



**MINUTES OF THE MEETING OF THE  
POLCY AND PERFORMANCE REVIEW COMMITTEE**

**MONDAY 3 OCTOBER 2016  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Councillor D Berry (Convener)  
Councillor J Goodfellow  
Councillor P MacKenzie  
Councillor F McAllister  
Councillor P McLennan

**Other Councillors Present:**

Councillor J McMillan (item 1)

**Council Officials Present:**

Mr D Small, Director of Health and Social Care Partnership  
Ms M Patterson Depute Chief Executive (Partnerships and Community Services)  
Mr T Shearer, Head of Communities and Partnerships  
Mr R Montgomery, Head of Infrastructure  
Mr D Proudfoot, Head of Development  
Mr P Vestri, Service Manager - Corporate Policy and Improvement  
Mrs K MacNeill, Service Manager - Licensing, Administration and Democratic Services  
Mr G Gray, NHS Assistant Programme Manager  
Mr G Stewart, Policy Officer  
Mr G Gunn, Feedback Officer

**Clerk:**

Ms A Smith

**Apologies:**

Councillor J Gillies  
Councillor K McLeod  
Councillor J Williamson

**Declarations of Interest:**

None

## **1. MINUTES FOR APPROVAL – PPRC, 21 JUNE 2016**

The minutes of the meeting of the Policy and Performance Review Committee of 21 June 2016 were approved.

## **2. DRAFT COUNCIL ANNUAL PERFORMANCE REPORT 2015/16**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) providing the Committee with the draft Council Annual Performance Report for 2015/16.

Paolo Vestri, Service Manager - Corporate Policy and Improvement, presented the report informing Members that the Annual Performance Report summarised the Council's performance in respect of commitments in the Council Plan and the Single Outcome Agreement. He took Members through the draft Performance Report, drawing attention to a number of aspects of performance across several service areas. The draft Council Annual Performance Report would go to Council on 25 October.

Councillor McLennan raised the issue of job density, requesting an update and querying why this was not an indicator. Mr Vestri advised that this was not a statutory performance indicator. He indicated that the Council's Economic Development Strategy was reported to the Sustainable Economy Partnership (SEP). Douglas Proudfoot, Head of Development, added that through the Strategy there was an indicator reported to the SEP regarding job density, it was not entirely within the Council's control but could if desired be looked at further. Councillor McMillan, Cabinet Spokesperson for Economic Development, echoed those comments, adding that there was nothing to prevent this also being reported to this Committee. In relation to further questions from Councillor McLennan about a mid-year review of the 10-year Strategy, Councillor McMillan advised that this was being done with the Improvement Service. Following further discussion, Members agreed that job density information should be added to quarterly and annual performance reports.

Tom Shearer, Head of Communities and Partnerships, responded to questions regarding the rent charged by the Council, among the lowest in Scotland. He indicated that the issue of reviewing rent levels in relation to property size would be looked at but did involve a degree of work and time to consult with tenants.

Following questions from Councillor MacKenzie, David Small, Director of Health and Social Care Partnership, gave details of progress in relation to integrated care for the elderly.

In response to further questions from Councillor MacKenzie regarding the Early Years figures, specifically the Priority 2s and the comparison with other councils, Mr Vestri indicated the Education Service would be asked to respond.

In response to questions from the Convener regarding attendances at swimming pools, specifically the numbers in relation to free to schools use and free access to children over the summer period, Mr Vestri stated that a response would be sought and provided.

Councillor McAllister questioned the sickness absence figures, asking if this was due to understaffing. Mr Vestri indicated there were many factors involved; the latest quarterly figures showed an improvement. In response to further questions from the Convener regarding the proportion of long term absences, Mr Vestri indicated this would be checked and the information requested provided.

Councillor Goodfellow referred to the percentage of looked after children, querying when and how the targets were reviewed. Mr Vestri replied that a review was planned soon and this would be brought back to a future Committee.

In relation to the number of vehicles accessing recycling centres and whether capacity was an issue, Ray Montgomery, Head of Infrastructure, advised that there was sufficient capacity. He referred to the 4 recycling centres individually and highlighted the differences between the centres.

The Convener queried the percentage of pupils making progress in reading; Mr Vestri indicated the Education Service would again be asked to respond directly.

