



NORTH AYRSHIRE
COUNCIL

Cunninghame House,
Irvine.

1 November 2012

Cabinet

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **TUESDAY 6 NOVEMBER 2012** at **2.30 p.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 Minutes of the previous meeting of the Cabinet held on 23 October 2012 will be signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

EDUCATION BUSINESS FOR DECISION

3. Scotland's Schools for the Future: Phase 3 Investment (Page 15)

Submit report by the Corporate Director (Education & Skills) on the outcome of a funding application to the Scottish Government to invest in North Ayrshire schools (copy enclosed).

4. School Transport to St Matthew's Academy (Page 25)

Submit report by the Corporate Director (Education & Skills) on changes to the current school transport policy in relation to pupils transferring to St Matthew's Academy from P7, from a non-denominational primary serving the communities of North Ayrshire (copy enclosed).

GENERAL BUSINESS FOR DECISION

5. North Ayrshire Children's Panel Advisory Committee: Appointment (Page 29)

Submit report by the Chief Executive on the proposed appointments to the North Ayrshire Children's Panel Advisory Committee (copy enclosed).

6. The Barony Centre, West Kilbride (Page 33)

Submit report by the Solicitor to the Council on legal issues on the Lease to West Kilbride Community Initiative Limited and to seek approval for an extension to the Lease (copy enclosed).

7. Better Regulation: A Consultation Response (Page 39)

Submit report by the Solicitor to the Council on the consultation paper issued by the Scottish Government on the proposal for a Better Regulation Bill (copy enclosed).

8. Kinship Care Scheme (Page 53)

Submit report by the Corporate Director (Social Services & Health) on the current kinship care arrangements and the changes required to develop and improve the scheme (copy enclosed).

9. Financial Advice Services in North Ayrshire (Page 59)

Submit report by the Corporate Director (Social Services & Health) on the outcome of the mapping of financial advice services in North Ayrshire and to seek approval for the future focus of delivery of these services (copy enclosed).

10. Empty Homes: Bid for 'North Ayrshire Empty Homes Recyclable Loan Fund' (Page 73)

Submit report by Corporate Director (Social Services & Health) on a Scottish Government initiative which offers funding for the purpose of bringing empty properties back into use (copy enclosed).

11. Future Delivery of Building Services (Page 79)

Submit report by Corporate Director (Finance & Infrastructure) on the outcomes of the exercise to identify the most suitable arm's length model for the future delivery of Building Services.(copy enclosed).

CONTRACT APPROVAL

12 . Sophos Anti-Virus Contract - Renewal of Support and Maintenance (Page 97)

Submit report by Solicitor to the Council on the renewal of the Sophos Anti-Virus support and maintenance contract for Education devices (copy enclosed).

13. Contract for Family Support Service (Page 101)

Submit report by Corporate Director (Social Services & Health) of the procurement exercise undertaken for the provision of a Family Support Service and to seek approval for the award of a contract (copy enclosed).

MINUTES FOR INFORMATION

14. Minutes of Corporate Health and Safety Group and 1st Tier JCC (Page 105)

Submit report by Chief Executive on the Minutes of the meetings of the Corporate Health and Safety Group and 1st Tier JCC (copy enclosed).

15. Education Attainment and Achievement Policy Board: Minutes of Meeting held on 17 September 2012 (Page 119)

Submit report by the Corporate Director (Education & Skills) on the Minutes of the Meeting of the Education Attainment and Achievement Policy Board held on 17 September 2012 (copy enclosed).

16. Health and Social Care Policy Board (Page 127)

Submit report by the Corporate Director (Social Services & Health) on the Minutes of the Meeting of the Health and Social Care Policy Board held on 8 October 2012 (copy enclosed).

17. Urgent Items

Any other items which the Chair considers to be urgent.

Cabinet

Sederunt:

Elected Members

Willie Gibson (Chair)
Alan Hill (Vice-Chair)
Marie Burns
Anthea Dickson
John Ferguson
Tony Gurney
Alex McLean

Chair:

Attending:

Apologies:

Meeting Ended:

Cabinet
23 October 2012

IRVINE, 23 October 2012 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, Marie Burns, Anthea Dickson, John Ferguson, Tony Gurney, Alan Hill and Alex McLean.

Also Present

John Easdale.

In Attendance

E. Murray, Chief Executive; I. Mackay, Solicitor to the Council; L. Friel, Corporate Director, S. Humphries, Chief Revenues and Benefits Officer, D. Tate, Senior Manager (Housing Assets and Investment) and T. Reaney, Procurement Manager (Finance and Infrastructure); I. Colvin, Corporate Director and O. Clayton, Head of Service (Community Care and Housing) (Social Services and Health); G. Macgregor, Head of Human Resources and Organisational Development; D. Moroney, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair (Agenda Items 1-6 and 8-17) and Councillor Hill in the Chair (Agenda Item 7).

1. Declarations of Interest

In terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors, Councillor Gibson, as a Director of Irvine Bay Regeneration Company, declared an interest in Agenda Item 7 (Irvine Bay Regeneration Company - SPRUCE Funding), vacated the Chair for that item of business and took no part in its determination. Councillor Hill assumed the Chair for that item.

2. Minutes

The Minutes of the previous meeting of the Cabinet held on 2 October 2012, were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Welfare Reform Action Plan

Submitted report by the Corporate Director (Finance and Infrastructure) on the progress made against the Welfare Reform Action Plan. The Committee also received a presentation by the Chief Revenues and Benefits Officer which provided further information on the details of the reform, its impact on North Ayrshire and proposed actions in terms of mitigation.

The Council's Welfare Reform Working Group has developed an action plan to respond to each of the welfare reforms contained in the Welfare Reform Act 2012. Progress against the actions was summarised at Appendix 1 to the report and the report itself provided further detail on the current position in respect of the following:-

- the implications of the reduction in housing benefit due to under-occupation and expected increase in rent arrears;
- the Social Welfare Fund provision for crisis payments and community care grants;
- a modelling exercise to gauge the impact of the benefit cap of £26k;
- funding issues for local authorities in relation to the localised benefit scheme;
- draft Universal Credit Regulations;
- the replacement of Disability Living Allowance with a Personal Independence Payment;
- identified welfare reform training requirements for the Council;
- the introduction of the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012; and
- the response to the Scottish Government's consultation on passported benefit.

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

- the importance of keeping Members briefed on the implications of welfare reform;
- the anticipated number of direct payments to tenants in the light of figures from the Edinburgh pilot;
- the method used to calculate the Council's share of the Scottish Welfare Fund; and
- current delays in terms of Blue Badge assessments.

The Cabinet agreed to note (a) the terms of the report and presentation; (b) that the Corporate Director (Finance and Infrastructure) would arrange further briefing(s) for Members, as appropriate, on the implications of welfare reform for the residents of North Ayrshire and the Council.

4. Discretionary Housing Payment Policy

Submitted report by the Corporate Director (Social Services and Health) seeking approval of the Discretionary Housing Payment Policy.

The Council's Discretionary Housing Payment scheme (DHP) is administered by the Benefits Service. A DHP is paid in addition to a claimant's Housing Benefit and Council Tax Benefit entitlement. It aims to prevent hardship and protect families and vulnerable people by sustaining tenancies and preventing homelessness.

The Welfare Reform Act 2012 introduces a range of reforms including a benefit cap, a reduction in housing benefit for under-occupation in social housing and Universal Credit, which will impact on the Discretionary Housing Payment scheme. A Discretionary Housing Payment Policy has been produced in response to the Welfare Reform Act 2012 and was set out at Appendix 1 to the report.

The Cabinet agreed to approve the Discretionary Housing Payment Policy as set out

at Appendix 1 to the report.

5. Procurement Reform Bill - Consultation

Submitted report by the Corporate Director (Finance and Infrastructure) on the Council's response to the Scottish Government consultation on the Procurement Reform Bill.

The Procurement Reform Bill, which was issued by the Scottish Government for consultation on 10 August 2012, proposes new laws designed to improve the way in which the public sector buys goods, works and services. The Scottish Government is also using the consultation on the Bill as an opportunity to consult on matters concerning the living wage and its relationship with public sector procurement. A summary of the consultation document was provided at Appendix 1 to the report. Appendix 2 set out the Council's proposed response.

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

- question 5 of the consultation document and the potential requirement for public bodies to provide de-brief information to certain categories of supplier;
- the proposed response to question 25 in respect of advertising contracts;
- questions 17 and 20 of the consultation document and the issue of redacting information;
- question 31(b) and the definition of "community"; and
- the practical implications of consulting communities on desired Community Benefits.

The Cabinet agreed to approve the consultation response set out at Appendix 2 to the report.

6. Extension of the Modern Apprentices Scheme

Submitted report by the Chief Executive on a review of the Modern Apprenticeship Scheme and seeking approval for additional funding to expand the Scheme within the Council.

The Council increased the number of Modern Apprentices employed within the Council from 35 up to 90 during 2011/12. The report set out proposals to increase further the current programme to a revised target of 180 Modern Apprenticeships, which, when the separate scheme for 25 Craft Apprentices is taken into account, would increase to over 200 the total number supported by the Council. The type and number of additional Modern Apprenticeships already identified within services and externally was attached at Appendix 1.

In addition to apprentices employed directly by North Ayrshire Council, the Economic Development Service also invests in a separate Modern Apprenticeship programme for external businesses, by providing a wage subsidy. This programme has already recruited over 50 apprentices and is anticipated to expand to over 200 in the next two years.

The cost of increasing the targeted number of Modern Apprentices is £612,596, which would be offset by funding of £216,150 from Skills Development Scotland resulting in an estimated net cost of £396,446 per annum. The programme would be resourced from the Economic Development Service budget for employability projects.

Members asked questions, and received clarification, on measures to minimise any additional administrative costs associated with an increase in the number of apprentices.

The Cabinet agreed to approve the required funding set out at Section 4 of the report to extend the Modern Apprenticeship Scheme.

7. Irvine Bay Regeneration Company - SPRUCE Funding

Submitted report by the Corporate Director (Finance and Infrastructure) seeking approval for the Council to act as guarantor for Irvine Bay Regeneration Company (IBRC) in respect of proposed SPRUCE (Scottish Partnership for Regeneration in Urban Centres) loan funding.

Appendix 1 to the report provided a summary of IBRC projects supported by funding from the Council. The company's current business plan includes developments at Ardrossan Quayside, Annickbank (Irvine Enterprise Area) and Oldhall (Irvine Enterprise Area) and Sections 2.3-2.16 provided further information on each of these projects. IBRC intends to apply for SPRUCE funding for a proportion of the total costs of the projects. The total value of funding being sought by IBRC is £2.000m, namely 40% of the total investment. Funds will be repaid over a maximum of 12 years at an interest rate of between 4-5%. A condition of accessing the funds is that the Council acts as guarantor in the event of IBRC defaulting on the loan.

An extract of IBRC's business for 2012/15, showing committed and SPRUCE funding projects, was attached at Appendix 2 to the report. In addition to the income and expenditure shown in the extract, IBRC will receive income from the rental of the new developments and will also require to service the SPRUCE loan. The table at Section 2.21 of the report provided headline information on each of the new developments and confirmed annual loan repayments of £0.220m against 100% occupant rents of £0.490m. Servicing of the loan would require an average let of 45%.

Members asked questions, and received clarification, on the risk for the Council associated with the proposal.

The Cabinet agreed to approve the Council acting as guarantor for Irvine Bay Regeneration Company in respect of proposed SPRUCE loan funding for the three development opportunities outlined in the report.

8. Data Protection Policy - Policy Approval

Submitted report by the Solicitor to the Council seeking approval for the Data Protection Policy.

The Council is already committed to a policy of protecting the rights and privacy of individuals (including customers, staff and others) in accordance with the Data Protection Act 1998. The Public Records (Scotland) Act 2011 requires public authorities to review their practice in managing information and to produce a Records Management Plan for approval by the Keeper of the Records of Scotland. An element of the Records Management Plan requires organisations to have in place an approved Data Protection Policy. A proposed Data Protection Policy was set out at Appendix 1 to the report.

Members asked questions, and received clarification, on the purpose of the proposed policy in terms of consolidating current practice within the Council.

The Cabinet agreed to (a) approve the Data Protection Policy; and (b) receive further reports on progress with implementation of the Policy.

9. Scheme of Assistance

Submitted report by the Corporate Director (Social Services and Health) seeking approval for a revised Scheme of Assistance.

The Housing (Scotland) Act 2006 details local authority powers in relation to repair and improvement of private housing, and adaptations for people with a disability. This is known as the 'Scheme of Assistance'. The Scheme of Assistance details three types of assistance, namely advice and information, practical assistance and financial assistance.

The Council has operated its current Interim Scheme of Assistance since January 2011. In accordance with the agreed Local Housing Strategy Action Plan, and feedback received from the Interim Scheme of Assistance, a revised 'full' Scheme of Assistance has now been developed and was set out at Appendix 1 to the report.

The Cabinet agreed to approve the Scheme of Assistance set out at Appendix 1 to the report.

10. Consultation on The Same As You? 2000-2012

Submitted report by the Corporate Director (Social Services and Health) on the Council's response to the consultation on 'The Same as You? 2000-12'.

The Same As You was launched by the Scottish Executive in May 2000 and reviewed the services then available to people with learning disabilities and people on the autistic spectrum. The Same As You covered all aspects of people's lives, including accommodation options, caring support services, access to educational and vocational opportunities, employment, access to leisure and recreational activities, health, advice and transport. It contained 29 recommendations intended to drive a change programme to improve services.

In 2010, the Scottish Government set up an evaluation team to review the evidence on progress that had been made since publication of the Same As You and to

identify the challenges that remain. The purpose of the current consultation report is to summarise the evidence which the evaluation team gathered about the progress on the Same As You? and the main findings of the report were set out at Section 2.3. The proposed response to the consultation was provided at Appendix 1 to the report.

Members asked questions, and received clarification, on the need to improve the service provided to those with learning disabilities in GP surgeries.

The Cabinet agreed to approve the proposed response to the consultation set out at Appendix 1 to the report.

11. Kilwinning: Redstone Avenue: Council House Development Project

Submitted report by the Corporate Director (Social Services and Health) on tenders for the Council House development project at Redstone Avenue, Kilwinning and on a proposed increase in the number of units to be delivered.

The Housing Revenue Account Business Plan has committed North Ayrshire Council to a new build program of 50 new homes per annum over the next 10 year period, based on existing Scottish Government subsidy levels. On 24 May 2011, the former Executive of North Ayrshire Council approved the submission of a bid to the Scottish Government, seeking £29,000 per unit of subsidy to part fund a new 44 unit development project at Redstone Avenue, Kilwinning.

Originally, the forecast number of units at the site (ie. 44 units) had been identified as part of a density calculation carried out to inform the subsidy bid. A cautious density estimate had been supposed, as the site required extensive grouting works to infill mine shafts under the land. On completion of the grouting work the design team has developed a new layout which offers the opportunity to increase the number of new houses by 2, to a new total of 46 units, as shown at Appendix 1 to the report. The overall construction costs would also increase by an estimated £220,000 for the two additional units and an additional £14,000 in Design Team fees was also indicatively identified. The additional cost would be met from the Housing Revenue Account budget which includes an earmarked fund for Council house building.

The Cabinet agreed (a) that the number of homes delivered by this project can be increased from 44 to 46 units; and (b) to authorise the commencement of the procurement process for the project contractor.

12. 2012/13 Housing Revenue Account (HRA) Major Capital and Investment Programme

Submitted report by the Corporate Director (Finance and Infrastructure) on progress being made in relation to the HRA major works programme.

All social landlords are required to attain the Scottish Housing Quality Standard (SHQS) by April 2015. The Housing Revenue Account (HRA) Business Plan, approved by the then Executive on 18 January 2011, reflects the investment requirements of the housing stock and makes provision for significant investment and improvements to be made to the stock, to both meet and exceed the SHQS.

Excluding new house building activity, mortgage to rent acquisitions and open market purchases, the HRA capital budget for 2012/13 is £22,576,596. The HRA revenue budget for major works for 2012/13 is £13,838,153.

A Business Plan Implementation Group was formed in May 2010, to oversee the development and implementation of the Business Plan. The working group consisted of Elected Members, tenant representatives and council officers.

Appendix 1 to the report provided a summary of progress to 31 August 2012, outlining all major projects being funded through the HRA this financial year.

Noted.

13. Framework Agreements for the Provision of Taxi Services

Submitted report by the Corporate Director (Finance and Infrastructure) on the outcome of the procurement exercise to put in place Framework Agreements for the Provision of Taxi Services.

The introduction of Framework Agreements would enable Education Services to use mini competitions to put in place new Additional Support Needs contracts, create a more consistent approach to how taxi services are procured and provide potential savings through ensuring corporate taxi journeys are arranged on the basis of best value rather than availability.

Full details of the tender process and recommendation are provided in the Tender Outcome Report set out at Appendix 1. Tenderers were given the option of applying for taxi services for Additional Support Needs (ASN), Corporate, and ASN and Corporate. A total of 45 submissions were received.

Members noted a typographical error in the appendix to the report, which referred to "printing" rather than "taxi" services.

The Cabinet agreed to the award of Framework Agreements for the Lots and to the taxi providers noted in the Tender Outcome Report set out at Appendix 1 to the report.

14. Insulated Rendering Works proposed for 60 Houses in Kilbirnie

Submitted report by the Corporate Director (Finance and Infrastructure) on tenders received in respect of insulated render works to 60 houses in Kilbirnie.

The Housing Revenue Account (HRA) capital budget for the financial year 2012/13, as approved by the former Executive on 1 February 2012, makes provision for £580,000 for the proposed insulated rendering works to 60 houses within the Council's housing stock in Kilbirnie.

The Tender Outcome Report set out at Appendix 1 provided a summary of the procurement process and made a recommendation for the appointment of the successful contractor.

The Cabinet agreed to approve the acceptance of the Tender submitted by CCG (Scotland) Limited, for the sum of £503,701.99, as detailed in the Tender Outcome Report set out at Appendix 1 to the report.

15 Community Empowerment Policy Board

Submitted report by the Corporate Director (Education and Skills) on the Minutes of the Meeting of the Community Empowerment Policy Board held on 17 September 2012

Noted.

16. Economy and Employment Policy Board

Submitted report by the Chief Executive on the Minutes of the Meetings of the Economy and Employment Policy Board held on 3 September and 1 October 2012.

Noted.

The meeting ended at 3.45 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

6 November 2012

Cabinet

Subject: **Scotland's Schools for the Future: Phase 3 Investment**

Purpose: To make recommendations to Cabinet on the outcome of a funding application to the Scottish Government to invest in North Ayrshire schools.

Recommendation: That the Cabinet agrees (a) to note and accept the indicative offer received from the Scottish Government contained in the report; (b) to consider the project options set out in the report and approve Option 1 as the agreed approach; (c) to receive statutory public consultation documents at a future Cabinet meeting including a recommendation on a suitable location for the proposed campus; (d) that officers hold a workshop with local Members to consider a suitable location; and (e) to receive updates on the progress of the proposals at future Cabinet meetings.

1. Introduction

- 1.1 In February 2012, the Council was advised that the Scottish Government had launched Phase 3 of a programme of investment in Scottish schools. The vehicle for the delivery of this investment is the Scottish Futures Trust (SFT), which will manage the funding. Councils across Scotland were invited to submit applications.
- 1.2 In 19 June 2012, the Cabinet approved a funding application to the Scottish Government. This application was submitted on 21 July 2012. The investment proposal is to replace Ardrossan and Auchenhavie Academy and James McFarlane and Haysholm special schools.
- 1.3 The investment proposal focused on the secondary school estate and special school provision. The Scottish Government are keen to establish Council's short to medium term school investment requirements highlighting our priority unfunded primary, secondary and/ or special school projects.

2. Current Position

- 2.1 The Scottish Government announced on 25 September 2012, that North Ayrshire Council is to receive revenue support for the replacement of Auchenharvie and Ardrossan Academy of £22.445m.
- 2.2 The funding support is based on a like for like approach and any additionality will require to be fully funded by the Council. The funding support is equivalent to 2/3rds of the capital cost of the secondary school only. The letter of support from the Scottish Government can be found in Appendix 1.
- 2.3 Within the framework of the funding support from the Scottish Government table 1 sets out options available to the Council.

