

FALKIRK COUNCIL

MINUTE of MEETING of the PERFORMANCE PANEL held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 26 MARCH 2015 at 9.30 AM.

CORE MEMBERS: Rosie Murray
Baillie Joan Paterson
Depute Provost John Patrick

MEMBERS

ATTENDING: David Alexander
Stephen Bird
Jim Blackwood
Gordon Hughes
Brian McCabe
Cecil Meiklejohn
Alan Nimmo
Provost Pat Reid

OFFICERS: Alex Black, Quality Improvement Manager
Fiona Campbell, Head of Policy, Technology and Improvement
Megan Farr, Policy Officer
Paul Ferguson, Revenue Manager
Jack Frawley, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Gary Greenhorn, Joint Acting Director of Education
Colin Moodie, Depute Chief Governance Officer
Anne Pearson, Joint Acting Director of Education
Mary Pitcaithly, Chief Executive
Bryan Smail, Chief Finance Officer

ALSO ATTENDING: Robert Naylor, Director of Children's Services (designate)

PP15. MINUTE

Decision

The minute of the meeting of the Performance Panel held on 5 February 2015 was approved.

PP16. EDUCATION SERVICES SCRUTINY REPORT

The panel considered a report by the Joint Acting Director of Education Services setting out the performance for the service from April to December 2014. Anne Pearson gave an overview of the report.

The panel welcomed Robert Naylor as the newly appointed Director of Children's Services.

Members asked about the challenge of providing appropriate support to children with additional support needs. Anne Pearson stated that in relation to Oxbgangs School there were no significant difficulties at the current time and that two new teachers had been appointed. An improvement plan was in place and the service was carrying out an on-going inclusion review. The vision from this had been agreed and adopted.

The panel sought information on how effectively and well used Glow had been since its re-launch. Anne Pearson stated that lots of work was being carried out using Glow, particularly around the issue of personal security on social media. The revised version of Glow was a good product and use throughout the service was being encouraged. Alex Black stated that there would be a long lead in time to see significantly increased usage as people tended to be driven to Glow by need. In terms of the use of social media in schools, Anne Pearson highlighted that Primary 5 and 6 pupils from Kinnauld Primary School had created a youtube video about palm oil. Education Scotland had contacted the service and asked to use the video as an example of good practice. The panel requested that a briefing session on Glow for all members, Gary Greenhorn advised that a briefing on Glow would take place. Members asked for their access to Glow to be restored, Anne Pearson confirmed that this would be done.

Members asked if there was mitigation in place to deal with the proposed reductions to the Community Learning and Development (CLD) service. Gary Greenhorn stated that there were 104 live activity agreements involving young people three months prior to leaving school and 63 for those aged 20 and over. CLD provided support directly in schools but support was also provided by third sector organisations such as Barnardo's. The service was working on the reduction to CLD provision and highlighted that agreements key to the business of the service would be treated as a priority.

The panel asked if budget constraints around book selection would limit the impact of the literacy strategy. Anne Pearson advised that the service was working with the principal librarian to undertake a review of how to best organise provision in schools. She stated that a report would be provided to members following the review.

In response to a question on tensions between schools and communities about the use of outdoor learning, Anne Pearson stated that the service was aware of a particular issue and the head teacher of the school was engaging with the community around their concerns.

The panel asked how the service equipped young people to use social media and the internet safely. Anne Pearson advised that the service had worked hard on guidance for young people of all ages and had engaged parent councils.

In response to a question on the improved fluidity between school and adult literacy, Anne Pearson stated that improvements were made following increased contributions from CLD.

The panel asked for further information on the work to develop tracking and monitoring systems. Anne Pearson stated that two deputy head teachers were working collaboratively on this for children from 3 to 18 years old. The work would improve the experiences of children and young people through school transitions.

Responding to a question on teacher number requirements, Gary Greenhorn advised that the service had been working toward the August intake since January. After talking to schools, which identified their requirements, the service had requested 85 probationer teachers for the coming year. The recruitment process would commence in late April or May in order to have the required number of teachers ready for the start of term in August. In terms of penalties for a drop in numbers, Gary Greenhorn stated that a tolerance had been included to ensure the required level was met.

The panel highlighted that attainment at Higher level had become static and that the target had remained more or less the same, asking how Falkirk compared nationally. Alex Black stated that there had been a gentle rise in the number of pupils achieving three or more Highers since 2007, from 26% to 38%. He advised that the Falkirk figures were a percentage point below the Scottish average but that the long term trend was positive. He stated that Falkirk was usually in line with or slightly better than the national average and comparator authorities. Members expressed that they wanted Falkirk to be better than average and asked what was being done to achieve this. Anne Pearson stated that annual school improvement meetings had been reviewed and were now held with head teachers more often. The service was tightening up its focus on attainment, particularly through the work on tracking and monitoring.

