

MINUTE of MEETING of the PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 7 FEBRUARY 2020.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Tom Conn (substituting for Dave King), Chris Horne, Peter Johnston, Andrew McGuire (substituting for George Paul) and Damian Timson

Apologies – Councillors Dave King and George Paul

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The Panel approved the Minute of its meeting held on 6 December 2019. The Minute was thereafter signed by the Chair.

3. SCHEME OF POLLING PLACES AND DISTRICTS

The Panel considered a report (copies of which had been circulated) by the Chief Executive advising of the proposed polling scheme after consideration of a consultation in early 2019 and feedback from two unscheduled polls held in 2019.

It was recommended that the Panel :-

1. Consider the potential changes to polling places and districts; and
2. Consider that the Chief Executive continue to have delegated authority to make any required changes (i.e as a result of the loss of a polling place) in consultation with the Leader of the Council, Leader of other Political Groups and local elected members, when there is not time to seek the approval of the Council Executive before a particular poll.

Decision

1. To note the content of the report;
2. To agree that the report be forwarded to the next appropriate meeting of the Council Executive for approval; and
3. To note the comments from the Teaching Union representative and the Joint Forum of Community Councils Representative that avoiding the use of schools in favour of partnership centres as polling places was the preferred option.

4. QUARTERLY PERFORMANCE REPORT - QUARTER 3 OF 2019/20

The Panel considered a report (copies of which had been circulated) by the Depute Chief Executive providing current levels of performance for all indicators that supported the council's corporate plan and were the responsibility of the Partnership and Resources Policy Development and Scrutiny Panel.

In relation to a question from the panel the Head of Corporate Services undertook to carry out a review of those targets pertaining to HR.

It was recommended that the Panel note the performance information and determine if further action or enquiry was necessary for any of the performance indicators in the report.

Decision

1. To note the content of the report; and
2. To note that the Head of Corporate Services would undertake a review of those targets pertaining to HR.

5. REVIEW OF WEST LOTHIAN CITIZEN PANEL

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the proposal to review and refresh the Citizens Panel and carry out a Quality of Life Survey in summer 2020.

The Panel noted the comments from the Joint Forum of Community Councils representative in that the council should thank those stepping away from the Citizens Panel, consider a complete refresh of the membership of the panel and have as large a panel as possible.

It was recommended that the panel notes the proposal to review the Citizens Panel and carry out a Quality of Life Survey in summer 2020.

Decision

1. To note the content of the report; and
2. To note the comments of the Joint Forum of Community Councils representative in that the council should thank those stepping away from the Citizens Panel; consider a complete refresh of the panel; and to have as large a panel as possible,

6. FAMILY LEAVE PROVISIONS - ELECTED MEMBERS

The Panel considered a joint report (copies of which had been circulated) by the Governance Manager and Head of Corporate Services to consider the implementation of COSLA Guidance on Family Leave for Elected Members and related resources that may be made available to members.

It was recommended that the Panel :-

1. Note the COSLA Guidance on Family Leave for Elected Members to Scottish Councils (Appendix 1).
2. Note that there were legislative obstacles to its implementation as it stands and that COSLA Leaders agreed on 27 September 2019 to lobby for legislative change.
3. Consider the council's approach to possible implementation of that Guidance and the additional resources that may be made available to elected members to help meet the same objectives as the COSLA Guidance with a view to informing a further report to the panel with a proposed Scheme of Protocol (Appendix 2).

The Governance Manager confirmed that further discussions would require to be undertaken with all the political groups in the council for the matter to progress.

It was also noted by the panel that surrogacy leave was only available to Teaching staff. The Chief Executive confirmed that representation would have to be made to COSLA for this to be changed

Decision

1. To note the content of the report;
2. To note that further consultation with the political groups in the council would have to be undertaken to discuss the council's approach to the possible implementation of the Guidance; and
3. To agree that representation be made to COSLA with regards to the availability of surrogacy leave for non-teaching staff.

7. REVIEW OF SCHEME FOR ESTABLISHMENT OF COMMUNITY COUNCILS IN WEST Lothian

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services advising of a review of the Scheme for Establishment of Community Councils in West Lothian being carried out in advance of the 2021 4-yearly Community Council Elections.