Table 1

Proposal	Indicative Project Capital Cost £M	SG Revenue Support £M	NAC Capital Share £M	Net Revenue Saving £M
<u>Option 1</u> Campus incorporating James McFarlane school, Haysholm school, Auchenharvie Academy and Ardrossan Academy.	42.5	22.445 2/3 Revenue support for secondary school only	20.055	0.261*
<u>Option 2</u> Replace Auchenharvie and Ardrossan Academy	33.5	22.445 2/3 Revenue support for secondary only	11.055	0.508*

***saving is net of anticipated additional loan charges.**

- 2.4 Table 1 describes two options using the same level of Scottish Government funding support of £22.445m. This support will leave a funding gap for the full campus of £20.055m and £11.055m for the secondary only approach. The table also sets out the potential revenue saving net of additional loan charges. Funding for the approved proposal will require to be considered as part of the 2013/14 budget round.
- 2.5 While the provision of a new secondary school to replace Ardrossan and Auchenhavie Academies is a major opportunity there are significant wider benefits when considering the incorporation of James McFarlane and Haysholm Schools within the campus. A full campus approach can address the predicted future educational, health and social needs of children with complex needs currently attending James McFarlane and Haysholm Schools.
- 2.6 This approach provides an opportunity to further develop joint approaches with partner agencies such as health, Social Services and local and national voluntary organisations in order to address the holistic needs of children with complex needs and their families.

Site Identification

- 2.7 A number of possible sites exist in the Three Towns area. Officers are currently considering these locations.
- 2.8 The site selection process for the new campus should fully involve local Members of Wards 4, 5 and 6 who represent the communities within the catchment areas of the two secondary schools. This should take the form of a site evaluation workshop. This will be an opportunity for local Members to agree a set of criteria and consider the available sites against this criteria.
- 2.9 Possible criteria which could be considered are:
- size of site 4-6ha;
 - is it within secondary catchment areas?;
 - is it within Council ownership?;
 - will it link with public transport?;
 - will it have safe/ secure walking routes?;
 - is it environmentally friendly?; and
 - does it have broad planning support?

- 2.10 Should these proposals be agreed it is proposed to present a preferred site recommendation to Members at a future Cabinet prior to a statutory public consultation.

Land and Building Ownership Implications

- 2.11 School buildings delivered through hub using a Design Build Finance and Maintain (DBFM) revenue approach are owned by the public sector but are built, financed and maintained by hubco. This frees up the public sector to concentrate on service delivery. In most cases, it is anticipated that the land will be provided by the Council (Participant) and licensed to hubco for the purposes of performing its obligations and this is the basis on which the standard DBFM contract has been drafted. In these cases, the land and buildings will be owned throughout the life of the project by the Council (Participant) and remain with the Council (Participant) at the end of the project.

3. Proposals

- 3.1 It is proposed that a single, fully inclusive campus approach be developed to replace the existing James McFarlane and Haysholm Schools and Ardrossan and Auchenhavie Academies. It is also proposed that the campus will be located in the Three Towns area on a site still to be agreed. The benefits of the full campus approach will be to:
- bring together four established strong communities in the Three Towns and West Kilbride;
 - establish a high quality building for secondary school children and young people, including a specialist provision for those with severe and complex needs;
 - establish a high quality education and care provision for our children and young people of the four affected schools;
 - meet the future capacity demands of all pupils attending the new campus;
 - provide a building which delivers multiple benefits in operational and performance quality;
 - a building which meets and exceeds accessibility requirements;
 - a building that is deliverable and provides a 'community' hub for the neighbourhood and wider North Ayrshire.

- 3.2 In summary, the Cabinet is invited to (a) note and accept the indicative offer received from the Scottish Government contained in the report; (b) consider the project options set out in the report and approve Option 1 as the agreed approach; (c) agree to receive statutory public consultation documents at a future Cabinet meeting including a recommendation on a suitable location for the proposed campus; (d) agree to hold a workshop with local Members to consider a suitable location; and (e) agree to receive updates on the progress of the proposals at future Cabinet meetings.

4. Implications

Financial Implications

- 4.1 The cost of building the new campus and maintaining it over the period of its use by the Council will be delivered through a revenue approach and as such will require the payment of a monthly unitary charge over a period of 25 years. The current notional construction cost of the full campus is £42.5m with £33.5m for the secondary school and £9m for the special school. Funding for any approved proposal will require to be considered as part of the 2013/14 budget round.

Human Resource Implications

- 4.2 If implemented there will be staffing implications arising directly from this report. These will be dealt with through the established staffing protocols.

Legal Implications

- 4.3 If implemented there will be legal implications arising directly from this report. There will be a requirement for a statutory Public Consultation and procurement development via South West hub territory.

Equality Implications

- 4.4 The proposals will meet or exceed the Equalities Act 2010 and also meet or exceed the requirements of the Disability Discrimination Act. With the campus approach it will substantially benefit both school communities through integrated services and shared resources.

Environmental Implications

- 4.5 The proposed construction of a new secondary and special school is an opportunity to make a positive impact to the environment. It provides an opportunity to minimise any adverse environmental impact as a whole. It would be the Council's intention to follow the BRE (Building Research Establishment Ltd) Environment Assessment Method (BREEAM). This is a voluntary scheme that aims to quantify and reduce the environmental impact of new buildings by rewarding those designs that take positive steps to minimise the environmental impact.
- 4.6 The proposals contribute toward the Climate Change Act within the Council's 'Clean and Green' context, we will make improvements in relation to:-
- Transport links and services.
 - The condition of roads, footways, path networks and lighting.
 - The protection and enhancement of our environment.
 - Recycling of waste and rates of waste going to landfill.
 - Our public sector carbon footprint.

Implications for Key Priorities

- 4.7 The proposals 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"

5. Consultations

Statutory Consultation

- 5.1 Where the Council brings forward proposals to merge, amalgamate or close schools there is a necessity to carry out a period of public consultation within the statutory framework defined by Scottish Government.

Local Consultation

- 5.2 The key sponsor is the Council and the Corporate Director of Education and Skills. The four school headteachers affected by the proposals have been consulted and staff and parents who could be affected have been advised of the proposal. Officers have met with all Parent Councils affected and it is planned to have further meetings with Parent Councils and staff to discuss the proposals before a Cabinet decision in December on the Statutory Public Consultation proposals.
- 5.3 Other services such as Finance, Infrastructure and Design Services, Development Planning, Social Services and Health have been consulted on the initial development of the proposals. In addition, initial discussions have been held with Ayrshire and Arran NHS. Further consultation with these groups will take place as the project progresses.

6. Conclusion

- 6.1 The Council has a strong track record of investing in our school estate to make our schools more effective and efficient. This proposal would allow us to tackle under-occupancy within the two secondary schools involved and free up valuable resources which could be much better targeted at improving the school estate and educational attainment and achievement. It would also address the growing demand pressures on Haysholm and James McFarlane facilities which were not designed to meet current and future service needs and requirements.
- 6.2 This is an opportunity to significantly improve our wider school estate and through partnership and collaboration with our community planning partners, identify and deliver more innovative ways to meet the needs of all children.

- 6.3 The ambitious proposals provide the opportunity to develop a high quality learning and care environment that delivers integrated services to meet the education, health and social care needs of children and young people under one roof.



CAROL KIRK
Corporate Director (Education and Skills)

Reference : MA/SS/JN

For further information please contact Mark Armstrong, Head of Service on telephone number 01294 324413.

Background Papers

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Buidheann-Stiùiridh an Ionnsachaidh
Learning Directorate

F/T: 0131-244 -1572
E: jonathan.c.moore@scotland.gsi.gov.uk

Appendix I



Ms C Kirk
Corporate Director (Education & skills)
North Ayrshire Council
Cunninghame House
Irvine
KA12 8EE

Ar faidhle/Our ref: POL/17289

5 October 2012

Dear Ms Kirk

SCOTLAND'S SCHOOLS FOR THE FUTURE – PHASE III

Following last week's announcement by the Cabinet Secretary for Education and Lifelong Learning on Phase 3 of Scotland's Schools for the Future Programme you will no doubt be aware that Scottish Government will support delivery of the replacement of Ardrossan and Auchenharvie Academies. This support is subject to a positive outcome to any statutory consultations that may be required for the project.

It is proposed that your project will be revenue funded. The Cabinet Secretary is very keen to maintain momentum across the programme and we would expect your authority to take the project forward with Scottish Futures Trust as soon as practical. A number of authorities have been identified as having the potential to commence construction within the next 12 – 18 months and we hope that most other revenue funded projects will follow shortly thereafter.

I am aware that you are due to meet colleagues from Scottish Futures Trust week commencing 15 October to discuss your project in more detail. As you begin to formulate plans to take your project forward, I would be grateful if you could provide me with an indicative timeframe of the key delivery milestones to construction start, so that we can keep the Cabinet Secretary informed. Whilst we recognise the need to accelerate implementation through use of key milestones, we are mindful of the need for authorities to undertake, where appropriate, statutory consultations and to obtain best value. As Mr Russell indicated in his announcement about Phase 3, this is a welcome boost to Scotland's economic recovery and he is looking forward to seeing how these projects develop over the coming months.

Yours sincerely

Jonathan Moore
Head of Schools Infrastructure Unit

Cidhe Bhictòria, Dùn Èideann, EH6 6QQ
Victoria Quay, Edinburgh EH6 6QQ
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NORTH AYRSHIRE COUNCIL

Agenda Item 4

6 November 2012

Cabinet

Subject: **School Transport to St Matthew's Academy**

Purpose: To seek the Cabinet's approval to implement changes to the current school transport policy in relation to pupils transferring to St Matthew's Academy from P7, from a non-denominational primary serving the communities of North Ayrshire.

Recommendation: That the school transport policy be amended to provide free School Transport to all pupils who are entitled to transport and who are enrolling into St Matthew's Academy from primary 7 to secondary 1.

1. Introduction

- 1.1 The current school transport policy provides school transport to school for secondary aged children who live 3 or more miles from their catchment school. Children who attend school as a result of a successful placing request are not eligible for assistance with school transport.
- 1.2 When St Matthew's Academy was opened in 2007, the catchment area took in the whole of North Ayrshire Council and there was an expectation that the number of pupils might exceed the number of places available and that the resulting demand for transport would significantly increase costs.
- 1.3 The policy was, therefore, agreed that from the 2013/2014 school session, pupils attending a North Ayrshire Council non-denominational primary school in P7 and wishing too enrol at St Matthew's Academy for their secondary education, would not be entitled to free school transport to St Matthew's Academy.

2. Current Position

- 2.1 The current policy was established to reflect the anticipated demand for places at St Matthew's Academy and ensure that transport costs were kept at a manageable level.

2.2 However, since the introduction of this policy and over the past 6 school sessions at St Matthew's, the demand for places and transport has not been as originally envisaged.

2.3 The current policy may also be open to challenge through equalities legislation as pupils attending a non-denominational primary school and wishing to attend St. Matthew's could be considered as being discriminated against if they are not provided with free school transport.

3. Proposals

3.1 It is proposed that the school transport policy be amended to provide free School Transport to all pupils who are entitled to transport and who are enrolling into St Matthew's Academy from primary 7 to secondary 1.

4. Implications

Financial Implications

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

Human Resource Implications

4.2 There are no human resource implications directly from this report.

Legal Implications

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

Equality Implications

4.4 This change will bring the Council into line with current equalities legislation.

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 Catholic Church representative on the Cabinet has been consulted on this proposal.

6. Conclusion

- 6.1 The need to amend the admission arrangements to St Matthew's Academy arises from the way that its catchment has been defined. The existing transport policy requires to be amended to provide free School Transport for all pupils enrolling at S1 from a North Ayrshire Council primary school.



CAROL KIRK
Corporate Director (Education and Skills)

Reference : MA/SA/JN

For further information please contact Mark Armstrong, Head of Service on telephone number 01294 324413

Background Papers

None.

NORTH AYRSHIRE COUNCIL

Agenda Item 5

6 November 2012

Cabinet

Subject: **North Ayrshire Children's Panel Advisory Committee: Appointment**

Purpose: To seek Cabinet confirmation of proposed appointments to the North Ayrshire Children's Panel Advisory Committee.

Recommendation: That the Cabinet agrees to confirm the appointment of Mrs Elynn Crone as a member, and Mrs Anne Kerr as a sub member, of the Children's Panel Advisory Committee until such time as the new system of Area Support Teams is introduced.

1. Introduction

- 1.1 The North Ayrshire Children's Panel Advisory Committee (CPAC) was established in 1996 and currently consists of 4 members, one appointed by the Council and three by Scottish Ministers.
- 1.2 The function of the CPAC is to:
- interview and recommend possible panel members to the Scottish Government;
 - monitor the performance of panel members on Children's Panels; and
 - advise on such matters relating to the general administration of panels as may be referred to them.

2. Current Position

- 2.1 At a recent meeting, the CPAC agreed to increase the membership of the Committee to six in preparation for the transfer to the new Ayrshire Area Support Team when the Children's Hearing (Scotland) Act 2011 is implemented in June 2013
- 2.2 Interviews took place on 5 October 2012 and at a CPAC meeting on 11 October 2012, the CPAC agreed to recommend to the Cabinet that Mrs Elynn Crone and Mrs Anne Kerr be appointed as the Council's representatives on the CPAC, Mrs Crone, as a member and Mrs Kerr as a sub member.

- 2.3 The CPAC agreed that both candidates had the qualities and background needed to make a very positive contribution to the work of the CPAC and the new Ayrshire Area Support Team. Both have undergone the necessary vetting in terms of criminal records checks.
- 2.4 The other Local Authority representative is Mrs Pamela Maxwell, who has been a member of the Committee since 2001 and was recently reappointed.
- 2.5 The Committee also agreed to recommend Mrs Dorothy Allison to Ministers as a Scottish Government representative.

3. Proposals

- 3.1 That the Cabinet agrees to confirm the appointment of Mrs Elynn Crone as a member and Mrs Anne Kerr as a sub member of the North Ayrshire Children's Panel Advisory Committee.

4. Implications

Financial Implications

- 4.1 None arising from this report.

Human Resource Implications

- 4.2 None arising from this report.

Legal Implications

- 4.3 None arising from this report.

Equality Implications

- 4.4 None arising from this report.

Environmental Implications

- 4.5 None arising from this report.

Implications for Key Priorities

- 4.6 None arising from this report.

5. Consultations

- 5.1 The Chair of the CPAC has been consulted.

6. Conclusion

- 6.1 Mrs Crone's and Mrs Kerr's appointments will bring the number of members on the North Ayrshire CPAC to four Scottish Government appointees, two Local Authority appointees and a Local Authority sub appointee.
- 6.2 These additional appointments will ensure that North Ayrshire is fully represented on the new Ayrshire Area Support Team when it is introduced in June 2013.



ELMA MURRAY
Chief Executive

Reference :

For further information please contact Martyn McKeown, Committee Services Manager (Chief Executive's Service) on telephone number 01294 324130.

Background Papers

None.

NORTH AYRSHIRE COUNCIL

Agenda Item 6

6 November 2012

Cabinet

Subject: **The Barony Centre, West Kilbride**

Purpose: To update the Cabinet on legal issues on the Lease to West Kilbride Community Initiative Limited and to seek approval for an extension to the Lease.

Recommendation: That the Cabinet agree to (a) take no further steps to remove the wooden decking from the site of the former churchyard; (b) extend the ground Lease to West Kilbride Community Initiative Limited to accommodate heat and ventilation equipment on a pro rata basis; and (c) regularise the Lease to reflect the ground occupied by West Kilbride Community Initiative Limited including the decking area as constructed.

1. Introduction

- 1.1 West Kilbride Community Initiative Limited (WKCIL) lease ground from North Ayrshire Council at the Barony Centre, Main Street, West Kilbride. Previous reports to the Cabinet on 6 June and 21 August 2012 outlined the difficulties regarding the lease of ground to the Initiative. At the meeting on 21 August 2012, the Cabinet agreed to instruct the Solicitor to the Council to obtain the Opinion of Counsel on the prospects of a successful legal challenge to the Lease as granted to WKCIL, on the basis that the ground which was approved by the Executive on 1 March 2011 is not as shown on the Lease granted by the Council in 2012.
- 1.2 Papers were prepared and submitted to Counsel setting out the background and also information on the Council's Standing Orders for meetings.

2. Current Position

- 2.1 An Opinion has now been obtained from Counsel which clearly advises that the Council would not be successful in pursuing action against WKCIL on the basis that the Lease was not what was approved by the Executive. Counsel further points out that, even if an Order was obtained from the Court of Session to challenge the Lease, the Keeper of the Registers of Scotland with whom the Lease is recorded could not be required to alter the Lease.
- 2.2 Given the advice received, it is clear that, were the Council to pursue this course of action, then such a process would be both expensive and have significant impact on the reputation of the Council.
- 2.3 Following the granting of the Lease to WKCIL, it became necessary to locate machinery to be used in connection with the heating and ventilation of the building outside the structure. No land had been set aside for this in the initial negotiations.
- 2.4 Following receipt of Planning Permission for the heat pumps, WKCIL have approached the Council to extend the area of ground to be leased by them to include that for the heat pumps. The Council's Estates Section has considered the request and has proposed that the Lease be extended to take into account the additional ground all as shown on the plan attached to this report. Estates recommend that the rent to be charged for the additional ground should be a pro rata increase based on the area of ground occupied.
- 2.5 If the Cabinet is minded to accept the advice of Counsel not to proceed with any further action against WKCIL, there still remains the need to adjust the Lease to reflect what WKCIL has actually constructed on the ground. The area of decking has not been built to reflect the Lease plan.

3. Proposals

- 3.1 It is proposed that no further legal action is undertaken in respect of the ground currently leased to WKCIL. An area of ground extending to 20.72 square metres lying to the west of the Barony Church would be leased to WKCIL for the purposes of housing, heating and ventilation equipment and for no other purpose, with the rent payable by the tenant to be increased pro rata based on the additional area of ground required. This will mean the rent will increase from £400 p.a. to £500 p.a. All other terms and conditions of the Lease would remain unaltered. A new plan would be prepared for the amended Lease to show the area of ground occupied by and leased to WKCIL and WCKIL would free the Council of any costs associated with the alteration to the Lease.

- 3.2 The Cabinet is invited to agree to (a) take no further steps to remove the wooden decking from the site of the former churchyard; (b) extend the ground Lease to West Kilbride Community Initiative Limited to accommodate heat and ventilation equipment on a pro rata basis; and (c) regularise the Lease to reflect the ground occupied by West Kilbride Community Initiative Limited including the decking area as constructed.

4. Implications

Financial Implications

- 4.1 The costs of raising an action in the Court of Session would be substantial and the uncertainty of success could result in the Council not only meeting its own costs but those of WKCIL. No provision has been made for such expenditure.

Human Resource Implications

- 4.2 There are none.

Legal Implications

- 4.3 Counsel has advised against Court action. To proceed further would put the Council at considerable risk both financially and as regards the Council's reputation.

Equality Implications

- 4.4 There are none.

Environmental Implications

- 4.5 There are none.

Implications for Key Priorities

- 4.6 None apply to this matter.

Community Benefit Implications

- 4.7 It has been argued on behalf of the Initiative that the extension to the Barony offers a community facility which would benefit the whole community of West Kilbride.

5. Consultations

- 5.1 The Estates Officer has been consulted on the terms of the extended Lease.

6. Conclusion

- 6.1 The advice from Counsel is to leave the decking as it is as an action to remove it would be extremely unlikely to succeed. Regularising the ground Lease to WKCIL will bring this matter to a satisfactory conclusion.

A handwritten signature in dark ink, appearing to read 'Ian T. Mackay', with a stylized flourish at the end.

