

Audit and Scrutiny Committee
22 August 2017

Irvine, 22 August 2017 - At a Meeting of the Audit and Scrutiny of North Ayrshire Council at 10.00 a.m.

Present

Marie Burns, Margaret George, Joy Brahim, Alan Hill (Items 1 - 8), Tom Marshall, Donald Reid and John Sweeney

Also Present

Jim Montgomerie, Timothy Billings and Steven Gallacher (Items 1 - 3).

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director, F. Walker, Head of Service (People and Transformation), P. Doak, Senior Manager (Internal Audit, Risk and Performance) S. Humphries, Chief Revenues and Benefits Officer, D. Miller, Complaint and Feedback Manager, E. Nixon, Customer Services Operational Manager, J. Hamilton, Employment Services Manager (Finance and Corporate Support); A. Sutton, Head of Service (Connected Communities) A. McClelland, Head of Service (Learning and Improvement) and C. Maxwell, Senior Manager (Education and Youth Employment); Y. Baulk, Head of Service (Physical Environment) (Place); S. Brown, Interim Director (Children, Families and Criminal Justice); A. Fraser, Head of Democratic Services, A. Todd, Senior Policy and Performance Officer and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Burns in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting of the Audit and Scrutiny Committee held on 30 May 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Call In: Closure of Arran Public Toilets

Submitted report by the Chief Executive on a Call In Request received in respect of the decision taken by the Cabinet at its meeting on 20 June 2017 in respect of the report on the Petition in respect of the Closure of Arran Public Toilets. A copy of the Cabinet report was provided at Appendix 3 to the report.

At its meeting on 30 May 2017, the Audit and Scrutiny Committee considered a report on a petition, signed by at least 10 petitioners and supported by approximately 2,000 online signatories, asking the Council to reconsider the closure of Arran public toilets. The terms of the petition and supporting documentation were outlined in Appendix 1 to the report. The Executive Director (Place) provided a briefing note on the background to the matter, which was set out at Appendix 2. The Committee agreed to refer the petition to Cabinet for its consideration.

The Cabinet, at its meeting on 20 June 2017, considered a report (Appendix 3) on the outcome of the Audit and Scrutiny Committee's consideration of the petition in relation to Arran toilets and heard from the principal petitioner, Mr Calderwood, and the Head of Service (Physical Environment). The Cabinet agreed to make no change to the decision of Council on 17 February 2016 and to support the continued work between Facilities Management, Connected Communities and the local community groups on Arran.

A request was received in terms of the Call In procedure set out in the Council's Scheme of Administration and Standing Orders, that the Scrutiny and Petitions Committee examine the decision taken by the Cabinet.

The Call In request, which was signed by Councillors Billings, Gallacher and Stephen, in the following terms:-

"Reason for Call In - The closure of the toilets is causing real hardship that the Council has not recognised. Arran is a rural community with a very large number of visitors. The lack of public toilets in key sites is causing public nuisance and is a threat to public health.

A proposal for funding the toilets was put forward that was not investigated or considered.

The closure of the toilets was designed to save money, however, there is a possibility that no actual saving has been achieved, in which case the toilets could be reopened at no cost. The staff involved has been 'allocated other duties'.

The Council continues to avoid making a statement that the provision of publicly available toilet facilities, and there is nothing that requires the Council to take toilet provision in to account when making decisions about future development or plans for public spaces or infrastructure.

Desired Outcome - to confirm that a real saving has been made in closing the toilets on Arran, and to explain how that saving has been made.

To fully investigate the possible use of the Community Investment Fund to pay for reopening the 4 closed toilets.

To obtain agreement that the provision of public toilets is an essential part of community planning, and that the Council develops a strategy that ensures the provision of publicly available toilets is enshrined in the Councils approach to community planning.

The Head of Democratic Services summarised the procedure for considering the Call In request and set out the circumstances surround the Cabinet decision. He also referred to an updated briefing paper provided at Appendix 4 to the report.

