

MINUTES

A&B – Public

Policy and Resources Committee
Council Chamber, Town Hall, Lerwick
Monday 8 October 2018 at 10.00am

Present:

A Cooper	S Coutts
A Duncan	S Leask
E Macdonald	R McGregor
I Scott	T Smith

Apologies:

C Smith	G Smith
R Thomson	

In Attendance:

S Bokor-Ingram, Director of Community Health and Social Care
C Ferguson, Director of Corporate Services
D Bell, Executive Manager – Human Resources
J Manson, Executive Manager - Finance
J Riise, Executive Manager – Governance and Law
K Fraser, Executive Manager – Shetland Library
S Thompson, Executive Manager – Schools
C Anderson, Senior Communications Officer
T Coutts, Business Development Project Manager
N Hutcheson, Team Leader – Asset and Network
F Johnson, Health and Safety Manager
A Sutherland, Partnership Officer
H Sutherland, Head of Planning and Modernisation, NHS Shetland
L Geddes, Committee Officer

Chairperson

Mr Coutts, Leader of the Council, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

Minutes

The minutes of the meeting held on 28 August 2018 were approved on the motion of Mr Duncan, seconded by Mr Leask.

77/18

British Sign Language Local Plan 2018 – 2024

The Committee considered a report by the Director of Development (DV-36-18-F) seeking approval of the British Sign Language Local Plan 2018 – 2024.

The Partnership Officer summarised the main terms of the report, outlining the requirements of the British Sign Language (Scotland) Act 2015 and advising that a video would be available in sign language on the Council's website. Responding to a question, she advised that there were around 70 people locally who used sign language, with around 20 of these people relying on it.

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

Decision:

The Committee RESOLVED to approve the British Sign Language Local Plan 2018-2024

78/18

Annual Health and Safety Report 2017 – 2018

The Committee considered a report by the Executive Manager – Human Resources (HR-16-18-F) presenting the Annual Health and Safety Report 2017-18.

The Executive Manager – Human Resources summarised the main terms of the report, advising that it summarised the Council health and safety issues and trends in 2017/18 and set out how future challenges would be managed. Training was being delivered in a variety of ways and some joint training had been carried out with NHS Shetland. Shetland had a low accident rate compared with other local authorities, and there had been a significant reduction in reportable incidents from 2016/17. The refresh of training provided in respect of manual handling had contributed to this reduction.

The Executive Manager – Human Resources then responded to questions, and the Committee noted the following:

- Assaults on staff were generally not reported to the police. The term “assault” sounded quite serious, but very often referred to extremely minor incidents to do with vulnerable adults and children. However all incidents were taken seriously and dealt with appropriately via the relevant policies, and a good deal of support was provided to staff.
- Building Services had a software programme for recording, monitoring and prioritising fire safety management, and there had been good feedback from a recent audit that had been carried out.
- There had been real progress in encouraging the reporting of ‘near misses’ as well as actual incidents. Notification of these was a standing item on agendas of the Council's health and safety forums.
- Recent changes had been made to the Maximising Attendance Policy, and the Policy now had much more emphasis on wellbeing. There had been an increase in the level of support relating to return to work, as there had been a lack of confidence in dealing with this area in the past.
- The Lone Working Policy had also been updated and an improved risk assessment and information had been provided to managers. The Policy had been well-consulted and there was a greater level of awareness.

It was requested that an update on the installation of sprinkler systems in care homes in Shetland be provided to Members.

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

Decision:

The Committee NOTED the report and RESOLVED to approve the Priority Areas for Improvement in the Annual Health and Safety report.

79/18

Revised Equality and Diversity Policy

The Committee considered a report by the Executive Manager – Human Resources (HR-13-18-F) presenting the revised Equality and Diversity Policy.

The Executive Manager – Human Resources summarised the main terms of the report, advising that the new Policy helped the Council demonstrate how it would meet the Public Sector Equality Duty and how it would take account of the Fairer Scotland Action Plan. The three policies being presented for approval today were designed to attract and support employees, and would help promote a culture and environment of equality of opportunity. This Policy had been well-received by the two JCCs it had been presented to.

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

Decision:

The Committee RESOLVED to approve the revised Equality and Diversity Policy.

80/18

Revised Flexible Working Policy

The Committee considered a report by the Executive Manager – Human Resources (HR-14-18-F) presenting the revised Flexible Working Policy.

The Executive Manager – Human Resources summarised the main terms of the report, advising that the revised Policy built on existing policy and procedures by providing clear roles and responsibilities, and a structured procedural framework complying with relevant legislation for processing applications for flexible working. There were a number of key changes to the existing policy which were outlined in the report, and these should make a positive contribution to recruiting to vacancies and retaining the valuable skills and experience of existing staff.