IAN T MACKAY
Solicitor to the Council

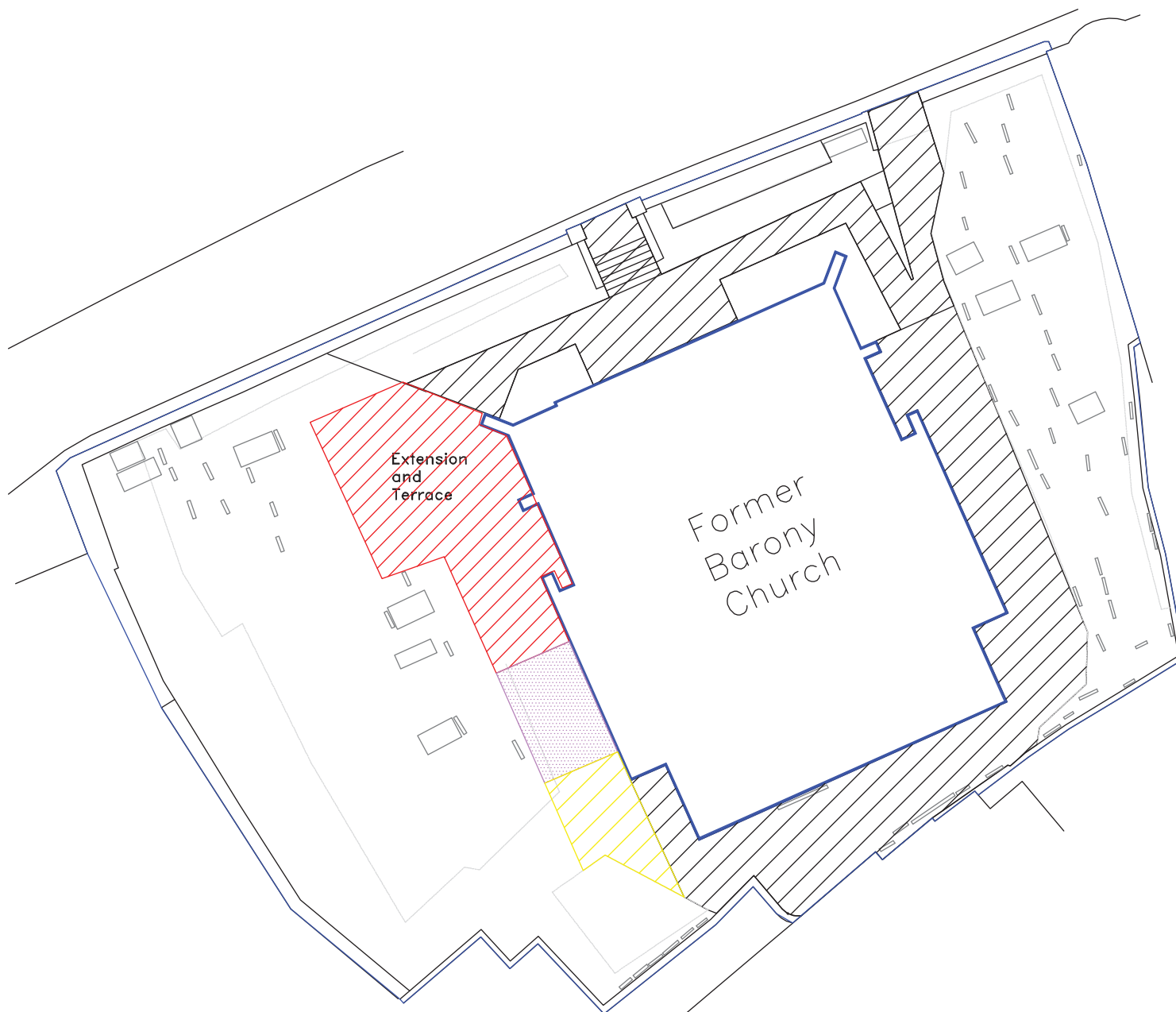
Reference : 14/ITM/KLB

For further information please contact Ian T. Mackay, Solicitor to the Council on telephone number 01294 324385.

Background Papers

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FORMER BARONY CHURCH MAIN STREET WEST KILBRIDE



Area currently developed



Area for heat pumps



Additional
Right Of Access



Existing
Right Of Access



ANGUS BODIE
Head of
Infrastructure & Design Services
ESTATES

DRAWN BY	A.GIBSON
DATE	OCT2012
DRAWING No	?
SCALE	1:200
OS SHEET	N5



NORTH AYRSHIRE COUNCIL

Agenda Item 7

6 November 2012

Cabinet

Subject: **Better Regulation: A consultation response**

Purpose: To consider a response to the consultation paper issued by the Scottish Government on the proposal for a Better Regulation Bill.

Recommendation: That the Cabinet agrees to approve the proposed written response as set out in Appendix 1.

1. Introduction

- 1.1 The Scottish Government has issued a consultation paper on a proposal to introduce legislation to address the way in which many regulatory procedures are undertaken across Scotland.
- 1.2 At present, many regulatory functions, all of which have the same procedures, can be interpreted and applied by local authorities in ways which may be slightly different from one area to another. This variation can often be to the detriment of communities and businesses, some of which may be seeking the same permissions or consent in more than one local authority area.

2. Current Position

- 2.1 The Council applies regulation across a number of areas, including planning, regulatory services, economic development and licensing. In processing applications for services, the Council will apply the rules as set out in the Regulations. When comparing the processes, it is the Government's view that there are variations which are considered to be in some cases hindering the smooth operation of businesses and other community activities.
- 2.2 A consultation paper on the proposals to introduce a range of provisions will cover the following:
 - Mandatory rules covering all forms of regulation whereby no local variations will be permitted.
 - A duty to promote economic and business growth.
 - Application of "sunsetting" provisions

- Prompt payment of invoices
- Common commence dates for all new regulations
- Mobile food business and transferable Certificates of Compliance
- Planning fees and performance
- Review the mechanism for major infrastructure projects.

3. Proposals

- 3.1 A proposed response to the consultation paper is attached as Appendix 1.
- 3.2 In responding it is proposed that the Council does not support the introduction of mandatory national standards for regulatory processes. To do so would deprive the Council of the flexibility to apply local rules which may not be relevant in other parts of Scotland.
- 3.3 In considering ways of promoting economic and business growth, the Council already has a robust Single Outcome Agreement which provides direction for the Council and the Community Planning partners in this area. Accordingly, it is recommended that there is no need for any further prescriptive form of control. This would again allow local priorities to be catered for.
- 3.4 Sunsetting is a term applying in England and Wales whereby regulations which are set by the UK Government have a limited lifespan which, if not reviewed, will fall. It is proposed to import the provisions into the Scottish Parliament's regulatory regime. With many regulations still dealt with under reserved legislation, it appears sensible to adopt a UK wide approach to this and the provision of sunsetting arrangements should be supported.
- 3.5 Prompt payment of invoices has been a priority for some time. It continues to be a performance indicator for which the Council is accountable. The proposal is that a new target time be set of fewer than the current 30 days. Views expressed are that while this is commendable, it should not be mandatory but discretionary having regard to the Council's cash flow arrangements. Equally some geographical and organisational constraints would make adherence to mandatory arrangements difficult.

- 3.6 Many regulations are promoted by Parliament and each will have a commencement date often the day after they are passed. In England and Wales, there is a new arrangement whereby regulations will become operational on set dates possibly twice a year. This would allow those to whom the regulations relate to have confidence in knowing when to expect the regulations to come into effect and, again, this proposal is recommended.
- 3.7 For many licensing provisions there is a wide scope of variation on how a licence may be granted. In some cases a licence in one area may not be processed the same way as in a neighbouring authority area. Equally for example a Food Hygiene Certificate is required for a Street Trader's Licence but that street trader may operate from one Council area to another and currently they are required to obtain a separate Certificate from each Council even although the rules are the same. The consultation paper proposes to permit such Certificates to be accepted across Council areas thereby limiting the red tape a licensee would require to have to deal with.
- 3.8 The Scottish Government has consistently pressed Councils to improve performance in planning. A number of changes are currently in the pipeline following the implementation of the 2006 Planning Act which are aimed at streamlining the planning process. The proposal in the paper suggests that the level of fees payable to a planning authority should be linked to the continuing performance of the Planning Service whereby poor performing Councils would have their planning fees set at levels lower than high performing Councils. At present, North Ayrshire is in the top quartile of performing Councils and has been so for the last 2 years. Nevertheless, it is considered that any sanctions which the Scottish Government might be able to impose would require to be qualified, if extenuating circumstances could be shown to have existed, the result of which being the Council experiencing a downturn in performance. Accordingly, a degree of flexibility should be incorporated into the new regime.
- 3.9 Finally, the paper proposes changes to the rights of review in planning matters involving major developments and infrastructure developments such as windfarms. It is suggested that the right of review should include a right of appeal to the Court of Session rather than simply to the Scottish Ministers. The rights would be open to those organisations or people with sufficient interest challenge decisions. There is no definition within the consultation paper of what such a class of persons would be. Nevertheless, it is recommended that there should be a streamlining of appeal rights to all forms of major developments including infrastructure developments.

- 3.10 The Cabinet is invited to approve the proposed written response as set out in Appendix 1.

4. Implications

Financial Implications

- 4.1 As this is only a consultation paper there is no detail of any financial implications for the Council at this stage.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

- 4.6 None apply

5. Consultations

- 5.1 The Chairs of the Planning and Licensing Committees and the Chair of the Economy and Employment Policy Board along with Corporate Services and Finance & Infrastructure Services have been consulted in the compilation of the consultation response.

6. Conclusion

- 6.1 The proposed changes to regulation within local government is to be welcomed. However, at this early state the detail of how this would be presented is absent and our response is qualified accordingly.

A handwritten signature in black ink, appearing to read 'Ian T. Mackay', with a stylized flourish at the end.

IAN T MACKAY
Solicitor to the Council

Reference : ITM/SMcA

For further information please contact Ian T. Mackay, Solicitor to the Council on telephone number 01294 324385

Background Papers

None

ANNEX B – RESPONDENT'S INFORMATION FORM AND CONSULTATION QUESTIONNAIRE

CONSULTATION ON PROPOSALS FOR A BETTER REGULATION BILL: RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately



1. Name/Organisation

Organisation Name

NORTH AYRSHIRE COUNCIL

Title Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname

MACKAY

Forename

IAN

2. Postal Address

CUNNINGHAME HOUSE, IRVINE, AYRSHIRE

Postcode KA12 8EE

Phone 01294 324385

Email: imackay@north-ayrshire.gov.uk

3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☒

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☒ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick **ONE** of the following boxes

Yes, make my response, name and address all available ☒

Yes, make my response available, but not my name and address ☐

Yes, make my response and name available, but not my address ☐

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate ☒ Yes ☐ No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ Yes

CONSULTATION QUESTIONS

Defining and implementing national standards

Question 1 - What in your view is the case for and against the proposed enabling power? Please provide evidence to support your answer

The introduction of consistent standards in applying Regulations which directly impact on communities and businesses can be clearly demonstrated by the findings of the Federation of Small Businesses and the work of the Regulatory Review Group. Local experiences when looking at the possibility of shared services for those regulatory functions across Ayrshire has identified local variations brought about by custom and practice rather than strict compliance. Nevertheless care should be taken not to be too prescriptive, thereby denying a level of flexibility to take account of local circumstances.

Question 2 - Should national standards be mandatory in future?

Yes ☐ No ☒

There should be a right to opt in to any standards thereby allowing flexibility.

Question 3 - Should local authority or other regulators have the capacity to seek approval to opt-out from national standards on grounds of exceptional local circumstances?

Yes ☐ No ☒

See answer 2 above.

Question 4 - What criteria should be used to assess any request to opt-out from national standards?

We would prefer to see an opt in provision and this should be based on criteria including; demographic variances, economic pressures and even applications of processes by neighbouring authorities.

Question 5 - Do you, on balance, favour opt-out decisions being the responsibility of

a) Ministers

☐

b) Ministers, based on advice from the Regulatory Review Group

☐

c) the Regulatory Review Group

☐

Question 6 - Are there any specific regulations which should be candidates for new national standards in the future? If so, please explain why

No

Question 7 - Which of the following options do you favour?

- a) the status quo ☐
- b) mandatory national standards and systems for new regulations ☐
- c) a flexible approach which includes the capacity to impose national standards and systems, where justified. ☒

Question 8 - Do you think this could be supported in non-legislative ways? If so, please explain how

Yes ☐ No ☒

The very fact that this consultation is taking place demonstrates that a non-legislative approach has not worked.

Duty to promote economic and business growth in regulatory activity

Question 9 - What in your view is the case for and against introducing a new generic statutory duty on Scottish regulatory authorities to consider (and report on) the impact of their regulatory activity on business and/or promote regulatory principles? Please provide evidence to support your answer

Most local authorities have strategic objectives as set out in their Single Outcome Agreement. Action Plans stemming from the SOA will impose duties on a local authority to encourage economic business growth. Accordingly a mandatory requirement to apply standard application of Regulations is not considered necessary.

Question 10 - Which of the following options do you favour?

- a) the status quo ☐
- b) the introduction of a generic statutory duty ☒

Question 11 - Do you think this could be supported in non-legislative ways? If so, please explain how

Yes ☒ No ☐

Reference to Single Outcome Agreement actions above (question 9)

Reviews and sunseting

Question 12 - What in your view is the case for and against introducing a sunseting policy in Scotland? Please provide evidence to support your answer

Introducing a Sunseting Policy would bring Scotland in line with the rest of the UK. In paragraph 6 reference is made to the breadth of regulatory functions which are not devolved and which accordingly are subject to UK Government Sunseting provisions. As the purpose of this consultation is to find ways to encourage better methods of working within a wider community, it would be far better to have consistency of approach across all forms or regulation.

Question 13 - If introduced, should a sunseting policy be mandatory?

Yes ☒ No ☐

Question 14 - If non-mandatory, should there be exceptions and what should the rationale for these be?

Yes ☐ No ☒

Question 15 - If introduced, should the regulations in scope, and the nature and timeframes for review activity be equivalent to the UK approach? If not, please explain how they should differ and why?

Yes ☒ No ☐

Question 16 - Which of the following options do you favour?

- a) the status quo ☐
- b) adopting the UK Government approach without any changes ☒
- c) adopting a modified policy ☐

Prompt payment

Question 17 - What are the merits (or otherwise) of introducing a new national standard requiring all public sector bodies in Scotland (including local authorities and NHS Boards) to pay suppliers' invoices in less than 30 days? We would also welcome views on what that lower period should be and the scope to replicate the 10-day norm already achieved by the Scottish Government.

We believe that a new target should be non legislative as to make it legislative would have an impact on the Council's cash flow. Equally, there will be geographic and organisational constraints which may make

Consultation on proposals for a Better Regulation Bill

compulsory timescales unachievable and therefore leave the authority in a negative position.

Question 18 - Would additional legislative or non-legislative steps lead to a change in business culture and a bias towards prompt payment? If so, what might these involve?

Yes ☒ No ☐

Possibly, although the issue of prompt payment is not just confined to the public sector.

Question 19 - Would these additional legislative or non-legislative steps have a beneficial impact on the relative competitiveness of businesses in Scotland?

Yes ☐ No ☐

Not in a position to comment on this.

Question 20 - How could any new arrangements be fully enforced?

No comment

Question 21 - Which of the following options do you favour?

- a) the status quo ☒
- b) a practical and legitimate mechanism to promote prompt payment ☐
eg mandatory application of interest and/or maximum payment periods
- c) actions to change business culture ☐
- d) actions to change corporate governance and reporting of payment performance ☐

Common commencement dates

Question 22 - Should common commencement dates be introduced for Scottish regulations impacting on business. Please provide evidence to support your answer

Yes ☒ No ☐

With much of the regulatory enforcement regime still subject to reserved implementation through the UK Parliament, which has already begun common commencement dates, it is logical to adopt the same approach. This will ensure that those both applying and/or enforcing the Regulations would understand a simpler way of checking when new Regulations will commence.

Question 23 - Which of the following options do you favour?

- a) the status quo ☐

b) the introduction of common commencement dates

✓

Mobile food businesses, and a transferrable certificate of compliance

Question 24 - Which of the following options do you favour?

a) the status quo

☐

b) the development of national standards and a change in legislation requiring moveable food businesses to be inspected only by the local authority in which the business is registered/based, and other local authorities to accept certificates of compliance issued by other local authorities

✓

Linking planning application fees to the performance of the Planning Authority

Question 25 - What in your view is the most effective mechanism for introducing the proposed link between planning application fees and performance? Please provide evidence to support your answer.

The use of Regulations to control the fees recovered by a planning authority is considered excessive without sufficient flexibility in applying the sanctions. There may be many local factors which could affect the performance, some of which may be outwith the control of that authority. There may be an opportunity for periodic review of planning fees in line with inflation thereby a planning authority, if not able to demonstrate a level of improvement in performance, would not be able to implement the inflationary increases where as those who can would be able to increase the level of fees thereby rewarding good performing Councils rather than penalising others.

Extending Statutory Review Mechanisms to Challenges Against Scottish Ministers' Decisions in Infrastructure Projects

Question 26 - Do you agree that it is appropriate to expand the types of decisions subject to statutory review (instead of judicial review)?

Yes ✓ No ☐

Question 27 - If Yes, for what types of decisions would it be appropriate to introduce a statutory review mechanism?

All forms of planning procedure where major developments are contemplated should be considered.

Question 28 - If No, for what types of decisions would it not be appropriate to introduce a statutory review mechanism.

N/A

Question 29 - Do you agree that a statutory review mechanism for people or bodies with a sufficient interest to challenge the legality of Scottish Ministers' decisions in the Court of Session should replace the current arrangements for applicants wishing to challenge in respect of granting a marine licence?

Yes ☒ No ☐

Question 30 - Do you agree that the procedure for review should be made the same across all relevant legislation?

Yes ☒ No ☐

Other issues

Question 31 - What impacts – positive, negative, financial or other - do you think a Better Regulation Bill will have?

The Bill will, if properly proposed have a positive impact on improving the relationship between the public sector and the wider communities. Streamlining regulatory procedures can only improve understanding of the regulatory process.

Question 32 - What further suggestions do you have to improve the regulatory landscape?

None

Question 33 - Are there any specific regulations causing burdens on business or which have unintended consequences. Please provide details of the regulation, the impact and your proposed solution to address this.

None know.

Partial Business and Regulatory Impact Assessment

Question 34 - Does the partial BRIA reflect the sectors and groups affected, and costs and benefits of the proposals? If not, please explain why and provide further information

Yes ☒ No ☐

NORTH AYRSHIRE COUNCIL

Agenda Item 8

6 November 2012

Cabinet

Subject: **Kinship Care Scheme**

Purpose: To inform the Cabinet of the current kinship care arrangements and highlight the changes which are now required in order to develop and improve the scheme.

Recommendation: That the Cabinet approves the recommendations set out in the report.

1. Introduction

- 1.1 There have been several reports concerning kinship care, which have been presented for approval by Elected Members over the last four years. These have been in response to changes in legislation/policy as reflecting the changing nature of the service within North Ayrshire.
- 1.2 In February 2010, there were 85 kinship carers with 119 children in placement and a budget of £112,000. Following additional concordat funding of £336,000 from the Scottish Government, the Council agreed to set the weekly allowance per child at £55.00 per week with 4 additional weeks' payment for holidays, Christmas and birthdays. The funding enabled North Ayrshire to expand the scheme to a total of 155 placements.
- 1.3 At this point, the Council also agreed that those eligible for kinship care payments would be restricted to children who were subject to a Section 70 supervision order or Section 11 residence order in line with the Children (Scotland) Act 1995 and were, therefore, 'looked after' children.
- 1.4 In 2011, following a further report, approval was given to recruit one social worker and one social work assistant as there were no specific staff to support kinship carers. At this stage, the number stood at 113 kinship carers. These appointments gave kinship carers access to network supports with other kinship carers, a carers newsletter and individual advice and support.

