Council Offices South Lanarkshire Council Almada Street Hamilton ML3 0AA

Friday, 11 February 2022

**Dear Councillor** 

#### **Clyde Valley Learning and Development Joint Committee**

The Members listed below are requested to attend a meeting of the above Joint Committee to be held as follows:-

Date:Monday, 21 February 2022Time:14:00Venue:By Microsoft Teams,

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Paul Manning Clerk to the Joint Committee

#### Members

Council	Member	Substitute
East Renfrewshire	Councillor Colm Merrick	
Glasgow City	Councillor Annette Christie	Councillor Christina Cannon
Inverclyde	Councillor Martin Brennan	Councillor Natasha Murphy
North Lanarkshire	Councillor Angela Campbell	
Renfrewshire	Councillor Andy Steel	Councillor Lorraine Cameron
South Lanarkshire	Councillor Katy Loudon	Councillor Gladys Miller

#### Copies to substitute members for information only

#### 1 Declaration of Interests

2 Minutes of Previous Meeting 5 - 8 Minutes of meeting of the Clyde Valley Learning and Development Joint Committee held on 13 September 2021 submitted for approval as a correct record. (Copy attached)

Item(s) for Monitoring

 Revenue Budget Monitoring 2021/2022 - Clyde Valley Learning and 9 - 12 Development Joint Committee Report dated 2 February 2022 by the Treasurer of the Clyde Valley Learning and Development Joint Committee. (Copy attached)

#### Item(s) for Decision

4 Update on Membership and Funding for the Clyde Valley Learning 13 - 18 and Development Project for 2022/2023 Report dated 20 January 2022 by the Chair of the Project Steering Group. (Copy attached)

#### Item(s) for Noting

5 Clyde Valley Learning and Development Joint Committee - Annual 19 - 32 Audit Plan 2021/2022

Annual Audit Plan dated February 2022 by Audit Scotland, External Auditor. (Copy attached)

- 6 Clyde Valley Learning and Development Project Strategic Review of 33 36 Promoting Positive Behaviour (PPB) Programme Report dated 19 January 2022 by the Chair of the Project Steering Group. (Copy attached)
- 7 Clyde Valley Learning and Development Project Risk Assessment 37 40 and Validation of Promoting Positive Behaviour (PPB) Physical Interventions Report dated 24 January 2022 by the Chair of the Project Steering Group. (Copy attached)

#### **Urgent Business**

#### 8 Urgent Business

Any other items of business which the Chair decides are urgent.

#### For further information, please contact:-

Clerk Name: Stuart McLeod
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Clerk Telephone:	01698 454 815
Clerk Email:	stuart.mcleod@southlanarkshire.gov.uk

# CLYDE VALLEY LEARNING AND DEVELOPMENT JOINT COMMITTEE

Minutes of meeting held via Microsoft Teams on 13 September 2021

#### **Convener:**

Councillor Katy Loudon, South Lanarkshire Council

#### **Councillors Present:**

East Renfrewshire Council: Inverclyde Council: North Lanarkshire Council: Renfrewshire Council: Colm Merrick Martin Brennan Angela Campbell Andy Steel

#### **Councillor's Apology:**

Glasgow City Council:

Annette Christie

Attending: Clerk's Office Stuart McLeod, Administration Officer, South Lanarkshire Council Treasurer's Office Amanda Murray, Finance Adviser, South Lanarkshire Council

**Clyde Valley Learning and Development Project** 

Gerry Farrell, Project Manager

#### **Project Steering Group**

Robert Gibb, North Lanarkshire Council Christine MacKenzie, Renfrewshire Council

#### Also Attending:

Audit Scotland

S Ahmed, Auditor; Andrew Kerr, Senior Audit Manager

#### **1** Declaration of Interests

No interests were declared.

#### 2 Minutes of Previous Meeting

The minutes of the meeting of the Clyde Valley Learning and Development Joint Committee held on 14 June 2021 were submitted for approval as a correct record.

**The Joint Committee decided:** that the minutes be approved as a correct record.

#### 3 Audit Scotland – Clyde Valley Learning and Development Joint Committee – Proposed 2020/2021 Annual Audit Report

A letter dated 13 September 2021, together with the 2020/2021 Annual Audit Report (proposed) dated August 2021 for the Clyde Valley Learning and Development Joint Committee, was submitted by the Joint Committee's External Auditor, Audit Scotland.

The Senior Audit Manager and Auditor gave a verbal overview of the Annual Report to members for the year ended 31 March 2021, which included the following key messages:-

- an unqualified independent auditor's report had been issued for the 2020/2021 annual accounts
- that, through the continued support from member authorities, the Joint Committee's financial position was sustainable for the foreseeable future
- a review of reserves would be undertaken and reported to the Joint Committee in due course
- governance arrangements were effective in 2020/2021
- the Joint Committee's annual governance statement was consistent with the financial statements and complied with guidance

**The Joint Committee decided:** that Audit Scotland's proposed 2020/2021 Annual Audit Report for the Clyde Valley Learning and Development Joint Committee be noted.

#### 4 Audited Annual Accounts 2020/2021

A report dated 19 August 2021 by the Treasurer to the Clyde Valley Learning and Development Joint Committee was submitted on the:-

- Joint Committee's Annual Accounts for 2020/2021 which had received a clean audit certificate with no audit actions identified from the External Auditor, Audit Scotland
- requirement to approve the Annual Accounts for 2020/2021 for signing by the Convener and Treasurer

The Annual Accounts would be available on South Lanarkshire Council's website.

#### The Joint Committee decided:

- (1) that it be noted that the Annual Accounts for 2020/2021 had received a clean audit certificate with no audit actions identified; and
- (2) that the audited Annual Accounts for 2020/2021, attached as Appendix 1 to the report, be approved for signing by the Convener and Treasurer.

[Reference: Minutes of 14 June 2021 (Paragraph 5)]

## 5 Clyde Valley Learning and Development Project – Subsidy to Support the Extended Learning Management System (LMS) Contract

A report dated 19 August 2021 by the Chair of the Clyde Valley Learning and Development Project Steering Group was submitted on a proposal to utilise Joint Committee funds to subsidise the implementation costs for the extension of the Brightwave Limited Learning Management System (LMS) contract.