In response to a question on the uptake of free school meals by eligible pupils, Gary Greenhorn stated that the figures were positive with Falkirk having a higher uptake than other areas.

The panel asked for information on the looked after children scrutiny group. Alex Black advised that the group was led by David Mackay and currently held at Oxborough School. The group drilled down to a pupil level focus. The next steps for the group were to look beyond traditional measures to the wider process, especially the support provided to looked after children post exclusion. The group was multi-agency, including social work services and Barnardo's Cluaran Service.

Members asked for information on the work done to build family capacity. Alex Black advised that the work included summer programmes and learning opportunities provided with CLD throughout the year. 230 families, who had been identified by social work services or the third sector, had attended events.

The panel asked about the provision of wi-fi in primary schools and any performance issues. Gary Greenhorn stated that he was not aware of any performance problems but that there had been a challenge to get infrastructure in place. There was also a challenge in using guest devices on the network due to security protocols.

Members expressed concern about the number of reported incidents of violence against school staff. Anne Pearson advised that recording processes had been revised and that the reporting method did not highlight where a single pupil was responsible for multiple incidents. She also advised that the range of incidents went from the minor to the very serious but that most incidents were minor. Gary Greenhorn stated that the service would review how to present the information to provide greater clarity in the future.

The panel asked for information on tracking and monitoring of vulnerable young people. The panel highlighted that the deadline for the work had been August 2014 and that although it was now done it had been behind the timescale. Anne Pearson stated that an update would be brought to a future meeting.

Members asked about the variance in offer of subject choice to children across the area. Gary Greenhorn stated that secondary school head teachers were looking at implementing standardised choice. Work was also being carried out with Forth Valley College and would involve the Director of Children's Services. Alex Black advised that upon entering the senior phase pupils were offered six subjects on average. The curriculum was structured to offer an equality of entitlement across high schools. He stated that pupils could take on an additional course in sixth year and that if the pupil was able to achieve five Highers in one sitting they would be given the opportunity.

The panel asked about early identification of children with additional support needs. Anne Pearson stated that identification could start pre-birth and was a collaborative process. There was a team focussed on under 3 year olds who worked with the NHS for pre or post birth. If issues arose later there was a team focussed on 3 to 8 year olds.

Members asked what was done in the case of a dispute between parent and school about whether a child had additional support needs and the level of provision necessary. Anne Pearson stated that requests for entry deferral would be considered by an appeals committee. If parents were unhappy with a decision then they could go to tribunal. However, the service worked to avoid such circumstances and used mediation to encourage discussion.

The panel asked how schools identified children with additional support needs. Anne Pearson advised that if a child was struggling in school and their behaviour showed that their needs were not being met then the school would act in an incremental fashion. Where necessary a team around the child was established and meetings would be held with the parents and named person to identify how to best meet the child's needs.

Members asked about the implementation of the customer first system across the service. Alex Black stated that customer first was being trialled in one area of the service. Megan Farr was the officer accountable for taking forward the roll out across the service. The system would be rolled out to schools in 2016. He stated that the implementation of customer first would improve reporting and that more robust data would be collected.

The panel asked for information on equality and poverty impact assessments (EPIA). Gary Greenhorn stated that EPIAs were an integral part of the budget process and that detailed corporate assessment was carried out where savings were proposed. Anne Pearson advised that further training would be given to staff across the service.

In response to a question on the use of e-learning packages around data protection, Anne Pearson stated that a reminder and guidance had been issued to staff on data protection and that there were three mandatory e-learning modules.

The panel asked for information on why there was a decrease to 84% of secondary school pupils who felt safe and well looked after/secure in school. Alex Black stated that the information was useful but that limited comparisons could be drawn to previous years as different cohorts of pupils were surveyed. He stated that the satisfaction level was lower than the service wanted. A focus group had been set up with senior secondary school pupils to feed in to the service plan.

Members asked for information on the Family Information Service. Alex Black stated that the service was soon to be launched which would include a helpline and website for further support.

The panel asked how the Council audited the accounts of community centres and school halls. Gary Greenhorn stated that parent councils submitted accounts to the service and they were then audited by Education, who referred any questions to Finance. CLD staff had been trained on financial governance. He advised that the accounts received by Education Services included the level of reserves held by a group.

Members asked about the percentage of looked after children achieving positive destinations. Alex Black stated that a breakdown could be provided after the meeting. Mary Pitcaithly advised that this area was to be subject to the work of a scrutiny panel, as part of the scrutiny plan considered by Council on 11 March 2015.

