

SCRUTINY COMMITTEE

Minute of Meeting of the Scrutiny Committee held in the Committee Room, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 27 November 2013 at 2.00pm.

Present: Councillors A Stewart, T Gray (substituting for D Doogan), R Brock (substituting for M Barnacle), B Vaughan and A Younger.

In Attendance: G Taylor, J Symon, K Donaldson, R Fry, D Henderson, P Dickson, C Flynn, P Frazer and J Frawley (all Chief Executive's Service); B Atkinson, M Cochlan, A Irvine, R Goldsmith, (all Education and Children's Services); L Cameron, R Freeman, J Gilruth, J Mayglothling, S Rankin, and A Taylor (all Housing and Community Care); B Renton (the Environment Service).

Apologies for Absence: Councillors M Barnacle, A Munro, D Cuthbert and D Doogan.

Councillor A Stewart, Convener, Presiding.

. **WELCOME AND APOLOGIES/SUBSTITUTES**

Councillor Stewart welcomed all present to the meeting and apologies were noted as above.

. **DECLARATIONS OF INTEREST**

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

. **MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Scrutiny Committee of 18 September 2013 was submitted, approved as a correct record and authorised for signature.

. **SIX MONTHLY BUSINESS MANAGEMENT AND IMPROVEMENT PLAN PERFORMANCE EXCEPTION REPORTS**

(i) **Chief Executive's Service**

There was submitted a report by the Chief Executive (13/545) reviewing the performance of the Chief Executive's Service against its Business Management and Improvement Plan (BMIP) for the period 1 April 2013 to 30 September 2013. It was noted that Report 13/545 had been accepted by the Strategic Policy and Resources Committee earlier in the day.

In response to a question from Councillor Stewart, K Donaldson clarified that employees working in front-line roles had been offered flu-vaccines through the community pharmacy network. Staff taking up the

offer of vaccinations would be monitored to analyse whether the initiative had any impact on sickness absence.

In response to a question from Councillor Vaughan, G Taylor confirmed that the committee report template would be revised on the basis of feedback received from elected members.

Councillor A Younger queried if all the data outlined on page 17 of report 13/545 was measurable at the year end as data for a number of the objectives was incomplete. J Symon confirmed that this was due to a time-lag in the collection of data and ultimately a full evaluation would be available in due course.

Resolved:

The contents of the Chief Executive's Service Six Monthly Performance Exception Report 1 April 2013 to 30 September 2013 be accepted.

J SYMON, G TAYLOR AND K DONALDSON LEFT THE MEETING AT THIS POINT.

(ii) Education and Children's Services

There was submitted a report by the Executive Director (13/519) reviewing the performance of Education and Children's Services against its 2013/14 Business Management and Improvement Plan (BMIP) for the period 1 April 2013 to September 2013.

In response to a question from Councillor Stewart on the percentage of looked after reviews held within appropriate timescales, A Irvine responded that delays were often due to reasons out with the Service's control, such as holidays.

Councillor Vaughan asked whether the City of Perth Early Childhood Centre initiative could be extended into more rural areas of Perth and Kinross. B Atkinson reported that there had always been some provision for vulnerable children in rural areas and the Early Years Collaborative would endeavour to cover as many areas as possible within resource allocations.

In response to a further question from Councillor Vaughan, B Atkinson agreed that a national performance indicator should be developed to reflect how libraries are used and by whom.

Resolved:

- (i) The contents of the Education and Children's Services Six Monthly Performance Exception Report 1 April 2013 to 30 September 2013, be accepted.
- (ii) The report on Attainment in Perth and Kinross Schools 2013 submitted to the Lifelong Learning Committee on 6 November 2013 be submitted to the next meeting of the Scrutiny Committee for consideration.

B ATKINSON LEFT THE MEETING AT THIS POINT.

(iii) The Environment Service

There was submitted a report by the Executive Director (Environment) (13/539) reviewing the performance of the Environment Service against its Business Management and Improvement Plan (BMIP) for the period 1 April 2013 to 30 September 2013. Report 13/539 had been approved by the Environment Committee and the Enterprise and Infrastructure Committee at their meetings on 20 November 2013 and would be submitted to the Community Safety Committee on 4 December 2013.

Councillor Vaughan asked why it was necessary to include average monthly earnings in the section Promoting a Prosperous, Inclusive and Sustainable Economy. B Renton clarified that the Council was focused on bringing higher value jobs into Perth and Kinross to support the local economy; progress in this area would be reported to a future meeting of the Committee.

In response to a question from Councillor Stewart, B Renton reported that she would provide further information on the percentage of citizens receiving Assisted Lifts with household waste.