At its meeting on 14 June 2021, the Joint Committee had noted that the Clyde Valley Learning and Development Group (CVLDG) intended to enter into a non-contractual extension to the Brightwave Limited contract for the provision of an integrated e-learning service for a period of 24 months, effective from 1 August 2021.

In accepting the non-contractual extension, Brightwave Limited had offered member councils a choice between switching to a new technology platform, which offered a modern and more functionally sophisticated LMS, or staying with the older technology platform.

At the time of writing the report, 10 of the member councils had opted to take up the offer to move to the new technology platform (option 1) and 2 had opted to remain on the old technology (option 2), however, 1 of the latter member councils had indicated that it might change its decision and the Project Manager advised members that confirmation had since been received that 11 member councils had opted for the new technology.

Whilst option 1 provided greater functionality and potentially greater savings to member councils, through extending access to online learning to a wider range of council employees, there were one-off implementation costs associated with establishing the new technology. As those costs required to be funded at the outset, the costs in the first year were higher than for the second year of the non-contractual extension.

The member council that had chosen option 2 also faced increased costs in terms of its annual licence fee due to an increase in the costs of maintaining the older technology platform.

The Joint Committee had experienced small underspends over several years which the Joint Committee had agreed could be transferred to the balance sheet and held in a reserve to manage future project activities. In recognition of the additional implementation costs in the first year of the contract extension, it was proposed that the 11 member councils implementing the new technology platform be offered a subsidy of £2,000 and the member council that had opted to remain on the old platform be offered a subsidy of £1,000.

North Lanarkshire Council, which had been a full member council since the inception of the Joint Committee, already had an alternative LMS and it was further proposed that £2,150 be allocated to North Lanarkshire Council to meet the cost of 2 Articulate e-learning authoring software licences for a period of 1 year.

The total cost of the proposals was £25,150, of which £6,000 could be met from the 2021/2022 Joint Committee revenue budget. It was proposed that the balance of £19,150 be drawn down from the  $\pm$ 30,451 of reserves carried forward on the balance sheet from previous years.

#### The Joint Committee decided:

- (1) that £23,000 of project funds be utilised to provide a one-off subsidy to member councils taking up the extension to the Learning Management System contract;
- (2) that £2,150 of project funds be provided to North Lanarkshire Council to meet the cost of 2 Articulate e-learning authoring software licences for a period of 1 year; and
- (3) that £19,150 of funds be drawn down from the carried forward reserves to assist in meeting the total costs of £25,150.

[Reference: Minutes of 14 June 2021 (Paragraph 6)]

#### 6 Proposal to Live Stream Future Meetings

A report dated 20 August 2021 by the Clerk to the Clyde Valley Learning and Development Joint Committee was submitted on the proposal to live stream future meetings of the Joint Committee.

Due to the COVID-19 pandemic, Joint Committee meetings were currently being held virtually and, in the interests of openness and transparency, it was proposed that the non-restricted element of the Joint Committee's business be live streamed to facilitate public access to meetings. If members approved the proposal, it was also intended that the recordings of meetings would remain on South Lanarkshire Council's YouTube channel to be accessible for public viewing.

#### The Joint Committee decided:

that future meetings of the Clyde Valley Learning and Development Joint Committee be live streamed to the South Lanarkshire Council YouTube channel.

#### 7 Urgent Business

There were no items of urgent business.

## Report

## 3

Report to:	Clyde Valley Learning and Development Joint Committee
Approval requested by:	21 February 2022
Report by:	Treasurer to Clyde Valley Learning and Development Joint Committee

Subject:Revenue Budget Monitoring 2021/2022 - Clyde Valley<br/>Learning and Development Joint Committee

#### 1. Purpose of Report

- 1.1. The purpose of the report is to:-
  - provide information on the actual expenditure measured against the revenue budget for the period 1 April 2021 to 28 January 2022 for Clyde Valley Learning and Development Joint Committee

#### 2. Recommendation(s)

- 2.1. The Joint Committee is asked to approve the following recommendation(s):-
  - (1) that the breakeven position on the Clyde Valley Learning and Development Joint Committee revenue budget, as detailed in Appendix A of the report, be noted.

#### 3. Background

- 3.1. This is the second revenue budget monitoring report presented to the Clyde Valley Learning and Development Joint Committee for the financial year 2021/2022.
- 3.2. The running costs for the Clyde Valley Learning and Development Joint Committee are funded by contributions from the member councils.
- 3.3. The total membership contributions for 2021/2022 is £0.084 million and these form the basis for the budget for 2021/2022. In addition, an estimate of training expenditure (£0.025m), and the recharge of this to Councils (£0.025m) has also been added to the budget, giving a total expenditure and income budget of £0.109 million.
- 3.4. The report details the financial position for Clyde Valley Learning and Development Joint Committee on Appendix A.

#### 4. Employee Implications

4.1. None

#### 5. Financial Implications

5.1. As at 28 January 2022, there is a breakeven position against the phased budget to date.

5.2. At its meeting held on 13 September 2021, the Joint Committee approved the drawdown of an element of the funds carried forward from previous years, to be utilised to subsidise the costs of the Learning Management System Contract extension. The costs and any drawdown will be included in the Annual Accounts which will be presented to the Joint Committee in June 2022.

#### 6. Climate Change, Sustainability and Environmental Implications

6.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

#### 7. Other Implications

7.1. The main risk associated with the Clyde Valley Learning and Development Joint Committee Revenue Budget is that there is an overspend. The risk has been assessed as low given the detailed budget management applied within the Joint Committee. The risk is managed through four weekly Budget Monitoring when any variance is analysed. In addition, the probable outturn exercise will ensure early warning for corrective action to be taken where appropriate.

#### 8. Equality Impact Assessment and Consultation Arrangements

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.
- 8.2. There is also no requirement to undertake any consultation in terms of the information contained in the report.

