

Services Committee
Council Chamber, Town Hall, Lerwick
Thursday 28 August 2008 at 10.00am

Present:

A J Cluness	E L Fullerton
L F Baisley	J Budge
A T J Cooper	A T Doull
A G L Duncan	F B Grains
I J Hawkins	R S Henderson
J H Henry	A J Hughson
W H Manson	C H J Miller
F A Robertson	G Robinson
J G Simpson	C L Smith
A S Wishart	Dr J W G Wills

Apologies:

L Angus	A T J Cooper
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In Attendance:

H Sutherland, Executive Director – Education and Social Care
H Budge, Head of Schools
A Edwards, Quality Improvement Manager
J Edwards, Quality Improvement Officer
C Ferguson, Head of Community Care
D Morgan, Service Manager – Criminal Justice Services
S Morgan, Head of Children's Services
A Williamson, Chief Social Work Officer
C Medley, Head of Capital Programmes and Housing Service
A Jamieson, Service Manager – Housing Business Support
G Johnston, Head of Finance
J Thomason, Management Accountant
R Sinclair, Senior Contract Manager
G Smith, Director – Shetland College
J R Riise, Head of Legal and Administration
A Cogle, Service Manager - Administration
L Geddes, Committee Officer

Chairperson

Mrs E L Fullerton, Vice-Chairperson of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

Dr J W G Wills declared an interest in agenda items 1,2,3,4,5,8 and 9 due to family connections.

Mr J H Henry and Mrs I J Hawkins declared an interest in agenda item 15 as Board members of Hjaltdland Housing Association.

Members' Attendance at External Meetings

There was nothing to report.

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There was nothing to report.

59/08 Blueprint for Education in Shetland – Next Steps

The Committee considered a report by the Head of Schools (Appendix 1).

Members commended officers for the work they had carried out to date and for the information supplied to Members.

The Executive Director – Education and Social Care advised that the education system was in the process of changing dramatically, and it was important to think carefully about the structure required in the future. She noted that the NAFC Marine Centre had been accidentally omitted from the lists of providers and stakeholders in 5.3.1 and 6.2, but said that they would be included. It was also noted that the third paragraph of 5.3.2 should refer to “centres of further education”.

In response to a query regarding issues that had been identified for consultation, the Head of Schools explained that the issues that had been identified by the sub-group were outlined in paragraphs 5.2, 5.3, 5.3.2 and 5.4, and that she had made a commitment to report the results of the consultation exercise back to the Services Committee in the first cycle of 2009. She confirmed that the Schools' Service were intending to hold public meetings as part of the consultation exercise, and the Chairperson added that it was important for Members to be involved as well as staff.

In response to a query regarding the Working Group's recommendation to give more consideration to agreeing a pupil roll of 20 as a minimum size, as referred to in paragraph 5.2 of the report, the Head of Schools explained that this was the figure that had been suggested in an earlier report and that it related to current guidelines for teacher/pupil numbers for the primary sector. The national guidelines for one-teacher schools suggested a maximum of 19 pupils, but the number agreed in Shetland was 18. It was felt that this was the maximum number in order to ensure the best educational experience for pupils in one-teacher schools, and there were exceptions to this for remote islands. However it was an issue that the Schools' Service wished to debate further and had been included in the consultation.

In moving that the recommendations in the report be approved, with the addition that the results of the consultation exercise are reported back to the Committee in January, Mrs C H J Miller added that she was pleased that pre-school/after-school provision and transport issues were being included in the consultation exercise, as these were issues currently affecting the Bressay school which was seeing a decline in its school roll.

Mr G Robinson seconded Mrs Miller's motion, and the Committee agreed.

In response to a request to update Members on the progress of the consultation exercise before next year, the Head of Schools advised that she would prepare a progress report that would include a detailed timetable. This could be circulated this to Members if it was not appropriate to present it to the Committee.

60/08 Rural Schools – The Scottish Government's Consultation – The Schools' Service's Response

The Committee considered a report by the Head of Schools (Appendix 2).

