

THE MORAY COUNCIL

MINUTE OF MEETING OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE

WEDNESDAY 28 APRIL 2010

COUNCIL OFFICE, ELGIN

PRESENT

Councillors G. McDonald, G. Coull, J. Hogg, B. Jarvis, J. MacKay, P. Paul, D. Ross, M. Shand and R. Shepherd

APOLOGIES

Apologies were received from Councillors J. Sharp, I. Young, E. McGillivray (Chairman of Communities Committee) and G. McIntyre (ex-officio)

ALSO PRESENT

Councillors J. Hamilton (Chairman of Children & Young People Services Committee), J. Russell (Chairman of Economic Development & Infrastructure Services Committee), A. Wright (Chairman of Policy & Resources Committee) and J. S. Cree (Chairman of Planning & Regulatory Services Committee).

IN ATTENDANCE

Chief Legal Officer, Chief Financial Officer, Director of Educational Services, Head of Educational Development Services, Head of Development Services, Corporate Policy Unit Manager, Community Planning & Development Manager (Item 5), Transportation Manager (Item 7), Team Leader (Internal Audit), Mrs Bruce, External Audit, Head of Personnel Services (Item 6) and Mrs C. Carswell, Committee Services Officer as Clerk to the meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillor's Code of Conduct the meeting noted that there were no declarations from Group Leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the agenda.

2. EXEMPT INFORMATION

The Meeting resolved that in terms of Section 50A(4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the Items of Business appearing at the relevant Paragraphs of this Minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate Paragraphs of Part 1 of Schedule 7A of the Act.

3. WRITTEN QUESTIONS

The Committee noted that there were no written questions submitted.

4. CURRICULUM FOR EXCELLENCE - UPDATE

There was submitted a report by the Director of Educational Services presenting information for scrutiny by the Audit and Performance Review Committee on Curriculum for Excellence in Moray, as requested by the Chairman at the Committee's meeting in March 2010.

During discussion, the meeting noted that the Head of Educational Development Services confirmed that the Curriculum for Excellence was a complex and huge initiative and Moray was as well prepared as other authorities. There were teachers who did not feel prepared but the authority would work with and support them.

It was also noted that the 32 period week had been rejected but the idea of a uniform school day was to be taken forward in consultation with head teachers and would be brought back to the Children & Young People Services Committee at a future meeting. There would also be a report taken to the Children & Young People Services Committee in June regarding paired headships following consultation with parents, parent council's, staff and head teachers.

Thereafter, the committee agreed to note:-

- (i) the update on the Curriculum for Excellence;
- (ii) that a report would be submitted to Children & Young People Services Committee at a future meeting regarding the uniform school day; and
- (iii) that a report would be submitted to the Children & Young People Services Committee in June regarding paired headships.

5. MORE CHOICES MORE CHANCES

There was submitted a report by the Chief Executive providing Committee with a focused report on More Choices More Chances Strategy that links to the Single Outcome Agreement and members were asked to consider progress on this work.

During discussion, the meeting noted that an evaluation would take place around August/September on how the monies had been spent, what the impact had been and would be reported back to the Council with proposals around November, on how the Council wish to tackle poverty and the lessons learnt with the Fairer Scotland Fund. Councillor Wright advised that he was meeting the Chairman of Skills Scotland and the resourcing of "More Choices, More Chances" was on the agenda. The Community Planning & Development Manager advised that he was happy to provide a breakdown of monies spent to the Council.

Thereafter, the committee agreed to:-

- (i) note the performance to date of developments on ensuring that "more young people will develop to be successful adults"; and
- (ii) a report being submitted to the Council in November on the monies spent, how the Council wished to tackle poverty and the lessons learnt.

6. WORKFORCE PLANNING: 2009 PLAN

There was submitted a report by the Head of Personnel Services informing Committee of the progress made against the actions set out in the 2009 Workforce Plan.

Following lengthy discussion, the Committee agreed to note the progress made against the actions in the 2009 Workforce Plan and that the 2010 Workforce Plan would be presented to the next Policy & Resources Committee.

7. HARBOUR CONDITION

There was submitted a report by the Director of Environmental Services providing Committee with a report, requested by the Committee Chairman, asking the Committee to note the current maintenance provision for harbours and the position in relation to their operation and that of the Council's dredger "Shearwater".

In response to concerns raised by members with regards to Buckie Harbour being a priority for development, the Transportation Manager advised that in the past few years it had been hoped to develop the harbour in liaison with outside developers but this had not been successful. There had been investigations with regards to the possibility of installing pontoons in the area but there were difficulties as most of the land underneath was owned by Crown Estates, it was a working harbour and there are outstanding concerns about the financial viability of the proposal.