Regarding questions on roads maintenance figures, Mr Montgomery remarked that both the revenue and capital budgets had been held at a particular level.

In response to questions regarding the percentage of employees from black or minority ethnic groups, Mr Vestri stated this was a measure councils were asked to report on by the Scottish Government, adding that recruitment and selection processes were monitored to ensure non-discrimination. Councillor McLennan stressed the need to be proactive not just reactive. Mr Shearer referred Members to an annual report to the JCC which detailed the information by employee groups.

Councillor MacKenzie commented on the improvement in school attainment figures but noted there was still improvement required. In relation to Growing our Economy, specifically the weaknesses identified, he referred to limited availability of land for economic development. Regarding the City Region Deal he expressed concern that the focus seemed to be on the western fringe of land and that the main hinterland of East Lothian may be ignored. He also made reference to the importance of dealing with the development of the Cockenzie Power Station site, the former St Joseph's site and Blindwells appropriately.

Councillor McLennan stressed the importance of information being relayed to all elected members. He also referred, in relation to the budget process, of the need for guidance from officers prior to commencement of that process.

Mr Proudfoot referred to the City Region Deal report to the June Council, stating that updates would be brought to future Council meetings. He stressed that it was difficult to go into the level of detail in a public forum but he would be happy to discuss issues raised outwith the meeting. He added that there was a meeting of the Cockenzie (cross party) Working Group in the next fortnight and a further meeting scheduled for February 2017. Mr Montgomery, in relation to the Cockenzie site, clarified that two work streams were ongoing; he referred to the decision taken at the August Council meeting, in private session, reassuring Members that progress as per the agreed actions was ongoing. Mr Proudfoot added that there were many other work streams ongoing, all of a significant scale; the pace of some of these areas was swift but officers would work with Members as required.

### **Decision**

The Committee agreed to approve the draft Council Annual Performance Report 2015/16, noting that the final draft of the report would be considered by Council in October.

### **3. PERFORMANCE REPORT, Q1 2016/17**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) regarding the performance of Council services during Q1 2016/17.

Mr Vestri presented the report. He took Members through the report information, highlighting several indicators in relation to delayed discharges, contact centre, homelessness case-loads, benefit claimants, rent arrears, trading standards and East Lothian Works, drawing attention to the explanations provided for these performance figures.

In response to questions from Councillor MacKenzie about East Lothian Works programmes, Mr Vestri clarified that people were helped into employment wherever the job opportunities were located, within or outwith the county.

Responding to queries about rent arrears, Mr Shearer indicated that the target was a challenge but considerable effort was being focused on this area; measures were in place and some success was being seen. Revenues Officers visited tenants, along with Housing Support Officers, providing payment options, information, guidance and signposting other organisations that could also assist if required. The roll out of Universal Credit has had consequences but the Council was performing favourably against its comparators. Councillor MacKenzie stressed that debt was corrosive of mental health and asked if the Council was taking this issue seriously in pastoral care terms. Mr Shearer confirmed it was, reiterating the support provided to tenants.

Councillor McLennan queried the increase in the Trading Standards figures. Mr Proudfoot indicated this was primarily due to absences in a small team and the situation was being kept under review. The increase in the number of complaints was also queried; Mr Proudfoot indicated he would have this checked and responded to.

Mr Shearer confirmed, in response to questions from Councillor Goodfellow regarding the rent arrears figures, that if the same reduction achieved last quarter was met next quarter, the target would be reached. In response to questions about street lighting, Mr Vestri said he would ensure a response was provided.

The Convener expressed concern about delays in collection of special uplifts; Mr Montgomery replied that a good service was provided at recycling centres; special uplifts had a limited resource available.

Councillor MacKenzie, referring to council house rent arrears, reiterated that debt was a serious and corrosive issue. He noted that officers visited tenants at home but felt the Council should be looking at further ways of helping people clear debt.

Councillor Goodfellow supported those comments. He congratulated the rent income team, their collection figures went against the national trend. He welcomed the decrease in the number of days taken to issue building warrants and he praised the excellent recycling centre statistics, asking that thanks be passed to staff.

The Convener referred to the increase in homelessness case-load figures, expressing concern about the lack of affordable housing provision. He commended officers in this service area for the assistance they gave to people in this situation.