#### Jackie Taylor Treasurer

2 February 2022

#### **Previous References**

 13 September 2021 - Clyde Valley Learning and Development Project – Subsidy to Support the Extended Learning Management System (LMS) Contract

#### List of Background Papers

• Financial ledger and budget monitoring results to 28 January 2022

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Lorraine O'Hagan, Finance Manager (Strategy)

Ext: 2601 (Tel: 01698 452601)

E-mail: lorraine.o'hagan@southlanarkshire.gov.uk

#### CLYDE VALLEY LEARNING AND DEVELOPMENT JOINT COMMITTEE

#### Revenue Budget Monitoring Report

#### Period Ended 28 January 2022 (No.11)

1

	Annual Budget	Forecast for Year	Annual Forecast Variance	Budget Proportion 28/01/22	Actual 28/01/22	Variance 28/01/22		% Variance	Note
	£000	£000	£000	£000	£000	£000			
Budget Category									
Employee Costs	0	0	0	0	0	0	-	n/a	
Property Costs	0	0	0	0	0	0	-	n/a	
Supplies & Services	23	23	0	13	13	0	-	n/a	
Transport & Plant	0	0	0	0	0	0	-	n/a	
Administration Costs	84	84	0	77	77	0	-	0.0%	
Payments to Other Bodies	2	2	0	1	1	0	-	n/a	
Payments to Contractors	0	0	0	0	0	0	-	n/a	
Transfer Payments	0	0	0	0	0	0	-	n/a	
Financing Charges	0	0	0	0	0	0	-	n/a	
Total Controllable Exp.	109	109	0	91	91	0	-	0.0%	
Total Controllable Inc.	(109)	(109)	0	(84)	(84)	0	-	0.0%	
Net Controllable Exp.	0	0	0	7	7	0	-	0.0%	

## Report

4

Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting:	21 February 2022
Report by:	Chair of Clyde Valley Learning and Development Project Steering Group

Subject:	Update on Membership and Funding for the Clyde
	Valley Learning and Development Project for 2022/2023

#### 1. Purpose of Report

1.1. The purpose of the report is to:-

• update the Joint Committee on the membership and funding for the Clyde Valley Learning and Development Project for the financial year 2022/2023

#### 2. Recommendation(s)

- 2.1. The Joint Committee is asked to approve the following recommendation(s):-
  - (1) that it be noted that the model of membership and funding remains viable as per the Joint Committee approval of 11 June 2018;
  - (2) that the previously agreed categories and level of membership fees, as detailed at paragraph 3.3, be retained for 2022/2023;
  - (3) that the minimum level of funding to allow the continuation of the Project for 2022/2023 remain at the previously agreed level of £61,000 (including audit fee);
  - (4) that it be noted that 6 Full Member Councils have confirmed their continued participation in the Project, exceeding the minimum target of 5 Full Member Councils; and
  - (5) that it be noted that the current confirmed funding of  $\pounds$ 78,000, exceeds the recommended minimum level of funding by  $\pounds$ 17,000.

#### 3. Background

- 3.1. At its meeting on 11 June 2018, the Joint Committee approved the creation of three categories of membership which were open to all of the current members of the Group (Full and Associate Members).
- 3.2. It was also agreed that a minimum of 5 Full Member Councils and a minimum level of funding of £61,000 (including audit fee) per annum would be required to maintain the viability of the Project.

3.3. The agreed tariff for the different categories of membership was set as follows:-

Membership category		Full	Participating	Procurement
Banding (Employee Numbers)				
Band 1	(0 - 4,999)	£5,000	£3,000	£1,250
Band 2	(5,000 - 9,999)	£7,000	£4,000	£1,500
Band 3	(10,000+)	£10,000	£6,000	£2,500

3.4 The membership categories and tariffs and the minimum of 5 Full Member Councils and funding of £61,000 (including audit fee) per annum have since remained unchanged.

#### 4. Current Position for 2022/2023 Funding and 2022/2023 Budget

- 4.1. The final position on membership and funding for 2022/2023 has not yet been concluded, with confirmation awaited from a small number of members.
- 4.2. Confirmation of membership for 2022/2023 has been received from the 6 Full Member Councils and 9 of the current Participating Member Councils. One current Participating Member has elected not to renew their membership and responses are awaited from another Participating Member and a Procurement Member. Details of the membership contributions and Councils that have yet to confirm their membership are contained within Appendix 1 of this paper.
- 4.3. The total confirmed income from membership, as at 20 January 2022 is £78,000. An update on the confirmed income from membership will be provided at the Joint Committee meeting on 21 February 2022.
- 4.4. The £78,000 will form the basis of the 2022/2023 budget, with £61,000 set aside for support and audit costs, and the remaining £17,000 being available for use by the Projects Steering Group and Social Care Groups.
- 4.5. It should be noted that the minimum requirement is based on the current audit fee. However, the contract of the current auditor will end after the 2021/2022 audit and a new auditor will be appointed by the Accounts Commission. It is not known at this time if there will be an increase in the audit fee, therefore, the 2022/2023 budget is based on the 2021/2022 figure. An update will be brought to the Joint Committee, including any impact on available funding once the position has been confirmed.

#### 5. **Project Governance**

- 5.1. Based on the responses received, the 6 Full Members Councils will continue to represent the interests of the Clyde Valley Group and develop the strategic direction of the Project, subject to the terms of the Minute of Agreement.
- 5.2. The Joint Committee will continue to comprise Elected Members from each of the 6 Full Member Councils.
- 5.3. Similarly, the Project Steering Group and the Social Care Group will have the same Councils represented.

#### 6. Utilisation of Funds

6.1. The spend of the Project's funds is agreed jointly by the Project Steering Group and the Social Care Group following discussions with the Sub-Group members where appropriate.

- 6.2 The Project Steering Group, Social Care Group and Sub-Groups have continued to meet regularly throughout the last year, not least because of the increase in uptake and development of e-learning in its various forms, the need for collaboration on content and technical problem-solving, and the challenge of ensuring learning, such as Promoting Positive Behaviour, could be delivered in a safe and effective way.
- 6.3. The Joint Committee approved the utilisation of the funding being carried forward, to subsidise the costs to members of the extension to the Learning Management System (LMS) contract.
- 6.4. This area is kept under review, and suggestions for future spend will be considered at the Project Steering Group and Social Care Group meetings. As per previous years, in 2022/2023 the fund available will depend on the final overall income from all levels of membership.
- 6.5. Any unspent element of the funding each year will be transferred to the Balance Sheet for use in future years. This balance will be reviewed annually as part of the review of membership and contributions.