She went on to say that when the report had been considered by the JCCs, some amendments had been suggested. Sections 4.1.3 and 8.3 of the Policy would be amended to clarify the employee's right to be accompanied, and Section 6.2 would be updated to state that arrangements should be reviewed three-monthly or termly. It would also be added in that when making a decision, the employer must carefully consider the individual needs and benefits against the operational needs and the impact on service delivery and workload. The College Lecturers' JCC had been unwilling to support the Policy, as they had concerns that any individual request agreed would take effect as a permanent variation to an employee's terms and conditions, and they felt it was important that, where this change represented a reduction in hours worked, that this did not subsequently alter the established hours for the service area. During the discussion at that meeting, it had been highlighted that the Council's Scheme of Delegations made it clear that delegated authority for

the deletion or creation of posts and hours rested with management, so it was not proposed to amend the Policy. However it would be included that this was something that should be taken into account when considering the request.

Mr Coutts moved that the recommendations in the report - subject to the amendments referred to by the Executive Manager – Human Resources - be approved, and Mr Leask seconded.

Decision:

The Committee RESOLVED to approve the revised Flexible Working Policy.

81/18

Career Break Policy

The Committee considered a report by the Executive Manager – Human Resources (HR-15-18-F) presenting the new Career Break Policy.

The Executive Manager – Human Resources summarised the main terms of the report, advising that the Policy provided an improved framework and extended the current provisions. There were some appendices yet to be developed, and some changes had been proposed by the JCCs which had been accepted. At Section 7.4 of the Policy, it would be clarified that taking a career break did not affect continuity of service, and Section 7.8 would clarify that notice was required if an employee wished to resign. Information would also be supplied in relation to 'exceptional circumstances'.

Responding to questions, the Executive Manager – Human Resources advised that she did not have information relating to the cost to the Council of training other employees to cover for career breaks. However career breaks were something that were rarely sought, and cover for the employee was something that would be considered before the request was approved. The cost would depend on the type of work the person was doing and if a professional qualification was required, it might make it more difficult to approve a career break.

During the discussion that followed, some Members said that they were pleased to see the revised Policy and could see the benefits for the Council. However others highlighted the reduced number of staff in the Council and the resulting pressure on them to carry out their functions, and questioned whether posts were actually required if staff could be released from them for a period of time.

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

Decision:

The Committee RESOLVED to approve the revised Career Break Policy and to approve the replacement of Section 8.1 of the Special Leave Policy.

82/18

**Shetland Islands Health and Social Care Partnership:
Joint Strategic Commissioning Plan, Refresh 2018-2021**

The Committee considered a report by the Head of Planning and Modernisation – NHS Shetland (CC-32-18-F) presenting the draft Joint Strategic Commissioning Plan for consultation.

The Head of Planning and Modernisation - NHS Shetland summarised the main terms of the report, advising that it was considered best practice to update the Plan every year to ensure that it continued to address relevant issues and responded to need and demand in an effective way. There were five areas that had been agreed for improvement actions, and progress had been made on most of these. However it had not yet been possible to align the strategic planning process with the financial planning process, so this should be considered as a statement of intent at this stage rather than a plan that could be implemented. It was proposed that the current draft of the Plan would be used to consult with key stakeholders, and the consultation process would be supported by a communication and engagement plan. The Plan focused on maximising the health of the population, and increasing and developing opportunities for teams to work together in localities. It was also important to minimise stays in hospital and focus on day care and outpatient services. It was an ambition to secure financial balance, and this would take time to work through.

In moving that the recommendations in the report be approved, Mr Duncan commented that he still had concerns regarding the financial situation going forward, and there was a lot of work that would have to be carried out over the next few years.

Mr McGregor seconded, commenting that he was hopeful that the Scottish Government would be of some assistance to help achieve a balanced budget.

Concern was expressed that any additional funding coming forward from the Scottish Government would have to be used to fund pay rises, so there would be more work to be done to get the Scottish Government to take account of the issues locally.

Mr Duncan advised that he had requested a visit from the new Health Secretary so that she could see the issues locally for herself, and he had been assured by the MSP that this would take place. Of particular concern were locum costs, and it would be necessary to make a business case to convince the Scottish Government that this was something that required additional funding. It had also been demonstrated that the NHS could save considerable sums of money each year if Broadband was rolled out across Shetland, so this was another area where additional funding should be sought.

It was questioned if the Scottish Government could be requested to write-off the NHS Shetland's debt, given that it did not have a loan.

The Director of Community Health and Social Care advised that a financial framework had been published and the data for Shetland would have to be worked through. Some historical debt had been written off for other health boards for past years, but it was not clear if it would apply for deficits in this financial year.

