

PERTH AND KINROSS COUNCIL
SCRUTINY COMMITTEE
8 FEBRUARY 2017

SCRUTINY COMMITTEE

Minute of meeting of the Scrutiny Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 8 February 2017 at 2.00pm.

Present: Councillors B Vaughan, K Baird, D Cuthbert, D Doogan, J Flynn, A Munro and A Younger.

In Attendance: J Elles (Culture Perth and Kinross and Horsecross Arts Ltd) (up to Art. 87); H Smout (Culture Perth and Kinross) (up to Art. 87); G Gibbons (Horsecross Arts Ltd) (up to Art. 87); J Moyes, M Robinson and K Nichol (all Live Active Leisure) (all up to Art. 87); C Jolly, K McNamara and B Renton (up to Art. 92) (all The Environment Service); J Chiles, S Johnston and R Hill (all Education and Children's Services) (all up to Art. 92); J Clark (up to Art. 91), H Rheinallt, L Simpson and G Taylor (all Corporate and Democratic Services); L Cameron, P Henderson, J Mayglothing and A Taylor (all Housing and Community Safety).

Councillor B Vaughan, Convener, Presiding.

85. WELCOME AND APOLOGIES

The Convener welcomed all those present to the meeting.

86. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS FROM THIS POINT.

87. UPDATES BY ARMS' LENGTH EXTERNAL ORGANISATIONS

(i) Culture Perth and Kinross

J Elles, Board member, and H Smout, Chief Executive, Culture Perth and Kinross attended the Committee and answered members' questions on the governance arrangements of Culture Perth and Kinross. Members requested assurance on matters such as: performance against the Service Level Agreement and Key Performance Indicators; improvements required to the services the organisation provides; participation levels in cultural activities; growth opportunities; levels and sources of funding; collaboration with other Arms' Length External Organisations; and the composition of the Board.

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(ii) Horsecross Arts Ltd

J Elles, Board member, and G Gibbons, Chief Executive, Horsecross Arts Ltd attended the Committee and answered members' questions on the governance arrangements of Horsecross Arts Ltd. Members requested assurance on matters such as: performance against the Service Level Agreement and Key Performance Indicators; arrangements for the re-opening of Perth Theatre; broadening access to services provided by Horsecross Arts Ltd; monitoring customer satisfaction; the hospitality offering provided; and future development.

(iii) Live Active Leisure

M Robinson, Chair, J Moyes, Chief Executive, and K Nichol, Business Planning and Marketing Manager, Live Active Leisure Ltd attended the Committee and answered members' questions on the governance arrangements of Live Active Leisure Ltd. Members requested assurance on matters such as: performance against the Service Level Agreement and Key Performance Indicators; the future provision of services and changes to these; upgrades to venues; maintaining and increasing attendance; increasing participation rates by teenage girls; and the provision of parking at venues.

The Convener thanked all of the representatives for their attendance, and advised that representatives would be invited to attend the next meeting of the Committee on 19 April 2017 to enable further discussions.

The representatives then left the meeting.

88. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Scrutiny Committee of 30 November 2016 (Arts. 812-823) was submitted, approved as a correct record and authorised for signature, subject to the follow amendment: an additional recommendation (ii) be added to Art. 816(iii) to read "*The Director (Environment), Director (Education and Children's Services) and Director (Housing and Social Work) be requested to consider alternative ways of reporting on performance indicators to allow information to be submitted to elected members as close to real time as possible; and to report the results to a future meeting of the Scrutiny Committee*".

89. CORPORATE RISK MANAGEMENT STRATEGY

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (17/63) presenting a new Risk Management Framework, comprising the Risk Management Policy, Strategy and Appetite, to reflect the changing circumstances facing the Council.

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In response to a query from Councillor Cuthbert regarding the identification and resolution of conflicts between risks, L Simpson responded that resolving conflicts requires having the right information on the risks, knowledge of the relevant legislation, and balancing the risks against each other. This is part of the operational management of risks, and therefore, would not be reported to the Committee.

The Convener requested clarification regarding the reporting of risks to elected members under the new Risk Management Framework. L Simpson advised that this will be outlined to members in due course.

Resolved:

- (i) It be noted that Report 17/63 had been approved by the Strategic Policy and Resources Committee earlier in the day.
- (ii) The contents of the proposed Risk Management Framework, comprising the Risk Management Policy, Strategy and Appetite, as detailed in Appendix 2 to Report 17/63, be noted.

90. ANNUAL RISK REPORT 2015/16

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (17/65) presenting the Annual Risk Report 2015/16 for consideration by the Committee.

The Convener requested clarification on the Education and Children's Services service risk 'There is a risk that we do not effectively engage with our communities.' S Johnston advised that the Council is now measured nationally in terms of improving parental engagement with schools. R Hill highlighted the diverse nature of communities, which with regards to engagement can be challenging, as the methods of engagement have to differ.

Resolved:

The Annual Risk Report for 2015/16, as detailed in Appendix 1 to Report 17/65, be noted.

91. STANDARDS AND QUALITY REPORT

There was submitted a report by the Director (Education and Children's Services) (17/37), (1) reflecting on the activities of Education and Children's Services over the past year, (2) presenting an overview of the key strengths of the Service, and (3) detailing areas for development and/or improvement.

In response to a query from Councillor Doogan regarding the success of the Pause, Prompt, Praise intervention at Letham Primary School, S Johnston advised that it had been led by both the school and the Service. Letham Primary School, along with sixteen others, had been supported to consider where they needed to improve in terms of closing the gap and barriers to children attaining, including by examining each other's practices. The Headteacher at Letham Primary School had then driven forward innovation for improvement with support from the central Service.

