THIS PAPER RELATES TO ITEM 12 ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Council

Date: 15 December, 2011

Subject: Clackmannanshire & Stirling Councils - Shared Services - Progress Reports

Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to introduce three reports which summarise progress which has been made on the development of shared education and social services with Stirling Council.

2.0 Recommendation

2.1 It is recommended that Council notes this report

3.0 Background

3.1 In December 2010, both Councils approved recommendations to manage Education and Social Services jointly within the terms of the Local Government Scotland Act (1973) and to appoint a Joint Head of Education and Joint Head of Social Services.

3.2 It was agreed that Stirling Council's Head of Education would be appointed Joint Head of Education and that Clackmannanshire's Head of Social Policy would be appointed Joint Head of Social Services.

3.3 These appointments were made in March, 2011, and a progress report was considered by the Council at its April meeting.

3.4 A further report was considered by the Council on 30 June, 2011, when the Scheme of Delegation in respect of jointly managed education and social services was agreed.

3.5 Since that time, significant progress has been made on a number of issues, notably the establishment of integrated management teams for both services.

3.6 The Joint Heads of Service have been working with the new management teams to establish strategic visions for their respective

services and to plan future provision within a shared service context. Separate reports on progress in education and social services are included on the agenda of this Council meeting.

3.7 Work has also been progressing in reviewing how services such as Human Resources, ICT and Finance can best support shared approaches to education and social services and a separate report on progress on this infrastructure workstream is also included on the agenda of this Council meeting.

3.8 In the past four months, the Shared Services Programme Board has also undertaken a taking-stock exercise which has involved considered reflection of progress since last December. This exercise has involved discussion with trade union colleagues, elected members of both councils and service managers across all services and has resulted in a strategic action plan to guide the next phase of the Programme Board's work. Key themes in this are communication, engagement and governance. The focus in this next phase is to consolidate the positive progress in education and social services and take forward the activities set out in the reports which follow this one.

3.9 The progress reports on education, social services and infrastructure support were also considered by Stirling Council at its meeting on 1 December, 2012.

3.10 Further progress reports will be submitted to both councils in the coming months.

4.0 Sustainability Implications

4.1 N/A

5.0 Resource Implications

Financial Details

5.1 There are no financial implications directly from this report.

Staffing

5.2 There are no implications for the Council's establishment arising from this report.

6.0 Exempt Reports

6.1 Is this report exempt? No

7.0 Declarations

7.1 The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011**

The area has a positive image and attracts people and businesses	☐
Our communities are more cohesive and inclusive	☐
People are better skilled, trained and ready for learning and employment	☐
Our communities are safer	☐
Vulnerable people and families are supported	☐
Substance misuse and its effects are reduced	☐
Health is improving and health inequalities are reducing	☐
The environment is protected and enhanced for all	☐
The Council is effective, efficient and recognised for excellence	✓

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? N/A

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

a) Education Services Progress

b) Social Services Progress

c) Infrastructure and General

11.0 Background Papers

11.1 None

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Elaine McPherson	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	[redacted]

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 12(a)

ON THE AGENDA

Report to Council

Date of Meeting: 15th December 2011

Subject: Shared Services: Education Progress Update

Report by: Joint Head of Education

1.0 Summary

1.1. The purpose of this report is to update Council on the progress made on the delivery of the joint education service. It sets out a brief overview of progress to date, and identifies the key steps needed in furthering the development of the shared service.

1.2. A joint management structure has been established which provides greater resources than either council previously had at their disposal, but at reduced cost. The management team are clear in their focus on high achievement, attainment, ambition and inclusion, promoting excellence for all.

2.0 Recommendations

It is recommended that the Council:

2.1. Note progress to date in establishing a shared management structure for education services and consequential savings.

2.2. Agree the proposed arrangements for reporting performance under the governance policy.

3.0 Considerations

Background

3.1. In December 2010, both councils approved recommendations to manage education services jointly within the terms of the Local Government Scotland Act (1973) and to appoint a Head of Joint Education Services. As the Lead Authority for Education, Stirling Council has issued contracts for posts in a new management structure (Appendix 1). For all other purposes both councils have equal rights and responsibilities and both retain the independent governance of schools and nurseries in their local authority area.

3.2. The Head of Joint Education Services is accountable to both councils through the Chief Executives and in accordance with existing governance

arrangements and the Scheme of Delegation approved in June 2011. The service has a statutory responsibility for educational quality and outcomes and is accountable to locally elected members and citizens in their area. Arrangements for reporting performance will ensure that elected members are able to fulfil their statutory duties with respect to service provision, Best Value and financial accountability and continuous improvement within the shared service agreement.

Vision and principles

3.3. Our vision is one of **high achievement, attainment, ambition and inclusion, promoting excellence for all**. We believe that this vision can and will be realised through our commitment to the principles that underpin the *National Priorities in Education*, *Curriculum for Excellence*, *Getting It Right For Every Child* and the *Early Years Framework*.

3.4. The rationale of the joint delivery of education services is to improve the performance of the education service in order to deliver better outcomes for all children and young people in Stirling and Clackmannanshire. The service aims to reduce the variation in learning outcomes within and between classrooms and schools by sharing effective practice, strengthening the use of self-evaluation and through robust quality assurance.

3.5. There are two key principles that underpin the shared service:

- The two councils will deliver services more effectively and more efficiently by working together;

- The two councils will deliver a joint education service whilst maintaining governance of their own schools and establishments.

3.6. The objective of joint working is to secure service delivery improvements by making use of the combined capacity of each council whilst retaining the current level of accountability through each of the two councils. Essentially, this is a practical management issue. Its success will depend on the skills and creativity of the new joint team and 're-engineering' the way that the service is delivered.

From principles to practice; the journey so far

3.7. The most visible change is the establishment of a joint management team. The management structure is part of a new model of delivery: one central team serving two councils. The new team capitalises on the strengths from both Councils. By working together both Councils will benefit from sharing good practice and take advantage of a larger team with a greater breadth of experience. While the team available is now larger than that at either council's disposal, a saving of five posts has been achieved (overall management structure saving £202, 158). As a whole, the team are clear in the need to build strong leadership in a climate of mutual trust, and will use the 'new three-Rs' framework (roles, responsibilities and relationships) to do so.

3.8. The joint management team's approach will be to focus on enabling, not providing, doing nothing at the centre which schools and nurseries

(individually or collectively) can do better themselves. In doing so, the team are clear that they will explore opportunities within the joint education service and beyond to form productive networks.

3.9. The financial benefits of joint working lie in the service's ability to improve the quality of service delivered against a backdrop of declining financial resources. The quality and efficiency of the service will be improved by streamlining the management team and drawing on the capacity of both organisations to free up resources. This will be supported by alignment of accountability and responsibility within the tradition of self-evaluation. It should be recognised that this work represents the start of fuller integration of the service. However the pace of change is reflective of a desire to avoid compulsory redundancy, and the need to maintain delivery of service during a time of change.

3.10. The key roles of the Education Service are to:

- provide strategic direction, including planning school provision and raising expectations in line with local and national priorities.
- support and challenge schools and nurseries within the improvement agenda including taking action to deal with under-performance, through robust quality assurance
- ensure equity, fairness and inclusion for all children.

Moving Forward

3.11. The Joint Education Service provides an opportunity to look afresh at the most appropriate model of service delivery, adopting best practice from each of the two organisations and developing new effective and efficient approaches. The Service is taking the recommendations from the Christie Commission and the four pillars from Scottish Government into account.

The Christie report recommends:

- Outcomes focus
- Localisation
- Integration
- Co-production
- Accountability
- Transparency

The Scottish Government recommends:

- Integration
- Engagement
- Communication
- Preventative spend

3.12. The Joint Education Service is working with head teachers to develop new working practices and principles. It is recognised that we require:

- Extended collegiality: in order to provide more leadership but less management, and facilitate increased contribution from headteachers to the education service's agenda.

- Scrutiny: of everything we do that is not statutory and challenge of how we deliver our statutory functions. This scrutiny embeds a focus on the impact of our activities on learners

- An Education team that is: highly efficient and effective; an enabler not a provider; developing professionals who challenge themselves.

3.13. This will need a continued strong focus on outcomes associated with, raising attainment and inclusion, alongside robust self-evaluation and quality assurance procedures. Not least, the team will require effective communication. We look forward to reporting the future successes of learners who have been supported by the service.

Future Steps/Focus

3.14. Clearly, there remains much to be done and we recognise that the full spectrum of opportunities offered by joint service delivery may not yet be visible to us. In particular, our focus of activity will be on:

- Establishing a confederacy of leadership stretching across and within Stirling and Clackmannanshire , focused on learning experiences and outcomes

- Developing much better networking across schools and nurseries, both within and across Stirling and Clackmannanshire and beyond

- Devolving more decision-making to schools and nurseries

- A proportionate approach to quality assurance

Reporting Arrangements

3.15. The Head of Joint Education Services will report directly to the two Chief Executives. Monthly meetings have been established where the two Chief Executives jointly meet with the Head of Joint Education Service.

