

Scrutiny and Petitions Committee  
24 August 2016

**IRVINE, 24 August 2016** - At a Meeting of the Scrutiny and Petitions Committee of North Ayrshire Council at 2.00 p.m.

**Present**

John Hunter, Alex Gallagher, Robert Barr, Grace McLean, Catherine McMillan.

**Also Present**

Donald Reid (as signatory to the Call In request) and Alan Hill (as Cabinet Member).

**In Attendance**

E. Murray, Chief Executive; L. Friel, Executive Director and D. Miller, Complaint and Feedback Manager (Finance and Corporate Support); A. Sutton, Head of Service (Connected Communities); S. Brown, Head of Service (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 Service).

**Chair**

Councillor Hunter in the Chair.

**Apologies for Absence**

Matthew Brown and Alan Munro.

**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 accuracy of the Minutes of (i) the ordinary meeting of the Committee held on 18 May 2016; and (ii) the special meeting held on 7 June 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Call In: Future Delivery of a Range of Connected Communities Services**

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 21 June 2016 in respect of the report on the Future Delivery of a Range of Connected Communities Services. A copy of the Cabinet report was provided at Appendix 1 to the report.

At its meeting on 21 June 2016, the Cabinet received a report by the Executive Director (Economy and Communities) on the alternative options for the delivery and management of a range of Connected Communities services, which were outlined in Appendix 1 to the report and included the recommendation of progression of Option 1 - creating a new arms-length organisation to deliver cultural services and lease the relevant properties and Option 2 - commissioning the delivery and management of the services from and leasing properties to KA Leisure, to a detailed business analysis. The Cabinet agreed (a) that the options relating to a non-profit distributing body, being a charity or company limited by guarantee should be progressed to a detailed business analysis; (b) to remit to officers to enter into discussions with the Board and management of KA Leisure as part of the process of developing the detailed business cases; and (c) that a further report on the analysis of the agreed options and recommendations for the future delivery of the services in scope be presented to a future Cabinet meeting.

Subsequently, a Call In request was received from Councillors Bell, Cullinane and Reid in the following terms:-

"Reason for Call in - that the due democratic process has not been followed allowing all members to understand the proposal and discuss it. An all member seminar was arranged and substantial notice was given but it was cancelled at less than a working days notice. Members were advised that it would be reconvened but to date this has not occurred. Members have not been provided or consulted on any of the specifics regarding this proposal or briefed on the services to be transferred either at an all member meeting or at an Advisory Panel.

Desired Outcome - To seek an all members briefing/meeting to appraise, inform members of the options available and detail all potential services that are being considered for transfer. Members should be consulted on the options at this meeting. All future decisions relating to the transfer of Connected Communities to a trust or other body following the options appraisal will require to be approved by full council."

The Head of Democratic Services summarised the procedure for considering the Call In request and set out the circumstances surrounding the Cabinet decision. He advised that a Members' Briefing in relation to the Future Delivery of a Range of Connected Communities Services had taken place on 16 August 2016.

The Chair then invited the Members who had requested the Call In to speak.

Councillor Reid addressed the Committee in support of the Call In request. He acknowledged that a Members' Briefing had taken place but that this briefing had been high level and had not provided detailed information on the options available and potential services that are being considered for transfer. Further dialogue is required with Members and organisations such as NAFCO.

The Chair then invited Councillor Hill to address the meeting on behalf of Councillor Burns as the relevant Cabinet Member. Councillor Hill made reference to the recent Members' Briefing that had taken place and engagement with a range of organisations, Trade Unions and employees. He advised that the work is currently at a high level and discussions will take place with Members and all relevant organisations when it progresses to a more detailed stage.

Members sought and received clarification that there was no conflict of interest arising from NAFCO lobbying Members at this high level stage.

Councillor Gallagher, seconded by Councillor Hunter, moved that the Committee accept the terms of the call in.

As an amendment, Councillor McLean, seconded by Councillor Barr, moved to reject the terms of the call in.

On a division, there voted for the amendment 3 and for the motion 2 and the amendment was declared carried.

Accordingly, the Committee agreed to reject the terms of the call in request.