The meeting noted that the 2007 study on a business case for replacing the dredger from Halcrow had been brought to the appropriate committee but there had not been approval to go forward and put the dredger replacement into the capital plan. The Shearwater would be unlikely to be serviceable after 2013 and there would be a two year lead in to replace the dredger. There

would require to be approval from the Council whether they would wish to include the dredger in a future capital plan. The Transportation Manager advised that he would pass information on to Councillor McDonald regarding when the last time that capital funds had been spent on the harbours.

Councillor Russell stated that he hoped within this financial year a decision on the future of the "Shearwater" would be coming to Committee on the proposal of whether, from a capital plan point of view and staffing implications, there should be a proposal of investment or suffer revenue costs to contract out dredging. Councillor Wright suggested that Buckie Harbour could be developed in order for it to be used as a port for servicing offshore windfarms which may raise some revenue and a paper should be brought back to the Economic Development & Infrastructure Services Committee in order to consider all aspects.

Following consideration, the Committee agreed to:-

- (i) note the condition of the Council's harbours as contained within the report;
- (ii) a further report coming back to Audit & Performance Review Committee in six months; and
- (iii) a report being submitted to the Economic Development & Infrastructure Services Committee in order to:-
 - a) consider aspects of the usage of harbours, in particular Buckie Harbour and the "Shearwater"; and
 - b) consider consultation with the Harbour Advisory Groups, relevant area forums and community councils to seek their views and possible proposals to improve harbour revenues.

8. LOCAL GOVERNMENT NATIONAL REPORTS 2009/10 - PROTECTING AND IMPROVING SCOTLAND'S ENVIRONMENT

There was submitted and noted a report by the Chief Executive asking Committee to consider Moray's responses to the recommendations included within Audit Scotland's National Report: Protecting and Improving Scotland's Environment, published in January 2010.

9. LOCAL GOVERNMENT NATIONAL REPORTS 2009/10 - AN OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND 2009

There was submitted and noted a report by the Chief Executive asking Committee to consider The Moray Council's response to the Audit Scotland's National Report: An overview of Local Government in Scotland 2009, published in February 2010.

10. LOCAL GOVERNMENT NATIONAL REPORT 2009/10 - IMPROVING PUBLIC SECTOR EFFICIENCY

There was submitted a report by the Chief Executive advising the Committee of the Audit Scotland National report on Improving Public Sector Efficiency.

The Chairman stated, that in his opinion, he felt that the public sector should be commended for the efficiency savings, which had been achieved within the first year. Councillor Wright stated that through COSLA the Scottish Government should be made aware that trying to save year on year becomes extremely difficult.

In response to concerns on how the Authority had been looking at shared services, Councillor Wright advised that there had been a meeting with the four authorities where there was a willingness, in most authorities, to push forward with shared services. There was an acknowledgement that in this economically tight times, shared times internally, currently seen in Designing Better Services and shared services externally are essential for survival.

Following consideration, the Committee agreed to note the Audit Scotland National Report on Improving Public Sector Efficiency.

11. PROGRESS REPORT FOR KEY RISK AREAS FROM EXTERNAL AUDIT'S ANNUAL REPORT TO MEMBERS FOR 2008/09

There was submitted and noted a report by the Chief Financial Officer providing Committee with a progress report on the work undertaken to mitigate the key risks highlighted in External Audit's Annual Report to Members submitted to this Committee on 16 December 2009 (para 13 of the minute refers).

12. EXTERNAL AUDIT - ANNUAL PLAN 2009/10

There was submitted a report by the Chief Financial Officer providing Committee with a copy of the External Auditor's Annual Plan for 2009/10

In response to a question from Councillor Coull as to whether the report on Community Health Partnerships has been published as yet, Mrs Bruce, Auditor advised that should endeavour to find out and report back through the Chief Financial Officer.

Following consideration, the Committee agreed to note the contents of the External Auditor's Annual Plan for 2009/10.

13. INTERNAL AUDIT PLAN FOR YEAR ENDING 31 MARCH 2011

There was submitted and noted a report by the Chief Financial Officer providing Committee with details of the planned internal audit coverage for the year ending 31 March 2011.

14. INTERNAL AUDIT - FOLLOW UP OF AUDIT RECOMMENDATIONS

There was submitted a report by the Chief Financial Officer providing Committee with information relating to work carried out by services to implement agreed recommendations made following completion of internal audit projects.