In response to a further question from Councillor Stewart, B Renton confirmed that items from the Furniture Re-use Project could be donated to more charitable organisations on request.

Resolved:

The contents of the Environment Services Six Monthly Performance Exception Report 1 April 2013 to 30 September 2013, be accepted

(iv) Housing and Community Care

There was submitted a report by the Executive Director (Housing and Community Care) (13/512) reviewing the performance of Housing and Community Care against its Business Management and Improvement Plan (BMIP) for the Period 1 April 2013 to 30 September 2013. Report 13/512 had been approved by the Housing and Health Committee at its meeting on 6 November 2013 and would be submitted to the Community Safety Committee on 4 December 2013.

Councillor Vaughan queried why the target for void properties had not been met. L Cameron responded that every effort was made to ensure the right allocations were made to the right people within the timescales; however, delays could occur due to vacated properties requiring repairs and potential tenants personal circumstances. Extra training had been put in place to support staff in achieving targets.

In response to a question from Councillor Stewart, A Taylor confirmed that extra temporary staff had been employed to assist in the administration of housing payments and payments from the Scottish Welfare Fund. The Senior Management Team was keeping the situation under review.

Resolved:

The contents of Housing and Community Care's Six Monthly Performance Exception Report 1 April 2013 to 30 September 2013, be accepted

L CAMERON LEFT THE MEETING AT THIS POINT.

D HENDERSON AND P DICKSON ENTERED THE MEETING AT THIS POINT.

. CHILD PROTECTION COMMITTEE STANDARDS AND QUALITY REPORT 2012/13

There was submitted a joint report by the Chief Executive and Executive Director (Education and Children's Services) (13/481) outlining: (1) an overview of the findings from the Child Protection Committee inter-agency self-evaluation activities; (2) key strengths and areas for further development and/or improvement; (3) a high level summary of the capacity for improvement; and (4) the very ambitious continuous improvement programme for 2013 and beyond. Report 13/481 was endorsed by Council at its meeting on 2 October 2013.

In response to a question from Councillor Stewart, A Irvine confirmed that a working-group was currently investigating ways to strengthen the provision of advocacy services for looked after children.

Councillor Vaughan queried the high number of unborn baby referrals and the 977 children and young people identified as being affected by parental substance misuse. A Irvine responded that agencies were now better at recognising new parents who might need support and identifying risks at an early stage. Early identification of children affected by substance misuse was not always easy; however, the majority of children managed well at school where they received support from a number of agencies. Child Protection guidance would be issued to all staff across Education and Children's Services with a focus on individualised planning and more support to schools.

Resolved:

The contents of the Child Protection Committee Standards and Quality Report 2012/13 be noted.

R GOLDSMITH AND A IRVINE LEFT THE MEETING AT THIS POINT.

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

There was submitted a report by the Executive Director (Housing and Community Care) (13/511) advising of the key findings of inspections carried out in Perth and Kinross between February 2012 and August 2013. During this period seventeen inspections were carried out across the four quality themes: Quality of Care and Support, Environment, Staffing and Management and Leadership. Report 13/511 had also been accepted by the Housing and Health Committee at its meeting on 6 November 2013.

In response to a question from Councillor Vaughan, J Gilruth confirmed that the grading of Dalweem Care Home and Dalweem Day Support Service had been adversely affected by the failure to submit paperwork by the specified deadline. A late submission was automatically given a score of 2 which had a significant impact on the final score. Steps should have been taken to ensure the timely submission of paperwork, during a period of management change, and this issue would be addressed for the future.

Resolved:

The content of report 13/511 be noted.

SCOTTISH PUBLIC SERVICES OMBUDSMAN REPORTS

There was submitted a report by the Head of Legal Services (13/554) providing information on: (1) investigation reports and decision letters published by the Scottish Public Services Ombudsman (SPSO) regarding the Council from October 2012 to October 2013; and (2) summarised information about the complaints received and determined in total by the SPSO about the Council and all other Local Authorities from Financial year 2012-13.

In response to a question from Councillor Stewart, D Henderson acknowledged that the Scottish Public Services Ombudsman (SPSO) had upheld 25 complaints, of which only six had been upheld by the Council. It was important to analyse why the SPSO had upheld a higher number of complaints and identify what the Council could learn from this for the future. Work would take place with complaints officers, across all services, to monitor the complaint process and assess outcomes; progress would be reported back to a future meeting of the Committee.

Resolved:

- (i) The position regarding investigation reports and decision letters published about complaints against the Council be noted.
- (ii) It be noted that all but one recommendation had been accepted by Council Officers and that appropriate action had been taken in all other cases.
- (iii) Comparative information about complaints received by the Ombudsman in 2012-2013 be noted.
- (iv) A progress report on the complaints process and outcomes to be submitted to a future meeting of the Scrutiny Committee.