In response to queries, the Head of Schools confirmed that the workshops referred to in paragraph 6.3 of the report were being organised nationally by the Scottish Government and there were no indications yet as to whom they would involve. She went on to say that the response to question five had come from Head Teachers and central members of staff, who had felt that it was important that the educational benefit across the whole of Shetland would have to be taken into account, rather than the educational benefits relating to the school only.

The Committee agreed that the following amendments should be made to the Council's draft response:

Question 2:

Reference should be made to ensuring that communities have the opportunity to consider the external use of buildings.

Question 9:

The final sentence should refer to the "logistics" or "challenges faced" by island authorities, rather than "problems".

Question 10:

Reference should be made to the Concordat with the Scottish Government which gives local authorities power to arrange their own services to meet national objectives.

61/08

Little Tikes – Feasibility Study

The Committee considered a report by the Head of Schools (Appendix 3).

In moving that the Committee approve recommendations 7.1(b) and 7.2, Mr A J Hughson commented that the report illustrated that the Council was committed to supporting its partner providers. He expressed concern that the "doing nothing" option had been included in the report, as he felt it was not an option for an area with an increasing population. He advised that it was likely that the project would be eligible for ERDF funding which would reduce the cost to the Council.

Mrs I J Hawkins seconded Mr Hughson's motion, and the Committee agreed.

Members commented that the provision of pre-school education was important in areas of increasing population growth, and also in order to help maintain populations in rural areas. It was noted that approval of the report would result in another project being added to the Capital Programme, and concern was expressed that something would have to be left out when the Committee considered its prioritisation of projects, as there were other urgent projects that would have to go ahead.

In response to a query regarding if a report was to be presented to the Services Committee or Development Committee regarding the costs of providing day care and nurseries, the Executive Director of Education and Social Care explained that the Committee had requested a review of childcare services provided and the Council's relationship with Shetland Childcare Partnership. This would focus on statutory and non-statutory provision and opportunities for providing childcare as a business, and it would include costs and options. A report would be presented to the next meeting of the Committee.

In response to a query regarding whether the views of the Nesting parents had been taken into account, the Quality Improvement Manager confirmed that their preferred option would have been to have a facility in Nesting. However, given the current financial climate, they accepted that it was preferable to have a facility in Tingwall rather than Whiteness or Scalloway.

62/08 **Report by HM Inspectorate of Education: Bells Brae Primary School and Nursery Classes**

The Committee noted a report by the Head of Schools (Appendix 4).

The Chairperson congratulated staff for what they had achieved in less than ideal premises.

It was noted that parents had to be informed of progress made by schools within two years, and it was questioned how Members would be informed of this progress.

The Head of Schools advised that she would arrange to provide follow-up reports at the performance review sessions.

63/08 **Report by HM Inspectorate of Education: Shetland Islands Council**

The Committee noted a report by the Head of Schools (Appendix 5).

Members congratulated staff on the work carried out since the last report.

64/08 **Adult Protection Committees**

The Committee considered a report by the Head of Community Care (Appendix 6).

The Executive Director – Education and Social Care advised that the report sought permission to set up the adult protection structures, and that it was envisaged that they would emulate the child protection structures which already worked well in Shetland. She advised Members that the Council had put in a bid to the Government for funding to establish the adult protection structures, and had just been informed that it would receive £36,000. This would allow the Council to start appointing a co-ordinator. As this recommendation was not included in the report, with the Committee's permission, a report could be prepared for the Council asking for the staffing structure to be established or authority could be delegated to the Chief Executive to allow work to commence to establish the structures.

Members expressed concern that the local authority could not appoint a convenor that was a member or officer of the Council, and it was felt that this should be challenged by the Council.

The Executive Director – Education and Social Care explained that it was intended to replicate the child protection structure, which involved a range of representatives from a number of key agencies. The structure that was in place in Shetland, which worked very well, was not entirely in line with current guidance. The Head of Community Care added that the Council's response to the consultation had stated that there was a need to put in place locally something that suited the local situation, and she felt comfortable that the multi-agency working group was setting up a model that would work well locally.

Mrs E L Fullerton suggested that the report be approved, but that a report on the implications for staffing to implement the new Act is presented to the next Services Committee, or to the next Council meeting if an earlier decision was required.

Mr G Robinson seconded and the Committee agreed.