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Councillor Doogan requested clarification on the increase in the numbers of primary exclusion incidents, and the decrease in secondary exclusion incidents. S Johnston responded that the number of children being excluded from primary school had decreased, but the number of times the same children had been excluded had increased. Measures to prevent this increase are being considered, for example by considering the most appropriate alternatives to exclusion for groups of children which have a higher proportion of exclusions than others. R Hill further advised that the figures are being monitored by the Joint Negotiating Committee for Teachers in terms of the consideration of alternatives to exclusion.

Resolved:

- (i) It be noted that Report 17/37 had been accepted by the Lifelong Learning Committee on 25 January 2017.
- (ii) The contents of the Education and Children's Services Standards and Quality Report 2015/16, attached as Appendix 1 to Report 17/37, be noted.

**92. REPORT ON SOCIAL CARE AND SOCIAL WORK IMPROVEMENT
SCOTLAND INSPECTIONS (SCSWIS)**

There was submitted a report by the Director (Housing and Social Work) (17/32) advising the Committee of the key findings of eleven inspections carried out by the Care Inspectorate in the past year, on care and support services provided for vulnerable members of society in Perth and Kinross.

The Convener requested clarification on customer dissatisfaction with Home Care (Care at Home). L Cameron advised that many of the complaints about the level of service provided are due to expectations of continuity of care, which cannot always be fulfilled due to capacity issues. P Henderson further advised that most people get in-house home care from the private sector. He provided an update on the Care at Home Reablement Service, which had been rated good since the report was published, an improvement to the previous rating of adequate.

Resolved:

- (i) It be noted that Report 17/32 had been accepted by the Housing and Health Committee on 25 January 2017.
- (ii) The contents of the Report on Social Care and Social Work Improvement Scotland Inspections, attached as Appendix 1 to Report 17/32, be noted.

**93. HOUSING AND COMMUNITY CARE COMPLAINTS AND CUSTOMER
FEEDBACK**

There was submitted a report by the Director (Housing and Social Work) (17/35) summarising the complaints received between 1 April 2015 and 30 September 2016 (18 months) relating to housing services and community care services. It includes examples of actions taken to improve services as a result of complaints and information on other feedback received through customer satisfaction surveys.

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Resolved:

- (i) It be noted that Report 17/35 had been submitted to the Housing and Health Committee on 25 January 2017.
- (ii) The performance and outcomes in Report 17/35 be noted.

94. COUNCIL COMPLAINTS PERFORMANCE REPORT FOR 2015/16

There was submitted a report by the Head of Legal and Governance Services (17/66), (1) providing the Committee with assurance that the Council has an adequate and effective Complaints Handling Procedure (CHP) in place, and (2) satisfying public performance reporting requirements in accordance with the Scottish Public Services Ombudsman's performance measures for local authorities.

The Convener requested clarification on the levels of participation in, and the results of, the Customer Satisfaction Survey. L Simpson advised that customers ordinarily have little interest in the complaints process after the conclusion of Stage 1 complaints. Customers dissatisfied with Stage 2 complaints are more likely to be unhappy with the outcome of the complaint, rather than the procedure used to deal with it. As ninety-five per cent of complaints are dealt with at Stage 1, this provides an indication that many customers are satisfied with the process regarding their Stage 1 complaint, as they may otherwise have escalated it to a Stage 2 complaint.

Councillor Cuthbert raised concerns as to the increase in the number of complaints. L Simpson responded that: (i) there has been an increase in complaints regarding missed bins; and (ii) there has been an increase in complaints against Education and Children's Services, due to a more robust complaints recording process. In response to a further query from Councillor Cuthbert, on the possibility of reducing the number of missed bin complaints, L Simpson advised that there are five million bin collections a year, and no pattern evidenced in the complaints of a problem with a certain area or route. K McNamara further advised that ways that this issue can be dealt with are being considered, for example recording bins which had not been put out for collection.

Resolved:

- (i) The contents of Report 17/66, including the recommendations by the Scottish Public Services Ombudsman, attached as Appendix 4 to the report, be noted.
- (ii) It be noted that the performance of the Council's Complaints Handling Procedure will continue to be monitored and review throughout the year.
- (iii) It be noted that further work is to be undertaken to assess customer satisfaction with the Council's Complaints Handling Procedure.

95. SEVENTH SCRUTINY REVIEW

The Head of Community Planning, Strategic Commissioning and Organisational Development gave a verbal update to the Committee on the seventh scrutiny review, which is a review of Scrutiny Committee activity to date, and a legacy and handover position for the new members of the Committee following the election. There have been four review meetings, which have concluded the following points: (i) scrutiny is the role of all elected members, not just the members of the Committee; (ii) the importance of the Committee and scrutiny in the Council needs to

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be conveyed to elected members; (iii) the annual scrutiny review process requires improvement. The revised Scrutiny guide has been considered by the Executive Officer Team on 31 January 2017, who had provided helpful feedback on the document. The next step is to make available to members of the Committee a completed scrutiny guide, and test e-learning provision on scrutiny. A report on the Seventh Scrutiny Review would be submitted to the next meeting of the Committee on 19 April 2017.

IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.

96. MINUTE OF MEETING OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 9 DECEMBER 2017

There was submitted and noted the minute of meeting of the Social Work Complaints Review Committee of 9 December 2017.

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