



NORTH AYRSHIRE
COUNCIL

Cunninghame House,
Irvine.

24 October 2013

Cabinet

You are requested to attend a Special Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **TUESDAY 29 OCTOBER 2013** at **11.00 a.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2. Minutes (Page 7)

The accuracy of the Minutes of the meeting of the Committee held on 8 October 2013 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

GENERAL BUSINESS FOR DECISION

Reports by the Corporate Director for Finance and Corporate Support

3. **Write Off of Tenant Rent Arrears (Page 11)**
Submit report by the Corporate Director (Finance and Corporate Support) on tenant rent arrears and court costs and to seek approval to write off irrecoverable amounts (copy enclosed).
4. **Recovery of Housing Benefit Overpayments (Page 15)**
Submit report by the Corporate Director (Finance and Corporate Support) on the revised policy for the recovery of Housing Benefit (copy enclosed).
5. **Treasury Management Strategy 2013/14 - Proposed Revisions (Page 35)**
Submit report by the Corporate Director (Finance and Corporate Support) on proposed amendments to the Annual Investment Strategy in relation to deposits with Government-backed institutions (copy enclosed).
6. **Council Owned Houses on Arran (Page 39)**
Submit report by the Corporate Director (Finance and Corporate Support) on the current status of the schoolhouses on Arran and to propose a way forward for the future of the schoolhouses (copy enclosed).
7. **Revision to the Policy for the Transfer of Assets to the Community (Page 43)**
Submit report by the Corporate Director (Finance and Corporate Support) on amendments to the Policy for the Transfer of Assets to the Community (copy enclosed).
8. **Surplus Property - 19 Braehead, Dalry (Page 83)**
Submit report by the Corporate Director (Finance and Corporate Support) on the disposal of the former office property known as CLAD, 19 Braehead, Dalry (copy enclosed).
9. **North Ayrshire's Shared Services and Partnership Working (Page 87)**
Submit report by the Corporate Director (Finance and Corporate Support) on progress in taking forward Shared Services and partnership working in North Ayrshire (copy enclosed).

Reports by the Corporate Director for Social Services and Health

10. **Chief Social Work Officer Annual Report (Page 103)**
Submit report by Corporate Director (Social Services and Health) on the report by the Chief Social Work Officer as required by the Scottish Governments Guidance (copy enclosed).
11. **Development of an Ayrshire Sensory Impairment Service (Page 129)**
Submit report by the Corporate Director (Social Services and Health) on the shared services agenda specifically the development of an Ayrshire Wide Sensory Impairment Service (copy enclosed).

12. Social Service Change Programme Update (Page 135)

Submit report by the Corporate Director (Social Services and Health) on progress in terms of the new Service User Journey (copy enclosed).

GENERAL BUSINESS FOR INFORMATION

13. Review Of Community and Culture (Page 159)

Submit report by the Corporate Director (Education and Skills) on the revised structure and service delivery model within Community Development (copy enclosed).

14. School Meals (Page 165)

Submit report by the Corporate Director (Development and Environment) on measures being developed to further improve the uptake of school meals throughout North Ayrshire (copy enclosed).

15. War Memorials (Page 171)

Submit report by the Corporate Director (Development and Environment) on the management and maintenance of War Memorials (copy enclosed).

16. Team North Ayrshire and Account Management (Page 179)

Submit report by the Corporate Director (Development and Environment) update on the proposals presented by the Economic Development and Regeneration Board to encourage business growth (copy enclosed).

17. Saltcoats Town Hall Redevelopment Project (Page 187)

Submit report by the Corporate Director (Finance and Corporate Support) on progress regarding Saltcoats Town Hall Redevelopment Project (copy enclosed).

CONTRACT APPROVAL

18. Measured Term Contract (MTC): Periodic Testing and Inspection of Fixed Electrical Installations (Page 191)

Submit report by the Corporate Director (Finance and Corporate Support) on the result of the tender exercise for the MTC for Periodic Testing and Inspection of Fixed Electrical Installations (copy enclosed).

19. Council House Development Project: John Galt Primary School, Irvine (Page 203)

Submit report by the Corporate Director (Finance and Corporate Support) on the appointment of a Contractor for the construction of 80 new houses on the cleared John Galt Primary School site (copy enclosed).

MINUTES

20. South West Hub Territory Partnering Board: Minutes of meeting held on 29 August 2013 (Page 213)

Submit report by the Corporate Director (Finance and Corporate Support) on the minutes of the meeting of the South West Hub Territory Partnering Board held on 29 August 2013 (copy enclosed).

21. Economic Development and Regeneration Policy Board: Minutes of meeting held on 11 September 2013 (Page 223)

Submit report by the Corporate Director (Development & Environment) on the minutes of the meeting of the Economic Development and Regeneration Policy Board held on 11 September 2013 (copy enclosed).

22. 1st Tier Joint Consultative Committee and Corporate Health and Safety Group: Minutes of Meetings held on 19 September 2013 (Page 237)

Submit report by the Chief Executive on the minutes of the meeting of the 1st Tier JCC and the Corporate Health and Safety Group, both held on 19 September 2013 (copy enclosed).

23. Housing Revenue Account Business Plan Implementation Group: Minutes of meeting held on 24th September 2013 (Page 249)

Submit report by the Corporate Director (Social Services and Health) on the minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 24 September 2013 (copy enclosed).

EXEMPT ITEMS

24 Exclusion of the Public and Press

Resolve, in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the meeting, the press and the public for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 6 and 9 of Part 1 of Schedule 7A of the Act.

In terms of Standing Order 17 (Disclosure of Information) the information contained within the following report is confidential information within the meaning of Section 50A of the 1973 Act and shall not be disclosed to any person by any Member or Officer.

25. Sale of Claims (Page 255)

Submit report by the Corporate Director (Finance and Corporate) (copy enclosed).

26. Urgent Items

Any other items which the Chair considers to be urgent.

Cabinet

Sederunt: **Elected Members**

Willie Gibson (Chair)
Alan Hill (Vice-Chair)
John Bruce
Marie Burns
Anthea Dickson
Tony Gurney
Ruth Maguire

Chair:

Attending:

Apologies:

Meeting Ended:

Cabinet
8 October 2013

Irvine, 8 October 2013 - At a meeting of the Cabinet of North Ayrshire Council at 2.30 p.m. in Cunninghame House, Irvine.

Present

Willie Gibson, Alan Hill, John Bruce, Marie Burns and Tony Gurney.

In Attendance

L. Friel, Corporate Director, D. Tate Senior Manager (Housing Assets and Investment) and T. Reaney, Procurement Manager (Finance and Corporate Support); A. Sutton, Head of Community and Culture (Education and Skills); A. Fraser, Head of Democratic and Administration, K. Dyson, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Anthea Dickson and Alex McLean.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the meeting of Cabinet held on 25 September 2013 was confirmed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Suspension of Standing Orders

The Cabinet resolved, in terms of Standing Order 19, to suspend Standing Order 21, to allow consideration of the recommendation within Agenda Item 6 (Energy Company Obligation (ECO) – Appointment of ECO Partner.

4. Council Governance – Policy Boards Review and Neighbourhood Planning Forums

Submitted report by the Chief Executive which (a) provided information on the outcome of the review of Policy Boards; (b) proposed the creation of Advisory Panels; and (c) reported on progress in taking forward Neighbourhood Planning.

Members asked questions, and received clarification, on the following:-

- the participation of Community Planning Partners and community representatives in Neighbourhood Planning Forum meetings;
- the role of Neighbourhood Planning Forums and any anticipated overlap with the business of Area Committees;
- whether some reports for information only might require to be noted formally by the Cabinet; and
- the potential for duplication of effort in terms of matters which might be considered by an Advisory Panel and then the Cabinet.

The Cabinet agreed (a) to note the outcome of the Policy Boards review; (b) that the six Policy Boards be replaced by two Advisory Panels, namely the Physical Environment Advisory Panel and the Communities and Lifelong Learning Advisory Panel; (c) to the creation of six Neighbourhood Planning Forums; and (d) that the Chief Executive carry out a review of the new arrangements once they have been in place for approximately a year.

5. Sundry Debtor and Commercial Refuse Write Offs

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) advised of sundry debtor and commercial refuse write offs under delegated powers; and (b) requested authority to write off balances which exceed the delegated powers threshold.

The Cabinet agreed (a) to note the sums written off under delegated powers; and (b) authorise the write off of balances over £1,000, as set out in Appendix 1 to the report.

6. Energy Company Obligation (ECO) – Appointment of Eco Partner

Submitted report by the Corporate Director (Finance and Corporate Support) which sought approval to vary the appointment of its ECO partner from British Gas Plc to Scottish Power Energy Retail Ltd.

The Cabinet agreed to (a) approve the replacement of British Gas Plc as the preferred ECO partner for projected noted as 1, 2 and 3 within the Cabinet report of 25 June 2013, as contained in Appendix 1 to the report; and (b) delegate authority to the Corporate Director (Finance and Corporate Support) to appoint the appropriate ECO providers for any further ECO projects identified throughout the remainder of the 2013/14 financial year.

7. Property Factors (Scotland) Act 2011

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) reported on the outcome of the public consultation exercise on the introduction of North Ayrshire Council's Property Factoring Service; and (b) provided information on the contents of the finalised Statement of Service which sets out the operation of the Property Factoring service.

Members asked questions, and received clarification, on the background to the report.

Noted.

8. Community Empowerment and Community Associations in North Ayrshire

Submitted report by the Corporate Director (Education and Skills) which informed of progress made within the short life working group on community centres to support community associations in developing progressive approaches to managing community centres in North Ayrshire.

Members asked questions, and received clarification, on the operation of the community centre at Cranberry Moss in Pennyburn.

Noted.

9. Measured Term Contract: Annual Inspection and Reactive Maintenance of Domestic Gas Central Heating Installations and Ancillary Equipment

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) advised of the outcome of the tender exercise for the Measured Term Contract for the Annual Inspection and Reactive Maintenance of Domestic Gas Central Heating Installations and Ancillary Equipment; and (b) presented a recommendation in terms of the award of the contract.

The Cabinet agreed to approve the award of the contract for the Annual Inspection and Reactive Maintenance of Domestic Gas Central Heating Installations and Ancillary Equipment, to the end of 31 March 2017, with the option to extend for up to a further 2 years, to Saltire Facilities Management Limited.

10. Measured Term Contract 2013-16 - Heating, Mechanical and Ventilation Systems: Responsive Repairs and Maintenance

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) advised of the outcome of the tender exercise for the Measured Term Contract for Responsive Repairs and the Maintenance of Heating, Mechanical and Ventilation Systems; and presented a recommendation in terms of the award of the contract.

The Cabinet agreed to approve the award of the contract for Responsive Repairs and the Maintenance of Heating, Mechanical and Ventilation Systems, for 3 years with the option to extend for a further two years, commencing on 1 December 2013, to Arthur McKay and Company Limited.

11. Corporate Equality Group

Submitted report by the Chief Executive on the Minutes of the Meeting of the Corporate Equality Group held on 2 September 2013.

Noted.

The meeting ended at 3.05 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

29 October 2013

Special Cabinet

Subject: **Write Off of Tenant Rent Arrears**

Purpose: To advise Cabinet on tenant rent arrears and court costs and to seek approval to write off irrecoverable amounts.

Recommendation: That Cabinet approves the write-offs totalling £61,792.62 as detailed in Section 2 of the report.

1. Introduction

- 1.1 Rent arrears and associated court costs for former tenants of Council houses accumulate for a variety of reasons, such as tenants abandoning the house, eviction, imprisonment, or death. In these circumstances, arrears can eventually be deemed to be irrecoverable.
- 1.2 In terms of the Council's Financial Regulations (Code of Financial Practice 3) relating to the control of income, individual arrears of under £1,000 can be written off with the approval of the Corporate Director (Finance and Corporate Support) after consultation with the Chief Executive.
- 1.3 Arrears of £1,000 and over can only be written off following approval by Elected Members.

2. Current Position

- 2.1 Reports are submitted twice yearly to Cabinet, seeking Members' approval to write off rent arrears. This is the first of two reports to be presented to Cabinet for financial year 2013/14.
- 2.2 Rent arrears of £1,284,750 were outstanding as at 30 September 2013, with £129,199.90 now deemed to be irrecoverable. A further £12,629.52 of court costs were also deemed to be irrecoverable, i.e. a total of £141,829.42.
- 2.3 The HRA Revenue budget for 2013/14 includes a provision of £1,046,909 to meet the cost of rent write-offs in the year. The proposed write-off represents 0.29% of the Council's budgeted rent income for 2013/14 and 12.3% of the budget available to meet the costs of write-offs in the year.

- 2.4 In accordance with the Code of Practice, £80,036.80 has been written off with the approval of the Corporate Director (Finance and Corporate Support), after consultation with the Chief Executive. The remaining £61,792.62, relating to tenants with total balances owed of £1,000 or more, requires the approval of Cabinet for write off.
- 2.5 The balance of £61,792.62 noted at section 2.4 above relates to Tenant accounts that have been pursued by Legal Services and all avenues currently open to them have been exhausted, or the individual concerned has been sequestered.
- 2.6 Members should note that, of the £80,036.80 outlined at section 2.4 above which was written off by the Corporate Director (Finance and Corporate Support), £390.53 relates to current tenant rent balances that are over one year old, where the debt has been deemed by Housing Services to be uneconomical to pursue. This is in line with the Council's policy on Rent Arrears approved by the Property Services Committee of the Council on 25 April 2006.
- 2.7 The Welfare Reform Working Group will track changes to benefit entitlements, which may impact adversely on the level of rent arrears and subsequent write off. This will be monitored to identify issues at the earliest opportunity, minimising the impact on residents, the Council's rent collection levels and delivery of the Housing Business Plan.

3. Proposals

- 3.1 It is proposed that Cabinet agrees to write off balances in excess of £1,000, per tenant, totalling £61,792.62.

4. Implications

Financial Implications

- 4.1 The Housing Revenue Account budget for 2013/14 includes sufficient provision to meet the cost of the total proposed rent write-off, as outlined within this report.
- 4.2 Whilst these sums may be written off, every effort will be made to continue to pursue for recovery, if new information becomes available.

Human Resource Implications

- 4.3 There are no Human Resource implications arising from this report.

Legal Implications

- 4.4 There are no Legal implications arising from this report.

Equality Implications

- 4.5 There are no Equality implications arising from this report.

Environmental Implications

- 4.6 There are no Environmental implications arising from this report.

Implications for Key Priorities

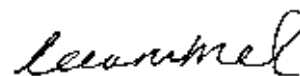
- 4.7 There are no implications for key priorities arising from this report.

5. Consultations

- 5.1 The Interim Head of Housing has been consulted on this matter and supports the proposed action.

6. Conclusion

- 6.1 There are certain arrears which are considered to be irrecoverable, for a wide variety of reasons, and it is recommended that Cabinet exercises its powers to write these off on the understanding that, if new information comes to light, the debts will be pursued.



LAURA FRIEL

Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Keith MacDonald, Management Accountant on telephone number 01294 324511

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 4

29 October 2013

Special Cabinet

Subject: **The Recovery of Housing Benefit Overpayments**

Purpose: To seek the Cabinet's approval of the revised policy on the recovery of Housing Benefit as set out at Appendix 1.

Recommendation: That the Cabinet approves the revised policy on the recovery of Housing Benefit as set out at Appendix 1.

1. Introduction

- 1.1 Council Tax Benefit was abolished on 31 March 2013 and replaced by a Council Tax Reduction scheme, therefore the Council's current policy on the recovery of Housing Benefit and Council Tax Benefit overpayments requires to be updated.
- 1.2 The Council Tax Reduction scheme has the same status as a council tax discount in terms of the Local Government Finance Act 1992 and is not a Social Security Benefit. Overpaid Council Tax Reduction is added to a council tax account and recovered directly from the customer. This is separate from the recovery of Housing Benefit and therefore does not form part of the revised policy on the recovery of overpaid benefit.

2. Current Position

- 2.1 The proposed revised policy on the recovery of Housing Benefit is set out at Appendix 1. The only change to the policy is that all references to council tax benefit have been removed.

3. Proposals

- 3.1 It is proposed that the Cabinet approves the revised policy on the recovery of Housing Benefit as set out at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no direct financial implications arising from the report.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 The revised policy ensures that the Council meets its legal obligation under Section 75 of the Social Security Administration Act 1992.

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

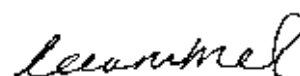
- 4.6 None

5. Consultations

- 5.1 The policy has only been amended to remove all references to the former council tax benefit scheme therefore there has been no consultation on the policy.

6. Conclusion

- 6.1 Approval of the policy as set out at Appendix 1 will provide formal direction to the Benefits Service in the recovery of overpaid Housing Benefit.



LAURA FRIEL

Corporate Director (Finance and Corporate Support)

Reference : SH

For further information please contact Stephen Humphries, Chief Revenues and Benefits Officer on 01294 324527.

Background Papers

Policy on the recovery of overpaid Housing Benefit.



Policy on the recovery of overpaid Housing Benefit

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Overpayments Charter

North Ayrshire Council's Benefit Services undertakes to conform to the following principles in the calculation and recovery of overpaid Housing Benefit.

Good Quality Decision Making

- Decisions on overpayments will be made as quickly as practicably possible and will fully conform to the requirements of the law.
- Fairness will always be maintained in the decision making process.
- Requests for re-considerations or appeals will be dealt with as promptly as practicably possible and undertaken by a different officer to the one that made the original decision.

Customer Focused Service

- Claimants and Landlords will be treated with courtesy and respect, and all aspects of their enquiry will be dealt with in confidence.
- Information supplied to Claimants and Landlords will be as clear as possible and requests for further information and clarification will be dealt with as soon as possible.
- Information will be properly made available to all affected persons, stakeholders and claimant's representatives when appropriate.
- Claimants will be offered a flexible and structured means of recovery and efforts will be made to reach mutually acceptable recovery levels and methods.
- Early contact will be encouraged when the Claimant is finding difficulty in making payment.

Efficient Recovery

- Benefits Services will make every reasonable effort to recover overpayments in accordance with the law, and shall reserve the right to enforce debts through the Sheriff's Officer where appropriate and necessary.
- The best possible performance in the recovery of overpayments will be striven for, and the success of the Benefits Services' efforts will be measured in accordance with the Department for Work and Pension's Performance Indicators.
- The Council's debt recovery team will conduct quality checks and have targets for performance.
- Debts which are decided to be impossible to recover, or which would not be in the public interest to recover, shall be written off in accordance with this policy and the Councils' corporate write-off policy.
- All debts will be under proper financial control, and will be properly monitored.

Introduction

Overpayments of Housing Benefit (HB) are the result of a claimant being paid more than they are entitled to. The calculation and recovery of these sums is of fundamental importance for the following reasons:

- To ensure the claimant receives their correct entitlement.
- To protect the “public purse” – the funds of North Ayrshire Council.
- To secure subsidy from Central Government, because subsidy is usually only payable for overpayments when recovery has been attempted.
- As deterrence to fraud: fraudsters are increasing their risk if they know that overpayments will be recovered.
- To underpin the quality of the service as a whole.

The Assessment of the Overpayment

The initial calculation of the overpayment is undertaken at the time a claim is re-assessed due to a change of circumstances, or when new information comes to light. The Benefit Service’s policy is to act in accordance with the following steps:

- To process the change as soon as possible, and to minimise the overpayment.
- To ensure that the change is processed on the most accurate information and from the correct effective date, including the calculation of underlying entitlement where appropriate.
- That, where appropriate, new details are invited in orders to calculate any subsequent entitlement that may be used to reduce the overpayment.
- To ensure that when an assessment is being made in respect of a new or change of address claim, that any existing overpayment in respect of the customer’s previous address is acted upon.
- That the issues of recoverability are considered at the point of assessment.

The Notification of the Overpayment

The notification of the overpayment is one of the most important aspects of the process. A proper notification is to be made to each “person affected” before recovery can be made. A person affected is the Claimant in every case, and the Landlord when recovery is being made from them.

The Recoverability of Overpayments

In law, all overpayments are recoverable unless they are “non-recoverable”. Non recoverable overpayments occur when an official body such as the Council, DWP or Inland Revenue causes an overpayment by making an error, or failing to act, and the customer did not contribute to the error, and could not reasonably have been expected to know they were being overpaid.

Consequently most overpayments *can* be recovered but they do not *have* to be recovered, and there may be mitigating circumstances when recovery is deemed inappropriate.

Also, there may be cases in which one overpayment will be classified into two separate categories – part recoverable and part non-recoverable.

In determining the recovery of overpayments the Council's policy is to take into consideration the following points:

- Whether or not the overpayment is recoverable. Any decision not to recover will require the approval of a Team Leader or other Senior Officer.
- If the overpayment is recoverable is it appropriate to recover it? There will only be a small minority of cases when recovery will not be appropriate. This decision will require the approval of a Senior Officer.
- From which party should recovery be sought?
- Which will be the most appropriate method of recovery?

From Whom Recovery will be sought

An overpayment of HB can be recovered from a wide choice of “targets”. These are as follows:

- The Claimant
- The Claimant's partner (but only by deductions to benefit when the Claimant and partner were partners at both the time the overpayment was created and the time the overpayment is being recovered) or from their IS/JSA (IB) SPC or (IR) ESA
- The person to whom the HB was paid (an Agent or Landlord)
- In the case of an overpayment being caused by a misrepresentation or failure to disclose a material fact; the person that made the misrepresentation or failed to disclose a material fact. When an overpayment has been caused by an official error it will be recovered from the person who could reasonably be expected to know they were being overpaid. When neither of the above apply, it can be recovered from the claimant or the payee.
- The estate of a deceased person

The policy of North Ayrshire Council is to recover overpayments along the following guidelines. *It should be noted however that these guidelines are not*

a blanket policy and are merely a policy guideline. All decisions are to be made on the individual facts of the particular case.

- When the overpayment has been paid to the claimant it will normally be recovered from the claimant, unless there was a misrepresentation/failure to disclose from a third party, in which case recovery will be considered from that person.

Recovery of overpayments from a Landlord

When HB has been paid to the Landlord the Benefits Service may recover the overpayment from the Landlord when –

- The overpayment was caused by misrepresentation or a failure to declare a material fact and the Landlord is a person that made the misrepresentation, or failed to declare the material fact, or
- In the case of an overpayment caused by an “official error”, the Landlord is a person that could reasonably have been expected to know there was an overpayment.
- When neither of the two points apply, the Benefits Service can recover from either the claimant or the Landlord

However, there are restrictions on when the Benefits Service can recover an overpayment from a Landlord;

- An overpayment cannot be recovered from a Landlord when the following circumstances exist:
 1. The Landlord has notified the Benefits Service or the DWP in writing that he suspects there has been an overpayment, and
 2. The Benefits Service is satisfied the overpayment did not occur through a change of address, and
 3. The Benefits Service is satisfied that the overpayment was caused fraudulently or dishonestly, and
 4. The Benefits Service is satisfied that the Landlord did not collude or act to cause the overpayment

Recovery of overpayments from a Third Party

- Recovery will only be made from the Claimant's partner when the Claimant and partner were partners at the time the overpayment was created and at the time it is recovered.
- Recovery will be sought from the estate of a deceased person when an overpayment has been made to a Claimant who has passed away. A specially designed letter is to be used to inform the Executor of the overpayment and to invite re-payment unless no funds are available in the estate, in which case a write-off will be considered.

Method of Recovery

There are various options to recover overpayments of HB, including:

- Deductions to HB entitlement
- Recovery made from the payments made to a Landlord
- From arrears of HB entitlement payable
- Deductions to other Social Security Payments
- By means of an invoice
- Through a Council Tenant's rent account
- Recovery by deduction from earnings

It is the Benefit Service's Policy to consider the most appropriate method and rate of recovery in respect of an individual case, but the following guidelines are to be noted:

Deductions to HB entitlement

Deductions to HB entitlement will usually be the preferred method of recovery where the Claimant has a continuing entitlement, and the overpayment is to be recovered from him. This is so because it is a simpler method than paying the Claimant a greater sum, and then seeking repayment from him.

Deductions to entitlement can be used as a method of recovery when an overpayment is decided to be recoverable from a tenant or from a Landlord, but unless the Benefits Service decides otherwise, recovery by this method is to be treated as made from the tenant. The HB Regulations state that the Claimant must be left with a payment of at least 50p per week after deductions have been made. They further state maximum amounts, which can be taken in respect of any "benefit week" and are reviewed annually by the DWP.

The Benefits Service will have regard to the Claimant's health and financial circumstances when deciding the appropriate level of deduction in order to avoid causing undue hardship, but if no special circumstances are made known then the level of deduction will be made in accordance with the regulations.

The regulations also permit additional recovery to be made of up to 50% of the following:

- The Standard Earnings Disregard (the first £5, £10, £20 or £25 of earned income is disregarded when calculating Housing Benefit depending on the circumstances of the claimant)
- Any disregarded charitable or voluntary income
- The standard disregard applied to War Widows or War Disablement Pension (£10)

The Benefits Service will only consider using these additional amounts when there is a reasonable belief that to do so would be in the interests of efficient HB administration and they would not cause any undue hardship to the Claimant. The authorisation for a decision to use the additional amounts will require the approval of a Team Leader, or other Senior Officer.

Since 10 April 2006 there has been an exception to the above guidelines where a claimant has been overpaid for his previous address due to moving to the new address. The authority can deduct the full amount of the entitlement for the new property for the number of weeks that the claimant was overpaid at his previous address.

Although the Claimant does not enjoy a formal right of appeal in respect of the level of deductions made, the Benefits Service undertakes to consider any request made by a person subject to deductions to review the level when difficulties are claimed. The decision to reduce a deduction will be authorised by a Team Leader or other Senior Officer.

The Benefits Service will be happy to accept higher levels of deduction than those prescribed in the regulations when the Claimant volunteers these.

Although the HB Regulations allow Local Authorities to recover overpaid HB on behalf of one another by deductions to entitlement, the practicalities of doing this, and of transferring the resultant payments means that this is not a preferred policy of North Ayrshire Council.

Recovery made from the payments made to a Landlord

- Deductions from any benefit the Landlord is entitled to
- Deductions made to the tenant's entitlement can be used to recover a Landlord's overpayment when the Benefits Service have decided that the overpayment is not to be recovered from the tenant
- Recovery can be made from a Landlord's Schedule of Payments including third party debts under the blameless tenant provisions
- The Regulations also allow recovery to be made from "prescribed" DWP benefits paid to the Landlord

The practicalities of the methods above mean that the most usual way in which Landlord overpayments will be recovered is by deduction to the

payment schedule. The Benefits Service adopted this method in 2000 and it remains the preferred recovery option providing that the following consideration has been satisfied –

That to recover a specific debt by deductions to a schedule payment would not cause undue hardship to the Landlord.

Blameless Tenant

A person is known as a blameless tenant when an overpayment is recoverable from a landlord, and it has been recovered from the HB of a tenant other than the tenant to whom the overpayment relates.

In these cases the Landlord has to treat the “Blameless” tenant as having received the full amount of HB, and not a reduced amount. As the blameless tenant is not a “person affected” by the recovery action taken they have no right to apply for a revision of the decision or appeal against it.

In addition to the consideration of Landlord hardship outlined above the Benefits Service will also adhere to the following procedures when enacting recovery from Landlords-

- Six weeks will be allowed between the overpayment decision notice being sent and the deduction being made from the Landlord Schedule. This is so that recovery is not attempted during the “dispute period” (The calendar month during which time an appeal can be made)
- If an overpayment is queried or appealed before the deduction is made to the schedule, the deduction will be postponed until the issue is resolved.
- Maximum deductions in respect of individual debts will only be made by the Overpayments Team Leader, or an equivalent Officer.
- Standard Maximum deductions as policy issues, will be negotiated with Landlords only with the consent of the Benefit Manager or Deputy Manager, and these agreements will be re-negotiated annually.

Recovery from arrears of HB entitlement

An overpayment may also be recovered from arrears of outstanding entitlement. “Arrears” in this case refers to additional HB that is to be paid for benefit weeks that the Claimant has already been paid HB for. Because the weeks in question are not “new” weeks, they are not subject to the maximum weekly deductions, and the full amount payable in respect of any particular week may be taken, subject to leaving a minimum entitlement of 50p.

The Benefits Service will always attempt recovery in this manner when it is most appropriate.

Recovery by deductions to other Social Security Benefits

An overpayment can be recovered from a Claimant (or Landlord) by the DWP through their Debt Management Service by making deductions to a Claimant's Social Security Benefits when that Claimant is no longer receiving HB. The overpayment to be recovered in this manner must have arisen as a consequence of the Claimant making a misrepresentation, or failing to disclose a material fact.

It is the Benefit Service's policy to affect recovery by this method, whenever an invoice has been issued but remains unpaid after the reminder stage. At this point the Overpayments Team will use the DWP Customer Information System to determine if a "prescribed benefit" is in payment, and if it is, further recovery by billing will be suspended in favour of referring the debt to the DWP Debt Management Service.

The prescribed benefits from which the DWP may recover overpaid HB are:

- Attendance Allowance
- Employment and Support Allowance
- Income Support
- Job Seekers Allowance
- Disability Living Allowance
- Incapacity Benefit
- Industrial Death Benefit
- Industrial Injuries Disablement Benefit
- Carer's Allowance
- Maternity Allowance
- Personal Independence Payment
- Retirement Pension
- State Pension Credit
- Severe Disablement Allowance
- Universal Credit
- Widowed Mothers Allowance
- Widows Pension

The debt recovery team will refer debts to the Debt Management Service by completing a standard proforma.

Recovery of overpaid HB by means of an invoice

Recovery by means of an invoice will be the preferred method of recovery in the following cases:

- Council Tenants with no continuing HB entitlement.
- Rent Allowance Tenants where the decision is made to recover from the Tenant, and they have no further entitlement.
- Landlord Overpayments where the decision is made to recover from the Landlord, and they have no other tenants in their payment.

Invoices will not be raised where the outstanding debt amounts to less than £10.

The invoicing procedure will have three distinct stages:

1. The invoice
2. A reminder
3. A final reminder

If no payment is made after the final reminder stage, then the debt will be passed to the Sheriff Officers for enforcement.

Invoice

An invoice will pass through the stages listed below:

When an overpayment is created it will be standard policy to hold the overpayment in the Benefit system for a period of **10 days** before transferring the debt to the Debtors Module to allow an invoice to be raised. The transfer will only occur if no other recovery methods have been preferred, and the debtor has not requested a review or appeal of the decision.

Under certain circumstances it may not be necessary or appropriate to delay the production of an invoice and an invoice will be created immediately by forwarding the debt straight to the Debtor's Module.

Such circumstances could include:

- The Debtor is deceased and recovery is to be attempted from their estate.
- The Debtor has no wish to appeal and has requested an invoice be sent in order to settle the account promptly.

When an invoice is sent out the debtor has **7 days** in which to make a payment

Arrangements for the settlement of the debt by instalments will be accepted at this stage.

Reminder

If a payment is not forthcoming then a further **14 days** grace will be given before a Reminder invoice will be sent.

The debtor is then required to make a payment within **7 days** of the Reminder being issued.

Again, arrangements for the settlement of the debt by instalments will be accepted at this stage.

Final Demand

If a full payment is not made (or an arrangement for payment) then a further **14 days** grace will be given before a Final Demand will be issued. If the debtor is believed to be in receipt of prescribed benefits then the debt will be referred to DWP Debt Management instead.

The debtor is then required to make a payment within **7 days** of the Final Demand.

If the debt is not settled within a further **7 days** then it will be considered for referral to the Sheriff Officers for collection and enforcement if required.

Any debt to be recovered from a Claimant will be passed back into the Benefits System for recovery by deductions to on-going entitlement if the Claimant becomes re-entitled to HB.

Payment of an invoice by instalments

Arrangements for repayment by instalments will be accepted at any stage in the recovery process. An arrangement for payment by instalments will be considered at the debtor's request, and the debt recovery team will have due regard to the following factors:

- The total amount of debt outstanding.
- If the overpayment is historic and the period involved.
- The financial circumstances of the debtor, being their income, capital, and other financial commitments and debts.
- Any other specific, particular or exceptional circumstances relating to the debtor's case.
- The cost effective and efficient recovery of the debt.

If a debtor defaults on an arrangement, then the debt will start to be recovered again using either a Reminder or a Final Demand.

A second payment arrangement will not be made with a debtor unless there are good reasons for the original arrangement falling and strong grounds for re-instatement.

Debt passed to Sheriff Officers

If the debt recovery team exhaust all appropriate avenues of recovery, but do not have cause to believe that the debt should be considered for write off then the debt will be passed to the Sheriff Court for collection and enforcement. At this point the debtor may incur additional costs, which they will be liable for.

Methods of repayment

By Post – Cheques and Postal Orders should be made payable to “North Ayrshire Council” and crossed. Please write your name, address and invoice number on the back of the cheque. Payments should be posted to – Chief Financial Officer, Cunninghame House, Irvine, P.O Box 8254, KA12 8DA.

Over the Telephone

- We operate a 24 hour, 7 day a week payment facility by debit or credit card through our Interactive Voice Response system (IVR).
- This is a completely free and convenient way to pay your Invoice.
- Card types accepted are Visa, MasterCard, Switch, Solo and Visa Delta.
- Please phone 01294 310000 to make a payment. Please have your Invoice number and your card details ready when you phone.

By Internet Payments

- We operate a secure online payment service which you can access Via the 'Online Payment' option on the North Ayrshire Council Website
- This is a completely free and convenient way to pay your Invoice.
- Card types accepted are Visa, MasterCard, Switch, Solo and Visa Delta.
- Please have your Invoice number and your card details ready when you access this service.

In Person – Payment can also be made by cash, cheque or postal order at The Municipal Bank, Bridgegate House, Irvine, or at any Council Office where payments are accepted.

In addition a standing order will be set up for debtors who have agreed to repay their overpayment by instalments through their bank or building society.

When a Debtor has two or more outstanding debts all payments will be credited to the oldest debt first until such times as the debt is clear, unless the debtor indicates otherwise.

Recovery through a Council Tenant's Rent Account

Legislation permits an overpayment of HB to be recovered from a Council Tenant's Rent Account, providing that the outstanding balance of the HB overpayment is separately accounted from any rent arrears.

It is not the policy of the Benefits Service to affect recovery in this way, unless the prior consent of Housing Services is obtained.

Although there is no right of appeal against the method of recovery employed by the Benefits Service, the Service does undertake to consider any representations a debtor may make with regard to this issue.

Recovery by deduction from earnings

With effect from 29 April 2013 any overpayment which is recoverable may be recovered by the authority by deduction from the earnings of the person from whom it is recoverable.

Recovery of a debt owed by a person who has been declared bankrupt

If a Claimant is declared bankrupt the position regarding recovery of an overpayment is dependant on when the overpayment decision was made in relation to the date of the bankruptcy as follows:-

When an overpayment can be recovered from a bankrupt -

- When the overpayment decision was made after the date that bankruptcy was declared.
- When the overpayment was as a result of a fraud

When an overpayment can only be recovered by deductions to entitlement

- During the bankruptcy period, when the overpayment decision was made before the date of bankruptcy.

When an overpayment cannot be recovered at all

- When the overpayment was decided before the period of bankruptcy, is not fraudulent, and is subsequently discharged.

Recovery of a debt owed by a deceased person

If a Claimant (or indeed a Landlord) passes away and incurs, or already had incurred, an overpayment of HB, then the Benefit Service's policy is to attempt to contact the executor to ascertain whether there are sufficient funds in the estate before attempting to recover the debt by means of an invoice. The Benefits Service undertakes to act with appropriate sensitivity after bereavement and to this end an accompanying "Executors Letter" will be sent at the time the overpayment decision is made.

The Executors Letter will offer the debtor's executor the opportunity to notify the Benefits Service that there are insufficient funds in the estate to settle the account.

Writing off debts

The decision to approve the write off shall be taken in accordance with North Ayrshire Councils' Corporate Write Off Policy. This states at paragraph 8.1 and 8.2:

"Services shall regularly review the sums due to them and shall identify those accounts where avenues for recovery have been exhausted and which are subsequently deemed to be un-collectable. Services shall maintain full records of such transactions and shall submit details to the Corporate Director Finance & Corporate Support requesting approval for write-off.

Sums due to the Council shall not be written off except as follows:

- Sums in excess of £1,000: subject to the approval of the Cabinet.*
- Sums greater than £500 but not exceeding £1000: subject to the written approval of the Corporate Director Finance & Corporate Support after consultation with the Chief Executive.*
- Sums not exceeding £500: subject to the written approval of the Corporate Director Finance & Corporate Support*

Some overpayments cannot be recovered in law (non-recoverable overpayments) and some can be recovered but aren't, for example, when the Council exercises its discretion not to recover.

There are other overpayments that are recoverable but where recovery proves impossible or inadvisable. Such debts will be recommended for Write Off by the debt recovery team and recorded on the standard form for this purpose.

The Benefits Service shall consider each case for Write Off on the individual merits of that case, but typically such cases will include:

- Current whereabouts of debtor unknown after exhausting all legal methods of detecting them
- Debtor is in prison or abroad
- Debtor is underage
- Due to the amount outstanding, further recovery action is uneconomical
- The debt is too old to be recovered and barred by statute (i.e. 5 years have elapsed with no recovery action been taken)
- Debtor is in liquidation or declared bankrupt
- An invoice was disputed but never resolved, or the debt cannot be proven (“substantiated”)
- Debtor is a company that has ceased trading
- Debtor is deceased and has left no estate, or an inadequate estate
- The age and health of the debtor including severe medical conditions
- The debtor has a terminal illness
- Financial hardship
- Senility or low intelligence
- Because the circumstances of the case indicate that to continue recovery would not be in the public interest

The Benefits Service does however reserve the right to recover “written-off” sums in the case of the first three points above, when there are developments in the debtor’s circumstances that mean that recovery becomes possible.