#### 7. Conclusions

- 7.1. There remains a real commitment from the membership of the Clyde Valley Group to sustain the work of the Clyde Valley Learning and Development Project and continue to realise the benefits of participation.
- 7.2. Membership commitments received have exceeded the minimum level of Full Membership previously agreed to be a viable number (5).
- 7.3. The renewed commitment to membership has brought a high level of enthusiasm for participation in each element of the Project's work, including the Steering Group, Social Care Group, e-Learning Group, Promoting Positive Behaviour (PPB) Governance Groups and the Chartered Management Institute (CMI) Management Group.
- 7.4. It is proposed that the current categories and level of membership fees be retained for the next financial year, as the Project is deemed viable based on confirmed income and balances carried forward.

#### 8. Employee Implications

- 8.1. The continued support of the in-kind contributions of officers drawn from the Clyde Valley Member Councils remains crucial to the ongoing success of delivering the Project's objectives.
- 8.2. Of equal importance is to ensure that officers attending and participating in each of the Groups' activities are empowered to make management and strategic decisions on behalf of their respective organisations and that appropriate officers are nominated from each council to fulfil this requirement.

#### 9. Financial Implications

9.1. For the financial year 2022/2023, funding of £78,000 has been confirmed to date, compared to the £61,000 minimum level (including audit fee) previously agreed to maintain the viability of the Project. The figure of £61,000 does not include any expenditure required by the Project and its Sub-Groups and does not include any potential increase in audit fee once the new contracts have been awarded.

- 9.2. Two Councils have still to convey their decision regarding membership for 2022/2023. Should either of these current Members renew their membership for 2022/2023, this income will increase.
- 9.3. There are no guarantees that this level of funding will be maintained year on year. It is, therefore, essential that the Joint Committee agrees an acceptable minimum level of funding before proceeding each year.

#### 10. Climate Change, Sustainability and Environmental Implications

10.1. There are no climate change, sustainability, or environmental implications within this report.

#### 11. Other Implications

11.1. The risk to the Project in future years will be that the minimum number of Full Members or the minimum level of funding cannot be achieved. In such circumstances, it may not be viable to continue with the Project in its current form and structure.

#### 12. Equality Impact Assessment and Consultation Arrangements

- 12.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function, or strategy and, therefore, no impact assessment is required.
- 12.2. Consultation has been undertaken with all existing members of the Project.

#### Gill Bhatti Chair, Clyde Valley Learning and Development Project Steering Group

20 January 2022

#### **Previous References**

- 11 June 20018 Update on the Future and Funding for the Clyde Valley Learning and Development Project for 2018/2019
- 22 February 2021 Membership and Funding for the Clyde Valley Learning and Development Project for 2021/2022
- 13 September 2021 Clyde Valley Learning and Development Project Subsidy to Support the Extended Learning Management System (LMS) Contract

#### List of Background Papers

- Clyde Valley EGF Training Bid
- NBSS Clyde Valley Consortium Submission November 2006
- NBSS Clyde Valley Consortium Secondary Paper December 2006

#### Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Gill Bhatti, Chair, Clyde Valley Learning and Development Project Steering Group Ext: 5604 (Tel: 01698 455604)

E-mail: gill.bhatti@southlanarkshire.gov.uk

#### Membership Contributions 2022/2023

Council	Previous Membership	New Membership	
	Status	Status	Contribution
East Renfrewshire	Full	Full	£5,000
Glasgow City	Full	Full	£10,000
Inverclyde	Full	Full	£5,000
North Lanarkshire	Full	Full	£10,000
Renfrewshire	Full	Full	£7,000
South Lanarkshire	Full	Full	£10,000
Angus	Participating	Participating	£3,000
Clackmannanshire	Participating	Participating	£3,000
Dundee	Participating	Participating	£4,000
East Dunbartonshire	Participating	Participating	£3,000
Falkirk	Participating	Participating	£4,000
Orkney	Participating	Participating	£3,000
Perth and Kinross	Participating	Participating	£4,000
Scottish Borders	Participating	Participating	£3,000
West Dunbartonshire	Participating	Participating	£4,000
Total			£78,000

#### Table 1: Confirmed Contributions as at 20 January 2022

Council	Previous Membership Status	New Membership Status	Potential Contribution
Dumfries and Galloway	Participating	To be confirmed	£4,000
East Lothian Council	Procurement	To be confirmed	£1,250
Total			£5,250

# Clyde Valley Learning and Development Joint Committee

Annual Audit Plan 2021/22





Prepared for Clyde Valley Learning and Development Joint Committee February 2022

# Contents

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# Introduction

#### Summary of planned audit work

**1.** This document summarises the work plan for our 2021/22 external audit of Clyde Valley Learning and Development Joint Committee (the Joint Committee). The main elements of our work include:

- an audit of the annual accounts and provision of an Independent Auditor's Report
- an audit opinion on the other statutory information published within the annual accounts including the Management Commentary, the Governance Statement and, the Remuneration Report
- consideration of the arrangements in relation to the audit dimensions: financial management, financial sustainability, governance and transparency and value for money that frame the wider scope of public sector audit

#### Impact of Covid-19

**2.** The coronavirus (Covid-19) pandemic has had a significant impact on public services and public finances, and the effects will be felt well into the future.

**3.** The Auditor General for Scotland, the Accounts Commission and Audit Scotland continue to assess the risks to public services and finances from Covid-19 across the full range of our audit work, including annual audits and the programme of performance audits. The well-being of audit teams and the delivery of high-quality audits remain paramount. Changes in our approach may be necessary and where this impacts on annual audits, revisions to this Annual Audit Plan may be required.

#### Adding value

**4.** We aim to add value to the Joint Committee through our external audit work by being constructive and forward looking, by identifying areas for improvement and by recommending and encouraging good practice. In so doing, we will help the Joint Committee promote improved standards of governance, better management and decision making and more effective use of resources. Additionally, we attend meetings held by the Joint Committee and actively participate in discussions.

## Respective responsibilities of the auditor, the Joint Committee and Treasurer

**5.** The <u>Code of Audit Practice (2016)</u> sets out in detail the respective responsibilities of the auditor, the Joint Committee and Treasurer. Key responsibilities are summarised below.

