

MINUTES

B - PUBLIC

Policy and Resources Committee
Council Chamber, Town Hall, Lerwick
Monday 18 June 2018 at 10.00am

Present:

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| S Coutts | A Cooper |
| A Duncan | E Macdonald |
| R McGregor | I Scott |
| G Smith | T Smith |
| R Thomson | |

Apologies:

S Leask

In Attendance:

M Sandison, Chief Executive
S Bokor-Ingram, Director of Community Health and Social Care
C Ferguson, Director of Corporate Services
N Grant, Director of Development Services
J Belford, Executive Manager – Finance
A Edwards, Executive Manager – Quality Improvement
P Peterson, Executive Manager – Executive Services
C Scott, Executive Manager – Adult Services
V Simpson, Executive Manager – Community Planning and Development
R Sinclair, Executive Manager – Capital Programme
J Riise, Executive Manager – Governance and Law
S Thompson, Executive Manager – Schools Service
M Gordon, Team Leader – Human Resources
B Leask, Team Leader – Youth Services
J Orr, Human Resources Senior Adviser
E Park, Transport Contracts and Operations Officer
E Perring, Policy Manager
A Ross, Solicitor
L Shearer, Executive Services Officer
B Kerr, Communications Officer
L Adamson, Committee Officer

Chairperson

Mr Coutts, Leader of the Council, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

Mr Duncan declared an interest in Item 11, and advised that he would leave the meeting during that discussion.

Minutes

The minutes of the meeting held on 30 April 2018 were approved on the motion of Mr Scott, seconded by Mr Duncan.

The minutes of the meeting held on 22 May 2018 were approved on the motion of Mr G Smith, seconded by Mr Duncan.

51/18 **Customer First Strategy and Charter**

The Committee considered a report by the Executive Manager - Executive Services (CE-08-18-F) that presented the new Customer First Strategy and Charter.

In introducing the report, the Executive Manager - Executive Services advised on the aim of the project to build on good practice and to achieve a greater consistency on customer service standards across all Council service areas. He advised on the need for all staff to be made aware of the documents and to apply the standards in the Charter, and confirmed that a staff bulletin would be circulated in that regard.

During debate, comment was made on the level of consultation and staff engagement in developing the Strategy and Charter, which set out the standard of service for staff to strive to provide to the Council's customers, and for Members to adopt as far as is applicable.

In responding to a comment relating to concerns that have been raised from Community Councils on overdue responses from some Council departments, the Chief Executive advised from a discussion at a recent meeting of the Employees Joint Consultative Committee, where she had given commitment to write to all Community Council Clerks to request information on any outstanding responses from the Council, to ensure these would be responded to in early course. She reported that having corresponded with the Clerks, a number of the responses received have indicated that they currently receive timely responses from Council departments. The Chief Executive advised on her intention to write to Community Councils every six months on those terms, as standard.

Mr Coutts moved that the Committee approve the recommendation in the report. Mr G Smith seconded.

Decision:

The Committee RESOLVED to formally agree the Customer First Strategy and Charter.

52/18 **Business Transformation Programme Phase 2**

The Committee considered a report by the Director of Corporate Services (CRP-11-18-F) presenting the Business Transformation Programme (BTP) Phase 2 Programme Structure.

In introducing the report, the Director of Corporate Services provided an update on the changes and progress being made on each of the Work Streams, as set out in Appendix A. She confirmed that ongoing reports would be prepared, and information added to the Members' Hub as the programme moves forward.

(Mr Cooper attended the meeting).

In referring to the Digital First Work Stream to “Reduce paper use e.g. Council meetings” and to the statement in section 3.1 of the report, namely “Modern IT equipment and systems will be supporting new ways of working, helping services run efficiently and effectively”, comment was made on the need for Members to receive training on the use of their new IT equipment in order to use the devices to their full advantage. The Director of Corporate Services advised on her commitment to following up on training for Members, while she reported that the Executive Manager – ICT was currently gauging Members requirements for training. A number of options were being considered, including refresher training, individual one-to-one training and drop in sessions with staff at ICT. She advised on the work being done nationally to develop a training programme to support Members in the use of on-line technology, and discussions were taking place locally in regard to backup resilience. During the discussion, comment was made on the time it would take for the national training to be developed, and that individual one-to-one training was a very inefficient use of resources and time but that group training would be favoured as a means for discussion and sharing information. Some Members advised on the difficulties they have experienced, and frustration, in trying to use their new devices, where a comment was made that with the move towards going paperless, problems with connecting to the network at home have to be addressed as a matter of urgency. The Director of Corporate Services confirmed that she would following up on the issues raised.