3.16. The Head of Joint Education Services attends meetings of the Corporate Management Team (CMT), council and committee meetings in each council and sits on the Shared Services Programme board. The Service will continue to present the council with papers requiring a decision on any changes to policy.

3.17. The Programme Board and Steering group are aware of the importance of communication during this period of change and have put in place a series of measures to ensure information is cascaded immediately after each meeting. The trades unions, from both local authorities, are represented at Programme

Board meetings. Work to improve communication of board decisions is described under separate cover.

3.18. The approach taken to deliver education jointly ensures that each council continues to set its own policy frameworks, standards and levels of service. It also enables each council to continue to reflect the priorities for its area and the different characteristics of the localities. Independent governance of schools and nurseries remain the responsibility of each council.

3.19. The Annual Standards and Quality Report and other papers as required will be presented by the Education Service to council.

4.0 Sustainability Implications

Equality Impact Assessment

4.1. The matters presented in this report were considered under the Council's Equalities Impact Assessment processes and were assessed as not relevant for the purposes of Equality Impact Assessment.

Strategic Environmental Assessment

4.2. The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and a Strategic Environmental Assessment is not required.

Single Outcome Agreement

4.3. Adopting the recommendations within this report supports the Single Outcome Agreement goal of making Stirling a place were life-long learning is valued and encouraged and the goal of making services better.

5.0 Financial Details

5.1. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.2 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.3 Detailed work on the costs of services provided by both Councils is underway and will be discussed with the Programme Board and Steering Group in the first instance.

6.0 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011**(Please double click on the check box ☑)

The area has a positive image and attracts people and businesses	☐
Our communities are more cohesive and inclusive	☐
People are better skilled, trained and ready for learning and employment	☐
Our communities are safer	☐
Vulnerable people and families are supported	☐
Substance misuse and its effects are reduced	☐
Health is improving and health inequalities are reducing	☐
The environment is protected and enhanced for all	☐
The Council is effective, efficient and recognised for excellence	☐

(2) Council Policies (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☐ Not applicable.

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Joint Social Services Senior Management Structure

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☐

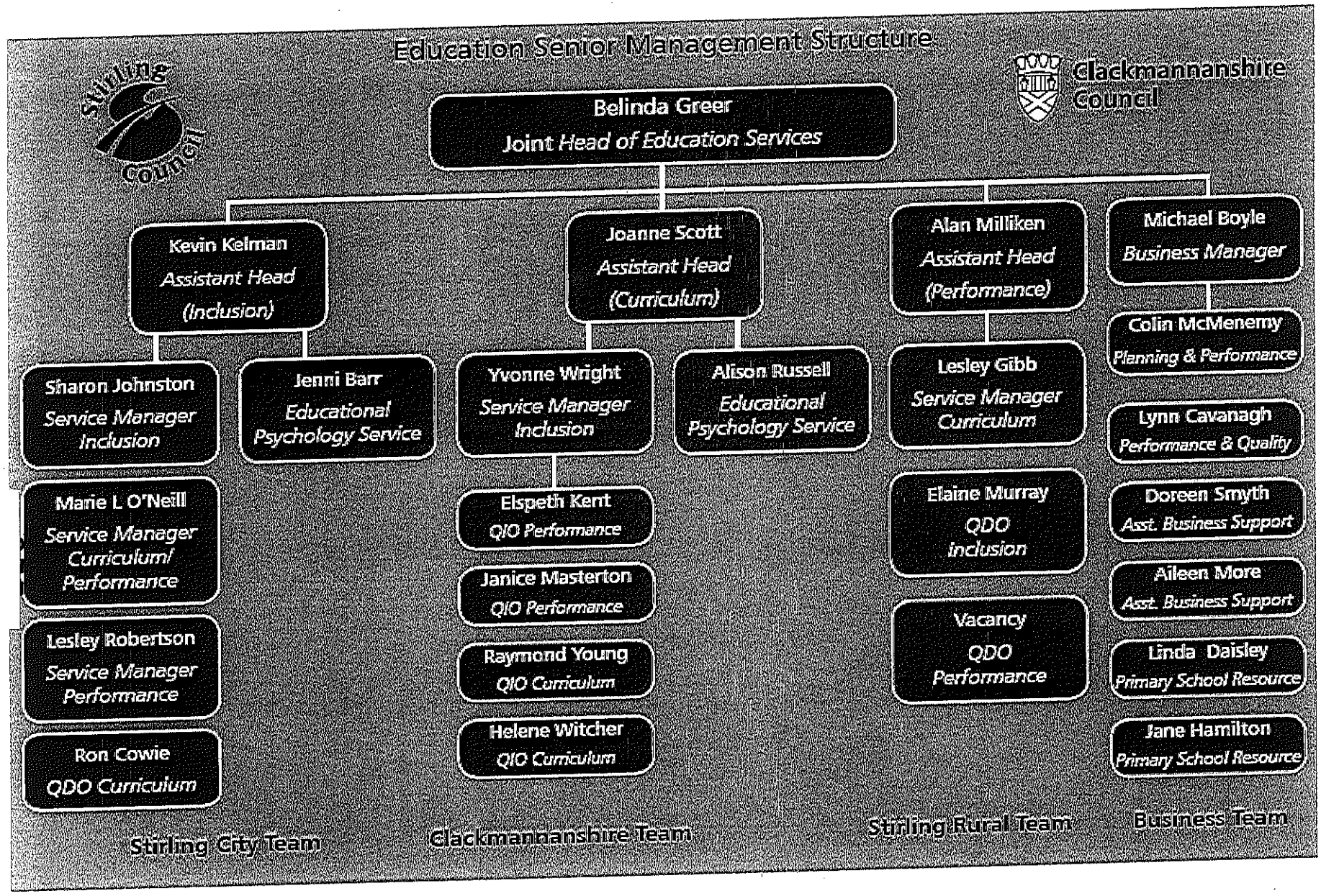
Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Belinda Greer	Joint Head of Education Services	

Approved by

NAME	DESIGNATION	SIGNATURE
Belinda Greer	Joint Head of Education Services	[redacted]
Elaine McPherson	Chief Executive	[redacted]

Appendix 1


Education Senior Management Structure
Stirling Council
Clackmannanshire Council
Belinda Greer
Joint Head of Education Services
Kevin Kelman
Assistant Head (Inclusion)
Joanne Scott
Assistant Head (Curriculum)
Alan Milliken
Assistant Head (Performance)
Michael Boyle
Business Manager
Sharon Johnston
Service Manager Inclusion
Jenni Barr
Educational Psychology Service
Yvonne Wright
Service Manager Inclusion
Alison Russell
Educational Psychology Service
Lesley Gibb
Service Manager Curriculum
Colin McMenemy
Planning & Performance
Lynn Cavanagh
Performance & Quality
Marie L O'Neill
Service Manager Curriculum/ Performance
Elspeth Kent
QIO Performance
Janice Masterton
QIO Performance
Raymond Young
QIO Curriculum
Helene Witcher
QIO Curriculum
Elaine Murray
QDO Inclusion
Vacancy
QDO Performance
Doreen Smyth
Asst. Business Support
Aileen More
Asst. Business Support
Linda Daisley
Primary School Resource
Jane Hamilton
Primary School Resource
Lesley Robertson
Service Manager Performance
Ron Cowie
QDO Curriculum
Stirling City Team
Clackmannanshire Team
Stirling Rural Team
Business Team

THIS PAPER RELATES TO ITEM 12(b)

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 15th December 2011

Subject: Shared Services: Social Services Progress Update

Report by: Head of Joint Social Services Clackmannanshire & Stirling

1.0 Summary

1.1 The purpose of this report is to update Council on the progress made on the delivery of joint Social Services. It sets out a brief overview of progress to date, and identifies the key steps needed in furthering the development of the shared service.

1.2 A joint management structure has been established which provides greater resources than either council previously had at their disposal, but at reduced cost. The team share a clear vision and values and are developing a Delivery Strategy, to ensure these are put into practice

2.0 Recommendations

It is recommended that the Council:

2.1. Note progress to date in establishing a shared management structure for Social Services and consequent savings.

2.2. Endorse the priorities and approaches set out by the service (paras 3.10 to 3.14).

3.0 Considerations

3.1 Since the appointment of a Joint Head of Service in March 2011 the focus has been on the implementation of a shared service management team. The majority of this team is now appointed and all of the posts bar one will be filled by January (the structure is at *Appendix 1*). The Scheme of Delegation was agreed at Council in June 2011 and was put in place in October when the new management team was formed.

3.2 The new team will capitalise on the strengths from both partners. By working together both partners will benefit from sharing good practice and take advantage of a larger team with a greater breadth of experience. While the team available is now larger than that at either council's disposal, a saving of three posts has been achieved (overall management structure saving £71, 918 to date). As the new service beds in this structure will be subject to

ongoing review and refinement and the expectation is that it will reduce over time once the transition has taken place.