Thereafter, the Members who had requested the Call In were invited to speak. Councillor Billings expressed the view that the Council's decision to close public toilets was ill-considered. He referred to a recent Council consultation that had been considered a success but had generated much less interest than that of the Arran Toilets petition. Councillor Billings considered that the Council should develop a strategy that ensures the provision of publicly available toilets and that a fund should be established for community groups to provide support for the costs of the maintenance, repairs and improvements for community run toilet facilities.

Councillor Billings acknowledged that further progress had been made in respect of the toilets at Lochranza, Blackwaterfoot and Lamlash and sought further information in relation to the savings that have been achieved by closing the toilets on Arran.

The Chair then invited Councillor Montgomerie, as the Place portfolio-holder to address the meeting. Councillor Montgomerie referred to Appendix 4 to the report. In response to Councillor Billings questions relating to savings, the Head of Service (Physical Environment) noted that the £55,000 savings had been removed from budgets on 1 April 2017, and related to the closure of all toilets in North Ayrshire. In relation to Arran, saving were:-

Weekend overtime - £9,000

Vehicle and fuel - £5,000

Cleaning costs - £5,000

Midweek cleaning staff moving to other duties, including verge cleaning (cost avoidance as verge maintenance was previously undertaken by an external contractor as part of a £30,000 contract, and has now been brought back in-house)

The Committee was also advised that a Community Asset Transfer is actively being progressed for the facilities at Blackwaterfoot. Connected Communities have worked with groups to provide assistance with governance and financial requirements. Groups have also been provided with a range of cleaning materials and supplies to provide a stock for the first few months of operation.

Councillor Billings advised that proposals in respect of the toilets at Lamlash will be presented to next meeting of Lamlash Improvements.

The Committee agreed not to support the Call In Request, on the basis that further progress had been made in transferring the responsibility for public toilets to community groups.

Councillors Montgomerie, Billings and Gallacher left the meeting at this point.

4. Internal Audit Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Internal Audit work completed between 1 May and 31 July 2017. Appendix 1 included the Executive Summary and Action Plan for each audit and provided information on the findings from 5 separate audit assignments.

Members asked questions and were provided with further information in relation to:-

- a more systematic approach that has been taken to progress actions in relation to email controls in Education and Youth Employment, that include a full training programme for 2017/18 for school staff;
- printing to a personal printer when working from home that is prohibited for staff and Elected Members;
- referrals that are investigated by the Corporate Fraud Team in relation to the misuse of Blue Badges;

Noted.

5. Internal Audit and Corporate Fraud Action Plans: Quarter 1 update

Submitted report by the Executive Director (Finance and Corporate Support) on the progress made by Council services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 30 June 2017. The report provided information on the actions outstanding at the end of March 2017 and Appendix 1 gave information of the 11 actions that were not completed within the agreed timescales.

Members asked questions and were provided with further information in relation to progress that has been made by Education and Youth Employment to ensure staff have signed the Corporate Acceptable Computer Use Policy, a range of measures that have been put in place to ensure compliance with the Digital Strategy, such as discussion of this item at the Head Teachers' meeting, inclusion of the signing of the policy as part of the starter process for all new staff, mandatory training for all staff, an email reminder to chase up those who have not signed the policy and the purchase of meta compliance software.

Noted.

6. Local Scrutiny Plan and National Scrutiny Plan 2017/18

Submitted report by the Executive Director (Finance and Corporate Support) on the Local Scrutiny Plan (LSP) for 2017/18 prepared by the Local Area Network of external scrutiny bodies and the National Scrutiny Plan, which brings together all LSPs and is prepared by the Strategic Scrutiny Group.

The Committee agreed to note the positive report.

7. Audit Scotland Housing Benefit Performance Audit annual update 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Audit Scotland's review of Housing Benefit Performance Audit annual update 2016/17, which was set out in full at Appendix 1 to the report. Audit Scotland identified three key risks relating to accuracy checking, business planning and performance reporting and interventions and these were set out in Appendix 2.

