

THE MORAY COUNCIL

MINUTE OF MEETING OF THE AUDIT AND PERFORMANCE REVIEW COMMITTEE

WEDNESDAY 16 DECEMBER 2009

COUNCIL OFFICE, ELGIN

PRESENT

Councillors G. McDonald (Chairman), G. Coull, J. Hogg, B. Jarvis, J. MacKay, M. Shand, J Sharp and R Shepherd.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors D Ross and G McIntyre(Convener) (Ex-officio).

ALSO PRESENT

Councillors L. Bell (Chairman of Health & Social Care Services Committee), E. McGillivray (Chairman of Communities Committee), J. Russell (Chairman of Economic Development & Infrastructure Services Committee), and A. Wright (Chairman of Policy & Resources Committee).

IN ATTENDANCE

The Chief Executive, Chief Financial Officer, Chief Legal Officer, Director of Community Services, Director of Educational Services, Chief Housing Officer (Item 11), Head of Direct Services (Item 9), Head of Children and Families, Head of Educational Development Services, Team Leader Internal Audit, Corporate Policy Unit Manager, Pauline Knox, Carers Strategy and Development Officer(Item 4), Robin Paterson Senior Performance and Planning Officer (Item 5), Senior Health and Safety Adviser (Item 10), Jeremy Akehurst, Performance and Strategy Manager (Social Work)(Item 4), Fairer Scotland Fund Manager (Item 7), Consultancy Manager (Item 9) and the Principal Committee Services Officer as Clerk to the Meeting.

ALSO IN ATTENDANCE

Maggie Bruce, Senior Audit Manager, Audit Scotland.

1. ORDER OF BUSINESS

In terms of Standing Order 25 the Meeting agreed to vary the order of business as set down on the Agenda and agreed discuss Item 6 'The Carers Strategy 2007-2010' and Item 13 'Community Care Outcomes Framework

Update' respectively as the first items of business (paragraphs 4 and 5 of the Minute refer).

2. 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.

3. WRITTEN QUESTIONS

The Committee noted that there were no written questions submitted.

4. THE CARERS STRATEGY 2007 – 2010

There was submitted a report by the Director of Community Services advising the Committee of the progress and current status of the Moray Carers Strategy 2007 – 2010.

Following consideration the Committee noted the significant progress made in the development and delivery of the support for carers as identified in the Moray Carers Strategy 2007 - 2010 and in the Strategy Action Plan.

The Meeting joined the Chairman in commending the Department and staff for the significant progress made.

5. COMMUNITY CARE OUTCOMES FRAMEWORK UPDATE

There was submitted a report by the Director of Community Services providing Committee with a summary of the Community Care Outcomes Framework and its integration within the Council's Performance Management Framework.

Following consideration the Committee:

- (i) noted the 4 overarching outcomes and 16 measures that form the basis of the Community Care Outcomes Framework; and
- (ii) noted the progress made in relation to the integration of the Outcomes Framework for Community Care within the Council's Performance Management Framework; and
- (iii) noted that progress against targets will be routinely reported to both the Service Committee and this Committee.

6. SINGLE OUTCOME AGREEMENT - QUARTERS 1 AND 2 MONITORING STATEMENTS

There was submitted a report by the Chief Executive asking the Committee to consider progress against completion of Key Actions for which the underlying milestones were due to have been completed in quarters 1 and 2 that address Single Outcome Agreement Local and National Outcomes.

During discussion concern was raised regarding the attendance at the Strategic Theme Groups by Community Planning Partners and it was noted that all are being reminded that substitutes are allowed. It was further noted that a review of the number of operational sub groups relative to each of the Strategic Theme Groups, was currently being undertaken with each of the Theme Groups being asked to review the purpose, remit and timescale of these sub-groups with a view to identifying areas of duplication and reducing their numbers.

Thereafter the Committee noted performance against completion of Key Actions for which the underlying milestones were due to have been completed in quarters 1 and 2, which address Single Outcome Agreement Local and National Outcomes.

7. TACKLING INEQUALITIES

There was submitted a report by the Chief Executive asking the Committee to consider the progress to date on progress towards National Outcome 7: Tackling Inequalities and to discuss the impact the proposed use of the recently released Scottish Index of Multiple Deprivation (SIMD) in tackling inequalities.

During consideration of the report concern was raised regarding the timescale in responding to the issues raised in the SIMD relating in particular to the areas within Elgin and Buckie and it was agreed that these be referred for consideration to the relevant Community Planning Theme Groups and thereafter they report their proposed actions to the Community Planning Board in March 2010.

Following discussion clarification was sought in regard to the number of teams/groups relative to the projects detailed within the report and whether there was an element of duplication among these and it was agreed that a report providing details of the remit and membership of each of these teams/groups and their progress within each of the key areas be provided to this committee in 6 months time. It was further agreed that in the interim a report be provided to Members on the progress of the projects to date.

Following further discussion clarification was sought in regard to the criteria used to determine rural deprivation and it was noted that a report on this issue would be submitted to a future meeting of the Communities Committee.

Thereafter the Committee agreed:-

- (i) to note the performance to date of developments on tackling inequalities;
- (ii) that a report be submitted to this Committee in 6 months time on progress within each of the key areas and that it include a breakdown of the remit and membership of each of the various groups/teams as detailed in the report;
- (iii) that the issues raised within the recently released SIMD relating in particular to the areas within Elgin and Buckie be referred for consideration by the Community Planning Theme Groups in order that they can report back to the Community Planning Board in March 2010 with proposed actions;
- (iv) to note that a report on rural deprivation would be submitted to a future meeting of the Communities Committee, and
- (v) that a report on the progress of each of the projects be provided to Members in the interim.

