

**Council Offices
South Lanarkshire Council
Almada Street
Hamilton
ML3 0AA**

Thursday, 01 November 2018

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, 04 December 2017
Time: 14:00
Venue: Committee Room 5, Council Offices, Almada Street, Hamilton, ML3 0AA

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

Yours sincerely

Paul Manning
Clerk to the Joint Committee

Members

Council

East Dunbartonshire
East Renfrewshire
Glasgow City
Inverclyde
North Lanarkshire
Renfrewshire
South Lanarkshire
West Dunbartonshire

Member

Councillor Jim Gibbons
Councillor Colm Merrick
Councillor Richard Bell
Councillor Martin Brennan
Councillor Angela Campbell
Councillor Jim Paterson
Councillor Katy Loudon
Councillor Karen Conaghan

Substitute

To be advised
To be advised
Councillor Elaine McSporran
Councillor Natasha Murphy
To be advised
Councillor Lorraine Cameron
Councillor Gladys Miller
Councillor Caroline McAllister

Copies to substitute members for information only

BUSINESS

1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 5 - 10
Minutes of the Clyde Valley Learning and Development Joint Committee held on 28 August 2017 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

- 3 **Position of Vice Convener**
To elect Vice Convener of the Joint Committee

Item(s) for Monitoring

- 4 **Revenue Budget Monitoring 2017/2018 - Clyde Valley Learning and Development Joint Committee** 11 - 14
Report dated 13 November 2017 by the Treasurer to Clyde Valley Learning and Development Joint Committee. (Copy attached)

Item(s) for Decision

- 5 **The Future and Funding for the Clyde Valley Learning and Development Project for 2018/2019** 15 - 22
Report dated 10 November 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group. (Copy attached)
- 6 **Clyde Valley Learning and Development Project – Ownership and Use of the Promoting Positive Behaviour Programme** 23 - 40
Report dated 9 November 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group. (Copy attached)
- 7 **Clyde Valley Learning and Development Project – Evaluation and Validation of Promoting Positive Behaviour Programme** 41 - 44
Report dated 10 November 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group. (Copy attached)
- 8 **Meeting Arrangements - 2018/2019** 45 - 46
Report dated 14 November 2017 by the Clerk to the Clyde Valley Learning and Development Joint Committee. (Copy attached)

Item(s) for Noting

- 9 **Current Trends of e-Learning**
Presentation by Simon Hall, Renfrewshire Council

Urgent Business

- 10 **Urgent Business**
Any other items of business which the Chair decides are urgent.

For further information, please contact:-

Clerk Name: Stuart McLeod

Clerk Telephone: 01698 454 815

Clerk Email: stuart.mcleod@southlanarkshire.gov.uk

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CLYDE VALLEY LEARNING AND DEVELOPMENT JOINT COMMITTEE

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 28 August 2017

Convener:

Councillor Katy Loudon, South Lanarkshire Council (after item 3)

Councillors Present:

East Dunbartonshire Council:	Jim Gibbons
Glasgow City Council:	Richard Bell
Inverclyde Council:	Martin Brennan
North Lanarkshire Council:	Angela Campbell
Renfrewshire Council:	Jim Paterson

Councillors' Apologies:

East Renfrewshire Council:	Colm Merrick
West Dunbartonshire Council:	Karen Conaghan and Caroline McAllister (Substitute)

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

Margaret Quinn, Project Development Officer

Project Implementation Steering Group

Nicole Mulvey, East Dunbartonshire Council
Pauline Cameron, East Renfrewshire Council
Vhairi Todd, Glasgow City Council
Alex Hughes, Inverclyde Council
Pauline McCafferty, North Lanarkshire Council
Simon Hall and Lenore Robson, Renfrewshire Council
Gill Bhatti (Chair), South Lanarkshire Council

Also Attending:

Tony Mackie, Principal Officer, Learning and Development, Glasgow City Council
Councillor Natasha Murphy, Inverclyde Council (Substitute)
Dave Richardson, Senior Audit Manager, Audit Scotland

Welcome and Introductions

S McLeod welcomed members to the Joint Committee and appropriate introductions were made.

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 5 December 2016 were submitted for approval as a correct record.

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

3 Position of Convener

The Joint Committee decided: that Councillor Loudon, South Lanarkshire Council, be confirmed as the Convener of the Joint Committee.

4 Position of Vice Convener

The Joint Committee decided: that consideration of the appointment of Vice Convener of the Joint Committee be continued to the next meeting.

5 Clyde Valley Learning and Development Project - Overview

A report dated 14 August 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group was submitted providing an overview on the development of the Clyde Valley Learning and Development Project.

The Clyde Valley Learning and Development Group (CVLDG) was established informally in 2005 to explore the opportunities for improvement through joint working and shared delivery of learning and development. The Group comprised of the 8 local authorities located in west central Scotland as follows:-

- | | |
|-------------------------------|-------------------------------|
| ◆ East Dunbartonshire Council | ◆ North Lanarkshire Council |
| ◆ East Renfrewshire Council | ◆ Renfrewshire Council |
| ◆ Glasgow City Council | ◆ South Lanarkshire Council |
| ◆ Inverclyde Council | ◆ West Dunbartonshire Council |

In 2007, a formal partnership was established under a Joint Committee structure supported by grant funding from the National Board for Shared Services (NBSS). The lead authority for the Group was South Lanarkshire Council.

Group members developed a set of shared objectives for working together with a business case for change which focused on the design, implementation and delivery of training and other learning and development provision within its member councils. Through a detailed analysis of costs, methods, current practice and shared experience, the Group demonstrated a robust case for change through working more efficiently and in a spirit of partnership to deliver improved learning and development practices.

The key objectives of the Project were detailed in the report.

The Project continued to develop relevant, high quality training to the local government workforce which demonstrated consistency in access and provision, efficiency in development, delivery and assessment and sufficient flexibility to take account of local priorities and preferences.

Details of the shared work that had been carried out by the Project were provided in the report.

In response to questions from Councillor Brennan, the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group advised that the training content devised by the Project related primarily to local government employees although there was some training content that applied to teaching staff. She added that some of the training content was compulsory and some was voluntary.

The Joint Committee decided: that the report be noted.

Councillors Bell and Gibbons entered the meeting during this item of business

6 Clyde Valley Learning and Development Project - Shared Services Roles and Responsibilities

A report dated 14 August 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group was submitted on the roles and responsibilities of the following key stakeholders associated with the Clyde Valley Learning and Development Project:-

- ◆ Joint Committee
- ◆ Clerk to the Joint Committee
- ◆ Treasurer to the Joint Committee
- ◆ Project Implementation Steering Group
- ◆ Project Manager
- ◆ Project staff (secondees)
- ◆ associate member councils

The Joint Committee decided: that the range of stakeholders involved in the delivery of the Clyde Valley Learning and Development Project and their specific roles and responsibilities be noted.

7 Annual Governance Statement 2016/2017

A report dated 14 August 2017 by the Treasurer to the Clyde Valley Learning and Development Project Implementation Steering Group was submitted on the Annual Governance Statement for 2016/2017 which would be included in the Joint Committee's 2016/2017 Annual Accounts.

The Joint Committee's Annual Governance Statement 2016/2017, which was attached as an appendix to the report, provided details of the systems for internal control which were in place to ensure a robust governance structure. For 2016/2017, the Treasurer's opinion was that the systems for internal control were effective and would continue to be reviewed and improved as appropriate in 2017/2018.

The Joint Committee decided: that the Annual Governance Statement, attached as Appendix 1 to the report, which would be included in the Clyde Valley Learning and Development Joint Committee's 2016/2017 Annual Accounts, be approved.