#### Auditor responsibilities

6. Our responsibilities as independent auditors are established by the Local Government (Scotland) Act 1973 and the <u>Code of Audit Practice</u> (including <u>supplementary guidance</u>) and guided by the Financial Reporting Council's Ethical Standard.

**7.** Auditors in the public sector give an independent opinion on the financial statements and other information within the annual accounts. We also review and report on the arrangements within the Joint Committee to manage its performance and use of resources. In doing this, we aim to support improvement and accountability.

#### The Joint Committee and Treasurer responsibilities

**8.** The Joint Committee and Treasurer are responsible for maintaining accounting records and preparing annual accounts that give a true and fair view.

**9.** The Joint Committee and Treasurer have the primary responsibility for ensuring the proper financial stewardship of public funds, compliance with relevant legislation and establishing effective arrangements for governance and propriety that enable the Joint Committee to deliver its objectives.

#### Managing the transition to 2022/23 audits

**10.** Audit appointments are usually for five years but were extended to six years due to Covid-19. 2021/22 is the final year of the current appointment and we will work closely with our successors to ensure a well-managed transition.

# Annual accounts audit planning

#### Materiality

**11.** Materiality is an expression of the relative significance of a matter in the context of the annual accounts. We are required to plan our audit to determine with reasonable confidence whether the annual accounts are free from material misstatement. The assessment of what is material is a matter of professional judgement over both the amount and the nature of the misstatement.

#### Materiality levels for the 2021/22 audit

12. The materiality levels for the Joint Committee are set out in exhibit 1.

#### Exhibit 1

#### 2021/22 materiality levels for the Joint Committee

Materiality levels	Amount
<b>Planning materiality</b> – This is the figure we calculate to assess the overall impact of audit adjustments on the annual accounts. It has been set at 2% of gross expenditure based on the latest audited annual accounts for 2020/21.	£1,900
<b>Performance materiality</b> – This acts as a trigger point. If the aggregate of errors identified during the annual accounts audit exceeds performance materiality, this would indicate that further audit procedures should be considered. Using our professional judgement, we have assessed performance materiality at 75% of planning materiality and rounded it down to the nearest hundred.	£1,400
<b>Reporting threshold</b> – We are required to report to those charged with governance on all unadjusted misstatements more than the 'reporting threshold' amount. We consider that an appropriate figure of interest to members would be £100.	£100

#### Source: Audit Scotland

#### Significant risk of material misstatement to the annual accounts

**13.** Our risk assessment draws on our cumulative knowledge of the Joint Committee, its major transaction streams, and risk management processes. Also, it is informed by our discussions with management, attendance at committees and a review of supporting information.

**14.** Based on our risk assessment process, we identified the following significant risk of material misstatement to the annual accounts. This risk has the greatest impact on our planned audit procedures. <u>Exhibit 2</u> summarises the nature of the

risk, the sources of assurance from management arrangements and the further audit procedures we plan to perform to gain assurance over the risk.

#### Exhibit 2

2021/22 significant risk of material misstatement to the annual accounts

override of controlsAs stated in International Standard on Auditing (UK) 240, management is in a unique position to perpetrate fraud because of management's ability to override controls that otherwise appear to be operating effectively.this risk, assurances from management are not applicable in this instanceinv pro other other sig• Te por sig• We the ass act the ass act	ke inquiries of individuals olved in the financial reporting press about inappropriate or usual activity relating to the pressing of journal entries and her adjustments. It journals at the year-end and st-closing entries and focus on nificant risk areas. It will assess any changes to e methods and underlying sumptions used to prepare counting estimates compared the prior year. It bstantive testing of income and penditure transactions around e year-end to confirm they are counted for in the correct ancial year.

#### Source: Audit Scotland

**15.** Based on our assessment of the likelihood and magnitude of risk, we have assessed that there are currently no other risks of material misstatement for the 2021/22 audit of the Joint Committee. We will keep this under review as our audit progresses. If our assessment of risk changes and we consider risks identified to be significant, we will communicate this to management and those charged with governance and revise our planned audit approach accordingly.

## Consideration of the risks of fraud in the recognition of income and expenditure

**16.** As set out in International Standard on Auditing (UK) 240: *The auditor's responsibilities relating to fraud in an audit of financial statement*, there is a presumed risk of fraud over the recognition of income. There is a risk that income may be misstated resulting in a material misstatement in the annual accounts. We have rebutted this risk for the Joint Committee because all funding is received from Local Government member authorities. This income stream is deemed to represent a low fraud risk.

**17.** In line with Practice Note 10: *Audit of financial statements and regularity of public sector bodies in the United Kingdom*, as most public-sector bodies are net spending bodies, the risk of material misstatement due to fraud related to expenditure recognition may in some cases be greater than the risk relating to income recognition. We have rebutted this risk for the Joint Committee because there is no history of fraud in this area, and most of the expenditure relates to a recharge to the administrating authority. This expenditure stream is deemed to represent a low risk of being materially misstated due to fraud.

**18.** We have not, therefore, incorporated specific work into our audit plan in these areas over and above our standard audit procedures. Our audit testing will maintain an oversight of any unusual transactions or accounting entries

#### Audit risk assessment process

**19.** Audit risk assessment is an iterative and dynamic process. Our assessment of risks set out in this plan may change as more information and evidence becomes available during the progress of the audit. Where such changes occur, we will advise management and where relevant, report them to those charged with governance.

# Audit dimensions

#### Introduction

**20.** The <u>Code of Audit Practice</u> sets out the four dimensions that frame the wider scope of public sector audit. These are: financial management, financial sustainability, governance and transparency and value for money.

#### Audit dimensions

**21.** The Code of Audit Practice includes a provision relating to the audit of small audited bodies. In the light of the limited volume and lack of complexity of the financial transactions and its low-risk nature, we plan to apply the small audited body provision of the Code to the 2021/22 audit of the Joint Committee.

**22.** Where the application of the full wider audit scope is judged by auditors not to be appropriate to an audited body then the annual audit work can focus on the appropriateness of the disclosures in the annual governance statement and the financial sustainability of the body and its services. We will report on these areas in our 2021/22 Annual Audit Report.

