

# **SCRUTINY COMMITTEE**

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 12 June 2019 at 1.00pm.

Present: Councillors G Laing, A Parrott, C Ahern, H Coates, S Donaldson (substituting for Councillor S McCole), D Doogan, D Illingworth, T McEwan, C Purves and C Stewart.

In Attendance: B Renton, Executive Director (Housing and Environment); K McNamara, Depute Director (Housing and Environment); J Pepper, Depute Director (Education and Children's Services); C Mailer and A Seggie (Housing and Environment); R Hill, S Johnstone and J Chiles (both Education and Children's Services); K Donaldson, D Henderson, M Mahmood, S MacKenzie, F Robertson, L Simpson, S Walker and D Williams (all Corporate and Democratic Services).

Apologies: Councillors M Barnacle and S McCole.

Councillor G Laing, Convener, Presiding.

The Convener led discussion on Arts. (Items 1 to 8 and 13) and the Vice-Convener led discussion on Arts. (Items 9 to 12) .

## **. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting and apologies were noted as above.

## **. DECLARATIONS OF INTEREST**

Councillor H Coates declared a non-financial interest in Art. (Item 13).

## **. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF 17 APRIL 2019**

The minute of meeting of the Scrutiny Committee of 17 April 2019 (Arts. 195-200) was submitted, approved as a correct record and authorised for signature.

## **. BUSINESS GATEWAY**

Following the presentation to the Scrutiny Committee on Business Gateway at its meeting of 20 March 2019, the Chief Executive of Dundee City Council has written to the Chief Executive of Perth and Kinross Council advising that the reduction in funding to Business Gateway will be reversed, taking effect from 2020/21.

The Convener expressed thanks to the Chief Executive and other officers of the Council for their work on this matter, and requested a full report on the matter be brought to both Scrutiny and Audit Committees.

**HOUSING AND ENVIRONMENT BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2019-20**

There was submitted a report by the Executive Director (Housing and Environment) (19/133) presenting the first combined Housing & Environment Annual Performance Report for 2018/19, and Business Management Improvement Plan 2019-20. It was noted that Report 19/133 had previously been submitted to the Housing and Communities and Environment and Infrastructure Committees on 15 May 2019.

B Renton, Executive Director (Housing and Environment) informed members that this was the first full Business Management Improvement Plan for the combined service, highlighting the work in both delivery and the creation of the service.

In response to a query from Councillor McEwan regarding gas central heating in Council properties, B Renton informed members that, at present, gas central heating was the best solution for Council tenants, although the situation would continue to be monitored.

In response to a query from Councillor Parrott regarding how concerns regarding unemployment in Perth and Kinross were being taken forward, K McNamara, Depute Director (Housing and Environment) stated that whilst unemployment in Perth and Kinross was low, work was being undertaken with numerous sources such as the Employment Hub. He added that work was being undertaken to establish why jobs were not being taken up and work was being undertaken on recruitment with local businesses.

**Resolved:**

The contents of Report 19/133, be noted.

B RENTON, K McNAMARA, C MAILER AND A SEGGIE LEFT THE MEETING AT THE POINT.

**EDUCATION AND CHILDREN'S SERVICES JOINT BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2019-20 AND ANNUAL PERFORMANCE REPORT 2018-19**

There was submitted a report by the Executive Director (Education and Children's Services) (19/154) presenting the Joint Business Management and Improvement Plan 2019/20 and Annual Performance Report 2018/19 for Education and Children's Services, summarising service performance over the past year and setting the direction of improvement for the forthcoming year. It was noted that Report 19/154 had previously been submitted to the Lifelong Learning Committee on 22 May 2019.

J Pepper, Depute Director (Education and Children's Services) informed members that this was the first time Community Justice had been included in a report of this nature from Education and Children's Services, and also advised members of a planned briefing in October 2019 for members of the Scrutiny

Committee, members of the Council's Lifelong Learning Committee and members of the Perth and Kinross Community Justice Partnership, on the subject of Community Justice.

In response to a query from Councillor Purves regarding the Tayside Regional Improvement Collaborative, R Hill, Education and Children's Services, expressed to members the benefits of the Collaborative in exchanging expertise, adding that the Collaborative had formalised existing work between Perth and Kinross, Dundee, Angus and Fife Council's, with S Johnstone, Education and Children's Services highlighting the benefits of funding for the collaborative in terms of training whilst also advising members of the development of the Welfare Rights worker in Perth and Kinross to work with pregnant women. In response to a further question from Councillor Stewart on the Tayside nature of the Collaborative, S Johnstone advised members that individual schools in Perth and Kinross were working with partner schools in Local Authorities outside of the Tayside Regional Improvement Collaborative, and that this was on an individual school level.

In response to a query from Councillor McEwan regarding benefitting of school uniforms, R Hill advised members that work was ongoing with the Council's Welfare Rights team, with options such as clothing banks discussed, and S Johnstone added that constructive discussion with parent council's had taken place in this regard. In response to a further query from Councillor Doogan regarding the environmental benefits of clothing banks, S Johnstone confirmed that this had been raised in discussions.

**Resolved:**

The contents of Report 19/154, be noted.

J PEPPER, J CHILES, R HILL AND S JOHNSTON LEFT THE MEETING AT THIS POINT.

COUNCILLOR DONALDSON LEFT THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

**CORPORATE AND DEMOCRATIC SERVICES JOINT BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2018-21**

There was submitted a report by the Head of Legal and Governance Services (19/177) presenting a reviewed and updated version of the Business Management and Improvement Plan for Corporate and Democratic Services for 2018-21, as of 31 March 2019.