#### **4. End of year 15/16 Council Plan Progress Report**

Submitted report by the Chief Executive on the progress made in implementing the Council Plan 2015/20 under the five strategic priorities from 1 April 2015 to 31 March 2016 for each of the 58 measures, as detailed at Appendix 1 to the report. A summary sheet of red and amber performance indicators was circulated.

Members asked questions, and received further information, on the following:-

- an overlap in some categories, such as the employment rate for 16 - 24 year olds and the percentage of working age population in employment;
- more work that is required to ensure Services' complete the scorecards in order that information on each value can be provided;
- future improvements that will be made to the presentation of information on performance measures;
- a range of initiatives that have been put in place to address sickness absence;
- processes in place to deliver the capital programme and work towards achieving the agreed targets of 100%;
- future Finance reports to Cabinet that will focus on how the Capital Programme is being delivered; and
- a report to the Physical Environment Panel in September on cemeteries and cemetery walls.

The Committee agreed to note (a) the progress made in implementing the Council Plan 2015/20; and (b) that progress on the Council Plan indicators will be incorporated into the Public Performance Reporting report to Cabinet on 27 September 2016 and Scrutiny and Petitions Committee on 19 October 2016.

## **5. Directorate Plan 2015/18 Performance Reports as at 31 March 2016**

Submitted report by the Chief Executive providing an update on the performance of all Directorates as at 31 March 2016. Appendices 1-5 set out the Performance Reports for Democratic Services, Finance and Corporate Support, Education and Youth Employment, Economy and Communities and Place respectively. Appendix 6 detailed the Performance report for the Health and Social Care Partnership.

Members asked questions, and received further information, on the following:-

### Democratic Services

- an overspend in Civil Contingencies that occurred as a result of a unbudgeted contribution to South Ayrshire Council and a delay in the deletion of one post;
- the management of staff turnover as a result of the closure of the Municipal Bank.

### Finance and Corporate Support

- information that will be provided in September/October 2016 in respect of the cost of Council Tax;
- the implementation of the new Flexi Time Scheme as part of the worklife balance initiative;
- the collection of Council Tax that is marginally below the target but that all recovery action has been run on time;
- an improvement in staff engagement as a result of the implementation of an action plan centred on communication, management of change, visibility of the ECMT and opportunities for staff to contribute views before changes were made.

### Education and Youth Employment

- a new Quality Improvement Framework that is now being used in all schools; and
- the inclusion of a glossary of terms in future reports

### Place

- work on the Social Housing Solar Panel Retrofit that has paused until the outcome of the UK Government's consultation on changes to the Feed-In Tariff subsidy.

### Health and Social Care Partnership

- the reduction in waiting times for care packages as a result of additional funding and increased capacity;
- a range of work being done in early intervention and prevention that has contributed to the reduction in the number of children being looked after and accommodated; and
- the increased costs for Kinship Care as a result of increased allowances to kinship carers to comply with new legislative requirements.

The Committee agreed to note the performance of all Directorates as at 31 March

2016 against the priorities in the 2015/18 Directorate Plans.

## **6 Performance Management Update**

Submitted report by the Chief Executive providing an update on Performance Management arrangements within the Council and detailing proposed amendments to the purpose and remit of the Performance Management Forum (PMF). Detailed progress on the PMF work plan 2015/16 was attached at Appendix 1 to the report. Appendix 2 contained an updated Performance Management Forum workplan for 2016/17.

The Committee agreed to note (a) the changes to the Performance Management Forum (b) the progress on the Performance Management Forum (PMF) work plan 2015/16 and Recognised for Excellence; and (c) the work plan for 2016/17.

## **7. Complaint Report**

Submitted report by the Executive Director (Finance and Corporate Support) on the volumes and trends of complaints from 1 April 2015 to 31 March 2016 and the improvement actions undertaken by Services. Appendix 1 to the report provided full details in relation to each indicator.

Members asked questions, and received further information, on the following:-

- the few justified occasions when timescales were extended with the agreement of the Head of Service and the customer;
- data that is shared with Services via Covalent and discussed at the Complaints Forum; and
- the Lagan system that allows complaints data to be categorised appropriately.

The Committee agreed to note the report and the improvements actions undertaken.

The Meeting ended at 3.55 p.m.