- 1.5 By December 2011, the figures had risen further to 127 kinship carers and 185 children in placement. While this exceeded the figure of 155 children which had been budgeted for, it reflected the number of children who required substitute care. As a result, a pressure bid was submitted for 2012/13 and 2014/15, as it was anticipated that placements would rise by approximately a further 20 children over each of the next three years.

2. Current Position

- 2.1 As a result of the 2012/13 pressure bid, the budget for kinship care was increased from £423,500 to £662,200 and a further increase of £61,600 for both 2013/14 and 2014/15 was indicated at this time. £30,000 was also provided as part of the 2012/13 budget process in relation to an inflationary increase for payment to carers. Final budget for 2012/13 is £692,200.
- 2.2 This increase will fund approximately 20 new placements per year as well as payments of an inflationary increase of 4.8%. This has increased the payments to kinship carers from £55.00 to £57.64 per week per child.
- 2.3 In addition, with the introduction of the two posts, contact has been established with kinship carers and group support has been offered. Annual reviews have also been established for all kinship carers. A kinship care handbook has been developed which details guidance and information on the range of support available.
- 2.4 A kinship care panel has been established at which completed assessments on kinship care are presented for approval, thus ensuring that carers have been subject to medical as well as PVG checks and are suitable to care for family members.

3. Proposals

- 3.1 As stated, it was previously agreed that those eligible for kinship care payments would be restricted to children who were subject to Section 70 of the Children (Scotland) Act 1995. This is a statutory supervision order placed on a child or young person by the children's hearing system and places the child in the 'looked after' category.
- 3.2 The only other criteria eligible for kinship care payments were children who were subject to a residence order under Section 11 of the Children (Scotland) Act 1995 where a child was previously 'looked after' by the local authority.

- 3.3 Work has recently been undertaken within North Ayrshire to review these criteria. The requirement to be under a Section 70 Order places additional pressure on children and their carers who can become upset and distressed by the need to attend review hearings. This order also means that all children should be allocated to a social worker. While this is absolutely appropriate for a number of children, it is not required for all and can lead to the unnecessary allocation of scarce social work resources.
- 3.4 It is proposed, therefore, that, in order to make the system more flexible, it will no longer be a requirement for a child or a young person to be subject to a Section 70 Order in order for their kinship carer to be eligible to receive a kinship care payment. However, as kinship care is an alternative to residential/foster care, there would be a requirement for social work involvement in the initial placement before any kinship care placement could be made. A full assessment would require to be undertaken and the carer approved at a kinship panel prior to a kinship payment being made.
- 3.5 Currently kinship care payments can be paid via a variety of legislative options. It is proposed that all kinship and residence payments will be paid via Section 22, which will allow for payments to continue to 18 years of age.
- 3.6 The Cabinet is invited to approve the recommendations set out in Sections 3.1-3.5 above.

4. Implications

Financial Implications

- 4.1 Given that it would no longer be a requirement for children to be subject to a Section 70 Order, this may increase the numbers of those eligible for kinship care payments, thus increasing the requirement for funding. However, as Social Services will still have involvement in terms of the making of the placement and recommending approval via the kinship care panel, it is not envisaged that any increase will be significant, although numbers will be closely monitored.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 Social Services are required to comply with legislation in terms of kinship care which is contained within the Adoption (Scotland) Act 2007.

Equality Implications

- 4.4 An Equalities Impact Assessment was completed on the kinship care process in October 2010. The kinship care policy applies equally to all potential carers and does not intentionally impact negatively on any of the quality groups. However, an assessment is undertaken on all potential kinship carers in relation to their ability to meet the needs of the children they wish to care for. It is, therefore, possible that, for example, health status, or level of disability may determine that a potential kinship carer is unable to meet the needs of a child. Any decision in this respect would always be taken with the interests of the child being paramount and should not be viewed as a reflection of intentional discriminatory practice on the part of Social Services.

Environmental Implications

- 4.5 None.

Implications for Key Priorities

- 4.6 These proposals are part of the Single Outcome Agreement and the Council Plan in terms of "more vulnerable people are supported within their own community".

5. Consultations

- 5.1 Senior Managers and a range of staff through Social Services have been consulted, more specifically those employed within the Kinship Care Scheme have been fully involved.

6. Conclusion

- 6.1 Kinship carers play an important role in terms of caring for vulnerable young people who would otherwise be cared for either in residential or foster care.
- 6.2 For many children, who are unable to be looked after by birth parents, extended family members can provide a safe and caring environment which can sustain them through their childhood.

- 6.3 Our aim is to ensure the provision of continued support to kinship carers including financial support, advice, guidance and promoting peer support.
- 6.4 These proposals will help deliver these aims and allow the local authority to both consolidate and develop services within kinship care.

A handwritten signature in purple ink that reads "Iona Colvin".

IONA COLVIN

Corporate Director (Social Services and Health)

Reference : MH/LH

For further information please contact Mae Henderson, Senior Manager, Children & Families on telephone number 01294 317714.

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 9

6 November 2012

Cabinet

Subject: **Financial Advice Services in North Ayrshire**

Purpose: To advise the Cabinet of the outcome of the mapping of financial advice services in North Ayrshire and to seek approval for the future focus of delivery of these services.

Recommendation: That the Cabinet agrees (a) the future priorities for delivery of advice services by the Council's Money Matters Service; (b) to extend interim funding to North Ayrshire Citizens Advice Service to enable the existing service to be maintained until 31 March 2013 at a cost of £29,109; and (c) to take forward Option Two as set out in this report for the future funding of NACAS to be considered as a call against the proposed Welfare Reform Fund which will be considered as part of the Council's budget setting process.

1. Introduction

- 1.1 This report presents options for the future funding of North Ayrshire Citizens' Advice Service (NACAS) and proposals for the future focus of the Council's Money Matters service. The context for this report is the anticipated increase in demand for financial advisory services as a result of Welfare Reform and the inability of NACAS to sustain its current level of provision within the current level of funding by North Ayrshire Council.
- 1.2 Financial advice services, which include advice on benefits, management of debt and financial capability, are an important part of the Council's service to residents of North Ayrshire. These services are delivered by the Money Matters service, which is part of Social Services and Health, and by a range of independent and voluntary sector bodies, operating both throughout North Ayrshire and in particular localities.

- 1.3 This report follows from a review of advice service provision undertaken by the Chief Executive's Service in 2010. Among the conclusions of that review were that Social Services and Health should take responsibility for advice services, including management of the relationship with NACAS, that the Service Level Agreement with NACAS should be reviewed and that Money Matters should prioritise those services that maximise client income and financial capability and thereby reduce potential for increased demand for other council services.
- 1.4 In late 2011 a small working group was convened, comprising representatives from Social Services, Housing Services, Chief Executive's Service, NACAS and TACT. The group undertook a mapping exercise of advice services in North Ayrshire, which identified that there were areas of overlap in provision, particularly between NACAS and Money Matters. During the same period, Social Services was considering the future priorities of Money Matters in line with the requirements of its Service Access change project and NACAS was beginning work on a new corporate strategy.

2. Current Position

- 2.1 Welfare Reform is expected to result in an increased workload for all providers of financial advice services both Council Services and independent services. Social Services' service users are more likely to be affected by Welfare Reform than the general population and are more likely to face health, disability and social issues and family stress. They are also more likely to live in areas of deprivation, in the rented sector and are more likely to be financially excluded, fuel poor, less well qualified and consequently income and employment deprived. All of these factors make them more likely to rely on benefits. At the same time, the levels of deprivation and unemployment in North Ayrshire are such that there will be many people who are reliant on benefits who are not known to Social Services.
- 2.2 Social Services and Health's specialist Money Matters service provides benefits and debt advice both face-to-face and by means of a telephone helpline. In addition to the specialist advisers, other frontline staff in Social Services have, over the years, accumulated a good understanding of welfare benefits as a result of training provided by Money Matters and are able to use this to assist in assessment of need and service delivery. Welfare Reform will completely change the Benefits system and will render their accumulated knowledge obsolete. This will increase the volume of demand on the Money Matters team even without the expected increase in the number of presentations.

- 2.3 The current gross budget for Money Matters is £847,000. This includes funding for CLASP (£55,750) and 1st Alliance (£14,680) and also the cost of providing the MacMillan Money Matters service on behalf of the three Ayrshire Councils. For that level of budget, the service obtained in 2011/2012 over £4 million of additional benefit for its service users, achieved debt write off of over £3 million and managed over £8 million of service user debt. Money Matters also supports the service in maximising the income of service users, which will result in some £1.3 million of income from charges in 2012/2013. This income will directly support frontline services.
- 2.4 NACAS receives an annual core grant of £170,000 from North Ayrshire Council. This has been the subject of a Service Level Agreement, managed by the Chief Executive's Service. The amount of the grant has reduced slightly over the past three years, reflecting the requirement for savings in Council budgets. It is proposed that, once the future level of funding for NACAS is agreed, a new contract will be drawn up and will be managed by Social Services and Health. In addition to its core grant from the Council, NACAS generates substantial but variable specific project funding from other sources. Project funding allows NACAS to expand its activity without recourse to additional funding from the Council but with the disadvantage of its being temporary and ringfenced for specific activity.
- 2.5 Following a review of its funding position earlier in the year the Board of NACAS concluded that it was no longer financially viable to retain all of its bureaux and announced its decision to close its bureaux in Arran, Largs and Kilbirnie. These were the bureaux with the least number of presentations. The Board's plans were to concentrate face to face services in Irvine and Saltcoats. An enhanced website, telephone and email service were being developed to compensate for the loss of the three bureaux. Elected Members were concerned at the loss of the face-to-face service and agreed to offer NACAS bridging funding of £13,960 to allow offices to remain open until the situation could be reviewed. The proposals presented in this report will allow all five bureaux to be retained.

3. Proposals

- 3.1 It is expected that Welfare Reform will result in a considerable increase in demand for financial advice services. This demand will come from people who are already using services and from people who are currently unknown to us. Demand will range from complex presentations to straightforward requests for assistance with completion of forms. It is highly unlikely that advice services in their current form will be able to respond to the increased demand and some method of prioritising requests for assistance will have to be developed. In view of the financial constraints facing the Council there is a need to develop a way of addressing the increased demand that make best use of the Council's own staff and of the range of skills available from other organisations.

3.2 Money Matters

As part of the Service Access change project being developed by Social Services and Health, the future remit of Money Matters has been reviewed. This will form part of a future report to Cabinet on the Social Services change programme. In relation to Money Matters, the report will propose that this service will in future concentrate on those areas of work that contribute to the wider objectives of Social Services.

- Provision of financial advice to people who are already engaged with Social Services and Housing Services. This approach recognises that financial and social problems are closely linked and that better outcomes can be achieved by adopting an holistic approach. In future financial advice will be an integral part of the service provided to all those who progress to assessment and reablement services.
- Income maximisation, including all financial assessments for Social Service users, particularly those who are subject to charges for services. Our approach to income maximisation increases the disposable income of service users while also enabling them to contribute to the cost of providing services. Income from charges plays an important part in funding frontline services such as care at home and day care for adults.
- Outreach in areas where there is a high incidence of child poverty.

- Management of the MacMillan Money Matters service on behalf of all three Ayrshire Councils. This service, which received its start up funding from MacMillan, provides benefits and debt advisory services to people recently diagnosed as suffering from cancer. The other two councils contribute staffing and funding to the provision of the service.

3.3 Money Matters will progressively withdraw from the provision of services to people who do not fall into the four categories above and will progressively withdraw from the provision of debt advice except as part of a package of support to people who are already engaged with Social Services and Housing Services. Tribunal representation will be limited to the most vulnerable service users. In line with other services delivered by Social Services, the service will be directed at those with specific needs and will not be a universal service. People who do not fall into the eligible categories will be signposted at Reception Services to other organisations providing financial and debt advisory services.

3.4 It is proposed that the funding provided from the Money Matters budget to CLASP and 1st Alliance Credit Union continues unchanged. The CLASP funding from the Money Matters budget is used for outreach work throughout North Ayrshire and offers a basic service to those who would be less likely to use office based services. 1st Alliance offers options for saving and borrowing to people who are excluded from traditional banking services or for whom traditional banking services are uneconomic.

3.5 NACAS

The Board of NACAS has prepared a new corporate strategic plan which it believes will place the organisation on a stronger financial footing and enable it to respond to the increased demands that are expected to be generated from Welfare Reform. One of the distinct advantages enjoyed by NACAS is its ability to recruit and train volunteers, allowing the more general and routine enquiries to be dealt with at a lower cost than using employed, professional advisers. NACAS currently has 94 volunteers, which equates to a full-time equivalent complement of 21.5.

- 3.6 NACAS's corporate strategic plan envisages the recruitment of additional specialist advisers to deal with complex cases. At present clients can wait up to six weeks for an appointment with a specialist adviser. Although some volunteers are specialists, they cannot work full time and require supervision in order to quality control the service provision. The plan recognises the need to provide full support for volunteers and also to create a resource for training in order to ensure that volunteers and staff provide an acceptable standard of service. The full plan would create an additional 9 full time equivalent new jobs in North Ayrshire, mainly at advice worker level. The plan also commits to maintaining all five bureaux.
- 3.7 Recognising the financial demands that its new corporate strategic plan would place on the Council, NACAS has also submitted a modified proposal which would be delivered at a slightly lower cost, but which would reduce the capacity of NACAS to respond to the anticipated volume of enquiries arising from Welfare Reform.
- 3.8 Four options are presented for consideration by members. These range from a "do nothing" option, to full funding of the NACAS corporate strategic plan.
- 3.9 The cost of each option is set out below. These are additional to the core grant of £170,000 per annum.

	12/13 £	13/14 £	14/15 £	15/16 £	Total £
1. Fund NACAS corporate strategic plan in full	43,069	253,121	287,987	151,360	735,537
2. Part-fund NACAS corporate strategic plan	43,069	180,294	178,743	201,541	603,647
3. Retain existing offices	43,069	60,000	60,000	60,000	223,069
4. Do nothing	43,069	0	0	0	0

For each option, the costs in 2012/2013 could be met from savings in the Money Matters budget planned for 2013/2014 but already achieved. The balance of funding would be a call on North Ayrshire Council's proposed Welfare Reform fund. Setting aside budget for this fund is subject to Council approval. Options 1 and 2 would deliver additional opening hours for drop-in sessions at the five bureaux and increase face to face advice hours as set out below.

	Drop-in hours	Advice hours (per week)			
		Specialist		Generalist	Total
		Paid staff	Volunteers	Volunteers	All
1. Fund NACAS corporate strategic plan in full	135	290	84	240	614
2. Part-fund NACAS corporate strategic plan	100	130	84	240	454
3. Retain existing offices	69	0	84	0	84
4. Do nothing	TBC	0	84	0	84

Options 1 and 2 would deliver additional opening hours for drop-in sessions at the five bureaux. Option 3 would retain the number of opening hours and option 4 would be likely to result in a reduction in hours as bureaux closed.

3.10 Option 1 - Fund NACAS corporate strategic plan in full

Advantages:

- Routine enquiries can be dealt with by volunteers, allowing employed staff to concentrate on the more complex enquiries.
- Substantial increase in "advice hours".
- Alternative provision is made available to those who would not be eligible to receive a service from Money Matters. This would effectively be an early intervention service that might prevent financial problems from escalating to more complex social problems that would require an intervention from Social Services and Health.
- NACAS services can be more flexible in terms of opening hours than can Council services.
- NACAS could offer services such as tribunal representation which the Council lacks the capacity to deliver.
- Additional employment opportunities are created.
- This option would retain all five bureaux.

Disadvantages:

- The call on the proposed Welfare Reform Fund would be £692,468. If the Council does not decide to create such a fund, alternative budget would have to be identified should members wish to adopt this option.

- It is unclear at this stage exactly what the volume of additional enquiries may be and this option may result in over-provision.
- There is no clear exit strategy. The Welfare Reform fund is not envisaged as a permanent part of the Council's budget and the question of permanent funding for NACAS remains to be addressed. NACAS has committed to researching and applying for funding, including Lottery funding, to replace or reduce Council funding, but the success of such initiatives cannot be guaranteed. It should be noted that the Board of NACAS sees the increase in funding and activity as an interim measure to deal with the expected peak of demand resulting from Welfare Reform.

3.11 Option 2 - Part funding of NACAS strategic plan

The revised plan proposed by NACAS is only slightly lower than the full plan and would be a call of £560,578 against the proposed Welfare Reform Fund. It would allow NACAS to increase full time equivalent staff by approximately 4.5 posts. The reductions compared with the full plan, are in specialist money advice and tribunal workers. However, this option still allows NACAS to expand its activity to meet the anticipated demands of Welfare Reform. It would substantially increase the opening hours of bureaux for drop-in sessions and would deliver an additional 130 specialist hours per week of advice from paid staff and 240 generalist volunteer hours.

The advantages and disadvantages of this option are as set out for option 1, albeit with reduced capacity. Given that the volume of demand is unknown at present this option would allow better assessment of demand with a future adjustment (either up or down) depending on the experience of year one.

3.12 Option 3 - Retain existing bureaux with no increased capacity

To retain existing offices until the end of the year would cost £29,759 in addition to the £13,310 already drawn down by NACAS against the sum approved in June, a total of £43,069. On an annualised basis, keeping all offices open would cost £59,500.

Advantages:

- All five bureaux are retained, allowing ease of access for residents.
- Financial exposure to North Ayrshire Council is minimised.

Disadvantages:

- No increased capacity to deal with demands of Welfare Reform.
- No increased employment opportunities.
- People who are not eligible for Money Matters support may not receive a service.

3.13 Option 4 - Do nothing

Maintaining the current level of funding will result in NACAS closing their offices in Largs, Kilbirnie and Arran. NACAS announced a decision earlier this year to close these offices due to insufficient funding. Maintaining its full range of offices would have put NACAS into deficit. At its meeting on 6 June 2012, the Cabinet agreed to provide interim funding of £13,960 to allow the offices to be retained pending a further review. The offices selected for closure were identified on the basis of the low proportion of total enquiries handled at those locations and NACAS's plans for channel shift to deal with more routine enquiries via web/email and telephone. This option has been costed on the assumption that members would agree to extend the interim funding to the end of the current financial year in order that the offices could be closed on a managed basis. The cost of this option would be £43,069 for the full financial year which could be met from early achievement of Money Matters savings scheduled for 2013/2014.

Advantages:

- Lowest cost option for North Ayrshire Council.

Disadvantages:

- Three bureaux will close resulting in a loss of face-to-face advice provision, which will only in part be compensated for by telephone and email advice. Although the channel shift proposals offer customers alternative to traditional face-to-face services these have not been fully tested.
- No increased capacity to deal with demands of Welfare Reform.
- No increased employment opportunities.
- People who are not eligible for Money Matters support may not receive a service.

3.14 Option 2 is recommended as the preferred option. It will deliver substantially increased advice hours both from paid, specialist staff and from generalist volunteers who will be trained to handle routine enquiries. It is recommended that this option is subject to a formal review in November 2013, to ensure that the additional investment is justified by increased take-up of available advice hours. On the basis of the review a recommendation would be made to Members as to the level of funding for the remainder of the period covered by the NACAS corporate strategic plan. Further work would require to be undertaken by NACAS, supported by North Ayrshire Council to develop a sustainable financial model for the future.

3.15 Partnership Working

Strong partnership working will be essential if best value is to be obtained from any agreement to increase the level of funding for NACAS. Productive discussions have already been held between the NACAS General Manager and officers of the Council to discuss how partnership working can be improved. Two specific initiatives have been agreed:

- Money Matters and NACAS will work together to develop a common performance framework against which both partners can be measured. This will provide members with clear and consistent information about both services. At present different means of counting enquiries and interventions have made meaningful comparison difficult. The NACAS General Manager has already met with a member of the Planning & Performance Team in Social Services and we are exploring the possibility of giving NACAS access to Covalent to allow the production of joint, timely reports.
- Partnership working will be improved by a series of development days involving all Money Matters and NACAS staff. These will enable staff to discuss the challenges of Welfare Reform, share knowledge, undertake joint training and develop professional relationships with each other that will improve the referral process.