Councillor Paul congratulated Mr Scott, Team Leader on the report as it was excellent to see so many of the recommendations completed.

Following consideration, the Committee agreed to note the responses of service departments to recommendations made during internal audit reviews.

15. STATUTORY PERFORMANCE INDICATORS RANKED WITHIN THE LOWEST QUARTILES - IMPROVEMENT ACTIONS

There was submitted a report by the Chief Executive asking Committee to consider improvement actions against Statutory performance indicators ranked within the lowest quartiles of all Scottish Councils

During discussion concern was raised regarding the fact that so many care homes do not have ensuite facilities for residents when so many people were in care homes for a long time. The Committee asked if this could be explored by the Director of Community Services. The Chief Legal Officer advised that through the Clerk to the meeting, he would raise this issue with the Director.

Following concerns raised by the meeting regarding the decrease in performance, the Head of Development Services advised that a report would be submitted to the Planning & Regulatory Committee with progress on the first quarter of 2010/11 and the progress which had been made on the review and what actions were arising.

Following consideration, the Committee agreed to note:-

- (i) the areas of improvement relating to statutory performance indicators ranked in the lowest quartile of all Scottish Councils; and
- (ii) that a report would be submitted to the Planning & Regulatory Committee regarding progress within the first quarter of 2010/11, progress made on the review and what actions were arising.

16. IMPROVING ATTAINMENT IN SECONDARY SCHOOLS

There was submitted a report by the Director of Educational Services notifying Committee of the approaches to raising attainment in secondary schools and the up dates position relating to attainment on the request of Councillor Hogg at the meeting of The Moray Council on 17 March 2010 (item 11 of meeting refers).

The Director of Educational Services advised that he would be happy to meet with Councillor Hogg and the Chair of Children & Young People Services Committee to look at a new format of reporting SQA examination results.

Councillor Coull asked that in order to scrutinise progress of the Council's 2010/11 target to improve figures for 3+ and 5+ level 6 in S5 and S6 as agreed in the 2009/10 single outcome agreement, a report come forward in six months with the 2010 figures for the purposes of comparison, The Head of Educational Development Services advised that he would do so.

Following lengthy discussion, the Committee agreed to:-

- (i) note the information contained within the Appendices 1, 2 and 3 of the report; and
- (ii) a report coming back to this Committee in six months on the 2010 3+ and 5+ level 6 in S5 and S6 figures with the 2009 figures, for the purposes of comparison.

17. DISPOSAL OF ICT EQUIPMENT

There was submitted a report by the Chief Financial Officer informing Members of the current process for the disposal of ICT hardware.

In response to a query raised by members, the Chief Financial Officer advised that it would be ICT technical staff who would carry out the random sampling.

A query was also raised about the programme of increasing the number of PC's in schools. The Chief Financial Officer confirmed that the Council is on target to meet the government standard for the number of PC's per pupil in the timescale reported to Policy & Resources Committee. The Committee was also reminded of the advice provided to the Policy & Resources Committee that the Council passes machines at the end of their useful lives to Reboot and that to reissue them to other areas within the Council was no longer regarded as an efficient arrangement. The Director of Educational Services advised that £1.5million had been invested on refreshing computers in schools since the service had been transferred to the in-house team and, there had been no negative reports since ICT had taken on the scheme and engagement with school staff had been positive

Following consideration, the Committee agreed to note the process for the disposal of ICT hardware.

18. STATEMENT OF OUTSTANDING BUSINESS

There was submitted and noted a report by the Chief Executive asking Committee to consider progress and timescales in relation to follow up reports and actions requested by this Committee at previous meetings.

19. PROGRAMME OF BUSINESS FOR NEXT MEETING OF COMMITTEE

Councillor G McDonald stated that in terms of the Committee's role in scrutinising progress against priority areas within the "Moray Performs" Agenda, the Committee would wish that a report on Governance be submitted to its next meeting on 23rd June 2010. In terms of the Committee's role in scrutinising progress made against strategies that link to the Single Outcome Agreement, the Committee would wish that reports on Road Safety Strategy 2008-10, Getting it Right For Every Child - An Integrated Service Plan for Children and Young People 2009-10 and LEADER Development Strategy 2007-13 be submitted to its next meeting on 23rd June 2010 in terms of their linkage to National and Local Outcomes. The meeting approved.

20. MORAY CHILDCARE PARTNERSHIP [Para 9]

There was submitted and noted a report by the Chief Financial Officer updating the Committee on the circumstances of a financial irregularity within the Moray Childcare Partnership.