3.3 The team are developing a Delivery Strategy, based on the practical experience of the first few months of information-sharing and gathering and addressing the practicalities of establishing a joint service. Task-focused groups have been set up, for example to shape the administration, finance, Human Resources and IT that the new service requires. This Delivery Strategy is based on input from the Social Services management team and senior staff providing the support services. As the strategy is developed, appropriate links will be made elsewhere in the shared services programme, e.g. in order to ensure progress with IT or administration requirements.

3.4 In considering their vision and aspirations for the future, there was unqualified support for taking this opportunity, not only to create a new and sustainable model for social service delivery, which puts people's needs at its heart, but to set the bar higher in the nature and quality of the outcomes to be achieved by a new service working in seamless partnership with others. This ambition is founded in the reality of public sector financial constraints and reflects the degree of commitment of Social Services staff to make a real difference in society by helping to improve peoples' lives.

3.5 Although challenging, the approach proposed in this Delivery Strategy is both realistic and pragmatic with an expectation that it will take time and patience to deliver. The aim is to be consultative rather than prescriptive in determining the way forward and the service will strive not to set unrealistic expectations for service users, or of staff.

3.6 The draft Delivery Strategy recognises that in a number of aspects of social care, each council will have different priorities and expectations that will influence the focus and allocation of resources. Within this the service will apply consistent standards, criteria and timescales in addressing peoples' needs. Much of the work of social services is determined by Scottish Government agendas and legislation, which are required to be interpreted and applied locally.

3.7 The service is breaking new ground for local authorities in Scotland and, as a benchmark for others, will be under close scrutiny, internally and externally, for example from regulators. The aim is for every service to be considered more effective and efficient than at present, bearing in mind the current high standards in some functions.

3.8 In creating one organisation and one integrated service the approach will be to redefine the role of social services to build new understanding and expectations of what can be offered to people in communities throughout the two council areas. The service will strive to be proactive and prioritise prevention and early intervention in line with current thinking.

3.9 The importance of good engagement and communication has emerged in every aspect of the work to date. There will be a focus on ensuring that all staff, service users, carers and stakeholders are engaged in the change process. This will include close working with other council services, for example housing and education. In order to begin the engagement process

the Delivery Strategy will be communicated to staff groups across both Councils in January so that views can be shared. In addition, a plan will be drawn up to share the work done with partners.

Vision and Principles

3.10 The service is determined to put people at the centre of everything we do with the aim of significantly improving outcomes.

3.11 The shared service management team are consistent in their vision:

- People's needs at the heart of everything:
  - Improve lifestyles and life choices,
  - Prevention and early intervention,
  - Impact not process.

- Valued, skilled, motivated staff:
  - Engage, encourage, support,
  - Use talents and skills where most needed.

- Best use of public resources:
  - Coherent approach given political realities,
  - Robust performance and quality systems.

3.12 The service is similarly clear in its remit to:

- Provide high quality, equitable and responsive services,
- Keep children safe, healthy and prepare them well for adulthood,
- Support adults to lead independent and fulfilled lives,
- Work with people who use the services, carers and stakeholders,
- Provide personalised services delivering what people need to fulfil their potential.

Transition

3.13 The intention is to have an integrated social service in its new form in place by December 2013.

- Naturally integrating services will come together first (for example, Criminal Justice, Mental Health and Strategy Services) while further planning and design takes place around services with more complex circumstances.
- Efficiencies and cost-savings will be identified and proposals developed to use resources and assets more effectively.
- The focus will be on consulting and engaging service users, staff and partners in planning and implementing the transition.
- Communication both internally and externally will be a priority.
- An effective, systematic approach to quality improvement will be established.

3.14 It is critical that Service users will not be disadvantaged in any way by bringing services together and staff will work hard to ensure that there will be

no reduction in the efficiency and quality of social services during the transition period.

3.15 The financial benefits of joint working lie in the service's ability to improve the quality of service delivered against a backdrop of declining financial resources. The quality and efficiency of the service will be improved by streamlining the management teams across the service and drawing on the capacity of both organisations to free up resources. This will be supported by alignment of accountability and responsibility within the tradition of self-evaluation. However, the pace of change is reflective of a desire to avoid compulsory redundancy, and the need to maintain delivery of service during a time of change.

Reporting Arrangements

3.16 The Head of Joint Social Services will report directly to the two Chief Executives. In addition the Head of Services will report to the Shared Service Programme Board where proposals will be signed off for political approval.

3.17 The Head of Joint Social Services attends meetings of the Corporate Management Team (CMT), council and committee meetings in each council and sits on the Shared Services Programme board. The Service will continue to present the council with papers requiring a decision on any changes to policy.

3.18 The Programme Board and Steering group are aware of the importance of communication during this period of change and have put in place a series of measures to ensure information is cascaded immediately after each meeting. The Trades Unions, from both local authorities, are represented at Programme Board meetings. Work to improve communication of board decisions is described under separate cover. In addition, a monthly meeting between Social Services and the Trades Unions is established so that change proposals can be consulted on and debated at the earliest opportunity.

3.19 The approach taken to deliver Social Services jointly ensures that each council continues to set its own policy frameworks, standards and levels of service. It also enables each council to continue to reflect the priorities for its area and the different characteristics of the localities.

3.20 Clackmannanshire and Stirling councils are breaking new ground in Scotland to raise the quality of social care. By working together and sharing knowledge, skills and experience, the councils believe they can improve lifestyles for children and adults of all ages and social circumstances, create better learning and life choices for young people and make better use of public funds and resources.

3.21 By focusing resources where they are most needed in the care and protection of vulnerable children and adults, the aim is to do more and to improve local services by helping people earlier and faster and enable more people to live independently.

3.22 This will be achieved by working with others to provide cost effective, quality services, which support, safeguard and promote the well being of people who are in greatest need.

3.23 The Councils retain their political independence and accountability and determine priorities and budgets for social services in their respective areas.

4.0 Sustainability Implications

Equality Impact Assessment

4.1 The matters presented in this report were considered under the Council's Equalities Impact Assessment processes and were assessed as not relevant for the purposes of Equality Impact Assessment.

Strategic Environmental Assessment

4.2 The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and a Strategic Environmental Assessment is not required.

Single Outcome Agreement

4.3 The desired outcomes are consistent with the aims of the Single Outcome Agreement and will also contribute to the National Outcomes Framework:

- National Outcome 6: We live longer, healthier lives
- National Outcome 15: Our public services are high quality, continuously improving, efficient and responsive to local people's needs
- National Outcome 11: We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others

5.0 Financial Details

5.1 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.2 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.3 Detailed work on the costs of services provided by both Councils is underway and will be discussed with the Programme Board and Steering Group in the first instance.

6.0 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011**(Please double click on the check box ☑)

The area has a positive image and attracts people and businesses	☐
Our communities are more cohesive and inclusive	☐
People are better skilled, trained and ready for learning and employment	☑
Our communities are safer	☐
Vulnerable people and families are supported	☑
Substance misuse and its effects are reduced	☑
Health is improving and health inequalities are reducing	☑
The environment is protected and enhanced for all	☐
The Council is effective, efficient and recognised for excellence	☑

(2) Council Policies (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☑ Not applicable.

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Joint Social Services Senior Management Structure

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☑

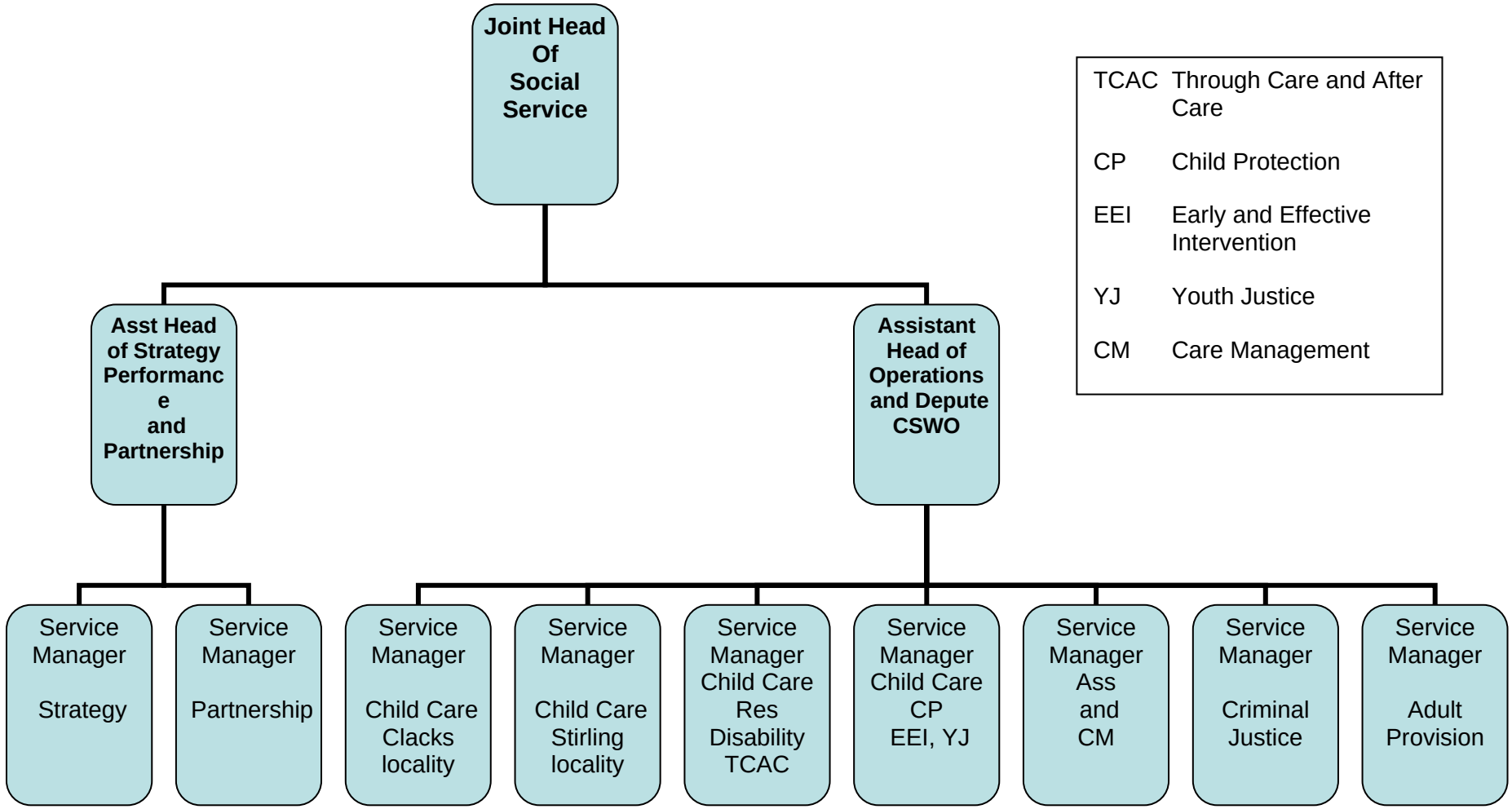
Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Thomas Dodd	Shared Services Programme Manager	01259 452141