The write off of debts will take place quarterly for debts under £1000 and annually for debts in excess of £1000. The debt recovery team will prepare the write off lists and pass the details to the Benefits Team Manager for verification. The verified lists will then be passed to the Senior Manager Revenues & Benefits who will arrange for the Corporate Director Finance & Corporate Support and the Chief Executive to approve the write off of debts below £1,000. A separate report will be submitted to the Cabinet to inform them of debts below £1,000 that were written off and to seek their approval to write off debts over £1,000.

Appeals

The Team Supervisor Scottish Welfare Fund will be responsible for any appeals received with regard to overpayments.

The grounds on which an affected person can appeal an overpayment decision are limited, but include the following points:

- Whether or not an overpayment is recoverable
- The facts and calculation used in the determination of the overpayment

The following areas are not open to appeal, but the Benefits Service undertakes to consider them outside of the appeals procedure when raised:

- The use of the discretion not to recover a debt
- The method of recovery
- The rate at which recovery is made (within the prescribed amounts of the regulations)
- The party from whom an overpayment is recovered *unless* that decision was reached unlawfully or “perversely”.

It should be noted that recovery by weekly deductions to a tenant's entitlement is a decision to recover from the tenant, unless the Benefits Service explicitly choose to recover from a Landlord in this manner. Therefore the Landlord has no rights of appeal with regard to the recovery in these cases.

NORTH AYRSHIRE COUNCIL

Agenda Item 5

29 October 2013

Special Cabinet

Subject: **Treasury Management Strategy 2013/14 -
Proposed Revisions**

Purpose: To seek Cabinet's approval of proposed amendments to the Annual Investment Strategy in relation to deposits with Government-backed institutions.

Recommendation: That the Cabinet agrees (a) to approve amendments to the Annual Investment Strategy to increase the limit for government backed institutions from £25m to £35m; (b) to approve an increase in the maximum holding by one counterparty from 50% to 75% of the total portfolio; and (c) to note the appropriate amendments to the Treasury Management Practices.

1. Introduction

- 1.1 The Council's Annual Treasury Management Strategy for 2013/14 was approved by the Council on 30 January 2013.
- 1.2 Section 3.7 of the strategy focuses on the Council's investment policy, which has regard to the Local Government Investment (Scotland) Regulations and the 2011 revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). The Council's investment priorities are security first, liquidity second, then return. Whilst North Ayrshire Council will aim to achieve the optimum return on its investments, the risk appetite of the Council is low in order to give priority to the security of its investments.
- 1.3 The aim of the investment strategy is to provide security of investments and minimisation of risk by generating a list of highly creditworthy counterparties which will also enable diversification. The Treasury Management strategy also stipulates that the authority will ensure that no more than 50% of the total portfolio can be placed with any one institution or group.
- 1.4 Investment instruments identified for use in the financial year along with their associated risks and controls are also to be found in the Treasury Management strategy. Counterparty limits were set in accordance with the Council's Treasury Management Practices which stipulate a current limit of £25m for government backed institutions and £10m for non-government backed institutions.

2. Current Position

- 2.1 During 2013/14, due to ongoing uncertainties within the global banking sector and particularly around the Eurozone, officers have restricted the Council's investments to government-backed institutions. At 26 August 2013, the following sums were deposited:-

Royal Bank of Scotland	£20.380m
Lloyds Banking Group	£20.380m
Clydesdale Bank	£0.100m

- 2.2 It can be seen from the figures in paragraph 2.1 that the Council currently has internal funds of approximately £40m. However, cash flow movements from day to day and week to week can result in significant fluctuations on the levels of cash which the Council has to invest. This can occasionally result in difficulties in placing cash within the £25m limit.
- 2.3 In addition, by ensuring that no one counterparty can hold more than 50% of the total portfolio, the opportunity to take advantage of the most favourable rate of interest can sometimes be missed.

3. Proposals

- 3.1 In order to adhere to the Council's policy to minimise risk, therefore, it is proposed that the current limit for government-backed institutions is raised from £25m to £35m to accommodate higher levels of deposit.
- 3.2 It is also proposed that the stipulation that no one counterparty can hold more than 50% of the total portfolio be increased to 75% in order that the most favourable interest rates can be accessed. In so doing, however, officers will continue to aim for a balanced portfolio although recognising that there may be financial gain.
- 3.3 In summary, the Cabinet is invited to agree (a) to approve amendments to the Annual Investment Strategy to increase the limit for government backed institutions from £25m to £35m; (b) an increase in the maximum holding by one counterparty from 50% to 75% of the total portfolio; and (c) to note the appropriate amendments to the Treasury Management Practice.

4. Implications

Financial Implications

- 4.1 Amendment of the stipulations regarding counterparty limits and maximum holding percentage of the Council's total portfolio will enable investments to be made which attract more favourable rates of return, whilst still recognising that security and liquidity are key priorities. This, in turn, should result in additional investment income for the Council.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 There are no legal implications

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

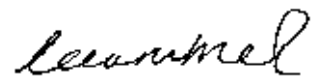
- 4.6 An increase in the Council's return from investments will help achieve the Council Plan Core Objective 4 'operating more efficiently and effectively'.

5. Consultations

- 5.1 There is no requirement for consultation in respect of the content of this report.

6. Conclusion

- 6.1 In the current economic climate, the Treasury Management Strategy is proving to be restrictive in terms of the ability to invest Council funds in order to access more favourable rates of return, whilst recognising that security and liquidity of investments are the Council's key priorities.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Hazel Hair, Senior Manager (Financial Management) on telephone number 01294 324548.

Background Papers

Treasury Management Strategy Report

NORTH AYRSHIRE COUNCIL

Agenda Item 6

29 October 2013

Special Cabinet

Subject: Council owned houses on Arran

Purpose: To advise the Cabinet of the current status of a number of Council owned houses on Arran and to propose a way forward for the future of the schoolhouses.

Recommendation: That the Cabinet agrees to (a) dispose of two of the houses; (b) retain one house to provide temporary accommodation for new Council staff moving to the Island; and (c) note the position regarding the other house.

1. Introduction

- 1.1 There are six non HRA Council owned houses on Arran which, until April this year, were held in the Education and Skills portfolio. Under the Council's Corporate Landlord Model, Finance And Property Services are now responsible for the management of these houses.
- 1.2 The houses have traditionally been used as an incentive to attract teachers to Arran. However, a number of the teachers have remained in the houses allocated to them and through the tenancy regulations they have secured a Scottish Secure tenancy over the property.
- 1.3 The houses are considered as local authority housing and the Council is required to upgrade the occupied properties to meet the standards of the Scottish Housing Quality Standard by 2015.
- 1.4 In light of these issues it is now appropriate to consider the future of these houses on Arran.

2. Current Position

- 2.1 The six non HRA houses on Arran are located at Brodick, Pirnmill, Corrie, Shiskine, Kilmory and Ardow House in Whiting Bay. Both Brodick and Corrie houses are within the curtilage of the school and are an integral part of the school building. The remainder all stand alone in their own grounds.

2.2 The current position is as follows :

- The Brodick house is currently occupied by a teacher who has a Scottish Secure tenancy over the property. The occupancy of the house and the tenancy is likely to continue to 2015 and beyond;
- Pirnmill is currently occupied by a teacher and the tenancy position is the same as Brodick;
- Corrie is vacant and is currently being considered as a possible option with regard to replacing the existing school annex facilities;
- Shiskine is vacant but has not been marketed;
- Kilmory is currently being occupied by a teacher on a short term let which is due to expire in October 2013. It has been marketed by Arran Estates agent for approximately 3 years and although it has attracted some interest no formal offer has been received. The property is in good condition both internally and externally;
- Ardow House is vacant but has not been marketed. A previous proposal was to refurbish Ardow House into multiple residential units suitable for teaching staff, partly funded from the sales receipts of Prospect House (sale approved by Cabinet on 10 September 2013) and Kilmory. At the rear of the property and detached from the house is a small cottage type building which would be included as part of the disposal.

2.3 None of the houses, in their current condition, meet the standards set by the Scottish Housing Quality Standards (SHQS). The houses are not treated as Council houses under the Council's Housing repairs and maintenance programme as they are not part of the Housing Revenue Account. Any major repairs such as wind and watertight, heating, roof work, rewiring, plumbing, windows, kitchens and bathrooms will require to be funded through the Council's Property Maintenance Budget.

3. Proposals

3.1 In light of the issues regarding these properties, it is proposed that consideration is given to selling both Ardow and Shiskine in their current condition. The current market value of these houses as estimated by the Council's Estates Section, is in the region of £175,000- £200,000 for Ardow and £125,000-£150,000 for Shiskine. These are considered achievable prices taking into account the condition of both properties and current market conditions on Arran.

- 3.2 The property at Kilmory has been marketed for approximately 3 years and, although it is in good condition, it has not attracted any serious offers from prospective purchasers. It is proposed to take this property off the market and spend the necessary investment required to bring it up to the standards set by the SHQS by 2015. This will allow the Council to allocate this property to Council staff on a temporary basis and enable them to become established on the island.
- 3.3 The let for Kilmory would be for a maximum period of 6 months in order to prevent a secured tenancy being created. The property will be allocated through the Council's Property Management & Investment team and the rent will be set in line with the charges set by the Council's Housing Service. Any increase in rent will be made annually in accordance with policy adopted by the Housing Services. The demand for this property will be reviewed on an ongoing basis to identify if there are further housing accommodation needs in order to attract new staff to the island.
- 3.4 The tenanted properties at Brodick and Pirnmill will be brought up to the SHQS standard by 2015, in line with the Scottish Governments guidelines. Corrie house may be subject to further consideration once a decision regarding the school's dining room facilities has been agreed.
- 3.5 As noted in paragraph 2.2 above, the vacant property in Corrie is currently being considered as part of the wider strategy relating to the repairs and maintenance of the existing school buildings. Once an acceptable proposal has been approved, the future of the house will be determined.

4. Implications

Financial Implications

- 4.1 The disposal of both Ardow and Shiskine could generate a capital receipt in the region of £300,000 - £350,000 for the Council. There is a requirement to bring the properties at Brodick and Pirnmill which are currently tenanted, up to SHQS standard by 2015 at an estimated cost of £52,000. The costs of upgrading Kilmory to SHQS standards by 2015 are estimated at £5,700. These costs will be met from the General Services Property Maintenance Budget.

Human Resource Implications

- 4.2 There are no known human resource implications arising from this report.

Legal Implications

- 4.3 The lease arrangements in place for Kilmory will be on the basis of a Short Scottish Secure Tenancy in terms of the Housing (Scotland) Act 2001. The Act provides for a six month tenancy which can be used in these circumstances, which are temporary for persons seeking accommodation in order to take up employment. This lease does not confer any security of tenancy.

Equality Implications

- 4.4 There are no known equality implications arising from this report.

Implications for Key Priorities

- 4.5 This will contribute to the Council Plan Core Objective 4 'operating more effectively and efficiently.

Community Benefit Implications

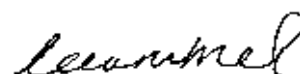
- 4.6 There are no known community benefit implications arising from this report.

5. Consultations

- 5.1 Consultations have taken place with North Ayrshire Council's Corporate Director (Education & Skills), Legal Services and Head of Housing Services.

6. Conclusion

- 6.1 It is proposed that this strategy will allow the Council to seek the correct balance in ensuring that appropriate accommodation is available for Council staff moving to work on the island and releasing excess properties back onto the Arran market. It will also ensure that the existing two tenanted properties at Brodick and Pirnmill are brought up to SHQS standards by 2015.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Tom Burns, Asset Manager on telephone number 01294 225136

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 7

29 October 2013

Special Cabinet

Subject: **Revision to the Policy for the Transfer of Assets to the Community.**

Purpose: To seek the Cabinet approval of amendments to the Policy for the Transfer of Assets to the Community.

Recommendation: That the Cabinet (a) notes the proposed amendments to the Policy for the Transfer of Assets to the Community; and (b) approves the immediate implementation of the amended policy set out at Appendix 1.

1. Introduction

- 1.1 The Policy for the Transfer of Assets to the Community was approved by the former Executive of North Ayrshire Council on 21 June 2011. The aim of the policy was to ensure transparency and consistency when dealing with requests for the transfer of assets to the community and to demonstrate the Council's general support for such transfers.

2. Current Position

- 2.1 The Council's proposed new policy has been used as an exemplar at a seminar organised by the Development Trusts Association Scotland.
- 2.2 However, since the introduction of the Policy, experience has been gained through dealing with several applications to transfer Council assets to community groups. It was felt that some amendments and clarifications would assist applicants in the transfer process. The proposed revised policy is provided as Appendix 1.

3. Proposals

- 3.1 The proposed amendments are summarised below:-
- It has been made clear that the policy is applicable to concessionary leases;
 - A single point of contact for initial expressions of interest will be identified with the Community Development Service;
 - Information is given of what would be considered in a lease;
 - More detail is given of what is expected from a business plan;

- Clearer explanation of the selection process where there is more than one bidder; and
 - Clearer explanation of the transfer process is provided.
- 3.2 The proposed amendments include further clarity on some parts of the Policy, assist community groups in their applications for transfer and increase understanding of the process. They will also ensure that Members will have all the necessary information in place when asked to consider individual requests for transfers in the future.
- 3.3 The Cabinet is invited to (a) note the proposed amendments to the Policy for the Transfer of Assets to the Community; and (b) approve the immediate implementation of the amended policy set out at Appendix 1.

4. Implications

Financial Implications

- 4.1 Under the provision of the Disposal of Land by Local Authorities (Scotland) Regulations 2010, the Council may transfer assets for less than their market value, should certain criteria be met. This may reduce the long term realisation of potential capital receipts. In addition a transfer of assets will normally reduce revenue expenditure of the Council currently to maintain, repair and operate the property.

Human Resource Implications

- 4.2 There are no Human Resource Implications.

Legal Implications

- 4.3 There are no specific legal implications

Equality Implications

- 4.4 The policy will ensure that the equality requirements are considered prior to the transfer of any assets.

Environmental Implications

- 4.5 The policy ensures that the environment and sustainability requirements are considered prior to the transfer of any assets.

Implications for Key Priorities

- 4.6 The continuing use of the Policy will contribute to the following:-
- 11a) Levels of voluntary action and community involvement have increased.

- 11b) Partnership working between the public, community and voluntary sectors has improved.
- 15a) Public perception of the Council services has improved.

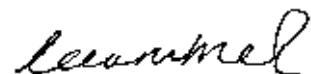
- 4.7 The amendments will make the use of the Policy easier and its purpose and requirements more clear.

5. Consultations

- 5.1 Consultation has taken place with Education and Skills (Community and Culture), the Community Empowerment Policy Board and the Development Trusts Association Scotland.

6. Conclusion

- 6.1 The amendments to the Policy will encourage community groups to seek the transfers of assets they use and take on the responsibility for their operations.
- 6.2 Decision making on individual transfers will be improved particularly with the increased focus on business planning.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference : TB/II

For further information please contact Tom Burns, Asset Manager (Finance and Corporate Support) on telephone number 01294 225136

Background Papers

Current Policy



North Ayrshire Council

Community Asset Transfer Report

V1.0

26th June 2013

Project Sponsor: Audrey Sutton

Report Author: Victoria Kerr

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1. Executive Summary

1.1 Summary of Issues

It is recognised that North Ayrshire Council's current process concerning notes of interest and applications for Community Asset Transfers needs to operate more efficiently and effectively in order to:

- Ensure that members of the public have a clear view of the process involved in undertaking an application.
- Ensure that members of the public have a clear view of the length of time an application may take from start to finish
- Encourage more applications from external groups or people as a result of an improved procedure
- Provide elected members and officers with a clear framework in which to operate and on which to base judgements in relation to transfer applications.

Investigations indicate the key reasons for the current prolonged and inefficient process are:

- undefined procedure
- non-standardised process
- no timescales
- no committed resource
- lack of formal communication channels.

1.2 Recommendations

This report proposes that services implement a more efficient and consistent process through:

- Following the improved business process shown in Appendix A
- Following the agreed timescales shown in Appendix A
- Ensuring agreement from services to provide resource as shown in Appendix A
- Ensuring resource follows the communication procedures as shown in Appendix A
- Providing a single point of contact for Expressions of Interest
- Utilising the updated Community Asset Transfer Pack (see Appendix B)

1.3 Total Projected Cost

There are no anticipated costs associated with this project.

1.4 Total Financial Savings

There are no anticipated savings associated with this project.

2. Background, concept & scope

2.1 Background

The Scottish Government's Community Empowerment and Renewal Bill is supported by North Ayrshire Council. This bill is intended to make it easier for communities to use buildings, land or resources that are not being used and to help people get involved in decisions about the services in their community.

There is currently a backlog of expressions of interest in taking over responsibility for community assets and this is, in part, caused by the current practice for processing applications which is considered to be too lengthy and unclear.

The objective of this project is to ensure that expressions of interest are progressed effectively and efficiently through a system that is clear in process and in timescales.

2.2 Concept

The key message of this report is that if the Council follows the proposed business process and commits to the proposed timeline and resource it can provide applicants with a measureable and easy to follow method to achieve responsibility for an asset.

By addressing the fundamental issues of service responsibilities and timescales the process will be streamlined and the facilitation of more applications will be possible.

2.3 Scope

In scope

- Community Asset Transfer procedure for Expressions of Interest and applications
- Documentation contained in Community Asset Pack

Out of scope

- Increasing number of applications

3. Approach

Item	Detail
Collation of current documentation	Project team collated all current documentation and policy for discussion and update
Project Team Workshop	<p>Service representatives were identified and attended a workshop to obtain the following objectives:</p> <ul style="list-style-type: none"> • Define the internal process • Agree defined timescales for the business process • Agree ownership of process steps • Agree resource requirements for service areas • Agree any alteration to current documentation
Agreement of updated procedure	Business process created and circulated for agreement
Collation of updated documentation	Project team update documentation as agreed at project workshop
Report	Report created by Project Manager and circulated for agreement

4. Recommendations and Outputs

4.1 Outputs

The business process in Appendix A is agreed by the project team to be an efficient achievable method of processing asset transfer requests. Realistic timescales have been set for steps within the process. This will allow timescales to be communicated to applicants throughout the process and should certain steps require to be revisited.

The Community Asset Transfer pack has been assessed and updated to reflect changes agreed with the project team (see Appendix B). In addition all information concerning Community Asset Transfer will be made available on the council website.

4.2 Recommendation

A single point of contact for initial Expressions of Interest should be identified within the Community Development service. The contact details should be communicated to members of the public and organisations who may wish to apply for a Community Asset Transfer.

The updated Community Asset Guidance Pack and Community Asset Policy in Appendix B should be passed to any applicant to allow them access to required documentation and information.

The improved procedure detailed in appendix A should be followed for every Expression of Interest and subsequent application for transfer of an asset. The process and timescales within the updated procedure should be followed by all resources.

5. Strategic fit

This Community Asset Transfer report supports:

- The Single Outcome Agreement 2013-2017 :
 - Jobs density in North Ayrshire increases
 - Worklessness is at the Scottish level and there is less inequality within North Ayrshire
 - Children's health and wellbeing is improved by breaking the cycle of poverty, inequality and poor outcomes.
 - Adults and older people in North Ayrshire live healthier and more active lives.
 - North Ayrshire is a safer place to live.
 - North Ayrshire residents feel safer.

The strategic goal of this project is to:

- Ensure that expressions of interest are progressed effectively and efficiently and transparently through a system that is clear in process and in timescales

6. Financial & non-financial benefits

6.1 Financial benefits

There are no financial benefits associated with this project

6.2 Other benefits

- Community empowerment
- Locality planning benefits
- Building the capacity of, and encouraging a sustainable voluntary and community sector
- Economic development and economic well-being
- Social enterprise and social well-being
- Environmental improvements and environmental well-being
- Improvements to public services

7. Next Steps

7.1 Build Community Asset Group (CAG)

The procedure will require a cross-functional Community Asset Group to meet on a monthly basis when necessary. It is recommended to include representatives from all services who may be affected by the transfer of an asset. An organisational structure proposal is attached in Appendix C. There must always be representation from Legal and Property Management & Investment (PM & I). The CAG will have the following responsibilities:

- To have a list of Single Points of Contact
- To assess the Organisation Assessments.
- Assist applicants with development of a Business Proposal as appropriate
- Assess Business Proposals
- Assist PM & I with production of Cabinet reports

7.2 Identify Single Points of Contact Resource

A Single Point of Contact (SPOC) is a representative from a service within the Council. Services will identify resource who will act as the SPOC for particular Expressions of Interest and subsequent applications. The SPOC will “own” the application. The SPOC will communicate directly with applicants and keep them informed at all stages of the process

7.3 Communicate Community Asset Pack and Procedure

The agreed Community Asset Transfer Pack and updated procedure should be communicated to all services involved in this process for comment and agreement.

7.4 Collate Current Expressions of Interest/Applications

All outstanding Expressions of Interest and applications should be collated and the improved procedure applied.

8. Constraints, dependencies, risks & assumptions

8.1 Constraints

All applicants must be given information concerning the costs of maintaining an asset. Availability and accuracy of this data currently cannot be assured. However PM & I and services will ensure that they will investigate and provide any information that they do have to inform applicants wherever possible.

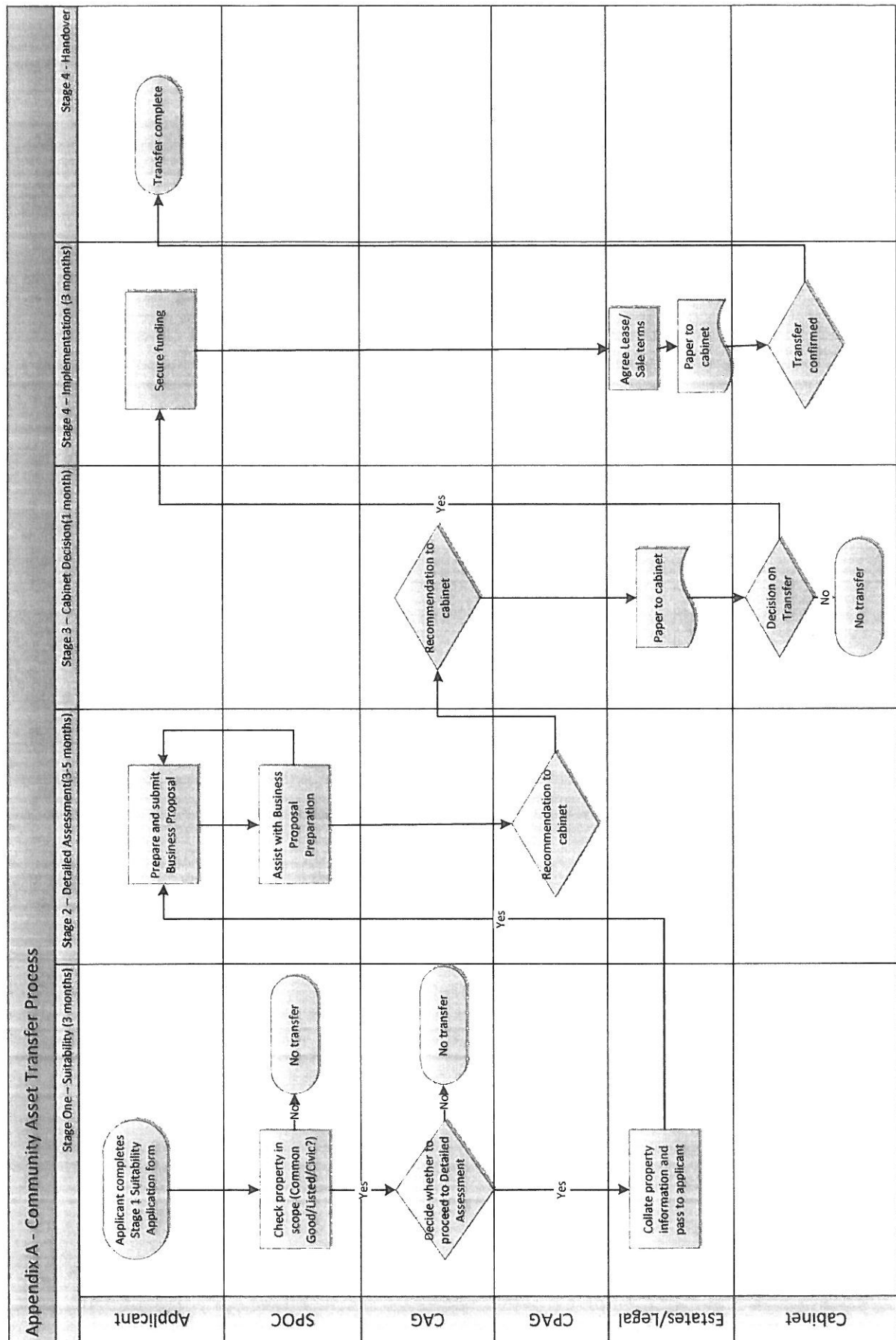
8.2 Dependencies

8.3 Risks

No	Key risk	Mitigating action
1	Resources may not be available to progress the applications within the timescales	Involve Services and staff and applicants from an early stage to encourage understanding of the challenge and buy-in to the improved processes.
2	Expressions of Interest continue to be put forward for an asset already under application	Agree (and advertise) a cut-off point after which no further applications will be accepted
3	Improved procedure greatly increases demand for Community Asset Transfers	Services may need to invest in resource to facilitate. A waiting list for applications may be required.

8.4 Assumptions

Services will ensure that there are resources available to participate in the Community Asset Group, as Single Point of Contacts and to provide information as and when required.



Appendix B – Community Asset Transfer Guidance Pack and Policy

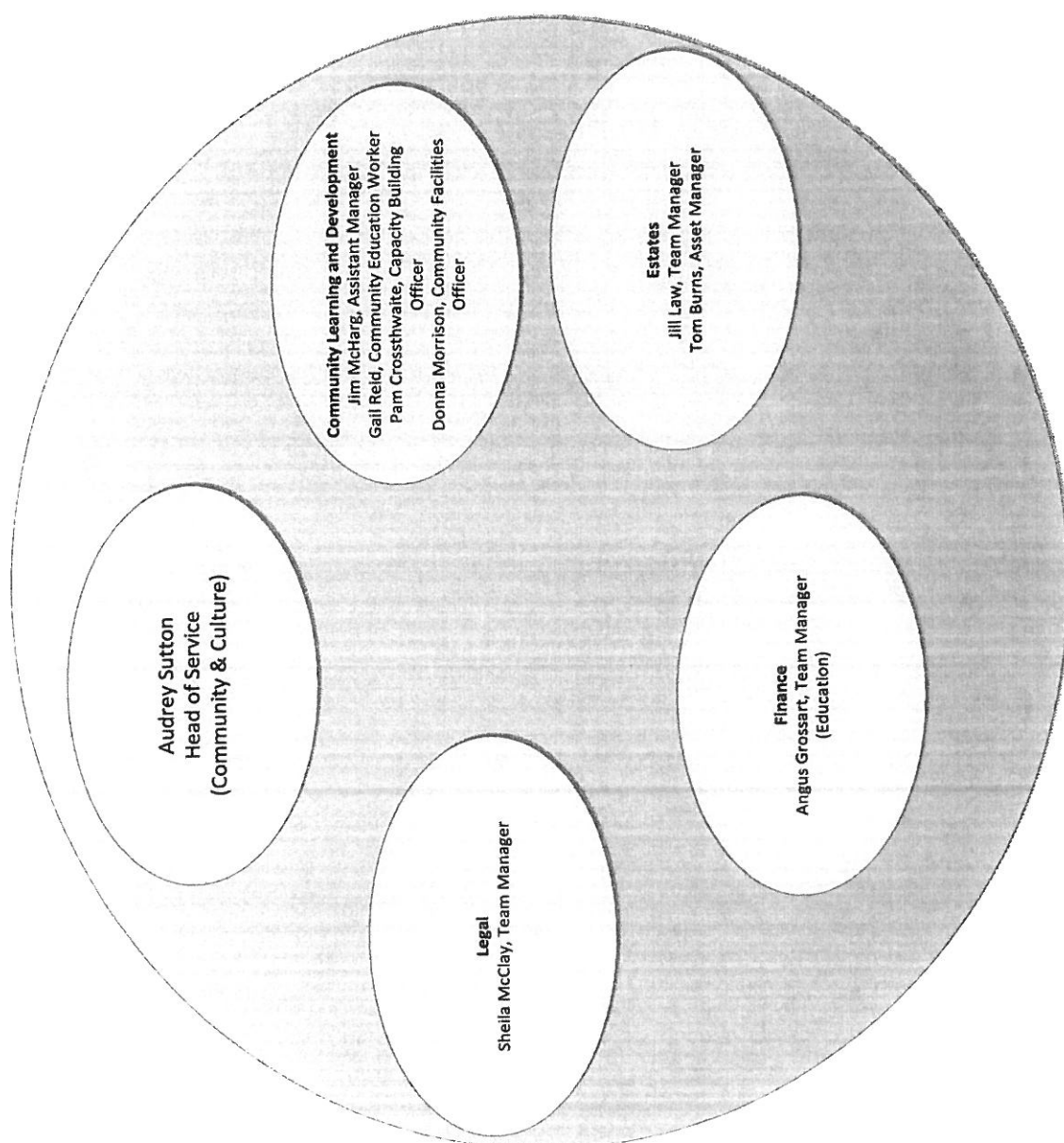


CAT Guidance Pack



CAT Policy

Appendix C – Community Asset Organisational Structure





Community Asset Transfer

Guidance Pack

April 2013

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1 Introduction

The Council's Community Asset Transfer Policy recognises that transferring the ownership or stewardship of an asset to communities can play a valuable role in supporting and sustaining local communities in North Ayrshire.

This guide is for all community, voluntary and social enterprise groups who are interested in acquiring assets owned by North Ayrshire Council in order to develop and deliver services and/or generate benefits for their local communities.

This guide explains the scope of the Council's policy on community asset transfer, provides guidance to interested groups on how to apply, and explains how the Council will process applications.

This information, and application forms, is also available on the Council's website, at www.north-ayrshire.gov.uk/*****

2 What is Community Asset Transfer?

Community asset transfer involves the transfer of responsibility for an asset from the Council to any suitably qualified community, voluntary or social enterprise group. This transfer can be facilitated in different ways, e.g. by the transfer of management responsibility through short or long term lease arrangements or through the transfer of outright ownership.

3 Reasons for Community Asset Transfer

Community asset transfer provides an opportunity for people to be involved in developing and providing opportunities or services for their local communities. It may also allow groups to develop commercial ventures which will support community benefit. Asset transfer also may mean that public assets get used more frequently and more effectively. Community-led ownership may also allow additional opportunities for groups to secure extra funding or resources.

Where the Council transfers assets to community-based groups it will continue to promote public value and will evaluate each proposal in terms of its ability to contribute the to following:

- Community empowerment
- Local community benefits
- Building the capacity of, and encouraging a sustainable voluntary and community sector
- Economic development and economic well-being
- Social enterprise and social well-being
- Environmental improvements and environmental well-being
- Improvements to public services
- Value for money.

4 Suitability

a) Assets Considered Suitable For Transfer

Assets may include public halls, town halls, community centres, bowling greens, public conveniences, parks, play areas and small museums. Other assets identified by the Council as being surplus to requirements or underperforming may also be considered. Each application for transfer will be considered on a case-by-case basis against the criteria outlined in the policy.

b) Assets Considered Unsuitable For Transfer

There are some assets that must remain under Council ownership in order to support the delivery of essential services or to support economic activity in an area.

There are also some assets that may be considered unsuitable for transfer because of restrictive covenants e.g. assets gifted to the Council for educational purposes, etc. The Council must also balance the needs of the community and its commitment to community asset transfer against its need to generate capital receipts in order to invest in essential capital projects. Assets which have the potential to generate significant capital receipts for the Council may not be considered suitable for transfer.

c) Applicants

Applications will be welcomed from community, voluntary and social enterprise groups.

Appropriate groups may be area-based, based around particular social groups or have some other shared interest. Applicants should meet the following essential criteria:

- Be an appropriately constituted voluntary and community sector organisation or social enterprise;
- Be able to demonstrate good governance;
- Be able to demonstrate sustainability/viability;
- Ensure the proposed use can demonstrate community benefit. This includes organisations which serve a particular interest group or geographical area;
- Have the skills and capacity to effectively deliver services and manage the asset to be transferred; and
- Be aware of any need to build capacity within their organisation and demonstrate how they intend to do this.

Organisations will be expected to demonstrate how they will contribute to the **North Ayrshire Single Outcome Agreement** which is an agreement between the Scottish Government and the Council, which sets out how Community Planning Partners will work in the future towards improving national outcomes for the local people in a way that reflects local circumstances and priorities. Council priorities are:

A Working North Ayrshire

1a	Jobs density in North Ayrshire increases
1b	Worklessness is at the Scottish level and there is less inequality within North Ayrshire

A Healthier North Ayrshire

2a	Children's health and wellbeing is improved by breaking the cycle of poverty, inequality and poor outcomes.
2b	Adults and older people in North Ayrshire live healthier and more active lives.

A Safe and Secure North Ayrshire

3a	North Ayrshire is a safer place to live.
3b	North Ayrshire residents feel safer.

5 How to apply for an asset

The Council is committed to processing any application for asset transfer in an open and transparent way in partnership with the organisation concerned.

The assessment criteria for Stages 1 and 2 are based on but not limited to those detailed in Appendix 5.

The process of making a formal application for transfer is set out in the following four stages.

Stage 1 – Initial Application: 3 months

Interested parties should complete a Stage 1 Suitability Application form (see Appendix 2). This application should not involve a huge amount of work; all that is required is enough information to show there is a potential business case for transfer. Forms should be sent to genericemailaddress@north-ayrshire.gov.uk and will be reviewed by the Community Asset Group; a group of representatives from services across the council who will consider the suitability of assets and applicants.

If a Stage 1 application is approved, the applicants will be asked to progress to Stage 2. At this point they will be allocated a Single Point of Contact (SPOC) who will act as key contact throughout their application.

All available information on the asset, including details of its condition, running and maintenance costs, and title deed restrictions, will then be shared with the applicant to help them decide whether to submit a Stage 2 detailed application.

Stage 2 – Detailed Application: 3-5 months

This stage will require a full business proposal (see Appendix 3) to be developed, along with detailed plans of how the asset will be managed. This information is needed in order to complete the application form. There are many sources of support available to assist in completing the business proposal (see Appendix 4). The business proposal should be sent to the SPOC along with any other appropriate supporting documentation.

Once a business proposal has been received by the SPOC and scheduled for initial assessment by the Community Asset Group no other applications may be received for the asset under consideration until an outcome has been agreed. In some instances there may be more than one applicant progressing to Stage 2 with interest in the same asset. Should this occur, the criteria found in Appendix 5 will be used to inform the decision in relation to the more suitable applicant.

The amount of information required at this stage will vary depending on the type of asset to be transferred.

In summary, the application must:

- Be based on a well-prepared business proposal;
- Demonstrate a clear community/social demand for the transfer;
- Demonstrate that the group has the capacity to manage the asset and has members who have the necessary skills;
- Show the group has good governance and robust financial systems;
- Show how the group's aims for a project will contribute to the achievement of the Council's priorities; and
- Prove that the proposed project will not duplicate activities, services or facilities already provided in the local community.

The application will then be evaluated by the Community Asset Group, and a recommendation will be made to the Cabinet on whether to proceed with the asset transfer. This process of evaluation will also apply where there are numerous interested parties and the report to Cabinet will recommend the preferred, if any, application.

The decision on the outcome of the application will be conveyed in writing to the applicant.

Stage 3 – Cabinet Approval: 1 month

The application will then be evaluated by the Community Asset Group using the scoring system. A recommendation will be made to the Cabinet on whether to proceed with the asset transfer. The decision on the outcome of the application will be conveyed in writing to the applicant.

Stage 4 – Implementation: 3 months

For successful applications the SPOC will continue to manage the transfer of the asset. Representatives from Property, Management and Investment (PM & I) and Legal will work with the applicant and SPOC to agree the terms of transfer.

An agreement will be drawn up between the applicant and the Council setting out the support being provided by the Council to enable the group to meet its responsibilities. Such support may include financial, business or governance advice, or advice on the management of the asset to ensure it is effectively maintained.

An agreement will set out the terms and conditions for using the asset and will define the responsibilities of the community group and Council with regard to the management and maintenance of the asset.

Conditions of sale if transferring ownership will set out what the organisation can do with the asset and what restrictions may apply if the group wishes to sell on the asset.

Both the applicant and the Council will each be responsible for their own legal fees.