(Mr R C Nickerson left the meeting)

65/08 **Criminal Justice Social Work Local Action Plan 2008-09**

The Committee considered a report by the Service Manager – Criminal Justice (Appendix 7) and approved the recommendations contained therein on the motion of Mrs F B Grains, seconded by Mr C L Smith.

66/08 **Vision for Social Work Services**

The Committee considered a report by the Executive Director of Education and Social Care (Appendix 8) and approved the recommendation contained therein on the motion of Mr G Robinson, seconded by Mrs L F Baisley.

67/08 **New Anderson High School Capital Project Update**

The Committee considered a report by the Executive Director of Education and Social Care (Appendix 9). The New Anderson High School Accommodation Schedule was tabled at the meeting (Appendix 9a).

The Executive Director of Education and Social Care summarised the main terms of the report. She outlined the maintenance issues relating to the current building and said that it was important to find a solution within a reasonable timescale so that the Council did not have to keep maintaining the current building. She advised that it was Council policy to build at the Knab site and that the team had not been asked to consider alternatives. A number of studies had been appended to the report to for Members' information. The site selection study had been prepared for the purposes of developing the planning application. The revised accommodation schedule, which had been tabled, had been a challenging exercise for those involved. The architect was preparing conceptual designs for a 15,000m² building, and this would enable work to start on considering the educational impacts of the phasing and decant proposals. It would not be possible to achieve the target of getting to the planning application stage by December 2008, and the target was now to submit it by March 2009. This would not necessarily adversely affect the construction period.

Mr C L Smith pointed out that there had been two decisions during the term of the current Council to build the new AHS on the Knab site. He felt that it was important that consideration was given to the education of children in Shetland and that the project now proceeded. He therefore moved that the Committee approve the recommendations in the report, and Mr A J Cluness seconded.

Dr J W G Wills said that whilst there had been democratic decisions to build on the Knab site, the decisions were subject to a number of conditions being met including the cost of the building, that a satisfactory independent report be received on the removal of asbestos from the existing building, that no serious educational problems would be encountered due to decanting of pupils, and that traffic management considerations had been taken into account. However the report did not state that these conditions had been met. He pointed out that the projected cost of the project would mean that a substantial amount of money would be taken out of the Capital Programme each year. He felt that it would be possible to build a school on a green field site for a lesser cost using an exemplar design from the Scottish Government. However, given that the conditions relating to the Knab site had not yet been met, he moved that the Committee approve the report with the

proviso that other sites were not excluded should the Knab site prove to be too expensive or unsuitable.

Mrs I J Hawkins seconded.

During the discussion that followed, Members expressed concern that there were still too many gaps in the information that was available to them, and that there was a need for all the information to be available in order to give Members confidence to move ahead with the project. Some Members felt that there were too many contradictions in the site selection report, and that these would become apparent during the planning application process. It was felt that the procurement appraisal report did not give Members confidence in the project, and that more consideration would have to be given to sorting out issues relating to consultation and traffic management. Some Members felt strongly that either a green field or alternative site should still be under consideration, as this would mean less disruption for pupils. It was questioned if ECI (Early Contractor Involvement) was the best method of delivering the project, and it was noted that other areas had built similar sized schools for substantially less money.

However other Members felt that it was important to have faith in the Project Team, as they would report to the Committee if the Knab site was unsuitable, and Members could then look at alternatives. It was pointed out that discussions on the project had been ongoing for many years and that it was important to proceed now because the education of pupils was suffering due to the current premises. It was felt that the revised accommodation schedule had fully taken account of what the school required to deliver to the community. It was also suggested that the ECI method was the most appropriate method of proceeding with the project as it allowed collaboration between the various parties involved, and that the appointment of a project manager would be crucial to the project. Some Members pointed out that the main reason the project had not gone ahead to date was not because the Council kept changing its mind, and it was felt that further delays would cost money due to inflation and rising costs, even though there was the possibility that there may be increased contractor interest due to the credit crunch. It was pointed out that it was important to maintain green field sites in Lerwick and not to distract officers from their task by allowing other sites to remain under consideration.