In responding to a question relating to the direct and indirect savings from progress on the BTP as a contribution to the £1.9m redesign savings planned for 2018/19, the Director of Corporate Services explained that the programme to date has been an enabler, rather than directly delivering on savings. She advised that as progress is made on the Service Redesign Programme savings will be achieved through changes to services.

On the motion of Mr Coutts, seconded by Mr T Smith, the Committee approved the recommendation in the report.

Decision:

The Committee RESOLVED to approve the Business Transformation Programme Phase 2 Framework.

53/18

Review of Policy on the Disclosure of Criminal Record Information

The Committee considered a report by the Executive Manager – Human Resources (HR-04-18-F) that sought approval for revised Policy and Procedures on Disclosure Information.

In introducing the report, the Human Resources Senior Adviser advised on the background for the comprehensive review undertaken following advice from Disclosure Scotland, and she highlighted the main changes to the Policy as set out in section 4.4.

The Human Resources Senior Adviser reported on an issue raised at the College Lecturers meeting, in terms of the potential costs on voluntary organisations associated with the Council from the introduction of the three-yearly Scheme Record Updates for PVG. In that regard, she advised that the Council was currently reviewing contracts with the voluntary sector, and the issue raised would be reported back to Members as part of that Review at a later date. During a brief

discussion that followed, a call was made for the Review to be undertaken in early course.

In response to a question, the Human Resources Senior Adviser confirmed that it was a requirement of the Code of Conduct for Employees, for employees to inform their employer if they are charged with a criminal offence.

In responding to a question on the impact on other budget areas from committing an estimated £6.7k per annum for the three yearly renewals for PVG Scheme Members, the Executive Manager – Finance advised that decisions have to be made on priority services and resources within an annual budget of fixed and variable cost items. Decision making of this nature by officers was within the terms of Financial Regulations. He acknowledged however, that it would be concerning should multiple reports present proposals for additional budget going forward. During the discussion, it was noted that the cost of PVG renewals would be recharged the relevant cost centre. Children's Services Directorate was highlighted as a service whereby a significant proportion of PVGs are required, and that it was already an area with ongoing budget constraints that recently had to draw on contingency. A further comment was made that any increase in the cost of PVG renewals going forward would be of concern.

In responding to comments on the length of time for Disclosure Scotland to administer Disclosure Checks and the impact this can have on new and existing employees, the Human Resources Senior Adviser advised that Disclosure Scotland were moving the administration of checks to on-line rather than the current paper based, which will improve timescales. She also confirmed that schedules would be developed for the 3 yearly reviews, to ensure the timescales for renewals can be achieved.

During debate, a suggestion was made for quarterly reporting on a cumulative list of growth items, and the Leader suggested that this matter be discussed at CMT in the first instance.

The Leader referred to the amount of work undertaken to develop the new Policy, and on the critical importance to follow best practice in this area. Mr Coutts moved that the Committee approve the recommendations in the report. Mr G Smith seconded.

Decision:

The Committee:

- RESOLVED to approve the revised Policy and Procedures.
- RESOLVED to delegate authority to the Chief Executive, or nominee, to amend the Procedure documents to ensure ongoing compliance with Scottish Minister's 'Code of Practice In Connection with the Use of Disclosure Information and with the Functions of Registered Persons' (Code of Practice) and the General Data Protection Regulations (2016/679 EU).

The Committee considered a report by the Executive Manager – Human Resources (HR-06-18-F) that sought approval for a revised Policy on Mental Health and Wellbeing.