The Chair commented on the challenging financial pressures which would only increase, and said that it was important to continue to press to get funding to cover the cost of delivering services in an island community. He was encouraged by the focus in the Plan towards a single health and care system, and the outcome for individuals rather than individual services. The Council was committed to playing its part in the partnership and towards the shared objectives, but more funding was required to achieve what it was hoped to achieve.

Decision:

The Committee APPROVED the Draft Joint Strategic Commissioning Plan for Consultation.

83/18

Road Safety Inspection & Defect Categorisation Policy

The Committee considered a report by the Team Leader – Asset and Network (RD-04-18-F) presenting a proposal to revise the Road Safety Inspection and Defect Categorisation Policy.

The Team Leader – Asset and Network summarised the main terms of the report, advising that the current Policy had last been updated in 2009. A new code of practice had been published in 2016, and roads authorities had been advised that they should comply with its recommendations. The new code recommended a more risk based approach for categorising the road network, undertaking inspections, assessing and prioritising defects. The Council's policy already met some of the recommendations - the only significant difference being to the new code's reference to "investigatory levels" rather than "intervention levels". The new code contained a total of 36 recommendations and all current practices had been reviewed against these recommendations. Where they differed, practice had either been changed or the reasons for taking an alternative approach had been documented.

Responding to a question regarding the cost of roads-related insurance claims to the Council, he advised that he did not have this information to hand, but could arrange for it to be supplied to Members. In response to a further query regarding whether due recognition was given to the types of machinery used today and the associated effect on highways and bridges, he advised that the Policy related to maintaining and improving what was already in place. Identifying need in respect of the wider and heavier machinery that was used today was a capital consideration that would be dealt with via the Council's gateway process.

It was questioned if the Council had taken all possible safety measures to prevent landslides following the event that had taken place in 2003. The Team Leader – Asset and Network advised that recommendations had been followed, but more work required to be done to identify critical locations elsewhere in Shetland, and satellite based monitoring was being considered.

Mr Coutts moved that the Committee approve the recommendations in the report, and Mr Leask seconded.

Decision:

The Committee APPROVED the revised Road Safety Inspection and Defect Categorisation Policy.

84/18

Addendum to School Transport Policy 2018

The Committee considered a report by the Executive Manager - Schools (CS-33-18-F) presenting an addendum to the recently approved School Transport Policy 2018.

The Executive Manager - Schools summarised the main terms of the report, advising that the Council required to make a policy commitment in respect of those pupils who live on the remote isles and require transport by air to attend secondary

school. The report had already been presented to the Environment and Transport Committee and the Education and Families Committee, and had been approved by both.

On the motion of Mr Duncan, seconded by Mr Leask, the Committee approved the recommendation in the report.

It was commented that it was important for the Council to recognise the longer-term issues in respect of its airfields.

Decision:

The Committee RECOMMENDED that the Council approve the proposed addendum to the School Transport Policy 2018.

85/18

Economic Development Strategy 2018-2022

The Committee considered a report by the Business Development Project Manager (DV-33-18-F) presenting the Economic Development Strategy 2018-2022.

The Business Development Project Manager summarised the main terms of the report, advising that the Strategy supported the vision and priorities of the Shetland Partnership Plan and detailed specific actions, measures and outcomes to realise objectives. There were a number of key areas outlined for development in respect of economy and housing, community strength and connection and access. There were some significant external factors that would impact on the Strategy in future, including the exit of the UK from the European Union and the progress of the UK Islands Deal. The impacts would become clearer as work progressed, and the Strategy would be revisited to deal with any impact on strategic objectives.

The Business Development Project Manager then responded to questions, and the Committee noted that it was intended to work in partnership with local industries and the private sector to have wider conversations about issues being faced. There were local initiatives where this was already happening – the Developing the Young Workforce agenda and the Business Gateway were two such examples. There was also a need for more survey work and information gathering to be carried out, and this would be built into strategic projects. With regard to the agriculture sector, one of the priorities was to increase output in primary production and increase the value of local agriculture and processing. It was an area that would be heavily impacted by 'Brexit'.

It was commented that it was disappointing that there had not been more engagement and participation from industry when consultation had been taking place. Industry would be important in helping to deliver the aims of the Strategy, and the development of small businesses should be supported to help them achieve their full potential. Concern was expressed regarding the potential implications of withdrawal from the European Union on the agriculture sector - particularly in relation to exports - and it was noted that the Council was working to develop a strategy on engagement with the UK and Scottish Governments. It was also commented that delays in processing planning applications due to staff shortages - which was a national issue - and the problems the construction industry was having in attracting staff would have a wider impact on the economy locally and would have to be addressed, so it was important that the Council was as flexible as possible in assisting.

Mr Cooper moved that the Committee approved the recommendations in the report, and Mr Leask seconded.

