

MINUTE of MEETING of the PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL held within MS TEAMS VIRTUAL MEETING, on 4 FEBRUARY 2022.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Janet Campbell, Tom Conn, Damian Doran-Timson and George Paul

Apologies – Councillor Chris Horne

In Attendance – Donald Stavert (Joint Forum of Community Councils Representative)

1. DECLARATIONS OF INTEREST

Councillor Janet Campbell declared an interest in that she was an NHS Lothian employee.

2. MINUTE

The Panel confirmed the Minute of its meeting held on 3 December 2021.

3. REVIEW OF PROTOCOLS ON OFFICER/MEMBER WORKING

The panel considered a report (copies of which had been circulated) by the Governance Manager/Interim Monitoring Officer advising of changes proposed to the present Officer/Member Protocol (2016) and Protocol on Members' Use of Council Facilities (2016)

The panel was asked to consider the following recommendation which was intended to be made to Council Executive:-

- To approve the revised Officer/Member Protocol and Protocol on Members' Use of Council Facilities in Appendices 1 and 2

Decision

1. To note the content of the report; and
2. To agree that the report be forwarded to Council Executive for approval of the recommendations outlined in the report.

4. SCOTTISH PUBLIC SERVICES OMBUDSMAN : ANNUAL REPORT 202-2021

The panel considered a report (copies of which had been circulated) by the Chief Executive providing members with an update on the Scottish Public Services Ombudsman's annual report 2020-2021.

1. The Panel was asked to note the Scottish Public Services Ombudsman's (SPSO) annual report 2020-2021, and recommend

that it be submitted to the Council Executive for information;

2. The Panel was asked to note West Lothian Council's performance in relation to the number of complaints received by the SPSO and the outcome; and
3. The Panel was asked to note the learning from SPSO complaints which is appended to this report for information.

Decision

1. To note the content of the report; and
2. To agree that the report be presented to Council Executive for information only,

5. HORIZON SCAN

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a summary of the latest economic indicators and announcements for the UK, Scotland and West Lothian, particularly regarding the implications of the Covid-19 pandemic and the potential impact on the council.

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 were currently updating the council's budget model for 2022/23;
3. The risks and uncertainties in relation to the council's budget model; and
4. Scenario planning information on potential financial scenarios for 2023/24 to 2032/33 will be included in the 2022/23 revenue budget report in early 2022.

Decision

1. To note the content of the report; and
2. To ask the Head of Planning, Economic Development and Regeneration provide all panel members with the following :-
 - An update in respect of how businesses in the food and drink sector were adapting to the new export/import arrangements following Brexit; and
 - How businesses in the small/medium sector were managing their combined shipping methods, also following Brexit.

.6. SICKNESS ABSENCE (1 APRIL TO 31 DECEMBER 2021)

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services reporting on sickness absence rates during the period 1 April 2021 to 31 December 2021 and to provide an update on the ongoing application of the council's Policy & Procedure on Managing Supporting Attendance at Work.

The report also provided an overview on the levels of absence attributed to the Covid-19 pandemic

Decision

1. To note the content of the report; and
2. To ask that the Head of Corporate Services provide all Panel Members with further details in respect of employees affected by long-Covid

7. SOCIAL SECURITY, BENEFITS, AND WELFARE REFORM UPDATE

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of recent developments in and the continuing implications of the ongoing programme of welfare changes.

It was recommended that the panel notes the impacts of the welfare changes in West Lothian and the actions which the council and community planning partners are taking in response.

Decision

1. To note the content of the report; and
2. To ask that the Head of Finance and Property Services provide all Panel Members will details of the gap in funding as received from the Scottish Government to support those self-isolating.

8. BEST VALUE FRAMEWORK REVIEW

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the review of the council's Best Value Framework

It was recommended that the panel notes the following recommendations which are intended to be submitted to Council Executive for approval:

1. Notes the existing Best Value Framework and the arrangements that are currently in place to demonstrate Best Value including Standing Orders for the Regulation of Contracts and the council's Corporate Procurement Strategy;

2. Notes the revised statutory guidance on Best Value that was published in 2020;
3. Approves the updated Best Value Framework which takes account of the latest Best Value statutory guidance;
4. Agrees the updated Best Value Framework is used to assess the council's compliance with Best Value from 2021/22;
5. Agrees the process around the Best Value Annual Statement of Compliance with the Head of Finance and Property Services responsible for preparing the statement
6. Agrees the Best Value Framework continues to be reviewed at least once in every administrative term and the outcome of this review is reported to Council Executive;
7. Agrees the continued delegation of the power to make minor administrative changes to the Best Value Framework between these reviews to the Head of Finance and Property Services.

Decision

To note the content of the report

9. ESTABLISHMENT OF A COMMON GOOD REGISTER

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Service providing information on the work currently being undertaken by officers to establish a register of common good in accordance with the requirements of Part 8 of the Community Empowerment (Scotland) Act 2015 and to confirm how officers intend to proceed to ensure the council was compliant with those statutory requirements.