The Team Leader – Human Resources introduced the report, the revised Policy at Appendix 1 and the further appendices attached. She advised from the recent reporting to the various Committees that there has been support for the revised Policy.

During debate, Mr G Smith commented on the good piece of work. He advised on his hope for the future, that there would be no need for specific Mental Health Policies, but instead that there would be local and national health and wellbeing policies, and for mental health and physical health to have equal focus and follow one set of procedures.

On the motion of Mr G Smith, seconded by Mr Thomson, the Committee approved the recommendation in the report.

Decision:

The Committee RESOLVED to approve the revised Policy on Mental Health and Wellbeing.

55/18

Expansion of Early Learning and Childcare - Service Delivery Plan - Staffing Implications

The Committee considered a report by the Executive Manager - Quality Improvement (CS-21-18-F) that presented an overview of the staffing implications resulting from the further expansion of Early Learning and Childcare (ELC) in Shetland.

In introducing the report, the Executive Manager - Quality Improvement outlined the key issues as set out in Section 4.3, and the next steps with respect to implementing the changes to staffing structures, at Section 4.4.

During debate, comment was made on the significant piece of work to develop a staffing structure to meet the expanded provision of ELC in Shetland, and that the proposals present a very considered and flexible approach to create opportunities for staff to develop their careers and expand their hours of work. Concern was however raised regarding recent reporting in the media on the expansion of ELC, which had indicated that targets would not be met. It was however advised that this was a positive piece of work, which will give parents an opportunity to return to work, and have important benefits in educational attainment over time.

On the motion of Mr G Smith, seconded by Mr T Smith, the Committee approved the recommendation in the report.

The Leader commented on the positive opportunities for new and existing staff going forward, through a structured and planned approach, for the benefit of the Shetland community.

Decision:

The Committee RESOLVED to approve the staffing implications in the Strategic Delivery Plan Update for the Expansion of Early Learning and Childcare, and AGREED that delegated authority be given to the Director of Children's Services or nominee to implement the Strategic Delivery Plan Update as this project evolves, in accordance with Shetland Islands Council's Policy for Organisational Restructure.

56/18

Managing Exclusions in Shetland Schools Policy

The Committee considered a report by the Director of Children's Services (CS-27-18-F) that sought approval for an updated Managing Exclusions in Shetland Schools Policy.

The Executive Manager – Quality Improvement summarised the main terms of the report and the updated Policy document at Appendix 1. She reported that the new Policy now incorporates procedures and resources for managing instances of violence and aggression involving weapons in schools, also she highlighted a typo in Section 3.2, which would be changed to read "...is of the opinion that the parent of the pupil refuses or fails to comply, or to allow the pupil to comply, with the rules ...". The Committee was advised that the exclusion rate remains relatively low in Shetland, being the fourth lowest Local Authority in Scotland.

During debate, reference was made to the discussion at Education and Families Committee where it had been welcomed that the Policy follows Scottish Government guidance. Comment was made that Section 5 of the Policy, "De-Escalation and Physical Intervention" sets out best practice guidelines that should be followed. On the motion of Mr G Smith, seconded by Mr T Smith, the Committee approved the recommendation in the report.

Decision:

The Committee RECOMMENDED that Shetland Islands Council APPROVE the Managing Exclusions in Shetland Schools Policy.

57/18

Anti-Bullying in Shetland Schools Policy

The Committee considered a report by the Director of Children's Services (CS-28-18-F) that sought approval for an updated Anti-Bullying in Shetland Schools Policy.

In introducing the report, the Executive Manager – Quality Improvement advised that the Policy reflects best practice from updated national guidance "Respect for All: The National Approach to Anti-Bullying for Scotland's Children and Young People". She reported that the Policy, which has had extensive consultation, will act as a single wide Policy, and there is no expectation for individual schools to produce their own policy. The Committee was advised on the intention to implement the Policy at the start of the next academic year.

During the discussion, reference was made to approval of the document, Anti-Bullying Policy for the Council, during 2017, where it was questioned why that Policy could not also cover schools. The Executive Manager – Quality Improvement explained that having sought legal advice, there are specific legislation to be followed on the provision of education in schools that better supports Head Teachers with bullying incidents. She confirmed however, that the Council's Anti-Bullying Policy was taken into account when developing this Policy.