8 Audit Scotland - Clyde Valley Learning and Development Joint Committee 2016/2017 Annual Audit Report (Proposed)

The 2016/2017 Annual Audit Report (proposed) dated August 2017 for the Clyde Valley Learning and Development Joint Committee was submitted by the Joint Committee's External Auditor, Audit Scotland.

The Senior Audit Manager gave a verbal overview of the Annual Report to members for the year ended 31 March 2017 which included the following key messages:-

- ◆ Audit Scotland had provided an unqualified audit opinion on the 2016/2017 annual accounts
- ◆ the administering authority, South Lanarkshire Council, had managed the Joint Committee's running costs within the available budget
- ◆ the Joint Committee had secured contributions of £32,000 towards the running costs for 2017/2018 which would ensure it could operate as a going concern for the next 12 months
- ◆ the effectiveness of the governance arrangements in place was diminished by the non-attendance of representatives from 2 member authorities at Joint Committee meetings during 2016/2017
- ◆ there was a risk that, due to the reduction in the level of training monitored through the Joint Committee, the existing arrangements were no longer providing value for money for member authorities

The Annual Report also incorporated an Action Plan for 2016/2017 which included recommendations in relation to the following:-

- ◆ accumulated funds
- ◆ attendance of members at Joint Committee meetings
- ◆ decrease in activity

Audit Scotland had also provided a letter of representation which would be signed by the Treasurer to the Joint Committee to confirm that she was satisfied with the Joint Committee's system of internal financial control.

The Joint Committee decided: that Audit Scotland's 2016/2017 Annual Audit Report (proposed) for the Clyde Valley Learning and Development Joint Committee be noted.

9 Certified Annual Accounts 2016/2017 and External Auditor's Report to the Joint Committee

A report dated 14 August 2017 by the Treasurer to the Clyde Valley Learning and Development Joint Committee was submitted on the:-

- ◆ Joint Committee's Annual Accounts for 2016/2017 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 2016/2017 for signing by the 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 2016/2017 had received a clean audit certificate with no audit actions identified; and
- (2) that the audited Annual Accounts for 2016/2017, attached as Appendix 1 to the report, be approved for signing by the Treasurer.

10 Revenue Budget Monitoring 2017/2018 - Clyde Valley Learning and Development Joint Committee

A report dated 31 July 2017 by the Treasurer to the Clyde Valley Learning and Development Joint Committee was submitted comparing actual expenditure at 21 July 2017 against budgeted expenditure for the Clyde Valley Learning and Development Joint Committee's revenue budget.

In response to a question from Councillor Gibbons, the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group advised that associate member councils did not pay an annual contribution to the cost of the Project as their level of participation in the Project varied.

The Joint Committee decided: that the breakeven position on the revenue budget, as detailed in Appendix A to the report, be noted.

[Reference: Minutes of 5 December 2016 (Paragraph 3)]

11 Accredited e-Learning - Food Hygiene

A report dated 14 August 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group was submitted on the work which had been undertaken by the Clyde Valley Learning and Development Group and the Royal Environmental Health Institute Scotland (REHIS) in developing the Introductory Joint Award in Food Hygiene.

This work included the development of a syllabus which reflected the nature of the member councils' work and the needs of domiciliary employees. The modules contained within the syllabus would be delivered through e-learning and included the following:-

- ◆ Why Food Hygiene is Important
- ◆ Bacteria
- ◆ Food Poisoning and Contamination
- ◆ Safe Handling and Storage of Food
- ◆ Personal Hygiene
- ◆ Why Cleaning is Important

An on-line knowledge test would be conducted on completion of the course.

Validation of the content of the modules and the delivery method was conducted by suitably competent and qualified persons, from a variety of disciplines, through a review and critical assessment. The Introductory Joint Award in Food Hygiene was formally launched in February 2017 and, to date, 235 employees had completed the course and assessments.

In response to a question from Councillor Brennan, the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group advised that, of the 235 employees who had completed the course, there was a fairly even split between South Lanarkshire and Renfrewshire Council employees. She added that other member councils would begin to utilise the training.

The Joint Committee decided: that the contents of the report be noted.

[Reference: Minutes of 6 June 2016 (Paragraph 7)]

12 Clyde Valley Learning and Development Project - Promoting Positive Behaviour Programme

A report dated 15 August 2017 by the Chair of the Clyde Valley Learning and Development Project Implementation Steering Group was submitted on progress with the Promoting Positive Behaviour (PPB) training programme.

In 2010, the Clyde Valley Social Care Sub-group was tasked by Social Work Directors on the Clyde Valley Health and Care Collaborative Group to explore alternatives to the arrangements for training residential and day care staff in managing challenging behaviour. This resulted in the development of the PPB training programme which had included significant work with the Scottish Qualifications Authority (SQA) and extensive partnership working across the 8 member councils to create shared, jointly owned training materials and allow biomechanical assessments of physical interventions to be undertaken.

A 3 tier governance structure had been developed and was being rolled out in each of the member councils. This structure was central to the PPB training programme being a viable long-term project which was owned, managed, resourced, delivered and quality assured by the member councils.

Continuous Professional Development (CPD) was integral to maintaining the trainers' profile in delivering the programme. The inaugural Clyde Valley wide CPD event was hosted and sponsored by Glasgow City Council's Social Work Services and took place on 13 June 2016 at Glasgow City Halls.

A second event, which had been jointly funded by member councils, had taken place on 12 June 2017. This event had been extremely well received as a valued learning opportunity and as a forum to discuss and demonstrate good practice.

As a learning opportunity that was developed essentially to deal with supporting staff to manage behaviour that challenged, PPB had exceeded expectations. The Homelessness Service in Glasgow City Council had embraced PPB and highlighted the added value it had brought to the Service in terms of developing core social work values within the staff group. A short film had been produced to highlight the positive impact PPB has had on this Service and it was the basis for one of the workshop sessions at the CPD event.

Feedback from the event had been collated and would be used when considering future development priorities.

The Joint Committee decided: that the activities undertaken by members of the Clyde Valley Social Care Sub-group in progressing good practice and governance for the Promoting Positive Behaviour training programme be noted.

[Reference: Minutes of 5 December 2016 (Paragraph 6)]

13 Urgent Business

There were no items of urgent business.

Report

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Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting:	4 December 2017
Report by:	Treasurer to Clyde Valley Learning and Development Joint Committee

Subject:	Revenue Budget Monitoring 2017/2018 - Clyde Valley Learning and Development Joint Committee
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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 2017 to 10 November 2017 for the 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 2017/2018.
- 3.2. The running costs for the Clyde Valley Learning and Development Joint Committee are funded by contributions from the eight member Councils. The level of financial contributions for 2017/2018 were agreed at a meeting of the Clyde Valley Learning and Development Joint Committee on 5 December 2016. This forms the basis for the budget for 2017/2018 and totals £0.032m. In addition, an estimate of training expenditure (£0.035m), and the recharge of this to Councils (£0.035m), gives a total spend and income budget of £0.067m.
- 3.3. The report details the financial position for the Clyde Valley Learning and Development Joint Committee on Appendix A.

4. Employee Implications

4.1. None

5. Financial Implications

5.1. As at 10 November 2017, there is a breakeven position against the phased budget to date.

6. Other Implications

- 6.1. 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.
- 6.2. There are no implications for sustainability in terms of the information contained in this report.

7. Equality Impact Assessment and Consultation Arrangements

- 7.1. 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.
- 7.2. There is also no requirement to undertake any consultation in terms of the information contained in the report.