Approved by

NAME	DESIGNATION	SIGNATURE
Deirdre Cilliers	Head of Joint Social Services	[redacted]
Elaine McPherson	Chief Executive	[redacted]

Joint Social Services: Senior Management Team Structure



THIS PAPER RELATES TO ITEM 12(c) ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 15th December 2011

Subject: Shared Services and Infrastructure Progress Update

Report by: Director of Finance and Corporate Services

1.0 Summary

1.1. This paper outlines the direction for taking forward the shared services agenda, as determined by a recent Taking Stock exercise, which reviewed the progress to date and has assisted in identifying priority actions for the near future.

1.2. The shared Education and Social Services functions are dependent on a range of infrastructure services (e.g. ICT, HR, Finance, Admin, etc) and this report explains the work that has been done and is scheduled for coming months.

2.0 Recommendations

It is recommended that the Council:

2.1. Note the outcomes of the Taking Stock exercise, discussed recently at an event attended by Elected Members of both Councils.

2.2. Note progress to date in relation to the infrastructure supporting shared services.

2.3. Endorse the future approaches and priorities in relation to the lead authority model and infrastructure work stream.

3.0 Considerations

Taking Stock Exercise

3.1. The programme board have recently been supported in conducting a Taking Stock exercise in order to clarify progress and set the context for future activity. The outcomes of this exercise were recently discussed with Elected Members from both Councils at a progress review event.

3.2. The exercise noted that in Education and Social Services new structures have been established and populated, and Trades Unions are engaged and contributing to the process. A critical analysis of Education and Social Services delivery has taken place, and there is good evidence of staff beginning to engage in shared services.

3.3. Work is ongoing and much to be clarified re the implications of shared services with managers and their teams across both authorities.

3.4. It was confirmed that the scope of the shared services programme extends to the delivery of Social Services and Education, with activity in infrastructure services to meet their support requirements. Other services will continue to be provided by each council.

3.5. To take the programme forward it was clear from the Taking Stock exercise that there is a need to clarify the structure of tasks and activities, and clarify programme governance through the programme board and steering group. In conjunction with improved programme communications, this clarification of structure will support and improve future staff engagement and assist with the cultural shifts needed as the two organisations operate more closely.

Progress to Date

3.6. Preliminary work packages were developed for each service area (Social Services, Education and Infrastructure) and work was taken forward in conjunction with the two joint heads of service. This work began to:

- clarify the vision for each service so that the development of support services arrangements is directed to identifying practical and workable solutions that fit with the shape of the developing service delivery arrangements
- prioritise key infrastructure tasks to target effort on areas of greatest importance
- establish the principle that early solutions are transitional and therefore not always elegant, reflecting a need for pragmatic solutions to maintain business continuity and performance levels
- develop a framework for formalised infrastructure project management arrangements

3.7. In addition, infrastructure staff from both councils have been involved in taking forward a number of practical tasks to support shared education and social services. The current position is described in more detail below:

3.8. Human Resources

- Supported development of job descriptions, Trades Union engagement and the management of the recruitment processes for joint teams.
- Joint Heads of Service were assisted in agreeing and populating shared management structures for Education and Social Services.
- Contributed to Programme Board meetings, Trades Union consultation, and a detailed workshop on management structure.
- A programme of both separate and joint briefings has been established for Trades Union representatives of both councils.
- Employee groups affected have been briefed on the shared management structure

3.9. Information and Communication Technology

- Support arrangements in place for staff working between the two Councils with local support provided whenever possible.
- Staff from both Councils can now log into their "home council" from the other Council's sites.
- E-mail address books for both Councils are available at each location. Diary appointments can be made with colleagues from both Councils using normal systems.

- A secure connection for all e-mail and data transfer now in place. This reduces vulnerability for information which previously could have been routed via the internet.

3.10. Finance

- Collaborative working between services has allowed the production of service budget comparisons at cost centre level.
- Budget comparisons have informed both the consideration of e.g. service integration in Social Services and discussion on approaches to budget management and financial monitoring between councils.
- Practical activity to supporting day to day operation of services between authorities, e.g. ensuring managers are able to authorise spend across newly extended remits.

3.11. Administration

- Weekly meetings between Clackmannanshire and Stirling administration managers ensure that support is efficiently and effectively delivered to the shared services.
- Work to compare the operational models for administrative support is taking place and is being used to inform the development of options for future configuration of support.

3.12. Performance Management

- Differences in performance reporting identified, both in indicators used and reporting arrangements.
- The councils operate a common performance management system - Covalent. Further discussion with services will be required to start to develop common indicators.
- A pragmatic approach to Public Service Improvement Framework activity, aligning timetables and support between councils has been suggested.
- Early discussions have taken place with external Inspection Agencies. It was accepted that separate reports for each Authority were still required; however a request had been made that one inspection in each service be carried out in view of the single management structure in both Education and Social Services. Members have previously highlighted the need for both Councils to receive joint reports.

3.13. Legal & Governance

- Agreement reached on Schemes of Delegation provides authority for the Joint Heads of Service to operate across both Council areas. These were agreed by both councils earlier in the summer.

Future Approaches and Priorities

3.14. In relation to infrastructure support, the following principles which should be applied as shared services progress have been developed by the broader infrastructure group:

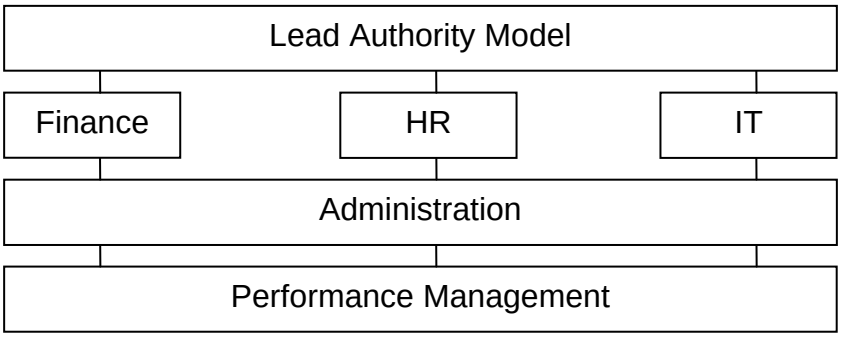
- other things being equal, it is important that the infrastructure development priorities are guided by the priorities of education and social services and do not become the driver/ priority themselves,
- there is a need to establish a robust business case as a consistent point of reference for managing the whole project and its delivery,

- there is transparency and accountability over public funds,
- we are clear about our capacity (skills and numbers of staff) and establish clear parameters to identify where external or additional support may be required and how this will be procured and engaged,
- existing polices and approaches, for example in avoiding compulsory redundancy, will influence the pace with which change can be enacted,
- performance indicators and monitoring arrangements are established and embedded.

3.15. Through the stock-taking exercise, the Programme Board has also highlighted some priority actions for strategic management around the need to:

- define and articulate what the lead authority model means, and does not mean, for shared services,
- assess on an ongoing basis the benefits and costs of the shared services and derive measures of success,
- develop an effective communications strategy,
- ensure effective programme and project management,
- recognise the contribution made by services and individuals in their goodwill and commitment towards the activities described here,
- establish clear performance and budget reporting arrangements for the shared services to enable each Council to fulfil their governance responsibilities.

