

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of Meeting of the EXECUTIVE COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St Boswells and via MS Teams on Tuesday, 14 March, 2023 at 10.00 am

Present:- Councillors J. Greenwell (Chair), M. Douglas, C. Hamilton, J. Linehan, S. Mountford, J. Pirone, E. Robson, M. Rowley and F. Sinclair, R. Tatler.

Apologies: Councillors C. Cochrane, L. Douglas, E. Jardine, S. Hamilton, D. Parker, E. Thornton-Nicol, and T. Weatherston

In Attendance:- Chief Executive, Acting Chief Financial Officer, Director – Infrastructure and Environment, Director – People, Performance and Change, Director of Resilient Communities, Democratic Services Team Leader, Democratic Services Officer (D. Hall)

CHAIRMAN

In the absence of the Chairman, Councillor Greenwell assumed the Chair.

1. MINUTE

There had been circulated copies of the Minute of the meeting held on 14 February 2023.

DECISION

APPROVED for signature by the Chairman.

2. FINAL REVENUE VIREMENTS AND EARMARKED BALANCES 2022/23

With reference to paragraph 3 of the Minute of the meeting held on 14 February 2023, there had been circulated copies of a report by the Acting Chief Financial Officer which sought approval for the final 2022/23 budget virements and to carry forward identified earmarked budgets to 2023/24. The monitoring of the General Fund Revenue Budget at the end of January had identified the final virements and earmarked balances for 2022/23. Those included routine virements in Appendix 1 to the report and earmarked balances in Appendix 2 to the report, where it had been identified that budget was required to be carried forward to support expenditure in 2023/24. Members highlighted that the report represented prudent financial management and thanked officers for their work.

DECISION

AGREED to:-

- (a) approve the virements in Appendix 1 to the report;**
- (b) approve the earmarked balances in Appendix 2 to the report; and**
- (c) delegate authority for the remainder of the financial year to allow the Acting Chief Financial Officer to approve any year-end budget adjustments required to reflect additional 2022/23 funding allocations.**

3. CORPORATE PROCUREMENT STRATEGY 2023/24

There had been circulated copies of a report by the Acting Chief Financial Officer which sought approval of the refreshed Corporate Procurement Strategy for 2023/24 ahead of publication. The report explained that the Procurement Reform (Scotland) Act 2014 set out specific duties for contracting bodies (including Local Authorities). Those duties included the publishing of a procurement strategy and an annual report on delivery of the

strategy. The Corporate Procurement Strategy for 2023/24 in Appendix 1 to the report aligned with the Council Plan approved by Council on 23 February 2023. The Acting Chief Financial Officer presented the report and explained that the Strategy needed to be reviewed annually. Members commended the Strategy, and expressed their hope that more local businesses would be able to work with the Council. In response to a question regarding whether further “meet the buyer” events would be held, Ms Douglas explained that the previous event in Selkirk had been held under the auspices of South of Scotland Enterprise, and that that it was expected that future events would occur.

DECISION

AGREED to approve the Corporate Procurement Strategy as set out in Appendix 1 to the report.

4. SCOTTISH BORDERS COUNCIL’S ANNUAL COMPLAINTS PERFORMANCE REPORT: 2021/22

- 4.1 There had been circulated copies of a report by the Director, Resilient Communities which presented a summary of Scottish Borders Council’s “Complaints Annual Performance Report for 2021/22”, which was presented as Appendix 1 to the report. That set out how many complaints had been received, how effectively complaints had been dealt with, trends over time and how Scottish Borders Council (SBC) compared to other similar rural Local Authorities and the national average. It also provided a summary of the eight performance indicators that the Scottish Public Services Ombudsman (SPSO) required all Local Authorities to report against. The Annual Report was a requirement for all Local Authorities and allowed the SPSO to assess the effectiveness of Councils’ Complaint Handling Procedures (CHP). It also ensured an ongoing focus on learning from complaints received, to inform continuous improvement. During 2021/22, SBC received 1257 complaints, of which 849 were defined as valid. In 2021/22 Scottish Borders Council’s performance relating to the processing of complaints performed well against the Scottish National averages in many indicators, but performance was poorer in relation to indicators that measured timeliness of responses. In this area there had been a decline for a number of years.
- 4.2 The Director of Resilient Communities presented the report, and drew attention to the fact that a high number of complaints, 83%, were handled and closed at stage one of the complaints process. Complaints in general took SBC longer to deal with compared to its family group and Scotland as a whole. Whilst it was a positive that the new complaints system had gone live, it was anticipated that performance would experience a temporary dip whilst staff gained competence and experience on an operational level. 112 unsolicited comments/compliments had been received in the reporting period. It was hoped that formal methods of recording positive feedback would be explored and implemented in order to pass key feedback on to staff. Members highlighted that the report represented a key part of feedback which the Council needed to learn from as part of its drive for continual improvement. In response to a question regarding analysis of invalid complaints, the Director explained that work was regularly undertaken to assess the trends seen within invalid complaints received to ascertain whether Council communications or information needed to be amended to reduce the number received via improper channels. Regarding analysis of instances where complainants had indicated that they were dissatisfied with the outcome of their complaint, the Director confirmed that no high level analysis was undertaken in that context, and undertook to assess whether further learning could be derived from a study of that. In response to a question regarding the impact of lockdown and Covid on complaint statistics, the Director explained that whilst it may have had a bearing, the trends which had been seen nationally were generally reflected at a SBC level. Regarding the digital customer access platform, the Director highlighted that records of complaints, including their history, could be kept. Feedback had been positive on how simple to use that system was. Guidance on what would represent a valid/invalid complaint was available on the SBC website. In the event that a complaint had been deemed invalid, then the individual who had submitted the complaint received an explanation, via post or email, outlining the reasons for the