#### Audit dimension risks

**23.** Our risk assessment has not identified any audit dimension risks for 2021/22.

# Reporting arrangements, timetable, and audit fee

#### **Reporting arrangements**

**24.** Audit reporting is the visible output for the annual audit. All Annual Audit Plans and the outputs, as detailed in <u>exhibit 3</u>, and any other outputs on matters of public interest will be published on our website: <u>www.audit-scotland.gov.uk</u>.

**25.** Matters arising from our audit will be reported on a timely basis and will include agreed action plans. Draft management reports will be issued to the relevant officers to confirm factual accuracy.

**26.** We will provide an Independent Auditor's Report to the Joint Committee and the Accounts Commission setting out our opinions on the annual accounts. We will provide the Joint Committee and Accounts Commission with an annual report on the audit containing observations and recommendations on significant matters which have arisen during the audit.

**27.** Exhibit 3 outlines the target dates for our audit outputs, and we aim to issue the Independent Auditor's Report by the statutory deadline of 31 October 2022. We acknowledge this will be challenging due to the ongoing pressures and uncertainties caused by Covid-19. Due to the May 2022 Local Government elections, the committee dates from June 2022 onwards are yet to be finalised. However, our audit work has been scheduled to ensure the planned statutory deadline is met.

#### Exhibit 3

2021/21 audit outputs

Audit Output	Audit Scotland target date	Joint Committee Date
Annual Audit Plan	31 March 2022	21 February 2022
Independent Auditor's Report	31 October 2022	ТВС
Annual Audit Report	31 October 2022	ТВС

#### Source: Audit Scotland

#### Timetable

**28.** To support an efficient audit, it is critical that the timetable for producing the annual accounts for audit is achieved. We have included a proposed timetable for the audit at <u>exhibit 4</u> that has been discussed with management.

**29.** Covid-19 has had a considerable impact on the conduct and timeliness of the audit. We recognise that it is in the best interests of public accountability to get the reporting of audited accounts back to pre-pandemic timelines. To this end, 2021/22 is a transition year with the reporting deadline brought forward by one month relative to the two prior years. We are identifying ways to work more efficiently to expedite the 2021/22 audits whilst at the same time maintaining high standards of quality.

**30.** We will continue to work in close partnership with management with clarity over timescales and the requirement for high quality unaudited accounts and supporting working papers. Progress will be discussed with management and finance officers over the course of the audit.

#### Exhibit 4

#### Proposed annual accounts timetable

	Provisional Date
Consideration of the unaudited annual accounts by those charged with governance	By 30 June 2022
Latest submission date for the receipt of the unaudited annual accounts with complete working papers package.	By 30 June 2022
Latest date for final clearance meeting with the Treasurer	TBC
Issue of Letter of Representation and proposed Independent Auditor's Report	TBC
Agreement of audited and unsigned annual accounts	TBC
Issue of Annual Audit Report to those charged with governance.	TBC
Signed Independent Auditor's Report	By 31 October 2022

Source: Audit Scotland

#### Audit fee

**31.** The agreed audit fee for the 2021/22 audit of the Joint Committee is £2,020 (2020/21: £1,960). In determining the audit fee, we have taken account of the risk exposure of the Joint Committee, the planned management assurances in place.

**32.** Where our audit cannot proceed as planned through, for example, late receipt of unaudited annual accounts, the absence of adequate supporting working papers, a supplementary fee may be levied. An additional fee may also be required in relation to any work or other significant exercises out with our planned audit activity.

# **Other matters**

#### Independence and objectivity

**33.** Auditors appointed by the Auditor General for Scotland or Accounts Commission must comply with the <u>Code of Audit Practice</u> and relevant supporting guidance. When auditing the annual accounts, auditors must also comply with professional standards issued by the Financial Reporting Council and those of the professional accountancy bodies. These standards impose stringent rules to ensure the independence and objectivity of auditors. Audit Scotland has robust arrangements in place to ensure compliance with these standards including an annual *'fit and proper'* declaration for all members of staff. The arrangements are overseen by the Director of Audit Services, who serves as Audit Scotland's Ethics Partner.

**34.** The engagement lead for Clyde Valley Learning and Development Joint Committee is Andrew Kerr, Senior Audit Manager. Auditing and ethical standards require the appointed auditor to communicate any relationships that may affect the independence and objectivity of audit staff. We are not aware of any such relationships pertaining to the audit of the Joint Committee.

#### **Quality control**

**35.** International Standard on Quality Control (UK) 1 (ISQC1) requires a system of quality control to be established, as part of financial audit procedures, to provide reasonable assurance that professional standards and regulatory and legal requirements are being complied with and that the independent auditor's report or opinion is appropriate in the circumstances.

**36.** The foundation of our quality framework is our Audit Guide, which incorporates the application of professional auditing, quality and ethical standards and the <u>Code of Audit Practice</u> (and supporting guidance) issued by Audit Scotland and approved by the Auditor General for Scotland. To ensure that we achieve the required quality standards, Audit Scotland conducts peer reviews and internal quality reviews. Additionally, the Institute of Chartered Accountants of Scotland (ICAS) have been commissioned to carry out external quality reviews.

**37.** As part of our commitment to quality and continuous improvement, Audit Scotland will periodically seek your views on the quality of our service provision. We welcome feedback at any time, and this may be directed to the engagement lead.

### Clyde Valley Learning and Development Joint Committee Annual Audit Plan 2021/22

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## Report

## 6

Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting: Report by:	21 February 2022 Chair of Clyde Valley Learning and Development Project Steering Group

#### Subject: Clyde Valley Learning and Development Project – Strategic Review of Promoting Positive Behaviour (PPB) Programme

#### 1. Purpose of Report

- 1.1. The purpose of the report is to:-
  - inform the Joint Committee that the first independent evaluation of the Promoting Positive Behaviour (PPB) Programme has been completed

#### 2. Recommendation(s)

- 2.1. The Joint Committee is asked to approve the following recommendation(s):-
  - (1) that it be noted that the Clyde Valley Promoting Positive Behaviour (PPB) Strategic Governance Group has commissioned a full review of the PPB programme;
  - (2) that it be noted that a core group would be established to take forward the review and that this should be undertaken and completed during 2022;
  - (3) that it be noted that all Chief Social Work Officers/Chief Officers from the participating Clyde Valley Councils have been informed about the review, asked to ensure representation from their organisation and invited to contribute their views; and
  - (4) that it be noted that the core review group will provide an update to the PPB Strategic Governance Group at its next meeting on the work of the review to date.

