

CORPORATE RESOURCES COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 29 June 2005

Chair:

Councillor Pat Watters

Councillors Present:

David Baillie, Archie Buchanan, Stewart Crawford, Tommy Gilligan, Davy Keirs, Hector Macdonald, Billy McCaig, John McGuinness, Ian McInnes, Denis McKenna, David McLachlan, Mary McNeill, John Ormiston, Patricia Osborne, William Ross (Senior Depute), Graham Scott

Councillors' Apologies:

Pam Clearie, Jim Daisley, Gerry Docherty (Depute), Jim Docherty, Bev Gauld, Liz Handibode, Carol Hughes, Edward McAvoy, Brian McCaig, Michael McCann, Henry Mitchell, Betty Rush, David Shearer, May Smith, Jim Wardhaugh

Attending:

Corporate Resources

G Killin, Head of Personnel Services; S McLeod, Administration Officer; T Stone, District Court/Licensing/Registration Manager; A Wilson, Employee Relations and Involvement Manager

Finance and Information Technology Resources

J Taylor, Assistant Finance Manager (Accounting and Budgeting)

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Corporate Resources Committee held on 4 May 2005 were submitted for approval as a correct record.

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

3 Revenue Budget Monitoring 2005/2006 – Corporate Resources

A joint report dated 1 June 2005 by the Executive Directors (Corporate Resources) and (Finance and Information Technology Resources) was submitted comparing actual expenditure at 20 May 2005 against budgeted expenditure for 2005/2006 for Corporate Resources.

The Committee decided: that the report be noted.

[Reference: Minutes of 9 March 2005 (Paragraph 4)]

4 Capital Budget Monitoring 2005/2006 – Corporate Resources

A joint report dated 31 May 2005 by the Executive Directors (Corporate Resources) and (Finance and Information Technology Resources) was submitted advising of progress on Corporate Resources' capital programme for 2005/2006 and summarising the expenditure position at 20 May 2005.

The Committee decided: that the report be noted.

[Reference: Minutes of 9 March 2005 (Paragraph 5)]

5 Corporate Resources' Workforce Monitoring – April and May 2005

A report dated 7 June 2005 by the Executive Director (Corporate Resources) was submitted on the following employee information for Corporate Resources for the period April and May 2005:-

- ◆ attendance statistics
- ◆ occupational health statistics
- ◆ accident/incident statistics
- ◆ disciplinary hearings, grievances and Dignity at Work cases
- ◆ analysis of leavers

The Committee decided: that the report be noted.

[Reference: Minutes of 4 May 2005 (Paragraph 3)]

6 Council-wide Workforce Monitoring – April and May 2005

A report dated 7 June 2005 by the Executive Director (Corporate Resources) was submitted on the following Council-wide employee information for the period April and May 2005:-

- ◆ attendance statistics
- ◆ occupational health statistics
- ◆ accident/incident statistics
- ◆ disciplinary hearings, grievances and Dignity at Work cases
- ◆ analysis of leavers
- ◆ labour turnover
- ◆ recruitment monitoring

The Committee decided: that the report be noted.

[Reference: Minutes of 4 May 2005 (Paragraph 4)]

7 Mainstreaming Equality Considerations

A report dated 14 June 2005 by the Executive Director (Corporate Resources) was submitted on proposals to effectively mainstream equality considerations into Council activities as required by the Race Relations Amendment Act (2000) and changes to the Disability Discrimination Act 1995.

The Race Relations (Amendment) Act (2000) placed a duty on public bodies to take a pro-active approach to “promote racial equality”. Arrangements detailing how this was to be achieved had to be set out in a Race Equality Scheme to be published by 30 November 2002 and reviewed every 3 years thereafter. The Council’s current Race Equality Scheme had been revised by the Resource representatives on the Corporate Working Group on Equal Opportunities and copies had been made available for inspection in the Members’ library.