3.16. Initially, the core task for the group will be to better define the implications of the Lead Authority Model (outline below), and ensure consistent understanding across services about what it is, and importantly, what it is not. The lead authority model is intended to bring structure to facilitate prioritisation of activities and targeting of resources.



Infrastructure Priority Actions

3.17. Taking the above into consideration, the following priority actions for support services have been proposed as the next phase for the infrastructure work stream:

3.18. Human Resources

- Clarify the HR implications of the lead authority model (e.g. in terms of terms and conditions, hierarchy of council policy and contracts etc)
- Develop protocols for where and how HR support will be sourced for each of the shared services

- Develop options for closer working between the two councils to support consistent HR advice, policies and practice.

3.19. Information and Communication Technology

- Appraise options in relation to the cost and benefits of a joint Social Services system
- Both councils already use the SEEMIS Education system. Discussions are under way with the provider to develop a suitable model that will allow for senior manager access to both councils' data.
- Investigate a shared facility for storing data that is required across both Councils
- Investigate software licence implications of joint working
- Develop, explore and appraise options for the delivery and support of IT for the future
- Explore opportunities for a common telephony system

3.20. Finance

- Agree how best to account for shared savings and costs (including opportunity costs)
- Propose options for accounting support responsibility
- Clarify financial management and budget performance reporting arrangements
- Establish arrangements to manage costs
- A strategic financial view around developing shared approaches to budgeting for specific service areas is under consideration.

3.21. Administration

- Develop and appraise options for the most effective and efficient way of providing administrative support to the shared services, while meeting the needs of the wider organisations

3.22. Performance/Business Planning

- Further clarify performance management and reporting arrangements
- Agree approaches to business/service planning
- Explore approaches to risk management

3.23. Legal & Governance

- Determine and agree data sharing policies necessary to support the operation of shared services.

3.24. These priority actions have been assigned to project teams, comprising officers from both councils, which will review current position and set out the range of potential options and proposed key decisions for moving the priorities forward. These options may or may not include proposals for structural change and could feasibly include options for alternative models of service

provision. Preferred options will emerge from options appraisals supported by relevant information.

3.25. The project teams will be supported by structured programme management and would report into the Programme Board which is led by the two Chief Executives, who in turn will report to the Steering Group. Policy proposals emerging from the project teams will be submitted to the Councils in keeping with the requirements of Standing Orders and Schemes of Delegation.

4.0 Sustainability Implications

Equality Impact Assessment

4.1. The matters presented in this report were considered under the Council's Equalities Impact Assessment processes and were assessed as not relevant for the purposes of Equality Impact Assessment.

Strategic Environmental Assessment

4.2. The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and a Strategic Environmental Assessment is not required.

5.0 Financial Details

5.1. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.2 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.3 Detailed work on the costs of services provided by both Councils is underway and will be discussed with the Programme Board and Steering Group in the first instance.

6.0 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011**(Please double click on the check box ☑)

The area has a positive image and attracts people and businesses ☐
Our communities are more cohesive and inclusive ☐
People are better skilled, trained and ready for learning and employment ☐

Our communities are safer ☐
Vulnerable people and families are supported ☐
Substance misuse and its effects are reduced ☐
Health is improving and health inequalities are reducing ☐
The environment is protected and enhanced for all ☐
The Council is effective, efficient and recognised for excellence ☐

(2) Council Policies (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☐ Not applicable.

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☐ (please list the documents below) No ☐

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Tom Dodd	Shared Services Programme Manager	01259 452141

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Director of Finance & Corporate Services	[redacted]
Elaine McPherson	Chief Executive	[redacted]

THIS PAPER RELATES TO ITEM 13

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Clackmannanshire Council

Date: 15th December, 2011

Subject: Proposed New Scheme for the Establishment of Community Councils

Report by: Strategy & Performance Manager

1.0 Purpose

1.1 The purpose of this report is for Council to consider the outcome of the third stage of consultation on the content of a proposed new Scheme for the Establishment of Community Councils.

2.0 Recommendations

2.1 It is recommended that Council

a) notes the summary of final representations on the proposed Scheme attached as Appendix 1 to this report;

b) approves the proposed new Scheme for the Establishment of Community Councils attached as Appendix 2 to this report;

b) notes the timetable for introduction of the new Scheme, attached as Appendix 3 to this report.

3.0 Background

3.1 Clackmannanshire Council has a statutory duty to draw up a Scheme for the Establishment of Community Councils to ensure that community councils have a framework within which to exist and operate.

3.2 At its meeting in September, 2011, the Council agreed to take a proposed new Scheme forward to a third stage of statutory consultation in accordance with Section 22 of the Local Government Scotland Act 1994.

3.3 Over the course of two eight-week consultation periods and the recent four-week consultation period since March 2011, the public have been invited to make suggestions on the boundaries and composition of community councils as well as on the wider contents of a revised Scheme.

3.4 The four-week consultation period which has just ended invited final comments in writing on the proposed new Scheme including some

amendments to the draft Scheme which had been the subject of the previous stage of consultation.

4.0 Final Representations

4.1 The comments which were received during the third stage of consultation are summarised in Appendix 1 to this report. While there was general agreement with the content of the proposed Scheme following final amendments, there were new comments submitted on the mini-election option.

4.2 For clarity, the background to this amendment is briefly:-

4.2.1 The mini-elections option was originally proposed by community councils as an optional and alternative method of filling vacancies arising between elections and it was included at the first appropriate stage of consultation on the new Scheme.

4.2.2 The option, however, drew questions from the public during the second stage of consultation indicating that it might not have the public confidence it set out to gain and it was, therefore, removed.

4.2.3 In this third stage of consultation there was support for its removal as well as argument against it.

4.2.4 Officers balanced the arguments for an informal method of election to maintain membership of community councils against the need for a robust election process which gives community councils their democratic legitimacy, and, in their judgement any doubt about the election process should be avoided. Therefore, it is recommended that the Scheme proceeds with the amendment not to introduce the mini-election option.

4.3 Otherwise, there were no substantive comments on the final amendments, except of a technical nature.

5.0 Next Step In The Process

5.1 Seven of the nine steps in the extensive statutory consultation process to prepare a new Scheme for the Establishment of Community Councils have been completed (see table below). The eighth will be complete following the Council meeting on the 15th of December, 2011.

5.2 Should Council adopt the new Scheme, a final public notice will be published announcing the adoption of the new Scheme and inviting electors in areas where there is no community council to apply for the establishment of a community council in that area. A timetable showing the implications of the new Scheme on community councils in 2012 is attached as Appendix 3

5.3 The content of the new Scheme will have to be reflected in the content of other documents governing community councils. Officers will liaise with community councils to finalise the wording of these documents in time for the new arrangements to be effected.

Step	Action	Timescale	Progress
1	As part of a report on the current scheme, Council to consider a recommendation to revoke the existing scheme and make a new scheme for the establishment of community councils.	*March 10*	***Complete***
2	Council gives public notice of intention to revoke existing Scheme and a statutory 8-week public consultation inviting the public to make suggestions as to the areas and composition of the community councils.	*March 16*	***Complete***
3	8 week consultation period	*March 16 - May 4*	***Complete***
4	Council considers a report on the outcome of the consultation exercise on the composition of the community councils and additionally, the contents of a proposed new Scheme.	*June 30*	***Complete***
5	Upon approval of the report, a second Public Notice is published giving notice of an 8-week consultation period for any representations to be made on the provisions of the proposed new Scheme.	*July 6 - 31 August*	***Complete***
6	Council considers a report on the contents of a proposed new Scheme and its adoption.	*September 29*	***Complete***
7	Upon approval of the report, a third Public Notice is published giving notice of a 4-week consultation period for any final representations to be made on the draft Scheme.	*October 5 - Nov 2*	***Complete***
8	A Council meeting considers final representations and agrees the new establishment process for community councils under its new arrangements.	*15 December*	
9	A fourth Public Notice is published intimating the publication of the Scheme in its adopted form and an invitation to electors in areas where there may be no community council to apply for the establishment of a community council in that area.	*December 21*	

7.0 Sustainability Implications

7.1 N/A

8.0 Resource Implications

8.1 Financial Details

8.2 There are no financial implications directly from this report.

8.3 Staffing

8.4 There are no staffing implications directly from this report.

9.0 Exempt Reports

9.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No X

10.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011**(Please tick ☑)

The area has a positive image and attracts people and businesses	☐
Our communities are more cohesive and inclusive	☐
People are better skilled, trained and ready for learning and employment	☐
Our communities are safer	☐
Vulnerable people and families are supported	☐
Substance misuse and its effects are reduced	☐
Health is improving and health inequalities are reducing	☐
The environment is protected and enhanced for all	☐
The Council is effective, efficient and recognised for excellence	X

(2) Council Policies (Please detail)

11.0 Equalities Impact

11.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? Yes

12.0 Legality

12.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers. YES

13.0 Appendices

13.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

1 - Summary of Comments Received on Draft Scheme

2 -Scheme for the Establishment of Community Councils

3 - Implementation Timetable

14.0 Background Papers

14.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Clackmannanshire Scheme for the Establishment of Community Councils