In responding to a question, the Executive Manager – Quality Improvement advised on the consultation undertaken with Parent Councils in developing the Policy. She added that subject to approval, further dialogue would take place with parents during the next school session, to raise awareness of the new guidance and procedures.

During debate, reference was made to the wide consultation undertaken in developing the Policy, which involved all interested parties. A plea was made for appropriate training to be rolled out to staff within schools and on wide promotion of the new Policy.

On the motion of Mr G Smith, seconded by Mr T Smith, the Committee approved the recommendation in the report.

Decision:

The Committee RECOMMENDED that Shetland Islands Council APPROVE the Anti-Bullying in Shetland Schools Policy.

58/18

Review of School Transport Policy 2018

The Committee considered a report by the Executive Manager - Schools (CS-17-18-F) presenting a reviewed and updated School Transport Policy.

In introducing the report, the Executive Manager – Schools Service advised from the wide debate at Education and Families Committee, and that the subsequent recommendation had been supported by Environment and Transport Committee, namely to approve recommendation 1.1, delete recommendation 1.2, and in recommending 1.3, to include a proviso that free school transport continues for those already in receipt of it under the terms of the current policy.

During debate, reference was made to the lengthy and useful debate at Education and Families Committee, and in reporting from the recommendation, Mr G Smith moved that the Committee approve recommendation 1.1, to approve the proposed updated School Transport Policy, delete recommendation 1.2, and in terms of recommendation 1.3, to approve the request to phase out the provision of free school transport for pupils attending a school other than their designated school through a Placing Request, but that those pupils currently benefitting from such an arrangement, continue to do so. Mr Thomson confirmed the decision of Environment and Transport Committee to support the recommendation of Education and Families Committee.

Mr Thomson seconded Mr G Smith's motion.

Decision:

The Committee RECOMMENDED that the Council RESOLVES to approve the proposed updated School Transport Policy, and the request to phase out the provision of free school transport for pupils attending a school other than their designated school through a Placing Request, with free school transport being continued for those already in receipt of it under the terms of the current policy.

59/18

Audit Scotland - Report on Edinburgh Schools

The Committee considered a report by the Executive Manager – Capital Programme (CPS-04-18-F) that presented a report from Audit Scotland setting out an update to the Accounts Commission's findings relating to the large scale closure of schools in Edinburgh following the collapse of a section of wall at Oxfords Primary School in January 2016.

The Executive Manager – Capital Programme summarised the main terms of the report.

In responding to questions, the Executive Manager – Capital Programme clarified that the findings in the report relate to the City of Edinburgh Council estate at the time of the incident, rather than to Shetland Islands Council's estate. He reported that the Council own very few properties of a similar type of construction to Oxfords school. He clarified that any cavity block construction on the new Anderson High School was not on a large scale and that the issue at Oxfords school had been due to the actual height of the wall.

Decision:

The Committee NOTED the contents of the report.

60/18 **Asset Investment Plan - Business Case - Multratuq 30**

The Committee considered a report by the Executive Manager – Capital Programme (CPS-05-18-F) presenting a Business Justification Case that proposed the purchase of the Multratuq 30.

After hearing the Executive Manager – Capital Programme summarise the main terms of the report, Mr Cooper moved, and Mr Coutts seconded, that the Committee approve the recommendation contained therein.

Decision:

The Committee RECOMMENDED that the Council RESOLVES to approve the proposal to purchase Multratuq 30 as described in Section 4.3 of this report for implementation with immediate effect.

(Mr Duncan left the meeting).

61/18 **Irrecoverable Debt 2017/18**

The Committee considered a report by the Executive Manager - Finance (F-049-18-F) that informed on debts to the Council which are now deemed to be uncollectable and which, therefore, have been written off during 2017/18.

In introducing the report, the Executive Manager - Finance advised that £175k written-off across the Council represents a small portion of the money the Council collects from customers over the financial year, and is fully covered by bad debt provision in the annual accounts.