It was proposed that the revised Race Equality Scheme for 2005/2008 be issued for public consultation and that a further report be submitted to the Committee on the outcome of the consultation.

The requirement to develop and publish a Race Equality Scheme would gradually be extended to other areas. By December 2006, the Council would have to publish a Disability Equality Scheme. Proposals for the new Commission on Equality and Human Rights included a similar recommendation with regard to gender and the Government was reviewing the current equality legislation in an attempt to draft an umbrella type “equality bill”.

The framework previously used by the Council was to adopt the Commission for Racial Equality (CRE) Standard for Local Government as an action planning framework and it was an adapted form of this which had been used for the corporate and service based action plans for 2005/2008.

The mainstreaming of equalities issues into all policies and strategies was also a requirement of Best Value, as introduced by the Local Government (Scotland) Act 2003, and was one of the themes for the current audit of Scottish Councils. The full audit which would be carried out in 2006 would not just be paper based but would include interviews with service managers to identify whether equalities considerations were in practice “built in” to the planning, delivery and performance measurement of Council services.

A systematic approach was required to ensure that, from policy development and review through to service planning and consultation, each Resource could provide an audit trail evidencing the mainstreaming of equalities issues. The key recommendations from the Corporate Working Group on Equal Opportunities on how Executive Directors could provide an audit trail were detailed. In view of the level of risk to the Council of non-compliance in this area, it was further recommended that a system of auditing compliance be introduced.

The Committee decided:

- (1) that equality considerations be mainstreamed into Council activities as required by the Race Relations Amendment Act (2000) and changes to the Disability Discrimination Act 1995; and
- (2) that the draft revised Race Equality Scheme for 2005/2008 be issued for consultation with a report on the outcome of the consultations being submitted to a future meeting of the Committee.

[Reference: Minutes of 13 November 2002 (Paragraph 5)]

8 Scotland’s Health at Work Silver Award

A report dated 8 June 2005 by the Executive Director (Corporate Resources) was submitted on the intention to progress the Scotland’s Health at Work (SHAW) programme and work towards achieving the Silver Award on a Council-wide basis.

Following the overall award of the SHAW Bronze Award in 2001, which had been preceded by the Silver Award in 1998 for the Almada Street Complex and in 1999 for David Walker House (residential establishment), it had been decided that the Council should aim for an overall Silver Award.

In order to gain the Silver Award the Council would require to:-

- ◆ implement a stated policy on the following:-
 - ◆ alcohol and/or drugs misuse in the workplace which included education on sensible drinking and counselling support
 - ◆ the provision of healthy food choices/facilities in the workplace where relevant
 - ◆ the promotion of physical activity
- ◆ take formal action to assess employee health needs. This would involve a questionnaire being issued to assess and audit employee health needs and gathering information to formulate an action plan
- ◆ provide all employees with an opportunity to have a health check that included a review of lifestyle behaviour and the provision of personal health advice. This would be implemented over a 3 year period

It was proposed that the current set up for SHAW be continued, with the development of an action plan approved through the Personnel Managers group which would also be responsible for monitoring progress and co-ordinating any activities or initiatives required as part of the programme.

The Committee decided: that a programme be developed and implemented to allow the Council to work towards achieving the SHAW Silver Award.

[Reference: Minutes of 12 December 2001 (Paragraph 7)]

9 Summary Justice – Review of Courts Service

A report dated 15 June 2005 by the Executive Director (Corporate Resources) was submitted on the review of the Courts Service and Lay Justice System.

Following the review of the District Courts System in Scotland carried out by Sheriff Principal McInnes, the Scottish Executive had made the following recommendations:-

- ◆ Lay Justices to be retained, but to be appointed initially for a fixed term of 5 years, which could be renewed up until the age of 70 years
- ◆ The Justice of the Peace Advisory Committee to be replaced with a new Justice of the Peace Advisory Committee for each Sheriffdom, which would be chaired by a Sheriff Principal and would include representatives from active Lay Justices in the wider community
- ◆ Signing Justices to be retained and to carry out limited duties compared to Full Justices

The Report canvassed the possibility of local authorities nominating a higher proportion of councillors to be 'Signing Justices' and it was proposed that this should be supported in principle.