It was recommended that the Panel :-

1. Note that a review of the Scheme of Establishment of Community Councils in West Lothian was being conducted; and
2. Note that a working group comprising 3 council officers and 3 representatives of the Joint Forum of Community Councils would be established to progress the scheme review.

Decision

1. To note the content of the report; and
2. To note the comments of the Joint Forum of Community Councils representative in that the joint forum would play a full and proper role in the review process.

8. SICKNESS ABSENCE (1 APRIL 2019 TO 31 DECEMBER 2019)

The Panel considered a report (copies of which had circulated) by the Head of Corporate Services providing sickness absence rates during the period 1 April 2019 to 31 December 2019 and to provide an update on the ongoing application of the council's Policy and Procedure for Supporting Attendance at Work.

It was recommended that the Panel note the content of the report.

Decision

1. To note the content of the report; and
2. To note the comments from the Teaching Union representative concerning the level of violence being perpetrated against teaching staff and the levels of stress that the profession was subject to

9. REVIEW OF POLICY AND PROCEDURE FOR SUPPORTING ATTENDANCE AT WORK

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services providing an outcome of a review of the council's Policy and Procedure for Supporting Attendance at Work together with a Supporting Attendance Action Plan to improve the effectiveness of the policy going forward.

It was recommended that the Panel :-

1. Notes that sickness absence rates across the council have been rising despite the introduction of the council's Policy for Supporting Attendance at Work on 1 September 2018 as reflected in quarterly Statutory Performance Indicator (SPI) figures to the panel;
2. Notes the summary position on absence rates and in particular, the prevalence of stress-related absence as set out in Section D.2 of the report;
3. Notes the proposed adjustments to the policy and its application set out in Section D.3 aimed at improving its effectiveness;
4. Notes the package of measures currently in place to support the management of stress-related absence outlined in Section D.4;
5. Notes the additional support measures proposed in the Supporting

Attendance Action Plan at Appendix 1 of the report;

6. Considers the proposal that the policy should continue to be reviewed on an annual basis to ensure that improvement in the council's sickness absence levels were being delivered; and
7. Notes that quarterly sickness absence monitoring reports would continue to be submitted to the Panel in the normal manner and that regular update meetings with the recognised Trade Unions would also continue on an ongoing basis.

The Panel welcomed the range of interventions that had been introduced to support staff in attending their place of work.

Decision

1. To note the content of the report;
2. To note the comments from the Teaching Union representative who requested that GLOW accounts be used for the dissemination of information to teaching staff; and
3. To note the comments from the Trade Union representative in that the involvement of Service and Group Managers in chairing Capability Assessment Review Panels and Stage 3 Capability Assessment meetings would introduce inconsistencies into the process

10. POLICY ON THE MISUSE OF ALCOHOL, DRUGS AND OTHER SUBSTANCES

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services asking that the Panel further considers to the implementation of random testing as part of the council's Policy on the Misuse of Alcohol, Drugs and Other Substances.

The Panel was recommended to :-

1. Note the representations by the Trade Unions in relation to the implementation of random testing as part of the council's Policy on the Misuse of Alcohol, Drugs and Other Substances;
2. Consider whether to progress with a review of posts defined as "safety critical" based on a revision to the definition in the Policy on the Misuse of Alcohol, Drugs and Other Substances; and
3. Consider the proposal to develop and deliver a programme of education, training and awareness to further equip managers to fulfil their responsibilities under the policy.

Decision

1. To note that the Head of Corporate Services would progress a

review of posts defined as “safety critical”;

2. To note that the Head of Corporate Services would develop and deliver a programme of education, training and awareness for managers; and
3. To note the collective Trade Unions opposition to the use of random testing, but did support “with cause” testing.

11. SUPPORTING PERFORMANCE FRAMEWORK

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services presenting a draft framework to support staff (non-teaching) achieve improved performance.

It was recommended that the Panel :-

1. Considers the draft framework set out in Appendix 1 of the report with a view to referral to Council Executive for approval; and
2. Notes that it had been requested by the recognised Trade Unions that following implementation the framework was kept under review with the option to make amendments as necessary.

Decision

1. To note the content of the report; and
2. To agree that the report be forwarded to the next appropriate meeting of the Council Executive for approval.