Jackie Taylor
Treasurer

13 November 2017

Previous References

- ◆ Clyde Valley Learning and Development Joint Committee - 5 December 2016

List of Background Papers

- ◆ Financial ledger and budget monitoring results to 10 November 2017

Contact for Further Information

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

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CLYDE VALLEY LEARNING AND DEVELOPMENT JOINT COMMITTEE

Revenue Budget Monitoring Report

Period Ended 10 November 2017 (No.9)

Budget Category	Annual Budget	Forecast for Year	Annual Forecast Variance	Budget Proportion 10/11/17	Actual 10/11/17	Variance 10/11/17	% Variance 10/11/17	Note
	£000	£000	£000	£000	£000	£000		
Employee Costs	0	0	0	0	0	0	-	n/a
Property Costs	0	0	0	0	0	0	-	n/a
Supplies & Services	0	0	0	0	0	0	-	n/a
Transport & Plant	0	0	0	0	0	0	-	n/a
Administration Costs	64	64	0	42	42	0	-	0.0%
Payments to Other Bodies	3	3	0	0	0	0	-	0.0%
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.	67	67	0	42	42	0	-	0.0%
Total Controllable Inc.	(67)	(67)	0	(46)	(46)	0	-	0.0%
Net Controllable Exp.	0	0	0	(4)	(4)	0	-	0.0%

Report

5

Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting:	4 December 2017
Report by:	Chair of Clyde Valley Learning and Development Project Implementation Steering Group

Subject:	The Future and Funding for the Clyde Valley Learning and Development Project for 2018/2019
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ provide the Joint Committee with a position statement on current benefits delivered by the Clyde Valley Learning and Development Project
- ♦ recommend that steps be taken to seek to continue the work of the Clyde Valley Learning and Development Project, subject to agreeing a sustainable funding model to the mutual satisfaction of all Member Councils

2. Recommendation(s)

2.1. The Joint Committee is asked to approve the following recommendation(s):-

- (1) that the benefits realised by the Clyde Valley Learning and Development Project to date and which continue to be delivered be noted;
- (2) that the Clyde Valley Project Implementation Steering Group be tasked with reviewing options for sustainable funding for the Project;
- (3) that specific consideration be given to the balance of Project work which is split between Corporate initiatives and the Health and Social Care agenda
- (4) that the current level of financial contribution, as detailed in the report, be agreed as a minimum for the next financial year.

3. Background

3.1. The Clyde Valley Learning and Development Project was established as a pilot programme in 2005 to develop a shared approach to Learning and Development across the eight Clyde Valley Councils.

3.2. At the meeting held in 13 December 2010, Joint Committee agreed that members of the Joint Committee and the Project Implementation Steering Group would seek the support of their respective councils to contribute to the future running costs of the Project. This arrangement for annual contributions has continued to date.

3.3. Following discussion by the Clyde Valley Project Implementation Steering Group, it was agreed that a two tier funding model, outlined at the Joint Committee on 14 March 2011, was the most favourable option and one which Member Councils could support.

3.4. Since that time, the Project has continued to be funded through contributions from the Member Councils with the remaining operating costs being underwritten by South

Lanarkshire Council. The current contribution level from Member Councils is as follows:-

♦ Glasgow City Council	£5,000.00
♦ North Lanarkshire Council	£5,000.00
♦ Renfrewshire Council	£5,000.00
♦ South Lanarkshire Council	£5,000.00
♦ East Dunbartonshire Council	£3,000.00
♦ East Renfrewshire Council	£3,000.00
♦ Inverclyde Council	£3,000.00
♦ West Dunbartonshire Council	£3,000.00

4. The Current Position

- 4.1. The Clyde Valley Councils are all under unprecedented pressure on budgets and expenditure and it is in this context that the funding and delivery model is under review.
- 4.2. In simple terms, all parties are considering whether the Clyde Valley Learning and Development Project still provides value for money and appropriate outcomes and benefits when set against the financial contributions made by the Member Councils.
- 4.3. The Clyde Valley Project's model of delivery relies heavily on the contributions of time and effort from officers of the Member Councils to develop and share the various outputs from the programme. Inevitably this does not result in an equal sharing of input, as some Councils are more able to contribute than others towards the general benefit of all.
- 4.4. Similarly, not all councils choose to make use of all the outputs created by the Project, either by strategic need or simply by choice (e.g. procurement contracts).
- 4.5. South Lanarkshire Council as the lead authority for the Project continues to underwrite the real costs of delivery through additional in-kind contributions (as well as direct financial support). These include the following:-
- ♦ Joint Committee administration
 - ♦ finance and accounting
 - ♦ preparation of annual accounts and budgets
 - ♦ preparation for external audit
 - ♦ legal, indemnity and risk advice
 - ♦ procurement
 - ♦ project management
 - ♦ Social Care development
 - ♦ billing and recharging (CMI, Learning Assistant, financial contributions)
 - ♦ Steering and Working Groups
- 4.6. In addition, the project incurs audit costs for the external audit fees of some £1,790.00 per annum.

5. Project Work Areas and Benefits

The ongoing benefits from all aspects of the project can be categorised as follows.

5.1. Brightwave Learning Management System Contract

The procurement of a Learning Management System (LMS) with associated modules (hosting, authoring, 360 degree appraisal, evaluation and management centre reporting), has been a central aspect of the Project for almost nine years. It has been universally regarded as a success and has been used by some 21 Councils (including all eight full Member Councils) plus the Scottish Local Authority (SLA) Improvement Service.

Some of the benefits realised are:-

- ◆ procurement process undertaken by the Clyde Valley Group on behalf of all
- ◆ procurement discount of 35% of base price
- ◆ overall discounted saving per annum of £174,000 for all participants
- ◆ overall discounted saving for Clyde Valley Member Councils of £68,075 per annum
- ◆ average discounted saving per Clyde Valley Member Council of £8,509 per annum
- ◆ access to technical and skills development workshops provided by Brightwave

5.2. Health and Social Care Learning and Development

- ◆ Shared approach to strategic learning and development issues.
- ◆ Clyde Valley Vocational Qualification centre is jointly managed by Glasgow, East Renfrewshire and Renfrewshire Councils and is a provider of relevant vocational qualifications to the Clyde Valley Group
- ◆ Shared development of Social Care e-learning content
- ◆ Shared development and ownership of Promoting Positive Behaviour model
- ◆ Led and developed a national Professional Development Award through the Scottish Qualifications Authority (SQA).

5.3. Development of e-Learning Content and Expertise

The Clyde Valley e-Learning Group have an agreement to share content developed on the Brightwave platform. This allows courses to be shared between councils without incurring additional costs. The Group has developed a community of practice group of 21 Councils which focuses on sharing of knowledge, techniques and skills to develop e-learning and mobile learning content.

Some of the benefits realised are:-

- ◆ shared access to large library (over 500 course titles) of e-learning content
- ◆ value of shared content library (conservatively estimated at £10.00 per course equating to £5,000.00 per council)

5.4. Subscription to Jenison e-Learning Content Library

Many of the Clyde Valley Councils augment their library of self developed online learning content through the purchase of a range of off-the-shelf titles. These are provided at a competitive rate by Jenison. The content is sold at a tariff negotiated by the Clyde Valley Group on behalf of the participating Councils. The Councils involved are East Renfrewshire, Glasgow, Inverclyde, Renfrewshire, South Lanarkshire, Angus, Argyle and Bute, Clackmannanshire, Dundee, Orkney and Scottish Borders.

Some of the benefits realised are:-

- ◆ individual council discounts
- ◆ average saving per 100 titles (based on 6,000 users) per council on list price of £17,529
- ◆ saving on purchase of Microlearn (based on 6,000 users) per council on list price of £15,700

5.5. Promoting Positive Behaviour (PPB)

PPB is the Clyde Valley Group developed model for managing challenging behaviour in the context of adult care services, children's care services, education special needs and homelessness services. The model was developed through input from five of the Clyde Valley Councils and all eight Member Councils benefit from using the programme.