The Scottish Courts Administration Service would be unified across Scotland on a Sheriffdom by Sheriffdom basis. No indication of timescales for this was given but it was anticipated that the process would be completed by 2008.

All fines would be collected by the Scottish Courts Service and there would be an increased use of fixed penalties. There were various other proposals whereby:-

- ◆ Fiscal Fines would be increased to £500
- ◆ Fiscal Compensation Orders would be increased to £5,000
- ◆ Sheriffs sitting Summarily (ie without a jury) would be able to sentence up to one year
- ◆ Sheriffs would be able to impose a maximum fine of £10,000

There would be employee implications when the District Courts System was transferred to the Scottish Courts Service. It was proposed that the Executive Director (Corporate Resources) be authorised to enter into negotiations with the Trade Unions to agree a process to ensure that those employees who were able and willing to transfer to the Scottish Courts Service did so and that those employees who wished to remain with South Lanarkshire Council were found alternative posts.

With regard to the financial implications of the transfer, fine income, budgeted at £0.192million per annum, would be transferred to the Scottish Courts Service. Additionally, the grant aid received for the District Courts of £0.649m would no longer be received. Negotiations would be necessary with the Scottish Executive as to the exact amount of withdrawal of Grant Aided Expenditure.

The Committee decided:

- (1) that the recommendations arising from the review of the Courts Service and Lay Justice System and the associated implications be noted; and
- (2) that the Executive Director (Corporate Resources) be authorised to enter into negotiations, at the appropriate time, with the Scottish Courts Service and the Trade Unions and employees, where appropriate, for the implementation of the Government's Summary Justice Reform proposals, including the transfer of the District Courts to the Scottish Courts Service.

10 Civil Partnerships (Scotland) Act 2004

A report dated 15 June 2005 by the Executive Director (Corporate Resources) was submitted advising that, under the terms of the Civil Partnerships (Scotland) Act 2004, individuals of the same sex would be able to enter into legally binding partnership agreements from 5 December 2005.

Prior to this Act, a number of local authorities carried out "Commitment Ceremonies" where individuals of the same sex demonstrated commitment to each other but those ceremonies did not have any legal standing.

The Civil Partnership legislation required local authorities to make arrangements for Civil Partnership Agreement ceremonies which would involve "The Civil Partnership Book" being signed in the presence of a Registrar and 2 witnesses. Such ceremonies would contain readings, music and words of commitment. Although similar in style to a marriage ceremony, the words read by the Registrar would be amended to suit a Civil Partnership.

The Civil Partnership would carry the status of a legally binding partnership. Any party wishing to leave the partnership would require to apply to the Courts for dissolution of the partnership. To enter into a Civil Partnership the parties would require to meet the following criteria:-

- ♦ be over 16 years of age
- ♦ be not already married or (after the legislation was in force) in a Civil Partnership
- ♦ be not related in a forbidden degree, eg brothers or sisters, etc

The Committee decided:

- (1) that the introduction of the Civil Partnerships (Scotland) Act 2004 be noted; and
- (2) that Civil Partnership Agreement ceremonies be carried out in terms of the Act.

11 Civic Government (Scotland) Act 1982 - Licensing of Private Hire Cars - Status of Stretched Limousines etc

A report dated 27 May 2005 by the Executive Director (Corporate Resources) was submitted on:-

- ♦ the legal requirements, in terms of the Civic Government (Scotland) Act 1982, placed on operators and drivers of “stretched limousines” and other vehicles similarly converted or adapted for use as a private hire car within the meaning of that Act
- ♦ the introduction of an administrative system for the licensing of converted or adapted vehicles and the drivers of those vehicles

The Committee decided:

- (1) that the operator of any converted or adapted vehicle, notably “stretched limousines”, operating as a private hire car within the meaning of the 1982 Act, be required to apply for a Private Hire Car Licence;
- (2) that all those driving such vehicles be required to apply for a Private Hire Car Driver’s Licence in terms of the 1982 Act;
- (3) that the Executive Director (Corporate Resources) be authorised to proceed with the introduction of a licensing administrative system for the purposes detailed at 1 and 2 above, similar to the existing system in place for the licensing of ordinary private hire cars and private hire car drivers, but suitably adjusted to accommodate converted or adapted vehicles and the drivers of those vehicles;
- (4) that authority be delegated to the Executive Director (Corporate Resources), in consultation with the Chair/Depute Chair of the Licensing Committee, to draw up and introduce special licensing conditions and criteria appropriate for “stretched limousines”; and
- (5) that, on a date to be determined by the Executive Director (Corporate Resources), in consultation with the Chair/Depute Chair of the Licensing Committee, all those operating or driving or those wishing to operate or drive converted or adapted vehicles as private hire cars in terms of the 1982 Act within the South Lanarkshire area be required to hold a licence or become liable on default to those sanctions prescribed by the 1982 Act.

12 Appeals Panel

The minutes of the meetings of the Appeals Panel held on 28 April and 24 May 2005 were submitted for approval as a correct record.

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

13 Recruitment Panel

The minutes of the meeting of the Recruitment Panel held on 31 May 2005 were submitted for approval as a correct record.

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

14 Employee Recognition Awards

A report dated 9 June 2005 by the Executive Director (Corporate Resources) was submitted on the Employee Recognition Awards for 2005.

The Council's Employee Recognition Scheme aimed to recognise excellent customer service and job performance and to reflect the Council's core competencies. In addition, Provost's Awards were given to employees or groups of employees who had received national recognition or awards over the previous 12 months.

The Scheme culminated with the annual awards ceremony which had been held on 31 May 2005. The winners of the awards were as follows:-

Provost's Awards:

Linda Murray (Community Resources)
James Jack (Community Resources)
Liz Logan (Enterprise Resources)
David Todd (Enterprise Resources)

Excellence in Customer Service – Individual Award:

Irene Galloway (Community Resources)

Excellence in Customer Service – Team Award:

Thomas Devaney (Community Resources) and
Iain Stevenson (Community Resources)

Chief Executive's Award for Innovation: (Joint Winners)

Dementia SVQ Training Programme (Social Work Resources) and
GIS Mapping Application (Finance and Information Technology Resources)

Young Achiever's Skillseeker Award:

Debbie Dwyer (Strathclyde Fire and Rescue)

Young Achiever's Apprentice Award:

Alan Rigg (Housing and Technical Resources)

Personal Development Award:

Mary Canning (Community Resources)

Safe Driver:

Janine McCullough (Community Resources)

Excellence in Promoting Equality of Opportunity Award: (jointly sponsored by the Council and Unison)

Four Eyes Project (Community, Education and Social Work Resources)

The Committee decided: that the report be noted.

15 Civic Government (Scotland) Act 1982 - Review

A report dated 27 May 2005 by the Executive Director (Corporate Resources) was submitted on key issues arising from the review of the Civic Government (Scotland) Act 1982, their possible impact on the Council and the financial implications.

The review proposed a number of amendments to the Act but did not include a timetable for implementation.

The Committee decided: that the report be noted.

16 Civic Government (Scotland) Act 1982 - Marches and Parades

A report dated 27 May 2005 by the Executive Director (Corporate Resources) was submitted on proposed changes to procedures relating to marches and parades arising from recommendations contained in the report commissioned by the Scottish Executive to consider the position with regard to marches and parades. The report by Sir John Orr made a number of recommendations regarding changes to existing procedures and the key ones were highlighted.

The Scottish Executive was looking at ways of introducing the recommendations which would not require amending the legislation.

The Committee decided: that the report be noted.

17 Urgent Business

There were no items of urgent business.
