

MINUTE 'B'

'A' &

**Services Committee
Council Chamber, Town Hall, Lerwick
Thursday 5 May 2005 at 10.30am**

Present:

F B Grains	L Angus
C B Eunson	L G Groat
I J Hawkins	J H Henry
J C Irvine	E J Knight
W H Manson	Capt G G Mitchell
J P Nicolson	W H Ratter
F A Robertson	W N Stove
T W Stove	W Tait

Apologies:

B J Cheyne	A J Cluness
R G Feather	B P Gregson
J A Inkster	J G Simpson

In Attendance:

J Watt, Executive Director – Community Services
E Balfour, Senior Housing Officer
H Budge, Quality Improvement Manager
C Ferguson, Community Care Manager
D Fiedler, Chief Accountant
A Jamieson, Head of Education
C Medley, Head of Housing
F Waddington, Head of Social Work
L Geddes, Committee Officer

Chairperson

Mrs F B Grains, Chairperson of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Minutes

The minute of the meeting held on 17 March 2005, having been circulated, was confirmed.

Members' Attendance at External Meetings

Captain G G Mitchell advised that he had attended a meeting with the Scottish Executive, along with the Head of Housing, regarding possible alternatives to housing stock transfer. The Scottish Executive had confirmed that there would be no redemption of the housing debt without stock transfer. They had also indicated that they could not hold on to the money much longer

unless a decision was made to transfer, as they were under pressure from the Treasury to spend it on other things. The Council had also been told that no alternatives would be considered until after 2007, as there was a full programme of stock transfer to progress. The Scottish Executive had been asked if consideration of transfer to a trust would be acceptable, as it was unlikely that tenants would agree to a transfer under normal circumstances. The Scottish Executive said that this was something that had not been considered, but suggested that the Council should make a case for this if they felt it was an option. They had also said that they could not predict whether housing support grant would continue. In response to a query, he confirmed that the Scottish Executive had previously not been able to come to an agreement with the Council regarding the value of the stock. At that time, the Council had offered to make up the difference between the two valuations, but this had not been acceptable to the Scottish Executive. However he understood that there was a possibility that this could be considered.

Members commented that they felt that attempts to address the stock transfer issues should continue at ministerial level.

A Member enquired how much interest had been earned on the money borrowed for the housing debt, and said that he felt the Council could pay off the housing debt as it had effectively borrowed money from itself.

It was agreed that this information should be provided to Members by email.

Mr E J Knight advised that he had recently attended a seminar recommended by COSLA's Cultural Executive regarding money available through the European Union for cultural activities. Whilst there was a huge amount of money available, it was difficult to source it. He had received a lot of information which he would pass on to the Council's European Officer, and he would be recommending that she attended any future seminars.

Mr Knight said that he had also attended a meeting of Highlands and Islands Film Board in Inverness, and that it had been noted that it was getting more difficult to attract film makers to the Highlands and Islands. He felt that membership of the Board was worthwhile, as there were returns for the small outlay involved.

The Chairperson advised that she proposed to consider agenda item 12 first in order that members of the public interested in this item only could leave if they wished. The Committee agreed.

29/05 **Primary Teaching Staffing Reductions**

The Committee noted a report by the Head of Education (Appendix 1).

The Chairperson advised that she had received a petition from the Whalsay community and parents. However as the recommendation in the report was in line with Council policy, the report was being presented for noting only.

A Member pointed out that the Members of the areas affected had met with officers. It had been agreed to present a report for information to today's meeting to keep everyone informed, even though there was no need as it related to the implementation of Council policy and a Council decision.

In response to a query regarding probationer posts, the Head of Education explained that there was a requirement to maintain five primary probationer posts in schools in Shetland, and that they tended to be in the larger schools.

A Member said that there would be increases or decreases in pupil numbers in future that would affect the number of teaching staff required, and he requested that reports should not be presented to the Committee where recommendations were within Council policy.

30/05 **Proposed Revenue Planned Maintenance Programme – 2005/06**

The Committee considered a report by the Senior Housing Officer (Appendix 2) and on the motion of Captain G G Mitchell, seconded by Mr E J Knight, approved the recommendation contained therein.

A Member said that he was aware of problems with deteriorating pipework in Council houses that would have to be examined, and he requested that the Housing Service take this on board.

31/05 **Health & Community Care Plan 2005-08**

The Committee considered a report by the Community Care Manager (Appendix 3) and on the motion of Mr C B Eunson, seconded by Mrs I J Hawkins, approved the recommendations contained therein.

In response to a query, the Community Care Manager said that a full copy of the plan was available separately, and that this detailed the responsibilities and financial position of the NHS.