## **Decision**

The Committee agreed to use the information provided in the report to consider whether any aspect of the Council's performance was in need of improvement or further investigation.

## **4. SOCIAL WORK COMPLAINTS AND FEEDBACK ANNUAL REPORT 2015/16**

A report was submitted by the Depute Chief Executive (Resources and People Services) on the use of the Council's Social Work Complaints Procedure during 2015/16.

Kirstie MacNeill, Service Manager - Licensing, Administration and Democratic Services, presented the report. She informed Members that 23 stage 1 complaints had been recorded for 2015/16, in line with the previous year and 46 stage 2 complaints recorded, a 19% decrease from the previous year. She gave details of the stage 2 complaints that had been upheld, partially upheld and not upheld. She added that 98 compliments had been received; extracts of these were attached to the report. She advised that 3 complaints had progressed to a Social Work Complaints Review Committee. Mrs MacNeill also outlined changes to the complaint handling process proposed by the Scottish Public Services Ombudsman (SPSO).

In response to the Convener's questions about receiving, if possible, more of a perspective over an extended period, Mrs MacNeill advised that social work complaints tended to be unique but this would be looked at to see what could be brought forward in future.

Councillor McAllister asked if any of the improvements could be attributed to the integration of social work and health services. Mr Small indicated it was difficult to say; this report related to 2015/16, the Integration Joint Board (IJB) was then in the throes of being implemented and operationally both organisations were just starting to work together. He hoped that improved communications between the NHS and the Council would prove to be of further benefit to clients.

The Convener, referring to the above, asked if a further report could be brought forward in due course; Mr Small confirmed this would be done.

Members commented favourably on this excellent report; requesting that thanks be passed on to social work staff.

### **Decision**

The Committee agreed to note the report.

## **5. CUSTOMER COMPLAINTS AND FEEDBACK ANNUAL REPORT 2015/16**

A report was submitted by the Depute Chief Executive (Resources and People Services) on the use of the Council's Customer Complaints Procedure during 2015/16.

Mrs MacNeill presented the report indicating that the Council had received 940 complaints during 2015/16, 630 stage 1 and 310 stage 2; this was a significant decrease from 2014/15. She drew attention to the appendices attached to the report detailing information by quarter, outcome and response times. She highlighted the service areas with the highest number of complaints over the year. She also drew attention to service areas where there had been a drop in the number of complaints. Mrs MacNeill reported that the SPSO proposed introducing a Learning and Improvement Unit to provide support and assistance to local authorities and had asked the Council to sign the Learning and Improvement Statement; she referred to the second part of the report recommendation advising that it may be more suitable if the words *where appropriate* were inserted after *complied with*.

In response to Councillor Goodfellow's question, Mrs MacNeill clarified that the information on pages 92 and 93 detailed the statistics and analysis of complaints that had gone to the SPSO, paragraph 3.5.7 of the report referred. She confirmed that these complaints had gone through the Council's complaints process prior to going to the SPSO.

Councillor MacKenzie queried the low number of complaints on education to the SPSO. Gary Gunn, Customer Feedback Officer, advised that how this service recorded their complaints was being reviewed. Councillor MacKenzie also asked about premature

complaints to the SPSO; Mrs MacNeill clarified that if a complainer went straight to the SPSO the complaint would be rejected and the complainer directed to the local authority.

Responding to further questions about the Education Service's complaints processes from Councillor McAllister, Mr Gunn clarified that this service used to have its own complaints system but had been included into the corporate process a few years ago.

The Convener queried the number of housing complaints to the SPSO, noting that this was the highest subject group in 2015/16 and the previous year. Mr Gunn advised that housing did not fall within the remit of all local authorities; housing associations had this responsibility in some areas which affected the figures. The Convener acknowledged this but queried the relatively low housing stock in the county against the high number of complaints. Mr Gunn clarified that none of the complaints to the SPSO had been upheld or partially upheld.

The Convener, referring to the second recommendation asked Members if this should be remitted to Cabinet for a decision; this was agreed.

## **Decision**

The Committee agreed:

- i to note the report; and
- ii to refer authorisation of the SPSO's Learning and Improvement Statement to Cabinet.

## **6. DELAYED DISCHARGES**

A report was submitted by the Director of the Health and Social Care Partnership updating Committee on Delayed Discharge performance.