- 3.16 The Cabinet is invited to agree (a) the future priorities for delivery of advice services by the Council's Money Matters Service; (b) to extend interim funding to North Ayrshire Citizens Advice Service to enable the existing service to be maintained until 31 March 2013 at a cost of £29,109 in addition to the bridging finance already approved for the period to September 2012; and (c) to take forward Option Two as set out in this report for the future funding of NACAS to be considered as a call against the proposed Welfare Reform Fund.

4. Implications

Financial Implications

- 4.1 The additional cost of the options for additional funding for NACAS over the three financial years from 2013/2014 amounts to between £180,000 to retain all five bureaux to £692,468 to fund the NACAS corporate plan in full. The Council would find only costs actually incurred and, should NACAS be successful in its bids to secure funding from other sources for Welfare Reform, this would be a deduction from Council funding. The cost of additional funding for NACAS would be a call on the Council's proposed Welfare Reform Fund which will be considered as part of the Council's budget setting for 2013/2015. Funding for the current year would be from Money Matters savings achieved in advance of the planned date.

Human Resource Implications

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

Legal Implications

- 4.3 The revised funding arrangements would be the subject of a new contract which will replace the existing service level agreement, which is now out of date.

Equality Implications

- 4.4 The proposals contained in this report will improve access to advice services for residents in North Ayrshire, including groups covered by the Council's statutory duty to promote equality.

Environmental Implications

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

Implications for Key Priorities

- 4.6 The proposals in this report contribute to the Council's key priority, "Protecting Vulnerable People".

5. Consultations

- 5.1 The financial proposals for funding the full NACAS corporate strategic plan were reviewed by the Finance Manager for Social Services. Minor adjustments were made to the proposal as a result of this review. The Corporate Director, Finance and Infrastructure has been consulted on the content of this report.
- 5.2 The General Manager of NACAS has been consulted on the contents of this report and in turn has consulted with Members and officers of North Ayrshire Council on the preparation of the NACAS corporate strategic plan.

6. Conclusion

- 6.1 This report presents options for the future funding of NACAS by the Council which would provide additional capacity to assist the Council to respond to the increased demand for advice services arising from the implementation of Welfare Reform.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : LR/KS

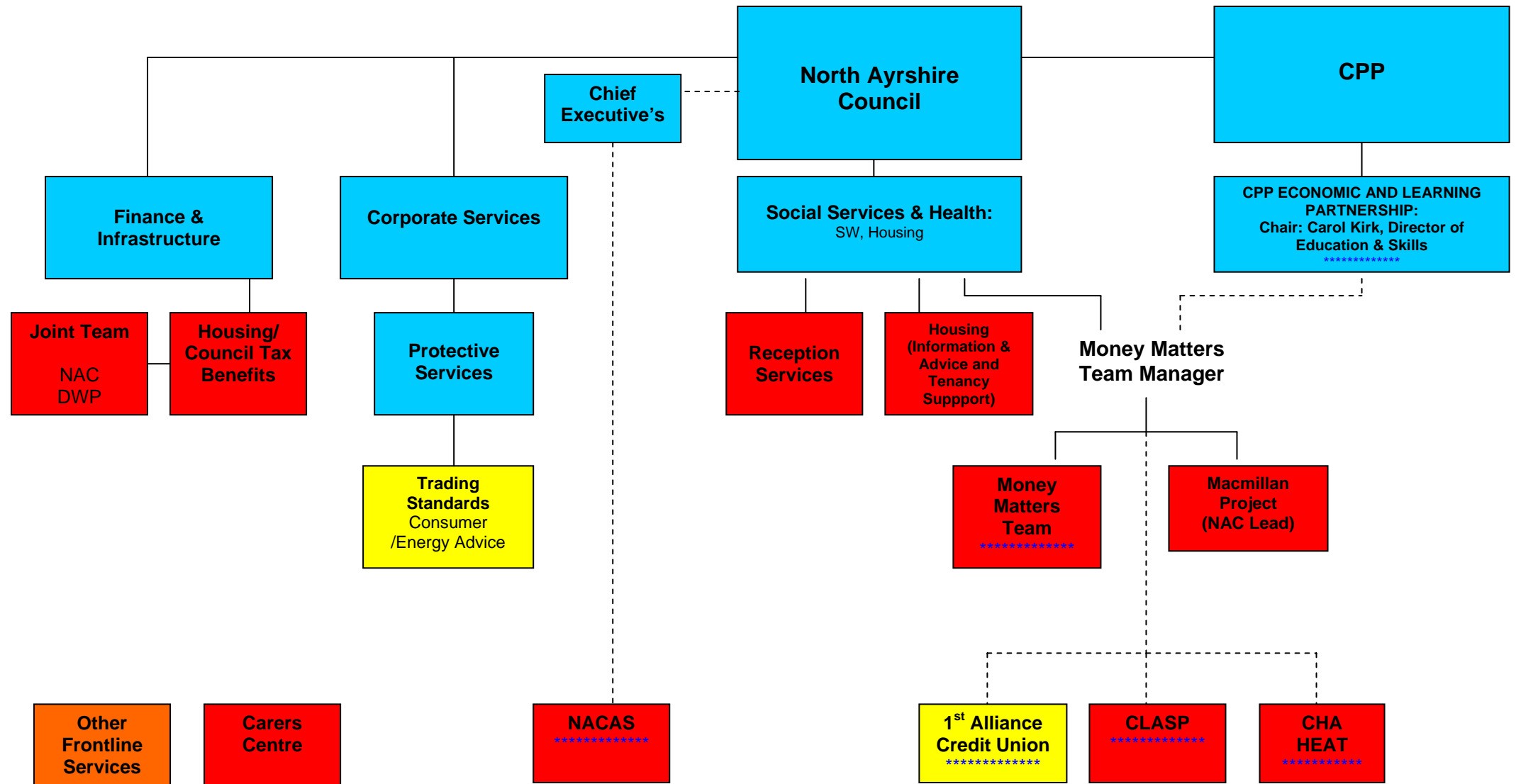
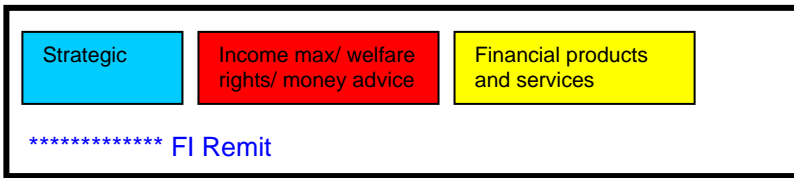
For further information please contact Lisbeth Raeside, Head of Service Development on telephone number 01294 317705.

Background Papers

NACAS Corporate Plan; Briefing Note regarding CLASP.

FINANCIAL INCLUSION 'MAP' (Revised at APRIL 2012).

KEY:



NORTH AYRSHIRE COUNCIL

Agenda Item 10

6 November 2012

Cabinet

Subject: **Empty Homes: Bid for 'North Ayrshire Empty Homes Recyclable Loan Fund'**

Purpose: To provide the Cabinet with information regarding a Scottish Government initiative which offers funding for the purpose of bringing empty properties back into use and to seek approval for a North Ayrshire Council bid to be submitted to the Government to access this fund.

Recommendation: That the Cabinet agrees to approve the funding bid, which is summarised within this report (copies of the full bid are available on request).

1. Introduction

- 1.1 The 2011 paper 'Homes Fit for the 21st Century' sets out the Scottish Government's vision to improve housing condition and to ensure everyone has equal access to good quality housing. In support of this vision, the Scottish Government announced the availability of a £4 million Empty Homes Loan Fund.
- 1.2 The Scottish Government's loan fund offers a 0% interest loan, which must be repaid to back to the Government by 2024, and which must be used to address problems of empty homes.
- 1.3 This report provides detail on a proposal to submit a bid to the Scottish Government in order to secure £200,000 funding from the Government, which will be used by the Council, to provide income for a 'North Ayrshire Empty Homes Recyclable Loan Fund'.

2. Current Position

- 2.1 The Local Housing Strategy 2011-2016 identifies an affordable housing shortfall of 2,700 homes. Research has identified over 700 'long term empty' homes within North Ayrshire, 64% of which had been vacant for 12 months or more. By bringing some of these empty homes back into the viable housing stock, an element of the affordable housing shortfall can be addressed.

- 2.2 Furthermore, empty homes attract a number of issues for the Council and their local communities: empty home owners are not required to pay full Council Tax, reducing Council income and the properties attract antisocial behaviour, graffiti, fly tipping and vandalism.
- 2.3 In September 2012, Housing Services undertook an Empty Homes Survey, whereby owners of empty properties were asked a series of questions. The findings of which will inform the forthcoming Empty Homes Strategy. The survey had a 27% response rate.
- 2.4 Research carried out in other localities has indicated the cost of repairs is often a significant barrier to bringing empty properties back into use. The North Ayrshire Survey found that 51% of respondents noted that their properties needed repair or improvement works, 54% would be interested in working with the Council to bring the property back into use, 24% of respondents thought that a grant or loan would help them to bring their property back into use, 8% wished advice or access to loans for repairs and 16% were concerned that their home would become dilapidated or run down as a result of being empty.
- 2.5 A significant finding from the empty homes survey was that 24% of the properties had one bedroom. The loan scheme has the potential to help mitigate the impact of Welfare Reform in relation to the benefit penalties for under-occupying a property, by increasing the number of one bedroom properties available for rent within North Ayrshire.

3. Proposals

- 3.1 It is proposed that the Cabinet agrees to approve a bid to the Scottish Government (copies of which are available on request) for a £200,000 loan to establish a 'North Ayrshire Recyclable Empty Homes Loan Fund'.
- 3.2 The proposed 'North Ayrshire Empty Homes Recyclable Loans Fund' aims to:
- Meet the Local Housing Strategy aim to increase the number of affordable homes in North Ayrshire,
 - Bring long term empty homes back into use,
 - Provide affordable housing at a low level of investment,
 - Improve the local environment and private sector property condition,
 - Provide incentives for owners of empty homes to bring their properties back into use.

- 3.3 It is intended that the Council (if successful) would establish a fund with this money, from which loans would be awarded, and into which repayments would be made. As repayments are collected back into the fund, these would in turn be again offered as loans. The recyclable nature of this model would allow the provision of more loans and higher investment than the original £200,000 would suggest. Our bid demonstrates how 254 loans at a value of £2,000 could be achieved (resulting in £508,000 of investment), or 40 loans at £15,000 (£600,000 of investment).
- 3.4 Loans would be offered owners of properties which have been vacant for more than six months and which require renovation work to bring them up to a habitable standard. Loans would be offered at a 0% interest rate for an agreed duration (no longer than 4 years). The overall loan value would be capped at £15,000 and secured on the property to mitigate risk to the Council. It will be a condition of the loan that monies secured must be used for the purpose of addressing disrepair in empty homes. Properties must also be used for private rented purposes, at no more than the Local Housing Allowance rate, for a minimum period of 5 years (in order to alleviate the affordable housing shortfall).
- 3.5 Owners who fail to repay their loan within the agreed duration will incur a penalty fee on the outstanding loan balance. Those who fail to use the loan for the agreed purpose, will incur a penalty on the entire loan amount. The penalty which will apply will be interest charged at the Bank of England rate plus 3% (penalty charge identified by the Council's Treasury Advisors). It is important that the penalties disincentivise individuals from seeking funding from the 'Empty Homes Recyclable Loan Fund' as a low cost borrowing option.

4. Implications

Financial Implications

- 4.1 The bid, if successful, would see the Council awarded a £200,000 loan from the Scottish Government, which must be 60% repaid by March 2020, and fully repaid by March 2024. Our bid demonstrates how these terms can be met.
- 4.2 Those seeking a loan from the Council would be required to meet the administrative costs of preparing their loan agreement. The Scottish Government has advised that they would permit such costs to be added to the value of the loan.

- 4.3 A risk assessment exercise has been undertaken to mitigate any negative impacts on the Council from loan defaulters. In order to mitigate financial risk, and following discussions with Legal and Financial Services, the Council will secure the loan against the applicant's property. If the applicant fails to repay their loan, the Council's debt recovery proceedings would be followed and, if these also fail, the costs will be recovered when the property is eventually sold.

Human Resource Implications

- 4.4 Housing Services will absorb the remit of advising on and overseeing the scheme into existing staffing resources. Lettings for individual properties will be managed through the Council's Rent Deposit Scheme.
- 4.5 Financial Services have advised they can administer the financial elements of the scheme. They have the capacity to process four loan applications per month (demand greater than four applications per month is not anticipated). If a greater demand is evident then, applicants would be prioritised in accordance with the Local Housing Strategy investment priority areas.
- 4.6 Legal Services will oversee the Legal matters arising from the scheme. They too have advised they have capacity to manage four applications per month.

Legal Implications

- 4.7 Legal Services will represent the Council's interest in relation in this scheme.

Equality Implications

- 4.8 No negative equalities issues anticipated. By bringing poor quality, empty homes back into use and, in turn, increasing the affordable housing supply, there will be a positive impact on those who are vulnerable or living in poverty.

Environmental Implications

- 4.9 Bringing empty homes back into use will have a positive environmental impact. There is likely to be a positive benefit for those currently living in the proximity of the empty properties, particularly if the property is attracting vandalism or other anti-social behaviour.

Implications for Key Priorities

- 4.10 The 'North Ayrshire Empty Homes Recyclable Loan Fund' would support the Single Outcome Agreement between North Ayrshire Council and the Scottish Government. Specifically, the National Outcome "we live in well designed, sustainable places where we are able to access the amenities and services we need" and the North Ayrshire Outcome 10(b) Availability of affordable housing has increased.

5. Consultations

- 5.1 Housing Services has consulted with Legal Services and Financial Services in the preparation of this bid.
- 5.2 Housing Services has also consulted with the Scottish Empty Homes Partnership and South Ayrshire Council in the preparation of this bid.

6. Conclusion

- 6.1 Cabinet approval is sought for the bid to the Scottish Government for the establishment of a 'North Ayrshire Empty Homes Recyclable Loan Fund', utilising Government funding for a maximum period of 10 years.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : DH/1357/12

For further information please contact Trudi Fitzsimmons, Principal Officer (Strategy) on telephone number 01294 324642

Background Papers

Funding bid documentation.

NORTH AYRSHIRE COUNCIL

Agenda Item 11

6 November 2012

Cabinet

Subject:	The Future Delivery of Building Services
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Purpose:	To advise Cabinet of the outcomes of the exercise to identify the most suitable arm's length model for the future delivery of Building Services.
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Recommendation:	That the Cabinet agrees to the implementation of the proposals set out at Section 3 of the report.
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1. Introduction

1.1 In 2010, the Council commissioned specialist support to provide advice on the widest set of options for the future delivery of Building Services that would create a sustainable and successful future operation, including how value in the following areas can be added:-

- Generating additional income from sources other than the Council
- Delivering contracts more efficiently and at lower cost
- Expanding employment opportunities
- Providing other forms of community benefit to the area

1.2 At its meeting of 14 December 2010, the former Executive received a report on the outcomes of this Options Appraisal and agreed to:-

- i. radically re-engineer Building Services to work in a competitive commercial environment to deliver sustained efficiencies and cost benefit to the Council;
- ii. carry out preparatory work to decide on the preferred arm's length model at the same time as it overhauls Building Services through the Revitalise and Rebrand programme; and
- iii. review, strengthen and update the role of the client (Housing Services) and the client's agent (Infrastructure and Design Services), to occur at the same time as the Revitalise and Rebrand programme.

1.3 In April 2011 the service was aligned with Environment and Related Services to progress the implementation of the revitalise and re-brand programme. Specialist support was subsequently procured to advise on the most suitable arm's length model for Building Services.

2. Current Position

- 2.1 Building Services employs 284 staff (managerial, supervisory, clerical and craft operatives) and has a budgeted income of approximately £19.7 million. The vast majority of this budget is funded by the Housing Revenue Account in respect of work undertaken to repair, maintain and improve the Council's housing stock. The remaining element, equating to approximately £1million, is for repair work undertaken within the Council's non-housing property including schools, offices, depots, etc.
- 2.2 This income also includes works to install new kitchens, bathrooms and uPVC double glazed windows as part of a programme of improvement works to the Council's housing stock in response to the requirements of the Scottish Housing Quality Standard. The value and spend profile of this work is detailed within the Housing Business Plan which covers the period to 2039/40. The Housing Service is currently reviewing the business plan and will be submitting revised expenditure proposals to Cabinet for consideration later in the year.
- 2.3 The current Housing Business Plan includes a reduction in expenditure of £4.75 million in respect of kitchens, bathrooms and uPVC double glazed windows programmes by 2015. Furthermore, the capital investment programme is planned to realise a reduction in expenditure on responsive repairs by 20% from 2015/16 onwards. Unless alternative work streams can be identified, the number of employees within the service will be reduced by up to a third. The unit costs of other work will also increase as there are a number of overheads and other fixed costs that cannot be mitigated and will remain within the service. It will, therefore, be necessary to apportion these accordingly. This will provide further pressure on the Council in demonstrating best value for the range of works undertaken by the service.
- 2.4 In order to reduce the impact of this reduction in work, it is clear that the service requires transformational change, including the consideration of a move to an alternative model of service delivery. Furthermore, such alternative service delivery model should ensure that best value is demonstrated in the work currently undertaken by the service.

- 2.5 An arm's length company is a service delivery model that has been utilised within other public sector organisations to deliver the transformational change required to compete effectively within the market place whilst:-
- Generating additional income streams outwith the Council.
 - Delivering current contracts more efficiently and at lower cost to demonstrate best value.
- 2.6 The successful achievement of these key service outcomes can also contribute to key Council objectives including:-
- Increased employment opportunities.
 - Other forms of community benefit to the area.
- 2.7 Detailed work has now been completed on the adoption of an arms length delivery model for the service including analysis of the following key aspects:-
- The type of arm's length company suitable to deliver an improved and commercially competitive service
 - The structure of an arm's length company, including governance arrangements and skills/competencies required to enable sustained delivery.
 - The extent to which work currently undertaken by the service on behalf of the Council can be transferred to a new entity.
 - Current market conditions to inform the timing of entry to the market.
 - Contract Opportunities to identify potential alternative income streams
 - High level financial modelling
 - Impact upon employees
- 2.8 Housing repair and maintenance is the core business of the service and an area where extensive technical experience and expertise is already in place. This expertise has enabled the continued achievement of high levels of performance in respect of quality as identified by the Scottish Housing Best Value Network and by tenants as end users of the services provided. Consequently, it is this area where the new entity has the best opportunity to win external work upon entry. Market conditions for this type of work have been assessed within those local authority areas immediately adjacent to North Ayrshire (Band 1) and those areas immediately adjacent to these (Band 2).

- 2.9 These market areas have a large number of suppliers dominated by City Building (A wholly owned arm's length company of Glasgow City Council) that at the time of analysis accounted for 46% of the Registered Social Landlord (RSL) market, within both Bands 1 and 2, and MITIE (a private sector company) accounted for 29% of the market with Band 1.
- 2.10 The economic downturn has led to a reduction in general construction works and increased competition within an already saturated market place leading to reduced margins. This has been exacerbated as larger contractors, with economies of scale, are now bidding for small and medium sized contracts, which they previously ignored, to ensure that their fixed assets and resources continue to be utilised during the downturn.
- 2.11 The economic downturn has also resulted in buyers acting differently to secure maximum value from reduced budgets by procuring contracts jointly to exploit economies of scale. This is further increasing competition and driving down price by reducing opportunities within an already aggressive marketplace.
- 2.12 As a new entrant to the competitive market place any potential arm's length company needs to develop and establish a recognisable brand and reputation for delivery amongst buyers. This can only be achieved by winning contracts. Price is clearly a key determinant within a highly competitive marketplace and, therefore, the new company would need to deliver contracts at either the average or preferably below the average price of competitors. In order to provide product differentiation and establish a foothold in the market, a reduced price strategy, achieved through cost efficiency, must be combined with the continued delivery of high levels of quality.
- 2.13 A benchmarking exercise of 40 sample jobs has established that prices levied by the service are on average 12% above the current market rates. In order to adopt a lower price / higher quality strategy, a reduction in average cost of 15% would be required and the wide variations against the benchmarks be eliminated.
- 2.14 The importance of winning new business is critical to the success of an arm's length organisation and vital to fill the void that will be left as the Housing Business Plan is delivered. Market opportunities over the next 5 years have been identified within three areas where the service either has, or can readily, develop appropriate skills to undertake the work. In each case, for modelling purposes, the planned win rate has been taken as a percentage of overall value rather than a break-down of individual contract values.

i. Existing Services to New Clients i.e. repair and maintenance to Registered Social Landlords

- 2.15 This area of work forms the current core business of the service and is one where there are high levels of competencies amongst the workforce and high quality outputs can most easily be demonstrated. However, the market is extremely competitive and, whilst the service has the competencies and track record of undertaking this type of work for the internal housing service, it would need to establish a brand and reputation within the external market. Accordingly, the planned 'win rate' increases from 5% in year 1 to 15% by year 5, which would equate to contracts to the value of £1.35million in year 5.