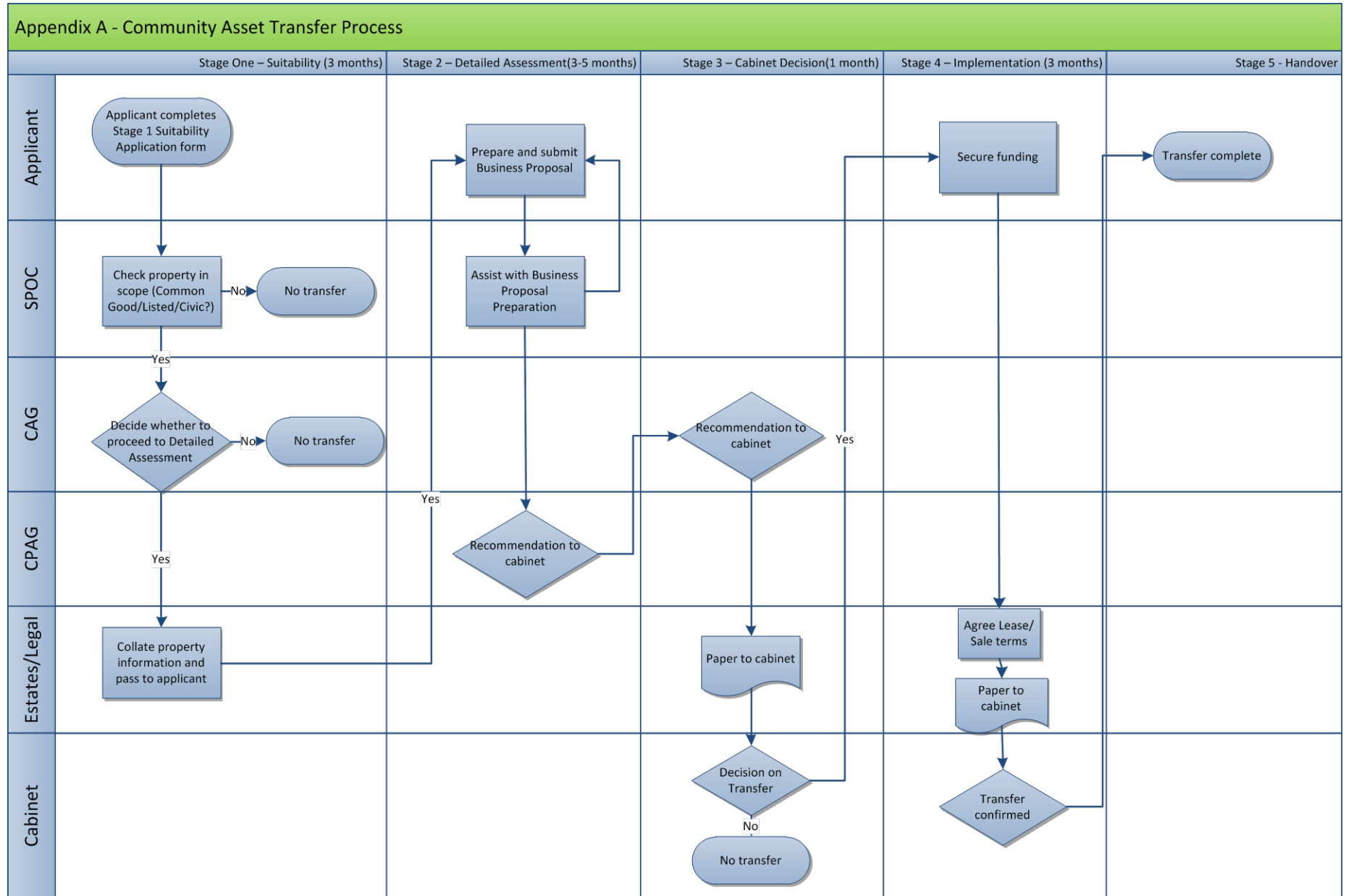
At any stage in the process, an organisation can cancel a transfer if their circumstances change and they no longer wish to pursue the issue.

At any stage in the process, the Council can cancel the transfer where suitable justification exists.

Stage 5 – Handover

At this point the asset transfer will be completed and the applicant will begin using the asset to deliver the benefits described in the business proposal. The Council will continue to monitor the progress of the project in a manner appropriate to the proposal.

Appendix 1 – Community Asset Transfer Process



Appendix 2 – Stage 1: Suitability Application Form

Applicants wishing to apply for an asset under North Ayrshire Council's Community Asset Transfer Policy must first complete this Stage 1 application form. Applicants that meet the Council's suitability criteria will be invited to complete a more detailed business proposal.

We will not be able to process your application unless we receive all the information relevant to your asset transfer. Thus you should fill in all sections of the form and write "not applicable" if a section does not apply to you.

1. Please provide details of the organisation making the application	
Name of Organisation	
Address of Organisation	
Telephone Number	
Fax Number	
E-mail Address	

2. Please provide your contact details	
Your Name	
Contact Address	
Telephone Number	
Fax Number	
E-mail Address	
Position in the Organisation	

3. Structure of the organisation	
What type of organisation are you?	
Do you have a formal constitution, governance document or set of rules?	

4. What is the structure and purpose of your organisation?		
How many people are involved in your organisation?	Management committee	
	Paid full-time staff	
	Paid part-time staff	
	Volunteers	
When was the organisation established?		
What is the purpose and main activities of your organisation?		
Does your organisation have previous experience of managing an asset? If yes please provide details		

5. Please tell us about the asset (building or land) you are interested in	
Name of Asset	
Address of Asset	
Type of transfer you are interested in (transfer of ownership or leasing). If leasing, what length of lease is required?	

6. Please tell us, using no more than one side of A4 paper:
<p>A. Why are you interested in this asset?</p> <p>B. What do you want the asset for?</p> <p>C. What benefits will this bring to the local community?</p>

Signed.....	Position
Name.....	Date.....

Appendix 3 – Business Proposal

Applicants should submit a business proposal following approval of the Stage 1 Suitability Application.

The business proposal should include all the information that the Council will require to make a decision. It should be noted that the range of information required will depend on the circumstances of the transfer.

The guidance notes below intend to inform applicants of the detail required within the business proposal.

Introduction	<ul style="list-style-type: none"> • Background • Description of the organisation • Vision, aims and objectives • Services you provide and who benefits
Organisation & management	<ul style="list-style-type: none"> • Governance • Management structure and board (skills, experience and knowledge) • Staffing • Quality Assurance standards held by organisation • Policies, systems, procedures • Health and safety • Equal opportunities • Environmental principles • Financial policy and agreements e.g. booking and hiring procedures (if appropriate); VAT status; charging policy
Proposal	Outcomes, aims, objectives and targets the proposal would deliver, including how these would be monitored and assessed over the life of the project. Identifying whether the project would create new jobs, housing or learning opportunities, and how these link to the North Ayrshire Council priorities and other relevant strategies.
Community needs	Demography Needs – evidence Other community facilities / gaps in provision Consultation Community benefits – including potential projects, usage etc.
Partnerships	Outline the key partnerships and relationships needed to deliver this proposal
Property	Identify site Proposals for site – building / refurbishment Length of lease / transfer arrangements Planning issues Project management
Risk assessment	A risk assessment will show that you have undertaken a methodical review of the risks that may face your organisation over the life of the plan, have assessed the likelihood of them

	happening and their impact, and have formed a plan for dealing with those events, should they occur.
Project plan	<p>You should include a timeline of key tasks and activities. You should also explain how you will monitor and review your plan and who will be responsible for doing this.</p> <p>Description of any proposed development.</p> <p>Detailed breakdown of timings/costs for any proposed building works or refurbishment proposals, and how this would be funded.</p>
Management plan	<p>This would include:</p> <ul style="list-style-type: none"> • Managing premises • Health and safety plan • Compliance with relevant legislation.
Budget and cash flow	<p>An indicative five year capital and revenue budget plan including all anticipated grant funding, identifying whether this had already been secured and any other income expected and sources of income. A cash flow projection needs to show the actual cash position of your organisation for the current financial year and a projection for a further four years. Clarify information on underlying assumptions and activity levels.</p>

Appendix 4 – Sources of Support

National

Development Trusts Association Scotland

A network of practitioners dedicated to helping people set up development trusts and helping existing development trusts and organisations learn from each other and work effectively.

Tel: 0845 458 8336 or email: info@dtascot.org.uk

Community Ownership Support Service

The Community Ownership Support Service team of advisers the Community Ownership Support Service can offer Scotland-wide support and advice.

Tel: 0131 225 2080 or email: coss@dtascot.org.uk

Scottish Council of Voluntary Organisations

SCVO works closely with voluntary organisations, big and small, to understand what matters to them and to give them a voice with key influencers and decision makers. You can make use of some services as a non-member. Membership benefits include free legal advice to organisations with a turnover of less than £500,000 per year.

Tel: 0131 474 8000 or email: enquiries@scvo.org.uk

Social Enterprise Scotland

Brings together social enterprises and their supporters into a strong campaigning force, an independent, Scottish member led organisation, built and controlled by social enterprises.

Membership is open to anyone. Tel: 0131 243 2650 or email: hello@socialenterprisescotland.org.uk

Co-operative Development Scotland offers advice to help choose the best co-operative business model for your organisation and will also guide you through the process, which can include access to funding and legal models. Tel: 0141 951 3055 or email: info@cdscotland.co.uk

North Ayrshire

NAC Community Asset Transfer Team **Make this a hyperlink when available to contact info**

The team will facilitate the Asset Transfer process and support Third Sector, community and voluntary organizations to reach an informed choice regarding the viability or liability of proposals.

Please contact: **Insert Generic email address**

Community Development

3rd Floor, Cunninghame House

email: ****@north-ayrshire.gov.uk

tel: 01294 324424

fax: 01294 324474

The Ayrshire Community Trust

TACT provides support to local voluntary sector organisations to help them grow and develop. Tel: 01294 443 044 or email: info@theayrshirecommunitytrust.co.uk

Appendix 5 – Stage 1 and 2 Assessment Criteria

Stage 1 Assessment Criteria

The outline proposals should cover the following issues:

- Type of organisation;
- Details of constitution and legal form of the organisation;
- Information on key stakeholders;
- Aims and objectives of the organisation;
- Previous relevant experience of the organisation;

- Details of the asset to be transferred and type of transfer required;
- Details of what the organisation wants the asset for, including details of any services and/or products and how they will be delivered; and
- Description of who would benefit from the transfer and how. Proposals must be focused on the needs of the community – e.g. providing job opportunities in deprived areas, or aimed at key target groups currently excluded from the community activity to which the proposal relates.

Stage 2 Assessment Criteria

The evidence provided in the Stage 2 application should address the following:

- Aims, objectives and targets to be delivered by the proposal, including how these would be monitored and assessed over the life of the project;
- Governance structure;
- Information on the type of organisation that would be running the project, including:
 - Capacity to deliver the project
 - Decision making structures
 - Management structure
 - Staffing levels (both paid and voluntary)
 - Experience of staff
 - Training provided/training planned.
- Outcomes of the project:
 - Jobs created
 - Learning opportunities provided
 - Links to local and national priorities.
- How the project will improve the environment, improve community wellbeing and community safety and address inequalities of opportunity;
- Indicative capital and revenue budget plan sufficient to demonstrate the financial viability of the proposal over a three year period, include:
 - Grant funding available – both already secured and applied for
 - Level of grants/financial support sought from the Council
 - Projected income.
- Relationship with any other partners on the project;
- Details of community involvement/user involvement in the running of the project;
- Legislation and regulation considered within the project and how this would be addressed:
 - TUPE
 - Health and Safety
 - DDA and Equalities
 - Child Protection
 - Licensing
- The catchment area for the project;
- Type of asset transfer required;
- For leasehold, the length of the lease;
- Identification of risks associated with transferring the asset and actions to be taken to mitigate;
- Timescales for transferring the asset and getting the project up and running;
- Development proposals relating to the asset including details of costs, sources of funding etc; and
- Proposals for operating and maintaining the asset.



Community Asset Transfer Policy

April 2013

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1 Introduction

This aim of this policy is to set out a transparent, positive and proactive framework that enables and manages the transfer of assets from the council to voluntary or community organisations in order to bring about long term social, economic and environmental benefits to the community.

The occupation and management of council assets by the voluntary sector is well established within North Ayrshire with a number of community assets currently run independently from the council.

2 Policy Statement On Community Asset Transfer

2.1 North Ayrshire Council is committed to community asset transfer where that will bring benefits to communities and contribute towards achieving the Council's aims and objectives.

2.2 The Council recognises that community asset transfer can be a valuable part of supporting and sustaining local communities in North Ayrshire and it wishes to ensure council assets can be owned and managed by local people, where appropriate.

2.3 The Council will respond positively to all enquiries from applicants concerning the potential for community asset transfers and encourage such groups to take responsibility for assets.

2.4 The Council will put in place a transparent process for Community Asset Transfer and will adopt an agreed method of assessing requests.

2.5 The Council will consider transfer of an asset to any applicant that makes a credible application (supported by an appropriate Business Proposal) and demonstrates that it has the skills and capacity to manage the asset.

2.6 Whilst fully supporting the principle of asset transfer this policy also recognises that some assets must remain under Council ownership and management in order to support delivery of essential services or support economic activity in an area. Assessment will be given to assets which provide an income for the council. In addition some assets may have restrictive covenants on them making them unsuitable for transfer. The Council will consider, as part of the initial assessment of an application, whether an asset should be retained by the Council or could be transferred.

3 National Context Of The Policy

3.1 Recently legislation and national policy has developed to support the ownership and/or management of assets by communities. For example the Land Reform (Scotland) Act 2003 gave communities the right to buy land and buildings in certain circumstances and represented a fundamental change in the law surrounding ownership and land management, giving the potential for greater powers to be transferred to communities.

3.2 In 2009 the Scottish Government launched the "Promoting Asset Transfer" Programme the purpose of which is to increase levels of awareness and interest within local authorities in asset transfer as a means of increasing community ownership of assets.

3.3 In parallel with this programme, in March 2009 the Scottish Government and the Confederation of Scottish Local Authorities (CoSLA) jointly launched the Community Empowerment Action Plan (CEAP). This action plan makes clear that community ownership is one aspect of community empowerment, identifying it as one of eight actions that will help to build capacity to deliver empowerment.

3.4 The Local Government in Scotland Act 2003 amended section 74 of the Local Government (Scotland) Act 1973 and sets out that the Scottish Ministers may by regulations provide the circumstances in which local authorities may dispose of land for consideration less than the best consideration that can be reasonably obtained.

In 2010 Scottish Ministers issued the Disposal of Land by Local Authorities (Scotland) Regulations which set out the procedure and circumstances for a disposal of land for consideration less than the best that can reasonably be obtained.

3.5 More recently, in June 2012, the Minister for Local Government and Planning launched an exploratory consultation on a range of ideas for the proposed Community Empowerment and Renewal Bill. This Bill intends to enable communities to take independent action to achieve their own goals and aspirations and to ensure they have a greater role in determining how their local public services are delivered.

4 Local Policy Context and Links to Other Initiatives

The policy is aligned with the outcomes of the wider Council strategies and initiatives:-

4.1 The aim of the Community Planning Partnership is working together for "A Better Life" for communities in North Ayrshire and effective community engagement is at the heart of Community Planning

4.2 North Ayrshire Council's Single Outcome Agreement sets out how Community Planning Partners will work in the future towards improving national outcomes for the local people in a way that reflects local circumstances and priorities

4.3 As part of North Ayrshire Council's Council Plan 2012/17 the council aims to "support communities to grow and develop opportunities for the active engagement and participation of all our citizens by listening to local needs and aspirations"

4.4 The Corporate Asset Strategy, in which one of the individual asset plans was for Property was approved by Cabinet in January 2013.

4.5 The Property Asset Management Plan was approved by Cabinet in February 2013

4.6 North Ayrshire Council's Property Asset Management Action Plan supports the transfer of assets through exploring partnership opportunities and option appraisals on the disposal of surplus assets.

4.7 North Ayrshire Council's Property Acquisitions and Disposals Policy indicates transfer to partners as an option when considering disposal of surplus assets. The policy for transfer of assets to the community supports the agreed outcomes

11a) Levels of voluntary action and community involvement have increased

11b) Partnership working between public services is more efficient and effective.

5 Aims of Community Asset Transfer

The Council's Asset Portfolio includes buildings, land, playing fields and other facilities and structures which are used for a variety of different social, community and public purposes. They are used to support service delivery by partners such as the voluntary sector, and stimulate economic activity and regeneration. The transfer of assets to, or management by, the Community aims to enable community empowerment, allow access to new sources of finance and extend the use of existing facilities.

5.1 Benefits to the Local Community

- Community empowerment
- Regeneration of communities
- Extend the use of an asset, adding value in relation to the number of people benefitting and the range of opportunities it offers
- Stimulate the involvement of local people in shaping and regenerating their communities,
- Retention of asset in the community otherwise at risk of closure
- Provide new opportunities for local learning and community capacity building and participation
- Promote a sense of civic pride and responsibility.

5.2 Benefits To Voluntary or Community Groups

- Generate long term sustainable revenue streams for groups making them more sustainable.

- Provide local people with a meaningful stake in the future development of the place in which they live and/or work.
- Be used as leverage to draw in new funding and expand the level of community activity.
- Provide opportunities for the creation of new partnerships with access to resources not available to the Council.

5.3 Benefits To The Council

- Providing a more accessible and responsive base from which services can be delivered.
- Restoring iconic buildings
- Delivering social, economic and environmental benefits
- Providing a catalyst for inward investment and local multipliers through local purchasing and employment
- Helping to progress Community Planning priorities
- Providing opportunities for long term working between sectors
- Creating the opportunity for investment in the asset that may not be possible within Council ownership
- Bringing back into full use properties deemed surplus to requirement or underperforming.

6 Scope of Policy

6.1 This policy applies to assets that are owned by or under stewardship of the council and are designed for community use.

6.2 The Council will welcome an expression of interest from applicants in the transfer of any Council owned asset which has been identified as suitable for transfer. Assets that are key for the delivery of essential services will not be considered suitable for transfer. In addition assets that are supporting economic activity within an area or have restrictive covenants on them may also not be suitable for transfer. For suitable assets potential transfers will be considered on a case-by-case basis against the criteria outlined in this policy.

6.3 Assets will not be transferred to individuals or private sector businesses to be used as vehicles for commercial ventures. In addition assets will not be transferred to individuals or groups for party political or religious use.

6.4 There is no comprehensive definition of the types of community or voluntary group covered by this policy. Applicants may take many forms and can also adopt different types of legal structures. The key thing is not the precise model but that they are recognised in their communities as important, open organisations.

6.5 For the purpose of this policy community, voluntary and social enterprise groups will have the following characteristics:-

- Be formally-constituted
- Have sound long-term management and governance arrangements
- Have their own decision-making system and accountability to independent trustees or their own members or constituents
- Do not distribute any surplus to owners or members but applies it to serving its basic purpose
- Are non-political and are not engaged in supporting candidates for political office
- Have an element of involvement of volunteers.

6.6 The Council will consider transfer of assets to long established, stable and secure formal organisations and will also consider transfers to newly formed community groups provided they can demonstrate they have the necessary expertise and experience to manage the asset and have a sound business proposal in place.

7 Principles of Asset Transfer to the Community

The Council's policy on Community asset transfer is underpinned by the following principles:-

7.1 Proactive Strategy

The Council will seek to implement the policy proactively through support in order to encourage appropriate groups to adopt an asset.

7.2 Respond Strategically

The Council will respond to requests for asset transfer by exploring the strategic implications of a transfer.

7.3 Transparent and Consistent

The Council will have a transparent corporate process for asset transfer which includes a clear point of first contact and clear stages and timescales for each party.

8 Assessment Process

Any applicant seeking to take on a Council asset must be able to:-

- Provide a well-prepared and sustainable business proposal
- Demonstrate a clear community/social demand for the proposed activity to be delivered from the asset
- Demonstrate that they have the capacity to manage the asset and have directors or management committee members who have the necessary skills and experience
- Show they have good governance and robust financial systems in place along with all necessary policies expected of an organisation such as training plans, health and safety policies, comply with relevant equalities legislation, etc.
- Show how their proposal contributes to the achievement of the Council's outcomes
- Prove that the proposed project will not duplicate activities, services or facilities already provided in the local community.

9 Community Asset Transfer Process

The process of making a formal application for transfer is set out in the following four stages with approximated timescales:

Stage 1 – Initial Application: 3 months:

Interested parties should complete a Stage 1 Suitability Application form. This application should not involve a huge amount of work, all that is required is enough information to show there is a potential business case for transfer. Suitable applications will be invited to progress to a Stage 2 Application. At this point they will be allocated a Single Point of Contact (SPOC) who will act as key contact throughout their application.

All available information on the asset, including details of its condition, running and maintenance costs, and title deed restrictions, will be shared with the applicant to help them decide whether to submit a Stage 2 detailed application.

Stage 2 – Detailed Application: 3-5 months depending on complexity:

This stage will require a full Business Proposal to be developed, along with detailed plans for the management of the asset once in community ownership.

Once a Business Proposal has been received by the SPOC and scheduled for initial assessment by the Community Asset Group no other applications may be received for the asset under consideration until an outcome has been agreed. In some instances there may be more than one applicant progressing to Stage 2 with interest in the same asset. Should this occur, assessment criteria will be used to inform the decision of the more suitable applicant.

Stage 3 – Cabinet Decision: 1 month

The application will then be evaluated by the Community Asset Group using the scoring system. A recommendation will be made to the Cabinet on whether to proceed with the asset transfer.

The decision on the outcome of the application will be conveyed in writing to the applicant.

Stage 4 – Implementation: 3 months:

For successful applications the SPOC will continue to manage the transfer of the asset. Representatives from Property, Management and Investment (PM & I) and Legal will work with the applicant and SPOC to agree the terms of transfer. Terms and conditions will be agreed for acceptable use of the asset. Each party's responsibilities will be clarified by either lease agreement or conditions of sale.

At any stage in the process, an organisation can cancel a transfer if their circumstances change and they no longer wish to pursue the issue.

At any stage in the process, the council can cancel the transfer where suitable justification exists

Stage 5 – Handover:

At this point the asset transfer will be completed and the applicant will begin using the asset to deliver the benefits described in the business proposal. The Council will continue to monitor the progress of the project in a manner appropriate to the proposal.

NORTH AYRSHIRE COUNCIL

Agenda Item 8

29 October 2013

Special Cabinet

Subject: **Surplus Property - 19 Braehead, Dalry**

Purpose: To seek approval to proceed with the disposal of the former office property known as CLAD, 19 Braehead, Dalry.

Recommendation: That the Cabinet approves the disposal of 19 Braehead, Dalry for the sum of £129,167.

1. Introduction

- 1.1 19 Braehead is a late 19th century, traditional detached period villa set over basement, ground and first floors, occupying a regularly shaped site overlooking parkland to the rear. The accommodation extends to three rooms at basement level; five public rooms, staff room and toilet at ground floor and four public rooms, toilet and storage at first floor.
- 1.2 The property was declared surplus by Education and Skills in January 2013 and has been extensively marketed by the Estates Section through direct mailing of particulars, local and national press advertising and via the Council website.
- 1.3 Offers in excess of £150,000 were being sought.
- 1.4 The level of formal interest has been limited largely due to the costs of conversion and until recently only one serious offer at £45,000 had been received. This offer was rejected as unacceptable.
- 1.5 The current offer represents an opportunity to maximise the capital receipt and avoid a future liability due to the likelihood of a future deterioration in the physical condition of the building.

2. Current Position

- 2.1 A closing date of 27 September 2013 at 12 noon was set for submission of offers. Three formal offers were received as follows:
 - Offer 1 £70,000
 - Offer 2 £95,000
 - Offer 3 £129,167

3. Proposals

- 3.1 It is proposed that the offer of £129,167 is accepted.

4. Implications

Financial Implications

- 4.1 The disposal will generate a capital receipt for the Council of £129,167.

Human Resource Implications

- 4.2 There are no known human resource implications arising from this report.

Legal Implications

- 4.3 There are no known legal implications arising from this report.

Equality Implications

- 4.4 There are no known equality implications arising from this report.

Environmental Implications

- 4.5 There are no known environmental implications arising from this report.

Implications for Key Priorities

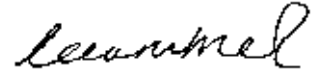
- 4.6 There are no known implications for key priorities arising from this report.

5. Consultations

- 5.1 Consultations have taken place with Planning regarding the change of use from office to residential purposes.

6. Conclusion

- 6.1 That the Cabinet approve the disposal of 19 Braehead, Dalry for £129,167.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Mark Taylor, Estates Surveyor on telephone number 01294 225099

Background Papers

Copy of the Offer dated 26 September 2013 as amended to allow for VAT reduction from original offer.

NORTH AYRSHIRE COUNCIL

Agenda Item 9

29 October 2013

Special Cabinet

Subject: **North Ayrshire's Shared Services and Partnership Working**

Purpose: To inform the Cabinet of progress in taking forward Shared Services and partnership working in North Ayrshire.

Recommendation: That the Cabinet agreed (a) to note the current position and progress on partnership working, including shared services and (b) changes to the Minute of Agreement constituting the Ayrshire Shared Services Joint Committee as detailed in Appendix 1.

1. Introduction

- 1.1 The former Executive at its meeting on 27 March 2012 noted progress on developing Shared Services involving the three Ayrshire Councils and NHS Ayrshire and Arran. This report provides an update on progress on this and other developments.
- 1.2 The Shared Services agenda is led by the Ayrshire Shared Services Executive comprising Leaders and Chief Executives of the three Councils and the Chair and Chief Executive of NHS Ayrshire and Arran.
- 1.3 Reporting to the Ayrshire Shared Service Executive, are two groups led by Chief Officers from each of the three Councils and NHS Ayrshire and Arran:-
 - i The Ayrshire Shared Services Board is responsible for the commissioning, monitoring and reporting of projects which could be delivered through a Shared Service approach. The NHS Ayrshire and Arran interest is limited to property maintenance, ICT and non-clinical support services.
 - ii The Strategic Alliance is responsible for the promotion of joint working and shared services related to social care and health. The role and momentum of this group has been impacted by the development of the Health and Social Care Partnership.

- 1.4 In addition to the opportunities being explored pan Ayrshire, the Council is proactive in identifying opportunities for working in partnership with other local authorities and agencies.
- 1.5 The Council is also implementing internal shared services as part of its drive to deliver more efficient services.

2. Current Position

2.1 Pan Ayrshire Partnership Working

Pan Ayrshire Regulatory Service

- 2.1.1 The report to Cabinet on 19 June 2012 confirmed that there was no financial incentive for the Pan Ayrshire Regulatory Service to proceed.

Roads and Transportation

- 2.1.2 The Detailed Business Case for the development of an Ayrshire Shared Service For Roads and Transportation was considered by Cabinet on 11 June 2013. Cabinet noted the good work undertaken to develop the Business Case but, due to the Council's ability to drive forward improvements and savings at a greater pace than through the Shared Services, agreed not to proceed with the Shared Service model.

Ayrshire Public Sector Property Group

- 2.1.3 The Ayrshire Public Sector Property Group comprises North Ayrshire community planning partners. In recent years the focus of the group had been on reviewing surplus assets across agencies., Recognising the opportunity of a more comprehensive review of partners assets North Ayrshire Council is working with NHS Ayrshire and Arran to identify short, medium and long term opportunities. A report on the outcomes of this work will be available in early Autumn.

Ayrshire Economic Partnership

- 2.1.4 This is a public/private sector partnership which has been operating for a number of years. The partnership has focused on the development of a number of strategic business sectors, including renewables tourism, engineering and food and drink. Strategies and action plans are in development and in the case of tourism there is a pan Ayrshire tourism team delivering the service across all three Ayrshire authorities (see para 2.1.5). In addition, the partnership oversees the delivery of the Business Gateway contract which is a pan Ayrshire business support service delivered by Lanarkshire Enterprise Ltd.

- 2.1.5 The Ayrshire Economic Partnership pursued a joint bid, led by North Ayrshire Council, on behalf of the three Ayrshire Local Authorities for the Youth Employment Scotland Recruitment Incentive Programme. This bid was successful in securing 1,250 places, of which North and East secured 500 each and South the remaining 250. The value of the programme is in excess of £4m. The programme is funded by the Scottish Government and European Social Funds. The Scottish Programme was formally launched in North Ayrshire by the First Minister in June 2013 and a Minute of Agreement between the three Councils which sets out how the programme will be delivered with key responsibilities. North Ayrshire as lead partner is responsible for the overall delivery and reporting on the programme although actual delivery models will vary across each Council area. The programme will have a financial end date of December 2014.

Ayrshire and Arran Tourism Team

- 2.1.6 The Ayrshire and Arran Tourism Team is a 3 year joint project with 5 members of staff employed by South Ayrshire Council to focus on delivering projects to take forward the actions outlined in the Ayrshire and Arran Tourism Strategy 2012 - 2015. The team takes the lead role in the delivery of an agreed action plan to grow the tourism industry across the whole region. The team works closely with the Ayrshire Councils, tourism businesses and organisations such as VistScotland, Visit Arran, Taste Ayrshire / Taste of Arran and the Cumbrae Tourism Association to identify and develop a wide range of initiatives and projects to take forward. The pan-Ayrshire Tourism Team project will be evaluated at the end of 3 years in 2015.

Flood Risk Management

- 2.1.7 As part of the Council's response to the Flood Risk Management (Scotland) Act 2009, the three Ayrshire Councils agreed to work together with SEPA and Scottish Water to develop a Flood Risk Management Plan for the Ayrshire Local Plan District. It was agreed that North Ayrshire would act as Lead Authority this is recognised in the Minute of Agreement that was signed in January 2013. North Ayrshire Council will lead the development of the Local Flood Risk Management Plan (Local FRM Plan). Ayrshire has been identified as the Local Plan District (LPD) No12 and is one of the top 5 district areas at risk of flooding. The Governance model for the steering group was recently approved at Cabinet and the first meeting of this group was held in September 2013. The focus of the group is to ensure that the tight timescales for the production of the Local FRM Plans and Surface Water Management Plans (SWMP) are met. The partnership will remain in place until the plan is completed, this is anticipated to be December 2015.

Governance Arrangements

- 2.1.8 On 6 March 2013 the Council agreed to set up a Shared Services Joint Committee, Ayrshire Shared Services Joint Committee, in terms of Section 56 of the Local Government (Scotland) Act 1973. The proposal is that Individual service specific agreements would be put in place for each shared service and submitted for approval by Council. Council did not appoint Members to serve on the Shared Service as it was envisaged that those Members likely to be appointed would have an interest in Roads. Tourism is the only current service which will be covered by the Shared Service Committee.
- 2.1.9 As the original intention behind the Shared Services Joint Committee was that it would provide the overall governance arrangements for any Ayrshire Council Shared Service, regardless of the number of Councils involved, this Joint Committee will still provide the overall governance for the EAC/SAC Shared Roads Service. The business on the agenda will be separated to ensure that NAC Members are not present for the Roads items.
- 2.1.10 The timetable for the Shared Services Joint Committee is that EAC / SAC will draft a Road Service specific agreement and SAC will therefore draft a Tourism Service specific Agreement. Initial meetings of the Committee will relate to Roads issues and at that stage, the Committee will comprise of EAC/SAC councillors. When there is substantive shared services business involving North Ayrshire, a report will be submitted to Council seeking nomination of North Ayrshire members to serve on the Committee.
- 2.1.11 To ensure that Committee business can be conducted in a satisfactory manner with any two of three signatories to the agreement, several changes to the Minute of Agreement are proposed. The amended Minute of Agreement is attached as Appendix 1.

Future Opportunities

- 2.1.12 The Ayrshire Shared Services Board is currently considering opportunities for further shared services opportunities and will bring forward proposals in early Autumn.

2.2 Ayrshire Strategic Alliance

Joint Equipment Service

- 2.2.1 The Corporate Director (Social Services and Health) submitted a report to NAC Cabinet on 11 June 2013 which sought approval to develop a tender for an Ayrshire wide Joint Equipment Store on a negotiated contract basis in partnership with South and East Ayrshire Councils and NHS Ayrshire and Arran.

- 2.2.2 The Cabinet agreed (a) to a partnership approach led by North Ayrshire Council to the development and publishing of an Invitation to Tender document for a Joint Equipment Store; (b) to a "negotiated contract with competition" approach with the highest evaluated tender submission to fully develop a business case for the development of an Ayrshire wide Joint Equipment Store; (c) that the findings of the negotiations and Business Case be presented to a future Cabinet for consideration; and (d) to receive a further report at a future meeting.

Out of Hours Service

- 2.2.3 The service has been operational since 31 March 2012. It was always anticipated that a more local service would elicit greater referral numbers, and this has proved to be the case. North Ayrshire is the highest user of the service, rising from 2,274 referrals in 2011 to 4,150 referrals in 2012/13. There are financial implications for North Ayrshire because of the increased use of the service. A Cabinet Report was considered in August 2013, giving a full update on the service's first year of operation.

Joint Sensory Impairment Services

- 2.2.4 Following discussions with the RNIB Scotland and Action on Hearing Loss Scotland, it is noted they have been successful in their funding bid for £450k over two years to develop sensory impairment service in Ayrshire and Arran. East Ayrshire is leading a pan Ayrshire steering group, comprising of South Ayrshire, North Ayrshire NHS Ayrshire & Arran to design a Joint sensory Impairment Service which will be a response to the National strategy See Hear. RNIB and Action on Hearing Scotland are partner agencies in this process.

Ayrshire Joint Commissioning Team

- 2.2.5 The Pan Ayrshire Commissioning Plan for Older people was completed and forwarded to Scottish Government in March 2013. The work includes a 3 year implementation plan and a 10 year vision. The plan was developed on a co-production basis which involved a broad range of engagement sessions with older people. The third sector and independent sector were also involved. Feedback from the joint improvement team indicated that the Pan Ayrshire work was of good quality. Each partnership locality is now implementing its plans to reshape care for older people. The change fund is facilitating these changes in addition to the redesign work which has been progressing in North Ayrshire for several years for example, the closure of care homes and investment in community services, the growth of care at home to ensure people can stay in their own home for as long as it is safe to do so, the implementation of new models of care such as the Dementia support service.

ICT (AYRshare)

- 2.2.6 North, East and South Ayrshire, along with Ayrshire and Arran Health Board, have developed an information sharing system regarding vulnerable children. The system is called AYRshare and the first meeting of the AYRshare Programme Board took place in October 2011 where it was agreed that a local system for sharing information on children and young people would be developed across Ayrshire. The AYRshare Programme Board reports to the Ayrshire Data Sharing Partnership.
- 2.2.7 The information stored in AYRshare is provided from existing social work, education and health business applications. AYRshare is now “live” throughout South Ayrshire and is currently being rolled out in North Ayrshire. Implementation in East Ayrshire is being planned for September 2013.
- 2.2.8 AYRshare is considered cutting edge technology and we have been asked to provide presentations of the system across Scotland. The Minister for Children and Young People, Aileen Campbell MSP, attended a demonstration of AYRshare on the 26 March 2013.
- 2.2.9 There are currently plans to extend AYRshare to other services, including adult services.

Health and Social Care Partnership

- 2.2.10 The Scottish Government published its Bill for the integration of adult health and social care on 28 May 2013 (entitled Public bodies (Joint Working)(Scotland) Bill). The Bill does not state an implementation date but indications are that the new arrangements will have to be in place not later than 1 April 2015. The Scottish Government’s Cabinet Secretary for Health and Wellbeing has stated that Councils and NHS Boards do not require to wait for legislation, but are encouraged to plan for integration at an early stage.
- 2.2.11 On 19 June 2013, the Council agreed to move forward with the establishment of a Health and Social Care Partnership for North Ayrshire. This was also approved by Ayrshire and Arran Health Board at its meeting on 24 June 2013.
- 2.2.12 These reports agreed :-
- To adopt a “body corporate” model for the delivery of services. In effect this creates a joint committee of the Council and the Health Board to oversee the Health and Social Care Partnership;
 - That all services currently managed in Social Services and Health, including children and families, with the exception of Housing Services, will be managed within the partnership;

- Criminal Justice services to be managed within the partnership until the outcome of the review of the Community Justice system;
- All community based NHS services for adults and children will be managed within the partnership;
- Further guidance is awaited around any “acute” services to be managed within the partnership;
- To jointly appoint a Chief Officer for the Health and Social Care Partnership who will be accountable to the Council and the Health Board. It is expected this appointment will be made by October 2013. The Chief officer will assume operational responsibility for Council and NHS Services from 1 April 2014;
- To create a Transitional Integration Board (TIB) from October 2013 – March 2014, moving to a Shadow Integration Board (SIB) in April 2015 and then to the Integration Board as outlined in the legislation by April 2015.

2.2.13 Following the appointment of the post of Chief Officer an initial Transitional Integration Board meeting will be arranged to agree the remit, workplan and a cycle of meetings in preparation for the establishment of the Shadow Integration Board.

2.2.14 The Transitional Integration Board’s key remit will be to establish a shadow Health and Social Care Partnership for the area, and to direct workstreams required to this and to define transition arrangements, including the removal of our current Community Health Partnership (CHP) structure. Further work requires to be undertaken to establish the detailed governance of the Shadow Partnership and a report was presented to the Council’s Cabinet and NHS Board in September. This report identifies the elected member representation on the TIB and thereafter the Shadow Integration Board.

2.3 Other Strategic Partnership Initiatives

Ayrshire Joint Waste Management Project

2.3.1 At its meeting of 19 June 2012, Cabinet reviewed the options available to secure facilities to treat residual waste as required by Scotland's Zero Waste Plan. Following consideration of the options available, the Council entered into a partnership with North Lanarkshire, Renfrewshire, East Renfrewshire and East Dunbartonshire Councils and commenced a joint procurement exercise for residual waste treatment facilities in January 2013. It is anticipated that facilities will become operational by 2019 and total contract value some £450 million.

Procurement

- 2.3.2 The Council is pro-active in working with other public bodies on collaborative contracts. Currently the Council participates in 30 collaborative contracts, 12 national contracts and 37 Scotland Excel contracts. The annual value of these contracts for North Ayrshire Council is £21.7 million. This has generated efficiencies not only in contract costs but in resource costs as tendering these requirements individually would have been more resource intensive.
- 2.3.3 The three Ayrshire Local Authorities Procurement Teams meet on a quarterly basis to consider further opportunities for collaboration and this has now been extended to NHS Ayrshire and Arran. At the most recent meeting between all four parties in September 2013 a further twelve opportunities were identified for potential collaborative contracts.