Decision

The panel noted the performance statement.

PP17. CHIEF EXECUTIVE OFFICE SCRUTINY REPORT

(i) Chief Executive Office – Finance Performance

The panel considered a report by the Chief Finance Officer setting out the performance for the service from 1 April 2014 to 31 January 2015. Bryan Smal gave an overview of the report.

Members asked for an update on the work to ensure that existing collection policies mitigated the impact of welfare reform and complied with statute and best practice. Paul Ferguson stated that the collections policy had been rewritten twice in the previous six months but that implementation had been delayed by the absence of the Depute Chief Finance Officer. The draft policy had been submitted to Corporate and Neighbourhood Services for consultation and it would be provided to Councillors shortly thereafter.

The panel asked for further information on the service's work to improve customer service. Paul Ferguson stated that an improvement team had been set up. The team were looking at how to better plan resources based on identifying peaks of demand. Customer service training had been provided to staff and extra staff would be deployed to front counters during busy periods at Callander Square. Wait times were displayed on nine back office computers and a trigger was set if those waiting times reached ten minutes.

Members asked for further information on rent arrears and discretionary housing payment (DHP). Bryan Smail advised that the Council's full allocation of (DHP) would be spent. The service had worked to ensure that everyone who was entitled to the payment accessed it. He stated that the general economic climate and the pressure on family budgets had led to increased arrears. He highlighted the legacy issue of non-payment from the bedroom tax which had a ripple effect to rent collection. Paul Ferguson stated that rent arrears over the previous two to five months had been more positive. He highlighted the work of the Council's Tenancy Sustainment Officers who had been important to the prevention of serious debts. He stated that the building of new council houses created new tenants who needed support to develop the skill set to manage and pay all their bills. Tenancy Sustainment Officers had provided support through training and education.

The panel asked if the £800,000 towards proposed capital expenditure received from tax incremental financing was in line with what was expected. Bryan Smail advised that the received amount was in line with expectations and that what had been claimed for was approved.

Members asked about the work to implement e-procurement with all services. Bryan Smail stated that the implementation was being worked through with all services in smaller sections. There were challenges around the variation to current practice across services and time was required to map this. He stated that good progress was being made and that the electronic system would be rolled out service by service. Completion of this large scale project was expected to take between a year and a half and two years.

The panel asked if the DHP allocation was overspent if there would be an affect to the accounts. Bryan Smail stated that an accrual would be built into the accounts, if prudent. The Scottish Government had held back an element of DHP to assess the initial national picture. He stated that the use of DHP was positive in managing arrears. He advised that by the end of the year there was likely to be a £100,000 overspend.

Members asked for information on the impact of welfare reform on staff and workloads. Bryan Smail advised that over the previous few years there had been waves of pressure, including major system implementation which created backlogs in others areas which were now cleared. Welfare reform had created feelings of uncertainty especially as the timetable for implementation had slipped. The range of pilots was narrow and short of what full implementation would be. This led to uncertainty in planning staff resources and an increased use of temporary contracts. Paul Ferguson stated that in Revenues and Benefits there had been no increase in absence due to stress and that a change management course had been provided to staff.

The panel asked who was responsible for ensuring that annual general meetings were held for groups running community halls and that proper accounts were submitted. Bryan Smail stated that Education Services were responsible in that case. Mary Pitcaithly stated that the responsible service would take on the responsibility for all liaison and that in this case Education Services worked with Finance to ensure that proper financial information was presented. She advised that support was provided to community centre management teams by the organisation's monitoring officer.

Members asked if information on council tax and housing benefits could be sent to people in a single envelope rather than in separate mail runs. Paul Ferguson advised that would be the approach for this year. The service had received positive feedback on taking this approach.

The panel asked for further information on pursuing small council tax debts. Paul Ferguson advised that the Council had a statutory obligation to tell people of their outstanding council tax debts. The service did not pursue debts under £2.50.

Members asked for further information regarding topped up state pensions, where the gross figure was used for tax calculation. Bryan Smail stated that he would look into the matter further after the meeting.

The panel asked for information on the pilot of universal credit in Highland Council. Bryan Smail advised that there was a process to follow, including the elapse of time before meeting a trigger which meant that arrears built up. The timescale was that of the Department of Work and Pensions (DWP). There were concerns arising from the pilot that the DWP were slow to action requests sent once people met the trigger. He stated that the best approach to debt management was to intervene early but the timescales for universal credit delayed the initiation of intervention. Fiona Campbell stated that Falkirk was to be included in the second phase of the roll out, which was anticipated to be toward the end of May, and would impact on new clients.