12. HORIZON SCAN

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services and Head of Planning, Economic Development and Regeneration providing the panel with :-

1. A summary of the latest UK economic indicators and announcements, including the potential implications following the referendum vote to leave the European Union (EU); and
2. An update on the estimated revenue budget position facing the council as a result of ongoing unavoidable spending pressures and government funding constraints, including highlighting budget model risks and uncertainties.

It was recommended that the Panel notes :-

1. The results of the horizon scan for the UK, Scotland, West Lothian and West Lothian Council;
2. That officers have updated the budget model for 2020/21 to

2022/23 since the update provided to the Panel on 12 September 2019 to reflect update information and assumptions;

3. A summary of the potential options available to address any remaining budget gap as considered by the Panel on 12 September 2019 including potential savings set out in Appendix 2 and council tax scenarios set out in Appendix 3; and
4. That, pending the announcement of the Scottish Budget and local government finance settlement on 6 February 2020, officers have commenced the initial preparation of a draft revenue budget based on budget model assumptions.

Decision

To note the content of the report.

13. AVAILABILITY OF AUTOMATED CASH MACHINES IN WEST Lothian

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing information on the Automated Teller Machine (ATM) Network, including the availability of ATM's in West Lothian and to set out options for consideration to increase free to use ATM's and promote alternative payment facilities.

It was recommended that the Panel notes :-

1. The information provided on the ATM network, including a reduction in the number of cash withdrawals being made due to other payment methods being utilised;
2. The availability of ATM's in West Lothian and the protected free to use ATM's as set out in section D.5 of the report; and
3. The intention for the options for consideration to be presented to the Anti-Poverty Task Force to consider an action plan as part of the financial inclusion and capability, as provided in section D.6 and D.7 of the report.

Decision

1. To not the contents of the report; and
2. To request that when the Anti-Poverty Task Force discussed the ATM Network then the information was to be considered and discussed at community level.

14. CIPFA FINANCIAL MANAGEMENT CODE

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a summary of the Chartered Institute of Public Finance and Accountancy (CIPFA) Financial

Management Code (FM Code), which was published by CIPFA in October 2019. The report also provided officer responses to the financial management standards set out in the code to demonstrate compliance with the code as well as suggested actions to ensure full compliance with the code.

The Panel was asked to :-

1. Notes the CIPFA Financial Management Code and the requirement for full compliance with the code by financial year 2021/22;
2. Notes the financial management standards and key messages included in the code;
3. Notes that the CIPFA Guidance Notes are yet to be published, with an anticipated publication date of April 2020;
4. Notes the initial officer responses to demonstrate how existing processes in the council meet the standards of the code; and
5. Notes that, following publication of the guidance notes, a full review will be undertaken by officers to ensure compliance with the code by 2021/22 and this would be reported to the Partnership and Resources Policy Development and Scrutiny Panel following the summer recess.

Decision

To note the content of the report.

15. REVIEW OF INCOME AND CONTRIBUTIONS

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing details of proposed changes to the council's approved budget measures relating to income and contributions for 2020/21 to 2022/23 and the council's proposed fees, charges and concessions for 2020/21 to 2022/23.

It was recommended that the Panel :-

1. Notes the councils previously agreed principles for managing fees and charges for discretionary charging services;
2. Notes the proposed changes to budgeted income for 2020/21 to 2022/23 from fees and charges as set out in section D.4 of the report;
3. Notes the proposed fees and charges for 2020/21 to 2022/23 as set out in section D.5 of the report;
4. Notes the intention to include the proposals in the Revenue Budget 2020/21 to 2022/23 report to full Council in February 2020; and

5. Notes that officers will continue to explore options for generating additional income and will report further on options to relevant PDSP's.

Decision

To note the content of the report.

16. RISK MANAGEMENT POLICY

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services presenting the Risk Management Policy, a copy of which was attached to the report at Appendix 1.

It was recommended that the Panel notes the following recommendation which was intended to be submitted to Council Executive for approval : "that Council Executive approves the Risk Management Policy". It was also noted that the policy would be presented to Governance and Risk Committee before being presented to Council Executive.

Decision

1. To note the content of the report;
2. To agree that the report be presented to a future meeting of the Council Executive for approval; and
3. To note that prior to the report being presented to Council Executive it would be presented to the Governance and Risk Committee.

17. WORKPLAN

A copy of the workplan was circulated for information.

Decision

To note the content of the workplan