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lesley Baillie		

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Director of Corporate Development	
Elaine McPherson	Chief Executive	

Appendix 1 - Summary of final representations

	Public Feedback (summary)	Council response	Action
Eligibility	General agreement with the amendment that Council staff are eligible unless they are refused permission to become a community councillor, but reservations about council employees' eligibility due to conflict of interest. Suggestion they should be ineligible to protect themselves and the Council.	*Concerns on the potential for conflicts of interest are valid and noted. Clackmannanshire Council wish to make it easy for our staff who live in the county to volunteer in their own neighbourhoods. Although the nature of some posts would create a conflict of interest, it is not the case for the majority of posts. There are guidelines on how to proceed in the event of a conflict of interest both for staff and for community councillors.*	Proceed with amendment.
Mini elections	Comments both in agreement and in disagreement with amendment not to introduce the mini election option. Disagreement on the grounds that i. it is a democratic way of replacing members who resign through illness etc ii. it is neither difficult nor expensive, would allow the removal of the co-option clause (9) and it would avoid the need for the Council to arrange interim elections more frequently iii. there needs to be a way to fill places not filled at an election, especially if elections are every 4 years	*The 2nd stage of consultation showed no public appetite for the community council election process itself except that it must have the confidence of the community. The grounds for not adding the mini-elections option were that the potential problems of having two different types of election could undermine their primary use as a democratic way of filling vacancies.* *There is no change to the Council's commitment to administer interim elections where necessary.*	Provide written good practice guidance for open and transparent method of filling casual vacancies. Proceed with amendment
ESTABLISHMENT New comments	Para 3 should read *"If* in any particular area *nominations are received for less than 50% of the possible* maximum permitted *number of elected*	*The suggestion to amend the reference to the number of elected community councillors is accepted.. The wording should be consistent with that of Clause* ***4. Boundaries and Membership****. The area referred to throughout the Clause is the community council area, so the first*	Re-word reference to number of elected community councillors.

	members, no community council will be formed." There needs to be a two stage nomination process for establishment to give a better chance of reaching maximum numbers.	*suggested amendment is not necessary.* *The proposed content of the Scheme allows the Council to work flexibly to ensure the nomination process is suited to the needs of the area and gives electors who wish to establish a community council in their area the best chance to succeed.*	
FILLING CASUAL VACANCIES New comments	Replace 'filling a vacancy can be undertaken through the process of co-option...' with 'filling a vacancy may be undertaken through the process of co-option...'	*Accepted. The suggested wording avoids ambiguity.*	Replace the word 'can' with the word 'may'.
FIRST MEETINGS	Agreement with amendment that RO can designate another officer to attend on proviso that the designated officer must be competent	*Suggestion to specify that designated officer must be suitable for the role is accepted*	Amend the final sentence.
DISSOLUTION:	Agreement with amendment to clarify conditions of Council involvement.		Proceed with amendment
RESOURCING:	Agreement with amendment to reduce disproportionate audit burden on ccs.		Proceed with amendment
METHODS OF ELECTIONS New comments	Regular elections second call for nominations –The first sentence should read:-"Should the number of nominations be below HALF the total maximum ….& etc."	*Candidates are not 'elected' until there are enough to form a community council so the suggestion to amend Clause 7 is accepted.*	Replace 'candidates elected' with 'candidates nominated'
	Reservations that places not filled at regular elections cannot be filled except at a regular election due to difficulty maintaining minimum numbers and getting people to stand for election. Places undue pressure on community councillors	*Concerns about maintaining numbers are noted. Council concluded that it is not helpful to the public and not in the interests of clarity to have some elections administered by the Council and by some the ccs.* *The Council agrees that views of Clackmannanshire's*	Acknowledge in Protocol the need to work closely with ccs at election times to ensure local information about the process is clear

	The views of public expressed during the consultation have less weight than those of community councils because the public do not have experience of the problem as community councillors do nor can they appreciate that it is not the same situation as Local Elections where there are always more candidates than places to fill.	*community councils on the strengths and weaknesses of the existing Scheme have weight and the views of community councils expressed during the consultation have informed deliberations.* *We are equally mindful that the public must be able to participate more actively in community council elections both as nominees, proposers and seconders, and as voters. Bringing the format for community council election process in line with that of Local Elections may better help the public appreciate the community council situation.* *The Council will support ccs to channel the considerable volunteer effort to maintain numbers in between election channelled into one exercise every four years to maximise the chances of filling all vacancies through regular elections.*	and elections are accessible to the electorate.
OTHER	Questions on the Council's motives for the content for the proposed Scheme based on a suspicion that the changes could result in the demise of some community councils.	*Community councils which accurately and appropriately represent the views of a community will play an important role in local democracy in Clackmannanshire for the foreseeable future. Strength comes from the size of active support as much as the number of members. The power to strengthen or weaken our community councils comes therefore not from the Council but from the electorate of the county*	

Clackmannanshire Council
www.clacksweb.org.uk

SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

1. Introduction

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government (Scotland) Act, 1994, which produced the current system of unitary local authorities and made provision for the continuation of Community Councils. Under the legislation, every local community in Scotland is entitled to petition their local authority to establish a Community Council in their area.

The Scheme for Community Councils is designed to enable the establishment of Community Councils across Clackmannanshire to provide a common minimum basic framework governing their creation and operation.

2. Statutory Purposes

The statutory purposes of Community Councils established under this Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -

''In addition to any other purpose which a Community Council may pursue, the general purpose of a Community Council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable''.

3. Role of Community Councils

Community councils have a duty under statute to represent the views of their local community. Clackmannanshire Council recognises Community Councils as appropriate bodies to consult on matters of community interest.

Community Councils have a statutory right to be consulted on planning applications which affect their area.

Community Councils are competent objectors for licensing applications.

Community Councils also play an important role in:

- Promoting the well-being of the communities they represent
- Fostering community spirit
- Informing the communities they represent of matters of public concern, and
- Safeguarding and improving the amenities of the Community Council area, its buildings and its natural environment.

4. Boundaries and Membership

The boundaries for Community Council areas, and names of the Community Council areas are as outlined below and shown in this Scheme.

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There shall be minimum and maximum membership numbers of elected Community Councillors in a Community Council. These are detailed in the Constitution.

Community Council	Membership	Population
Alloa	16 members	13297
Alva	14 members	4915
Clackmannan	14 members	4289
Dollar	14 members	3041
Menstrie	14 members	2794
Muckhart	12 members	502
Sauchie & Fishcross	14 members	6546
Tillicoultry Coalsnaughton, Devonside	14 members	5989
Tullibody, Cambus, Glenochil	14 members	9167

5. Eligibility

To qualify for nomination and election to a Community Council, a candidate must:

- Be aged 16 or over and included in the roll of 16-18 year olds held by the Returning Officer
- Reside in the Community Council Area for which membership is sought and, if aged 18 or over, be included on the current electoral register for the Community Council Area
- Not be subject to any legal incapacity (as defined in Section 31 of the Local Government (Scotland) Act 1973, as amended from time to time
- Not be a Clackmannanshire Council elected member, an MP, an MEP or an MSP.
- Not to have been refused permission or had permission withdrawn if an employee of Clackmannanshire Council.

6. Establishment

After the adoption of this Scheme, Clackmannanshire Council will invite electors in an area where no community council exists to apply in writing to the Chief Executive for the establishment of a Community Council in their area.

An election will be held in areas where at least 20 electors, who in their own right would be eligible to stand for election to a Community Council, notify the Chief Executive in writing within 21 days that they wish to see a Community Council established for their area.

If nominations are received for less than 50% of the maximum membership number of elected community councillors, no Community Council will be formed.

Clackmannanshire Council will give a statement of reasons why a Community Council may not be formed in any area.

In areas where no Community Council is established, 20 electors may petition the Chief Executive at any time to hold an election to establish a Community Council. This will be subject to there being no more than two elections in a twelve month period in any one Community Council Area.

Clackmannanshire Council will make reasonable arrangements to accommodate establishment of a new community council when a petition is made in the year a regular election is scheduled.

7. Methods of Election

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Clackmannanshire Council is committed to exploring innovative election methods to encourage greater involvement in Community Council elections and to enhance the democratic process.

Clackmannanshire Council will, therefore, explore, in consultation with Community Councils, the possible use of alternative election methods for regular elections.

i) Regular Elections

Regular elections are held every four years and are arranged by Clackmannanshire Council.

For regular elections, the following method will be used:

Nominations

Clackmannanshire Council will advertise a Notice of Election by public notices in the area covered by the Community Council. This notice will invite residents of the area to put forward nominations for membership of the Community Council.

Nominations will be in the form decided by the Returning Officer and will be subscribed by one proposer and one seconder, both of whom must be eligible for election in their own right. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.

Nominations for election to a Community Council must be received by the Returning Officer by the time specified.

Election Process

Where nominations are received for between 50% and 100% of the places to be filled by election, those individuals will be declared elected unopposed and the Returning Officer will produce and display a notice to that effect in the local area.