32/05 **Shetland's Response to Scotland's Criminal Justice Plan**

The Committee considered a report by the Head of Social Work (Appendix 4).

The Head of Social Work summarised the main terms of the report, advising that it was proposed that Shetland should join the Northern Criminal Justice Authority (CJA). She outlined the advantages to this proposal, and pointed out that there were two issues that would have to be considered further in relation to funding and the transfer of staff. It was proposed that Shetland should ask for special measures regarding these issues. The only other option available was for Shetland to become a stand-alone CJA, and that brought major responsibilities with it for the Council and for Members.

Mr C B Eunson moved that the Committee approve the recommendations in the report, but this did not receive a seconder.

Some Members felt that the issues in the report required further consideration, particularly in relation to becoming a stand-alone CJA as Shetland had pursued a similar stance regarding a regional transport authority.

The Head of Social Work said that the response to the consultation exercise had to be submitted by the beginning of June. Orkney was pursuing becoming a stand-alone CJA, however their criminal justice services were set up differently and they also had a bail hostel for which they received a considerable amount of funding from the Scottish Executive. They obviously felt that this funding would be under threat. She went on to say that her professional opinion was that Shetland would struggle as a stand-alone CJA. As well as being unable to share good practice with other member local authorities, an independent Chief Officer would have to be appointed who would report to Ministers, it would be necessary to link in with three prison services, and Members would be responsible for writing the Criminal Justice Plan and working with the prison services.

Mr W A Ratter said that he felt that there should be further discussion on the options available, and he therefore moved that a decision should be deferred until the meeting of the Council. Mr W Tait seconded.

Some Members said that they were supportive of the proposals in the report and felt that becoming a stand-alone CJA would be disadvantageous to the Council. It was suggested that it was not appropriate to draw parallels with the situation relating to the transport authorities, as the Scottish Executive appeared to be willing, in this case, to change the wording of the legislation to allow for a measure of independence.

A Member commented that he felt that this was a very regressive piece of legislation that had been written with large urban areas in mind. It was important to find a solution that suited Shetland, and he suggested that consideration should be given to commissioning criminal justice services from the SIC.

The Head of Social Work said that if Shetland became part of a Northern CJA, there would continue to be local management of staff. The CJA would have permissive powers and if all member authorities agreed to the transfer of staff, they would be managed by the Northern CJA. With regard to commissioning the service, she said that she understood that the CJA would state how many staff they would require, and that there was a danger that they

would require very few staff due to the low levels of criminality in Shetland. Criminal justice staff in Shetland also assisted generic staff, and there would be an impact on the social work service if the staff were transferred.

The Chairperson suggested that all interested Members should meet with the Head of Social Work in advance of the Council meeting in order to get further information.

The Head of Social Work said that the Scottish Executive Justice Unit would be visiting Shetland, and she would ask them if they would agree to meet with Members.

33/05

Extended Local Partnership Agreement

The Committee considered a report by the Community Care Manager (Appendix 5).

The Community Care Manager summarised the main terms of the report, and pointed out that delegated authority was being sought regarding the allocation of funding and other resources, for which the overall authority had been approved by the Council or NHS Board.

Mr C B Eunson moved that the Committee approve the recommendations in the report, and Mr L G Groat seconded.

Mr L Angus noted that the Council gave £18 million funding to the partnership, with only £3.1million coming from NHS Shetland. The Audit Commission had recently criticised the Council regarding the amount of business it delegated and failed to monitor. He therefore moved, as an amendment, that Members were involved in monitoring the budget allocation and expenditure delegated to the Joint Future Management Teams.

Mr J C Irvine seconded, on the basis that a report was presented to the Committee or Council on how the monitoring should be carried out and on which basis Members were to be appointed.

The mover and seconder of the motion agreed to incorporate this into the motion.

(Mr W H Manson attended the meeting)

Some discussion took place as to the level of monitoring to take place. The Executive Director suggested that the local joint financial management team, which dealt with resource management and performance monitoring, met every quarter. She suggested that Members could be involved with this group, but the Committee agreed that a further report should be presented.

(Mr J C Irvine left the meeting)

34/05 **Carers' Strategy and Carer Information Strategy**

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

The Community Care Manager summarised the main terms of the report, and said that it was hoped to hold some carers events in June to coincide with National Carers Week. Later on in the year, it was hoped to pull the three different carers strategies into one document and to produce an executive summary.

Members commented that it was essential that strategy documents clarified whom to contact when problems arose, as this was an issue that they often came across. It was also suggested that there should be more scope for resolving issues that arose when systems broke down, as it was often excessive to implement complaints procedures when this happened.

