

MINUTE of MEETING of the PERFORMANCE COMMITTEE of WEST Lothian COUNCIL held within COUNCIL CHAMBERS, WEST Lothian CIVIC CENTRE, on 10 OCTOBER 2016.

Present – Councillors Stuart Borrowman (Chair), Carl John, Greg McCarra, John McGinty, Dave King substituted for Tony Boyle

Apologies – Councillor Tony Boyle

1. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS

The Chair ruled in terms of Standing Order 11 to change the order of business to consider agenda item 7 (Complaint Performance Report) immediately after consideration of the minute.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTE

The committee confirmed the Minute of its meeting held on 15 August 2016 as a correct record. The Minute was thereafter signed by the Chair.

4. COMPLAINT PERFORMANCE QUARTER 1 2016/17

The committee considered a report (copies of which had been circulated) by the Deputy Chief Executive providing the quarterly analysis of closed complaints for Quarter 1 2016-17.

The committee was advised that the Scottish Public Services Ombudsman (SPSO) developed and published a model Complaint Handling Procedure (CHP) on 28 March 2012. The model CHP was to ensure a standardised approach in dealing with customer complaints across the local authority sector. All local authorities were required to adopt the model CHP by 31 March 2013.

Contained within the report at Table 1 was complaints information by category for Quarter 1 over the 5 year period 2012-13 to 2016-17. It was noted that of the 995 complaints for Quarter 1, 2016-17, 829 of these were attributed to Housing, Customer and Building Services and Operational Services.

The Deputy Chief Executive explained that Waste Services was the main contributor to the rise in complaints in Q1 2016/17, caused by major service process redesign which affected several of their key activities. It was also advised that the service had taken action to reduce the impact of changes which included carrying out a review to ensure it was up-to-date

and accurate, new crew routes now included an individual familiar with the beat areas and a short term realignment of staffing resource to help with delivery of replacement containers.

The Corporate Complaint Steering Board identified 4 high level indicators that provided a summary of complaint handling performance and detailed as follows:-

- Total complaints received
- Complaints closed within 5 working days
- Complaints closed within 20 working days
- Complaints partly upheld/upheld

Table 2 within the report provided a summary of service performance against these four indicators for Quarter 1 in 2015/16 and 2016-17.

Appendix 1 to the report provided information on council wide performance against the SPSO defined measures covering the period Quarter 1 - Quarter 3, 2015/16 (1 April 2015 to 31 December 2015).

Table 3 provided indicative ratios for the number of complaints against the specific customer groups for Area Services, Education Services, Housing, Construction and Building Services and Operational Services.

The report concluded that the level of complaints received in Quarter 1; 2016-17 had shown a substantial increase when compared to the equivalent quarter in the previous year. Services would continue to monitor complaints on a regular basis and use this information to develop and improve service delivery.

It was recommended that the Performance Committee :-

1. Note the corporate and service complaint performance against the standards outlined in the council's complaint handling procedure; and
2. Continue to monitor complaint performance and request additional information from services as required.

Decision

To note the terms of the report.

5. AUDIT, RISK AND COUNTER FRAUD UNIT

The committee considered a report (copies of which had been circulated) by Head of Finance and Property Services providing an overview of the performance of the Audit, Risk and Counter Fraud Unit.

The report advised that the Audit, Risk and Counter Fraud Unit was

responsible for ensuring that there was a corporate framework in place which enabled the council to effectively manage its risks.

The three main functions of the Unit were as follows:

- Internal audit, which involved the audit of key risks to the council's objectives, both financial and non-financial. This was undertaken on the basis of a risk based annual internal audit plan approved by the Audit and Governance Committee. The Unit also provided an internal audit service to West Lothian Leisure, the Improvement Service and West Lothian Integration Joint Board.
- Risk management, which involved the provision of advice and guidance on risk management and business continuity matters. This included commenting on business continuity plans and facilitating desk top testing plans.
- Counter fraud, which involved the promotion of fraud awareness within the council, the detection of fraud via the National Fraud Initiative data matching exercise, and effective investigation of referrals. The Unit maintained the council's whistleblowing hotline and e-mail address.

The unit had a total complement of seven staff and a net revenue budget for 2016/17 of £374,000.

The Head of Finance and Property Services explained that in relation to counter fraud work, Police Scotland were a key partner. The Unit's key partners for risk management and business continuity planning included Police Scotland, Fire and Rescue Service and NHS Lothian. The unit also had an arrangement with Falkirk Council for the sharing of internal audit resources which enabled the council to access a qualified computer auditor.

The report went on to advise, that the Local Authority Accounts (Scotland) Regulations 2014, required the council to operate a professional and objective internal audit service in accordance with recognised standards and practices in relation to internal auditing. The Unit also complied with the Public Sector Internal Audit Standards (PSIAS) which were mandatory standards that required internal audit to be independent and objective. The Unit was also required to provide an annual opinion on the council's framework of governance, risk management and control which was contained within the annual report to Audit and Governance Committee in June each year.

The report recommended that the committee:-

1. Note the performance report for the Audit, Risk and Counter Fraud unit;
2. Provide feedback on service performance; and
3. Identify any recommendations for performance improvement.

There then followed a number of questions in particular around what was likely to pose the highest risks to the council both internal and external, whistleblowing and workforce planning

Decision

To note the terms of the report.

6. LEGAL SERVICES PERFORMANCE

The committee considered a report (copies of which had been circulated) by the Head of Corporate Services providing an overview of the Legal Services along with details of service performance.

The report advised that Legal Services provided a broad range of services, support, representation and advice to all Council Services. It also had a significant function in supporting the delivery of the council's modernisation and project related work. Legal Services also provided a committee administration service, and administered the Civic Government and Hire Car Licensing regimes with legal advice and provided clerking services to the Licensing Board.

The service has a total compliment of 31.8 FTE staff and an annual net revenue budget of £996,809.00. The service actively engaged with a number of partners including the Scottish Courts Service, Police Scotland, Scottish Children's Reporters Administration, Licensing Forum, Community Councils and the Licensed Trade.

The report went on to advise that during 2015/16 the service delivered a number of key achievements including supporting Social Policy in relation to policy and procedural matters to improve arrangements for looked after children, completed the Gambling Policy review and responded to, and gave evidence to Scottish Parliament in relation to Air Weapons Licensing (Scotland) Bill, provided support for the new build housing project and securing delivery of key development sites. The service also successfully transferred the new school at Southdale, undertook a review of the Community Council Scheme and provided administrative support to the Shadow Integration Joint Board and Integration Joint Board strategic planning group.

The Head of Corporate Services explained that during 2016/17 the service would continue to support delivery of council projects, represent the council's interests in court and tribunals and ensure that the impact and implication of legislative changes were understood and implemented. It was also advised that the service was reviewing KPIs in order to reflect all core areas of business.

In conclusion the report advised that the report and appendix summarised the activities and performance of Legal Services.

The report recommended that the Performance Committee:-

1. Note the contents of the report;
2. Provide feedback on service performance;
3. Identify any recommendations for performance improvement.

There then followed a number of questions in respect of the Purchase of Land and Property, vacancies within the service and timescales in relation to the significant rise in Right to Buy applications following the end of the scheme.

Decision

1. To note the terms of the report.
2. Agreed that a report be brought back to the Performance Committee in six months following the review of Key Performance Indicators.