Members asked questions and were provided with further information in relation to:-

- preparations that have been undertaken for the roll out in North Ayrshire of Universal Credit in November 2017 that includes engagement with Council tenants and the provision of advice on money management such as Standing Orders and Direct Debits; and
- monthly meetings that take place with the Department for Work and Pensions and processes in place for managed payment to protect the payment of rent and sustain tenancies.

Noted.

8. End of year 2016/17 Progress Reports - Council Plan/Directorate Plans

Submitted report by the Chief Executive on the Council Plan 2015/20 and Directorate Plans 2015/18 as at 31 March 2017. Appendix 1 to the report provided a status summary for each of the 57 performance measures, with Appendix 2 detailing explanations for those measures adrift of target. Appendix 3 set out revised measures, as agreed by the Executive Leadership Team. Appendices 4 - 9 set out the Directorate Plans for Democratic Service, Finance and Corporate Support, Education and Youth Employment, Economy and Communities, Place, and Health and Social Care Partnership respectively.

Members asked questions and were provided with further information in relation to:-

- a clear marketing strategy and timeline that has been put in place to progress ebilling;
- a range of measures that are used to measure town centre footfall;
- data on tourism visitor numbers that is being analysed and will be available shortly.

Councillor Hill left the meeting at this point.

Democratic Services

- the positive impact of proactive press releases; and
- a number of meetings that will take place over the next few months with politicians and an announcement that is expected in the autumn in respect of the Ayrshire Growth Deal.

Finance and Corporate Support

- the mobile working pilot that will feed into the workplace rationalisation and savings that are anticipated when rolled out to all Directorates; and
- the responsibility of each Directorate to deliver services within budget.

Education and Youth Employment

- vacancies within schools that are managed appropriately and discussions with Ayrshire College to assist with the provision of Home Economic teaching in the short term as the result of a vacancy;
- an increase that has been achieved in National 5's;
- the Professional Learning Academy that targets training to teachers and practitioners in the most deprived areas and also provides 30 different twilight sessions for staff; and
- work with Ayrshire College to ensure high numbers of our young people are entering positive and sustained post-school destinations;

Councillor Sweeney left the meeting at this point.

Place

- reconfiguration of the Private Sector Housing Team to strengthen our approach to supporting tenants and landlords and to bring empty properties back in to use, working in partnership with Building Services and Registered Social Landlords and an event that will be held in October to develop the private sector strategy; and
- the Buy Back scheme that is on track to achieve the targets set.

North Ayrshire Health and Social Care Partnership

- staff absences in some teams within the HSCP that are above target, such as residential care, care at home and mental health that can be attributed to the higher age profiles of staff within these groups and the physical nature of these roles;
- monitoring of staff absences that is undertaken and reviewed at the Performance Review Panels;
- Care at Home capacity that is lost due to cancelled hospital discharges.

Noted.

9. 2016/17 Complaint Report

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's complaint performance and the volumes and trends of complaints received in the period 1 April 2016 - 31 March 2017 and comparative data from 2014/15 and 2015/16. Appendix 1 to the report provided statistical data and information on the range and volume of complaints at all stages of the complaints process.

Members asked questions and were provided with further information in relation to work that is done with services to monitor complaint trends.

Noted.

10. Maximising Attendance Performance – 5 Year Trend

Submitted report by the Executive Director (Finance and Corporate Support) which provided information on sickness absence trends for the period 2012/13 - 2016/17, an analysis of trends and highlighted the policies, procedures and proactive interventions to support the Council's workforce. A range of statistical information was provided, including 9.79 average days lost per employee, set against the target of 7.57 average days.

Members asked questions and were provided with further information in relation to a range of health and wellbeing initiatives in place to prevent sickness absences, such as Livewell and Workwell groups

Noted.

12. Exclusion of the Public

The Committee resolved 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 indicated in terms of Paragraph 1 of Part 1 of Schedule 7A of the Act.

12.1 Corporate Fraud Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Corporate Fraud investigations completed between 1 May and 31 July 2017.

Noted.

The meeting ended at 12.40 p.m.