A Member also commented that it was also important to recognise that the care carried out by young carers could affect them in adulthood, even after their period of care had ended.

On the motion of Mr L G Groat, seconded by Mr C B Eunson, the Committee approved the recommendation in the report.

35/05 **Service Developments for People with Learning Disabilities**

The Committee considered a report by the Community Care Manager (Appendix 7) and on the motion of Mr W A Ratter, seconded by Mr C B Eunson, approved the recommendations contained therein.

Mr L G Groat advised that a number of complicated issues had arisen with the Eric Gray Resource Centre that may take some time to resolve, however things were moving on.

36/05 **Disability Strategy 2005-2020**

The Committee considered a report by the Community Care Manager (Appendix 8).

The Community Care Manager summarised the main terms of the report, and pointed out that the Scottish Executive had commended the Strategy.

A Member enquired to what extent the process of creating these strategies impinged on the ability to undertake the work of the Service.

The Community Care Manager said that a lot of work had been involved in producing this strategy, but that service provision had

been prioritised. To a certain degree, all strategies reflected what was already being done. During the preparation of strategies it was useful to engage with wider stakeholder groups, and this helped in implementing the recommendations.

Mr L G Groat said that he was a member of the Disability Strategy Group, and that it was felt that this Group should continue to help ensure that the Strategy was working. He passed on his thanks to staff for their work in preparing the Strategy.

A Member commented that there did not appear to be much happening regarding mental illness, and that there was no appreciation of the problems faced by families. Families regularly contacted him about their difficulties and the fact that there were no facilities in Shetland to deal with mental illness. He hoped that this would be addressed in the future.

The Executive Director confirmed that a separate strategy group was dealing with mental health issues.

A Member referred to the figures relating to multiple sclerosis on page eight of the appendix, and said that it was felt that this figure was underestimated. He also updated members on the progress with specialist neurological nursing services referred to on page 17 of the appendix.

Mr J P Nicolson moved that the Committee approve the recommendations in the report, and Mr L G Groat seconded.

The Chairperson requested that any strategy updates presented to the Committee in future should simply include the changes that had been made. Members could then slot these into the original document.

37/05 **Vacancy on the Children's Panel Advisory Committee – Local Authority Nomination**

The Committee considered a report by the Head of Legal and Administration (Appendix 9).

Captain G G Mitchell advised that Mrs B J Cheyne had expressed an interest and he therefore moved that Mrs B J Cheyne be appointed to the Children's Panel Advisory Committee (CPAC). Mr L Angus seconded.

Mr J P Nicolson said that he had reluctantly resigned from the CPAC due to the increase in training commitments on Members.

38/05 **Shared Management for Schools in Shetland**

The Committee considered a report by the Head of Education (Appendix 10).

The Head of Education summarised the main terms of the report, advising that the pilot project had been extremely successful and that parents had asked for the report to be presented earlier so that it could be permanently established for the new academic year.

A Member expressed disappointment that more savings had not resulted from the pilot project.

The Head of Education confirmed that the salaries of the teachers included in the financial implications had been based on the salaries of teachers at the top of the scale. Not all teachers were at the top of the scale, so the savings would have been more. The supply and sickness cover figures had also been estimated.

Members commented on the benefits of having a full-time class teacher in class, and said that educational standards should benefit as a result.

On the motion of Mr J P Nicolson, seconded by Mr E J Knight, the Committee approved the recommendations in the report.

39/05 **Bell's Brae Nursery Pilot**

The Committee considered a report by the Head of Education (Appendix 11).

Mr L Angus thanked Members for agreeing to defer the earlier report, and pointed out that the figures had since changed and that the extended session was now viable. He therefore moved that the Committee approved the recommendations in the report, and Mr W H Manson seconded.

40/05 **Part-Time Professional Graduate Diploma in Education (Primary) by Distance Learning**

The Committee noted a report by the Head of Education (Appendix 12).

In response to a query, the Head of Education confirmed that the fees were around £600 per year. Representations had been made to the Scottish Executive Education Department saying that it was unfair that fees should be paid for this part-time course, but no response had yet been received. He went on to say that around 100 applications had been received, and between 10 and 12 students would be starting the course in August. He added that the Education Service had written to the Scottish Executive to say that there was a requirement that students should be placed in Shetland for their probationary year, on a fully-funded basis.

Services Committee
05 May 2005 Public Minutes

Members commented that they were pleased to see this course now running in Shetland, and complimented the members of staff involved in getting it to this stage.

.....
F B Grains
Chairperson