In response to a question, the Executive Manager – Finance reported that irrecoverable debt was not an area, as a whole, included in national benchmarking and therefore there was no comparison with other Local Authorities across all types

of debt. He advised however that a write off percentage of less than 0.2% was very low, and the aim was to keep the percentage as low as possible going forward.

In responding to questions relating to the two cases where outstanding rent balances in excess of £5k had been written off, the Executive Manager – Finance acknowledged the timeline of a year for the debt to be run up, however he confirmed that all avenues had been explored to try to try and reach a satisfactory conclusion for the debt to be paid.

In response to a question, the Executive Manager – Finance referred Members to Section 4.5 of the report, and confirmed that the Council's bad debt provision does not take account of the Scottish Water element of debt written off.

During the discussion, the Executive Manager – Finance said that as far as he was aware, none of the 66 former tenants who had their outstanding rent balances written off have had new tenancies. He acknowledged that some instances of rent arrears could relate to issues with the roll-out of the Universal Credit benefits system, which he said could become more prevalent as Universal Credit is fully implemented in September this year.

Decision:

The Committee noted:

- the individual debtors in excess of £5,000 written off during 2017/18;
- the summary of bad debts under £5,000 that have been written off during 2017/18.

(Mr Duncan returned to the meeting).

Mr Coutts moved that in order to avoid the disclosure of exempt information, the Committee resolve to exclude the public in terms of the relevant legislation during consideration of the following item of business. Mr G Smith seconded.

(The media left the meeting).

62/18 Business Justifications: Employability and Poverty and Social Inclusion Services

The Committee considered a report by the Director of Development Services which presented two Service Delivery Proposals, namely Poverty and Social Inclusion, and Employability Services.

The Director of Development Services introduced the report and responded to questions from Members.

During debate, Mr Coutts moved, seconded by Mr G Smith, that the Committee approve recommendation 1.2 in the report, namely to approve the implementation of Option B (Status Quo to continue with the outsourcing of a Financial Health Service and a Fuel Poverty Advice Services) to provide the most effective and efficient use of Council resources, as identified in the 'Business Justification for the provision of services to support individuals in Shetland facing poverty and social exclusion'.

(Mr Duncan left the meeting).

In moving that the Committee approve recommendation 1.1 in the report, namely to approve implementation of Option D (One Core Employability Team, delivered in house, under one, existing Council manager) to provide the most effective and efficient use of Council resources to achieve employability outcomes for vulnerable people, as identified in the 'Business Justification for the provision of employability services to support individuals in Shetland with barriers to employment to obtain sustainable and real employment, Mr Cooper requested a review in two years on the provision of ongoing funding. In seconding, Mr G Smith asked for the review to also report on the job opportunities offered by the partnership organisations to individuals in Shetland who have barriers to employment.

In referring to recommendation 1.3 in the report, Mr Coutts moved that the Committee grant delegated authority to the Chief Executive (or her nominee) to take any required decisions for the implementation of the Preferred Options, from 1 January 2019. Mr Cooper seconded.

Decision:

The Committee RESOLVED to:

- APPROVE implementation of Option D One Core Employability Team, delivered in house, under one, existing Council manager) to provide the most effective and efficient use of Council resources to achieve employability outcomes for vulnerable people, as identified in the 'Business Justification for the provision of employability services to support individuals in Shetland with barriers to employment to obtain sustainable and real employment', attached as Appendix 1. In addition, the Committee agreed for a review to be undertaken in two years on the provision of ongoing funding, and for the review to report on job opportunities offered by the partnership organisations to individuals in Shetland who have barriers to employment.
- APPROVE implementation of Option B (Status Quo to continue with the outsourcing of a Financial Health Service and a Fuel Poverty Advice Services) to provide the most effective and efficient use of Council resources, as identified in the 'Business Justification for the provision of services to support individuals in Shetland facing poverty and social exclusion', attached as Appendix 2;
- GRANT delegated authority to the Chief Executive (or her nominee) to take any required decisions for the implementation of the Preferred Options, from 1 January 2019.

The meeting concluded at 12.15pm.

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Chair