Members asked if any information was available on the impact of universal credit regarding mental health and self harm. Bryan Smail stated that he did not have that information but that it was likely that the risk was real and higher than it otherwise would be.

The panel asked for information on the impact of universal credit on social care landlords and housing associations. Paul Ferguson highlighted that an Edinburgh based Registered Social Landlord had been given DWP support but had still suffered a loss of income. He advised that as universal credit was paid after an individual had built up other debts in order to keep their household running it was more unlikely that rent payments would be made. He stated that meetings were being held with the DWP to discuss how to mitigate the impact of the changes. Mary Pitcaithly stated that a report providing an update on welfare reform had been submitted to the Executive on 2 December 2014.

Decision

The panel noted the performance statement.

(ii) Chief Executive Office – Governance

The panel considered a report by the Chief Governance Officer setting out the performance for the service for the period 1 April 2014 to 31 January 2015. Rose Mary Glackin gave an overview of the report.

The panel asked for clarification about recording the percentage of Council and Joint Board agendas issued within set timescales. Rose May Glackin stated that where the calling notice was issued five clear days prior to the meeting it was recorded as meeting the target. However, if the calling notice was issued within five clear days of the meeting it would be recorded as being issued late. She advised that where a report was marked as 'to follow' this did not breach the performance indicator if the calling notice was issued in time with available papers.

Members asked about the projection that Printworks would not achieve its targeted surplus. Mary Pitcaithly advised that all budgets were prepared using anticipated spend and income. Rose Mary Glackin stated that a business analysis of Printworks was being taken forward. The service aimed to achieve value for money wherever possible. She highlighted that in line with the corporate print policy all services should use Printworks for their volume print needs. The policy was supported throughout the Council by service champions.

The panel asked why the percentage of licensing applications acknowledged within five working days was below target. Rose Mary Glackin advised that management action had been taken and that improvements would be seen in future reporting periods.

Members asked why standing orders and the scheme of delegation were kept under review. Rose Mary Glackin advised that they were kept under review so that where decisions taken by members necessitated a change to the standing orders or scheme of delegation this could be done.

The panel asked if after updating guidance on data protection it was given to the Information Commissioner for feedback. Rose Mary Glackin stated that there were two parts to the regulation of information and data protection. The Scottish Information Commissioner (SIC) was responsible for enforcing and promoting Scotland's freedom of information laws, as well as being responsible for approving the Council's publication scheme. She advised that the Information Commissioner's role was to uphold information rights in respect to the Data Protection Act 1998. The Council complied with the good practice guidance issued by both Commissioners. Updates to Council guidance were not referred to the Commissioners but the SIC reviewed all Scottish Councils' adherence to freedom of information laws.

Members asked when a policy framework for public processions would be implemented. Rose Mary Glackin advised that a policy development panel had been undertaken to develop the policy.

The panel expressed concern that consultants had been engaged to review the Printworks business before engaging with elected members. Mary Pitcaithly stated that Business Gateway were not external consultants in the sense of the question, Business Gateway was a part of Development Services. Rose Mary Glackin advised that the service sought to identify how to best support Printworks.

Members asked what the overheads for Printworks were, as the service drew in a substantial income. Rose Mary Glackin stated that the projected income for 2014/15 was approximately £780,000 to £790,000, while Printworks had expenditure of around £820,000. She provided members with information on the changes in usage of Printworks by services and highlighted that materials associated with the changes to the refuse collection cycle had been a source of increased revenue.

The panel discussed electoral registration and noted their thanks to the election team for their work during the Scottish Independence Referendum. Members discussed an issue where people had registered before the deadline but were not on the electoral roll on the day. Mary Pitcaithly advised that the electoral roll was the responsibility of the Electoral Registration Officer (ERO). She stated that she would pass on members' concerns to the ERO.

The panel asked if the register for the General Election in May 2015 would revert to that held before the referendum. Mary Pitcaithly stated that work was being carried out to compile a new register and that assurance had been given from the Government that no one would lose their vote if previously registered. However, postal and proxy vote applications needed to be made again for the May election. Rose Mary Glackin advised that the ERO had issued letters to all households and that these would advise if action needed to be taken to be included on the roll. Mary Pitcaithly advised that she would ask the Falkirk Herald to run an article on this to publicise the issue.

Members asked for clarification around whether or not people who had been involved in a campaign group during the Referendum on Scottish Independence could be employed as election staff for the General Election in May. Mary Pitcaithly stated that individuals who had been active in a campaign or were counting agents would not be able to be employed. Rose Mary Glackin advised that there was a legal requirement for the referendum that an individual could not be employed if they had been directly involved in a campaign.

Decision

The panel noted the performance statement.