Some of the benefits realised are:-

- ◆ ground breaking development of best practice model
- ◆ shared ownership and rights to all training materials
- ◆ delivered through non chargeable model of peer to peer support and training for trainers
- ◆ governance held entirely by Clyde Valley councils including quality assurance, refresh cycles and shared delivery
- ◆ financial savings gained based on no external third party charges
- ◆ access to the Professional Development Award (PDA) in PPB through the Scottish Qualifications Authority (SQA)
- ◆ estimate of annual cost savings on external provider charges (2010 figures) of £67,842 (backfill charges and lost productivity time)
- ◆ reduced frequency of course delivery requirement, including refresh cycle
- ◆ reduced number of days required for course delivery

5.6. Accredited Front Line Management Training (CMI)

This is a long running development whereby in 2013, a Clyde Valley Chartered Management Institute (CMI) accredited centre was established for the delivery of management and supervisory training. The Centre has continued to maintain this accreditation to the current day and training has been delivered during that period in East Renfrewshire, Renfrewshire, North Lanarkshire, South Lanarkshire, West Dunbartonshire and East Lothian Councils.

Some of the benefits realised are:-

- ◆ single annual centre registration fee of £780.00 (as opposed to each council paying this fee)
- ◆ centralised quality assurance and external verification
- ◆ shared course content materials and delivery
- ◆ Shared practice and standardisation

5.7. Subscription to Learning Assistant

Learning Assistant is an online portfolio system for managing the delivery of vocational qualifications. The model provides paper free portfolio access and is delivered through a licensing charge. This product is used by the following eight Councils: East Renfrewshire, Glasgow, North Lanarkshire, Renfrewshire, South Lanarkshire, Angus, Dundee and South Ayrshire.

Some of the benefits realised are:-

- ◆ centralised contract negotiations by the Clyde Valley Group
- ◆ no charge for uploading qualifications if already delivered by a Clyde Valley council
- ◆ tariff based licence fee providing year on year savings based on economies of scale
- ◆ current Clyde Valley cost per licence of £25.64 (cost was £48.00 when first introduced)

5.8. Elementary Food Hygiene Award (e-learning)

In partnership with Royal Environmental Health Institute Scotland (REHIS), the Clyde Valley Group has developed an innovative new model of delivery for Elementary Food Hygiene training. This is the first partnership award of its kind to be delivered and assessed exclusively by e-learning. The award is available to all Councils. Currently, it has been taken up by Renfrewshire, South Lanarkshire, Angus, Dumfries and Galloway Councils (with plans to launch also in Glasgow, East Dunbartonshire, Dundee, Perth and Kinross). This initiative was driven by the Clyde Valley Social Care Group.

Some of the benefits realised are:-

- ◆ Clyde Valley developed model
- ◆ gained award status over 18 months in partnership with REHIS
- ◆ first ever online award approved by REHIS
- ◆ delivered and assessed online
- ◆ reduced classroom time (minimum of half a day per candidate)
- ◆ reduction of candidate registration fee of £6.00 per candidate
- ◆ to date, 223 award certificates have been issued

5.9. First Aid Training

First Aid training was the first project to be established by the Clyde Valley Group, and is now delivered through the procurement of external provision of accredited First Aid training in standard courses (First Aid, refresh and Emergency First Aid).

Some of the benefits realised are:-

- ◆ centralised procurement managed by the Clyde Valley Group
- ◆ competitive rates based on economies of scale

5.10. Moving and Assisting Training

This initiative was also driven by the Clyde Valley Social Care Group and involved the joint procurement of external provision of Moving and Assisting training (compatible with assessment against the Scottish Manual Handling Passport).

Some of the benefits realised are:-

- ◆ centralised procurement managed by the Clyde Valley Group
- ◆ competitive rates based on economies of scale
- ◆ expert delivery with specialised knowledge in the field

6. Funding for the Project

- 6.1. The recent external audit report carried out by Audit Scotland highlighted the ongoing objective of ensuring the Project continues to offer value for money to the Member Councils and also to the lead authority.
- 6.2. The principle of sharing the benefits and outcomes achieved with other local authorities in Scotland is one that has been embraced by the Clyde Valley Group since the outset. This has primarily been achieved through allowing Associate Membership of the Group. To date, Associate Members have not contributed financially to the Clyde Valley Group.
- 6.3. A recent exercise was carried out through a consultation with the e-Learning Group membership. This Group constitutes the largest number of Associate Members as well as each of the eight Full Member Councils. All members of the e-Learning Group were asked to provide an update of their intentions to exercise the option of extending the contract with Brightwave. At this stage this was only for indicative purposes as the contract extension would not trigger until 1 August 2018. Nonetheless, each council's decision will have a bearing on all Members, as the primary discount available is based on the number of councils purchasing.
- 6.4. In addition, councils were asked if they would consider making a financial contribution to the Clyde Valley Group running costs to be set against the benefits they realise from membership.
- 6.5. To date, replies have been received from 11 councils and from the Improvement Service. Only a very small number (four) have taken the definite decision to take up the extension to the Brightwave contract at this stage. Similarly, no Associate Member Council has positively stated a willingness to contribute financially to the running costs of the Clyde Valley Group.

7. Funding Options for Consideration

- 7.1. In light of the considerations of the benefits realised and previous funding arrangements, the following options should be considered in order to maintain the viability of the Clyde Valley Project:-
 - ◆ maintain the existing funding structure of Member Council contributions with the remaining costs being absorbed by the lead authority (South Lanarkshire Council)
 - ◆ maintain the existing funding structure of Member Council contributions with the remaining costs being absorbed by the lead authority and that each Member Council takes a turn in rotation to lead the Project. This would involve the lead authority taking over all the current roles and responsibilities currently assumed by South Lanarkshire Council
 - ◆ seek to augment the existing contribution level from Member Councils by seeking an annual membership contribution from the Associate Member Councils
 - ◆ increase the annual contribution from Member Councils from the current level (set in 2010) by a previously agreed level
 - ◆ augment the Corporate contribution from Member Councils to reflect the fact that many of the Project areas in place and benefits realised are focused on Health and Social Care Partnerships. Matching the contribution received from Corporate contributions could realise an overall contribution of £64,000
 - ◆ revamp the Clyde Valley Project to be reformed in a reduced structure and with less scope

- ◆ disband the Clyde Valley Project with all the consequential impacts on existing established models and contracts

7.2. It is proposed that the Project Implementation Steering Group is charged with reviewing these options and reporting back to the Joint Committee in June 2018.

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.

9. Financial Implications

9.1. Subject to the recommendation made by Members of the Project Implementation Steering Group, a viable financial model should be put in place to allow for the continued running of the Project and ongoing realisation of benefits.

10. Other Implications

10.1. If funding is not secured the risk is that the Project would not fulfil its objectives and deliver savings.

10.2. There are no implications for sustainability in terms of the information contained in this report.

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 existing policy, function or strategy and therefore no impact assessment is required.

11.2. Consultation has been undertaken with members of the Project Implementation Steering Group who represent the eight Clyde Valley Member Councils all of whom contribute to funding.

Gill Bhatti

Chair

Clyde Valley Learning and Development Project Implementation Steering Group

10 November 2017

Previous References

- ◆ 5 December 2016 - Funding for the Clyde Valley Learning and Development Project for 2017-2018

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 Implementation Steering Group

Ext: 5604 (Tel: 01698 455604)

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

Report

6

Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting:	4 December 2017
Report by:	Chair of Clyde Valley Learning and Development Project Implementation Steering Group

Subject:	Clyde Valley Learning and Development Project – Ownership and Use of the Promoting Positive Behaviour Programme
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval of a Minute of Agreement (MoA) for the Promoting Positive Behaviour (PPB) programme
- ◆ request approval to authorise other councils to use the PPB model under licence from the Promoting Positive Behaviour Governance Group

2. Recommendation(s)

2.1. The Joint Committee is asked to approve the following recommendation(s):-

- (1) that the Promoting Positive Behaviour Minute of Agreement which had been developed to protect and delineate the ownership of the Promoting Positive Behaviour programme by the Clyde Valley Learning and Development Group be approved;
- (2) that the Promoting Positive Behaviour Minute of Agreement be signed off by representatives of the eight Clyde Valley Member Councils; and
- (3) that the letter of licence contained in the Schedule to the Minute of Agreement should be approved to permit other councils to use the PPB model, subject to authorisation by the Promoting Positive Behaviour Governance Group.