8. PUBLIC SERVICE IMPROVEMENT FRAMEWORK (PSIF) - UPDATE

There was submitted a report by the Chief Executive asking Committee to consider the progress to date on the implementation of PSIF within the Council and a number of national developments which are supporting councils signed up to using PSIF.

Following consideration the Committee agreed:-

- (i) to note the performance and the developments to date of the PSIF programme, and
- (ii) that in the interim the Moray Performs Action Plan be circulated to Members which provides details of the progress to date in relation to the PSIF programme until all the assessments are available at which time they will be circulated to the relevant Service Committees

9. FLOOD RISK MANAGEMENT (EXCLUDING MAJOR SCHEMES)

There was submitted a report by the Director of Environmental Services advising the Committee on the performance of Flood Risk Management (Excluding Major Schemes).

In response to questions raised regarding when work might start in relation to houses at Regent's Court, Fife Keith, the Meeting noted that subject to funding being approved following the financial review it was proposed that a start on resolving an outstanding issue with the Golf Club be made in order to ensure that the work can be completed in the next financial year.

Following consideration the Committee noted the performance of Flood Risk Management (Excluding Major Schemes).

10. ANNUAL REPORT ON HEALTH AND SAFETY PERFORMANCE 2008 / 09 AND FUTURE PLANS

There was submitted a report by the Chief Legal Officer summarising the Council's health and safety performance corporately from 1 April 2008 to 31 March 2009 and highlighting the significant risks faced by employees. The report also considered progress towards achieving goals during the year and plans for the future.

During discussion concern was raised in relation to the number of incidents of violence and aggression being reported and clarification was sought in regard to type of incidents being reported as cases of assault; whether these could be separated between minor and more serious categories and what guidance was available to staff in regard to the reporting of these. In response the Senior Health and Safety Adviser advised that the issue of violence and aggression was a very complex one and dividing the issue into levels of seriousness was difficult.

The Chief Legal Officer referred to paragraph 4(i) of the Annual Report which detailed how incidents of violence and aggression were addressed and what training and guidance was available to Senior Managers and Staff. He further advised that future reports would provide more detail and assured the meeting that a further report will be brought back detailing what action is being taken to address this issue.

The Chairman stated that he would wish to amend recommendation 2.2 of the report to include that all future annual reports also be submitted to this Committee and that an Action Plan also be included within these reports. This was agreed.

Thereafter the Committee agreed:-

- (i) to note the content of the Annual Report 2008 / 09 and approved it for publication, and
- (ii) that all future Annual Reports will be submitted to this Committee as well as the Policy and Resources Committee and that an Action Plan will be include in these reports.

11. HOUSING INSPECTION - IMPROVEMENT PLAN PROGRESS

There was submitted a report by the Director of Community Services presenting the first six monthly progress report on the improvement plan following the Scottish Housing Regulator's inspection of the Council's housing services in 2008 and publication of the inspection report in January 2009.

Following consideration the Committee noted:

- (i) the progress report;
- (ii) the Communities Committee agreed that timescales within the Homelessness Improvement Plan are reviewed and that discussion is initiated with the Scottish Housing Regulator on proposed changes; and
- (iii) that a further progress report will be presented to this Committee in June 2010.

12. OVERVIEW OF THE AUDITS OF BEST VALUE AND COMMUNITY PLANNING 2004 - 09 - AUDIT SCOTLAND

There was submitted a report by the Chief Executive asking Committee to consider the overview of the audits of Best Value and Community Planning 2004-09 by Audit Scotland and the future audits in relation to Best Value 2.

Following consideration the Committee noted the overview of the audits of Best Value and Community Planning 2004 - 09 by Audit Scotland and the future audits in relation to Best Value 2.

13. EXTERNAL AUDIT REPORTS

There was submitted a report by the Chief Financial Officer inviting the Committee to consider and note the contents of the undernoted reports from the Council's External Auditor:

- (i) assurance on internal controls 2008 / 09; and
- (ii) report to Members and the Controller of Audit on the 2008 / 09

Following discussion during which Maggie Bruce, Senior Audit Manager, Audit Scotland, responded to Members questions on the reports, the Meeting agreed to note the reports.

13. MONITORING OFFICER'S ANNUAL REPORT 2008 / 09

There was submitted a report by the Monitoring Officer reporting a range of tasks undertaken by the Monitoring Officer and the Principal Solicitors from 1 April 2008 to 31 March 2009. The report also provided assurances on the progress of compliance, with the Council's obligations in terms of procurement; workforce planning; support for learning and equalities.

Following consideration the Committee:

- (a) noted the Fourth Annual Report on Standards of Conduct and related issues.
- (b) noted that this will be the last occasion assurances as to the extent of compliance with the statutory and related obligations will be reported in this format as they are now incorporated within the programme for the security by this Committee of the Single Outcome Agreement and the "Moray Performs" work programme.

14. GOVERNANCE : REVISED PERFORMANCE REPORTING FRAMEWORK: DETAILED PROGRAMME & PROCEDURAL ARRANGEMENTS -

There was submitted and noted a report by the Monitoring Officer providing the Committee with details of how the Committee's Programme of Scrutiny, including "call in" arrangements, will operate in practice.

15. QUESTION TIME

There were no questions.