Decision:

The Committee APPROVED the Economic Development Strategy 2018-2022.

86/18

Lerwick Library Refurbishment – Project Update

The Committee considered a report by the Executive Manager – Capital Programme (CPS-09-18-F) presenting an update on the status of the Lerwick Library Refurbishment project, an updated business case in line with the Council's Gateway Process for the Management of Capital Projects, and a revised scope and programme for approval by the Council.

The Director – Corporate Services summarised the main terms of the report, advising that the original decision to approve the refurbishment had taken place in 2015, with the intention that the Library Service would be rehoused in the Old Library Building. For a number of reasons, this project had been delayed, and the original estimate of costs had risen in excess of the budget. Due to deterioration of the Old Library building, it was a priority that maintenance works were carried out to the fabric of the building. This could be accommodated within the original budget, but complete refurbishment would incur additional costs. When the report had been considered at the Education and Families Committee, there had been questions around future use and the wider impact on the Council's estate. The Education and Families Committee had agreed to defer a decision pending the presentation of a refocused report to the next meeting of the Committee which would take account of the service needs overall of the library service and how the refurbishment fitted into the wider context of the Council's Asset Strategy and the knock-on effects on other Council users and services.

The Director – Corporate Services then responded to questions, and the Committee noted the following:

- The maintenance aspects were of the biggest concern, but the Council was committed to carrying out any urgent work required. It was planned to hold an informal session to look at the future Asset Investment Plan, and there was a commitment to maintain assets whilst rationalising the Council's estate.
- Various options had been looked at for future accommodation for the Library Service - including new build and other buildings. But the Old Library building was the most appropriate in terms of layout, space and facilities. The Knab masterplan had been developed with a range of options, but inclusion of a library building had not featured to date. The Council was looking at properties it would wish to retain, and the Old Library was a building it would like to keep as the structure was sound and the internal layout could be modified. Any other building would require additional work to develop further.
- There would be a Spend to Save element with total refurbishment of the Old Library building, and the calculations done in the past could be revisited. Maintenance of the building had been minimal over the last three years. It was expected that the need for maintenance would be exacerbated over time, and would need to feature in the budget.

- The decision the Council had taken in 2015 had been based on the Council's gateway process, and had included a business case that justified the cost. The aspect that had lapsed was the financial aspect, and this had required to be revisited because of affordability. The report being considered today had been written from a landlord perspective but - in terms of service provision – it was still an aspiration to deliver the service from one building.
- The Old Library building was one that it would be desirable to retain on the Council's estate because of its location and the fact that it could be adapted for various uses. Whatever use it was put to – whether or not for the Library Service – the building would require to be maintained, and money would have to be spent on maintenance and ensuring it complied with relevant disability legislation. There was acceptance that some initial estimations were low, and costs had increased with the passage of time. If the use it was ultimately put to was significantly different, it was likely that even more money would be required for modifications.

The Executive Manager – Shetland Library then outlined the practicalities of delivering services from three buildings. The Old Library building, which the Library Service used for essential back room space, was in a poor condition. If it was refurbished, it would enable work to be carried out more efficiently from one building. Delivering the service between three buildings took up a lot of staff time, and made staff timetabling more complicated. There had also been changes in the nature of services delivered, and there was now much more focus on customer service and outreach work.

Responding to questions, she said that it should be possible to carry out a piece of work to quantify the costs relating to staff being spread over three buildings. There were also costs relating to the management of three buildings - such as fire systems and risk assessments. When the library service had first moved into St Ringans, back room operations had initially been carried out from a building in St Olaf Street. When the Council sold that building, back room operations had moved into the Old Library building, and it had always been the case that there had never been enough back room space. The recommendation relating to external repairs only was essential to make the building secure, but would mean there was no internal refurbishment done so the status quo would remain, and the service would continue to operate over three buildings.

It was commented that the Old Library building would require to be maintained and altered regardless of what service was being delivered from it, and costs would only increase over time. It was important that the Committee had full information regarding the costs of the project which would enable the needs of the Library Service to be met in future, and that it would be useful to have a report which set out the needs of the Library Service, rather than just focusing on the landlord perspective.

Mr T Smith moved that the recommendation from the Education and Families Committee – that a decision be deferred pending presentation of a refocused report – be approved.

Mr Cooper seconded

It was noted that the decision of the Committee today would mean that there was no need for this report to be presented to the Council at its meeting on 31 October.

Decision:

The Committee considered and agreed to APPROVE the recommendation from the Education and Families Committee that a decision be deferred pending the presentation of a refocused report to the next meeting of the Committee which takes account of (a) the service needs overall of the library service and (b) how the refurbishment fits into the wider context of the SIC Asset Strategy and the knock-on effects on other Council users and services.

The meeting concluded at 12.10pm.

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Chair