#### 3. Background

- 3.1. The Promoting Positive Behaviour Programme (PPB) has been used across the Clyde Valley Group for over eight years with the first pilot programme running in June 2013.
- 3.2 The programme is now delivered by all eight of the original Full Member Councils (the current six Joint Committee members plus East and West Dunbartonshire Councils), primarily in social care settings, but this has been expanding into Education and Homelessness services.
- 3.3 In 2019, an independent evaluation of the programme concluded that PPB had successfully delivered on its original objectives, was well received by both training and operational staff and was making a positive contribution to delivering services in a safe working environment.

3.4 Several other local authorities have made approaches to the Clyde Valley Group enquiring about adopting the PPB programme. To date, these overtures have not progressed beyond an expression of interest, however, this could change at any time given the positive reputation the programme carries with it.

#### 4 Proposal to Undertake a Strategic Review

- 4.1 The journey to develop the programme started over ten years ago, during which period there have been numerous changes in the social work and social care landscape. Similarly, there have been many developments and revised thinking in research and learning in service provision and support.
- 4.2 In recent years several councils have adopted policies which no longer promote the use of any physical interventions in the field of children's services. The councils are still using PPB but there remains the potential for conflict between the methods being taught on the programme and the policies now being adopted by the councils.
- 4.3 Given the elapsed time and the changes to current policy and research, the PPB Strategic Governance Group has identified that now is a suitable juncture and to undertake a strategic review of the programme.
- 4.4 A review would provide the Strategic Governance Group and all stakeholders with robust evidence of the appropriateness and approach of the programme and ensure that it remains fit for purpose for current and future service delivery models.
- 4.5 The review would consider the changes in social work and social care practice, practice research, national and local enquiries into services, policy papers and national practice drivers such as The Promise and the National Care Review.

#### 5. Proposed Methodology

- 5.1 It is proposed that a core group be established to agree the scope of the review and set a timetable for the work to be completed. Once an outline project plan is agreed it is envisaged that other short life working groups may operate on specific tasks under the supervision of the core group.
- 5.2 Previous work on the development of the Programme was managed by the Clyde Valley Social Care Group, with expert trainers appointed to carry out the research and develop the content. The proposed review, however, will have a wider and more strategic context to consider and will therefore be chaired by a senior level Social Work or Social Care Manager.
- 5.3 It is proposed that the work of the group should take place and conclude in 2022. The proposed milestones for the review are:-
  - March 2022 A chair will be appointed, group members selected and briefed. Terms of reference to be developed and agreed followed by a work plan with timescales and resources allocated
  - May 2022 The scoping work to be completed; analysis well underway; consultation plan will have been developed and be in progress
  - Septembers 2022 Outline proposals to be reported to the Strategic Governance Group
  - October 2022 Changes to the programme agreed with writing and editing groups taking this forward
  - December 2022 The review is finalised and considered by the Strategic Governance Group

- 5.4 Membership will be drawn from the Clyde Valley Councils ensuring there is stakeholder representation from each core service area, Learning Disability, Older People and Child Care. Other partners will have representation and frontline operational managers will be involved. Associated partners and advisory groups will be consulted on an ad hoc basis where appropriate and where external expert input is deemed to be of value.
- 5.5 Areas the review will address include the overall approach of the Programme, the principles of safe practice, positive approaches to care, use of physical intervention, methods of delivery and user/ carer representation. The full terms will be agreed by the core group.

#### 6 Importance of Key Stage Holder Involvement

- 6.1 In recognition of the importance of the involvement of Senior Operational Management in completing this review, the Chair of the PPB Strategic Governance Group wrote to every Chief Social Work Officer/ Chief Officer in the partnership to explain the review, ask to ensure suitable representation and for any comments which will contribute to the work of the review.
- 6.2 The Social Care Group will pursue this matter and liaise with the Chair of the Strategic Governance Group to make a suitable appointment as early as possible to meet the projected timescales for the review.

#### 7 Employee Implications

7.1. Membership of the core group should involve staff members and stakeholders from each of the eight participating Clyde Valley Councils. The continued availability of staff and trainers from each council remains critical to the success of the review and the ongoing delivery of the programme. It is through this commitment that the successful outcomes have been achieved to date and where the long term sustainability of PPB rests.

#### 8. Financial Implications

8.1. None

#### 9. Climate Change, Sustainability and Environmental Implications

9.1. There are no climate change, sustainability, or environmental implications within this report.

#### 10. Other Implications

10.1 No specific risks have been identified beyond maintaining the commitment and application of members of the Group.

#### 11. Equality Impact Assessment and Consultation Arrangements

- 11.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.
- 11.2. Consultation with all participating Councils has been fundamental to agreeing the review process and has been carried out through discussions at the Clyde Valley Social Care Group and the PPB Strategic Governance Group.

#### Gill Bhatti Chair, Clyde Valley Learning and Development Project Steering Group

19 January 2022

#### **Previous References**

- 5 December 2016 Clyde Valley Learning and Development Project Governance of the Promoting Positive Behaviour Programme
- 9 December 2019 Clyde Valley Learning and Development Project –Evaluation of Promoting Positive Behaviour Programme

#### List of Background Papers

• Clyde Valley Learning and Development Joint Committee Minute of Agreement

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Gill Bhatti, Chair, Clyde Valley Learning and Development Project Steering Group Ext: 5604 (Tel: 01698 455604)

E-mail: gill.bhatti@southlanarkshire.gov.uk

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## Report

## 7

Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting:	21 February 2022
Report by:	Chair of Clyde Valley Learning and Development Project Implementation Steering Group

#### Subject: Clyde Valley Learning and Development Project – Risk Assessment and Validation of Promoting Positive Behaviour (PPB) Physical Interventions

#### 1. Purpose of Report

1.1. The purpose of the report is to:-

- update the Joint Committee on the analysis and risk assessment of the existing PPB physical interventions carried out by Robert Gordon University (RGU)
- inform the Joint Committee of the introduction of a new physical intervention to be added to the suite of moves
- inform the Joint Committee of the appraisal of risk associated with this new physical intervention as carried out by RGU

#### 2. Recommendation(s)

- 2.1. The Joint Committee is asked to approve the following recommendation(s):-
  - (1) that it be noted that a thorough and robust quality assurance and risk assessment process has been carried out to ensure that risks associated with PPB physical interventions are mitigated as far as possible;
  - (2) that the outcomes of the analysis undertaken by RGU in relation to the use of PPB physical interventions be noted; and
  - (3) that it be noted that the analysis, feedback and recommendations on risks associated with the new physical intervention will be carried forward and introduced to the core PPB training programme.