3. Background

- 3.1. In 2010 the Clyde Valley Social Care Sub-group was asked by Social Work Directors on the Clyde Valley Health and Care Collaborative Group to explore alternatives to the current arrangements for training staff in managing challenging behaviour.
- 3.2. A substantial and complex project was developed on the basis of this objective to develop a new programme of training to be known as Promoting Positive Behaviour.
- 3.3. Given the significance of this new development, the new training model required a high degree of scrutiny and monitoring. For this reason a three tier governance structure was developed. This comprises of the following:-

- ◆ High level strategic governance
- ◆ Governance of training content and quality assurance of delivery
- ◆ Local governance of programme delivery

3.4. The establishment of this structure is central to the establishment of PPB as a viable long term project which is owned by, managed, resourced, delivered and quality assured by the member councils of the Clyde Valley Learning and Development Group.

3.5. At the meeting of the PPB Governance Group on 5 October 2016, papers were submitted and approved to establish the three tier governance structure.

4. Programme Ownership and Intellectual Property

4.1. The PPB programme was developed through input from five of the Clyde Valley Member Councils. The model was developed for use by all eight Members. One Associate Member Council was also involved in the development of the programme to a lesser degree.

4.2. Prior to the PPB model being developed, training was undertaken by private providers using their own training materials and standards. It is commonplace for training organisations providing training of this kind, to protect their own intellectual property and to establish clearly the ownership of the content.

4.3. Following discussions with South Lanarkshire Council's Legal Services, it has been agreed that the appropriate approach to clearly delineate ownership of the PPB programme is to establish a separate Minute of Agreement which directly relates to the PPB programme.

4.4. The MoA sets out that the programme is jointly and severally owned by the eight Member Councils of the Clyde Valley Learning and Development Group and that the owners have joint responsibility for maintaining and governing all aspects of the programme and its usage.

4.5. By establishing and signing off the MoA, the content of the programme cannot be changed or altered in any way, nor the programme delivered differently by any participating organisation without the prior approval of the PPB Governance Group.

4.6. The MoA is attached to this report as appendix 1.

5. Liability and Risk Management

5.1. Given the nature of the subject matter and the context of service users where this model is applied, a consistent approach is vital to deliver the programme correctly and with the minimum of risk. This consistency will be maintained by formalising the overall governance of the programme both at a strategic and local level, and by managing its quality assurance.

5.2. With any programme of training of this nature, there remains an element of risk and hence potential liability. The inclusion of these responsibilities within the governance structure described in the MoA is designed to mitigate any risks associated with the programme and, therefore, to minimise the likelihood of any liability being raised against the Member Councils.

- 5.3. The ongoing governance of the programme based on the three tier governance model is designed to monitor all aspects of the programme's delivery and the impact of the programme on service delivery.
- 6. Termination**
- 6.1. The MoA makes it explicit that being a party to the agreement is contingent on Councils retaining their membership to the Clyde Valley Learning and Development Group.
- 7. Extending Access to the Programme**
- 7.1. The ongoing success of the PPB programme has brought the model to the attention of many organisations outwith membership of the Clyde Valley Learning and Development Group.
- 7.2. To date, members of the Clyde Valley Social Care Sub-group have been approached by three Associate Member Councils, and one other third party organisation enquiring about the possibility of using the PPB Programme in their respective organisations.
- 7.3. Until the formal ownership of the programme was signed off via the MoA, the agreed response has been to decline these requests. It is clear though that the demand is still present to consider using the programme and reap the documented benefits it brings when compared to similar commercial training models.
- 7.4. At a meeting of the PPB Governance Group on 14 March 2017 it was agreed that subject to the MoA being signed off, the Group should establish a pilot programme with East Ayrshire Council to deliver the programme under licence.
- 7.5. Following discussions with and advice from South Lanarkshire Council's Legal Services, it was agreed that the appropriate vehicle for achieving this was the establishment of a letter of licence authorising its usage for a fixed period.
- 7.6. The terms of the proposed licence agreement state that the agreement must be signed by two members of the PPB Governance Group (one of whom will be the Chair of the Group), and that the licence will be countersigned by the appropriate representative of the third party organisation.
- 7.7. The license agreement will be of a fixed duration and subject to meeting the defined governance arrangements set out by the owners of the programme.
- 7.8. The proposed letter of licence is attached to this report as the schedule to the MoA in Appendix 1.
- 7. Employee Implications**
- 7.1. The establishment of the MoA formally makes a commitment to meet the governance arrangements of the programme. This includes ensuring that, where possible, the Member Councils attend the PPB Governance Group and that a quorum of Members is in attendance for all meetings.
- 7.2. The delivery of the proposed pilot programme for PPB will be delivered through the established capacity building model of peer to peer training. The initial training for the pilot organisation will be provided by agreement through the Clyde Valley Social Care Sub-group. Having provided initial training and supervision for new trainers, the programmes will be delivered and governed locally by the pilot organisation.

8. Financial Implications

- 8.1. There are no immediate financial implications.

9. Other Implications

- 9.1. The primary risks will be mitigated by adhering to the terms of the MoA and the letter of licence respectively.
- 9.2. There are no implications for sustainability in terms of the information contained in this 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 eight Clyde Valley Member Councils were invited to participate in all aspects of the PPB programme, and contribute to play a role in its governance and delivery.

Gill Bhatti

Chair, Clyde Valley Learning and Development Project Implementation Steering Group

9 November 2017

Previous References

- ◆ 5 December 2016 - Clyde Valley Learning and Development Project - Governance of the 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 Implementation Steering Group

Ext: 5604 (Tel: 01698 455604)

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

Appendix 1

Promoting Positive Behaviour Minute of Agreement and Schedule

MINUTE OF AGREEMENT

Relating to:- Promoting Positive Behaviour Model

Between

SOUTH LANARKSHIRE COUNCIL

and

EAST DUNBARTONSHIRE COUNCIL

and

EAST RENFREWSHIRE COUNCIL

and

GLASGOW CITY COUNCIL

and

INVERCLYDE COUNCIL

and

NORTH LANARKSHIRE COUNCIL

and

RENFREWSHIRE COUNCIL

and

WEST DUNBARTONSHIRE COUNCIL

Administration & Legal Services
South Lanarkshire Council
13th Floor, Council Offices
Almada Street
Hamilton
ML3 0AA

Ref: HL/CPPL/15919

MINUTE OF AGREEMENT

Relating to: - Promoting Positive Behaviour

between

SOUTH LANARKSHIRE COUNCIL, Almada Street,
Hamilton, ML3 0AA ("South Lanarkshire")

and

EAST DUNBARTONSHIRE COUNCIL, 12 Strathkelvin
Place, Kirkintilloch, G66 1TJ ("East Dunbartonshire")

and

EAST RENFREWSHIRE COUNCIL, Eastwood Park,
Rouken Glen Road, Giffnock, G46 6UG ("East
Renfrewshire")

and

GLASGOW CITY COUNCIL, City Chambers, George
Square, Glasgow G2 1DU, ("Glasgow City")

and

INVERCLYDE COUNCIL, Municipal Buildings, Clyde
Square, Greenock, PA15 1LY ("Inverclyde")

and

NORTH LANARKSHIRE COUNCIL, Civic Centre,
Windmillhill Street, Motherwell, ML1 1AB ("North
Lanarkshire")

and

RENFREWSHIRE COUNCIL, Renfrewshire House,
Cotton Street, Paisley, PA1 1AN, ("Renfrewshire") and