Responding to the concerns raised, the Executive Director of Education and Social Care said that she understood Members' desire to proceed with the project and resources were being made available wherever possible. If a decision was made to change the site, it had been estimated that this would cause an 18-24 month delay in the construction phase. She acknowledged the findings of the procurement appraisal report and said that lessons had been learned from what had happened in the past and were being applied to what was now being put forward. She was comfortable with the ECI method of delivering the project and felt that it encouraged collaboration. She advised that the Project Manager post required to be advertised in the EU Journal and minimum timescales applied, therefore December was the earliest that a Project Manager could be in place. She acknowledged that there were gaps in the information available to Members, but reassured them that staff were working hard to get all the information together and that it would be made available when it was ready. The Chairperson added that the Services Committee Chairperson had given an assurance that special meetings of the Committee could be called if any new information came forward.

The Executive Director of Education and Social Care also agreed to the suggestion to include the North Atlantic Fisheries Training Centre in the list of stakeholders identified at paragraph 8.3, and it was noted that Councillor Baisley's name had been omitted from the Member Liaison Group in Table 3.

After summing up, voting took place by show of hands and the result was as follows:

Amendment (Dr J W G Wills) 9
Motion (Mr C L Smith) 10

68/08 **Shetland Child Protection Committee Annual Report and Business Plan**

The Committee noted a report by the Executive Director of Education and Social Care and the Chair of the Shetland Child Protection Committee (Appendix 10).

In response to a query, the Head of Children's Services said that he felt that the increase in the number of referrals was partly due to the fact that a good child protection system was in place and that there was a better recognition of problems. However there was also an increase in the complexity of cases, and in those related to substance abuse.

69/08 **Sheltered Housing Review - Update**

The Committee noted a report by the Head of Housing and Capital Programmes (Appendix 11).

The Service Manager – Housing Business Support advised that the multi-agency review group had covered a lot of ground over the course of the Review and were now at the stage of pulling the findings together. A final report would be presented to the Services Committee in December.

Members pointed out that it was important not to take a 'one size fits all' approach, and that existing sheltered housing tenants were not affected by the review process. The multi-agency review group was congratulated on the work carried out to date.

70/08 **Capital Projects Update**

The Committee noted a report by the Executive Director of Education and Social Care (Appendix 12).

It was noted that the works required to Happyhansel School had been omitted from the update.

71/08 **Shetland College Board of Management – 26 June 2008**

The Committee noted the minute of the above meeting (Appendix 13).

72/08 **Community Services Forum – 6 August 2008**

The Committee noted the minute of the above meeting (Appendix 14).

The Committee agreed to the Chairperson's suggestion that the Head of Housing and Capital Programmes report back to the Committee within the next two cycles on work taking place to address the recommendations from the Forum.

In order to avoid the disclosure of exempt information, Mrs E L Fullerton moved, and Mr C L Smith seconded, to exclude the public in terms of the relevant legislation during consideration of agenda items 15 and 16.

With regard to agenda item 16, the Chairperson advised that the Chief Social Work Officer would present an annual report in the next two months, which would be taken in public. This report would refer to all social work complaints, the outcome, and action taken in light of these complaints.

(Members of the public and the media left the meeting)

73/08

Proposal for Interim Financial Assistance to Hjalmland Housing Association (HHA)

The Committee considered a report by the Head of Housing and Capital Programme.

After the Head of Housing and Capital Programmes had summarised the main terms of the report and answered queries from Members, the Committee approved the recommendation in the report, with the addition that the Council monitor the loan facility on a quarterly basis, on the motion of Mrs C H J Miller, seconded by Mr C L Smith.

(Mr W H Manson and Mrs L F Baisley left the meeting).

74/08

Social Work Complaints Review Sub-Committee - Update

The Committee considered a report by the Head of Legal and Administration.

After hearing the Head of Legal and Administration summarise the main terms of the report, Mr G Robinson moved that the Committee approve the recommendation in the report, and endorse the recommendation of the Social Work Complaints Review Sub-Committee in each of the two cases. Mr J G Simpson seconded and the Committee agreed.

Members involved in the Sub-Committee hearings thanked staff for their support and guidance during the process.

The meeting concluded at 12.35pm.