2.4 Internal Shared Services

- 2.4.1 Recognising the efficiencies which can be generated and the improvement in service delivery which can be achieved the Council has been implementing a number of internal shared services. A brief note on each of these is provided below:
- Financial Management - the Finance Management function was consolidated in June 2012. This has resulted in a significant improvement in the quality of financial management and planning across all services. As streamlined processes are implemented it is anticipated that this will deliver future savings of £0.089m.
 - Business Support - consolidation of Business Support services commenced within the previous Finance and Infrastructure team. When the new Council structure was established in November 2012, phase 2 of the integration commenced, this is now complete with corporate business support services being provided to Finance and Corporate Support, Development and Environment, Chief Executives and Democratic and Administration services. Opportunities for further roll out will be considered as part of the Council's future change programme. At the end of phase 2 of the review, savings of £0.252m have been generated. As business processes are streamlined further, additional savings are anticipated.
 - Property Management and Investment - consolidation of the Council's property management function took place in December 2012. New structures have recently been finalised. It is anticipated that this will deliver a customer focussed, value for money property management service, protecting the Council's investment in its core assets.

- Corporate Procurement - new structure implemented. The procurement function was centralised with effect from 1 April 2012. The benefits achieved by this are: Best value through economies of scale when purchasing, reduces the risk of litigation, consistent documentation helps suppliers dealing with the Council, improved contract management and provides an interface for local companies and the Third Sector.
- Corporate Transport -__all Council transport services were consolidated into a central unit in April 2013, managed by Development and Environment. The consolidated service co-ordinates the transport requirements of the Council ensuring effective planning of journey, optimum use of vehicles and will contribute to the Council's budget strategy.

3. Proposals

- 3.1 It is proposed that Cabinet notes the current position and progress on partnership working, including shared services.
- 3.2 It is recommended that Cabinet agree changes to the Minute of Agreement constituting the Shared Services Joint Committee. These are required to ensure the Committee can initially meet with EAC/SAC representation, with North Ayrshire Council nominees being appointed when there is substantive North Ayrshire business.
- 3.3 The amended Minute of Agreement is attached as Appendix 1, with the changes highlighted. All changes made to the Minute of Agreement are of an administrative nature. They include:
 - Ensuring that the Joint Committee can operate satisfactorily prior to North Ayrshire Council members being appointed;
 - The provision of alternative quorums for both a three Council arrangement (4) and a two Council arrangement (3); and
 - General changes in wording to ensure the smooth running of the Joint Committee.

4. Implications

Financial Implications

- 4.1 There are no financial implications arising from this report.

Human Resource Implications

- 4.2 There are no Human Resource implications arising from this report.

Legal Implications

- 4.3 There are no legal implications arising from this report.

Equality Implications

- 4.4 There are no equality implications arising from this report.

Environmental Implications

- 4.5 There are no environmental implications arising from this report.

Implications for Key Priorities

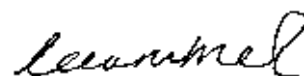
- 4.6 There are no implications for key priorities arising from this report.

5. Consultations

- 5.1 The Chief Executive and Corporate Management Team have been consulted and are in agreement with the report recommendations. Trade unions will be kept informed of developments.

6. Conclusion

- 6.1 The Council continues to exploit opportunities to work in partnership with others to secure better and more efficient services. In addition opportunities to consolidate and rationalise services across the Council are explored.



LAURA FRIEL

Corporate Director (Finance and Corporate Support)

Reference : None

For further information please contact Laura Friel , Corporate Director (Finance and Corporate Support) on 01294-324554

Background Papers

None

MINUTE OF AGREEMENT

between

(One) EAST AYRSHIRE COUNCIL constituted in terms of the Local Government etc. (Scotland) Act 1994 and having its principal office at London Road, Kilmarnock ("EAC");

(Two) NORTH AYRSHIRE COUNCIL constituted in terms of the Local Government etc. (Scotland) Act 1994 and having its principal office at Cunninghame House, Irvine ("NAC");

and

(Three) SOUTH AYRSHIRE COUNCIL, constituted in terms of the Local Government etc. (Scotland) Act 1994 and having its principal office at County Buildings, Wellington Square, Ayr ("SAC") (hereinafter referred to as "the parties").

WHEREAS the purpose of this Agreement is to make arrangements for the joint discharge of statutory functions in terms of Sections 56 and 57 of the Local Government (Scotland) Act 1973 ("the 1973 Act") and Section 15 of the Local Government in Scotland Act 2003 and the establishment of a Joint Committee to oversee the delivery of a range of discrete Local Authority Services to the communities of East, North and South Ayrshire, AND WHEREAS the parties hereto have agreed to delegate the discharge of various functions jointly, whether in respect of any particular shared service arrangement that be all three of the parties, or any two thereof, in terms of section 57 (1) (b) of the Local Government (Scotland) Act 1973 NOW THEREFORE the parties agree as follows:

1. **Commencement and Duration**

This Agreement shall commence with effect from 28 March 2013 and shall thereafter subsist for such period as the parties (or at least two of them) shall continue to participate in any Shared Service (as after defined), subject to the provisions of Clause 12 (Withdrawal from Agreement). Each Service Agreement (as after defined) shall make provision for the disaggregation of any Shared Service to which it relates in the event of withdrawal by any of the parties from such Shared Service,

including provision for liability of the withdrawing party for the costs associated with such withdrawal.

2. **Constitution and Remit**

There is hereby constituted a Joint Committee to be known as the Ayrshire Shared Service Joint Committee, (to be hereinafter referred to as “the Joint Committee”). The functions to be delegated to the control of the Joint Committee shall be carried out by a Lead Authority, being the authority charged by the parties hereto (or at least 2 of them) to undertake the provision of defined services as set out in the relevant Minute of Agreement between the relevant parties and as selected from them. The specific services and functions to be delegated to the Joint Committee (each hereinafter referred to as a “Shared Service”) shall be determined by the parties from time to time and set out in a Service Minute or Minutes of Agreement to follow hereon (“the Service Agreements”). The Joint Committee is empowered by each of the parties hereto:

- 2.1 To manage and monitor spend within the budget approved by the parties hereto in relation to each Shared Service;
- 2.2 To develop and implement a strategic policy framework for the operation of each Shared Service to receive, scrutinise and approve service plans for implementation of the policies and priorities for service delivery relative to Shared Services including establishing appropriate service targets and performance indicators;
- 2.3 To co-ordinate, guide, monitor and review the performance and discharge of Shared Services by officers of the relevant Lead Authority ;
- 2.4 To take decisions on a service by service basis, that are contrary to or not wholly in accordance with the approved revenue budget, provided that any associated spend must be offset by additional income or savings from elsewhere within the budget for that service;
- 2.5 To consider and approve an annual Service Plan in respect of each Shared Service including the Budget as provided for in Clause 9.2 hereof for submission to the parties hereto.

3. **Membership**

3.1 The Joint Committee shall comprise a maximum of twelve members, with up to four members representing each of the parties hereto.

3.2 Each of the parties shall be entitled to appoint four of its elected members to be members of the Joint Committee and the members so appointed shall, subject as hereinafter provided, continue in office until they are re-appointed or replaced by each of the parties, subject always to s57(5) and s59 of the 1973 Act. No substitutes shall be permitted

3.3 A member of the Joint Committee shall cease to be a member when he or she ceases to be a member of the Council which appointed him or her or on the appointment by that Council of another member in his or her place, whichever shall first occur.

3.4 The duly appointed Members of each of the parties will be entitled to engage in the business of the Joint Committee only in respect of those Shared Service arrangements in which their respective Council has determined to participate.

4. **Quorum**

4.1 A quorum of the Joint Committee shall be four members where all three Councils elect to participate in a particular Shared Service arrangement, with at least one member representing each of the parties.

4.2 Where only two of the Councils elect to participate in a particular Shared Service arrangement the quorum of the Joint Committee shall be three members, with at least one member representing each of the parties.

5. **Standing Orders**

The Joint Committee shall adopt its own Standing Orders. In the event of any inconsistency between the Standing Orders and this Agreement the provisions of this Agreement shall prevail.

6. **Meetings**

The Joint Committee shall meet at least twice in each financial year or more often as is required to conduct its business.

7. **Chair**

The position of Chair shall be held for a period of one year by a member from each of the parties in turn, the first Chair being a member from EAC, the second chair being a member from SAC, the third chair being a member from NAC, and so on, with each subsequent Chair taking up his or her position on the anniversary of the first meeting. The appointment of the Chair of the Joint Committee shall be undertaken by the authority from whose members the Chair shall be selected. In the event of the Chair *either* being absent or withdrawing from a meeting (for example where the business to be transacted relates to a Shared Service arrangement in which their Council has opted not to participate) another member chosen by the members present shall assume the Chair for that meeting.

8. **Administration**

The administrative support for the Joint Committee in any year shall be undertaken by the Council, the member for which is currently Chair and which administrative support shall rotate as with the position of Chair. The cost of providing such administrative support shall be borne by the Council which is providing such administrative support in that year.

9. **Finance**

- 9.1 Prior to the commencement of any Service Agreement the Joint Committee shall receive from each party **which has opted to participate in the said Service Agreement**, confirmation of resources to be allocated by that party for the provision of the functions **as defined** in the Service Agreement relative to that **Shared Service**. Such allocation of resources will have previously been approved by each of the parties.
- 9.2 In each subsequent year and in respect of each Shared Service, the relevant Lead Authority shall prepare a Service Plan for the following three financial years setting out the level of service to be provided to the **relevant** parties hereto, in accordance with the Service Agreement for that Shared Service, and the budget required to fulfil that plan. Such Service Plan shall be submitted for approval to the Joint Committee not later than First October in each year. The Joint Committee shall thereafter make recommendation to each of the **relevant** parties hereto for formal approval of the Service Plan including the relevant budget.
- 9.3 The proportion of the cost of delivery of any Shared Service to be met by each Council in respect of the Shared Service shall be as set out in the Schedule to the Minute of Agreement relating to that Shared Service.
- 9.4 Each of the **relevant** parties agrees to approve and confirm to the Joint Committee the level of funding to be allocated by that party for the following financial year for each Shared Service **in which they have agreed to participate** by no later than 28 February in each year.
- 9.5 Annual accounts for each of the Shared Services shall be prepared by the respective Lead Authority and submitted to the Joint Committee and thereafter submitted to each of the **relevant** parties hereto at their first meeting following 30 June in each year for noting and approval. Audit Scotland will put in place appropriate arrangements for external audit.

10. **Scrutiny**

Scrutiny in respect of the Joint Committee will be undertaken by each of the relevant parties hereto in accordance with their own scrutiny processes, as set out within their respective Corporate Governance arrangements.

11. **Variation of Agreement**

Any alteration of the terms of this Agreement shall be by way of a further Minute of Agreement signed by all the parties hereto.

12. **Withdrawal from Agreement/Disaggregation**

12.1 If any party hereto wishes to withdraw from this Agreement it may do so with effect from the end of the Joint Committee's next financial year by giving to the Clerk to the Joint Committee, not less than 18 months notice in writing to that effect. Any party which wishes to withdraw shall be responsible for meeting any costs, including severance costs, associated with such withdrawal.

12.2 Any party hereto may withdraw from any Shared Service subject to the provisions in the relevant Service Agreement relating thereto and subject to meeting any costs, including severance costs, associated with such withdrawal: IN WITNESS WHEREOF...

NORTH AYRSHIRE COUNCIL

Agenda Item 10

29 October 2013

Special Cabinet

Subject: **Chief Social Work Officer Annual Report**

Purpose: To provide the report of the Chief Social Work Officer to the Cabinet, as required by the Scottish Government's Guidance.

Recommendation: That the Cabinet note and endorse the report set out at Appendix 1.

1. Introduction

- 1.1 There is a requirement for every local authority to appoint a professionally qualified Chief Social Work Officer (CSWO) and this is contained within Section 3 of the Social Work (Scotland) Act 1994, Section 45. The particular qualifications are set down in Regulations and require that the post holder is a qualified social worker registered with the Scottish Social Services Council. This is one of a number of statutory requirements in relation to posts, roles or duties with which local authorities must comply.

2. Current Position

- 2.1 As outlined in the guidance, the CSWO should prepare an annual report to the local authority on the statutory, governance and leadership functions of the role. The 4th annual report for North Ayrshire Council covering the period April 2012 to March 2013 is attached at Appendix 1.

3. Proposals

- 3.1 It is proposed that the Executive notes and endorses the report set out at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are none.

Human Resource Implications

- 4.2 There are none.

Legal Implications

- 4.3 There are none.

Equality Implications

- 4.4 There are none.

Environmental Implications

- 4.5 There are none.

Implications for Key Priorities

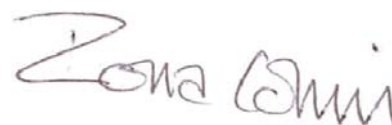
- 4.6 This report covers matters which contribute to outcomes 5(a), 6(a), 6(c), 6(d), 8(a) and 9(a) of the Single Outcome Agreement.

5. Consultations

- 5.1 No consultation was required in preparation of this report.

6. Conclusion

The CWSO Annual Report complements the service planning and reporting arrangements that are routinely in place within the Council for the Corporate Director (Social Services & Health). It refers particularly to those statutory interventions which will be carried out by the registered social worker.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : IC/KA

For further information please contact Iona Colvin, Corporate Director on 01294 317723

Background Papers

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NORTH AYRSHIRE
COUNCIL

CHIEF SOCIAL WORK OFFICER

ANNUAL REPORT

APRIL 2012 – MARCH 2013

CONTENTS:

- 1. Introduction**
- 2. Governance**
- 3. Statutory Duties and Decisions**
- 4. Protection and Risk Management**
- 5. Regulation, Inspection and Improvement Activity**
- 6. Complaints**
- 7. Workforce Development**
- 8. Conclusion**

1. Introduction

- 1.1 This is the 2012 – 2013 annual report from the Chief Social Work Officer of North Ayrshire Council.
- 1.2 The role of the Chief Social Work Officer is to provide professional governance, leadership and accountability for the delivery of social work and social care services, whether these are provided by the council or purchased from the third or independent sectors. The Chief Social Work Officer also briefs portfolio holders, Community Health Partnership committee members and CoSLA Executive group representatives as required to assist them in fulfilling their functions and in understanding the complexities of the social work task.
- 1.3 The responsibility of social work services is to promote people's safety, dignity and independence, and to protect communities by reducing offending and managing the risk posed by known offenders. This is done within a framework of statutory duties and powers imposed on the Council. Services are required to meet national standards and to provide best value. Our services are delivered in partnership with a range of stakeholders, including, most importantly, the people who use them.
- 1.4 In addition, there is a small number of duties and decisions that relate primarily to the curtailment of individual freedom and the protection of both individuals and the public, which must be made by the Chief Social Work Officer or by a professionally qualified social worker to whom the responsibility has been delegated by the Chief Social Work Officer and for which the latter remains accountable.

2. Governance & Quality Assurance

- 2.1 The Scottish Government guidance on the role of the Chief Social Work Officer articulates the expectations on councils with regard to professional governance and quality assurance of social work and social care services. A reporting framework compliant with the guidance, which prioritises child protection, adult protection and the management of dangerous offenders, is in operation within Social Services and Health.
- 2.2 Within North Ayrshire Council the Corporate Director for Social Services and Health is also the Chief Social Work Officer. This meets the requirement to have the post positioned at a level of seniority commensurate with the complex duties described in the guidance.
- 2.3 As a Corporate Director, the Chief Social Work Officer is routinely required to provide professional advice to North Ayrshire Council on the provision of social work services. Through membership of the Corporate Management Team specialist advice is provided to senior officers and through attendance at council meetings and meetings of the Cabinet of the council to elected members. This includes contributing directly to the budget setting processes of the council and to the determining of the council's priorities and assessment of its risks.

- 2.4 This reporting process is also an important part of service planning and developing services, particularly involving the workforce and taking into account evaluation of our services and feedback from service users and carers. Performance is measured against our service plans and national standards which ensures proper scrutiny of Social Work activity.

3. Statutory Duties and Decisions

- 3.1 The Chief Social Work Officer has overall responsibility to ensure that the social work service operates efficiently and effectively to safeguard and support Vulnerable Adults and Children.

3.2 Mental Health Officer Service

The Mental Health Officer service undertakes assessments in relation to three pieces of legislation:

- The Mental Health (Care and Treatment) (Scotland) Act 2003
- The Criminal Procedure (Scotland) Act 1995
- The Adults with Incapacity (Scotland) Act 2000

- 3.3 Mental Health Officer assessment and the related statutory tasks are required under a range of provisions contained within these Acts, depending on the circumstances of the service user, whether compulsory measures are for assessment, treatment, provision of community care services or a combination of these; and whether they are a result of civil or criminal procedures. The process of assessment, consent to or making application for orders requires competent knowledge of risk and risk management.

- 3.4 The main duties of a Mental Health Officer with regard to Compulsory Detention are:

- To provide consent with regard to an Emergency or Short-Term Detention Certificate.
- To apply for a Compulsory Treatment Order.
- Interview patients who may be detained under the Act and prepare comprehensive reports and care plans.
- To advise patients of their rights, including the right to have access to an independent advocate and to have a named person to look after their interests.
- To prepare reports for Court in terms of the necessity for Compulsion Orders, and Restriction Orders (CORO), Hospital Directions, Guardianship orders and/or Supervision and Treatment Orders in relation to mentally disordered offenders.
- To be the Designated Mental Health Officer in accordance with the legislation.

- 3.5 Compulsory detention in hospital or compulsory treatment in the community takes place under the auspices of the Mental Health (Care and Treatment) Act 2003. The following information highlights the 2012/13 activity and provides the previous two years figures for trend analysis.

	2010/11	2011/12	2012/13
Compulsory Treatment Orders:	24	22	21
Emergency Detention in Hospital:	10	7	11
Short-Term Detention in Hospital:	79	66	59
Social Circumstance reports completed by Mental Health Officers	88	85	90

3.6 The Adults with Incapacity (Scotland) Act 2000

The Adults with Incapacity (Scotland) Act 2000, sets out a legal framework for regulating intervention in the affairs of adults who may not have capacity to make important decisions to safeguard his or her welfare and/or property and finances. If this incapacity is in relation to welfare matters and is a consequence of mental disorder, the courts require a report to be prepared by a Mental Health Officer as to the appropriateness of the order and the suitability of the proposed Guardian. If the incapacity is a result of an inability to communicate, the report is prepared by a Person of Sufficient Knowledge, which can not only be an MHO but can also be a qualified social worker. The MHO service co-ordinates the allocation and processing of all such reports.

3.7 The Mental Health service is required to prepare reports for Guardianship Orders undertaken by the Chief Social Work Officer.

The Mental Health service is also required to prepare reports for Court in terms of Private applications for Welfare Guardianships. The Local Authority, through the Mental Health Officer service, is required to provide supervision to those Private Welfare Guardians once a Welfare Guardianship order is made.

3.8 AWIA - Welfare Guardianship Orders

The Local Authority will only apply to appoint the Chief Social Work Officer as Welfare Guardian where no one else is willing or able to make an application. This will only be done when an individual lacks capacity and powers and a Welfare Guardian may be required in order to safeguard the individual's personal welfare, property or financial affairs. The main powers (although not exclusive) sought are:

- To decide where the Adult should reside and be cared for.
- To determine what support the Adult requires and to arrange for such support to be provided.

3.9 AWIA - Financial Guardianship Orders

Local Authority involvement in Guardianships is mainly confined to Welfare Orders although they still have responsibilities regarding applications relating to financial powers. The Local Authority has a duty to apply for Financial Intervention Orders where it is necessary and no one else is applying. The Local Authority will, where possible, identify and nominate a suitable person such as a Solicitor or Accountant as Financial Guardians.

- 3.10 The following table indicates the orders made during 2012/13 and a total as at 31st March 2013. The previous two years data is included for trend analysis:

	New Orders 2010/11	New Orders 2011/12	New Orders 2012/13	Total at 31 March 2013
Welfare Guardianship:	31	21	34	97
Financial Guardianship:	17	9	21	18
Welfare and Financial Guardianship:	19	30	36	108
Financial Intervention Order	9	6	15	22
Compulsion Order Restrictive Order	0	0	1	4
Compulsion Order	0	7	0	2
Total:	76	73	107	251
Orders for which the CSWO is Guardian (welfare only):	10	10	8	36
Number of Social Circumstance reports made by Mental Health Officers in relation to applications for Welfare Guardianship:	49	60	63	

3.11 Children's Services

The Children and Families social work services' main objectives are to help ensure the safety and wellbeing of vulnerable children by progressing the GIRFEC agenda and Partnership working to ensure that integrated assessments and action plans are robust and are as Outcome focused as possible.

The Children and Families service assesses, supports and provides services for children, young people and their families who are experiencing difficulties and need help. The service contributes to the prevention and early intervention and corporate parenting agendas. The service also provides support to children who are unable to live with their parents and are placed in alternative settings appropriate to their needs.

3.12 Early Intervention Mentoring Project

The Mentoring Project was funded as part of the Council's Early and Effective Intervention Strategy. The aim was to provide a mentoring service for young people aged 8 – 16 years who were experiencing isolation, low confidence/self-esteem and who had little or no involvement in mainstream community activities.

For such young people these indicators are often precursors of difficulties to come as they lack the social skills to deal with the issues in their lives resulting in the need for input from Social Services and other agencies in the future.

The objectives of the Mentoring Project largely reflect the concepts within the Christie Report (2011), on public services which highlights the need to increase individual and community capacity through prevention and early intervention. The Christie Report further suggests that building on individuals' aspirations, capabilities and skills will help them develop their autonomy and resilience, thereby reducing the demand for services in the longer term.

The first referral for the Project was taken in June 2012. To date **41** young people have received a service from the Mentoring Project between June 2012 and March 2013. Of the **41** young people, **93%** have not required additional support from social services.

3.13 Corporate Parenting

The Scottish Government publication, 'These Are Our Bairns', (a guide for community planning partnerships) states that corporate parenting operates at strategic, operational and individual levels. It highlights three key elements of the role of a corporate parent:

- The statutory duty on all parts of a local authority to co-operate in promoting the welfare of children and young people who are looked after by them, and a duty on other agencies to co-operate with councils on fulfilling that duty.
- The co-ordination of the activities of the many different professionals and carers who are involved in a child or young person's life, and taking a strategic child centred approach to service delivery.
- The shift in emphasis from 'corporate' to 'parenting' defined by Jackson et al 2003 as 'the performance of all actions necessary to promote and support the physical, emotional, social and cognitive development of a child from infancy to adulthood'.

North Ayrshire Residential Childcare Units have maintained good and very good inspection grades over the past 12 months, with 2 units receiving elemental excellent grades.

The childcare units have completed a health improving care establishment's framework document. This includes a service wide and unit specific improvement plans. Residential staff will deliver a joint presentation with Health on this at the CELCIS conference which will be held in October 2013.

North Ayrshire Residential Childcare Services have also established a staff leadership forum with a focus on staff at all levels engaging in the development of the service whilst developing their own leadership skills. Monthly meetings have been established and a core group of staff have devised a vision for the forum, mission statement and activities to be undertaken. Staff from the group organised and attended a leadership and team building event which included young people from the units.

Our Residential Childcare Services, in conjunction with North Ayrshire Council's 'Choose life' Co-ordinator, compiled guidance for staff in dealing with young people at risk of self-harm and suicide. This guidance has been adopted Pan Ayrshire the Pan Ayrshire document will be launched later in 2013.

A young person from an North Ayrshire Councils children's unit won a Young Scott of the Year Award.

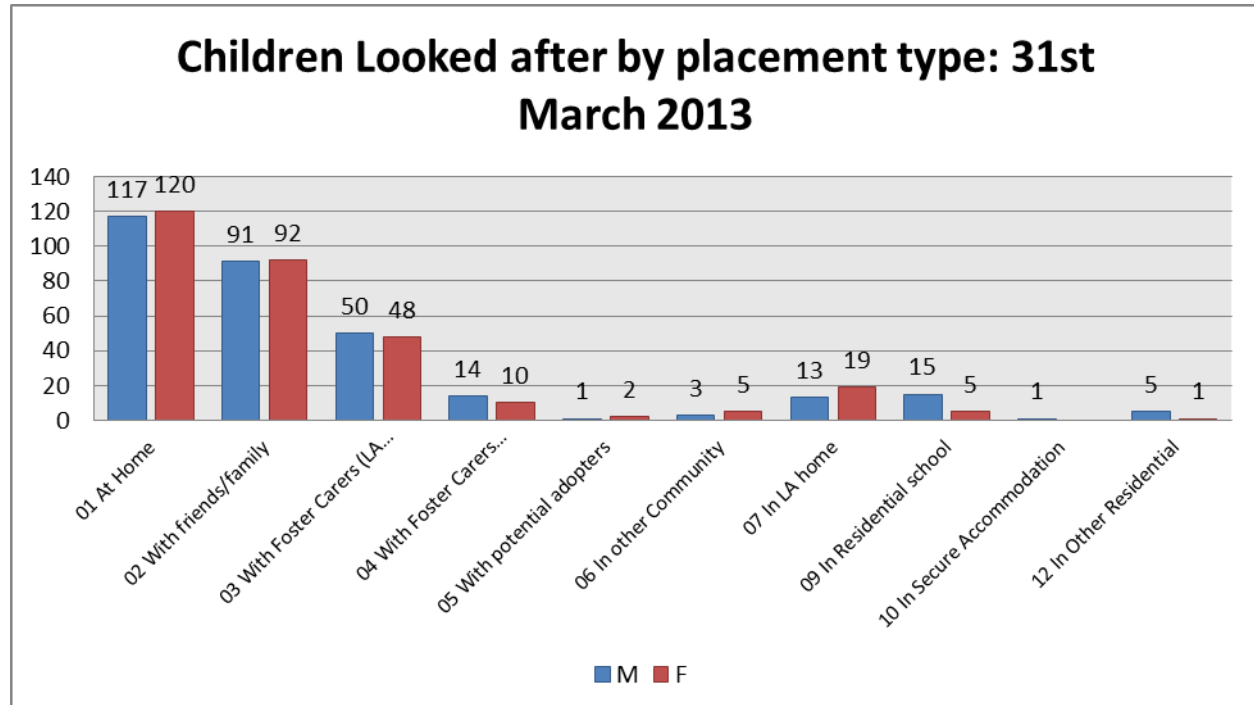
North Ayrshire Council supports the carers' service to maintain its very good grades at inspection.

North Ayrshire Council Housing/Throughcare protocol has successfully provided all care leavers with the securest form of tenancy available to them dependant on support needs and independent living skills. Launched in 2010, there have been over 30 young people moved into permanent tenancies. There have been no evictions or abandonments. A joint data set has been agreed and the first joint report should be available later this year.

Residential and Throughcare services have undertaken a bi annual consultation with all stakeholders, feedback has been overwhelmingly positive for both services. Performance improvement plans are being developed based on these findings.

3.14 Children looked after by Placements:

These include; At Home, Kinship Care (within family/ friends), Carers (LA Provided), With Potential Adopters, In Other Community Placements, in Local Authority Children's Units, Residential Schools, Secure Accommodation and other Residential Placements.



Note: chart formatting capped text in relation to Foster care. Full text is as follows: **03 With Foster Carers (LA Provided)** and **04 With Foster Carers (LA Purchased)**.

3.15 Adoption, Fostering and Kinship Care

Permanent Care for Children

Most children who are accommodated in foster care in North Ayrshire have been placed there due to the concerns and problems created by their parent's substance misuse and domestic violence. It is largely due to the intractable nature of these problems that most of these children are unable to be rehabilitated with their parents. Securing early permanent alternative family-based care for children unable to remain with their birth family is one of the most important factors in their healthy emotional development. Permanency planning continues to be an area of priority and developments are on-going to support best practice in this area.

	2010/11	2011/12	2012/13
Number of Permanency Plans Approved:	23	13	15
Adoption – Approved and Placed:	20	12	11
Adoptions Granted:	6	14	10
Permanence Orders Approved		15	11
Permanence Orders Granted		9	12
Permanence Order with Authority to Adopt Approved		2	0
Permanence Order with Authority to Adopt Granted		1	2

3.16 Kinship Care

Social Services have seen a steady increase in kinship care placements over the last few years and the service established a Kinship Care Team in 2011. This team is growing to meet demand and will consist of 3 social workers and one social work assistant. The following range of supports have been developed:

- Kinship Carer Newsletter
- Kinship Carer Handbook
- Establishment of a Kinship Carer Panel for approving placements
- Annual reviews for all kinship carers
- Kinship Carer Support Groups
- Advice and guidance as required

3.17 The following table outlines the number of kinship carers and children in placement over the past three years:

	2011	2012	2013
Number of Kinship Carers as at 31 st March:	121	138	159
Number of Children in a Kinship Care Placement as at 31 st March:	176	201	225

3.18 On-going developments are taking place within the service to promote the use of Residence Orders to secure children within the kinship care placement where appropriate. At 31 March 2013 48 children were subject to residence orders with 36 carers.

3.19 **Secure Accommodation of Children**

Each year there are a small number of children who have been found to be a significant danger to themselves or others in the community. These children and young people are placed in secure care by means of the Sheriff or High Court processes.

3.20 In very limited circumstances, when children are considered by a Children's Hearing to present a serious risk of harm, either to themselves or to others, the Chief Social Work Officer may agree to their detention in secure accommodation. On rare occasions a child may be placed in secure accommodation at the instigation of the Chief Social Work Officer and the Head of a Secure School. These decisions must be confirmed by a Children's Hearing and must be kept under close review.

3.21 Social Services continue to make good progress in reducing the numbers of children in secure care by utilising community based intensive support alternatives as part of our Whole Systems Approach. Figures from 2009/2010 until 2012/2013 are set out below. As can be seen, secure placements are of short duration and limited to a small number of the most concerning children and young people.

Children Detained:	2010 – 2011	Average Length of Stay:	2011 – 2012	Average Length of Stay:	2012 – 2013	Average Length of Stay:
By Hearing or CSWO:	4	3 months	4	1.4 months	0	
By Courts:	2	11 months	3	5 months	2	6 months

3.22 We have seen a continuation of low numbers of young people requiring secure placements. This is, in part, due to the facilitation of focused care plans designed to support young people upon their return to the community. The effectiveness of such plans, and the mobilisation of resources to support that plan, has helped to satisfy Sheriffs and Children's Hearings that vulnerable and concerning young people, and the communities to which they return, can be supported appropriately.

3.23 We have continued to develop the Whole Systems Approach and our initiatives have been recognised nationally. Earlier this year, our Programme Approach Team and Criminal Justice Service received a Silver COSLA Award for innovation. The Scottish Government has involved these teams in delivering inputs to national events about this work.

3.24 Whole Systems Approach

The key partners involved in the Whole Systems Approach are North Ayrshire Council, Police Scotland, Scottish Children's Reporters Administration, Sheriffs, the Procurator Fiscal's office, NHS Ayrshire and Arran and the Faculty of Defence Solicitors. As well as implementing nationally driven initiatives, we have implemented some unique elements in North Ayrshire such as Court Notes and Youth Structured Deferred Sentences. These initiatives are delivered by our Social Services' Programme Approach Team.

The key achievements of this Whole Systems Approach include:

- 59% reduction in young people referred to the Scottish Children's Reporters Administration on offence related grounds over the last five years
- 90% of young people referred through Early and Effective Intervention successfully avoid re-offending
- 92% of young people referred through the Diversion From Prosecution Scheme successfully avoid re-offending
- 62% of young people given a Youth Structured Deferred Sentence successfully avoid re-offending
- In 2007/08, 28 young people in North Ayrshire were made subject to secure placements. This number has been continually reducing and in 2012/13 there were just two in secure placements.
- 96% of young people appearing in Court from custody are given bail with Care and Intervention Plans put in place to support this, thus avoiding the use of remand.

Evidence from research suggests that anything between 77% and 92% of young people who serve custodial sentences subsequently re-offend. Given the high levels of deprivation and youth unemployment in North Ayrshire, the results of the initiatives established by North Ayrshire to reduce re-offending are all the more impressive. The teams involved are collaborating well to continue developing this approach, to best meet the needs of young people who offend and the community within which they live.

4. Protection and Risk Management

4.1 The assessment and management of risk posed to individual children, vulnerable adults and the wider community are part of the core functions of social work. The Chief Social Work Officer has an overview of related risk management activity, both within the council and across agency boundaries.

4.2 Reflecting the importance of joint working and highlighting the complexity of the landscape, the following multi-agency mechanisms are in operation:

- North Ayrshire Chief Officers Group
- North Ayrshire Child Protection Committee
- North Ayrshire Adult Protection Committee
- Criminal Justice Joint Committee
- North Ayrshire Community Health Partnership
- Whole Systems Approach Partnership

- 4.3 The following tables provide a summary of the volume of protection related activity over the past three years.

4.4 Children

As the lead agency for child protection, social services continue to work with partners to raise awareness and understanding of child protection through multi-agency training and joint working. The level of substance misuse and domestic violence in North Ayrshire presents the greatest threat to the safety and wellbeing of children and an area of challenge for services. The following tables detail the figures:

	2010/11	2011/12	2012/13
Child Protection Concerns:	539	761	971
Child Protection Referrals (CPIs):	328	390	505
Child Protection Initial Conferences:	166	145	184
Pre Birth Conferences	54	33	39
Children on Child Protection Register:	50	74	92
Children looked after at home:	209	223	225
Children looked after away from home (includes those in kinship care):	372	387	376

(Please note from 2011/12 data covers period 1 August – 31 July due to changes in Scottish Government Return. Number on CP Register is as at 31/07). 2012/13 figures are still subject to data validation.

4.5 Domestic Abuse

During 2012/13, a total of 723 domestic abuse referrals were received. A total of 1030 children were involved in these incidents.

- 4.6 The following table highlights the outcomes for those children involved:

OUTCOME OF DOMESTIC ABUSE INCIDENT:	2010/11 NUMBER OF CHILDREN	2011/12 NUMBER OF CHILDREN	2012/13 NUMBER OF CHILDREN
Number of Children Involved	1384	1347	1030
Formal Report Request (IAR/SBR):	219	233	188
Voluntary Supervision Order:	24	27	36
Statutory Supervision Order:	6	16	12
Child Protection Investigation Initiated:	8	16	50
Name Placed on Child Protection Register:	0	2	17
Child Accommodated:	0	0	5

- 4.7 The Multi-Agency Domestic Abuse Response Team (MADART) went live at the end of August 2012 and was therefore operational through 7 months of the year. The number of children involved in incidents looks to have dropped considerably from last year but this is largely due to the fact that the new Carefirst Information System report that has been set up to extract this information provides an overall number of unique children affected by domestic abuse throughout the year. In previous years, children living in households where more than one incident occurred were counted for every incident.

4.8 The number of formal report requests has reduced by approximately 20% on last year's figures but there has been a significant rise in Child Protection Investigations initiated by Domestic Violence incidents, as well as a significant rise in the number of children whose names were placed on the Child Protection Register as a result of a domestic violence incident. This would suggest that resources are, as we had anticipated with the establishment of MADART, being better targeted towards those children most at risk as a result of domestic violence. The number of children accommodated as a result of these levels of domestic violence in their family home and the impact of that upon them, has also increased from zero last year to five this year.

4.9 A number of children involved in Child Protection processes are children who have been referred previously for domestic violence and it is anticipated that whilst there has been a significant increase in this area of work since the establishment of MADART, as we continue to target resources effectively and timeously, this will begin to reduce over time.

4.10 **Addiction Services**

North Ayrshire Council Addiction Services (NACAS) provide a range of person centred, psychological and social interventions, to individuals and families. These offer harm reduction support, to reduce, abstain, and maintain long term behavioural change for and with those affected by substance use and addiction.

<i>Ref Number through the year</i>	Year		Number of Allocated Cases at 31 March	Year
405	2012/13		393	2012/13
331	2011/12		387	2011/12

78% of referrals concerned drug use with the remainder of referrals for alcohol. Opiate, benzodiazepines, cannabis, amphetamine substance use were the dominant substances across all referrals. Poly drug and alcohol use, is the most characteristic profile of individuals presenting for support. **This baseline profile for North Ayrshire is generally typical and representative of the national Scottish profile.**

- 90% service users are visited in their own homes.
- Care Plans and Assessments are recovery focused, with clear outcomes and are inclusive of service users' views.
- Cognitive Behaviour Therapy approaches are, as standard, the core approach, with motivational interviewing to enhance the impact of support.

4.11 Recovery in North Ayrshire

The Scottish Government, in their strategy **The Road to Recovery: A New Approach to Tackling Scotland's Drug Problem**, have tasked services with becoming more recovery orientated. Recovery from alcohol and other drug problems is defined as "a process through which an individual is enabled to move from their problem drug use, towards a drug-free lifestyle as an active and contributing member of society" (Scottish Govt, 2008). North Ayrshire Council, and specifically NAC Addiction Services, has begun working on this reorientation of services, providing services in a number of ways.

- Thematic Group work
- Recovery focussed work
- Active Recovery programme
- Stakeholder / Service User engagement
- Parenting Behavioural Based Group work Programme
- Relapse Prevention Programme
- Alcohol Related Brain Damage (ARBD) work

The **Recovery Agenda** provides operational frameworks for child and adult focused services working with all children, individuals and families. These focus on securing overall recovery for families and improving their life chances and outcomes.

Contributing to the development of a patient and service user pathway has been a core activity.

Service user events have informed work being undertaken to involve users of service in the design and delivery of services and to support them in peer led activities.