It was recommended that the panel:-

1. Notes and considers the work currently being undertaken by officers to establish a register of common good in accordance with the requirements of Part 8 of the Community Empowerment (Scotland) Act 2015.
2. Notes and considers how officers intend to proceed to ensure that the council is compliant with the requirements of Part 8 of the Community Empowerment (Scotland) Act 2015.

Decision

1. To note the content of the report; and
2. To ask that the Head of Finance and Property Services consider going back out to consultation in the Whitburn area including the

community council and the community development trust

10. CORPORATE STRATEGY ANNUAL UPDATE 2020/21 - CORPORATE ASSET MANAGEMENT STRATEGY

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a review of the Corporate Asset Management Strategy for the financial year 2020/21, including progress against the planned actions and an overview of the performance to date.

It was recommended that the panel:-

1. Notes the performance against the outcomes; and
2. Notes the progress made in implementing the key activities and actions.

Decision

To note the content of the report

11. COUNCIL TAX SCENARIOS 2022/23

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing members with an appraisal of potential scenarios regarding future council tax increases to inform discussions on the approach to achieving a balanced budget for 2022/23, which is the last year of the revenue strategy for the period 2018/19 to 2022/23.

It was recommended that panel:-

1. Notes the benchmarking information provided in section D.2.2 on the rates of council tax across Scotland and England, compared to the council tax level in West Lothian;
2. Notes the potential rates of council tax for the period 2022/23 set out in section D.3 and the potential council tax scenarios to significantly reduce the extent of further service reductions to 2022/23;
3. Notes the considerations and factors to mitigate the impact of raising council tax on people on lowest incomes in West Lothian communities provided in section D.4; and
4. Notes the 2022/23 Scottish Budget announcement in section D.5 in relation to councils having full flexibility to set the Council Tax rate for 2022/23 that is appropriate for their local authority area

Decision

To note the content of the report

12. CIPFA FINANCIAL MANAGEMENT CODE

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update progress with regards to the action points agreed by Council Executive on 9 February 2021 to ensure better compliance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Financial Management Code (FM Code).

It was recommended that the panel:-

1. Notes the completed actions in Appendix 1;
2. Notes the council's continued compliance with the CIPFA FM Code.

Decision

To note the content of the report

13. PROPERTY ASSET MANAGEMENT - PERFORMANCE UPDATE 2020/21

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services updating the panel on the Performance Asset Management for 2020/21.

It was recommended that the panel notes :-

1. The overall condition of Property Assets for 2020/21;
2. The overall suitability of Property Assets for 2020/21
3. The overall performance of Property Assets;
4. The projects that have contributed to delivery of the council's property asset management priorities.

Decision

To note the content of the report

14. REVIEW OF PUBLIC SECTOR EQUALITY DUTY

The panel considered a report (copies of which had been circulated) by the Head of Corporate Services advising of a Scottish Government consultation on the review of the Public Sector Equality Duty and to seek approval of the council's response to the consultation.

It was recommended that the panel :-

1. Note the intention of the Public Sector Equality Duty Review and the terms of the consultation;
2. Considers and provides comment on the attached consultation response which will be presented to Council Executive for approval.

Decision

1. To note the content of the report;
2. To ask the Head of Corporate Services to review and update the response at Q3.3 on page 25 to reflect that there might be a lack of accurate data; and at Q7.1 the response to better reflect the amendment recently agreed at full council and which concerned procurement issues; and
3. To agree that the report be presented to Council Executive for approval.

15. EMPLOYEE CODE OF CONDUCT

The panel considered a report (copies of which had been circulated) by the Head of Corporate Services presenting a revised Employee Code of Conduct.

It was recommended that the panel considers the revised Employee Code of Conduct for referral to Council Executive for approval.

Decision

1. To note the content of the report and of the revised Employee Code of Conduct; and
2. To present the report to Council Executive for approval.

16. ARMED FORCES ACT 2021 AND EMPLOYER RECOGNITION SCHEME

The panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing an update on the progress of the Armed Forces Act 2021 and the implications for West Lothian Council. The report also informs the panel of West Lothian Council's award of the Gold Standard through the Armed Forces Employer Recognition Scheme.

It was recommended that the panel :-

1. Notes the progress of the Armed Forces Act 2021 and what that was likely to mean for West Lothian Council; and
2. Notes that West Lothian Council is now recognised to Gold Standard level by the Armed Forces Employer Recognition Scheme

Decision

To note the content of the report

17. RENAMING OF BROXBURN LIBRARY

The panel considered a report (copies of which had been circulated) by the Head of Housing, Customer and Building Services advising of the proposal to rename Broxburn Library to Lex Davidson Library.

The panel was asked to note and provide comment on the proposal to rename Broxburn Library, which will be submitted to Council Executive for approval.

Decision

1. To note the content of the report;
2. To note the comments by the Joint Forum of Community Councils representative in respect of the council's policy on the matter; and
3. To agree that the report be presented to Council Executive for approval

18. WORKPLAN

A copy of the workplan had been circulated for information.

Decision

To note the workplan