#### 3. Background

- 3.1. Although they only constitute one aspect of the PPB programme's content, the physical interventions carry the highest degree of risk. It is therefore essential that this risk is managed on an ongoing basis.
- 3.2. An initial risk assessment of the physical interventions was carried out by Robert Gordon University (RGU) in 2013 before the launch of the programme. It was recognised that this process should be repeated regularly to ensure that both trainers and practitioners continue to address the risks associated with each move.
- 3.3. A second analysis was completed by RGU in June 2018 with the resultant feedback report indicating no new risks to trainers, practitioners or service users.

- 3.4. It was agreed by the Social Care Group that this process should be carried out on a bi-annual basis from now on to maintain the currency of the analysis and quality assurance. This proposal was approved by the PPB Strategic Governance Group.
- 3.5. A third review was scheduled for 2020, however, due to the impact of the Covid pandemic this process was postponed indefinitely. The re-scheduled assessment took place on 18 November 2021.

#### 4. Assessment of a New Physical Intervention

- 4.1. Although the PPB programme has contributed significantly to ensuring safe environments can be maintained in care settings for both practitioners and service users, it is an occupational reality that violent incidents may still occur from time to time.
- 4.2. It is for this reason that the PPB suite of physical interventions are constantly under review to ensure that they are fit for purpose and provide all parties with the tools to manage these challenging situations should they arise.
- 4.3. Following a significant violent incident in a children's house located in one of the Clyde Valley Councils, investigations took place into the circumstances and practices in place at the time. One of these investigations was carried out by the Health and Safety Executive (HSE).
- 4.4. No criticism was apportioned to the content or practice of the PPB programme; however, the specific circumstances of the incident gave rise to a recommendation from the HSE that an additional physical intervention should be developed and introduced into the programme.
- 4.5. The specific recommendation was that a three-person safe hold should be developed. The PPB Strategic Governance Group approved this recommendation and following a period of research, a new intervention was developed by the Principal Trainers Group. The new intervention is known as "Two-person prone safehold with assistance".
- 4.6. As a matter of priority this new intervention was specifically included within the scope of the November 2021 RGU analysis and risk assessment. Feedback from this process will now be included in the training materials for future PPB programmes.

#### 5. Feedback Report from RGU

- 5.1. The aim of this study was to perform biomechanical analysis and risk assessment of certain intervention techniques from the perspective of both the trainer and the individual service user.
- 5.2. Biomechanical data was collected in the Robert Gordon University Human Performance Laboratory, with subsequent analysis carried out by professional staff from the physiotherapy department in the School of Health Sciences and led by one of the department's biomechanical engineers. The team has appropriate expertise in professional assessment of risk together with biomechanics and physiology (relevant to child and adult anatomy).
- 5.3. At the time of writing only a draft report has been produced by RGU, however, analysis has taken place of all foreseeable risks associated with the techniques and feedback provided on the full range of physical interventions in the context of both Adult Care and Child Care.

- 5.4. The analysis concluded that of the 28 physical interventions in scope all but two were categorised as low or moderate risk to trainers and service users. Practice was still being delivered consistently and with good attention to detail as per previous RGU assessments.
- 5.5. Where the risks were categorised as anything other than low, specific advice was provided to mitigate the risks. These instructions will be incorporated into the training materials for further emphasis to practitioners to be able to mitigate any residual risks.

#### 6. Feedback on Two Person Prone Safe Hold with Assistance (Three Person Hold)

- 6.1. The nature of this safe hold carries an element of risk since it is to be used in the context of Child Care. However, the feedback provided from the analysis considers the intervention to be low risk to trainers and practitioners and low to moderate for service users. A detailed description of technique to be applied provides mitigation against the residual risk present.
- 6.2. On the basis of this analysis, a recommendation will be made to the PPB Strategic Governance Group that the Two Person Safe Hold with Assistance be integrated into the suite of physical interventions as a supplementary safe hold.
- 6.3. It should be noted that as a supplementary intervention, Member Councils using the PPB model are not obligated to use this new move. Adoption of this move is therefore discretionary and will be subject to a local governance decision in each Council.

#### 6. Employee Implications

6.1. Feedback from the report will be introduced into the PPB training materials as appropriate along with instruction on the new intervention. All employees attending both core and refresher training will benefit from the professional advice provided by the independent analysis of risk.

#### 7. Financial Implications

7.1. The cost of the external biomechanical assessment and risk assessment was agreed in advance and approved by the Social Care Group at their meeting on 3 November 2021. The charge for the laboratory analysis and feedback report is £1,250.

#### 8. Climate Change, Sustainability and Environmental Implications

8.1. There are no climate change, sustainability, or environmental implications within this report.

#### 9. Other Implications

9.1. The risks associated with the ongoing delivery and application of the PPB programme are mitigated by the quality assurance measures and technical instructions contained within the RGU report.

#### **10. Equality Impact Assessment and Consultation Arrangements**

- 10.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.
- 10.2. All Member Councils who co-own the Programme were consulted on the requirement to undertake a third-party risk assessment to be conducted by RGU, and also approved the introduction of an additional physical intervention.

#### Gill Bhatti Chair, Clyde Valley Learning and Development Project Steering Group

24 January 2022

#### **Previous References**

 10 December 2018 - Clyde Valley Learning and Development Project – Update on Social Care Group Projects

#### List of Background Papers

• Clyde Valley Learning and Development Joint Committee Minute of Agreement

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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