8 Protective Services – Indicator 6 – Inspection of Trading Premises

The Council's Trading Standards Service has indicated that they will be applying the new inspection standard frequencies in accordance with the LACORS Trading Standards Risk Assessment Scheme, consequently, the proposed change to inspection frequencies is accepted by the Council.

The proposals to show levels of compliance among businesses within the indicator are also accepted by the Council.

2.9 Roads and Lighting - Indicator 4 – Street Lighting

It is the Council's view that the gross cost of street lighting per street lamp, though well intended, has in its present format, failed to represent actual costs incurred by local authorities. The inclusion of capital charges has complicated the indicator and reduced its worth as an indicator of actual spend and therefore efficiency in resource use.

It is apparent (anecdotally) that there are differences in the methods employed by local authorities to allocate these overheads. Disaggregation from the former Regional Councils has further complicated the issue introducing a historical element which may not be proportional to actual costs.

Also, the figure does little to indicate whether or not an authority is providing best value. A low figure might be a consequence of little or low maintenance rather than demonstrating low repair costs. Conversely, a high cost could equally be a consequence of high preventative (planned) maintenance and column renewal or wasteful expensive maintenance.

Consequently, the Council would propose that Part a) should, at the very least, have the capital charge element withdrawn and have added contextual figures indicating the number of faults and the percentage of units attended in the Council's planned maintenance programme. Following on from this proposal, it is further suggested that the percentage of columns replaced should be retained to support the gross cost of street lighting per street lamp.

The Council also supports the proposal to amend Part b) of the indicator to show the percentage of lighting columns that are over 30 years old, with the proviso that there should be an acceptance that there is likely to be some element of approximation as older inventory records may be less accurate.

The 30 year figure is accepted industry-wide as the life expectancy of modern columns and is in our view an appropriate benchmark.

2.10 Roads and Lighting – Indicator 5 – Bridges – Road Network Restrictions

The Council believes that the indicator as proposed i.e. including only those bridges that are subject to a restriction order rather than including bridges which are assessed as failing but are not yet the subject of restriction orders, would provide a sound basis for the new indicator.

As stated in the proposal, however, the indicator would not take into account the number of bridges that have failed their assessment but have not had restrictions applied. In East Ayrshire Council's case, the majority of the bridges that have failed their assessment are left in service unrestricted and are being managed in accordance with BA79.

At present, East Ayrshire Council has carried out 40% of the assessments required. Of the 122 bridges assessed, there are 11 that have failed the 40 tonne assessment, and of these, only 4 have restrictions placed upon them.

A substantial investment in budget and manpower would be required to complete the remaining assessments, carry out strengthening programmes, and promote any subsequent restrictions.

2.11 Waste Management - Indicator 5 – Cleanliness

The proposals for this new indicator appear to be at a very early stage and the Council notes that they will not be finalised until discussions with a range of third parties are complete. In these circumstances, it is important that the Accounts Commission continue to consult with local authorities and professional organisations to ensure that the requirements of this new indicator meet with their approval.

Commenting on the proposals as they currently stand, the Council is of the opinion that, on the basis of anecdotal evidence that the LEAMS scheme could be manipulated, a better approach would be for some measurement of a Council's ability to respond to any COP (ie Code of Practice on Litter and Refuse) situation rather than simply looking for clean or dirty streets.

An example offered was that during the LEAMS inspection, the Council was advised of an area which was below grade A and invited to respond in terms of the zoning. Therefore if any part of the town centre was say at grade C and we had 2 hours to get it back to grade A, our performance would be measured on that basis. The Council believes that this approach is more workable than simply publishing the outcome of the LEAMS survey.