Mr Small introduced Gordon Gray from NHS Lothian. Mr Small presented the report, outlining the IJB's strategic objective as regards delayed discharge performance, shared by the Council and NHS Lothian. He drew attention to the key aspects of the report. He referred to the worsening trend, stating this was due to several factors which he outlined. The report summarised the situation to date; access to care homes and access to care at home were the main issues. Work was ongoing with Tranent Nursing Home to get new residents into the home and spare capacity, either NHS or Council, was being looked at.

Councillor McLennan raised several questions. In relation to a geographical breakdown, Mr Gray stated that the problem was widespread across the county. The main issue was getting people home from hospital and arranging care packages. Recruitment was an issue throughout Scotland; he outlined other contributing factors. He gave details of costs for both private and local authority home placements per week. Mr Small added that there was a national care home contract rate, personal and nursing care was free but people were assessed financially against the rest of the care required. Responding to further questions about nursing home provision, Mr Small advised that the Older People's Strategy would be revisited as part of the IJB's strategic planning process; provision, including type of provision, would be looked at. Councillor McLennan, referring to Belhaven and Eddington hospitals and to recruitment problems, asked if East Lothian Works had been involved. Mr Small replied that the QMU Care Academy, a private agency and social enterprise had been involved to date; these would be reviewed along with East Lothian Works.

Councillor MacKenzie asked about the recruitment of male carers. Mr Gray stated that recruiting and retaining male carers was challenging, there were currently 3 working in East

Lothian. Mr Small added that there were exemptions, very specific ones, but otherwise discrimination based on gender was not permissible under recruitment policies.

Mr Small responded to questions from Councillor McAllister about the provision at Eskgreen Care Home. In relation to further questions about a possible replacement site, he advised that facilities would be reviewed as referred to earlier.

The Convener, referring to Appendix 2, asked why a more comprehensive view was not taken, why only July and August figures detailed. Mr Small stated that this was a statutory target. Mr Gray added that changes to reporting requirements resulted in more people being captured on census day. In response to further questions about projections and meeting increasing requirements, Mr Small advised this was complex, highlighting a number of factors. Responding to more queries, Mr Small stated that most homes had mixed care provision, part Council, part private.

Councillor Goodfellow, referring to North Berwick care homes, noted that many of the residents were from Edinburgh. Mr Gray advised that at present the City of Edinburgh Council's provision amounted to 15% of the East Lothian's occupancy and any capacity would be used by that council.

The Convener, returning to recruitment difficulties, asked if this was due to the salary or to work tasks. Mr Gray replied that it was primarily due to the salary paid by agencies. Mr Small advised that the living wage had been implemented on 1 October 2016, almost all providers had signed up to this. In relation to particular areas of shortage, Mr Gray stated that areas to the far east of the county were much harder to recruit to than those in the west. Regarding paying a geographical bonus, Mr Small stated there was a rural incentive in place but this had made no difference.

Councillor McLennan made reference to East Lothian Service for Integrated Care for the Elderly (ELSIE) and also to recruitment problems. He requested a further report to Committee, preferably in March, before the election recess. Mr Small stated, for clarification, that there were no recruitment problems in ELSIE.

The Convener remarked that it would have been helpful to have had some of the information provided by officers included in the report; some quantification would have been useful. He agreed with Councillor McLennan, he would like a further report brought forward.

## **Decision**

The Committee agreed to note the report.

## **7. ANNUAL WORK PROGRAMME UPDATE 2016/17/AGENDA SETTING**

An updated Annual Work Programme detailed the reports already scheduled for the Committee for session 2016/17. Councillor McLennan suggested that a 'legacy report', providing an evaluation and summary of issues, could be brought to the March 2017 meeting; the last meeting in the cycle before the local government elections in May. The Convener indicated this would be discussed amongst Members initially then with officers.

Following further discussion the following changes were made to the work programme:

- Literacy Levels – added to November
- Core Paths/Cycle Ways – moved from November to January
- Developing a Young Workforce – removed from January (and from the PPRC work programme as a report due to the Education Committee in 2017)
- Delayed Discharges Update – added to March

Signed

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Councillor David Berry  
Convener of the Policy and Performance Review Committee