Year	Value of Contracts	Planned Win Rate	Proportionate Value
2012/13	£10.14 million	5%	£0.51m
2013/14	£11.21 million	7.5%	£0.84m
2014/15	£13.68 million	10%	£1.37m
2015/16	£9.20 million	12.5%	£1.15m
2016/17	£9.00 million	15%	£1.35m

ii. New Services to Current Internal Clients

- 2.16 This area is work that is currently procured by the Council from the external market for both the housing stock and operational properties. Opportunities have been identified in respect of work where the service can readily develop the competencies and skills required. This work can be passed direct to the service without the requirement for formal procurement processes provided that best value can be demonstrated. Accordingly, a higher 'win rate' has been allocated to secure work to the value of £1.58million by the end of year 3.
- 2.17 There are time bound contractual arrangements in place in respect of the two largest areas of work; Gas Safety and Roofing and Rendering. However, these high value areas could readily be undertaken by the service, with some additional training during the lead-in period.

	2012/13	2013/14	2014/15	2015/16	2016/17
Asbestos Removals	£0.35m	£0.35m	£0.35m	£0.35m	£0.35m
Gas Safety	N/A	£1.50m	£1.50m	£1.50m	£1.50m
Roofing and Rendering	N/A	N/A	£4.99m	£4.99m	£4.99m
Other Projects	£1.06m	£1.06m	£1.06m	£1.06m	£1.06m
Value of Work	£1.41m	£2.91m	£7.90m	£7.90m	£7.90m
Planned Win Rate	20%	20%	20%	20%	20%
Proportionate Value	£0.23m	£0.58m	£1.58m	£1.58m	£1.58m

iii. New Services to New Clients

2.18 This opportunity seeks to develop further the skills and experience required to undertake work identified at (ii) above to become a specialist in these areas. The identified work streams are for contracts let by Registered Social Landlords and other Councils' housing services. This area has the largest number of opportunities, but will also have very high levels of competition. Accordingly, a very low 'win rate' has been assumed as the service needs to develop appropriate skills and also establish a brand and reputation within the external market for works of this nature. By the end of year 5, contracts to the value of £2.14million would be secured.

	2012/13	2013/14	2014/15	2015/16	2016/17
Asbestos Removals	£3m	£3m	£3m	£3m	£3m
Gas Safety	£24m	£24m	£24m	£24m	£24m
Roofing and Rendering	£80m	£80m	£80m	£80m	£80m
Value of Work	£107m	£107m	£107m	£107m	£107m
Planned Win Rate	0%	0.5%	1%	1.5%	2%
Proportionate Value	-	£0.54m	£1.07m	£1.61m	£2.14m

- 2.19 An arm's length company will require a number of senior management posts with responsibility for areas currently provided through the wider corporate Council staffing structure, including a Managing Director and Finance Director. A further post of Business Development/Marketing Director will also be required to provide skills relevant to securing work within the commercial sector. In addition to these senior posts, competencies in respect of design and pricing of jobs at an operational level will be required. The costs of these additional posts are estimated at £415,000. These costs have been considered within the development of delivery models of the four key types of arm's length company, although the extent to which they will be incurred varies between each one.

Model 1:- A company wholly owned by the Council – Single Entity.

- 2.20 This model creates a wholly owned subsidiary of Council where all risk, profit and loss remains with the Council. The overall strategic objectives/direction of the company are set and appropriate governance provided by a board appointed by the Council. The board would consist of Elected Members, Council Officers and a non-Executive preferable with commercial experience.
- 2.21 Operational matters would be governed by the Managing Director who would lead a management board of Senior Officers of the company.
- 2.22 This model allows the Council to retain control of the company setting strategic direction to ensure that the company contributes to the key objectives of the Council. As sole beneficiary of any surplus profits the Council will be able to invest these as it sees fit.
- 2.23 There are a number of key issues for consideration within this model:-
- The risk of business failure remains with the Council.
 - The company will require initial investment to meet 'start up' costs. Additional costs will be incurred to recruit appropriate senior posts required to manage the business within a commercial environment and establish a place within the market. These costs will require offsetting through equivalent efficiencies elsewhere within the business.
 - The move to a commercial entity will require a step change in culture amongst employees. Accordingly there is a high risk of not achieving the productivity savings within the required timescales. The ability to secure the required change is also dependant upon securing the appropriate commercial skills within new employees and developing existing employees.

- Internal Council work streams can be passed through to the company provided that value for money can be demonstrated. Therefore, additional procurement savings to the Council, in a client role, can be achieved and a guaranteed workflow provided to the entity as it establishes a place within the market. However, the service and, therefore, any new entity does not have a track record of competitively winning and a reputation of delivering external work therefore there is a high risk of not securing essential new work streams, a key strategic objective in forming a new service delivery model

Model 2:- Jointly owned by the Council and another Local Authority(s) – Public partner

- 2.24 This model creates a 'shared service' between two or possibly more Councils who act as joint owners of the company. Ultimate ownership along with risk, profit and loss is dependant on the proportion of shares held by each partner.
- 2.25 As with the wholly owned option, the overall strategic objectives/direction of the company are set and appropriate governance provided by a joint board appointed by the partner Councils. The board would consist of Elected Members and Council Officers from both partners along with a non-Executive preferably with commercial experience.
- 2.26 Operational matters would be governed by the Managing Director who would lead a management board of senior officers of the company.
- 2.27 This model allows the partner Councils to retain control of the company setting strategic direction to ensure that the company contributes to the key objectives of the Councils. However, consensus would have to be agreed between the partners which may result in a dilution of any one of the partner's objectives for the company. Any surplus profits would be proportionately returned to each partner Council who would then be able to invest these as each sees fit.
- 2.28 There are a number of key issues for consideration within this model:-
 - It would be necessary to identify a partner Council that had a similar vision for the delivery of the service.
 - Shared service delivery models can be difficult, as acknowledged by Audit Scotland, to initially establish and secondly deliver within appropriate timeframes.
 - The risk of business failure remains with the partner Councils.

- The company will require initial investment to meet 'start up' costs. Additional costs will be incurred to recruit appropriate senior posts required to manage the business within a commercial environment and establish a place within the market. These costs will require offsetting through equivalent efficiencies elsewhere within the business although these would be split between partners and therefore lower in proportion than a single entity model.
- Additional severance costs of management and supervisory staff may be incurred where duplication exists.
- The move to a commercial entity will require a step change in culture amongst employees across two or more existing services. Accordingly, there is an increased risk of not achieving the productivity savings required. However, increased efficiencies would be available from the economies of scale of joining services. The ability to deliver the required change is also dependant upon securing the appropriate commercial skills through the recruitment of new employees and developing existing employees.
- Internal Council work streams can be passed through to the company by all partners provided that value for money can be demonstrated. Additional procurement savings to the partners, in a client role, can be achieved and a guaranteed workflow provided to the company as it establishes a place within the market. However, the new company would not have a track record of competitively winning and a reputation of delivering external work; therefore, there is a high risk of not securing essential new work streams, a key strategic objective in forming a new service delivery model.

Model 3:- Joint venture between the Council and a private sector body – Private partner

- 2.29 This model requires a competitive procurement exercise to select a private sector partner. The exercise would include the work currently undertaken by the service and assurances in respect of future work streams. Ultimate ownership along with risk, profit and loss is dependant on the proportion of shares held by the private sector partner and the Council.

- 2.30 The Council would stipulate its requirements in respect of the overall strategic objectives/direction of the company during the procurement exercise to secure a partner. Governance of the company would be provided by a joint board consisting of Elected Members and Council Officers, Officers of the private sector partner along with a non-Executive preferably with experience of these delivery arrangements.
- 2.31 Operational matters would be governed by the Managing Director who would lead a management board of senior officers of the company. This is likely to be provided by the private sector partner.
- 2.32 Any surplus profits would be proportionately shared between the private sector partner and the Council. The Council would be able to invest its return as it sees fit.
- 2.33 There are a number of key issues for consideration within this model:-
- The risk of business failure is shared with the private sector partner.
 - The senior management and commercial skills required by the new entity would be provided by the private partner, thereby reducing the costs of creating and operating a new company. However, it is expected that these costs will be included, although not explicitly, within tender submissions received from potential partners.
 - The Council would incur additional costs in the initial procurement of a partner and contract management arrangements during the course of the partnership.
 - The procurement exercise would demonstrate value for money in the delivery of these services. However, the aggressive nature of the market and the attractiveness of Council work streams, could result in the submission of bids that are not sustainable by the private partner over the course of the partnership.
 - It is expected that a private sector partner will have an efficient delivery model appropriate to operating within a commercial environment for early implementation thereby reducing the risk of not achieving efficiency savings. However, it is likely that this will result in an accelerated or immediate reduction in employees until additional work streams are secured.
 - The risk of not achieving the efficiencies required is further reduced as it is anticipated that the partnership would benefit from the economies of scale of the private partner.

- The private sector partner would have a track record of competitively winning and a reputation of delivering external work, therefore, there is a reduced risk of not securing essential new work streams.
- The establishment of a partnership will reduce the level of control the Council has over the strategic direction of the business particularly in respect of non-profit outcomes such as community benefit. Whilst the Council's key strategic objectives will be stipulated within the procurement exercise, the private sector may seek to amend these through the exercise or increase their price submissions or reduce quality to reflect these.

Model 4:- A social enterprise

- 2.34 There are a range of social enterprise models that can be adopted. However, the competitor exercise undertaken by external advisors did not uncover any Social Enterprises within the marketplace. It is, therefore, unlikely that any procurement exercise will identify a partner to immediately implement this option and, as a result, the Council will need to create and develop a partnership with a local organisation or interested parties. The Council has a programme of support in place to assist in the development of social enterprises. However, the scale of Building Services and the competencies required to achieve successful delivery are such that it is unlikely that a successful external enterprise can be developed in time to meet the challenges the service faces. Therefore, for the purposes of comparison, a model that creates an entity jointly owned by the Council and its employees has been considered.
- 2.35 The aim of the enterprise is to create 'social profit' which is re-invested in the business in accordance with its particular stated aims and objectives. The Council remains responsible for a proportion of risk, profit and loss depending on the partnership arrangements adopted. In the early years of any enterprise, it is expected that this will be a majority holding that reduces as competencies and capabilities are developed. The overall strategic objectives/direction of the company are set and appropriate governance provided by a board appointed by the Council. The board would consist of Elected Members, Council Officers and Employee representatives of the new company.
- 2.36 Operational matters would be governed by the Managing Director who would lead a management board of senior officers of the company. It is likely that employee representatives would also form part of the management board.

2.37 This model allows the Council to retain control of the company depending on the proportion of ownership retained, however the principal strategic objective is community benefit. These objectives could be tailored to ensure that the entity contributes to the key community benefit objectives of the Council.

2.38 There are a number of key issues for consideration within this model:-

- The Council will still retain a proportion of business risk commensurate with its level of share-holding.
- The need to create and develop a suitable model will require extensive support from the Council in the early years. This may detract the efforts required to achieve the required efficiencies in service delivery and securing of new workstreams.
- The company will require initial investment to meet 'start up' costs. Additional costs will be incurred to recruit appropriate senior posts required to manage the business within a commercial environment and establish a place within the market. These costs will require offsetting through equivalent efficiencies elsewhere within the business. A further risk exists in the ability to recruit appropriate staff with the appropriate level of commercial experience and ability to drive the change required whilst retaining the 'spirit' of a social enterprise model.
- In order to achieve the efficiencies required to deliver value for money and win external contracts a step change in culture amongst employees will be required. However a not for profit model is likely to reduce the explicit need, desire and ability to reduce costs through improved productivity as this may conflict with the improved social outcome business objectives of the company. Accordingly, there is a high risk of not achieving the productivity savings required. The failure to achieve the required level of efficiency will seriously reduce the ability of the company to win new contracts as price is a key determinant within the current market place.
- Internal Council work streams can be passed through to the company provided that value for money can be demonstrated although this model may not, in the current climate, be able to demonstrate this criteria. Additional procurement savings to the Council, in a client role, can be achieved and a guaranteed workflow provided to the company as it establishes a place within the market. However, the new company does not have a track record of competitively winning and a reputation of delivering external work, therefore, there is a high risk of not securing essential new work streams, a key strategic objective in forming a new service delivery model.

- 2.39 Following analysis the model that delivers the greatest financial return and therefore projected to be the most sustainable over the 5 year period is a joint venture between the Council and a private sector body. The key assumption being that this model provides the most achievable opportunity, in the short to medium term, to deliver an efficient business that competes effectively to win external work. However, current economic conditions allied with the aggressive market place has resulted in many private sector construction companies closing in recent years and therefore there is high risk that the additional external work anticipated cannot be achieved until such time as the economic outlook improves.
- 2.40 As discussed earlier in the report, there are a number of factors that the Council needs to consider in the development of a private sector partner the key one being the reduced level of control over service delivery and contribution to wider corporate objectives. It is also likely that there will be an accelerated reduction in the number of employees in order to deliver the efficiencies required to win external work.
- 2.41 In order to provide the widest number of options for consideration high level modelling has also been undertaken of the service following implementation of an enhanced revitalise and re-brand programme.

Model 5: - Continued Delivery of the Revitalise and Re-brand Programme

- 2.42 This programme would be supported by greater use of the service to undertake other internal work streams, where best value can be demonstrated, without external procurement exercises. The revitalise and re-brand programme is well developed and to date a number of key actions have been progressed including:-
- Identification of the efficiency gain required (15%) and the development of a supporting plan to deliver a service competitive with the private sector.
 - Key business processes have been mapped and new efficient processes, incorporating the use of technology where appropriate, are being developed.
 - Development of a Service Level Agreement with Infrastructure and Design Services.
 - Commenced a review of internal charging mechanisms and the Schedule of Rates.

- Implemented a communications programme to encourage inclusion amongst staff and trade unions to support the delivery of an improved service. This has included the submission of proposals to resolve the outstanding job evaluation exercise and to extend the skills of operatives to remove job demarcation and undertake ancillary tasks to their main trades.
- A Workflow Planning Unit is being created that will support a right first time approach through appropriate scoping of works and allocation of resources and improve forward planning to smooth workflows, optimise use of resources and reduce use of sub-contractors and overtime.
- A review of ICT systems has commenced to support new processes and to improve planning and management of work in progress, financial management, stock control and performance management.
- Mobile technology has been extended to the Voids business area.
- Effective workforce planning to manage reduction in employees due to the anticipated reduction in workload.
- Completion of a price based bench-marking exercise.
- The completion of a marketing strategy that has established the level of competition and current market conditions to help identify both internal and external business growth opportunities and potential 'win rate' for new work. Through market segmentation, areas for growth have been identified and a market approach of 'below average price above average quality' established.
- Completed pilot schemes of potential new work streams in conjunction with Infrastructure and Design.
- Tender submissions have been made for two external repair and maintenance contracts.

2.43 The revitalise and re-brand model would allow the Council to retain full control over the direction and delivery of the service; however, it does not deliver the level of financial return over the 5 year period as the private partner model. Whilst the net reduction in employees is approximately 10% lower, there is still a requirement to significantly reduce the number of employees within the service to achieve the level of efficiency required. Effective workforce planning, through the use of temporary staff, during the development of the programme will minimise the impact upon permanent employees and it is, therefore, anticipated that compulsory redundancies will be avoided. It is anticipated that, by improving efficiency, the service will be able to

demonstrate best value over a wider range of internal work streams in line with the Council's key aim to operate more efficiently and effectively and, in the medium term, begin to employ additional staff whilst continuing with a large scale apprentice programme in support of the Council's key aims to regenerate communities and create employment.

- 2.44 The current aggressive market conditions affect the weighting provided to the probability of winning future external work and therefore the outcome of the outline financial models developed. The revitalise and re-brand model would enable future consideration of potential arm's length models once economic conditions improve, although this is not likely in the short or medium term.
- 2.45 The revitalise and re-brand model provides greater benefits in respect of financial sustainability and retention of employees than the do nothing option, i.e. retain the service within its current form.

3. Proposals

- 3.1 That internal transformation consisting of the continued and enhanced delivery of the revitalise and re-brand programme be implemented by October 2013 to deliver the efficiencies required to enable consideration of sustainable delivery of the in-house service. This programme includes the following key actions:-
- Conclusion of discussions with workforce representatives to complete the outstanding review of pay and grading exercise for craft employees within the service. This includes formal agreement with trade unions to new role profiles that remove job demarcation, increase the range of ancillary tasks and multi-skilled work undertaken and establish minimum productivity levels for employees.
 - Implementation of the Workflow Planning Unit to improve the planning and scoping of work flows to enable the effective allocation of resources (materials and labour) to increase the number of jobs resolved at the first visit thereby reducing the cost of works whilst reducing the reliance on sub-contractors to meet peak demands. Support this process by developing a series of forward-looking key performance measures to improve business planning and the extension of mobile ICT technology currently utilised in the responsive and void repairs areas across the whole service.

- Continued implementation of new business processes that remove duplication and support efficient practices, incorporating the use of technology where appropriate. To support this exercise through the procurement of an appropriate ICT based property repairs and maintenance system, including a comprehensive job costing module, and the creation of a revised staffing structure.
 - Review the procurement and management of materials and supplies to ensure that value for money is achieved in the procurement of goods, that they are supplied to stores and distributed to jobs on a timely basis and that stock levels are commensurate with future demands.
 - Complete a zero-based review of the costs of delivering the most popular types of works undertaken to inform the schedule of rates currently utilised for charging purposes and to implement any revisions in April 2013. These rates will be benchmarked on an annual basis to ensure that best value is achieved. This benchmarking exercise will also be utilised to inform future contract strategies, including the use of sub-contractors where competitive rates cannot be achieved by delivering services direct.
- 3.2 That, where value for money can be demonstrated through appropriate schedules of rates, Building Services be utilised to undertake additional Council work streams.
- 3.3 That pilot schemes be continued and developed further for internal works that require new skills within the service and are therefore procured externally.
- 3.4 That a shadow team be established within the service for large projects that are currently procured externally to gain an understanding of how the service needs to develop to compete for these work streams.
- 3.5 That Cabinet receive an annual business report setting out progress against the improvement actions, bench-marking information, additional work-streams secured and market conditions. This report should also provide a forward look to ensure the service anticipates market changes and opportunities to ensure a sustainable service is maintained.
- 3.6 That a procurement exercise be undertaken for the supply, installation and maintenance of an appropriate ICT based property repairs and maintenance system including a comprehensive job costing module.

- 3.7. That the Head of Environment & Related Services, in consultation with the Council's Procurement Service, negotiate terms with Xmbrace to extend the implementation of the workflow scheduling system currently utilised within the responsive and void repairs areas across the whole service.

4. Implications

Financial Implications

- 4.1 As a trading account, Building Services has a requirement to break-even over any three year period. Successful delivery of the efficiency level identified within the enhanced revitalise and re-brand programme will enable this criteria to be met. However, it should be noted that if the programme cannot be delivered in its entirety, there is a risk that this requirement will not be met.

Human Resource Implications

- 4.2 Each of the models considered, including the 'do nothing' option will result in a reduction of the number of employees within the service.