4.12 Adult Protection

The Council's adult protection responsibilities apply only to adults at risk of harm. Adults at risk of harm are aged 16 and over and are unable to safeguard their own well-being, property, rights or other interests because they are affected by disability, mental disorder, illness, physical or mental infirmity or are more vulnerable to being harmed than other adults. Local authorities have a statutory duty to make enquiries where there are adult protection concerns. A range of public bodies and their office holders likewise have a duty to co-operate with adult protection enquiries.

- 4.13 Social Services staff will always seek to use the least restrictive option in protecting an adult at risk of harm. When the least restrictive option is insufficient to safeguard the service user, decision making through a multi-agency case conference, informed by risk assessment, will indicate which protective order would be most appropriate. The appropriate social work officer, in conjunction with the legal representative, can apply to the Sheriff for an assessment, removal or banning order. When any of these orders are granted a warrant for entry can also be granted.

	2010/11	2011/12	2012/13
Adult Protection Referrals:	242	291	273
Inter-Agency Referral Discussions:	6	5	5
Adult Protection Case Conference:	12	24	19
Banning Orders Granted:	4	7	3

4.14 Offenders

The table below relates to offenders in the Community subject to statutory supervision at 31 March 2013.

	Male	Female	Total
Probation Orders:	8	0	8
Community Service Orders:	5	6	11
Community Payback Orders:	497	66	563
Drug Treatment and Testing Orders:	11	6	17
Bail Supervision:	32	13	45
Statutory supervision of released prisoners e.g. life licence, parole, extended sentences, supervised release orders:	71	3	74

- 4.15 As noted in last year's report, following the introduction of Community Payback Orders (CPOs), Probation, Community Service and Supervised Attendance Orders were expected to reduce significantly and this is reflected in the table above. CPOs are now fully established and our first CPO Annual Report was submitted to the Scottish Government in October 2012, which reflected the work undertaken and future development plans.

4.16 Multi Agency Public Protection Arrangements (MAPPA)

MAPPA in the South West of Scotland CJA has been strengthened in the last year. The job profile for the MAPPA Coordinator has been changed to make the post more strategic so it can better support the Strategic Oversight Group (SOG) and a new MAPPA Social Work post has been created to address operational issues. The SOG has also agreed that MAPPA processes can be used for some violent offenders.

4.17 Registered Sex Offenders dealt with through MAPPA are categorised on three levels:

- Level 1: normally low to moderate risk of serious harm offenders described as “ordinary risk management”, requiring only one agency to manage the risk.
- Level 2: normally moderate to high risk of serious harm offenders, requiring Multi Agency Public Protection Arrangements, MAPPA Level 2 meetings are chaired by a Team Manager or Police Inspector.
- Level 3: described as the “critical few”, normally high to very high risk of serious harm offenders, requiring Multi Agency Public Protection Panels (MAPPP’s), meetings are normally chaired by a Head of Service or Police Superintendent.

Number of MAPPA Cases as at 31 March 2013:		
LEVEL 1:	LEVEL 2:	LEVEL 3:
106	9	3

The figures above relate to both offenders in custody and in the community.

4. 18 **Emergency Community Support and Response**

During March 2013 the Island of Arran was subjected to unprecedented storms and up to 15 feet of snow drifts. This resulted in a prolonged loss of the Island’s electricity supply and left many of the roads impassable. There was serious concern for the safety and wellbeing of the island residents and, in particular, vulnerable and older people.

A multi-agency response was undertaken on the Island. Social Services staff teamed-up with their colleagues from the Council, Police, Fire and Rescue, Caledonian Macbrayne, Coastguard, Lifeboat and Mountain Rescue, to tackle the problems along with partners from Scottish and Southern Energy, the Voluntary Sector and the local community. Measures were taken to help people and to make sure they were safe. Paths were dug to people’s houses to check on individuals and food parcels were delivered from the Salvation Army and private donors.

Incident centres were established across the island with mobile catering units where Social Services staff helped residents to access free hot meals and drinks 24-hours a-day.

5. **Regulation, Inspection and Improvement Activity**

5.1 **Inspections of Registered Services**

Since the Public Services Reform (Scotland) Act 2010 and the introduction of Social Care Social Work Improvement Scotland (SCSWIS) on 1 April 2011, minimum frequency of inspection is now informed by a risk based, targeted inspection regime. The table below sets out the quality of registered services managed by North Ayrshire Council during 2012/2013

Type of Service	Provider	Quality Grades			
		C&S	Enviro	Staffing	M&L
Children	Abbey Croft	5	5	5	5
	Achnamara	5	5	5	5
	Canmore	5	5	5	4
	The Meadows	5	5	5	4
	Mount View	5	5	5	5
Older People	Anam Cara	4	4	4	4
	Montrose House	4	4	4	3
	Burns	4	4	4	3
	Care Point	4	NA	3	NA
	Castleview	4	4	4	4
	Gowanlea	4	5	4	4
	Strand	3	4	4	3
	Stronach	5	4	4	4
	Thistle	4	NA	4	NA
Adults	Dirrans	6	NA	5	NA
	Interlink (Fergushill)	5	NA	4	NA
	Interlink (Hazeldene)	4	2	2	2
	Community based services	5	NA	NA	4
OTHER SERVICES	Adoption	4	-	5	4
	Fostering	4	-	5	5
	Arran Outreach	5	-	4	4
Care At Home	Garnock Valley	3	-	3	3
	Irvine	3	-	3	3
	North Coast	3	-	3	3
	Three Towns	3	-	3	4
	Arran	3	-	3	3

The majority of our services continue to evidence improvements and have been inspected as good or very good (4 or 5) for the themed areas of quality of care, environment, staffing and management and leadership. Those services which have been inspected as weak or adequate (2 or 3) have current action plans to address these issues. All inspection reports are analysed and action plans are developed in response to these.

5.2 Quality Assurance of Purchased Care Services

The Contract Management Framework, which was introduced in 2011/12 to ensure (a) appropriate levels of supplier management are in place; (b) secure the best outcomes for service users and (c) achieve best value in terms of quality and cost, is now firmly embedded within the Service. The framework ensures that services being delivered achieve service user outcomes, meet contract and regulatory requirements and provides a mechanism for continuous improvement. It is a partnership effort between the Provider responsible for their quality assurance, the care managers responsible for individual care planning and reviewing and the Contract Monitoring Officers (CMO) who collate and analyse information. Prompt action is taken by means of a joined up approach to addressing any care deficiencies.

The contract monitoring return which has been developed in partnership with care service providers, service users/carers and is completed on a 6 monthly basis. It is a vital tool in the framework which Providers make use of to self-assess their performance across a range of performance indicators, including service user outcomes, quality, service, delivery and cost. Quarterly purchased service performance reports are submitted to the Senior Management Team meetings and areas for improvement and best practice are shared through quarterly Provider Partnership Forums.

Further work has been undertaken to ensure service user participation. A leaflet has been issued to all service users, and carers where appropriate, advising them of the central telephone number they can contact should they wish to comment on their care. CareFirst has also been improved whereby comments regarding care are collated and analysed on a monthly basis by CMO's and this information feeds into the overall risk rating applied to providers at the end of each 6 month assessment.

All Providers subject to contract management were consulted in August 2012 and feedback indicated that the framework has been successful in enhancing provider/purchaser relationships over the past year.

A total of £47 million was spent on purchased care services in 2012/2013. Seventy per cent of the annual spend (£33 million) currently falls within the scope of the contract monitoring framework. Seventy-two services are delivered by a range of 47 providers from across the independent sector, including private and voluntary organisations, all managed by the contract monitoring framework.

The remaining 73 providers that comprise 30% (£14 million) of purchased service expenditure is either:

- A service currently at decommissioning stage
- Contract managed at a national level
- Provision that is outwith North Ayrshire boundaries
- One off payments for small value low risk services

Where services are purchased outwith North Ayrshire and are for one individual, cross authority payments, placements are managed through care management and review processes.

For those services that are registered average grades managed via the contract management process are as follows:

Registration type	No. of services subject to contract management	Average grade – Care & Support	Average grade – Environment	Average grade – Staffing	Average grade – Management & Leadership
Care Home Service Adults	30	4	4	4	4
Care Home Service Children	1	4	4	4	3
Child Care Agency	1	4	0	4	4
Fostering Service	1	4	0	5	4
Housing Support Service	13	5	0	5	5
School Care Accommodation Service	3	5	5	5	5
Support Service Care at Home	8	4	0	4	4
Support Service without Care at Home	5	5	4	5	5

5.3 Self-Evaluation and Performance Management

The service has been working to develop a performance management system designed to report on performance outcomes articulated in Council and Service plans as well as deliver a quality assurance approach to ensuring that services are delivered in line with national and local standards and service user and carer outcomes. Service outcomes have been developed for all service areas together with key performance indicators. In line with supporting staff initiatives, core competencies and training needs have been identified for all job profiles and the service is working hard to develop a training plan to deliver on this. Additionally, service improvement groups have been created for key identified areas of service user and carer engagement in all services, reviews, case record chronologies and service environment areas to ensure that there is a continuous improvement focus to meet the regulatory requirements.

5.4 Self-Evaluation – ‘Evidencing Success’

During 2011/12 our service developed and branded an approach to carry out self-evaluation of front line services based on the Performance Improvement Model promoted by the Care Inspectorate. Our ‘Evidencing Success’ approach has been adopted and a programme of self-evaluation activity was implemented in 2012/13.

5.5 Social Services continue to use the Public Sector Improvement Framework (PSIF) to undertake a high level service wide self-assessment every three years in line with the Council's Performance Management Strategy. Such higher level assessments will assist the service in identifying areas where a closer look is required.

5.6 **Case File Audit**

In November 2011 a service wide on-going approach to case file auditing was implemented and overseen by our Policy and Practice Team. This approach was developed to include the gathering of both qualitative and quantitative practice related evidence. All managers participate in file reading, which is based on the format promoted by the Care Inspectorate. There is also a verification system in place to support the standardisation of our practice in this area. During 2012-2013 257 case files had been audited.

5.7 A quarterly analysis of the audits completed has taken place and so far two reports have been presented to our Governance Board outlining improvement actions, which have been disseminated within our service. This cyclical approach to case file auditing will continue and quarterly reports will now be prepared on service areas to allow us to take a closer look and continue to promote continuous improvement within each service area.

5.8 **Staff Reference Group**

Our Staff Reference Group was established in December 2011 to ensure that social services staff can make a full and on-going contribution to the continuous improvement of service development and delivery. Two of the key roles of the SRG are to ensure an effective two-way communication channel between staff and senior management is maintained and to act as a vehicle for staff to respond to strategic and operational initiatives. The group continues to be closely involved in helping to test and develop solutions within social services.

5.9 **Service User and Carers Group**

Social Services have recognised the unique and valuable contribution that people who use services and family carers can make to our practice.

We have set up a Service User and Carer Reference Group, which was initially to contribute to the process of Personalisation and the Pathfinder programme. The group exists to provide information and feedback from a service user and carer viewpoint. The group has commented on policies and procedures, and has co-produced publicity and documents for the service. It will continue to be a valuable conduit for Social Services to communicate with service users and carers and for their views to be heard and acted upon.

6. Complaints

- 6.1 The Council's social services are required by statute to report annually on complaints received from service users, their carers and representatives. The nature of the complaints are such that these can often require detailed investigation resulting in response times that do not routinely meet corporate time-scales. The tables below demonstrate the number of Stage 2 complaints and the response times over the last two years:

Period 2011 – 2012:	Number of complaints received in the Quarter:	Number acknowledged within 5 days:	% acknowledged within 5 days:	Number responded to within 28 days:	% responded to within 28 days:
Apr – Jun 11	26	26	100%	23	88%
Jul – Sep 11	28	26	93%	19	68%
Oct – Dec 11	30	30	100%	23	77%
Jan – Mar 12	19	19	100%	12	63%
Totals:	103	101	98%	77	75%

Period 2012 – 2013:	Number of complaints received in the Quarter:	Number acknowledged within 5 days:	% acknowledged within 5 days:	Number responded to within 28 days:	% responded to within 28 days:
Apr – Jun 12	30	29	97%	26	87%
Jul – Sep 12	24	24	100%	18	75%
Oct – Dec 12	31	31	100%	23	74%
Jan – Mar 13	27	27	100%	18	67%
Totals:	112	111	99%	85	76%

- 6.2 The volume of Social Services complaints is comparable with the previous reporting year. Response timescales are on a par with the previous year.
- 6.3 In order to maintain improved performance the service has taken steps to strengthen recording systems for capturing complaint outcomes in order to inform our improvement agenda.
- 6.4 The following tables outline the outcome of the complaints received over the last two years and the analysis of this which will be used to inform our continuous improvement agenda.

2011/12

Analysis of Complaints Received	
Category of Complaint	Number
Failure to provide a service	9
Failure to achieve standards / quality of service	36
Failure to fulfil statutory responsibilities	0
Bias or unfair discrimination	0

Service adjustment or withdrawal	3
Dissatisfaction with the way Council policies are carried out	10
Failure to consider relevant matters in coming to a decision, or with action taken in implementing that decision	1
Conduct of actions of individual employees	18
Delays in responding, or about the administrative process	8
Other	18

Outcome	Apr – Jun	Jul - Sept	Oct – Dec	Jan - Mar	Number
Upheld	10	11	12	7	40
Partially upheld	8	8	6	3	25
Not upheld	8	9	12	9	38

2012/13

Analysis of Complaints Received	
Category of Complaint	Number
Failure to provide a service	6
Failure to achieve standards / quality of service	48
Failure to fulfil statutory responsibilities	0
Bias or unfair discrimination	1
Service adjustment or withdrawal	1
Dissatisfaction with the way Council policies are carried out	4
Failure to consider relevant matters in coming to a decision, or with action taken in implementing that decision	10
Conduct of actions of individual employees	29
Delays in responding, or about the administrative process	8
Other	5

Outcome	Apr – Jun	Jul - Sept	Oct – Dec	Jan - Mar	Number
Upheld	9	8	8	9	34
Partially upheld	6	5	11	9	31
Not upheld	15	11	12	9	47

7. Workforce Development

- 7.1 Workforce planning and development remain a key priority to meet the challenges of the future. Our focus continues to be on developing a more competent, confident and capable workforce who are skilled and empowered to improve outcomes for service users and carers. During the last twelve months, we have used the findings from an employee survey to implement priority development activities across the organisation for improving employee engagement, enhancing leadership at all levels and planning for the integration of social care and health services.

7.2 Social Services Course Delivery

Sixty One different course titles are available to staff through the social services and health learning and development calendar. Based on the demand, 34 of these titles were delivered between April 2013 and March 2013 to 1766 staff. Staff have accessed other social services training such as moving and handling and CALMs and the North Ayrshire Council corporate calendar for Policies and Procedures and Management and Leadership training, the Child Protection Committee, Women's Aid and NHS training for other specialist training.

Twenty six social services and health staff were supported to undertake a range of further professional studies. The SVQ Assessment Centre within Social Services and Health delivers awards ranging from 6 months to three years duration. Thirty two staff and Modern Apprentices completed their award within this period and a further sixteen are currently working towards completion. Future candidates will be prioritised to meet SSSC registration requirements.

A learning needs analysis will be developed into role and team profiles which will prioritise training next year along with changes to legislation governing Children's Services and Self Directed Support.

7.3 CALM and Moving and Handling

Our commitment to ensuring that staff continue to be trained in Moving and Handling techniques was demonstrated as 677 employees received initial training and or refresher training over the last year. At the same time 390 staff received training and support in de-escalation and physical intervention practices by attending CALM (Crisis and Aggression Limitation and Management) training courses.

7.4 Staff Working in Residential Care

Good progress has continued in relation to qualifying the residential workforce in line with the Scottish Social Service Council requirements. Targets set for both older people's and children's care groups have been reached during 2012/2013 and this area of development will continue to be closely monitored.

At 31 March 2012 **93.4%** of staff in residential care homes for older people had achieved the qualifications required in order to register with the Scottish Social Services Council. At 31 March 2013 this figure has dropped to **86%**. This is due to closure of a care home and redeployed staff not being kept within the service.

At 31 March 2012 **82.3%** of staff in residential care homes for children and young people achieved the qualifications required in order to register with the Scottish Social Services Council. At 31 March 2013 this figure had risen to **89.5%**.

7.5 Practice Learning

Practice learning is an essential component of social work training and our service is committed to provide practice learning opportunities for social work students via the West of Scotland Learning Network. North Ayrshire Council Social Services is well regarded as a source of good quality learning opportunities and we value the partnership working and knowledge exchange activities with our colleagues from the relevant universities. During the academic year 2012/13 we provided 15 practice learning opportunities for student social workers. We continue to promote and facilitate Practitioners Forums to encourage a learning exchange culture.

7.6 Knowledge Exchange

The Knowledge Exchange was introduced in 2011 as an innovative forum for the open and frank exchange of ideas across Social Services and Health. It provides a departure from traditional thinking and practices by presenting some challenging concepts and ideas in a supportive environment. It also acts as a catalyst for improving informal communications, facilitating cross-team linkages and supporting staff development.

Three one hour long lunchtime sessions were delivered as an initial programme. Different formats were used to encourage participation and have included a roundtable discussion, interview and debate. Attendance was entirely voluntary and all targets for the initial programme were exceeded. A survey of all Knowledge Exchange participants was undertaken in March 2012 and 93% of participants stated they had a positive view of the Knowledge Exchange and wanted more and different formats. As a result 5 new events have been scheduled to take place.

8. Conclusion

- 8.1 As indicated, this annual report of the Chief Social Work Officer complements the service planning and reporting arrangements that are routinely in place within the Council for the Corporate Director (Social Services and Health). It refers particularly to those statutory interventions which will be carried out by the registered social worker.
- 8.2 A range of new legislation, amendments and guidance are expected and some are beginning to be introduced in the forthcoming year including Health and Social Care Integration, Personalisation, Self-Directed Support, Children's Hearings, Public Bodies, Children and Young People and Adults With Incapacity. These developments will continue to shape the services we provide and outcomes for service users and their families.

NORTH AYRSHIRE COUNCIL

Agenda Item 11

29 October 2013

Special Cabinet

Subject: **Development of an Ayrshire Sensory Impairment Service**

Purpose: To advise the Cabinet on the shared services agenda specifically the development of an Ayrshire Wide Sensory Impairment Service.

Recommendation: To seek Cabinet approval to progress a business case with respect to a joint Social Work Sensory Impairment service in Partnership with South and East Ayrshire and NHS Ayrshire and Arran.

1. Introduction

- 1.1 People who have a sensory impairment often require a diverse range of support, which is delivered by a range of partnership bodies, including the Council, NHS Ayrshire and Arran and local and national voluntary organisations.
- 1.2 The incidence of sensory impairment within the Ayrshire and Arran region is set to rise substantially. In North Ayrshire, this is due to the estimated increase in the over 75 years of age population over the next 20 years. It is also estimated there are 61,200 people in Ayrshire and Arran who are deaf or hard of hearing which, in line with national prevalence, equates to 1 in 6 of the population.
- 1.3 In 2011, the Scottish Government awarded £400,000 over a 2-year period to the Royal National Institute of Blind People Scotland (RNIB) and Action on Hearing Loss Scotland. A pan-Ayrshire partnership group, jointly chaired by the Head of Community Care (East Ayrshire Council) and the voluntary sector, has been established, with representation from, the voluntary sector, all 3 Ayrshire Councils (including Social Work and Education), senior clinical leadership from NHS Ayrshire & Arran, and Public Health.
- 1.4 This group has led on the following areas for improvement:
 - Introduce one stop sensory service with a strong focus on prevention and enablement.
 - Significantly extend reach to people with dysfunctional sensory loss.

- Facilitate the integration of sensory provision across Ayrshire and Arran.
 - Explore new models of community-based provision.
 - Create a platform for the long term development of a Joint Sensory Strategy.
- 1.5 Subsequently, in April 2013, the Scottish Government launched *See Hear: A strategic framework for meeting the needs of people with a sensory impairment in Scotland*.
- 1.6 See Hear recommends a model care pathway to facilitate closer working arrangements between partners and improved outcomes for service users.

2. Current Position

Implementation of See Hear Strategy

- 2.1 In Ayrshire, partners are keen to engage with the National Sensory Impairment Strategy. Partners have an ambition not only to follow the national strategy but to lead this work.
- 2.2 The following priorities have been agreed by the Ayrshire partners and service users:
- To provide appropriate and proportionate support for all people with sensory impairment.
 - To give our young people with a sensory impairment the same life chances as their peers.
 - To include support for carers and young carers.
 - To support young people in education recognising that dedicated sensory impairment services often provide the important links across family, education and health services.
 - To support meaningful activity and particularly access into work.
 - To recognise the increasing incidence of sight and hearing loss in older people and offer support to help people to remain independent.
- 2.3 Partners have also prioritised work with people who suffer from hidden sensory impairment such as those suffering from dementia, recovering from a stroke and those with a diagnosed learning disability.

2.4 This proposal will build on current services for people with a sensory impairment:-

- Ayrshire educational peripatetic hearing impairment team hosted by East Ayrshire Council.
- Bridge to Vision project supporting those with Learning Disability in the community to access eye care services.
- Vision Support Service based within the NHS Ayrshire and Arran ophthalmology outpatient departments at Crosshouse & Ayr.

2.5 With the addition of the Scottish Government's £0.4m funding, partners, including NHS Ayrshire and Arran were able to develop additional services focusing on raising awareness, early intervention and prevention and better outcomes for service users:

- Hear to Help – hearing aid maintenance and support within the local communities.
- Outreach Services – offering community drop in.
- Sensory Themed Information and Equipment events.
- Hidden Sensory Loss Team – focusing their efforts on raising awareness of sensory loss amongst professionals and carers who work with service users.
- Development of a care pathway ensuring clear referral routes to Sensory Impairment Teams as well as other statutory, voluntary and national services.

3. Proposals

3.1 Currently, each Council provides separate services for people with Sensory Impairment. The development of a joint service across Ayrshire and Arran will be an opportunity to identify efficiencies and improve the sustainability of the service.

3.2 The ambition for a joint service would be to provide:

- A single service offering improved service standards and equity of access across Ayrshire.
- Appropriate and sustainable resourcing.
- Building capacity and networks within the community supported by the third sector.

3.3 In order to progress this, we are requesting agreement to develop a business case which identifies the benefits and potential risks of a single joint sensory impairment service, initially focused on the 3 Council Social Work Sensory Impairment Services.

- 3.4 It is intended that this business case will be presented in January 2014 for further consideration by the Cabinet, with the intention at this time to work towards establishing a joint service, if approved, in April 2014.
- 3.5 Currently, the majority of ophthalmic services provided by NHS Ayrshire and Arran are based within the Acute sector. The proposed joint service will look to build on current close working as well as the development of an integrated service in the future

4. Implications

Financial Implications

- 4.1 For the financial year 2012/13, the Council currently invests £356,184 in the social work sensory impairment service, with £14k of this utilised to purchase specialist equipment which is processed via the Community Equipment Service and a further £16,236 to support communication needs, such as information in an accessible format.
- 4.2 The development of a full business case will inform financial implications of establishing an Ayrshire Sensory Impairment Service.

Human Resource Implications

- 4.3 The Sensory Impairment Service comprises of a Team Manager (0.5 wte) two rehabilitation officers, two social work assistants.

Legal Implications

- 4.4 Consideration of an Ayrshire Sensory Impairment Service will support implementation of the See Hear, national strategy and also our strategic priority of supporting people to live independently in the community.

Equality Implications

- 4.5 None.

Environmental Implications

- 4.6 None.

Implications for Key Priorities

- 4.7 None.

Community Benefit Implications

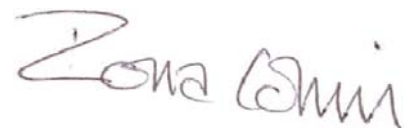
- 4.8 A robust Sensory Impairment Service will contribute to the Community Planning Themes of Improved Health and Well-being and Improved Community Safety.

5. Consultations

- 5.1 Employees have been engaged in the development of these proposals. As any further proposals emerge, there will be appropriate engagement with employees and trade unions.
- 5.2 The Ayrshire partnership supported an Ayrshire wide event which consulted with over 100 people, who currently use services, to have their say and influence the service development.

6. Conclusion

- 6.1 There has been significant involvement with the community of North Ayrshire, employees, statutory and voluntary partners to develop a vision for sensory impairment services in Ayrshire. In order to progress this, we are requesting agreement to develop a business case which identifies the benefits and potential risks of a single joint sensory impairment service, initially focused on the 3 Council Social Work Sensory Impairment Services. It is intended that this business case will be presented for further consideration by Cabinet in January 2014, with the intention at this time to work towards establishing a joint service, if approved, in April 2014.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : AB/LH

For further information please contact Alan Brown, Senior Manager, (CC -Personalisation) on 01294 317794.

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 12

29 October 2013

Special Cabinet

Subject: **Social Service Change Programme Update**

Purpose: The purpose of this report is to advise the Cabinet of progress in terms of the new Service User Journey and to seek approval for the recommendations proposed.

Recommendation: That the Cabinet agrees to (a) note the progress of the Change Programme in developing the new Service User Journey ahead of implementation; (b) approve the implementation of the Outcome Focused Eligibility criteria, effective from 5/11/13; (c) approve the adoption of the Resource Allocation System, effective from 5/11/13; and (d) approves, in principle, the proposed amendments to the Charging Policy, effective from 1/4/14 subject to consultation with service users.

1. Introduction

- 1.1 Social Services committed to undertake a Change Programme outlined in a report to the former Executive of North Ayrshire Council on 21 June 2011. These changes will transform the way in which social work services are delivered and act as a catalyst to take the service forward to integration with the NHS.
- 1.2 Previous reports (on 8 November 2011 and 20 November 2012) outlined the initial proposals and work streams. These work streams were merged into a single change programme that will deliver a transformed approach to the provision and delivery of services.
- 1.3 The key drivers for change are:
- unprecedented levels of demand for services, set within the context of the current financial pressure meaning the traditional approach to service provision cannot meet demand;
 - a move away from traditional care provision to more community based services;

- the Self-directed Support Bill requires local authorities to provide service users with choice and control over how and what services they receive;
 - the integration of health and social care.
- 1.4 The new service user journey model addresses each of these drivers for change, in part through the Outcome Focused Eligibility Criteria, the Resource Allocation System and the revised Charging Policy.

Eligibility Criteria

- 1.5 The implementation of the Self-directed Support Act and the focus on early intervention and prevention whilst meeting outcomes for service users results in the need to update the current Eligibility Criteria.

Resource Allocation System

- 1.6.1 The Social Care (Self-directed Support) (Scotland) Act 2014 requires the local authority to inform the service user of the value of the funding available and the period to which the funding relates. The local authority has a duty to ensure the budget is a reasonable estimate of the cost of securing support. For new, eligible, service users Self-directed Support (SDS) must be offered from April 2014 and from April 2015 for existing service users.
- 16.2 The Resource Allocation System (RAS) facilitates a fair, transparent and consistent approach to matching funding to a service user's identified needs. This allocation of resources has to reflect the individual's assessed needs whilst remaining in line with the Council's budget.

Charging Policy

- 1.7 A revised Charging Policy for social care services was approved in June 2011. This extended charging to non-residential care services for adult service users. As the implementation of the Charging Policy has progressed, some anomalies have been identified that impact on the application of charges.

2. Current Position

- 2.1 Progress towards the development of the new service user journey model is currently on track for implementation on 4 November 2013. The realignment of staff resources was completed without the need for redundancies and the new teams have now been created.

- 2.2 In order to support the teams to prepare for working under the new procedures and processes, a programme of training was developed. This training was targeted at the 769 staff and took place over the summer months of 2013. The courses will be run again to allow for any new staff or staff who missed the initial sessions to receive the training ahead of implementation of the model.
- 2.3 The CareFirst system has been developed in line with the new processes and procedures. Business requirements were captured through a variety of meetings and workshops. These were reviewed to ensure they met performance and business reporting needs and a new suite of electronic forms and recording procedures were developed.
- 2.4 In addition to making the necessary changes on CareFirst, user guidance has been written and an intensive period of user training will take place in the run up to implementation. This training will allow staff to become familiar with the new system.
- 2.5 The proposed policies and amendments to policy relating to the Eligibility Criteria, the RAS and Charging will be incorporated into the new Service User Journey.

Eligibility Criteria

- 2.6 The current eligibility criteria focuses on access to services applying a minimum threshold of critical and substantial need. This does not allow for early intervention and prevention work to be undertaken and discounts the lower provision but high impact supports, such as meals at home and community alarms.
- 2.7 Resource Allocation System (RAS)
 - 2.7.1 As part of the Personalisation Strategy, a RAS was developed and tested during the pathfinder exercise. It was built on the principles of being simple and transparent, legal, fair and equitable, flexible, reasonable, affordable and sustainable.
 - 2.7.2 The RAS was tested against 240 service packages to ensure the system created a reasonable amount of money for a service user to obtain the services they required to meet their agreed outcomes.
 - 2.7.3 This was further tested through a pathfinder exercise, which covered different care groups. It became clear during these trials that a single RAS for all care groups was not viable as an equal allocation of resources across care groups would lead to a significant changes to the size of the care packages.

2.8 Charging Policy

- 2.8.1 Charging across the adult service user groups has been in place since June 2011. To date, implementation of the Policy has resulted in a recovery of charges amounting to just over £1.2 million with £472,000 recouped this year (April – August 2013).

3. Proposals

Eligibility Criteria

- 3.1 The eligibility criteria requires to be amended to take into account the move towards early intervention and prevention. Following the assessment of a service user's needs the eligibility criteria prioritises those needs into one of four categories. The nationally agreed categories are:
- **Critical:** the risk of major harm/danger to a person or major risks to independence
 - **Substantial:** the risk of significant impairment to the health and wellbeing of a person or significant risk to independence
 - **Moderate:** the risk of some impairment to the health and wellbeing of a person or some risk to independence
 - **Low:** promoting a person's quality of life or low risk to independence
- 3.2. In line with the new service user journey model and the move towards early intervention and prevention the eligibility criteria of the service user will dictate the level and urgency of service they receive. A service user assessed with a low eligibility criteria will receive low-level service such as advice, guidance and if appropriate be directed to community-based support. A service user assessed as critical will get the appropriate service immediately. Further detail expanding on the Eligibility Criteria is available in Appendix 1.
- 3.3 There is universal access to a number of low level but high impact supports providing access to early intervention and prevention such as meals at home or community alarms.
- 3.4 It is proposed that the new eligibility criteria would be effective from 5 November 2013.

Resource Allocation System

- 3.5 It is proposed to implement a separate RAS for each care group, using the current budget allocation. Once SDS has been fully implemented, the estimated and individual budgets and the actual service delivered will be evaluated. This analysis may highlight care groups where resources can be redistributed to reflect the relative need of each service user group.
- 3.6 These proposals would be effective from 5 November, 2013.
- 3.7 Further detail can be found in Appendix 2.

Charging Policy

- 3.8 There are a number of proposals to be considered and if these proposals are accepted the Charging Policy will be amended to reflect these. The proposals, where they are covered, are in line with CoSLA or DWP guidance. It is proposed to introduce the charges at the start of the next financial year.

Housing Costs/ Disregard for Non-dependents /Welfare Reform

- 3.9 North Ayrshire Council's current policy is more generous than recommended in the CoSLA guidance. It is proposed to "freeze" housing disregards at current levels for existing service users and for all new cases to apply CoSLA recommended disregards.

Charges for Enablement

- 3.10 Currently there are different charging rules for service users dependent on the age of the individual, with older people (over 65 yrs) discharged from hospital not being charged. It is proposed to simplify the charging policy and not charge for the first 28 days of enablement for all service user groups. If a further period of enablement support is required this would be subject to a charge in the same way as other care groups thus ensuring equity and fairness to all service users.

Equipment

- 3.11 There is a high and increasing demand for low level equipment such as perching stools, raised toilet seats and grab rails as well as high end equipment such as stair lifts and bath hoists. The proposal is to direct service users to purchase low-level equipment themselves. Advice and information will be provided to signpost service users to suitable providers. The CareNA website will allow suppliers to advertise the type of equipment they provide. Assistance to procure equipment will be provided to those service users who require it.

- 3.12 Items of equipment, which are more complex, of higher cost, or involve demonstration and trials to ascertain suitability, would remain on the core stock list. It is proposed to continue supplying this equipment on a loan basis, free of charge. A recycling process has been introduced with the equipment provided on loan. Once inspected and cleaned, the products can be re-issued to new service users.
- 3.13 This proposal is in line with the service that will be provided through the Joint Equipment Store. These proposals would be an interim measure until the Joint Equipment Service takes over the equipment provision.

Maintenance Charge

- 3.14 There is a range of equipment such as stair lifts, floor lifts and some hoists that require an annual service and safety check. This equipment costs the Council on average £2,900 each but is provided free of charge to the service user. It is proposed to levy a £2.50 weekly charge per item of equipment to cover the costs of the maintenance and safety check.

Refusals to Pay

- 3.15 A small number of service users, particularly in Mental Health, are not willing to pay any charges for services. Some of those service users would be placed at risk if service was withdrawn. It is proposed in some cases not to raise a charge to these service users. Each case would be treated on its own individual merits with the Team Manager evaluating the decision from a multi-disciplinary, service, perspective and including a comprehensive risk assessment. These rare and specific situations would be approved by the Head of Service and reviewed every three months. Write-off of charges already raised would continue to be dealt with in accordance with the Council's Code of Financial Practice.

Treatment of Couples and People Reaching Pension Age

- 3.16 There are a number of issues requiring clarification in this area namely the treatment of people reaching retirement age, the treatment of couples and CoSLA Guidance which contradicts Social Security legislation.
- 3.17 There are three proposals to deal with these issues:
- To apply the higher threshold in cases where an individual reaches retirement age for Social Security purposes.
 - To apply a single earnings disregard for all age groups, singles or couples.

- To apply a “better off” calculation to couples – whether to be assessed as a couple or as a single person and implement the most favourable to the service user.

Service User Lacking Capacity

- 3.18 In some cases individuals will not have the capacity to manage their finances and no one is in place to act as guardian. The Council will use the new Data Sharing legislation under the Welfare Reform Act (2012) which allows access to information on service users for charging purposes, as this is within the definition of a welfare function. Any charges applied will be based on DWP benefits in the interim until a full assessment is made.

Terminal Illness

- 3.19 It is proposed to amend the Council's policy in line with the DWP Policy so that there is no charge for someone diagnosed as having a life expectancy of no more than 6-months.

Annual Uprating of Charges

- 3.20 For non-residential service users who pay according to the level of service provided, it is proposed to implement an annual automatic uplift of the weekly charge to reflect the new rates agreed by Cabinet.
- 3.21 For most service users their main income is Social Security Benefits. It is proposed to carry out an annual review of benefit income and weekly charge and this would mirror the DWP annual uprating.
- 3.22 It is proposed that the revised charging policy would be effective from 1 April, 2014 subject to consultation with service users.
- 3.23 In summary, the Cabinet is invited to note the continuing good progress of the Social Services Change Programme and the preparations for the implementation of the new service user journey model.

4. Implications

Financial Implications

- 4.1 Efficiencies derived from the Change Programme have already been approved in previous budget settlements. In addition to the efficiencies identified, the other main financial implication will come from the proposed changes to the Charging Policy. Broadening the base of charging will assist in the continued delivery of services.

Human Resource Implications

- 4.2 There are no human resource implications arising from this report.

Legal Implications

- 4.3 The proposals within this report comply with Social Care (Self-Directed Support) (Scotland) Act 2013 legislation. Working within CoSLA guidelines around charging and eligibility add a level of protection until there is case law to clarify the precise legal position.

Equality Implications

- 4.4 A full equality impact assessment has been completed.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

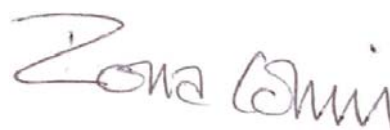
- 4.6 The proposals outlined in this report including the new service delivery model are consistent with the Council's approach to Social Care Services.

5. Consultations

- 5.1 There has been extensive consultation with service users through the Service Users and Carers Reference Group, with staff at all levels and where appropriate with partner organisations. Some proposals, particularly for the RAS, were amended to take account of the feedback during consultation.
- 5.2 Consultation will be undertaken with service users regarding the proposed changes to the Charging Policy.

6. Conclusion

- 6.1 The adoption of the proposed eligibility criteria will allow the service to respond appropriately to the increasing demand from service users whilst ensuring a focus on early intervention and prevention. The RAS is a robust mechanism for allocating resources in a fair and equitable way and will allow the Council to comply with SDS legislation. The proposed amendments to the Charging Policy are in-line with CoSLA or DWP guidance and will allow a clear and transparent charging policy to be followed, clarifying the anomalies that have developed. These elements are key parts of the change programme which is nearing completion with the new service user journey model ready for implementation on 4 November 2013.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : GM/LR

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Background Papers

None

Appendix 1 – Eligibility Criteria

1. Introduction

With the implementation of Self-directed Support and the emphasis on early intervention and prevention driving service redesign, it was recognized that the current Eligibility Criteria required updating, particularly to capture the focus on outcomes for service users and early intervention and prevention.

The criteria draws on the following legislation, strategies, policy and guidance:

- NAC Outcome Focused Eligibility Criteria Guidance Notes – July 2013
- Social Care Self-Directed Support (Scotland) Act 2013
- Adult Support & Protection (Scotland) Act 2007
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Social Work (Scotland) Act 1968
- NHS and Community Care Act 1990
- National Eligibility Criteria and Waiting Times – Scottish Government & COSLA 2009
- Joint Improvement Team – Talking Points Personal Outcomes Approach Practical Guide – Ailsa Cook & Emma Miller

2. Current Position

The current eligibility criteria concentrates on access to services rather than needs and outcomes. It applies cut off for services at critical and substantial need. This does not allow for early intervention or indeed take cognizance of the advice, support and signposting offered to service users who may have a low level of need. It also omits the range of direct access services such as meals at home, community alarms and standard equipment (OT).