WEST DUNBARTONSHIRE COUNCIL, Garshake
Road, Dumbarton, G82 3PU ("West Dunbartonshire")

all incorporated under the Local Government etc
(Scotland) Act 1994 and all hereinafter collectively
referred to as the "Local Authorities"

INDEX OF CLAUSES

1. Interpretation
2. Duration of Agreement
3. Termination
4. Governance Group & Sub-Groups
5. Standing Orders and Financial Regulations
6. Intellectual Property
7. Points of Contact
8. Applicable Clauses
9. Resolution of Disputes
10. Effect Date, Counterparts and Delivery
11. Law and Jurisdiction

WHEREAS:

(One) In terms of Section 1 of the Local Authorities (Goods & Services) Act 1970 a Local Authority may enter into an Agreement with respect to the supply of administrative or professional services to any public body;

(Two) The Local Authorities are all public bodies within the meaning of Section 1 of the said Act;

(Three) The Local Authorities have formed the Clyde Valley Learning and Development Joint Committee constituted under Section 57 of the Local Government (Scotland) Act 1973 in terms of Agreement between the Local Authorities dated 7 October 2008 and subsequent dates for the purposes of delivering the Project as defined in the said Agreement; and

(Four) The Local Authorities have agreed to enter into this Minute of Agreement as part of the delivery of the Project and in particular to enable the delivery of the PPB Model (as hereinafter defined).

THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

1. INTERPRETATION

In this Agreement the following expressions shall have the meanings respectively ascribed thereto:

“Agreement” means this Agreement as executed by the Local Authorities;

“Associate Member” means an Associate Member of the CVLD Joint Committee in terms of the Project Agreement;

“CVLD Joint Committee” means the Clyde Valley Learning and Development Joint Committee constituted under Section 57 of the Local Government (Scotland) Act 1973 in accordance with the Minute of Agreement between the Local Authorities dated 7 October 2008 and subsequent dates;

“Governance Group” means the group of officers, which has been established to oversee the scheduling, development, advertising, management and monitoring of the PPB Model.

“Implementation Steering Group of the CVLDG Joint Committee” means the group of officers responsible for managing the day to day activities of the Clyde Valley Learning and Development Project.

“Intellectual Property Rights” means patents, inventions, trademarks, service marks, logos, design rights (whether registerable or otherwise), applications for any of the foregoing, copyright, database rights, domain names, trade or business names, moral rights and other similar rights or obligations whether registrable or not in any country (including but not limited to the United Kingdom) and the right to sue for passing off;

“Lead Authority” means South Lanarkshire

“Member Authority” means any Local Authority which is a Full Member of the CVLD Joint Committee;

“PPB Model” means the model devised and developed by the Local Authorities for the delivery of training in Promoting Positive Behaviour including but not limited to, the theory, context and practical applications of interventions, breakaway and de-escalation techniques;

“Project Agreement” means the Minute of Agreement between the Local Authorities dated 7 October 2008 and subsequent dates establishing the CVLD Joint Committee;

“Service” means the provision of, delivery of, permission to use and, where agreed by the Governance Group levy a charge for the PPB Model to any person or organisation in terms of this Agreement;

“Third Party User” means any person or organisation who has been authorised by the Governance Group to utilise the PPB Model other than the Member Authorities and the Associate Members; and

In this Agreement:-

- (a) References to the singular include the plural and vice versa unless the context otherwise requires;
- (b) Clause headings and sub headings are for reference purposes only and shall not affect the construction of anything in the Agreement. Reference to a clause is a reference to the whole of that clause unless stated otherwise;

(c) Reference to any person shall include natural persons and partnerships, firms and other incorporated bodies and all other legal persons of whatever kind and however constituted and their successors and permitted assignees or transferees and

(d) The words “include”, “includes” and “including” are to be construed as if they were immediately followed by the words “without limitation”

2. DURATION OF THIS AGREEMENT

This Agreement will commence on 1 April 2017 (“the Commencement Date”) notwithstanding the date or dates of signature hereof, and shall continue thereafter until the CVLD Joint Committee agrees that the Agreement shall be terminated.

3. TERMINATION

- 3.1 In the event of any Local Authority ceasing to become a Member of the CVLD Joint Committee that Local Authority shall automatically cease to be a party to this Agreement;
- 3.2 If any Local Authority wishes to withdraw from this Agreement they shall serve written notice of their intention to do so on the Lead Authority by giving not less than six months of their intention to withdraw;
- 3.3 Any assets (whether financial, materials, or equipment) relating to the PPB Model and/or the Service as at the date of termination of this Agreement shall be appropriately distributed among the Local Authorities as decided by the Governance Group.

4. GOVERNANCE GROUP & SUB-GROUPS

- 4.1 The Governance Group shall have as its purpose the regulation of the provision of the Service, but that subject to the terms and provisions of this Agreement;
- 4.2 The Chair of the Governance Group shall be appointed by the Local Authorities prior to 1 April in each year. If the Local Authorities fail to make such an appointment in relation to any year the Chair appointed in the previous year shall continue in office until an alternative appointment is made.
- 4.3 Each Local Authority shall be entitled to nominate up to two representatives to the Governance Group at any time.

- 4.4 Any Associate Member may be invited to send officers to attend meetings of the Governance Group but such officers shall be present as observers only and shall have no voting rights;
- 4.5 Each Local Authority shall be entitled to replace its nominated officer(s) on the Governance Group at any time, and also to send a substitute officer in his/her place, which substitute officer shall enjoy the same rights and privileges as the nominated officer;
- 4.6 The Governance Group may invite any other appropriate persons, representing appropriate professional or other interests, to attend its meetings from time to time. No representatives attending in terms of this sub-clause will be entitled to vote;
- 4.7 The Lead Authority will convene meetings of the Governance Group at not less than six monthly intervals. The Lead Authority shall ensure that the other Local Authorities are given at least fourteen days' notice in writing of any such meeting.
- 4.8 The quorum of the Governance Group shall be not less than one third in number of the Local Authorities. Each Local Authority shall have one vote irrespective of the number of its officers in attendance and decisions will be taken by a majority of those present and voting. In the event of there being no majority vote in relation to any matter the Chair shall have the casting vote.
- 4.9 The Governance Group will be responsible for exercising the following functions:-
- a) Monitoring usage of the Service by Member Authorities, Associate Members and Third Party Users;
 - b) Ensuring that satisfactory arrangements are in place to monitor the standard of the Service;
 - c) Monitoring of incidents and issues;
 - d) Relevancy and currency of course content (adult and child context);
 - e) Quality assurance of content and delivery;
 - f) Management of capacity and demand;
 - g) Agreeing, rejecting or amending any changes which may be proposed to the PPB Model;
 - h) Considering applications from persons other than the Member Authorities and the Associate Members, who wish to use the PPB Model;

- i) Granting Licences to Third Party Users in accordance with the Licence template contained in the Schedule annexed hereto. Any such Licences should be granted by the Chair of the Governance Group and one other member of the Governance Group.
- j) Where necessary, taking or instructing the Lead Authority to take action against or in relation to any Third Party User;
- k) Risk assessment and mitigation;
- l) Setting up such sub-groups as is considered to be appropriate in the interests of the Service and the PPB Model;
- m) Governance arrangements for itself and any sub-groups; and
- n) Any other such matter as appear to the Governance Group to be appropriate in relation to the Service.