Legal Implications

- 4.3 The Council has a duty to ensure best value in the delivery of its services. Successful delivery of the enhanced revitalise and re-brand programme will enable Building Services to demonstrate this requirement.

Equality Implications

- 4.4 There are no equality implications at this time.

Environmental Implications

- 4.5 There are no environmental implications at this point

Implications for Key Priorities

- 4.6 The proposals seek to contribute to the following SOA objectives:-

- 1d - North Ayrshire has more of an enterprise culture
- 3c - People are better skilled to get into work
- 15a - Public perceptions of public services have improved
- 15b - Public services are more efficient and effective
- 15c - Partnership working has improved

Community Benefit Implications

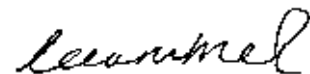
- 4.7 Improved community benefits is one of the key strategic aims of any future delivery model. The revitalise and re-brand will seek retain local employment and through the apprentice programme continue to provide structured training opportunities.

5. Consultations

- 5.1 Regular meetings with Trade Union representatives have and continue to take place in respect of the development and implementation of the revitalise and re-brand programme. Housing Services and Infrastructure and Design have been consulted as key suppliers of work.

6. Conclusion

- 6.1 Preparatory work has been completed upon the most appropriate arms length model for the future delivery of Building Services. This work has identified that the current economic conditions provide a high-level of risk to the sustainable operation of an arm's length company at this time. The revitalise and re-brand programme has been enhanced to provide a model that will enable the service to meet the challenges it faces in demonstrating best value in the medium term.



LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference : CH/LB

For further information please contact Craig Hatton, Head of Environment and Related Services on telephone number 01294 541514

Background Papers

Consultant's Report

NORTH AYRSHIRE COUNCIL

Agenda Item 12

6 November 2012

Cabinet

Subject: **Sophos Anti-Virus Contract - Renewal of Support and Maintenance**

Purpose: To seek approval for the use of the negotiated procedure for the renewal of the Sophos Anti-Virus support and maintenance contract for Education devices.

Recommendation: That Cabinet approves use of the negotiated procedure and to authorise the Solicitor to the Council to conclude the new contract.

1. Introduction

- 1.1 The Council has made a strategic investment in Sophos anti-virus and malware protection software over the past 3 years and the renewal of the contract is due. Renewing with Sophos will allow the continued strategic roll-out of the product set to secure all relevant Education devices.

2. Current Position

- 2.1 The North Ayrshire Council Education desktop devices are currently protected by Sophos anti-virus software under a 3-year agreement. A strategic approach was taken to roll out the Sophos security product set across all relevant Education devices.
- 2.2 Sophos software is deployed across the Corporate desktop estate for anti-virus protections and for laptop encryption. The support and maintenance contract for the Corporate estate was renewed for 3 years in May 2011, at which time, evaluation demonstrated it provided best value for the Council.
- 2.3 Sophos has enabled the Council to maintain and enhance systems against virus and malware risks and to meet compliance requirements in respect of data security.

- 2.4 To enable a continued strategy of deploying and enhancing the existing functionality already imbedded within Education IT hardware, the Council has negotiated a price with Sophos for an enhanced product set which provides additional device control, at a unit cost which is much lower than in the existing support contract.
- 2.5 There has been a significant increase in the number of desktop devices in the Education estate over the last three years.
- 2.6 The cost of support and maintenance over the past 3 years was £4.20 per device. Support and maintenance for the next 3 years will be £33,500 at a unit cost of £3.35 per device.

3. Proposals

- 3.1 That the Council proceeds with the Negotiated Procedure to renew the contract. Renewal of the Sophos contract will provide the Council with on-going anti-virus and malware protection across the Education estate.
- 3.2 The Cabinet is invited to approve the use of the negotiated procedure and to authorise the Solicitor to the Council to conclude the new contract.

4. Implications

Financial Implications

- 4.1 There is provision in the Education Services budget for renewal of support and maintenance of the Anti-Virus solution.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

- 4.6 The purchase of on-going support for this core element of the Council's Education ICT investment will ensure no disruption to service delivery and no reduction in data security.

5. Consultations

- 5.1 The Solicitor to the Council has been consulted.
5.2 The Procurement Unit has been consulted.

6. Conclusion

- 6.1 The renewal of the Sophos Ant-Virus contract should result in continuity of data security across the Education desktop estate.



IAN T MACKAY
Solicitor to the Council

Reference :

For further information please contact Alan Blakely, Information Technology Manager on telephone number 01294 324272

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 13

6 November 2012

Cabinet

Subject:	Contract for Family Support Service
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Purpose:	To advise the Cabinet of the procurement exercise undertaken for the provision of a Family Support Service and to seek approval for the award of a contract.
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Recommendation:	That the Cabinet agrees to approve the award of the contract for the provision of a Family Support Service to Quarriers, for the contract period of two years, with the option to extend for up to a further two years.
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1. Introduction

- 1.1 At its meeting on 6 June 2012, the Cabinet agreed to undertake a procurement exercise for the provision of a Family Support Service. On 30 August 2012, an advert was placed in Public Contracts Scotland for the procurement of the provision of a Family Support Service with a closing date of 3 October 2012.
- 1.2 The contract period is for two years with the option to extend for up to a further two years, with extensions being offered in periods of one year.
- 1.3 The estimated contract value is £400,000 per annum.

2. Current Position

- 2.1 At the closing date for applications, three tender submissions were received. All submissions were assessed initially for their capability and capacity to provide the service.
- 2.2 The evaluation of the Tender was in two stages. Stage One assessed the responses to the minimum criteria. Two organisations failed to meet the minimum criteria in Stage One and, therefore, were not evaluated at Stage Two. One organisation progressed to Stage Two of the evaluation.

- 2.3 The tender evaluation panel consisted of officers from Social Services, Housing Services and NHS Ayrshire and Arran. The evaluation panel assessed the organisation's tender submission to ensure they deliver the service as follows:
- Quality (60%)
 - Price (40%)
- 2.4 The bias towards quality reflects the importance of ensuring that the successful tender has the necessary experience to provide the service.
- 2.5 The quality of service element was rated using a scoring framework based on the following criteria:-
- Staffing (15%)
 - Flexibility and Added Value (7.5%)
 - Policies and Procedures (7.5%)
 - Social Inclusion (5%)
 - Outcomes for Service Users (15%)
 - Quality Processes/Continuous Improvement (10%)
- 2.6 The preferred supplier, following the evaluation, is Quarriers.

3. Proposals

- 3.1 It is requested that the Cabinet approves the award of the contract for the provision of a Family Support Service to Quarriers, for the contract period of two years, with the option to extend for up to a further two years.

4. Implications

Financial Implications

- 4.1 The estimated contract value is £ 400,000 per annum.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 The procurement exercise has been undertaken in accordance with the Council's Standing Order and European Procurement Procedures.

Equality Implications

- 4.4 The equality credentials of the service providers have formed part of the evaluation process.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

- 4.6 The proposal contributes to the North Ayrshire vision of "a better childhood" and the outcomes that:
- children and young people are nurtured and parents supported.
 - children and young people are safe, healthy, active, aspiring and achieving.
 - the life chances of vulnerable children and young people are improved.
 - this vision is based on the Early Years Framework and the outcomes linked to the national outcome "our children have the best start in life and are ready to succeed"

Community Benefit Implications

- 4.7 The approved provider will recruit staff from the local community thereby offering employment opportunities.

5. Consultations

- 5.1 Consultation has taken place with the Community Planning Partners and a multi-agency working group has overseen the development of the proposal.

6. Conclusion

- 6.1 A procurement exercise for the provision of a Family Support Service has identified the preferred supplier and it is requested that the Cabinet approve the award of the contract to Quarriers.

A handwritten signature in purple ink, appearing to read 'Iona Colvin', is positioned above the printed name.

IONA COLVIN

Corporate Director (Social Services and Health)

Reference : DMac/NS

For further information please contact David MacRitchie, Senior Manager, Children and Families (Fieldwork) on telephone number 01294 317781.

Background Papers

Tender documentation.

NORTH AYRSHIRE COUNCIL

Agenda Item 14

6 November 2012

Cabinet

Subject: **1st Tier Joint Consultative Committee and Corporate Health and Safety Group: Minutes of Meetings held on 20 September 2012**

Purpose: To submit the Minutes of the Meeting of the 1st Tier JCC and the Corporate Health and Safety Group, both held on 20 September 2012.

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 20 September 2012 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.



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
20 September 2012

IRVINE, 20 September 2012 - At a Meeting of the 1st Tier Joint Consultative Committee of North Ayrshire Council at 2.00 p.m.

Present

Willie Gibson, Peter McNamara and Tom Marshall (North Ayrshire Council); F. Boyle, C. Mulhern, C. Turbett, J. Purvis and J. Nicholls (UNISON); A. Smith and P. Arkison (GMB), J. Jackson (UNITE); and P. Bennett (UCATT).

In Attendance

Y. Baulk, Head of Finance (Finance and Infrastructure); G. MacGregor, Head of Human Resources and A. Young, Acting Senior Human Resources Manager (Human Resources and Organisational Development); and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

John Bell, Ronnie McNicol (North Ayrshire Council); and S. Herd (Unison).

1. Adoption of Revised Constitution and Appointment of Office Bearers

Submitted report by the Chief Executive on a revised Constitution for the 1st Tier Joint Consultative Committee and seeking appointment of a Chair, Vice-Chair and Joint Secretaries to the Committee. Accordingly, nominations were sought for these positions.

Councillor Marshall, seconded by Councillor McNamara moved that Councillor Gibson be appointed as Chair of the 1st Tier Joint Consultative Committee. There being no amendment, the motion was declared carried.

C. Mulhern, seconded by P. Houston moved that C. Turbett be appointed as the Vice Chair of the 1st Tier Joint Consultative Committee. There being no amendment, the motion was declared carried.

Revisions to the Constitution for the 1st Tier Joint Consultative Committee were proposed in order to focus on Member and trade union engagement and to allow for full time trade union officers to attend the Committee as advisers as appropriate. The revised Constitution was attached as an appendix to the report.

The Committee agreed (a) to adopt the revised Constitution as contained in the appendix to the report; and (b) that Councillor Gibson be elected as Chair to the Group, C. Turbett be elected as the Vice Chair to the Group, A. Young be elected as the Joint Secretary (Employers) and S. Herd be elected as the Joint Secretary (Trade Unions).

2. Financial Outlook 2013/14 to 2015/16

The Committee received an update by the Head of Finance on the anticipated funding gap for the period 2013/14 to 2015/16 and the actions being taken to confirm the gap and identify sustainable options to address it.

At the Council meeting on 1 February 2012 the Council approved its General Fund revenue budget for 2012/13 and noted the anticipated funding gap for 2013/14 and 2014/15. The budget for 2012/13 was set in the context of a commitment over the 3 years of the spending review i.e. 2012/13 to 2014/15 to a number of national initiatives. The 2 significant initiatives which roll forward are the council tax freeze and maintenance of teacher to pupil ratios.

Taking account of the approved budget efficiencies for 2012/13, the Council's funding gap for these 2 years is £8.132m and £7.861m respectively, giving a total funding gap of £15.993m. Savings proposals of £4.798m and £2.370m for 2013/14 and 2014/15 respectively were presented to Council.

The Scottish Government published its Spending Review in September 2011, covering the period 2012/13 to 2014/15. Details of the allocation of resources to individual local authorities for 2012/13 with planning figures for 2013/14 and 2014/15 were published in December 2011. Further information on the settlement for 2013/14 is expected to be announced in September 2012, with details at a local authority level being announced in December 2012.

To ensure the Council continues to develop its financial plans over the medium term, high level assumptions have been made in respect of 2015/16 to inform the 3 year view. The high level assumptions relate to pay and non pay inflation together with an estimate of service pressures, resulting in a further funding gap of £6.175m in 2015/16. This results in an estimated funding gap of £22.168m over the next 3 years.

Discussion took place on:

- the impact of Welfare Reform on the income level of North Ayrshire residents and the Welfare Reform Working Group that has been established top to identify the impact of the reforms, some of which have been implemented already and others which are anticipated over the period to 2017, to allow appropriate financial provision to be made;
- the decreasing use of agency staff within North Ayrshire Council;
- selective use of voluntary severance and early retirement;
- auto-enrollment to the Pension Scheme and notification to staff members who are affected; and
- the continued communication and consultation with the workforce and Trade Unions, including dialogue between the Trade Unions and the Leader and Depute Leader.

Noted.

As a result of Councillor McNamara leaving the meeting, the Committee was inquorate for the following items of business.

3. Maximising Attendance - Review of Performance 2011/2012 and Quarterly Absence Return (April- June 2011)

Submitted report by the Chief Executive on the Sickness Absence data for 2011/12 against the Service targets and the progress to date for Quarter 1 2012/13.

The report and its appendices presented the Sickness Absence data for 2011/12 against the Service performance targets and details of the current and projected figures. The data provided information on:-

- trend information over a four year period;
- a breakdown by short, medium and long term absences;
- absence reasons;
- Occupational Health appointments arranged and missed;
- the quarterly absence return (April to June 2012); and
- actual attendance performance and targets for 2010/11, 2011/12 and 2012/13.

4. Maximising Attendance - Corporate Health & Safety

Submitted report by the Chief Executive on the application of the Maximising Attendance procedure to accidents at work .

The Maximising Attendance procedure was introduced in April 2010. Prior to implementation of the procedure, consultation was carried out with a variety of forums including the Corporate Workforce Strategy Group, CMT and the Trade Unions. A review of the procedure was carried out at the 1st tier JCC on 19 May 2011 and workplace accidents within the procedure and therefore any absence counting towards the absence triggers was discussed during this meeting. It is still regarded as appropriate to include workplace accidents/injuries within the policy as the impact on the Council is the same. The application of the procedure as it currently operates and the inclusion of discretion will continue to be monitored. Absence targets have been included within all Service Plans for 2012/13 and the proper application of the procedure will continue to help deliver these targets and the potential financial savings to the Council.

An informal general discussion took place on the Maximising Attendance Procedure and highlighted the following areas:-

- a review of the procedure that would be undertaken;
- the process for assessment, diagnosis and treatment that can be lengthy and exceed the 9 months periods for long term absence within the Maximising Attendance Procedure;
- the use of Occupational Health for staff with medical issues;
- high levels of poor health within the North Ayrshire community;
- perceived inconsistencies in the application of Managers' discretion at various stages of the Maximising Attendance Procedure;
- the provision of further information on the number of dismissals as a result of the

application of the Maximising Attendance Procedure and absences as a result of psychological issues;

- work by Human Resources to ensure consistent and proper application of the Maximising Attendance Procedure by Managers; and
- progression to Stage 2 at the date of the Stage 2 interview and not the date of return to work.

4. Meeting Dates

It was noted that the dates of future meeting would be circulated.

The meeting ended at 3.20 p.m.

Corporate Health and Safety Group
20 September 2012

IRVINE, 20 September 2012 - At a Meeting of the Corporate Health and Safety Group of North Ayrshire Council at 1.00 p.m.

Present

Willie Gibson, Robert Barr, Peter McNamara, Ronnie McNicol and Tom Marshall (North Ayrshire Council); P. Arkison and P. Houstoun (GMB); J. Jackson (UNITE); and J. Purvis (Unison).

In Attendance

I. Mackay, Solicitor to the Council (Corporate Services); D. Reid, Team Manager (Administration) (Education & Skills); J. Davis, Manager (Business Support) (Social Services & Health); W. Turpie, Operations Manager, Streetscene and D. Johnston, Team Manager (Risk & Insurance) (Finance and Infrastructure); G. Macgregor, Head of Human Resources & Organisational Development, L. Morrison, Senior Manager, M. Reid, Team Manager (Health and Safety), K. MacLeod, Health and Safety Adviser and E. Lavelle, Occupational Health Nurse (Human Resources); A. Hale, Health Improvement Officer and D. McCaw, Committee Services Support Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

John Bell (North Ayrshire Council); E. Duncan (SSTA); A. MacFarlane (UNITE); and S. Herd (UNISON).

1. Appointment of Chair

The Corporate Health and Safety Group agreed that Councillor Willie Gibson be elected as Chair to the Group.

2. Health and Safety Strategy 2012/13: Health and Safety Action Plan: Progress Report

Submitted report by the Chief Executive on progress on the implementation of the Council Health and Safety Action Plan for 2012/13.

The following points were highlighted:-

- consideration will require to be given to restructuring the Chief Executive/Corporate Services and the Finance and Infrastructure Service Health and Safety Planning Groups when the first phase of the senior management structure review has been completed;
- the Management of Asbestos Guidance Document, carried forward from the 2011/2012 Action Plan, has been sent out for consultation with responses due by 21 September 2012;
- there has been an initial meeting with IT to discuss mobile access to the asbestos register for staff who are called to work out of hours;
- the Education and Skills guidance on the provision of post incident support to children and others is in the final stages and due for completion in March 2013;
- the paper on the Management of Work-Related Stress was presented to the CMT on 18 September 2012 with comments due by 28 September 2012;
- Social Services & Health have an operational framework in place for training on the use of Crisis and Aggression Limitation Management (CALM) techniques and are now looking at providing training to Education & Skills;
- the review of the current management procedures for the use of display screen equipment which has been set for March 2013;
- the establishment of corporate procedures for managing noise in the workplace with a completion date of March 2013;
- the review of the Corporate Guidance on fire risk assessments which will be completed and published in the Health and Safety Master file by the end of September 2012;
- the investigation of the current Control of Substances Hazardous to Health (CoSHH) management systems with a report and recommendations by March 2013;
- the First Aid at Work Guidance document, which has been updated to reflect current practice, and the Accident Record which is now part of the Incident Report Form;
- the adoption of the Corporate Environmental Policy in January 2013;
- the delivery of the Health and Safety training programme;
- new incident reporting procedures are now in place and a meeting will take place on 10 October 2012 with IT on the possibility of implementing an electronic incident reporting system;
- information on the costs associated with insurance claims following accidents at work; and
- the role of Occupational Health in helping to reduce sickness absence and in complying with Health and Safety legislation.

The report also asked the Members to consider a review of the Constitution of the Health and Safety Group in the specific areas detailed within the report.

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

- the procedure for dealing with asbestos removal in schools;
- the number of insurance claims detailed for year 2012/13;
- the procedure for determining which claims proceed to court;
- the operation of the Stredia stress system and working towards improvements regarding effective stress risk assessments;
- the need to have comparison figures with other Local Authorities in relation to risk and insurance claims;
- the reduction in the level of payment made to first aiders working out of hours;
- the possible changes to the constitution of the Group; and
- the possibility of CALM training being extended to all secondary school teachers.

The Group agreed (a) that the Team Manager (Health and Safety) proceed with a review of the operation of the current Stredia stress system with a view to progressing to effective stress risk assessments; (b) that the Team Manager (Risk and Insurance) (Finance and Infrastructure) consult with the other Ayrshire Authorities with a view to providing comparison figures in relation to risk and insurance claims; (c) that the Head of Human Resources and Organisational Development report to the next meeting on the policy in relation to the level of payment made to first aiders working out of hours; (d) to approve the changes detailed in the report in relation to the constitution of the Group with the following exceptions (i) that the name of the Group remain unchanged; and (ii) that the frequency of the meetings remain quarterly; and (e) that the Manager (Business Support) (Social Services and Health) consult with the Head of Service on the possibility of extending CALM training to all secondary school teachers.

3. Education and Skills Health and Safety Group

Submitted report by the Corporate Director (Education & Skills) on the current position in respect of the Education and Skills Health and Safety Action Plan.

The undernoted areas were highlighted:-

- Education and Skills will provide a monthly health and safety report for the Extended Leadership Team;
- a total of 25 delegates have completed the fire awareness training for staff at Pennyburn Primary School and Kilwinning Community Nursery;
- 20 delegates have been nominated for the IOSH training in September 2012 and a further course will be arranged for March 2013;
- accident statistics for the period 1 April to 30 June 2012;
- details of violence and aggression incidents for the period 1 April to 30 June 2012;

- information on workplace inspections;
- details of occupational health referrals through the service;
- the up-to-date position regarding adventure activity licences and that there is no need for Education and Skills to change or adapt the current off site activity procedures.