3. Proposals

It is proposed to introduce an outcome focused eligibility criteria that takes into account advice, support and services that Social Services and Health provide or commission. The new prioritisation of support will focus on enablement and early intervention.

This criteria sets out the conditions and circumstances which allow access to advice and support services provided by or on behalf of NAC Social Services and Health (Community Care) in North Ayrshire.

Whether or not a service is provided will depend on an individual's assessed need, the availability of resources and the urgency of response required to meet the assessed need. Each of these elements is not static and will vary over time.

The Social Care Self-directed Support (Scotland) Act 2013 also emphasises that eligibility criteria refers to the service users assessed level of need and not the type or level of service. This allows for each service to have access criteria.

Following completion of an individual assessment of need the eligibility criteria prioritises needs into four categories:

- **Critical:** the risk of major harm/danger to a person or major risks to independence
- **Substantial:** the risk of significant impairment to the health and wellbeing of a person or significant risk to independence
- **Moderate:** the risk of some impairment to the health and wellbeing of a person or some risk to independence
- **Low:** promoting a person's quality of life or low risk to independence

In line with the new service user journey model and the move towards early intervention and prevention, the eligibility criteria of the service user will dictate the level and urgency of service they receive. A service user assessed with a low eligibility criteria will receive low-level service such as advice, guidance and if appropriate be directed to community-based support. A service user assessed as critical will get the appropriate service immediately.

The level of risk or need is characterised by four key aspects that affect an individual's ability to maintain their health, wellbeing, independence and social involvement.

- **Physical and mental health and wellbeing**
- **Personal care and domestic environment**
- **Participation in community life**
- **Carer support**

The principle of early intervention and prevention is being followed and supported through this proposed eligibility criteria. By providing low-level support, it is anticipated that any costs will be more than offset by preventing or delaying a much higher level of service requirement.

4. Consultations

The Service User and Carer Reference Group received the outcome focussed eligibility criteria favourably, they felt it was clear and easy to understand and appreciated the move to cover early intervention and prevention.

They raised concerns around consistency of its application across teams and were reassured by the plans to launch the eligibility criteria and roll out across the relevant teams.

They felt the availability of the case studies for service users would assist in understanding of how the criteria would be applied.

Consultation was undertaken in the form of a workshop with a range of staff across Community Care and Service Access. Feedback was very positive regarding how the new eligibility criteria would help provide consistency, in particular the guidance regarding timescales aligned to the four categories. Staff believe it provides a more holistic approach to positive risk management and early intervention and prevention. As well as being a good support tool for practitioners and newly qualified staff providing a sound base for conversations with service users, carers, NHS colleagues, and providers.

Particular comments around the case studies were that these should inform an appendix to the procedures and guidance. The scenarios were beneficial in bringing out the subtle differences from the criteria and allowing practitioners to understand the meaning behind them.

It is proposed that these scenarios are regularly reviewed to incorporate new examples of practice to inform future application of the criteria.

Following discussion around format, the eligibility criteria has been separated into two sections policy and guidance. Both groups agreed for the need to develop an easy read guide for service users and carers.

This was then recirculated to the Social Services Senior Management Team and workshop participants for further comment.

Colleagues were keen that we took on the practice from the SDS training where the eligibility criteria is taken to team meetings to discuss along the same format as the consultation workshop. Staff who attended the workshop were happy to be involved in this process.

5. Conclusion

The introduction of an Outcome Focused Eligibility Criteria takes into account advice, support and services that Social Services and Health provide or commission. It allows a focus on early intervention and prevention with an emphasis on enablement.

This brings NAC into line with the national agenda and will support transparent decision making around allocation of resources.

Appendix 2 – Resource Allocation System

1. Introduction

The Social Care (Self-Directed Support) (Scotland) Act 2013 places a duty on the local authority to inform the supported person of the amount of funding available under the options and the period to which the funding relates.

The Act also places a duty on local authorities to ensure the individual budget is a reasonable estimate of the cost of securing the provision of support for the service user.

The Act stipulates that all new eligible service users will be offered Self-directed Support (SDS) from April 2014. All existing eligible service users will be supported via the SDS options from April 2015.

Publication of the proposed Social Care (Self-Directed Support) (Scotland) Regulations 2013 are intended to inform how SDS should be implemented in Scotland.

A resource allocation system (RAS) facilitates a consistent approach to matching funding to a service user's needs identified through the assessment process. The allocation of resource has to reflect the social care needs of the individual and be sustainable in line with the Council's budgets.

2. Current Position

The Personalisation Strategy forms part of a wider Change Programme which is intended to transform the delivery of services. The objective of the Change Programme is to ensure services are efficient and effective by maximizing the independence of service users, meeting citizens' need and expectations whilst addressing increasing demand.

In November 2011 the then Executive of North Ayrshire Council approved the implementation of a personalisation pathfinder which included the development and testing of the RAS. This followed a period of consultation with various stakeholders such as, service users, providers, social workers, legal and finance. A set of principles were agreed that should be followed in the development of the RAS. The principles are listed below:

- Simple/transparent - easy to understand and use
- Legal - consistent with law, regulations and duty of care
- Fair - developed and applied equitably across all new and existing service users and client groups
- Flexible - provide for exceptional individual cases (professional override)
- Reasonable - allow for transitional service user protection

- where there is a significant change
- Affordable/sustainable - for both the service user and North Ayrshire Council

A questionnaire was developed that allows for a calculation of an estimated budget with points allocated to answers depending on the level of resources required for each category of need. The first five questions of the initial budget calculator relate to the Indicator of Relative Need (IoRn); a validated assessment tool for Older People. The remaining questions were based on living independently, being part of the community and the impact of the caring role on the carer.

The answers then allocated points which were multiplied by a set monetary value per point and an estimated budget figure was populated to be used as a guide for support planning. As part of the development, the calculator also included the cost of current services, to compare and check the estimated budget for reasonableness.

This was tested against 240 service packages to determine if the RAS generated a reasonable value that was within set budget parameters. From the sample, it became clear that the current allocation of volume of services was very different in each care group for the same relative level of need. If the resources are to be allocated equally among care groups this would result in changes to the average current packages, for example, for older people this would mean a 29% increase in the cost of a care package. However, within learning disability care groups this would mean a 61% reduction in the cost of the care package. Although this difference is in part due to budget allocation, it is also a reflection of the different unit rates for services for care groups.

A universal RAS would involve some service users' packages rapidly decreasing to a level that might create risk. If other service users' packages increase without a corresponding decrease elsewhere, the total cost of care would become unaffordable.

Until such times as the social care market adjusts its charges to be more consistent across all care groups, the difference between unit rates within each care category makes a single RAS for all care groups impractical. The increase in demand from an ageing population including ageing carers, will impact on all care group budgets.

The pathfinder RAS also covered Children with Disabilities. For this care group it was felt that the questionnaire used in the pathfinder did not reflect the circumstances of the families, in particular the parental role. The RAS will still be based around relative need and a working group will design an alternative for Children with Disabilities by March 2014.

The RAS has been developed within current and future budgets to

ensure it is sustainable. With the absence of transitional funding, it is likely to take two years to implement fully.

The RAS is based on current budget spend and so has an upper limit that is determined solely by the resources available to the service. However, professional discretion can be applied in exceptional circumstances. The RAS (Table 1) identifies proposed affordable maximum packages for each care group and where current packages fall within these.

Table 1

% of Service Users in receipt of packages within bandings										
Cost of Packages	OP		LD		ILS		MH		CD	
£0-£10K	69%	97%	25%	75%	38%	80%	59%	85%	90%	90%
£10-20K	28%		21%		23%		16%		6%	
£20-30K	3%		12%		19%		11%		0%	
£30-40K	0%		7%		7%		4%		2%	
£40-50K	0%		10%		5%		7%		0%	
£50-60K	0%		2%		2%		1%		1%	
>£60K	0%		24%		5%		4%		1%	
Upper Limit	£18,700		£50,000		£30,000		£30,000		£10,000	

The RAS has been tested through the personalisation pathfinder and demonstrated it is fair, linked to need and produced estimated amounts that were reasonable. Further consultation will take place including feedback from service users who use the RAS to inform continued development.

3. Proposals

It is proposed to implement a separate RAS for each service user group: The questionnaire will remain the same for each group but have a differing monetary value per point. This will be in place for two years and then reviewed. Once SDS has been rolled out to all service users, analysis of the estimated budget, individual budgets and actual service delivery will be monitored regularly. This may highlight care groups where savings can be reallocated to those that require more funding. It is expected that the implementation out of SDS and development of the market will allow for some rationalisation of the budget across service user groups and move towards an equal pound

per point.

4. Conclusion

The North Ayrshire RAS has been developed over two years and has been robustly tested. It allows for a fair and easy to understand allocation of resources which will assist service users and staff to build effective support plans that are sustainable and affordable.

Appendix 3 – Charging Policy

1. Introduction

A Charging Policy for non-residential care services was implemented in June 2011 for adult service user groups to align with the position on charges for older people.

As the implementation of the Charging Policy has progressed, some anomalies have become known that impact on the application of charges.

The charges have increased in line with inflation each year. Thus to ensure charging is applied in a fair and equitable manner some amendments to the Policy should be considered.

The Charging Policy for equipment needs to be amended to take into account the demand for items and the increased availability and choice of equipment.

Furthermore, the applicable income can be different for adults than that for older people meaning that planned changes to the benefit system under the Welfare Reform agenda will affect how the charge is applied. This will require to be closely monitored.

2. Current Position

Charging across the adult service user groups has been in place since June 2011. To date, implementation of the Policy has resulted in a recovery of charges amounting to just over £1.2 million.

In the accounting period April 2012 – August 2013 just over £472,000 has been recouped and new targets identified.

Any amendments to the Policy need to be considered to ensure it is in keeping with the current circumstances of service users receiving non-residential care services.

3. Proposals

3.1 Housing Costs/ Disregard for Non-dependents /Welfare Reform

Current Government Policy is to reduce Housing Benefit spending which has been achieved through increasing non-dependents' contribution to household and new legislation such as "under occupancy" often referred to as "the bedroom tax".

The current NAC policy provides a more generous disregard in relation to housing costs than recommended by CoSLA. As government policy

increases housing liability (by reducing Housing Benefit) this may lead to a loss of income to the Council, i.e., if increased housing costs are disregarded then charges fall.

NAC has taken steps to support tenants and residents affected by Welfare Reform by providing the maximum funding for Discretionary Housing Payments (DHP). This is a more appropriate manner of protecting those in greatest hardship than by disregarding ever increasing costs. Furthermore, the support through DHP highlights rather than masks the impact of welfare reform.

It is proposed to “freeze” housing disregards at current levels for existing service users and for all new cases to apply CoSLA recommended disregards.

3.2 Charges for Enablement

Currently there are different charging rules for service users dependent on the age of the individual. If a service user is aged over 65, they get free service for the first 28 days. Service users who are under 65 are charged from the date finance receive the financial assessment form. There is also a need to ensure that the charging policy does not discourage service users from taking up the enablement service.

It is proposed to simplify the charging policy by moving to a process where there will be no charge for the first 28 days of enablement. If the supported person and enablement team agree that a further period of enablement support would be beneficial then this would be subject to a charge in the same way as other care groups thus ensuring equity and fairness to all service users. This proposal will allow finance to work to a standard process that is clear and consistent.

3.3 Equipment

There is a high and increasing demand for equipment with over £600,000 of items currently in use across North Ayrshire. 60% of these items are low value, easy to use products such as perching stools, raised toilet seats and grab rails.

A recycling process has been introduced with the equipment provided on loan. Once inspected and cleaned, the products can be re-issued to new service users. There is a strong focus on recycling equipment although it is difficult to keep track of some items

It is proposed to continue supplying equipment on a loan basis free of charge. However, the service users would be directed to purchase low level equipment themselves, which is affordable and generally easily available from retail outlets, or via mail order suppliers. Assistance would be provided if a service user required help to procure the

equipment. Items of equipment which are more complex, of higher cost, or involve demonstration and trials to ascertain suitability would remain on the core stock list.

This is in line with the service that will be provided through the Joint Equipment Store.

- Maintenance Charge

There is a range of equipment that such as stair lifts, through floor lifts and some hoists that require an annual service and safety check. It is proposed to levy a £2.50 weekly charge per item of equipment to cover the maintenance and safety check. The charge would be subject to the normal financial assessment but could result in £120,000 revenue. This would offset the annual maintenance cost and contribute towards replacement parts.

3.4 Refusals to Pay

There is evidence to show that a few service users, particularly in Mental Health, are not willing to pay any charges for services or supports provided by North Ayrshire Social Services. Some of those service users would be placed at risk if service was withdrawn; however there is a need to treat service users equally.

It is proposed in some cases not to raise a charge to these Service Users. Each case would be treated on its own individual merits with the Team Manager evaluating the decision from a multi-disciplinary, service, perspective. These rare and specific situations would be approved by the Head of Service and reviewed every three months. Write-off of charges already raised would continue to be dealt with in accordance with the Council's Code of Financial Practice.

3.5 Treatment of Couples and People Reaching Pension Age

There are a number of issues that require clarification as the current policy may breach CoSLA Guidance or other policies, e.g. Equalities. These are: -

- Treatment of people reaching retirement age which has become very complicated. This is due to the "retirement age" for women increasing incrementally to age 65 and at a different rate from men to age 67, i.e. this is a long-term issue for charging.
- Treatment of couples - whether to take only the service user's income into account, how much earned income should be disregarded, how much housing costs should be disregarded, etc.
- CoSLA Guidance recommends different threshold incomes for

charging for individuals under 60 years and those over 60 years of age. Unlike other aspects of the CoSLA Guidance this is not consistent with Social Security legislation. This leads to loss of income to the Council as the more generous assessment reduces charge at age 60 although there is no change to benefit income. There is then an increase in charge when benefits increase at DWP retirement age.

- There is a further complication for couples, where one is over 60 or “retirement age”.

There are three proposals to deal with the above complexities:

- To apply the higher threshold in cases where an individual reaches retirement age for Social Security purposes. This is justified in terms of CoSLA's principle of simplicity and consistency with other means tested schemes.
- To apply a single earnings disregard for all age groups, singles or couples. £20 disregard of earnings would be consistent with DWP treatment of vulnerable individuals.
- To apply a “better off” calculation to couples – whether to be assessed as a couple or as a single person and implement the most favorable to the service user.

3.6 Service User Lacking Capacity

In some cases individuals will not have the capacity to manage their finances and there may be occasions where no one is in place or authorized to sign any mandate to enquire into benefits for the purpose of calculation of charges.

The Council will use the new Data Sharing legislation under the Welfare Reform Act (2012) which allows access to information on service users for charging purposes, as this is within the definition of a welfare function. Any charges applied will be based on DWP benefits in the interim until a full assessment is made.

3.7 Terminal Illness

There is no clear and easily understood definition of terminal illness. However it is proposed to amend the Council's policy in line with the DWP Policy so that there is no charge for someone diagnosed as having a life expectancy of no more than 6-months.

3.8 Annual Up-rating of Charges

- Each year a report on charges is submitted by the Finance Department which covers the increased rates for services across the Council. This will generally ensure that rates keep up with

inflation or where appropriate the cost of the item or service.

- For non-residential service users who pay according to the level of service provided, it is proposed to implement an annual automatic uplift of the weekly charge to reflect the new rates agreed by Cabinet.
- Most non-residential service users pay a weekly charge based on income - because the actual or indicative cost of services is much higher than they can afford to pay. For most service users their main income is Social Security Benefits. It is proposed to carry out an annual review of benefit income and weekly charge and this would mirror the DWP annual uprating.
- There would be no need to wait for Cabinet approval for the majority of cases as DWP rates are known well in advance of the new financial year. Increased charges would therefore be implemented from 1st April each year.
- The charging policy would include an explanation of the uplift process which would support the principles of simplicity and transparency.

4. Conclusion

Changes to legislation and guidance have broadened the base over which Scottish authorities can charge for services. Given the significant financial challenges facing the Council it is necessary to broaden the base of charging to assist in the continued delivery of services.

If permission is granted to amend the Council's Charging Policy as outlined above the policy will be altered accordingly and circulated to the Service with supporting guidance notes.

NORTH AYRSHIRE COUNCIL

Agenda Item 13

29 October 2013

Special Cabinet

Subject: **Review Of Community and Culture**

Purpose: To inform Cabinet of the revised structure and service delivery model within Community Development.

Recommendation: That the Cabinet agrees to note the revised service structure and design of the Community Development Service.

1. Introduction

- 1.1 Community and Culture (Education and Skills) has been engaged in a process of business change over a number of years. The aim is to achieve an integrated family of services, working with KA Leisure, to deliver relevant, cost-effective outcomes based services to communities and individuals in North Ayrshire.
- 1.2 A review of the Library and Information Service was completed in 2009; a review of Community and Culture management structures took place in 2010; Out of School Care was restructured in 2011; and Arts, Cultural and Museum Services and Children's Services were reviewed and realigned in 2012.

2. Current Position

- 2.1 Community and Culture has now reviewed the operational staffing requirements within Community Development to take account of ongoing and new business pressures and community demands.
- 2.2 Strong partnership working with local communities, voluntary organisations, public sector organisations and other North Ayrshire Council Services, seeks to empower local communities in the planning, delivery and evaluation of local services. Delivery of key outcomes to improve the life chances of children, young people, adults and their communities is a key feature of this approach.
- 2.3 The review also addresses the need to meet the Community Learning Development (CLD) Strategic Guidance which was issued in June 2012, and the forthcoming issue of a Scottish Statutory Instrument for the requirements for Community Learning and Development (Scotland) Regulations 2013.

- 2.4 The review takes account of both national and local policy drivers including adopting a neighbourhood planning approach. By implementing a thematic problem solving approach to service delivery, the aim is to meet local needs through an asset based, outcome focussed model which deploys resources in line with local priorities, including Community Development staff.
- 2.5 The current Community Development Service encompasses Youth Work, Adult Learning, Community Capacity Building and Active Schools Teams supported by clerical teams in two main office locations.
- 2.6 Community Development Buildings also provide specific functions at Arran Youth Centre, Caley Youth Centre, 3 Towns Motor Project, the Focus Learning Centre and Redburn Youth Centre.
- 2.7 Due to the budget pressures facing Community Development and the introduction of the Statutory Instrument, there has been a requirement to review the existing staffing and the approach to delivering the service.

3. Proposals

Community Workers and Youth Workers

- 3.1 The service has been reconfigured to operate as three teams which correlate to Information and Culture thematic delivery and staffing arrangements.
- Children & Young People
 - Digital Learning and Participation
 - Communities and Empowerment
- 3.2 The Neighbourhood Planning Framework is based upon the following areas:
- Arran
 - North Coast and Cumbrae
 - Garnock Valley
 - Kilwinning
 - Irvine
 - Three Towns
- 3.3 The service will focus on developing communities. The following posts have been deleted:
- 14.8 x FTE Community Worker (Grade 9)
 - 7 x FTE Community Education Worker (Grade 9)

3.4 The above posts have been replaced by creating:

- 18.8 x FTE Community Development Worker (Grade 9)

3.5 A reduction of 2.25 x FTE Youth Worker (Grade 7) posts is also included. This links to the revised working arrangements and to the required efficiencies.

The Duke of Edinburgh's Award

3.6 Community Development holds the Operating Authority Licence on behalf of North Ayrshire Council and has a duty to satisfy the requirements in upholding the Award's vision, mission and guiding principles. A review has identified opportunities to improve the reach and retention rates within the Award programmes while operating more efficiently by integrating the delivery of the awards into the responsibility of all youth workers. This is the delivery mechanism which prevails in the majority of local authorities.

3.7 The current staffing arrangements have been reconfigured to facilitate these improvements which will be comparable to other Scottish local authorities. The preparation and the delivery of the Duke of Edinburgh's Award Local Development Plan will provide a framework for future programme delivery and development.

3.8 This involves deleting the following posts:

- 1 x FTE Co-ordinator (Grade 9)
- 1 x FTE Youth Worker (Duke Of Edinburgh) (Grade 7)

3.9 This has been replaced by creating the following post:

- 1 x FTE Development Worker (Duke of Edinburgh) (Grade 8)

Other Community Support Roles

3.10 The Service will focus on core responsibilities. This will involve the deletion of the following posts:

- 1 x FTE Day Care Officer (Grade 8). (The service proposes to no longer operate a crèche service)
- 1 x FTE Development Worker (Ethnic Minorities) (Grade 8). (It is proposed that this equalities work becomes a core function of all posts)
- 1 x FTE Family Learning Officer (Grade 8) (Information and Culture Services and Early Intervention funding and initiatives will resource this specific function).

Clerical Support Teams

- 3.11 The existing clerical and administration team have been replaced by a team of Service Support Assistants (Community Development) who will provide flexible support to the staff teams in day to day service delivery and administration.

This involved deleting the following posts:

- 1 x FTE Senior Admin Assistant (Grade 8)
- 4.9 x FTE Senior Clerical Assistant (Grade 4)
- 9.8 x FTE Clerical Assistant (Grade 3)

- 3.12 The above posts have been replaced by creating the following posts:

- 1 x FTE Co-ordinator (Service Support Team) (Grade 7)
- 9.7 x FTE Service Support Assistant (Community Development) (Grade 4)

4. Implications

Financial Implications

- 4.1 The above changes result in a reduction of 14.35 FTE and savings of £399,170.

Human Resource Implications

- 4.2 Job evaluations have been concluded for the new posts referred to in this report at the grades shown. There are no grading implications for other posts within the service as a result of this report.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 The applications forms, guidance and assessment criteria have been revised to reflect the new approach and the process will be informed by equality principles.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

- 4.6 The proposals contained within the report will assist in achieving the following SOA outcomes:
- 3a "opportunities for lifelong learning have increased";
 - 4a "levels of educational attainment and achievement have improved";
 - 4b "more young people are leaving school for positive destinations";
 - 5a "opportunities to support the positive development of young children have increased";
 - 6b "health inequalities have reduced";
 - 6e "people are more active more often";
 - 11a "levels of voluntary actions and community involvement have increased"; and
 - 11b "partnership working between the public, community and voluntary sector has improved.

5. Consultations

- 5.1 Discussions have taken place between Chief Executive's Department and Education and Skills, Elected Members, and the Community Empowerment Policy Board.

6. Conclusion

- 6.1 Despite the difficult economic situation, North Ayrshire Council wishes to continue to support communities and organisations to achieve their aspirations. A more supportive capacity building approach is envisaged in order to ensure that a greater degree of sustainability is achieved through the investment which is made.



CAROL KIRK
Corporate Director (Education and Skills)

Reference : AS/JN

For further information please contact Audrey Sutton, Head of Community and Culture (Education and Skills) on telephone number 01294 324414

Background Papers

-

NORTH AYRSHIRE COUNCIL

Agenda Item 14

29 October 2013

Special Cabinet

Subject: **School Meals**

Purpose: To update the Cabinet on measures being developed to further improve the uptake of school meals throughout North Ayrshire.

Recommendation: That the Cabinet notes (a) that an officer working group has been established to identify and develop proposals to increase the uptake of school meals; (b) that the working group has developed an action plan outlining a number of proposals for further consideration and implementation, including the creation of School Focus Groups to encourage pupils to become involved in suggesting and developing the package of measures; and (c) that further progress updates will be submitted to Cabinet as the action plan is further developed and implemented

1. Introduction

- 1.1 At its meeting on 8 May 2013, the Council agreed that Officers should examine, in partnership with young people, what further action can be taken to increase the uptake of school meals particularly at a time when schools can provide a vehicle for improving and promoting not only nutritious food and therefore better health outcomes, but can also contribute to environmental sustainability.

2. Current Position

- 2.1 During 2013, a number of initiatives, focussed on raising the profile of school meals have been initiated. These have included:
- Joint radio adverts with neighbouring Councils to promote school meals
 - Catering staff attending Parent Council meetings in schools to promote school meals
 - The creation of "themed" days in schools to provide new exciting menus
 - Participation in International school meals day
 - Participation in National school meals week
 - Catering staff attended the Scottish Parliament to serve "school meals" to raise awareness of the quality of school meals being provided within North Ayrshire.

- Our Award winning school cook attended school classes to "cook with the children" to promote school meals
 - Secured the Soil Associations Food for Life "Gold Catering Mark"
- 2.2 To further develop a package of measures and activities to identify the best way of engaging with young people and to create an action plan to improve the uptake of school meals and encourage young people to make informed choices, an officer working group has been established.
- 2.3 The group is led by the Facilities Manager and consists of officers from a wide range of services including Educational Services, Schools, Communications, Facilities Management Services and NHS Ayrshire and Arran, to ensure a comprehensive review of all possible areas are considered in developing the required action plan.
- 2.4 The group has met to consider a number of potential areas for further development and has drafted an initial action plan. This action plan is attached at Appendix 1. In recognising the importance of involving young people in the process at an early stage, it is intended that a number of school focus groups be arranged to encourage young people across North Ayrshire to become involved and to contribute to the development of a suite of actions which will be progressed over the coming months.
- 2.5 At its initial meeting, the group were also updated on the recently established "sow and grow" projects taking place in two local schools where the pupils are involved in growing seasonal selections of vegetables that are being used in both the school kitchens and in the community. This is an excellent example of best practice in securing environmental sustainability and will be reviewed and expanded further.
- 2.6 The working group will meet regularly to develop further measures and to progress the actions identified and monitor and report on the outcomes achieved.

3. Proposals

- 3.1 It is proposed that Cabinet notes (a) that an officer working group has been established to identify and develop proposals to increase the uptake of school meals; (b) that the working group has developed an action plan outlining a number of proposals for further consideration and implementation, including the creation of School Focus Groups to encourage pupils to become involved in suggesting and developing the package of measures; and (c) that further progress updates will be submitted to Cabinet as the action plan is further developed and implemented.

4. Implications

Financial Implications

- 4.1 There are no financial implications at this time.

Human Resource Implications

- 4.2 There are no Human Resources implications.

Legal Implications

- 4.3 There are no legal Implications.

Equality Implications

- 4.4 There are no Equality Implications.

Environmental Implications

- 4.5 Encouraging pupils to engage in the "sow and grow" initiative will improve environmental awareness and contribute to enhanced environmental sustainability.

Implications for Key Priorities

- 4.6 An increased uptake of school meals and improving the awareness of the young people of the benefits of eating healthy nutritious food will encourage them to live a healthier lifestyle.

Community Benefit Implications

- 4.7 There are community benefits associated with the "sow and grow" initiative.

5. Consultations

- 5.1 The officers working group and school pupils focus groups will continue to be utilised as a means of consulting with key partners.

6. Conclusion

- 6.1 The creation of an officers working group, together with the intended development of pupil focus groups, will continue to facilitate the development of a package of measures aimed at achieving increased uptake of school meals. This will have the additional benefit of encouraging healthy lifestyles through the promotion of nutritious school meals and will contribute to environmental awareness and improved environmental sustainability through the "sow and grow" initiative.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : KC/RM/JA

For further information please contact Ken Campbell, Facilities Manager,
Environment & Related Services on telephone number 01294 541523

Background Papers

1

Actions from Initial steering group	Responsible officer	Timescale
1 Further develop proposal to consider a one day school meal value (£1.90) for all P7 to be uploaded to each pupil's school meal account when attending Secondary school on induction week. This will encourage pupils to try the school meal and continue to use the service in the future. Indicative costs = £4000.	KC	March 2014
2 P7 Induction nights at Secondary School – demonstrations of school food to be available at parents open evenings for parents/carers and pupils to see what school meals are available on each school day.	KC/DR	March 2014
3 Raising the profile of school meals in Primary Schools by presenting examples of the menu to parents and carers at school events, Parent Council and School Board meetings to be arranged with all Schools across North Ayrshire.	KC/DR	October – December 2013
4 Technology has allowed the Council to provide each head teacher with a report on non-users of free school meal allowance in their School. This will allow Head teachers to communicate with parents who may not know their child is not using their school meal allowance of £1.90 daily (£361) per academic year	KC/HT	November 2013
5 Each School to develop a focus group that will discuss Healthy Eating – and improving and promoting healthier outcomes, each group to consist of a representation from each year group, Parent Council, School Management, Catering Team. Each focus group to consider and develop a suite of suggested measures aimed at improving the uptake of school meals.	KC/DR/HT	November 2013
6 The focus groups will report into the established Education Cluster groups to allow each School to feed in actions and share best practice. The Cluster groups will then update the steering group on progress.	DR/HT	February 2014
7 Consider a North Ayrshire young person's conference next year to present outcomes of working groups and promote health and wellbeing.	KC/HT	Spring 2014
8 The Streetscene Service will support the development of the “sow and grow” project at Mayfield and Skelmorlie Primaries , and provide a schools start-up pack on how to develop a “sow and grow “ project	KC / DW	December 2013

NORTH AYRSHIRE COUNCIL

Agenda Item 15

29 October 2013

Special Cabinet

Subject: War Memorials

Purpose: To advise the Cabinet on the management and maintenance of War Memorials.

Recommendation: That the Cabinet notes (a) the progress made in the recording and assessing the condition of War Memorials; (b) that the Bereavement and Burials Officer has been registered with the War Memorials Trust as North Ayrshire Council's War Memorial Officer; (c) that the Council will be seeking financial assistance to undertake repairs and conservation work identified through condition surveys on War Memorials by accessing the Centenary Memorials Restoration Fund (CMRF); and (d) that a further update report on the management and maintenance of War Memorials will be submitted to Cabinet in 2014.

1. Introduction

- 1.1 The Council has a duty under the War Memorials (Local Authorities' Powers) Act 1923 to ensure the maintenance, repair and protection of War Memorials within its control. The Local Government (Scotland) Act 1973 and the Local Government and Planning (Scotland) Act 1982 also apply to War Memorials in Scotland, and provide powers to the Local Authority to alter any War Memorial under its control, to allow the commemoration of those who have fallen in any subsequent war.
- 1.2 North Ayrshire Council is currently responsible for 23 War Memorials which have been erected at various times in the past to commemorate battles and to remember those who have fallen. These War Memorials are listed in Appendix 1. North Ayrshire War Memorials in the main commemorate the fallen from the two World Wars. The memorials are predominately free-standing in an open or public space.

- 1.3 In 2010, the War Memorials Trust launched a campaign to identify a War Memorials Officer within every local authority; however, when compiling their list, they discovered they had failed to include North Ayrshire Council and have since apologised for this omission. This has been rectified and the Council's Bereavement and Burials Officer is now registered (as of May 2013) as North Ayrshire Council's War Memorials Officer.
- 1.4 In early 2013 Scottish Government announced that it had set up a Centenary Memorials Restoration Fund (CMRF) through which £1 million would be available between April 2013 and March 2018 to provide financial assistance to undertake repairs and conservation work on War Memorials in Scotland. The War Memorials Trust administer the CMRF on behalf of Historic Scotland and Scottish Government. The CMRF seeks to facilitate War Memorial repairs and conservation works through its grants which are also intended to act as a catalyst for action.
- 1.5 Guidance has been published by the War Memorials Trusts to assist those submitting applications for funds from the CMRF. The guidance requires that applications are supported with historical evidence, photographs and maps. Prior to the submission of any application for funding from CMRF, quotes for work to be undertaken must be obtained and submitted. On large scale projects, there is also a requirement for architectural drawings, surveys, condition reports and specifications to be developed.

2. Current Position

- 2.1 As the lead officer for War Memorials within the Council, the Bereavement and Burials Officer will:
- act as an advocate for War Memorials;
 - act as the first point of contact for any public enquiries about War Memorials;
 - keep all appropriate records for the War Memorials; and
 - ensure the Council's website has clear and accurate information on War Memorials.
- 2.2 In November 2012, Streetscene Officers commenced an inspection programme for all War Memorials within the control of the Council, also recording their location on the Council's Geographical Information System (GIS). At the time of inspection, photographs were taken together with details of the names on the memorials to create up to date records. This inspection work was a precursor to further structural assessments and general condition survey inspections due to be carried out during the remainder of 2013. The surveys will inform potential funding bids to be submitted to the CMRF in 2014 to facilitate any required repairs and conservation works.

- 2.3 An officer working group led by the Bereavement and Burials Officer has been set up with representatives from Education, Property Management and Planning. The role of this group will be to coordinate information and work on the repair and in some cases restoration of War Memorials. Work will also be carried out to update the Council's website with details of War Memorials within North Ayrshire. It is the intention of the group to bring other Services and outdoor agencies on board when needed. Contact has already been made with the British Legion and it has confirmed its support the Council's approach in respect of its War Memorials.
- 2.4 Further information is also being gathered on the history of all War Memorials such as the original design drawings, name of architect/designer, sculptor/builder of the memorial, date of construction, newspaper articles and historical photographs. The Bereavement and Burials Officer is currently working with the Council's Planning Service and North Ayrshire Heritage Centre and will develop funding bids to be submitted to the CMRF for War Memorial repairs and conservation works required at the War Memorials located throughout North Ayrshire
- 2.5 The routine maintenance of War Memorials and surrounding soft landscaping continues to be carried out by Streetscene. In recognition of the work being carried out, The Royal British Legion Scotland, recently awarded North Ayrshire Council a "Very Highly Commended" award for its Kilwinning War Memorial.
- 2.6 In preparation for Armistice Sunday which this year falls on 10 November, all War Memorials have been inspected to ensure the memorials and surrounding areas are presented to the highest possible standards. Minor repairs and improvements are currently being carried out which will be completed in time for Armistice Sunday.

3. Proposals

- 3.1 The Cabinet is invited to note:-
- the progress made in the recording and assessment of the condition of War Memorials;
 - that the Bereavement and Burials Officer has been registered with the War Memorials Trust as North Ayrshire Council's War Memorial Officer;
 - that the Council will be seeking financial assistance to undertake repairs and conservation work on War Memorials identified through condition surveys by accessing the Centenary Memorials Restoration Fund (CMRF);
 - that a further update report on the management and maintenance of War Memorials will be submitted to Cabinet in 2014.

4. Implications

Financial Implications

- 4.1 The inspection and survey of memorials will be met from within existing budgets and resources.

Human Resource Implications

- 4.2 The remit of the Bereavement and Burials Officer has been extended to include responsibility for War Memorials.

Legal Implications

- 4.3 The Council has an obligation to maintain War Memorials.

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 There are no adverse environmental implications.

Implications for Key Priorities

- 4.6 The improvements that will take place with regards to successful applications for funding from the CMRF will contribute towards the delivery of some of the Council's core objectives, including Regeneration and Improving Services.

5. Consultations

- 5.1 Consultation has taken place with the British Legion, Education, Property Management & Infrastructure, Planning & North Ayrshire Heritage Centre.

6. Conclusion

- 6.1 Data is currently being gathered and condition surveys are being carried out to allow applications for funding to be submitted through the Centenary Memorials Restoration Fund (CMRF) for the repair and maintenance of War Memorials. Through its proactive approach to their management, North Ayrshire Council will ensure the repair, maintenance and conservation of its 23 War Memorials.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : DW/RM/JA

For further information please contact Donald Wilson, Streetscene Manager, Environment & Related Services on telephone number 01294 541546

Background Papers

Centenary Memorials Restoration Fund (CMRF) documentation.

Appendix 1

List of North Ayrshire Council War Memorials

War Memorial Site	Location	Comments
Ardrossan	Glasgow Street	
Ardrossan	South Crescent Road	
Beith	Kings Road/View Park	
Dalry	Braehead	Public Park
Dreghorn	Accessed from Main Street	Top of Hill
Fairlie	Main Road/Pier Road	
Irvine	Town House, High Street	
Irvine	Burns Street	Watson Memorial Garden
Kilbirnie	Holmhead	
Kilwinning Abbey	Abbey Green Vaults	
Kilwinning Cemetery	Bridgend Lane	
Largs	Bath Street	
Saltcoats	Ardrossan Road/Manse Street	On Roundabout
Stevenston	New Street/Moorpark Road West	In grounds of NAC Social Work office against building to LHS of entrance
West Kilbride	Bowfield Road	
Cumrae	Guildford St	Note, British Legion tend and maintain the War Memorial at The Tag, Cumrae.
Arran	Brodict Shore Road	
Arran	Corrie Main Road	
Arran	Pirnmill	
Arran	Shiskine	
Arran	Sliddery	
Arran	Kildonan	
Arran	Whiting Bay Church	

NORTH AYRSHIRE COUNCIL

Agenda Item 16

29 October 2013

Special Cabinet

Subject: **Team North Ayrshire and Account Management**

Purpose: To provide an update on the proposals presented by the Economic Development and Regeneration Board to encourage business growth.

Recommendation: That Cabinet notes the progress made in implementing the agreed actions to support business growth.

1. Introduction

1.1 The Economic Development and Regeneration (ED&R) Board tasked its three private sector Board members to review the current business support offering and make recommendations to improve delivery in the following key areas:

- Increasing Business Start Ups;
- Attracting Inward Investment;
- Growing Existing Businesses.

1.2 The report recommended 5 areas of improvement:

- New focus on companies with growth potential;
- Creation of a senior post dedicated to leading an integrated team approach;
- Development of a dedicated inward investment service;
- Improving the North Ayrshire product;
- Improving the promotion of North Ayrshire.

1.3 A report to Cabinet on 11 June 2013 outlined proposals including:

- Creation of a North Ayrshire Growth Programme targeted at high growth and strategically important businesses;
- Creation of a proactive Account Management approach to these high growth companies;

- Creation of “Team North Ayrshire” to work in partnership to stimulate growth;
- To support the development of a web based portal that would help business access relevant business support and also help support inward investment.