Where at any election the number of nominations received exceeds the number of places to be filled, a ballot will be held.

Ballot

When a ballot is held, Community councils shall be elected on the Block Voting system. The ballot will be secret and will follow the process set by the Returning Officer.

Second Call for nominations

Should the number of candidates nominated be below HALF of the maximum membership as specified for the Community Council area, no Community Council will be established at that time. However, Clackmannanshire Council may, within 6 months of the closing date for the registration of the first call for nominations, issue a second call for nominations for a Community Council area failing to meet the minimum membership requirement.

Places not filled at Regular Elections

At least half of the total number of members must initially be elected in regular elections. Places not filled at regular elections cannot be filled by co-option but may be filled at the next regular elections.

ii) Interim Elections

If the number of elected Community Councillors on a Community Council falls below half the maximum membership, the Community Council must notify the Returning Officer who will make arrangement for an Interim election to be held. The method for an Interim

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Election is that of a Regular Election. A Community Councillor elected at an Interim Election will hold office until the next Regular Elections.

8. Filling of casual vacancies between elections

Casual vacancies on a Community Council may arise in the following circumstances:

- When an elected Community Councillor submits her/his resignation;
- When an elected Community Council member ceases to be resident within that Community Council area;
- When an elected Community Council member has her/his membership disqualified under the terms of Paragraph 5 of the Constitution;
- On the death or legal incapacity of an elected member of the Community Council.

Should a vacancy or vacancies arise on a Community Council between elections, the Community Council shall undertake appropriate arrangements to fill the vacancy/vacancies, in consultation with Clackmannanshire Council. Filling a vacancy may be undertaken by co-option, as set out in Paragraph 9 of the Scheme.

9. Co-option to Community Councils

Co-opted members must meet the eligibility criteria set out in this Scheme. A co-opted member must be elected onto the Community Council by a two-thirds majority of the elected (general and interim) Community Councillors present and voting. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (whether general or interim). Notice of any proposed co-option procedure is required to be intimated to all of that Community Council's members at least 14 days prior to the meeting when the matter will be decided.

The number of co-opted members may not exceed ONE THIRD of the current elected (general and interim) Community Council membership. Should the ratio of co-opted to elected Community Councillors become greater than one third, an interim election process is triggered.

A Community Council must not co-opt further members if, as a result, the number of co-opted members would exceed the maximum number permitted under the Scheme.

10. Regular Election Periods

The first elections after the adoption of this Scheme will take place in September 2012. Subsequent elections will take place every four years at a time to be determined by Clackmannanshire Council. All serving Community Councillors will stand down and will be eligible for re-election.

11. Returning Officer

The Returning Officer for Community Council elections will be the Chief Executive of Clackmannanshire Council. The Returning Officer may appoint such number of deputies as may be considered necessary for the proper discharge of the relevant functions.

12. Term of Office

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The term of every member elected at a regular election shall extend to 4 years.

For all Community Councillors, the term of office will end at midnight of the day prior to the scheduled polling day at the next regular election.

13. Disqualification

Members of Community Councils will become ineligible to hold office where they have:

- moved out of the area covered by the Community Council (unless they have less than six months of their office outstanding);
- failed to attend 3 consecutive meetings for reasons unacceptable to members of the Community Council;
- been elected as an MP, MEP, MSP or elected member of Clackmannanshire Council or of any other local authority.

Where this occurs the Community Council may apply in writing to the Returning Officer for that place to be declared vacant.

A Community Council may co-opt an individual into that vacancy. All members co-opted in this way must meet the qualification criteria for nomination at a regular election. Members co-opted in this way will hold office until the next regular election.

14. Dissolution

Notwithstanding the terms for dissolution of a Community Council contained in the constitution, Clackmannanshire Council may move to dis-establish a Community Council where:

- It does not meet for a period of six months;
- A request for dis-establishment, which has previously been voted on at an open meeting of the Community Council, is received from a Community Council;
- Following any regular election, less than 50% of the total complement of places are filled by direct election;
- It has demonstrated a major single breach or a series of breaches to its adopted constitution or to the requirements set out in this Scheme and where said breach(es) have not been remedied after being brought to the Community Council's attention.

15. First Meetings of Community Councils

The Returning Officer will call the first meeting of the Community Council after its establishment. This meeting will take place within 4 weeks of the election. The election of the Chairperson must be the first item of business at this meeting. Until the Chairperson is elected, the Returning Officer or a suitable deputy appointed in his/her place will chair the meeting.

16. Meetings of Community Councils

Community Councils will determine the frequency with which they meet subject to a minimum of one annual general meeting and 4 ordinary meetings per year. Community Council meetings will be held in public, with the place, date, time, agenda and minutes of the previous meeting advertised in the local area at least 7 days before the meeting.

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All Community Councils will hold an annual general meeting by September of each year at which it will account for its activities in the previous year, present its audited accounts and elect its office bearers.

An outline for the business that Community Councils should adhere to when holding ordinary, special and annual general meetings is contained within the Model Standing Orders.

17. Constitution

Each Community Council is required to adopt a Constitution based upon the terms of the Council's model constitution for Community Councils. The Community Council's Constitution is required to be approved by Clackmannanshire Council.

18. Resourcing

Clackmannanshire Council will provide assistance to Community Councils to support their administrative needs. This assistance will be provided on the basis set out in the Protocol. Any financial assistance will be made available to Community Councils following approval of the audited accounts by the Director of Finance and Corporate Services.

Each Community Council will open a bank or building society account for the receipt of grant funding and payment. Each Community Council will be responsible for maintaining proper accounts which will be independently examined annually by a person or persons approved by the Director of Finance and Corporate Services. Annual accounts will be presented as an item of business at the Annual General Meeting and will be made available for publication. Further details on resourcing arrangements are included in the Protocol which accompanies this Scheme.

19. Community Council Liaison Officer

Clackmannanshire Council will appoint a Liaison Officer who will have prime responsibility for monitoring the working relationship between Community Councils and the Council and ensuring that consultation mechanisms are operational.

Further details on the exchange of information between Community Councils and Clackmannanshire Council is contained in the Protocol which accompanies this Scheme.

[appendix - map]

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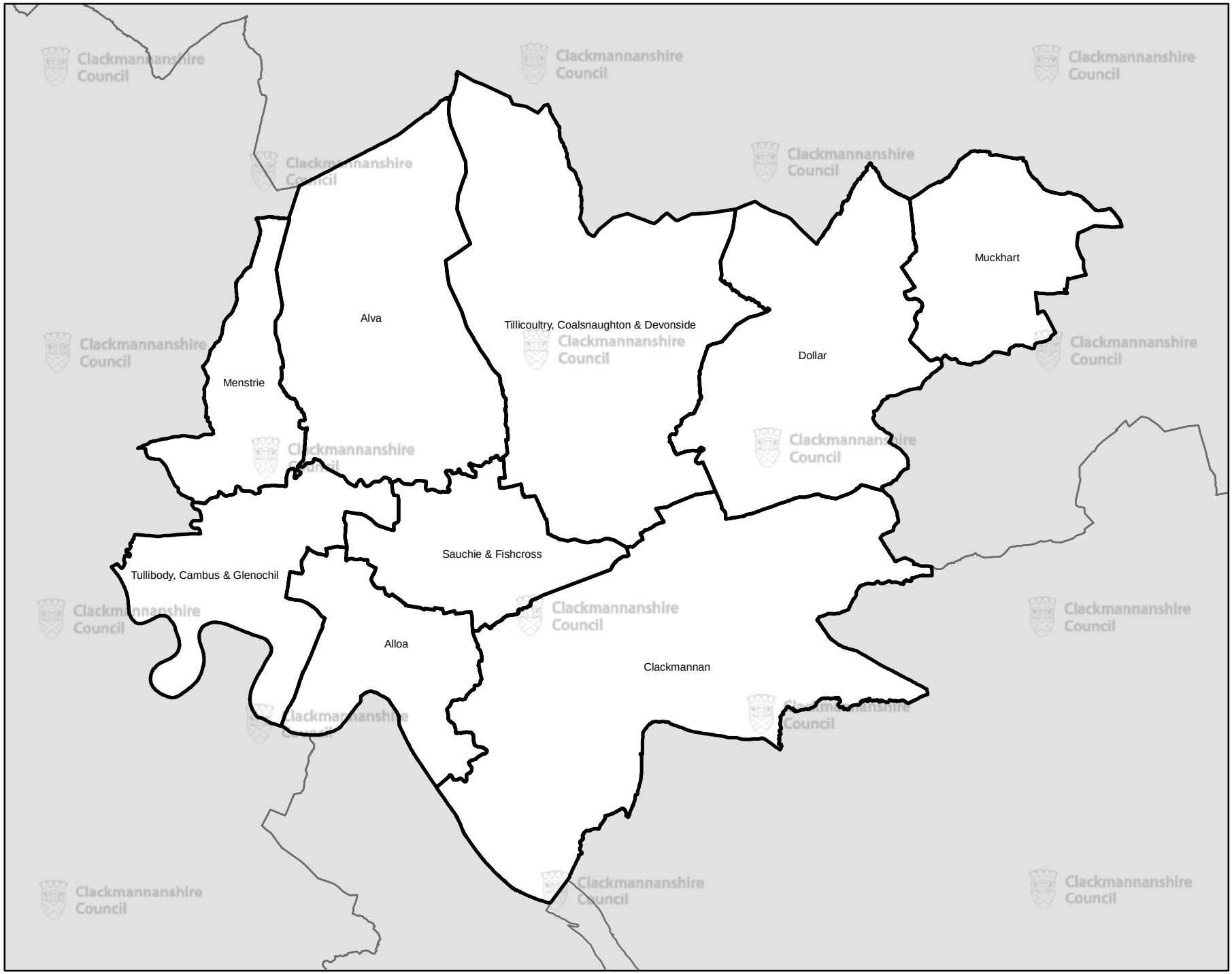