5. STANDING ORDERS AND FINANCIAL REGULATIONS

- 5.1 This Agreement shall operate subject to the Standing Orders and Financial Regulations of the Lead Authority insofar as these may be varied from time to time;
- 5.2 In the event of any conflict between this Agreement and the said Standing Orders and Financial Regulations the provisions of the Standing Orders or Financial Regulations as the case may be, shall rule.
- 5.3 Each Local Authority shall contribute in-house resources e.g. trainers, facilities, administration to ensure the delivery of the PPB Model as appropriate. In the event of any issue or dispute as to the level of such contribution from any Local Authority the matter shall be referred to the Governance Group for a determination thereon which determination shall be final.

6. INTELLECTUAL PROPERTY

- 6.1 Intellectual Property in the PPB Model shall be jointly and severally owned by the Local Authorities.
- 6.2 No Local Authority shall be entitled to sell, assign or otherwise dispose of its Intellectual Property rights in the PPB model without the consent of the CVLD Joint Committee.

7. POINTS OF CONTACT

Each Local Authority will provide the Lead Authority with a nominated point of contact from their Authority who will manage the availability of training, facilities, trainers and course participation.

8. APPLICABLE CLAUSES

The following Clauses of the Project Agreement shall apply equally to this Agreement and are deemed to be incorporated herein:-

- a) Clause 12 Termination;
- b) Clause 14 Confidential Information;
- c) Clause 15 Freedom of Information;
- d) Clause 16 Data Protection; and
- e) Clause 19 – Law

9. RESOLUTION OF DISPUTES

Any dispute arising in terms of this Agreement shall be referred by the Governance Group to the Implementation Steering Group of the CVLD Joint Committee for determination.

10. EFFECTIVE DATE, COUNTERPARTS AND DELIVERY

- 10.1 This Agreement may be executed in any number of counterparts, each of which is an original, and all of which taken together, shall constitute one single document.
- 10.2 Each executed counterpart shall be delivered to the Lead Authority by whatever means is most practicable for that Member Authority (including but not limited to electronic means)

and shall be held by the Lead Authority as undelivered until the Lead Authority has received the executed counterparts from all Members. "Delivery" shall be deemed to have taken place once the Lead Authority is in receipt of all executed counterparts, and the Lead Authority shall e-mail each Member confirming the date when Delivery has taken place.

10.3 The Parties hereto agree that this Agreement shall take effect on the Commencement Date (earlier defined in clause 2.1) notwithstanding the date of Delivery under clause 10.2 above.

11. **LAW AND JURISDICTION**

This Agreement shall be construed in accordance with Scots Law and shall be subject to the exclusive jurisdiction of Scottish Courts: IN WITNESS WHEREOF this Agreement consisting of this and the seven preceding pages together with the Schedule in one part annexed are executed in counterpart as follows:-

By South Lanarkshire Council

Council Seal or Witness:-

at (place)

on(date), by

.....**x(signature)**

.....**x(witness)**

.....

.....

Full Name of Authorised Signatory

Full Name of Witness

.....

.....

.....

Designation

Witness Address

THE SCHEDULE

This is the Licence template referred to in the foregoing Minute of Agreement relating to:-

Promoting Positive Behaviour Model among

South Lanarkshire Council, East Dunbartonshire Council, East Renfrewshire Council, Glasgow City Council, Inverclyde Council, North Lanarkshire Council, Renfrewshire Council and West Dunbartonshire Council.

Licence For Clyde Valley Promoting Positive Behaviour (“PPB”)

The Clyde Valley Learning and Development Joint Committee, a joint committee constituted in terms of Section 57 of the Local Government (Scotland) Act 1973 (“the CVLDJC”), hereby grants a non-exclusive licence to **<Name of Organisation>, address>** (“**the Licensee**”) to utilise the CVLDJC Promoting Positive Behaviour programme of training devised and owned by the CVLDJC (“the PPB programme”) but only on the following conditions.

- 1. Duration:** This licence will commence on <Date> and will continue for a period of **<N months/years>** until **<Date>** at which time this licence shall terminate automatically without any requirement for notice to be served.

- 2. No licence fee:** For the avoidance of doubt, no licence fee is due by the Licensee in connection with this Licence.

- 3. Ownership and intellectual property:** All intellectual property rights in and to the PPB including but not limited to training materials, course content and e-learning files are owned by the CVLDJC. Permission to reproduce PPB programme training materials is granted for the sole use of delivering the PPB programme for the Licensee’s statutory functions or its own business purposes only.

4. Prohibition against assignment etc: The Licensee may not dispose, assign, purport to sell, transfer or otherwise share the PPB programme or any part thereof including, but not limited to, any of the documentation or training materials with any other person. Breach of this condition shall entitle the CVLDJC to terminate this license with immediate effect by written notice to the Licensee. Upon receipt of such notice the Licensee shall immediately return all documents, materials and others provided in terms of this licence to the CVLDJC.

5. Programme governance:

- a. The CVLDJC has established the PPB Governance Group from among its members to manage and monitor the PPB programme on its behalf including the grant and management of licences such as this and the Licensee shall liaise with and accept any appropriate instructions from that Group in connection with any matters relating to this license;
- b. The Licensee shall take full responsibility for the governance of the PPB programme for its own purposes;
- c. The Licensee shall establish a local governance group or similar to manage the PPB programme and compliance with the any guidelines to licensees provided by the PPB Governance Group from time to time; and.
- d. Meetings of the Licensee's local governance group shall be minuted, and these in turn submitted to the PPB Governance Group on request by the PPB Governance Group at any time or times. Failure to comply with any such request shall entitle, but not oblige, the CVLDJC to terminate this license with immediate effect by written notice to the Licensee.

6. Training for trainers: The CVLDJC will provide initial training for the Licensee's designated trainers who will be delivering the PPB programme. There will be no charge by the CVLDJC in respect of this training, however any costs or expenses such as accommodation charges or catering incurred in hosting the training will be met by the Licensee unless the CVLDJC agrees otherwise.

7. Liability: The Licensee hereby warrants that it has taken all reasonable and necessary steps to assure itself that the PPB programme is suitable and appropriate for its

purposes and the CVLDJC gives no assurances in this respect. In addition, save as prohibited by law, the CVLDJC shall not be liable to indemnify the Licensee in respect of any liability of any kind whatsoever to any person including, for the avoidance of doubt, the Licensee or any of its employees, other persons acting on its behalf and/or service users.

8. **Quality assurance:** The Licensee shall be responsible for managing the quality assurance of the PBB programme according to the programme governance advice as provided by the PPB Governance Group. This will include managing all aspects of the delivery of the PBB programme such as providing joining instructions, scheduling rosters, venue, equipment, course numbers and training personnel.

9. **Evaluation:** The Licensee shall be responsible for the evaluation of the PBB programme's delivery and subsequent impact on service users, service staff and training staff.

10. **Law of Scotland to apply:** this licence agreement shall be interpreted by and governed according to the laws of Scotland.

11. **Notices etc:** Any notices or other requests served or requiring to be served under this licence by the CVLDJC shall be in writing and signed by the Chair of the PPB Governance Group and one other member thereof. Service on the Licensee shall be made to the Licensee's address as stated in this licence.

12.

This licence is authorised on behalf of the CVLDJC by

Signature: **Chair PPB Governance Group**

<Name (Print)>

<Date>

Signature: **Member PPB Governance Group**

<Named member (Print)>

<Date>

The terms of this licence are accepted by a duly authorised signatory of the License

Signature:

<Name (Print)>

<Position>

<Date of Signing>

Report

Report to:	Clyde Valley Learning and Development Joint Committee
Date of Meeting:	4 December 2017
Report by:	Chair of Clyde Valley Learning and Development Project Implementation Steering Group

Subject:	Clyde Valley Learning and Development Project – Evaluation and Validation of Promoting Positive Behaviour Programme
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ propose that an evaluation exercise be commissioned to measure the impact of the application of the Promoting Positive Behaviour (PPB) model on service delivery
- ♦ propose that a quality assurance and risk assessment analysis of the physical interventions contained within the PPB model be carried out

2. Recommendation(s)

2.1. The Joint Committee is asked to approve the following recommendation(s):-

- (1) that an evaluation exercise be carried out to measure the impact of the application of the Promoting Positive Behaviour (PPB) model on service delivery;
- (2) that the evaluation should be carried out by an external provider with a proven track record of delivery in this field; and
- (3) that Robert Gordon University (RGU) be commissioned to carry out a quality assurance and risk assessment of the physical intervention aspects of the PPB programme.