2. Current Position

2.1 The Business Development Manager has now been appointed and under the framework of the ED&R strategy has embarked on an evaluation of the current practices and customer base which will deliver:

- A fit for purpose account managed model whilst maintaining robust support for those out with high growth segmentation. Analysis focussing on skills/operating practices of current team and key skills/behaviours required post account management implementation;
- Formation of portfolios, driven by key sectors, business complexity and current relationships;
- A review of current business support programme is underway. The review will also engage with businesses to assess the more specific requirements so that new programmes can be designed and implemented if gaps are found;
- Proposals for the new operating model and resource required;
- The account management approach is now being piloted and is receiving very positive feedback from companies that are involved.

2.2 The Team North Ayrshire approach is being embedded both internally and externally through the Team North Ayrshire Working Group:

- A meeting was held on 20 September 2013 which included representatives of Scottish Enterprise, Highlands & Islands Enterprises, Business Gateway, Irvine Bay Regeneration Company, Skills Development Scotland, Scottish Development International, Chamber of Commerce, local Accountants and Consultants and the three private sector ED&R Board Members;
- Actions, Roles and Responsibilities were agreed for the group with a focus on Product, Process, People and Profile Raising. Actions focused on building awareness of “Toolkit”, developing collaboration, setting expectations on level of service across the group, identifying what’s missing from the offering and communicating opportunities;

- Internally, the Business Development Manager is working on how North Ayrshire Council embeds the principles of Team North Ayrshire and Account Management within the various Council Departments. Development Planning Senior Managers have embraced the concept however this needs to be rolled out to the Council as a whole;
 - The Team North Ayrshire formal launch is planned for 25 November 2013.
- 2.3 The website portal is currently at an advanced stage of development. Content and photography has been agreed and a graphic designer has been engaged to make it visually appealing whilst staying within the North Ayrshire Council brand guidelines. The proposed front page is included in Appendix 1. The website is scheduled to go live for the launch on 25 November 2013.
- 2.4 The launch is proposed as a high profile business event specifically aimed at the account managed companies. The aim is also to secure a significant level of press interest with local, national and specialist coverage. The programme for the launch is currently in development but will comprise a number of speakers including two business focused representatives to attract local and national audiences.
- 2.5 The purpose of the launch is to:
- Reposition North Ayrshire as the business location to grow an existing business, start up a new business and attract new businesses to the area;
 - Promote the account managed approach and set out how the Council and it's partners will provide in depth and proactive support to the account managed businesses;
 - Establish Team North Ayrshire as a new partnership approach that will deliver a collaborative effort to retain, secure and grow businesses in the area.

3. Proposals

- 3.1 It is proposed that the Business Development Manager continues to drive the work agreed by the ED&R Board and Cabinet and more specifically the work streams of Team North Ayrshire, Account Management and Portal Development. This will culminate in a formal launch on 25 November 2013 of the vastly enhanced offering for businesses.
- 3.2 The Cabinet is invited to note the progress made in implementing the agreed actions to support business growth.

4. Implications

4.1 Financial Implications

The new approach will be met through the existing Economic Development budget.

4.2 Human Resource Implications

The review will determine staffing resource and training requirements.

4.3 Legal Implications

There are no legal implications arising from this report.

4.4 Equality Implications

There are no Equality implications arising from this report.

4.5 Environmental Implications

There are no Environmental implications arising from this report.

4.6 Implications for Key Priorities

4.7 Community Benefit Implications

The enhanced level of business support will assist in achieving the following SOA outcomes:

- The current business base is encouraged to move up the value chain and high level activities and jobs are attracted to North Ayrshire;
- The number of job opportunities in North Ayrshire is increased.

5. Consultations

5.1 The new Business Support Programme will be delivered in partnership with Team North Ayrshire members and local private sector businesses.

6. Conclusion

- 6.1 Tackling unemployment is a key priority for North Ayrshire Council. This investment in our support offering, driven from the ED&R recommendations, will differentiate our offer and provide a more proactive support model which in turn will give greater enablers for businesses to grow and realise potential.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : MS/AB

For further information please contact Matthew Strachan, Senior Manager Business Development on 01294 225165.

Background Papers

None

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Ayrshire
the place to be...

vibrant
connected
ambitious
diverse
visible

grow

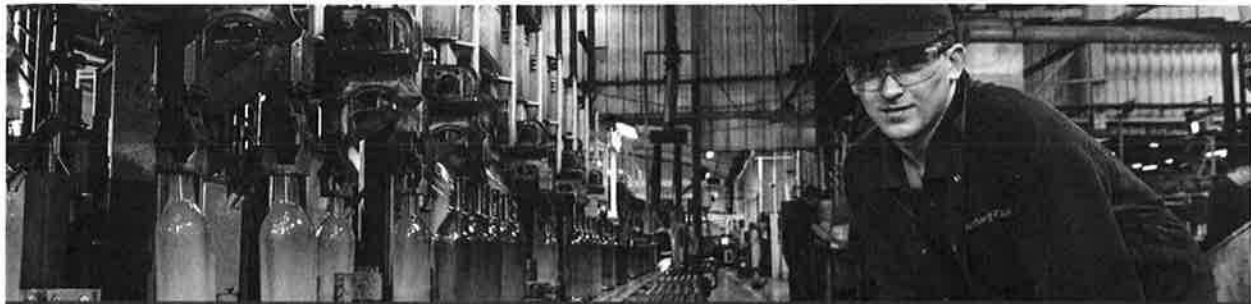
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NORTH AYRSHIRE COUNCIL

Agenda Item 17

29 October 2013

Special Cabinet

Subject: **Saltcoats Town Hall Redevelopment Project**

Purpose: To report on progress regarding Saltcoats Town Hall Redevelopment Project.

Recommendation: That the Cabinet notes progress to date relating to the Saltcoats Town Hall Redevelopment project.

1. Introduction

- 1.1 This report has been prepared to update Members on the current progress of the project, including the current funding applications.

2. Current Position

- 2.1 Following approval at the Cabinet meeting of the 30 April 2013, a Design Team was appointed to progress the design and allow the submission of grant funding applications to Historic Scotland and the Heritage Lottery Fund.
- 2.2 Working in partnership, North Ayrshire Council, Irvine Bay and the appointed consultants have progressed several funding applications.
- 2.3 An application was made to Historic Scotland Building Repair Grants Scheme in June for £500,000. In response Historic Scotland has agreed to fund 25% of the eligible works, equating to an initial amount of £162,588 based on their assessment of the cost plan. The final grant, however, is based on actual expenditure and it is hoped that this can be increased through ensuring eligible works are maximised.
- 2.4 A draft Stage One application for £1.1m to the Heritage Lottery Fund (Townscape Heritage Initiative Fund) was submitted in June 2013, with a formal application following on 30 August 2013.
- 2.5 The Stage Two application is largely complete and will be formally submitted in January 2014 following the anticipated positive decision regarding the phase one application. A decision regarding the Stage Two application is expected in June 2014.

- 2.6 The Scottish Government Capital Grant Scheme was identified as another possible source of funding and the first round application to this fund was made in June 2013. This application was successful and a second round application will be submitted on 14 October 2013. If successful, the formal letter of award is anticipated in January 2014. This application is for £1.1m.
- 2.7 Statutory approvals required to allow the project to progress include Listed Building Consent and a Building Warrant. The Planning Service has confirmed Planning Permission is not required.
- 2.8 A Listed Building Consent Application was submitted to the Planning Service on 29 July 2013, a further inspection of the building by Historic Scotland will be carried out week commencing 7 October 2013 with a recommendation expected by the end of October 2013. Historic Scotland have already indicated that it sees no significant issues and overall welcome the project.
- 2.9 A Building Warrant Application will be submitted for consideration by the Building Standards Service week commencing 28 October 2013. Approval is anticipated in January 2014.
- 2.10 When complete, the building is planned to contain Ardrossan, Saltcoats and Stevenson Housing Offices, Saltcoats Registration Office and the North Ayrshire Heritage Centre. This will be in addition to the public and community uses to be accommodated in the refurbished hall.

3. Proposals

- 3.1 Subject to an adequate funding package being secured the current programme allows for a site start in July 2014.

4. Implications

Financial Implications

- 4.1 The estimated total cost of the project is £3.5m. Funding of £1.900m has been allocated in the Council's General Services capital programme. External funding of £0.162m has already been secured from Historic Scotland. Decisions are awaited on two further bids for £1.100m each, although it is considered unlikely that both outstanding applications will result in an award of the full amount. The overall financial position will be kept under review and a further report submitted to Cabinet.

Human Resource Implications

- 4.2 There are no direct human resource implications as a result of this report.

Legal Implications

- 4.3 At present there is a tenant in one of the ground floor retail units associated with the building. In order to pursue the preferred option for development this lease will require to be terminated. The Council and Irvine Bay are working with the tenant to investigate what support may be available to reduce the possible impact on the business.

Equality Implications

- 4.4 There will be no direct equality implications as a result of this report.

Environmental Implications

- 4.5 There will be no direct environmental implications as a result of this report.

Implications for Key Priorities

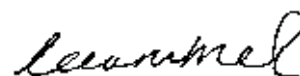
- 4.6 There are no implications for key priorities as a result of this report.

5. Consultations

- 5.1 Progress of the project is regularly reported to the Finance and Property Capital Project Board.
- 5.2 The next stage of stakeholder engagement will commence on the 14 October 2013; this will involve an initial workshop with affected Council Services. This will be in addition to technical input from Property Management and Investment and the IT Service.

6. Conclusion

- 6.1 The project is being progressed in line with the current programme and within budget, subject to securing an appropriate level of external funding.



LAURA FRIEL

Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Laurence Cree, Project Manager (Bridgegate Works) on 01294 225083.

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 18

29 October 2013

Special Cabinet

Subject: **Measured Term Contract (MTC): Periodic Testing and Inspection of Fixed Electrical Installations.**

Purpose: To advise the Cabinet of the result of the tender exercise for the MTC for Periodic Testing and Inspection of Fixed Electrical Installations and present a recommendation for the award of the contract.

Recommendation: That the Cabinet agrees to approve the award of contract to Arthur McKay & Co Ltd and SSE Contracting.

1. Introduction

- 1.1 The Council requires to put in place a contract for the provision of Periodic Testing and Inspection of Fixed Electrical Installations in non-domestic properties.
- 1.2 In order to comply with the Council's Standing Orders Relating to Contracts a formal tender exercise was advertised under the restricted procedure in the Official Journal of the European Union (OJEU) and the Public Contracts Scotland (PCS) portal as the estimated value of the requirement is over the OJEU threshold for the provision of services.
- 1.3 The duration of the contract is two years with the option to extend for up to a further two years at the discretion of the Council.

2. Current Position

- 2.1 The contract notice attracted thirty-two Pre-Qualification Questionnaires (PQQs) which were evaluated against the published criteria. This resulted in six companies being short-listed to be invited to tender.
- 2.2 The Invitation to Tender (ITT) was issued to the six companies and returns were evaluated against the published criteria of most economically advantageous tender.

- 2.3 A tender outcome report which provides details of the tender process and award recommendation is provided in the Appendix. It was intended to award the contract up to a maximum of three contractors to reduce the risk of placing all the work with one contractor. This will also help manage the workflow.

3. Proposals

- 3.1 It is proposed that the contract is awarded to Arthur McKay & Co Ltd and SSE Contracting.
- 3.2 The Cabinet is invited to approve the award as detailed in the tender outcome report provided in the Appendix.

4. Implications

Financial Implications

- 4.1 The estimated total value of the contract is six hundred thousand pounds (£600,000), or one hundred and fifty thousand pounds (£150,000) per annum. The budget is provided from within the General Services' property maintenance budget.

Human Resource Implications

- 4.2 None.

Legal Implications

- 4.3 The tender exercise was conducted in accordance with the Council's Standing Orders Relating to Contracts.

Equality Implications

- 4.4 None.

Environmental Implications

- 4.5 None.

Implications for Key Priorities

- 4.6 This contributes to the Council Plan Core Objective 4 "Operating more efficiently and effectively".

Community Benefit Implications

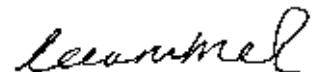
- 4.7 There are no community benefits implications due to the value of the contract.

5. Consultations

- 5.1 Discussions have taken place between Finance & Property's Corporate Procurement Unit and Property Management & Investment team.

6. Conclusion

- 6.1 It is recommended that the award of the contract is made to Arthur McKay & Co Ltd and SSE Contracting.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference : TR/CG

For further information please contact Chris Garbutt, CPU, Category Manager (Construction & FM) on telephone number 01294 32 4541.

Background Papers

Tender documentation.



NORTH AYRSHIRE

COUNCIL

Tender Outcome Report
For Recommendations over £350K

NA193

Measured Term Contract 2013 / 2015 Periodic Testing
and Inspection of Fixed Electrical Installations

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NA193 Measured Term Contract 2013 / 2015

For the procurement of Periodic Testing and Inspection of Fixed Electrical Installations

1 Purpose

- 1.1 The purpose of this document is to summarise the invitation to tender process and present a recommendation for Contract award. The recommendation is based on the results of the tender evaluation carried out on the responses to the Periodic Testing and Inspection of Fixed Electrical Installations Invitation to Tender. The report will provide assurance that the tender evaluation has been undertaken in accordance with EU Procurement Directives, Public Contracts (Scotland) Regulations 2012 (SSI 2012/88) (as amended) and the Councils Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council.

2 Introduction

- 2.1 This report has been compiled on behalf of the Tender Evaluation Team following the completion of the evaluation of responses to the Invitation to Tenders for the Measured Term Contract 2013 / 2015 Periodic Testing and Inspection of Fixed Electrical Installations.

3 Background

- 3.1 North Ayrshire Council requires to establish a Measured Term Contract for the Periodic Testing and Inspection of Fixed Electrical Installations.
- 3.2 In order to comply with the Council's Standing Orders and Public Contracts (Scotland) Regulations 2012 (SSI 2012/88) (as amended) a formal tendering exercise was undertaken.
- 3.3 The contract term is for two (2) years plus the option to extend annually for a further two (2) years at the discretion of the Council and subject to contractors performance.
- 3.4 The estimated total value of the overall Measured Term Contract (including any possible extensions) is six hundred thousand pounds (£600,000) with an estimated annual budgetary spend to North Ayrshire Council of one hundred and fifty thousand pounds (£150,000)

4 Tender Notice, Interest and Returns

- 4.1 A formal contract notice was advertised using the Restricted process in the Official Journal of the European Union and Public Contracts Scotland Procurement on 12th June 2013 with a return date of 12 noon on 12th July 2013.
- 4.2 The contract notice attracted forty five (45) expressions of interest from a wide range of potential providers of which thirty two (32) submitted offers.

Following evaluation of Expressions of Interest the following six (6) potential providers were short-listed to receive Invitation to Tender documents:

- FES FM Ltd
- Arthur McKay and Co Ltd
- PHS Compliance Ltd
- SSE Contracting
- Irwin Electrical Services Ltd
- Elecheck (EST) Ltd

- 4.3 The return date for completed Invitation to Tender documents was 12 noon on 9th September 2013. Arthur McKay, SSE Contracting, FES FM Ltd and Irwin Electrical Services Ltd returned the completed documents. It is intended to award the contract up to a maximum of 3 contractors to reduce the risk of placing all the work with one contractor. This will also help manage the workflow.

5 Evaluation Process

- 5.1 The evaluation of such Tenders was in two stages. Stage one assessed the responses to the Minimum Criteria. If, during stage one, it was apparent that a Tenderer has submitted a fundamentally non-compliant Tender in respect of any of the Invitation To Tenders requirements, then the tender would be excluded at this stage and not proceed any further.
- 5.2 Following completion of stage one, Tenderers meeting the minimum criteria progressed to stage two of the evaluation. Stage two of the evaluation was carried out by a Tender Evaluation Panel consisting of appropriately experienced Council Officers and each Tenderers response was assessed against the following published criteria:

Price 90%

Quality 10%

Quality was evaluated using the following sub-criteria/sub-weightings:

Sub-Criteria A	10%
Sub-Criteria B	20%

- 5.3 The assessment of the criteria took place on 10th September 2013 at Perceton House, Irvine. The Tender Evaluation Panel consisted of:

Asbestos Co-ordinator, Property Management and Investment
Contracts Officer, Property Management and Investment

A Procurement Officer from North Ayrshire Council, Corporate Procurement Team was also in attendance to facilitate the meeting but did not score the submissions.

6 Evaluation Results

6.1 Price 90%

Tenderers were asked to submit a percentage adjustment (plus or minus) to be applied to a notional annual contract value of £150,000. This gave the following results and scores:

Company	Price Tendered	Ranking	% Adjustment	Score as % of overall marks
Arthur McKay & Co Ltd	£133,500	1	-11%	90%
SSE Contracting	£157,500	2	+5%	76.29%
Irwin Electrical Services Ltd	£217,500	3	+45%	55.24%

6.2 Quality 10%

The evaluation of the technical aspects of the tender responses was carried out by the Tender Evaluation Panel. A summary of which is as follows;

Arthur McKay and Co Ltd

The evaluation panel felt the response was well written and there was one minor concern identified. However the panel were confident that the Tenderer would be able to satisfy North Ayrshire Council's requirements and expectations.

SSE Contracting

The evaluation panel felt the response was well written and that there was one minor concern identified. However the panel were confident that the Tenderer would be able to satisfy North Ayrshire Council's requirements and expectations.

Irwin Electrical Services Ltd

The evaluation panel felt the response was well written and were confident that the Tenderer would be able to fully meet North Ayrshire Council's requirements and expectations.

FES FM Ltd

The panel felt the response was poorly written with more than one major concern. The panel had concerns over whether the Tenderer would be able to satisfy North Ayrshire Council's requirements and expectations.

The summary of the quality element is shown in the table below:

Company	Technical Score (30 max)	Ranking	Score as % of overall marks
Arthur McKay and Co Ltd	24	3	8%
SSE Contracting	26	2	8.67%
Irwin Electrical Services Ltd	30	1	10%
FES FM Ltd	8	FAIL*	2.67%

*Minimum Technical Score of 18 or higher is required to progress to Price Evaluation.

7 Overall Score

- 7.1 Following agreement of an overall score for each Tenderer and taking into consideration all qualitative and commercial elements of the responses, a high level summary sheet was completed as shown below:

Company	Actual Price	Pricing Score	Quality Score	Total Score	Total Ranking
Arthur McKay and Co Ltd	£133,500	90	8	98	1
SSE Contracting	£157,500	76.29	8.67	84.96	2
Irwin Electrical Services Ltd	£217,500	55.24	10	65.24	3
FES FM Ltd	£-	-	FAIL	FAIL	FAIL

8 Recommendation

- 8.1 The recommendation of the Tender Evaluation Panel is that a Contract be awarded to Arthur McKay and Co Ltd and SSE Contracting, subject to any challenges during the Standstill Period. While it was envisaged that up to three contractors could be appointed, due to the significant adjustment tendered by Irwin Electrical Services Ltd, it did not represent value for money to recommend acceptance of this tender. The works will therefore be split on a proportionate basis between the two recommended companies.
- 8.2 Subject to approval, Letters of Intent will be issued to all successful and unsuccessful Tenderers acknowledging the Standstill Rules.
- 8.3 Both successful and unsuccessful Tenderers will be provided with the opportunity to receive a full debrief in accordance with EU Legislation, the Public Contracts (Scotland) Regulations and Scottish Procurement Directorate guidance.
- 8.4 Upon the conclusion of the Standstill Period, where no formal Legal challenge has been raised, to issue Letters of Acceptance to the successful companies.

9 Authority to Approve

- 9.1 In line with Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council, the Tender Evaluation Panel seeks to obtain authority from North Ayrshire Council Cabinet to accept the Tenders and award a Measured Term Contract to the Tenderers identified in section 8.1.

Lisa Sneddon
Procurement Officer
Corporate Procurement Unit
17th September 2013

NORTH AYRSHIRE COUNCIL

Agenda Item 19

29 October 2013

Special Cabinet

Subject: **Council House Development Project: Former John Galt Primary School, Irvine**

Purpose: To seek Cabinet approval to appoint a contractor for the construction of 80 new houses on the cleared John Galt Primary School site.

Recommendation: That the Cabinet agrees to appoint Cruden Building and Renewals at a contract value of £7,666,933.

1. Introduction

- 1.1 In 2010, a Contractor Framework Agreement was developed by Housing Services in partnership with the Council's Corporate Procurement Unit. This framework identified nine contractors that would be invited to tender for future council house building construction contracts. Call offs and awards would be made by mini-competition, based on lowest cost.
- 1.2 The Housing Revenue Account Business Plan sets out a commitment by North Ayrshire Council to a new build programme of 500 new homes over a 10 year period. In December 2012, approval was granted by Cabinet to progress the proposal for 80 Houses at the site of the former John Galt Primary School.
- 1.3 In March 2013, a design team was appointed to produce a design for the 80 houses on the former John Galt Primary School site. The design process has now been completed, and the relevant tender documentation prepared.
- 1.4 At Cabinet on 11 June 2013 approval for accepting the tender for the demolition of the John Galt Primary School was given.

2. Current Position

- 2.1 The tender for the construction of 80 houses was issued on the PCS-Tender Portal to the invited contractors on the Council House Build Framework on 2 September 2013. The return date was 27 September 2013.

2.2 The tenders were evaluated by checking the three lowest tender prices in accordance with construction industry practice. From this, the lowest cost tender was identified as being from Cruden Building and Renewals.

2.3 The Tender Outcome report is attached as Appendix 1.

3. Proposals

3.1 It is proposed to award the contract to Cruden Building & Renewals as they submitted the lowest cost compliant tender.

4. Implications

Financial Implications

4.1 As part of the funding package, a Scottish Government grant has been awarded to help finance the build. In order for the grant to be claimed, work must finish on site by 31 March 2015. Consequently, work must start by November 2013 to meet the required programme. £1.274m of Scottish Government grant is allocated to this project.

4.2 The proposed tender amount is within the budget allocated for this project.

Human Resource Implications

4.3 None.

Legal Implications

4.4 The tender process complies with the Public Contracts (Scotland) Regulation 2012 and the Standing Orders Relating to Contracts..

Equality Implications

4.5 None

Environmental Implications

4.6 None

Implications for Key Priorities

- 4.7 The project supports the Single Outcome Agreement, specifically National Outcome 10 - "We live in well-defined, sustainable places where we are able to access the amenities and services we need" and Local Outcome 10b - "Availability of affordable housing has improved" and National Outcome 6- "We live longer, healthier lives" and Local Outcomes 6a - "Health and well-being throughout life have improved" and 6d "More vulnerable people are supported within their own communities."

Community Benefit Implications

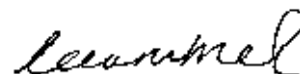
- 4.8 The contract will provide community benefits. These have been defined in the tender as a minimum of 52 weeks training for suitably qualified persons per £1m spend which equates to five apprenticeships/jobs being created for the sixteen month project.

5. Consultations

- 5.1 Consultation has taken place between Housing Services and the Corporate Procurement Unit.

6. Conclusion

- 6.1 It is recommended that the contract be awarded to Cruden Building & Renewals.



LAURA FRIEL

Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Thomas Reaney, Procurement Manager on telephone number 01294 324097.

Background Papers

Tender documentation



NORTH AYRSHIRE

COUNCIL

Tender Outcome Report
For Recommendations over £350K

*Award of Contract under the Framework Agreement for
the Building of Council Houses 2010 - 2014*

80 Houses at former John Galt Primary School site

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Award of Contract under the Framework Agreement for the Building of Council Houses 2010 - 2014

For the procurement of

80 Houses at John Galt

1 Purpose

- 1.1 The purpose of this document is to summarise the invitation to tender process and present a recommendation for Contract award. The recommendation is based on the results of the tender evaluation carried out on the responses to the Building of 80 Houses at John Galt Invitation to Tender. The report will provide assurance that the tender evaluation has been undertaken in accordance with EU Procurement Directives, Public Contracts (Scotland) Regulations 2012 (SSI 2012/88) (as amended) and the Councils Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council.

2 Introduction

- 2.1 This report has been compiled on behalf of the Tender Evaluation Team following the completion of the evaluation of responses to the Invitation to Tender for the Building of 80 Houses at John Galt.

3 Background

- 3.1 North Ayrshire Council requires the establishment of a contract for the building of 80 Houses at John Galt, Irvine.
- 3.2 In order to comply with the Council's Standing Orders and Public Contracts (Scotland) Regulations 2012 (SSI 2012/88) (as amended) a formal tendering exercise was undertaken.
- 3.3 The contract term is for 16 Months plus the option to extend as required by the contract.
- 3.4 The estimated total value of the overall Contract is £7,666,933.22 (seven million, six hundred and sixty-six thousand, nine hundred and thirty three pounds and twenty two pence), with an estimated total budgetary spend to North Ayrshire Council of £8,800,000 (eight million eight hundred thousand pounds)

4 Tender Notice, Interest and Returns

- 4.1 A formal contract notice was advertised under the Restricted process on the Bravo E-Tendering System on 2 September 2013 with a return date of 27 September 2013
- 4.2 The contract notice attracted nine expressions of interest from a wide range of potential providers of which seven submitted offers.
- 4.3 The return date for completed Invitation To Tenders was 27 September 2013

5 Evaluation Process

- 5.1 The evaluation of such Tenders was in two stages. Stage one assessed the responses to the Minimum Criteria. If, during stage one, it was apparent that a Tenderer has submitted a fundamentally non-compliant Tender in respect of any of the Invitation To Tenders requirements, then the Council could choose to reject that Tender. Clarification could be sought from Tenderers at this stage, in order to determine whether their Tender is complete and compliant.
- 5.2 Following completion of stage one, Tenderers meeting the minimum criteria progressed to stage two of the evaluation. Stage two of the evaluation was carried out by a Tender Evaluation Panel consisting of appropriately experienced Council Officers and each Tenderers response was assessed against the following published criteria:

Price 100%

Quality 0%

Quality was not evaluated as the contractors had prequalified under the Framework

- 5.3 Assessment of Tenders was undertaken using the Joint Contracts Tribunal (JCT) 2012 Practice Note by the duly appointed Consultant Quantity Surveyor. Minimum Requirements checks were undertaken by North Ayrshire Council Corporate Procurement Unit and in accordance with industry practice the three lowest cost tenders were checked.

6 Evaluation Results

- 6.1 Price 100%

Contractors were asked to submit prices on the basis of the Drawings, Specification and Bills of Quantity, as published in the ITT which gave the following results and scores:

Tenderer	Total	Checked
Cruden Building & Renewals	£ 7,587,526.86	£ 7,666,933.22
Lovell Partnerships	£ 7,673,475.75	<i>Non-Compliant</i>
CCG(Scotland)Ltd	£ 8,082,442.36	£ 8,082,442.36
Wates	£ 8,328,668.61	Not Checked
McTaggart Construction Ltd	£ 8,383,746.21	Not Checked
Ashleigh (Scotland) Ltd.	£ 8,612,523.41	Not Checked
McLaughlin Construction	£ 9,515,488.11	Not Checked

7 Overall Score

- 7.1 Following agreement of an overall ranking for each Tenderer and taking into consideration all qualitative and commercial elements of the responses, a high level summary sheet was completed as shown below:

Tenderer	Ranking
Cruden Building & Renewals	1
CCG(Scotland)Ltd	2
Wates	3
McTaggart Construction Ltd	4
Ashleigh (Scotland) Ltd.	5
McLaughlin Construction	6

8 Recommendation

- 8.1 The recommendation of the Tender Evaluation Panel is that a Contract be awarded to: Cruden Building & Renewals subject to any challenges
- 8.2 Subject to approval, Letters of Intent will be issued to all successful and unsuccessful Tenderers.
- 8.3 Both successful and unsuccessful Tenderers will be provided with the opportunity to receive a full debrief in accordance with EU Legislation, the Public Contracts (Scotland) Regulations and Scottish Procurement Directorate guidance.
- 8.4 Upon the conclusion of the approval process, where no formal Legal challenge has been raised, to issue Letters of Acceptance to the successful company.

9 Authority to Approve

- 9.1 In line with Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council, the Tender Evaluation Panel seeks to obtain authority from Cabinet to accept the Tender and award a Contract to the Tenderer identified in section 8.1.

C Templeton
Category Manager
8 October 2013

NORTH AYRSHIRE COUNCIL

Agenda Item 20

29 October 2013

Special Cabinet

Subject: **South West Hub Territory Partnership Board held on 29 August 2013**

Purpose: To submit the Minutes of the Meeting of the South West Hub Territory Partnering Board held on 29 August 2013

Recommendation: That the Cabinet agrees to note the Minutes attached at Appendix 1.

1. Introduction

- 1.1 South West Hub is a partnership vehicle through which the Council can procure its capital projects. Three current Council projects are being progressed through this route: the new Arran care home, the Garnock campus and the Three Towns schools project.
- 1.2 The South West Hub Territory Partnering Board (TPB) comprises of representatives from each of the constituent public bodies. The Board meets regularly to consider appropriate strategic issues and also review the pipeline of work available to Hub. The most recently published minute relates to the meeting held on 29 August 2013.

2. Current Position

- 2.1 The main business of the meeting of the TPB of 29 August 2013 comprised:
 - an overview of progress on collaboration by the five local authorities involved in the Scottish Futures Trust schools programme;
 - updates on three NHS projects, including the Ardrossan Medical Centre project being led by Irvine Bay;
 - an update on progress on the construction of a new care home to replace Montrose House, Arran;
 - details of recent staff appointments and other activity within the SW hub team;
 - an update on the Scottish Future Trust's current work programme; and
 - an overview of the Public Sector Director's role, including notice of the current postholder's intention to step down.

2.2 The Minute of the meeting is attached at Appendix 1.

3. Proposals

3.1 That the Cabinet agrees to note the Minute attached at Appendix 1.

4. Implications

Financial Implications

4.1 There are no financial implications.

Human Resource Implications

4.2 There are no human resource implications.

Legal Implications

4.3 There are no legal implications.

Equality Implications

4.4 There are no equality implications.

Environmental Implications

4.5 There are no environmental implications.

Implications for Key Priorities

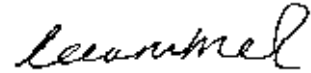
4.6 There are no implications.

5. Consultations

5.1 No consultations were required in the preparation of this report.

6. Conclusion

6.1 The attached Minute is submitted for information.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Yvonne Baulk, Head of Finance and Property on 01294 324542.

Background Papers

None

Minutes of Meeting of the Territory Partnering Board
Held on 29th August 2013 at 10:30am in the Maybole Committee Room, County
Buildings, Wellington Square, Ayr, KA7 1DR (South Ayrshire Council)

Attendees

Name	Organisation	Initials
Rhona Wells (Chair)	Dumfries & Galloway Council	RJW
Audrey Christie	South West hub	AC
Derek Craig	South Lanarkshire Council	DC
James King	Scottish Futures Trust	JK
Michael McBrearty	South West hub	MMcB
Robin McNaught	State Hospital for Scotland	RMcN
Bill Martin	South West hub	BM
John Quinn	South West hub	JQ
Arthur Watson	Irvine Bay Regeneration Company	AW
John Wright	NHS Ayrshire & Arran	JW

In Attendance

Name	Organisation	
Martin Blencowe	Scottish Futures Trust	MB
Laurence Cree	North Ayrshire Council	LC
David Strang	South Ayrshire Council	DS

Apologies Received

Name	Organisation
David Browning	NHS Lanarkshire
Ian Bryden	NHS Dumfries & Galloway
Yvonne Baulk	North Ayrshire Council
Donald Gilles	South Ayrshire Council
David Currie	Scottish Court Services
David Orr	Scottish Ambulance Service
Mary Anne Robb	North Lanarkshire Council

1.	Welcome & Introductions	
	<p>Rhona Wells welcomed everyone to the meeting and noted apologies.</p> <p>James King advised that Martin Blencowe would be taking over as the South West hubs (SWhub) representative from Scottish Futures Trust (SFT). Rhona thanked James for all of his support.</p> <p>John Quinn will be leaving SWhub on 18th September and will be taking up post with the West hub. Rhona thanked John for all of his hard work in getting SWhub to Financial Close.</p> <p>Audrey Christie was welcomed back after being off for a few months on sick leave. Gordon Hunter, Supply Chain Development Manager, was welcomed as was Laurence Cree who was attending on behalf of Yvonne Baulk.</p>	

2

opportunity to tender for the FM works. Hub have consequently engaged with the FM provider to add them to the the TSN.

North Lanarkshire Council have stepped back from the collaboration process due to the status of their design which is at Stage C across both of their schools.

Graham FM have been appointed as preferred FM contractor for the NHS Lanarkshire Health Centres. The Stage 2 submission is on target.

SFT have carried out their KSR for Stage 2 and have sought further clarifications. The main Issues relate to:

- (a) the process of how Graham Construction have derived their construction price (Capex) and questioning the process
- (b) the Funders Adjustment to the FM price due to their perceived risk.

Dialogue is ongoing to try and resolve these issues.

Aviva believe that the costs bid by Grahams for Lifecycle and FM are low and as a consequence they have asked for a buffer to be built into the model to protect this risk.

The following appointments for NHS Lanarkshire Health Centres have been made since the last TPB meeting:

- FM Provider – Graham FM
- Independent Tester – AA Projects
- Funders TA – Naismith's
- Funders Legal Adviser – McClay Murray Spence

Financial close was achieved on 21st August 2013 for Ardrossan Medical Centre. Site start is forecast for 2nd September 2013.

Financial close is scheduled to take place on 16th September for the Irvine Bay Annickbank office development. Construction is due to start on 30th September 2013

Financial close is due to take place on 30th August 2013 for Montrose House Care Home over in Arran with construction expected to start on 9th September 2013.

The combined Stage 1/2 approval for NHS Dumfries & Galloway Dalbeattie and Dunscore Primary Care Centres has been received. Challenges were experienced by combining two projects into one DBDA contract and lessons learnt will need to be reviewed for future projects.

A request for Strategic Services has been issued for North Ayrshire Councils school projects, Garnock and 3 Towns Campus. It was agreed to run this competitively across the three Tier 1 contractors. Although this is for a pre-NPR discreet element of work, the process will follow the NPR process with respect to the appointment of a Tier 1 D&B contractor. This will enable significant programme

benefits. A meeting was arranged between hubSW and North Ayrshire Council on 3rd June 2013 to agree the scope and programme dates. Following a tender process Mott MacDonald have been appointed as hubSW's PM, CM and FM advisors.

A bidder's day was held on 25th July 2013 for North Lanarkshire Council's Clyde Valley and Greenfaulds school projects. All three contractors submitted tenders on 22nd August 2013 and interviews took place on 28th August 2013 and we hope to appoint a contractor within the next fortnight. Mott MacDonald have been appointed as hubSW's PM, CM and FM advisor.

Following completion of the Strategic Support Services commission, Dumfries & Galloway Council have submitted a draft NPR. They are awaiting formal approval of the SFT KSR. hubSW have agreed to proceed with the tender process whilst receipt of the KSR is pending. A bidder's day was held on 15th August 2013 and tender returns are due on 13th September 2013.

There are a lot of political issues around the site selection of East Ayrshire's school project. A consultation period is ongoing and the final decision will be issued to the cabinet at the end of September 2013. Due to the sensitivity of the project it will thereafter referred to the Governance and Scrutiny Committee. It is expected that the due process and final decision will be made in December 2013. East Ayrshire Council will commence consultation with the head teachers once the decision has been issued to the cabinet in September 2013. An NPR is not expected until January 2014.

The TPB expressed concern at the lack of Development Manager resource. Michael McBrearty stated that a new Development Manager would be starting during September and a Construction Manager would also be appointed to manage the construction projects on behalf of hubSW.

In addition to this, a new Skills Co-ordinator has also been recruited and is due to commence employment on 14th October 2013. hubSW is engaged in seeking a Supply Chain Assistant and the selection process is ongoing.

Due to Audrey Christie being on sick leave, there had been limited administration support. Thankfully Audrey has now returned to work. In her absence we recruited temporary administrative support and this will continue until September to provide Audrey with some assistance.