Clackmannanshire Community Councils

Scale : 1:100,000
Paper Size : A4

Date : December 2011

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Clackmannanshire Council
www.clacksweb.org.uk

Services to Communities
Kilncraigs
Greenside Street
Alloa
FK10 1EB

Tel: 01259 450 000 Fax: 01259 727 452
development_services@clacks.gov.uk

Appendix 3 - Implementation Timetable

Timescale	Action
15 December '11	Council adopts a new Scheme
	New boundaries come into force. Alloa Centre, Alloa West, Bowmar, Fishcross,/Coalsnaugthon/Devonside, Sauchie & Tillicoultry Community Councils cease to exist.
4th January '12	Council gives public notice of the publication of the Scheme in its adopted form and an invitation to electors in areas where there may be no community council to apply for the establishment of a community council in that area. New Protocol and model community councils constitution also come into force. Electors in areas with no community council have 21 days from notice to petition the Council for establishment of a community council.
25th January '12	Deadline for submission of petition of 20 electors in an area with no community council. Upon receipt of petition/s, Council begins establishment process as per Paragraph 6 of new Scheme.
26th January '12	Council publishes notice of election, calling for nominations to new community councils
16th Feb '12	Deadline for nominations
29 Feb/1 Mar '12	Publish notice of ballot
5 Mar '12	Issue of postal ballot papers
21 Mar '12	Deadline for return of ballot papers
22 Mar '12	Count/s & declaration
4 July '12	Process for scheduled regular elections begins ie Council publishes invitation to establish in areas where no community council exists
25 July '12	Deadline for petition/s
16th August '12	Council publishes Public Notice of community council elections (request nominations) under new Scheme.
16th August - 6th September '12	Nomination period (21 days)
6th September '12	Deadline for nominations
7th September '12	Council declares outcome of nomination process. (In community council areas where nominations have not exceeded the number of vacancies, candidates will be elected unopposed. Those elected will not take up post before the first meeting of the community council which must take place within 4 weeks of the end of the election process.)
17 September '12	Council publishes notice of poll in areas where election goes to ballot.
21 September '12	Ballot papers are issued
3rd October '12	Deadline for return of ballot papers
4th October '12	Count(s) and declaration of results.
5th October - 2nd November '12	Community councils hold their first meetings after election.

THIS PAPER RELATES TO ITEM 14

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 15 December 2011

Subject: Her Majesty The Queen's Diamond Jubilee 2012

Report by: Senior Support Services Manager

1.0 Purpose

1.1. The purpose of this report is to establish whether the Council wishes to recognise the Queen's Diamond Jubilee by granting an additional Bank Holiday or an additional day of annual leave on 5 June 2012.

1.2. The report also aims to update Council on planned participation in the series of beacons that are being lit across the United Kingdom to celebrate Her Majesty the Queen's Diamond Jubilee on 4 June 2012. There will also be a series of other events taking place during the Diamond Jubilee weekend of 2 June to 5 June 2012.

2.0 Recommendations

It is recommended that Council**:**

2.1. approves an additional day's annual leave on Tuesday 5 June 2012.

2.2. notes the Council's participation in the series of beacons that are being lit across the United Kingdom and other events planned to take place during the Diamond Jubilee weekend and approve arrangements for this be remitted to the Chief Executive in consultation with the Provost and the Leader of the Council.

3.0 Considerations

3.1. In 2012, The Queen will become the second Monarch in British history to celebrate 60 years reign.

3.2. The UK and Scottish Governments have announced an additional one-off Bank Holiday on Tuesday 5 June 2012. It has also been announced that the late May Bank Holiday will be moved to Monday 4 June 2012.

3.3. The Scottish Government is working with Lord-Lieutenants, Local Authorities and the UK Government to provide advice to organisations and community groups who are planning celebrations to mark this occasion.

3.4. As part of these celebrations, a series of beacons will be lit across the UK in celebration of the Jubilee. It is planned to have 2,012 beacons lit with Edinburgh Castle and Holyrood House confirmed so far. The Queen will light the National Beacon in London on Monday 4 June 2012.

3.5. Local event planning:

- Locally, a working group has been convened by the Provost and Lord Lieutenant for Clackmannanshire. Fire and Rescue Services, the Police and key Council Officers are meeting to progress arrangements for commemorating the Diamond Jubilee across Clackmannanshire.

- Lighting of Beacons: Discussion has started to progress proposals to light beacons on Monday, 4th June 2012 - at 11.00-11.30 pm on the hills to the back of Menstrie, Alva, Tillicoultry and Dollar with an additional beacon being lit in Clackmannan. This initiative is being progressed by the Depute Lord Lieutenants in consultation with local Community Councils. The local Scouts, the Mountain Rescue Team, and Councils services are being consulted to provide guidance on the siting of the beacons.

- Exhibition: It is proposed that the Council will co-ordinate an exhibition depicting life in Clackmannanshire 60 years ago. Local people will be asked to send photographs and stories to the Museum and Heritage officer.

- Community celebrations: Options for other events, including proposals for a Royal visit, are in the early stages of discussion. A further detailed report will be submitted to Council when plans have been costed.

3.6 Scottish Joint Council Circular (SJC/43) provides that Councils may determine to recognise the Queen's Diamond Jubilee on Tuesday 5 June by granting either an additional Bank Holiday or an additional day of annual leave.

If a Bank Holiday is awarded, then any employee required to work on 5 June 2012 would be recompensed in accordance with local arrangements in place for Bank Holiday working. If an additional day's leave is awarded then employees required to work on 5 June would be entitled to take that extra day's leave at a later date.

Circular SJC/43 recognises that many councils have local agreements in place that re-designate the late May Bank Holiday as annual leave. Councils that continue to recognise the Bank Holiday may choose to move it to Monday 4 June to provide a four day weekend.

3.7 COSLA is undertaking a survey of what is proposed across all councils. A full analysis of the results will be issued once all councils have responded to the survey.

3.8 Taking into account the facts that the Council has re-designated the late May Bank Holiday as leave and that designating Tuesday 5 June as a Bank Holiday would incur significant additional costs to the council, consideration should be given to awarding one additional day's leave to be taken on

Tuesday 5 June where service requirements allow. The Royal Wedding in April 2011 was treated in this way.

4.0 Conclusion

It is proposed that council employees are awarded one additional day's leave to be taken on Tuesday 5 June unless service demands make this impractical, when the day's leave will be taken at a later date.

5.0 Sustainability Implications

5.1 The Diamond Jubilee is a one-off event.

6.0 Resource Implications

6.1 Additional costs related to an extra day's leave across the workforce will be limited to the cost of essential cover in those services that will maintain service provision on Tuesday 5 June. The extra day's leave taken in lieu of the 5 June will result in the need to provide additional cover at a later date. Other Council services will lose a day's productivity. These additional costs are a one-off and estimated at £40k.

6.2 The estimated cost of allowing one additional Bank Holiday is £106k

6.3 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

6.4 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

6.5 Staffing

Some staff will be required to work as normal on Tuesday 5 June and take the additional day's leave at a later date. This can be achieved by forward planning with advance notice of the council's decision.

7.0 Exempt Reports

7.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011**(Please double click on the check box ☑)

The area has a positive image and attracts people and businesses ☑
Our communities are more cohesive and inclusive ☑

People are better skilled, trained and ready for learning and employment ☐
Our communities are safer ☐
Vulnerable people and families are supported ☐
Substance misuse and its effects are reduced ☐
Health is improving and health inequalities are reducing ☐
The environment is protected and enhanced for all ☐
The Council is effective, efficient and recognised for excellence ☐

(2) Council Policies (Please detail)

9.0 Equalities Impact

9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☑ No ☐

10.0 Legality

10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

11.0 Appendices

11.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

12.0 Background Papers

12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☑ (please list the documents below) No ☐

Scottish Joint Council Circular (SJC/43)

NAME	DESIGNATION	TEL NO / EXTENSION
Julie Burnett	Senior Support Services Manager	2022

Approved by

NAME	DESIGNATION	SIGNATURE
Julie Burnett	Senior Support Services Manager	[redacted]

Nikki Bridle	Director Finance & Corporate Services	[redacted]