In response to a query from Councillor Donaldson regarding the Council's equal pay audit, K Donaldson, Corporate and Democratic Services, confirmed this audit would be annual and there was an intention to submit a report on this matter to Council in December.

In response to a query from Councillor Purves regarding the review of the Council's Standing Orders and Decision Making Structure, L Simpson, Corporate and Democratic Services, advised that this was part of a wider review of the

Council's corporate governance arrangements to ensure that that they were fit for purpose to deliver the Council's strategic objectives. She advised that this would be an evolving process as the Perth and Kinross Offer was developed and assured elected members that they would be involved in the process.

**Resolved:**

The contents of Report 19/177, be noted.

. **ANNUAL GOVERNANCE STATEMENT**

There was submitted a report by the Head of Legal and Governance Services (19/178) seeking approval of the Annual Governance Statement (AGS) for the financial year 2018/19, which provides assurance as to the effectiveness of the Council's governance framework and in particular the system of internal control.

In response to a query from Councillor Purves regarding whether Arms-Length External Organisations (ALEOs) had to provide an Annual Governance Statement, L Simpson advised that whilst ALEOs are not required to submit an Annual Governance Statement, they do undertake the same self-assessment exercise as Council services and that the Contract Monitoring Officer for the ALEOs provides the certificate of assurance. F Robertson advised members that there had never been a situation in the past where an Arms-Length External Organisation had been unable to provide assurance.

**Resolved:**

The contents of Report 19/178, be noted.

. **DATA PROTECTION COMPLIANCE 2018-19**

There was submitted a report by the Data Protection Officer (19/179) reporting the professional assessment of the Council's compliance with the General Data Protection Regulation (GDPR) by the Data Protection Officer, as is required to be provided by the Data Protection Officer in accordance with legislation. Report 19/179 relates to the year 2018-19.

In response to a query from Councillor Laing regarding training in Data Protection, L Simpson assured members that in specific areas which carried greater risk in terms of the processing of sensitive personal data, bespoke training had been delivered to targeted teams. D Henderson, Corporate and Democratic Services, added that a lot of work had been completed in the key areas Children's Services and Adult Services.

**Resolved:**

The contents of Report 19/179, be noted.

. **ANNUAL REVIEW OF CYBER SECURITY**

There was submitted a report by the Head of Legal and Governance Services (19/180) providing an overview of Cyber Security in the Council and providing assurance as to current risks and threats. Report 19/180 provides an updated of the

current arrangements in place within the Council to protect that information (“cyber security”) and details the relevant compliance frameworks which the organisation is subject to. The report also gives an analysis of the security measures in place in order to counteract threats and mitigate the risks to provide the Council with assurance as to the integrity of our systems and processes.

D Henderson advised members that this annual report had been considered by Strategic Policy and Resources Committee in previous years.

**Resolved:**

The contents of Report 19/180, be noted.

. **FOI PERFORMANCE REPORT 2018-19**

There was submitted a report by the Head of Legal and Governance Services (19/181) describing the Council’s performance in relation to its obligations under the Freedom of Information (Scotland) Act 2002 and Environmental Information (Scotland) Regulations 2004 for the year 2018-19. The report also provides an overview of some of the Council’s other information-related activities.

In response to a query from Councillor McEwan regarding the availability of information where there was a commonality in FOI requests, L Simpson informed members that the FOI team did monitor and review requests to identify trends or common requests. Where these are identified the team work with services to such information into the public domain.

**Resolved:**

The contents of Report 19/181, be noted.

. **REGISTRATION OF BIRTHS, DEATHS, MARRIAGES AND CIVIL PARTNERSHIPS – INSPECTION REPORTS BY NATIONAL RECORDS OF SCOTLAND**

There was submitted a report by the Head of Legal and Governance Services (19/182) commenting on the annual inspection reports from the National Records of Scotland on the provision of registration services in the Perth and Kinross Council area in 2016 and 2017. L Simpson advised that whilst the information related to a 2016 and 2017, that it was only recently published and therefore could not be reported any earlier.

**Resolved:**

The contents of Report 19/182, be noted.

THERE FOLLOWED A TEN MINUTE RECESS

HAVING PREVIOUSLY DECLARED AN INTEREST, COUNCILLOR COATES LEFT THE MEETING AT THIS POINT. COUNCILLOR PURVES ALSO LEFT THE MEETING AT THIS POINT.

. **UPDATE BY ARMS-LENGTH EXTERNAL ORGANISATIONS**

**(i) Horsecross Arts Ltd.**

F Robertson, delivered a slide-based presentation updating members on the financial position and governance arrangements of Horsecross Arts Ltd.

P Winkles, Interim Head of Finance, Board Member, Horsecross Arts Ltd., provided a verbal update on Horsecross Arts Ltd.

P Winkles advised members of discussions with Council officers regarding the establishment of the joint advisory committee, established to work with the Horsecross Arts Ltd. Board to bring about improvements in financial management, health and safety, and operational management, welcoming the opportunity to work closer with the Council.

P Winkles highlighted to members the financial year 2018/19 saw the projected budget deficit fall from £450,000 to an expected outcome of £175,000. P Winkles advised members that the financial year 2018/19 was the first full year of Horsecross Arts Ltd. operating both the Perth Concert Hall and Perth Theatre since 2013, and informed members that the last quarters figures showed a significant increase in ticket sales at both venues.

P Winkles highlighted to members the work completed with schools, informing members that opportunities had been offered to thirty local primary schools, with those opportunities taken up by fifteen of those schools, and felt that working alongside the advisory group more work of this nature could be undertaken.

Members sought assurance on matters such as: funding sources; future financial planning arrangements; and customer retention.

The Convener thanked P Winkles for his attendance.