Derek Craig raised a query regarding the current situation where Simon Green (Board Member) was also acting as a Development Manager in terms of a conflict of interest. Michael McBrearty gave assurance that this was not the case. hubSW engaged with three local marketing companies to provide a bid for updating the current hubSW website. Following an extensive tendering process Advertising Works was the successful company. They are currently

<p>updating the website and working on hubSW's key messages presentation.</p> <p>A sod cutting took place for NHS Dumfries & Galloway Dalbeattie and Dunscore Primary Care Centres projects on 10th July 2013 with Alex Neil of the Scottish Government in attendance.</p> <p>Unite have been protesting outside Perceton House on a number of occasions. This is in relation to blacklisting and a project that Kier was involved in in London. Kier are not guilty of blacklisting and are totally against it. hubSW have declined to meet with Unite. Michael McBrearty has been keeping North Ayrshire Council up to date with this.</p> <p>A sod cutting event for North Ayrshire Council's Montrose House Care Home project has been arranged for today (29th August 2013) which Andrew Munro is attending on behalf of hubSW. Elma Murray, Chief Executive North Ayrshire Council, Joan Sturgeon, Council Provost, and Willie Gibson, Council Leader, was also in attendance.</p> <p>Although we have been following the processes within the IMS, there has been no audit carried out due to Audrey Christie being on sick leave and competing demands on internal resource in relation to managing the high volume of NPR's and Strategic Support services. This will be reviewed in the forthcoming period.</p> <p>Gordon Hunter, Supply Chain Development Manager, has been in post for 3 months. Gordon gave the TPB an update on the current supply chain and challenges that this faces.</p> <p>A number of Meet the Buyer events have been arranged to launch the Supply Chain Institute.</p> <p>Gordon has also been meeting with Economic Development teams within local councils, Ayrshire Chamber of Commerce and Business Gateway Ayrshire.</p>	
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6.	SWhub Performance Report	
	In November hubSW will be a year old. The format of the Performance Report is currently being considered.	BM / MMcB
7.	Scottish Futures Trust Update	
	<p>The Asset Management team has grown. They are currently reviewing what assets are there and how they are used. This item must remain on the TPB agenda and someone from the SFT Asset Management team should be invited to a future TPB meeting to give a 15 minute presentation.</p> <p>Ravenscraig is progressing.</p> <p>Brechin rationalisation came out of strategic support service review and it is likely that this will turn into project.</p>	
8.	AOCB	
	<p>Craig Marriott gave an update on his role as Public Sector Director B Shareholder. He commented :</p> <ul style="list-style-type: none"> - New experience sitting as private sector director dual responsibilities hub and shareholders. - Looking at KPI's and how delivered. Quality aspects how deliver Health & Safety agenda. - Have frequent meetings with TPD who provides support - Due to job change CM intends to step down as Public Sector Director and will therefore require a replacement. BM to circulate responsibilities and asked for volunteers to replace CM. <p>AW expressed concern that Andrew Munro (hub Development Manager) was too busy to manage his projects.</p> <p>MMcB stated that additional resources are planned</p> <p>A Customer Satisfaction Review is due and will be carried out during November</p> <p>TPB meetings 2014 – BM proposed that meetings be moved to every 2 months with interim meetings with smaller groups of participants as required. Approved.</p>	<p>ALL</p> <p>MMB</p>
9.	Date and Time of Next Meeting	
	The next meeting of the Territory Partnering Board will take place on 10 th October 2013 at 10.30am in the Cumbrae Meeting Room, Perceton House, Irvine, KA11 2AL (North Ayrshire Council).	

NORTH AYRSHIRE COUNCIL

Agenda Item 21

29 October 2013

Special Cabinet

Subject: **Economic Development & Regeneration Board**

Purpose: To submit the minutes of the meeting of the Economic Development & Regeneration Board held on Wednesday 11th September 2013.

Recommendation: That the Cabinet notes the minutes attached at appendix 1.

1. Introduction

- 1.1 The Economic Development & Regeneration Board was established in 2011 to promote economic development across North Ayrshire. The board comprises a mix of public and private sector organisations. The board looks at a wide range of strategic issues to create more jobs and to support North Ayrshire residents into work.

2. Current Position

- 2.1 The Economic Development & Regeneration Board meets approximately every three months.

3. Proposals

- 3.1 The Cabinet is invited to note the Minutes attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications at this time.

Human Resource Implications

- 4.2 There are no Human Resource implications at this time.

Legal Implications

- 4.3 There are no legal implications at this time.

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

- 4.6 Economic Development & Regeneration is a key priority for the Council.

5. Consultations

- 5.1 No consultation was undertaken in the production of this report.

6. Conclusion

- 6.1 The attached minutes are submitted for information.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : KY/AB

For further information please contact Karen Yeomans, Head of
Development Planning on 01294 324308

Background Papers

None

Action Note

Meeting:	Economic Development & Regeneration Board
Date/Venue:	Wednesday 11 September 2013 at 2.00 p.m. in the Council Chambers, Cunninghame House, Irvine
Present:	Professor Alan McGregor, Glasgow University (Chair) Councillor Marie Burns, Portfolio Holder: Economy & Employment (North Ayrshire Council) Councillor William Gibson, Leader of the Council (North Ayrshire Council) Councillor Peter McNamara, (North Ayrshire Council) Elma Murray, Chief Executive (North Ayrshire Council) Jim Burns ,(Jobcentre Plus) Jim Reid, Director of Financial Services & West (Scottish Enterprise) Gordon McLean, (UPM Caledonian)
Apologies:	Alastair Dobson, (Taste of Arran), Craig Hatton, (Corporate Director North Ayrshire Council), Gordon McGuinness, (SDS), Malcolm Simpson, (Simpsons).
In Attendance:	Paula Chadderton, The Scottish Government Karen Yeomans, Head of Development Planning (North Ayrshire Council) Patrick Wiggins, Chief Executive (Irvine Bay Regeneration Company) Lynne McEwan, Communications Manager (North Ayrshire Council) Alasdair Laurenson, Team Leader (North Ayrshire Council) Esther Howe, (URS) Matt Strachan, Senior Business Development Manager Sandra Bale, Policy and Performance Officer (North Ayrshire Council) Fiona Millar Administrative Assistant (North Ayrshire Council)

ACTIONS

No.	Action	Responsible
1.	<i>Welcome and Introductions</i> The Chair welcomed everyone to the meeting. Apologies were received from G McGuinness, A Dobson, C Hatton & M Simspon. The Chair welcomed J Reid, S Bale, E Howe & M Strachan to the ED&R Board meeting.	<i>Noted.</i>
2.	Review of the Minute & Action Log held on Wednesday 11 September 2013 The minutes arising from the Economic Development and Regeneration Board Meeting held on 24 April 2013 were agreed as true and accurate. The Action Log item on the North Ayrshire Economy Review was discussed. The Chair recommended that the Review be undertaken and be presented to the Board at the next meeting.	<i>Noted.</i> <i>K Yeomans</i>
3.	Matters Arising Business Gateway Discussion was held on the letter sent to the Scottish Government on the operation of the Business Gateway website. The Board were advised of the decision by the UK Government to close the Businesslink web platform in November 2012, which resulted in Business Gateway losing a valuable source of traffic.	

Action Note

	<p>J Reid advised the Board that the move from a 'beta' site to a fully live website had taken place. A report on the progress has also been agreed. The Board agreed an update be brought to the next Board meeting.</p>	<p><i>J Reid/ M Strachan</i> 13/11/13</p>
4.	<p>Presentation on Hunterston</p> <p>Esther Howe gave a presentation on Hunterston Competitive Study</p> <p>URS was commissioned by North Ayrshire Council and Irvine Bay Regeneration Company to undertake a 'Competitive Advantage Study' for Hunterston.</p> <p>Aims:</p> <ul style="list-style-type: none"> Identify which uses at the site can most effectively exploit its competitive advantages in order to generate employment opportunities, within acceptable environmental impact parameters Opportunities: <ul style="list-style-type: none"> Coal imports strong in short term Potential transition to biomass However some uncertainty regarding medium / long term market for bulk cargos, and power generation Offshore wind (medium / long term, but market engagement required now) Wave and tidal (medium / long term) Maritime decommissioning (medium / long term) Nuclear power station would generate the most jobs; also renewables manufacturing and power station Small scale leisure could be located away from the port, however would likely require public sector investment Sufficient land to accommodate all uses, but trade off between costs (including environmental) of options. <p>Discussion was held on the timeline of opportunities from medium to long term also looking at other ports to gain an understanding on investment and infrastructure and finally what planned actions need to taken now.</p> <p>URS see wave and tidal as a strong to medium to long term prospect along with the dry dock used for decommissioning along with the land used for renewable.</p> <p>It was agreed that Scottish Government would be informed of developments at Hunterston.</p>	<p><i>P Chadderton</i></p>

Action Note

<p>5.</p>	<p>Business Support Update</p> <p>Gordon McLean gave an update on the Business Support.</p> <p>The Board were informed of the progress on Building a Stronger Business Base in North Ayrshire.</p> <ul style="list-style-type: none"> • Task and Finish Group held on with the three private sector members 30 August 2013. • Creation of Senior Post dedicated to leading an integrated team approach. M Strachan commenced employment Monday 26 August 2013. <p>Whilst some good progress is being made, there remains significant work over the next few months to ensure a high profile and effective launch of the new business support activities.</p> <p>M Strachan discussed his first 2.5 weeks with North Ayrshire Council, and advised the Board on businesses willingness to engage with the North Ayrshire approach particularly the growth companies.</p> <p>J Reid advised the Board of Scottish Enterprise continued support and stated that no other Local Authority has engaged as North Ayrshire has.</p> <p>Jobcentre Plus advised the Board of their continuing support building on the skills gap.</p>	
<p>6.</p>	<p>Presentation: Marketing North Ayrshire Business Website</p> <p>Lynn McEwan gave a presentation on Marketing North Ayrshire Website the Board were advised on the following areas:</p> <ul style="list-style-type: none"> • Aims of the Marketing. • What we've achieved. • Where are we now <p>The Board were shown a mock up of North Ayrshire Business website homepage.</p> <p>Board Members welcomed the website, discussion was held on the first point of contact to the website, what, who and how that would be managed.</p> <p>The Board were advised that this falls within the Business Development Team service.</p>	

Action Note

7.	<p>Skills & Employability Task & Finish Group Update</p> <p>Councillor Marie Burns gave an update on the Skills & Employability Task & Finish Group.</p> <p>The Employability and Skills task and finish group has been set up to oversee the development and implementation of an employability and skills strategy for North Ayrshire. After a competitive tendering process, Rocketscience consultants have been commissioned to lead the development of the strategy, it was agreed the following five strands will provide the basis for the strategy;</p> <ul style="list-style-type: none"> • Identifying demand • Identifying barriers (both supply and demand) • Review existing services • Skills Pathways • Methodology <p>The work is scheduled to be concluded by early November 2013. The final strategy will be presented to the Board for approval.</p>	All
8.	<p>Spruce Funding Update</p> <p>Patrick Wiggins provided a verbal update on SPRUCE funding to the Board.</p> <p>The Board were advised that SPRUCE funding is still an area of concern. Irvine Bay are currently going through the process of £2m borrowing, but terms are onerous with security assets and income streams all taken into consideration.</p> <p>The Board agreed further consideration was needed and a cautious approach in moving to the next stage, looking carefully at impacts on North Ayrshire Council guaranteeing the loan.</p> <p>The Board were advised that questions would be taken back to the Scottish Government.</p>	P Chadderton

Action Note

9.	<p>Community Planning Partnership</p> <p>Sandra Bale presented papers on the following topics</p> <p>a) Joint Working Opportunities</p> <p>The Community Planning Partnership was audited by Audit Scotland. The report finding was a statement that Community Planning is well established in North Ayrshire and the CPP has a good record of refining local partnership working and joint planning.</p> <p>b) SOA 2013-14 Quarter 1 Performance Report</p> <p>Quarterly indicators are used to evaluate progress throughout the year, the SOA Action plan is monitored quarterly via the Covalent monitoring system.</p> <p>One quarterly indicator not on target is that of employment rate. The Board agreed that a review on the variances be provided to the next meeting.</p> <p>The Board were advised that a report on Transport Strategy for implementation in 2014 is currently being prepared for the October Cabinet.</p> <p>c) Community Planning Risk Register</p> <p>The Community Planning Partnership has had a Risk Register for a number of years. This now requires to be updated to reflect Single Outcome Agreement 2013-2017.</p> <p>The Board were asked for any additional comments on the proposed risks, controls and actions and suggest amendments of additions as required.</p> <p>S Bale to liaise with K Yeomans and submit by December 2013</p>	<p>K Yeomans 13/11/13</p> <p>S Bale/ K Yeomans December 2013</p>
10.	<p>Board Membership</p> <p>The Board were asked to consider increasing membership to the Board by inviting Val Russell (Ayrshire Chamber of Commerce) and someone from the Voluntary Sector to join the ED&R Board.</p> <p>The Board agreed to increase the membership of the ED&R Board. Advice will be sought on the representative from the Voluntary Sector.</p>	<p>All</p>
11.	<p>Any Other Business</p> <p>J. Burns advised the Board of a Jobs Fair being held in the Volunteer Rooms Irvine on Monday, 7th October 2013.</p>	
12.	<p>Date of Next Meeting</p> <p>Wednesday, 11th November 2013 at 14.00 p.m. Council Chambers, Cunninghame House Irvine</p>	<p>.</p>

Action Note

Fiona Millar September 2013
KY/FM

Action Note

Meeting:	Economic Development & Regeneration Board
Date/Venue:	Wednesday 11 September 2013 at 2.00 p.m. in the Council Chambers, Cunninghame House, Irvine
Present:	Professor Alan McGregor, Glasgow University (Chair) Councillor Marie Burns, Portfolio Holder: Economy & Employment (North Ayrshire Council) Councillor William Gibson, Leader of the Council (North Ayrshire Council) Councillor Peter McNamara, (North Ayrshire Council) Elma Murray, Chief Executive (North Ayrshire Council) Jim Burns ,(Jobcentre Plus) Jim Reid, Director of Financial Services & West (Scottish Enterprise) Gordon McLean, (UPM Caledonian)
Apologies:	Alastair Dobson, (Taste of Arran), Craig Hatton, (Corporate Director North Ayrshire Council), Gordon McGuinness, (SDS), Malcolm Simpson, (Simpsons).
In Attendance:	Paula Chadderton, The Scottish Government Karen Yeomans, Head of Development Planning (North Ayrshire Council) Patrick Wiggins, Chief Executive (Irvine Bay Regeneration Company) Lynne McEwan, Communications Manager (North Ayrshire Council) Alasdair Laurenson, Team Leader (North Ayrshire Council) Esther Howe, (URS) Matt Strachan, Senior Business Development Manager Sandra Bale, Policy and Performance Officer (North Ayrshire Council) Fiona Millar Administrative Assistant (North Ayrshire Council)

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2.	Review of the Minute & Action Log held on Wednesday 11 September 2013 The minutes arising from the Economic Development and Regeneration Board Meeting held on 24 April 2013 were agreed as true and accurate. The Action Log item on the North Ayrshire Economy Review was discussed. The Chair recommended that the Review be undertaken and be presented to the Board at the next meeting.	<i>Noted.</i> <i>K Yeomans</i>
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Action Note

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Action Note

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11.	<p>Any Other Business</p> <p>J. Burns advised the Board of a Jobs Fair being held in the Volunteer Rooms Irvine on Monday, 7th October 2013.</p>	
12.	<p>Date of Next Meeting</p> <p>Wednesday, 11th November 2013 at 14.00 p.m. Council Chambers, Cunninghame House Irvine</p>	<p>.</p>

Action Note

Fiona Millar September 2013
KY/FM

NORTH AYRSHIRE COUNCIL

Agenda Item 22

29 October 2013

Special Cabinet

Subject: **1st Tier Joint Consultative Committee and Corporate Health and Safety Group: Minutes of Meetings held on 19 September 2013**

Purpose: To submit the Minutes of the Meeting of the 1st Tier JCC and the Corporate Health and Safety Group, both held on 19 September 2013

Recommendation: That the Cabinet agrees to note the Minutes contained in Appendices 1 and 2.

1. Introduction

1.1 The 1st Tier Joint Consultative Committee comprises Elected Members, Officers and Trade Union representatives. Its purpose can be summarised as follows:

- "To provide a forum and procedure for Council members and Trade Unions to meet on a regular and constructive basis to exchange information and resolve issues of mutual concern"; and
- "To promote and develop good relations between the Council, Management, employees and their Trade Unions".

1.2 The Council's Corporate Health and Safety Group consists of Elected Members, Officers who chair the four Health and Safety Planning Groups and safety representatives from the Trade Unions. The Group aims:-

- To engage employee representatives as an inclusive partner in the Council's arrangements for the management of health and safety to create a safe working environment that supports the well being of the Council's employees.
- To provide a forum for Council elected members, senior managers and safety representatives to meet on a regular and constructive basis to exchange information and resolve issues of mutual concern.

2. Current Position

- 2.1 Both the 1st Tier JCC and the Corporate Health and Safety Group meet up to four times per year. The Minutes of the latest meetings, held on 19 September 2013 are appended for information.

3. Proposals

- 3.1 The Cabinet is invited to note the contents of the Minutes contained in Appendices 1 and 2.

4. Implications

Financial Implications

- 4.1 There are no financial implications arising from this report.

Human Resource Implications

- 4.2 There are no human resource implications arising from this report.

Legal Implications

- 4.3 There are no legal implications arising from this report.

Equality Implications

- 4.4 There are no equality implications arising from this report.

Environmental Implications

- 4.5 There are no environmental implications arising from this report.

Implications for Key Priorities

- 4.6 There are no implications for key priorities arising from this report.

5. Consultations

- 5.1 No consultations were required.

6. Conclusion

6.1 The attached Minutes are submitted for information.

A handwritten signature in black ink that reads "Elma Murray". The signature is written in a cursive style with a large, stylized 'E' and 'M'.

ELMA MURRAY
Chief Executive

Reference :

For further information please contact Melanie Anderson, Committee Services Officer on telephone number 01294 324131

Background Papers

Constitutions of the 1st Tier JCC and Corporate Health and Safety Group.

1st Tier Joint Consultative Committee
19 September 2013

IRVINE, 19 September 2013 - At a Meeting of the 1st Tier Joint Consultative Committee of North Ayrshire Council at 2.15 p.m.

Present

Willie Gibson, Robert Barr, John Bell, Tom Marshall and Ronnie McNicol (North Ayrshire Council); M. Gettins, S. Herd, L. McDaid, J. Macdonald, J. Purvis and C. Turbett (UNISON); and P. Houston and P. Arkison (GMB).

Also Present

Robert Steel.

In Attendance

G. MacGregor, Head of Human Resources and Organisational Development and A. Young, HR Operations Manager; and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

1. Minutes

The accuracy of the Minutes of the previous meeting of the Committee held on 21 February 2013 was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

2. Future Format of 1st Tier Joint Consultative Committee

The Team Manager (HR) facilitated discussion using a number of presentation slides and sought the Committee's views of the current format of the 1st Tier JCC and the future shape of the partnership.

Discussion took place on the objectives of the 1st Tier Joint Consultative Committee, the current format of meetings and potential improvements to the structure and operation of the 1st Tier JCC. A background paper was circulated, on the 1st Tier JCC, its constitution, the Information and Consultation of Employees Regulations 2005, future options for the Council's joint structure and recommendations for the replacement of the current committee with a new forum designed to facilitate mutual dialogue and partnership.

The following views were expressed:-

- the current format is not fit for purpose and offers a limited opportunity for dialogue with Elected Members;
- reports can be stale and out-of-date;
- there should be a programme of meetings to debate significant strategic matters,

- with a focus on the delivery of services to the people of North Ayrshire;
- consideration needs to be given to the timing of discussion about key topics, such as the integration of Adult Health and Social Care;
- feedback from the 1st Tier JCC should help to inform decisions by Members;
- meetings should not be party political in nature;
- the Agenda for meetings should be set by the Joint Secretaries and should focus on strategic, rather than operational, issues; and
- although there is a separate body for teaching unions, representatives could also be invited to attend the 1st Tier JCC.

It was agreed that (a) it be remitted to the Joint Secretaries from the Trade Unions and Human Resources to (i) set the Agenda for future meetings of the 1st Tier JCC, subject to the agreement of the Chair; (ii) agree the date of the next meeting, to be timed to coincide with the next stage in the integration of Adult Health and Social Care; and (iii) update the constitution of the 1st Tier JCC, as necessary, to reflect the revised membership of the Committee; and (b) meetings should take place on a quarterly basis, with the facility to hold further, Special Meetings, as required.

The meeting ended at 2.55 p.m.

Corporate Health and Safety Group
19 September 2013

IRVINE, 19 September 2013 - At a Meeting of the Corporate Health and Safety Group of North Ayrshire Council at 1.00 p.m.

Present

Willie Gibson, Robert Barr, John Bell, Ronnie McNicol and Tom Marshall (North Ayrshire Council); G. Smith (EIS); P. Houston and P. Arkison (GMB); J. De Cecco (SSTA); and J. Purvis, S. Herd and L. McDaid (Unison).

In Attendance

G. Macgregor, Head of Human Resources and Organisational Development, F. Walker, Team Manager (Human Resources), M. Reid, Team Manager (Health and Safety), D. Johnston, Team Manager (Risk and Insurance) and E. Lavelle, Occupational Health Nurse (Finance and Corporate Support); W. Turpie, Operations Manager (Streetscene) (Development and Environment); D. Reid, Team Manager (Administration) (Education and Skills); and A. Hale, Health Improvement Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Alan Hill and Peter McNamara (North Ayrshire Council); and J. Jackson (Unite).

1. Minutes

The accuracy of the Minutes of the previous meeting of the Committee held on 3 May 2013 was agreed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

2. Health and Safety: Progress Report

Submitted report by the Corporate Director (Finance and Corporate Support) on progress in terms of the implementation of the Council Health and Safety Action Plan.

The following points were highlighted:-

- meetings of the Council's Health and Safety Groups;
- progress in respect of the issue of revised Guidance on the Management of Work Involving Asbestos and the development of Asbestos Awareness training;
- the publication of the guidance document "Management of Work-Related Stress" and completion by the Chief Executive's Service of a Stredia stress risk assessment;
- the planned development of the Agile Working Policy and supporting guidance;
- the take up of recent health and safety training;

- changes to the Incident form and the introduction of an electronic version;
- the development of the system for the statutory inspection, testing and maintenance of lifting equipment in Social Services and Health and plans for a corporate system;
- the intended development and implementation of a Corporate Audit System based on the standard OHSAS 18001;
- the outcome of a fire audit of 54 premises;
- six-monthly workplace inspections;
- plans to assess the risk assessments, safe systems of work and training in place in relation to moving and handling; and
- a review of the current Aggression and Violence guidance document.

Discussion took place on the following:-

- any 'near misses' which there might have been in terms of fire risk;
- issues associated with the use of two systems for conducting stress risk assessments;
- the financial implications associated with undertaking stress risk assessments;
- the number of stress risk assessments carried out to date and the frequency with which assessments should take place;
- the availability of management training on the manual stress risk assessment system;
- the need to take into account disability issues when planning for agile working and when relocating staff;
- previous practice in relation to the inspection, testing and maintenance of lifting equipment in Social Services and Health; and
- the small number of premises which had presented little or no evidence of a fire management system.

The Team Manager (Health and Safety) undertook to provide the Group with further information on whether any particular service areas had disproportionately contributed to the Fire Register amber and red actions.

The Group agreed (a) to note that the joint Trades Unions should be invited to participate in meetings with Human Resources to consider issues associated with relocating staff, including ensuring disability needs are met; and (b) otherwise, to note the content of the report.

3. Health and Safety Groups

3.1 Development and Environment

Submitted report by the Corporate Director (Development and Environment) on the current position in respect of the Development and Environment Health and Safety Action Plan.

The following points were highlighted:-

- 28 incidents within the Service during the period from 1 April to 30 June 2013, 5 of which were reportable to the Health and Safety Executive;

- the establishment of a short term working group to review the current approach to risk assessments;
- health and safety inspections of Streetscene Depots, Building Services premises, Cemetery Bothies and premises within the Waste Service;
- the establishment of a solution to access issues associated with the asbestos database;
- progress in respect of the roll out of the HAVS Monitoring system;
- the use of Occupational Health services to assist in carrying out health surveillance; and
- the provision of employee briefings.

Discussion took place on attendance levels at recent employee briefings.

Noted.

3.2 Education and Skills

Submitted report by the Corporate Director (Education and Skills) on the current position in respect of the Education and Skills Health and Safety Action Plan.

The following points were highlighted:-

- the appointment of Steven Quinn as a new Head of Service;
- the review of the Master Health and Safety File which is undertaken each summer;
- the take up of recent health and safety training;
- 4 incidents relating to employees and 44 to pupils over the period from 1 April to 30 June 2013, with 2 employee incidents being reportable to the Health and Safety Executive;
- a total of 72 aggression and violence incidents for the period 1 April to 30 June 2013, compared with 95 for the same period last year;
- the completion of 51 workplace inspections, representing a completion rate of 77%;
- the use of Occupational Health services;
- the work of the Aggression and Violence Working Group;
- plans for training sessions in CALM procedures; and
- the implementation of stress risk assessments.

Discussion took place on the following:-

- RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences) Regulations;
- discontinuation of the use of the phrase "motivated by disability" in the recording of aggression and violence incidents; and
- whether there was Elected Member representation on the Aggression and Violence Working Group and the timescale for completion of the group's work.

Noted.

3.3 Finance and Corporate Support

Submitted report by the Corporate Director (Finance and Corporate) on the current position in respect of the Finance and Infrastructure Health and Safety Action Plan.

The following points were highlighted:-

- adoption of the electronic system for workplace inspections;
- the completion by all relevant staff in IOSH Managing Safely;
- plans to facilitate a corporate inspection and maintenance system for the fire evacuation chairs within Cunninghame House;
- completion by the Chief Executive's Service of the Stredia stress risk assessment and plans for a focus group to discuss the results; and
- one incident, which was not reportable to the Health and Safety Executive.

Discussion took place on the following:-

- the location of fire evacuation chairs in Cunninghame House, any previous servicing which might have taken place and whether the cost of servicing this equipment would be the responsibility of individual Services; and
- the need to assess training requirements in connection with the use of fire evacuation chairs.

Noted.

3.4 Social Services and Health

Submitted report by the Corporate Director (Social Services and Health) on the current position in respect of the Social Services and Health: Health and Safety Action Plan.

The following points were highlighted:-

- the completion of 27 workplace inspections, as well as operational fire risk assessments for office accommodation, residential and day care units and non-domestic housing communal areas;
- the systematic review and update of risk assessments in all areas of the service;
- the regular issue to staff of the Display Screen Equipment Self-Assessment Guidance and Questionnaire;
- the development, in conjunction with the Health Improvement Officer, of a Mental Health and Wellbeing Policy;
- the roll out of Keepwell Health Checks across Social Services and Health staff;
- the establishment of a working group to undertake a review of all lifting equipment within Social Services and Health premises and in the wider community where care at home staff are using such equipment;
- the use being made of Occupational Health services;
- Health and Safety training undertaken;
- delivery of the Moving and Handling training programme and inanimate load training;
- the development of a blended Risk Assessment Training Package;
- the accrediting and re-accrediting of staff in terms of the CALM programme;

- 7 employee incidents, one of which was reportable to the Health and Safety Executive; and
- 46 incidents relating to violence and aggression.

Discussion took place on the following:-

- whether Occupational Health services were available to Members as well as staff; and
- fire risk assessments of communal areas within multi-storey flatted accommodation.

Noted.

4. Healthy Working Lives: Livewell

Submitted report by the Chief Executive on an update on the Council's Healthy Working Lives (HWL) Programme.

The report provided information on a number of Healthy Working Lives activities which have taken place, including the following:-

- planned Keepwell Health Checks for Social Services Care and Home staff;
- staff feedback in terms of Keepwell Health Checks within Building Services;
- the Maximum Potential promotion pilot;
- promotion of Walk to Work and Bike Week in May and June 2013, respectively;
- consultation on the Mental Health Policy and supporting documents; and
- Health promotion activities to be hosted by Greenwood Conference Centre.

The Health Improvement Officer also reported verbally on a meeting with NHS colleagues to discuss the possibility of a football tournament between Councils and NHS staff.

Discussion took place on the following first aid training on mental health issues.

The Health Improvement Officer undertook to liaise with Human Resources about the potential for the delivery of first aid training in mental health issues.

Noted.

5. Employee Accident Statistics: Monitoring Report: 1 January to 31 March 2013

Submitted report by the Chief Executive on a summary of employee injury accidents, including those which require to be reported to the Health and Safety Executive in line with Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

During the reporting period, there were 35 employee incidents, 7 of which were serious enough to be reports to the HSE. Details of the incidents were provided in the report.

Discussion took place on the following:-

- the number of slip/trip/fall incidents;
- the application of the Maximising Attendance policy in the context of accidents within the workplace;
- the extent to which the individuals involved may have had some responsibility for the incident; and
- the Council's absence rates compared with the private sector.

The Team Manager (Health and Safety) undertook to seek information from the HSE on the availability of guidance aimed at reducing the incidence of slips, trips and falls.

Noted.

6. Aggression and Violence Incidents - Monitoring Report:

Submitted report by the Chief Executive on a summary of incidents involving violence and aggression towards employees.

During the reporting period, there were 122 incidents of reported aggression and violence. A breakdown of incidents by Service was provided within the report.

Discussion took place on whether any of the incidents had resulted in the Police being called.

Noted.

The Meeting ended at 2.15 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 23

29 October 2013

Special Cabinet

Subject: **Housing Revenue Account Business Plan
Implementation Group: Minutes of meeting held
on 24th September 2013.**

Purpose: To submit the Minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 24th September 2013.

Recommendation: That the Cabinet notes the Minutes attached at Appendix 1.

1. Introduction

- 1.1 A Housing Revenue Account Business Plan Implementation Group was set up in 2010 and consists of Elected Members, tenant representatives and Council officers from Housing Services and Finance and Property.
- 1.2 The remit of the Housing Revenue Account Business Plan Implementation Group is:
- To make recommendations to the Council's Cabinet and other bodies as appropriate;
 - To carry out an annual review and report progress on the Business Plan;
 - To assume responsibility for performance monitoring and reporting;
 - To advise and provide recommendation on the setting and use of budgets and resources;
 - To ensure the appropriate consultation is undertaken at key stages, and;
 - To agree and drive forward any key activities within the final work plan.

2. Current Position

- 2.1 The Minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 24th September 2013 are attached at Appendix 1.

3. Proposals

- 3.1 It is proposed that the Cabinet notes the Minutes attached at Appendix 1

4. Implications

Financial Implications

- 4.1 There are no implications arising from this report.

Human Resource Implications

- 4.2 There are no implications arising from this report.

Legal Implications

- 4.3 There are no implications arising from this report.

Equality Implications

- 4.4 There are no implications arising from this report.

Environmental Implications

- 4.5 There are no implications arising from this report.

Implications for Key Priorities

- 4.6 There are no implications arising from this report.

5. Consultations

- 5.1 None required.

6. Conclusion

- 6.1 The attached Minutes are submitted for information



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Corporate Director (Social Services and Health)

Reference :

For further information please contact Alex Adrain, Interim Head of Housing on 01294 324641

Background Papers

None

	STATUS REPORT	
	Business Plan Implementation Group	

Date: 24th September 2013

Venue: Committee Room 1, Cunninghame House, Irvine

Attendees:	Councillor A Dickson Councillor I Clarkson Councillor J Easdale Councillor J Ferguson Councillor C McMillan Councillor R McNicol Alex Adrain Carolyn Hope Marianne McManus Keith MacDonald David Tate Cate Weir Alex Younger	Elected Member (Chair) Elected Member Elected Member Elected Member Elected Member Elected Member Housing Services Housing Services Housing Services Finance and Property Finance and Property Tenant Representative Tenant Representative
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Apologies:	Yvonne Baulk Ian Cathcart Councillor T Marshall Councillor J Hunter Gordon Taylor Tracey Wilson	Financial and Property Finance and Property Elected Member Elected Member Tenant Representative Housing Services
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Minuted by:	Claire McCartney Housing Services
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Agenda Item	Notes and Actions	Who	Date
1. Welcome	Cllr Dickson opened the meeting by welcoming everyone and asked for apologies.		
2. Minutes of Last Meeting & Matters Arising	There were no amendments to the minutes of the previous meeting.		

3. Strategic Housing Investment Plan (SHIP) 2013 -18	<p>Alex Adrain (AA) explained that a meeting had taken place with Scottish Government representatives to clarify the funding position for the SHIP and Cabinet subsequently approved the contents of the SHIP on 10th September.</p> <p>AA highlighted that funding for all of the projects was increased to the new Scottish Government subsidy level. As this was applied retrospectively to the 2012-15 programme, funding was required to be drawn down from the indicative funding for 2015-18. As a result, the funding for 2015-18 has been significantly reduced. One NAC and one RSL project has been put forward for the 2015-18 programme. Additional projects will be progressed if further funding is made available.</p> <p>Cllr Easdale asked AA to confirm the property sizes being built, particularly in the Fencedyke area. AA advised that there will be a mix of different sizes with numbers being determined by demand, as well as amenity houses.</p> <p>Cllr Easdale stated that there was some concern about the individuals who would be allocated the new housing. AA advised that allocations were dictated by individual circumstances and the common allocation policy.</p>		
4.Welfare Reform Impact Summary	<p>AA advised that the total arrears for 2013-14 are estimated at £1.5 million. MM confirmed that at the end of August there had been a reduction in the level of arrears, however this was due to the 2 payment free weeks and the level of arrears is expected to increase again at the end of September.</p> <p>Cllr Easdale asked if the full budget for discretionary housing payments had been spent, MM confirmed that it had not been spent, however she anticipates a full spend by the year end.</p> <p>MM provided details of the rent arrears levels of other local authorities; East Ayrshire estimated £2.2 million, Edinburgh estimated £4.4 million and West Lothian which is similar in size and performance to North Ayrshire, estimate over £1 million.</p> <p>KM provided the group with details on the provision for bad debts and advised that if arrears increased, the provision for bad debts would be increased during the annual accounts process. Cllr Easdale asked what the write off provision was; KM confirmed that unrecoverable arrears were built into the budget and gave various reasons why a debt would be unrecoverable.</p> <p>AA presented financial impact details for homelessness for 2015/16 detailing significant shortfalls in income.</p> <p>Cllr Clarkson asked if it would be possible to reduce the number of temporary furnished units. AA advised that the temporary furnished units were the income generators for homelessness and to reduce their number would widen the income gap.</p> <p>Cate Weir (CW) asked if would be possible for the RSLs to open another hostel since they are exempt from the reforms. AA said that they may be reluctant to do this as the funding position could change in future years. I.e. RSL funding may be brought in line with local authorities.</p>		

<p>5. 2014/15 HRA Draft Budget</p>	<p>AA presented the draft budget revenue and capital repairs figures for 2014/15. It was highlighted to the group that the projected total arrears for 2014/15 taking account of the welfare reform impact, would be £1.5 million. Provision has been made for £0.5 million within the budget, however, a gap of £1 million still requires funding to be identified.</p> <p>DT highlighted that there was a new energy efficiency standard issued by the Scottish Government and £500,000 had been allocated in 2014/15 to facilitate this. DT also advised that match funding was available for projects such as insulated external rendering, from the Scottish Government and utility companies. The match funding was not reflected in the budget figure of £1,500,000.</p> <p>AA advised the group that there had been a 33% increase in the number of void this year and Housing Services are currently investigating the reason for this. It has been suggested that this may be as a result of Welfare Reform as there has been a decrease in demand for larger property sizes, as well as some evidence that tenancies have been given up due to the under occupation charge.</p> <p>AA asked the group to look at the proposed options to offset the impact of Welfare Reform (£1 million). It was agreed that the budget for £1.1 million from the flexibility line within the business plan could be used to offset the impact of the increased cost to the Housing Revenue Account.</p> <p>Cllr Clarkson asked DT to clarify the difference between Capital works and Revenue works. DT and KM advised Capital works are major replacements such as a new kitchen or bathroom whereas Revenue work is to maintain an item e.g. heating maintenance. Works are categorised following accounting practices with annual audits being completed both internally and externally to ensure the correct processes are followed.</p> <p>Cllr Clarkson queried the aids and adaptation referrals process and budgets available. AA confirmed the following:</p> <ul style="list-style-type: none"> • NAC referrals are split according to tenure, therefore Housing Services will only pay for adaptations to Council properties. The Scheme of Assistance is available for home owners and the private rented sector, this is managed via a separate budget. • Private landlords have a duty to carry out adaptations to meet the needs of their tenants. • RSLs process adaptation referrals in date order and complete when funding is made available from the Scottish Government. <p>A cross tenure/service report on aids and adaptations was recently carried out to inform a review of the processes applied throughout North Ayrshire. A report is due to be submitted to the Cabinet in the near future detailing the results of this study.</p>		
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<p>6. 2014/15 Rental Charge Options</p>	<p>AA reminded the group of the previously agreed indicative increases of:</p> <ul style="list-style-type: none"> • 2014/15 – indicative increase of 3.5% • 2015/16 – indicative increase of 4.5% <p>AA advised the group that the indicative 3.5% increase for 2014/15 would deliver the current programme within the draft budget. Any reductions to this rate, would require the planned expenditure to be reduced.</p> <p>AA took the group through the Rental Charge Options (Appendix 5) detailing the 4 options for discussion:</p> <ul style="list-style-type: none"> • Option 1 – Rent Increase of 2.5% • Option 2 – Rent Increase of 3.5% • Option 3 – Rent Increase of 4.5% • Option 4 – Rent Increase of 5.5% <p>There then followed a general discussion regarding the various options.</p> <p>Alex Younger (AY) suggested a 3% increase as he advised that he had spoken informally to other tenants and this was generally acceptable.</p> <p>CW raised concerns regarding paying tenants subsidising those who do not pay rent.</p> <p>Cllr Dickson advised she was in favour of the rent increase being 3.5% in order to continue with the new kitchen and bathroom programme and meeting the SHQS target. AY queried if some slippage could be afforded here as NAC is ahead of the programme for SHQS. DT advised that there was a new energy efficiency standard being introduced that will have to be taken into account from next year, therefore there was no room for slippage.</p> <p>Cllr McNicol asked DT how many houses were meeting the standard for SHQS. DT advised NAC is currently 2nd in Scotland in terms of performance targets with 92% of properties meeting compliance. It was agreed that an SHQS report would be submitted at a meeting in the near future.</p> <p>Following further discussion it was agreed that the tenants would be consulted on increases of 3% and 3.5%. The indicative increases were agreed as 4.5%.for 2015/16 & 2016/17 although it was accepted that this did not take account of the shortfall which may be generated when Universal Credit is implemented.</p> <p>MM advised that the Tenancy Matters Newsletter would be finalised next week and was due for issue on 21st October</p>	<p>CH</p>	
<p>10. Next Meeting</p>	<p>Wednesday, 20th November 2013, Committee Room 1, Cunninghame House at 10am.</p>		