3. Background

- 3.1. In 2010 the Clyde Valley Social Care Sub-group was asked by Social Work Directors on the Clyde Valley Health and Care Collaborative Group to explore alternatives to the current arrangements for training staff in managing challenging behaviour.
- 3.2. A substantial and complex project was developed on the basis of this objective to develop a new programme of training to be known as Promoting Positive Behaviour.
- 3.3. The Clyde Valley Social Care Sub-group took overall responsibility for developing the PPB model, based on research, experience and innovation. As a completely new development with no track record or case history, there was no opportunity to evaluate the programme until it was delivered live.
- 3.4. The process of developing the content for the physical intervention elements of the training required consideration of the inherent risks associated with this approach. It

was agreed therefore to seek out independent experts to carry out a risk assessment on behalf of the Group.

- 3.5 The risk assessment of the physical interventions was duly carried out by Robert Gordon University in the summer of 2013 before the launch of the programme.
- 3.6 The first PPB pilot programme was run in June 2013 with the first transition programme delivered in November of the same year. Thereafter, the programme has been rolled out across each of the eight Clyde Valley Councils in a mixture of Adult Services and Children and Family Services.
- 3.7 There are currently some 140 trainers (64 Adult Services, 76 Children and Family Services) who have been trained to deliver the PPB programme across the Clyde Valley Councils. To date, 23 train-the-trainer courses have been run with a further 38 refresh courses for trainers.

4. Evaluation of the Programme

- 4.1. The generally accepted evaluation model used in the context of learning and development is the Kirkpatrick four levels model. Each level seeks to measure a different dimension for evaluation. The four levels are:-
 - ◆ immediate reaction
 - ◆ achievement of learning outcomes
 - ◆ impact on practice
 - ◆ service delivery outcomes and benefits
- 4.2. Since the programme's launch, course evaluations have been carried out through post event questionnaires following each course delivered (both for training-for-trainers and for employee training).
- 4.3. Feedback from these evaluations has been universally positive, with over 90% of responses indicating that the course fulfilled learner expectations and met the agreed learning outcomes.
- 4.4. Second level evaluation takes place during the courses when participants' knowledge of the course content (including ability to carry out physical interventions) is assessed by trainers/tutors. Additional learner feedback from course participants has been gathered through the focus group approach at the annual development seminars run by the Clyde Valley Social Care Sub-group. This feedback provides evaluation information at the second level of the Kirkpatrick model.
- 4.5. It is generally accepted that the more challenging aspects of evaluation to carry out are at levels three and four. This is because of the complexity of linking the subject matter being taught to the behavioural impact demonstrated through changes in practice and, thereafter, to the outcomes and benefits achieved for the service.
- 4.6. It is at this level that external expertise would be beneficial.
- 4.7. This approach has been considered and recommended by the PPB Governance Group.

5. Validation of Physical Interventions

- 5.1. The importance of validation of the physical intervention elements of the PPB programme cannot be overstated. As previously described above (paragraphs 3.4

and 3.5), having external validation from an expert perspective was critical to establishing the credibility of the programme at the outset.

- 5.2. The organisation selected was Robert Gordon University (RGU). RGU was chosen following research into the capabilities and experience of a wide range of universities. RGU was selected as it had both a school of physiotherapy and experience of carrying out analysis of biodynamic movement using state of the art technology.
- 5.3. The output from this exercise was a written report containing a risk assessment for every one of the physical interventions contained within the PPB programme. Each intervention was risk assessed from the perspective of both the person carrying out the intervention and for the service user.
- 5.4. The PPB Governance Group is concerned that the quality assurance and validation of the programme is reviewed on a regular cycle in order for the risk assessments to remain current and up-to-date. This is of particular relevance as usage of the programme continues to grow.
- 5.5. RGU has been contacted with the request to repeat this process using the same analysis techniques and producing a similar output risk assessment and report.

6. Employee Implications

- 6.1. The completion of the both the evaluation and the validation exercises provide both trainers and operational staff with a degree of confidence that the application of the PPB model is suitable for use in the delivery of services and that all risks are mitigated as far as possible.
- 6.2. A small group of Principal Trainers drawn from the PPB Trainers' Governance Group will be required to participate in the validation exercise under the auspices of RGU.

7. Financial Implications

- 7.1. The quote provided by RGU to deliver the validation exercise is £1,100.00 which is the same as that charged in 2013.
- 7.2. Quotes will be obtained from suitably qualified providers to deliver the evaluation exercise. It is anticipated that existing residual funds of £6,000.00 held in the Clyde Valley Learning and Development Group account will be sufficient to cover the costs of both the evaluation and the validation exercises.

8. Other Implications

- 8.1. The risks associated with the delivery and application of the PPB programme will be mitigated by the evaluation and validation exercises proposed in this paper.
- 8.2. There are no implications for sustainability in terms of the information contained in this report.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. 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.
- 9.2. All eight Clyde Valley Member Councils were invited to participate in all aspects of the PPB programme and contribute to play a role in its governance and delivery.

Gill Bhatti

Chair, Clyde Valley Learning and Development Project Implementation Steering Group

10 November 2017

Previous References

- ◆ 5 December 2016 - Clyde Valley Learning and Development Project - Governance of the Promoting Positive Behaviour Programme

List of Background Papers

- ◆ None

Contact for Further Information

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

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Report

8

Report to: **Clyde Valley Learning and Development Joint Committee**
 Date of Meeting: **4 December 2017**
 Report by: **Clerk to the Clyde Valley Learning and Development Joint Committee**

Subject: **Meeting Arrangements – 2018/2019**

1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ advise on the meeting arrangements for the Clyde Valley Learning and Development Joint Committee for 2018/2019

2. Recommendation(s)

2.1. The Joint Committee is asked to approve the following recommendation(s):-

- (1) that the arrangements made to hold future meetings of the Joint Committee at 2.00pm on the following dates be agreed:-

- ♦ Monday 11 June 2018
- ♦ Monday 10 September 2018
- ♦ Monday 10 December 2018

3. Background

3.1. At its meeting held on 30 November 2015, the Joint Committee agreed that its meetings should be held 3 times in a financial year.

3.2. It is therefore proposed that arrangements be made to hold 3 meetings of the Joint Committee for the period up to 31 March 2018 as follows:-

- ♦ Monday 11 June 2018 at 2.00pm within South Lanarkshire Council Offices, Almada Street, Hamilton
- ♦ Monday 10 September 2018 at 2.00pm by Conference Call
- ♦ Monday 10 December 2018 at 2.00pm within South Lanarkshire Council Offices, Almada Street, Hamilton

4. Employee Implications

4.1. There are no employee implications.

5. Financial Implications

5.1. There are no financial implications.

6. Other Implications

- 6.1. There are no implications for risk or sustainability in terms of the information contained within this report.

7. Equality Impact Assessment and Consultation Arrangements

- 7.1. 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.
- 7.2. There is also no requirement to undertake any consultation in terms of the information contained in the report.

Paul Manning

Clerk to the Clyde Valley Learning and Development Joint Committee

14 November 2017

Previous References

- ◆ 30 November 2015

List of Background Papers

- ◆ None

Contact for Further Information

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

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