Noted.

4. Finance and Infrastructure: Health and Safety Group

Submitted report by the Corporate Director (Finance and Infrastructure) on the current position in respect of the Finance and Infrastructure Health and Safety Action Plan.

The following areas were highlighted:-

- non-technical stage 1 and 2 fire risk assessments for properties are under review in preparation for the Strathclyde fire and rescue Service audit taking place across a random sample of operational premises;
- progression with training in relation to the hand arm vibration monitoring system;
- action through the vibration and noise working group to progress noise monitoring;
- information on workplace inspections; and
- the review of operational risk assessments.

Noted.

5. Social Services & Health: Health and Safety Plan

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 areas were highlighted:-

- the completion of 47 workplace inspections for the period January to June 2012;
- all operational fire risk re-assessments are now completed for 2012 and can be viewed on Navigate;
- the commencement of an updated risk assessment training programme for all managers and supervisors working within Care at Home;
- the regular issue of DSE self-assessment guidance and questionnaires;

- the ongoing work of the Healthy Working Lives Group;
- details of occupational health referrals for the period 1 January to 30 June 2012;
- information on health and safety delegate training;
- training in relation to Moving and Handling;
- across the service there are 294 employees actively involved in CALM theory and physical interventions;
- accident statistics for the period 1 January to 30 June 2012; and
- details of violence and aggression incidents for the period 1 January to 30 June 2012.

Noted.

6. Healthy Working Lives: Livewell

Submitted report by the Chief Executive providing an update on the implementation of the Council's Healthy Working Lives Programme.

The Health Improvement Officer advised the Group that the Council has now achieved the Silver Healthy Working Lives Award. The Council will now work toward the Gold Award. Among the issues which were promoted for the award submission was a review of the alcohol and drug policy and promotion of alcohol awareness.

The Council have been approached by the NHS Keepwell team regarding providing health checks for staff who are eligible for the programme. Staff not meeting the criteria will receive a mini-check. This will assist the Council in progressing to the Gold Health Working Lives Award.

The Livewell group are in the process of introducing a new Healthcare Cashplan provider which will enable staff to claim money back on items including optical, dental and a range of other treatments.

The Group agreed (a) that the Health Improvement Officer circulate a copy of the Alcohol and Drug Policy to all Members of the Council and Licensing Board; and (b) otherwise to note the report.

7. Employee Accident Statistics: Monitoring Report: 1 January to 30 June 2012

Submitted report by the Chief Executive on a summary of employee injury incidents, 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 of 1 January to 30 June 2012, there were 105 employee incidents, 20 of which were serious enough to be reported to the Health and Safety Executive. Details of the incidents were provided in the report.

Members of the group asked questions, and received clarification, on the use of the corporate CRID database to hold information regarding tenants who pose a potential threat to Council staff visiting their premises.

The Group agreed that the Team Manager (Health and Safety) issue a reminder to all services regarding the input of information into the CRID database.

8. Aggression and Violence Incidents: Monitoring Report: 1 January to 30 June 2012

Submitted report by the Chief Executive on a summary of incidents involving violence and aggression towards employees.

During the reporting period, there were 249 incidents of reported aggression and violence. The majority of incidents did not involve physical injury. A breakdown of incidents by Service was provided within the report.

Noted.

9. Meeting Dates

The Clerk will circulate dates of future meetings to the Group.

The meeting ended at 2.15 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 15

6 November 2012

Cabinet

Subject: **Education Attainment and Achievement Policy
Board: Minutes of Meeting held on 17 September
2012**

Purpose: To submit the Minutes of the meeting of the Education Attainment and Achievement Policy Board held on 17 September 2012.

Recommendation: That the Cabinet agrees to note the Minutes.

1. Introduction

- 1.1 The second meeting of the Education Attainment and Achievement Policy Board took place on Monday 17 September 2012.

2. Current Position

- 2.1 The Minutes of the Education Attainment and Achievement Policy Board held on 17 September 2012 are attached as Appendix 1.
- 2.2 The key issues were:
- Vision for Education
 - Presentation on Early Years by Frances Rodman, Senior Manager, Early Years and Yvonne Gallacher, Head of Dalry Early Years Centre
 - SQA Pre-Appeal Data
 - Children & Young People Bill Consultation

3. Proposals

- 3.1 It is proposed that Cabinet notes the Minutes set out at Appendix 1.

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 key priorities arising from this report.

5. Consultations

- 5.1 None required.

6. Conclusion

- 6.1 That the Cabinet notes the Minutes.



CAROL KIRK
Corporate Director (Education and Skills)

Reference : CK/MD

For further information please contact Mary Docherty, Head of Service, on telephone number 01294 324416.

Background Papers

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Education Attainment & Achievement Policy Board

17 September 2012 at 1.00 pm

At a meeting of the Education Attainment & Achievement Policy Board of North Ayrshire Council held on 17 September 2012 at 1.00 pm in Committee Room No. 2, Cunninghame House, Irvine.

Members Present:

Councillor John Bell
Councillor John Bruce
Councillor Anthony Gurney (Chair)
Councillor Alex McLean
Councillor Catherine McMillan
Councillor Jim Montgomerie
Councillor Robert Steel

In Attendance:

Carol Kirk, Corporate Director (Education and Skills)
Mary Docherty, Head of Service (Education 3-18)
Elizabeth Higton

Chair:

Councillor Anthony Gurney

Apologies for Absence:

Councillor Tom Marshall
Very Reverend Matthew Canon McManus

1. Vision for Education Workshop

All present were divided into three groups to carry out a task which looked at prioritising priorities for Education. This task consisted of looking at priorities areas and putting them into an order of priority (first, second and third). These responses will be collated and Carol Kirk will draft a narrative around them for the next meeting.

After the Workshop task was carried out Councillor Anthony Gurney apologised for arriving late and welcomed everyone to the meeting. Elizabeth Higton, the new Church of Scotland representative was introduced.

2. Early Years Presentation by Frances Rodman and Yvonne Gallagher

It was advised that members have started their visits to Early Years Centres. A reminder was given that arrangements can be made for members to visit any education establishment or service.

Frances Rodman, Service Manager Early Years, introduced Yvonne Gallagher, Head of Dalry Early Years Centre. Yvonne gave a comprehensive presentation of the work being done within the Centre concerning working with parents to raise attainment.

Details were given about Dalry Early Years Centre. The Centre takes children from six weeks of age to five years old (ie to school age). Three to five year olds enrol for a nursery place as normal and the under threes are referred from the Partnership Forum. Referrals can be self referral or from the Health Service or Social Services.

Yvonne feels that working with parents and building up a relationship of trust is one of the strengths of the Centre. By understanding parental circumstances the Centre can offer different types of support and by looking at the reason for referral can put appropriate packages into place eg parents attending further education/on a community service order. The Centre can also provide one to one support with children's behaviours. Currently Garnock Valley Early Years can give one to one support at home and Dalry hopes to be able to provide this in the future.

The Centre offers different types of support to the parents and runs a programme of family groups in 10 week sessions. Some of these are provided by own staff and some are bought in (eg keep fit/zumba classes) but continually reviewing these to give support and attempting to bring in local community involvement. There is a wide range catered for including:

Jewellery making/cup cake making – a parent from another Centre helped with this
Christmas Crafts – parents helped to make props for Christmas events
Baby massage - run on demand and with links to Health Centre
Breastfeeding classes – local community involvement)
Swimming group - parents helped to apply for KA Leisure Card and to access swimming lessons for themselves
Arrange counselling, citizen's advice and advice on money matters

The outdoor area for the Centre was deliberately left a "blank canvas" so that parents and children could be involved in planning this. A grant of £9,700 was received from "Awards for All" and parents were involved in researching equipment, etc. They decided to purchase something big that could not have been afforded otherwise so a chute was bought with the rest of the money being used to offer the curriculum outdoors. There has been an involvement with Community Service and their outreach workers who have helped in providing a learning environment outdoors eg. painting. The SLAB Project is a home school inclusion project at Garnock Academy and a greenhouse was provided from plastic bottles.

The Centre encourages local community involvement and provides help and encouragement to empower parents and give them confidence. Snacks are bought in locally.

Yvonne was thanked for her presentation and it was emphasised that the focus on early years to provide as best a start as possible proves its worth in later years. Mary Docherty advised that there had been a visit to Kilwinning Early Years that morning and this showed the links with the other Early Years Centres. The level of commitment from staff in early years is very high with relationships built up with vulnerable parents. The energy and enthusiasm of all staff is appreciated.

John Bruce Alex McLean, Jim Montgomerie and Robert Steel left the meeting at 1.00 pm to attend another meeting.

The question was raised as to what happens to the parent with transition to primary school when the child no longer attends the nursery. It was advised that this level of support is not replicated in primary schools. However it is important that parents know they can come back for advice and are still welcome to attend groups in the Centre once their child is at school as there are some parents who have no circle of peers/family. However, this underlines the question of dependency and the need to support parents to be independent and to give them confidence.

The five Early Years Centres have the capacity to carry out early intervention with parents and a new initiative has been set up whereby twenty two nursery class teachers have been employed within the Authority to visit nursery classes to free up the establishment's nursery staff to spend time building up relationships with parents.

3. SQA pre-appeal information

It is positive that increasing numbers of young people are leaving school with a qualification and the hard work and dedication of staff should be highlighted in this respect.

Mary Docherty discussed the Authority results as detailed in the graphs and handouts circulated. .

English and Mathematics SCQF level 3 or better by the end of S4 and 5+ SCQF level 3 or better by the end of S4 – the Authority is above average for both Comparator Authorities and the National average.

5+ at SCQF level 4 or better by the end of S4 – the Authority is below average for both Comparator Authorities and the National average. Not getting good results and pupils need to get a good credit level pass to progress to higher level.

1+ and 3+ SCQF level 6 or better by the end of S5 below average for both comparator Authorities and the National average but closing the gap with 5+ SCQF level 6 or better by the end of S5.

Closing the gap with 3+ SCQF level 6 which is important as this is the level needed to get a place at College.

5+ SCQF level 6 or better by end of S5 – higher than Comparator Authorities but still below National average.

1+ SCQF level 7 or better by the end of S6 – level with Comparator Authorities.

Statistics show that the Authority is doing well in some respects but not in others ie pupils performing well in lowest and highest qualifications.

Question was asked as to how our pupil destinations and results would compare with East and South Ayrshire. It was advised that neither of these are our Comparator Authorities (West Lothian is one of our Comparator Authorities) but that South Ayrshire would be performing better because of its economic base. Mary undertook to provide this information.

There had been an issue that high achieving young people were not getting into university and work has been done to help them prepare applications.

The results shown as a breakdown per school show the highest achieving school is Largs Academy, followed by Arran High and then Auchenhavie, Ardrossan and St Matthew's Academies. There have been significant improvements in results in the secondaries in The Three Towns area. The Head of Service has meetings with all secondary headteachers to discuss the results. There are statistical issues with the results for Arran High because of small numbers which can skew the statistics. It was pointed out that there as well as difference between schools there are differences within schools eg. Kilwinning Academy has highest achieving pupils as well as the lowest.

The question was asked whether there is an impact on results because of poverty/ASN needs. It was advised that there are direct links with poverty but that this is a reason and not an excuse. Schools are delivering activities and homework classes are being run in schools.

The question was raised as to whether there is a need for more support in libraries because of the element of research pupils are required to undertake under Curriculum for Excellence. It was advised that work has been done by school cluster librarians to make it easier for young people to get internet access and also that there are different way of working with internet access at home eg smart phones and ipads. Need different ways for youngsters to access at home eg ipads. Education Scotland has supported a project for pupils to use ipads. Anthony Gurney requested information on the number of ipads within schools.

It was asked whether results could be shown by breaking down figures by post code. It was advised that there are anomalies by doing this but it can be used as a way to challenge schools.

Exam results can be improved by improving the quality of learning and teaching and improve professional skills. Staff development and training are needed to ensure appropriate challenges are set. Staff need to ensure that what is being done is appropriate and challenging to all pupils.

The question of gender difference was raised. It was advised that this is not as marked at higher level than general and that in general boys respond more to competition and challenge than girls. A lot of work is being done on improving boys' literacy. There is the expectation that schools creates a culture to be smart and ensure that what is being done is appropriate and challenging to all pupils.

Carol Kirk left to attend another meeting at 1.45 pm.

It was emphasised that pupils need to take responsibility for independent learning but there is a balance to be struck between independent and collegiate learning.

On visits to schools see what can make an effect to raise achievement and attainment in a positive way to influence policy. Focus is on giving people the tools to succeed..

4. Children and Young People Bill Consultation

Children and Young People Act 2014

Carol Kirk has send in a response to this consultation on behalf of the Authority and a copy of this has been circulated. The recommendation which would have the greatest impact locally would be moving to 600 hours of pre-school childcare provision. This would have a significant impact on resources.

Tony Gurney attended COSLA meeting last week and our Council's responses are not markedly different from other Councils' or from COSLA's. If anyone has any thoughts/comments on this please let him know about this.

Discussion took place around Item No 4 (Do you agree with the definition of the wellbeing of a child, or young person, based on the SHANARRI Wellbeing Indicators, as set out in the consultation document?). General agreement is that education is a way out of poverty.

Everyone was thanked for attending. If anyone has any items they wish to bring to the Board to get in touch.

NORTH AYRSHIRE COUNCIL

Agenda Item 16

6 November 2012

Cabinet

Subject: **Health and Social Care Policy Board : Minutes of Meeting held on 8 October 2012.**

Purpose: To submit the Minutes of the meeting of the Health and Social Care Policy Board held on 8 October 2012.

Recommendation: That the Cabinet agrees to note the Minutes set out at Appendix 1.

1. Introduction

- 1.1 The Health and Social Care Policy Board met on Monday 8 October 2012.

2. Current Position

- 2.1 The Minutes of the Health and Social Care Policy Board held on 8 October 2012 are attached as Appendix 1.

- 2.2 The key issues discussed were:-

- Carers Strategy
- Self Directed Support Pathfinder
- Consultation on "The Same as You?" 2000-2012

3. Proposals

- 3.1 It is proposed that Cabinet notes the Minutes set out at Appendix 1.

4. Implications

Financial Implications

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

Human Resource Implications

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

Legal Implications

- 4.3 There are no legal requirements 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 key priorities arising from this report.

5. Consultations

- 5.1 None required.

6. Conclusion

- 6.1 That the Cabinet notes the Minutes.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : IC/KA

For further information please contact Iona Colvin, Corporate Director (Social Services & Health) on telephone number 01294 317723.

Background Papers

Scottish Government Consultation on "The Same as You" 2000-2012.

Health and Social Care Policy Board
Monday 8th October 2012

At a meeting of the Health and Social Care Policy Board of North Ayrshire Council held on Monday 8th October 2012 at 2.00 p.m., in Council Chambers, Cunninghame House, Irvine..

Members Present:

Anthea Dickson, Tom Marshall, Catherine McMillan, Alan Munro, Irene Oldfather, Donald Reid

In Attendance:

Iona Colvin, Corporate Director (Social Services & Health)
Olga Clayton, Head of Community Care & Housing
Alan Brown, Senior Manager Community Care (Personalisation)
John McCaig, Senior Manager Community Care (Mental Health & Learning Disability)
Karen Andrews, Business Support Officer

Chair

Councillor Dickson in the Chair.

Apologies for Absence:

Ruth Maguire

1. Welcome and Introductions

The Chair welcomed Donald Reid to the meeting.

2. Minute of Meeting held on 27th August 2012

The Minutes of the Meeting of the Health and Social Care Policy Board held on 27th August 2012 were confirmed.

3. Matters Arising

3.1 Contract Management Framework

It was agreed that the analysis of the first quarter of the framework will be submitted to the next meeting of the Policy Board on 26th November 2012.

3.2 Older People's Change Fund

The Corporate Director (Social Services & Health) will provide an update on the Change Fund and Reshaping Care to the next meeting of the Policy Board on 26th November 2012.

3.3 Criminal Justice/Community Payback Orders

Corporate Director (Social Services & Health) confirmed that Jim McCrae, Locality Manager (Criminal Justice) will attend the next meeting of the Policy Board to provide an update in relation to the above.

3.4 Information on the Educational Attainment of Children in Foster Care

Corporate Director (Social Services & Health) advised that staff within Social Services & Health and Education and Skills are working together to provide the above information. This information will be submitted to the next meeting of the Policy Board ON 26th November 2012.

3.5 Cumbrae Lodge Nursing Home, Irvine

Corporate Director (Social Services & Health) agreed to circulate an update in relation to Cumbrae Lodge Nursing Home, Irvine to Policy Board members.

4. Carers Strategy

Submitted report by the Senior Manager Community Care (Personalisation) on the Draft Carers Strategy.

The report detailed the principles and objectives of the Carers Strategy and the proposals to achieve these. The report detailed the plans to undertake a wide consultation with service users, carers and the community of North Ayrshire.

Elected Members asked questions and received clarification in relation to :-

- The role of the Carers Strategy Advisory Group in monitoring the principles and objectives of the strategy, as well as capturing what carers identify as having the most positive impact on their lives. The Advisory Group will examine policies coming forward and what impact these will have on carers.
- Working with GPs in identifying “hidden” carers.
- Resources being targeted to areas of particular need.
- The development of a neighbourhood approach across the Council. This will allow staff from all agencies working across the same boundaries and sharing planning information and will allow local analysis of need and service uptake.
- The further circulation of useful contacts for carers within the community.
- The uptake of respite by carers.
- The appointment of a Carer’s Champion, preferably an Elected Member, who would have access to reports and attend meetings convey the views and needs of carers.

The Policy Board noted the proposals contained within the report.

5. Self Directed Support Pathfinder

Submitted report by Senior Manager Community Care (Personalisation) on the Self Directed Support Pathfinder.

The report summarised the findings from the Personalisation Pathfinder which ran between January and August 2012. This provided a live, controlled test of the Self Directed Support policy, guidance, forms and Resource Allocation System (RAS) on 49 service users from a representative of service user groups.

The report detailed the Scottish Government’s targets to implement the National Strategy for Self Directed Support in Scotland over the next two years and North Ayrshire Council’s plans for implementation.

Elected Members asked questions and received clarification in relation to :-

- The choices service users may make in relation to Self Directed Care, e.g., Direct Payment; remain with Council's commissioned service or a combination of Direct Payment and commissioned service.
- The update of Direct Payments. Risk assessments will be undertaken on people requesting a direct payment and how much monitoring they will require. The Ayrshire Independent Living Network provide support to service users who choose to receive direct payments. NAC will work with them to increase their capacity.
- The implication of reducing budgets will have on reablement and how to communicate to service users that packages of care will be reviewed and amended as and when necessary.
- The allocation of budgets across different care groups.
- The need to examine and amend the eligibility criteria within Social Services.

The Policy Board noted the proposals within the report.

6. Consultation on “The Same as You?” 2000-2012

Submitted report by the Senior Manager Community Care (Learning Disability and Mental Health) on the Consultation on “The Same as You?” 2000-2012.

The report provided information on the Scottish Government's evaluation team established to review the evidence on progress that has been made since the Same as You? and to identify the outstanding challenges.

The purpose of the consultation report is to summarise the evidence that the evaluation team gathered.

A detailed response to the ten questions in the consultation document was set out in the appendix to the report. The proposed response generally reflects the view that services for people with learning disabilities have improved and the profile of this group has been increased as a result of the Same as You initiatives.

Elected Members asked questions and received clarification in relation to :-

- Concerns in relation to the engagement of health staff when people are admitted to hospital.
- Progress in this area has been made in relation to people with dementia through the appointment of dementia champions and additional training for nursing staff.
- Details of a pilot undertaken by the WRVS in England and Wales.

The Policy Board noted the proposals within the report.

7. Date of Next Meeting

The next meeting will be held on Monday 26th November 2012 at 2.00 p.m., Council Chambers, Cunninghame House, Irvine.

The meeting ended at 3.35 p.m.