REVIEW AND UPDATE OF HOUSING AND COMMUNITY CARE SOCIAL WORK COMPLAINTS PROCEDURE

There was submitted a report by the Executive Director (Housing and Community Care) (13/517) presenting an updated Social Work Complaints Procedure taking into account the principles introduced in the model Complaints Handling Procedure introduced by the Scottish Public Service Ombudsman (SPSO) in April 2013. Report 13/517 had previously been approved by the Housing and Health Committee at its meeting on 6 November 2013.

Resolved:

The content of report 13/517 be noted.

D HENDERSON, R FREEMAN, S RANKIN AND P DICKSON LEFT THE MEETING AT THIS POINT.

. **CORPORATE RISK MANAGEMENT STRATEGY 2013/14 AND ANNUAL RISK REPORT 2012/13**

There was submitted a report by the Depute Director (Environment Service) (13/555) presenting the Council's Corporate Risk Management Strategy 2013/14 and Annual Risk Report 2012/13, which was approved by the Strategic Policy and Resources Committee at its meeting on 27 November 2013.

Resolved:

The content of report 13/311 be noted.

. **FINAL REPORT OF THE FOURTH SCRUTINY REVIEW OF MEMBER OFFICER GROUPS**

There was submitted a report by Councillor Alexander Stewart, Convener of the Scrutiny Committee, (13/556) setting out the findings of the Scrutiny Committee Review of Member Officer Groups (MOGs) to examine the effectiveness of MOGs and how they could be improved to support the delivery of better outcomes for local communities based on the scope and terms of reference approved by the Committee on 13 February 2013.

The Convener expressed the Committee's appreciation of the support received from all involved during the review.

Resolved:

- (i) All MOGs are required to refresh their remit now and on an ongoing basis (Paragraphs 3.3.5 – 3.3.9 refer).
- (ii) The Planning Etc. (Scotland) Act 2006 to re-define its remit and membership (Paragraph 3.3.6 refers).
- (iii) The title, scope and remit of the Corporate Parenting MOG be reviewed (Paragraph 3.3.7 refers).
- (iv) A MOG be established to support the Council's approach to implementation of welfare reform (Paragraph 3.3.10 refers).
- (v) An annual process is established to test the relevance and membership of existing MOGs and convene new MOGs or other appropriate engagement mechanisms (Paragraph 3.3.11 refers).

- (vi) A mapping exercise be carried out to identify the spectrum of potential options for member/officer working (Paragraph 3.3.13 refers).
- (vii) Elected members and officers should be reminded of the scope of the decision making powers of MOGs (Paragraph 3.4.3 refers).
- (viii) As the new Community Planning Partnership structures develop, it is recommended that a watching brief be maintained on the connection between MOGs and Outcome Delivery Groups (Paragraph 3.4.4 refers).
- (ix) Training is made available and is compulsory for elected members who have the responsibility for chairing MOGs (Paragraph 3.5.2 refers).
- (x) MOGs should consider developing an annual forward planner to support a project management approach to meetings (Paragraph 3.5.3 refers).
- (xi) Elected members are advised of the protocol for non-members seeking to contribute to MOG meetings (Paragraph 3.5.5 refers).
- (xii) A system be developed by Committee Services to alert all elected members to upcoming MOG meetings, with the option to access further information and meeting papers (Paragraph 3.5.5 refers).
- (xiii) Leaders introduce mechanisms to encourage greater communication between MOG members and non MOG members within their group (Paragraph 3.5.6 refers).
- (xiv) A presentation on how these recommendations are being, or are planned to be, delivered be made to the Scrutiny Committee in six months time.
- (xv) A full progress report on the implementation of these recommendations be submitted to the Scrutiny Committee in twelve months time.
- (xvi) The Committee's Report of the Fourth Scrutiny Review of Member Officer Groups to be submitted to Council in 2014.

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

MINUTE OF MEETING OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 4 OCTOBER 2013 FOR APPROVAL

There was submitted and noted the minute of meeting of the Social Work Complaints Review Committee of 4 October 2013.

Committee heard a verbal report by J Gilruth, Head of Community Care regarding investigations undertaken on behalf of Perth and Kinross Council in consideration of the recommendations of the CRC outlined in Report P1.

Resolved:

- (i) The Committee agreed that there was no alternative terminology which could be adopted by the Council that would be universally acceptable.
- (ii) The Committee agreed that the service user/carer should be notified in writing of any change in an appointed social worker in advance, or no later than 14 days after the event, wherever practicable.