rejection and what steps they could take. The Director confirmed that all of the Directors received weekly reports which outlined all of the complaints within their directorate and what stage they were at. The Director undertook to explore the production of a breakdown of complaints by service and geographical area for Elected Members. In response to a question regarding communication to the general public regarding the new complaints system, the Director undertook to carry out work to ensure that the public were aware that a new system was in place, and that responses could be delayed as a result.

DECISION

AGREED to note the performance of handling complaints for the periods 1 April 2021 to 31 March 2022.

5. SCOTTISH BORDERS COUNCIL'S QUARTER 3 2022/23 PERFORMANCE INFORMATION

With reference to paragraph 5 of the Minute of the meeting held on 6 December 2022, there had been circulated copies of a report by the Director – People, Performance and Change which presented a summary of Scottish Borders Council's Quarter 3 2022/23 performance Information. The information contained within the report would be made available on the SBC website. The Director – People, Performance and Change, Ms Clare Hepburn, explained that the report had been revised in line with previously received feedback from Elected Members. Progress had largely been positive, 10 out of 13 milestones showed positive progress. There were three milestones which had not made progress as anticipated. The introduction of Parent Portal to improve digital customer access was not progressed as it had been determined that the benefits to SBC would not be realised. A programme of curriculum reform incorporating National and International recommendations had been delayed due to an extension in the consultation period by the Scottish Government. The development of a Council Commissioning Framework had moved to Quarter 4 due to the need to recruit a staff member for the necessary post. 52 of the 96 indicators were progressing as expected or did not show grounds for concern. 17 were considered showing positive progress, and 14 were highlighted as areas of focus for improvement. Four were provided for information only. There had been a delay in receiving the latest information for 9 of the performance indicators. Regarding the Community Action Team (CAT), 104 hours of foot patrols had been carried out, 1034 hours of mobile patrols, and 71 static road checks. 80 parking tickets had been issued, and 20 Anti-Social Behaviour warning letters had been issued to under 18s. 15 person drug searches and 17 premises drug searches had been carried out, with positive rates of 40% and 88% respectively. In response to a question regarding whether there was a planned alternative to Parent Portal, the Director of Resilient Communities explained that assessments of various measures, including a mobile phone application, was ongoing, with a view to determining the most effective suite of tools to communicate with parents. The Director – People, Performance and Change undertook to ensure that future reports reflected instances where the work of the CAT was affected by external pressures such as missing person cases or other high level staffing requirements. In response to a question regarding analysis of the source of Freedom of Information requests, Ms Hepburn confirmed that FOI requests came from a range of sources, such as journalists, the Scottish Parliament, and the general public. The Chief Legal Officer explained that there had been a considerable increase in the number of FOI requests received by SBC, from a wide variety of sources. The Council recognised the importance of FOI and aimed to publish information wherever possible. The Chief Legal Officer undertook to prepare detailed information for Elected Members on FOI, and where FOI requests originated from.

DECISION

AGREED to:-

- (a) note the Quarter 3 2022/23 Council Plan Performance Milestones and Performance Indicators Report in Appendix 1 to the report ; and**

- (b) **note the Quarter 3 2022/23 Community Action Team Performance Report in Appendix 2 to the report.**

6. **COMMUNITY RECYCLING CENTRE – BOOKING SYSTEM**

There had been circulated copies of a report by the Director of Infrastructure and Environment which proposed that the Council retained the current Community Recycling Centre booking system, which covered trailers and large vehicles, and expanded it to include small vans. The report explained that the Council introduced a booking system for trailers and large vans in response to the Covid pandemic. The majority of Covid restrictions had subsequently been lifted, and a decision on the long term need for a booking system was required. There were a number of key benefits of the booking system. Customer waiting times had been reduced as larger vehicles were spread throughout the day. Health and Safety risks had been reduced. The impact on local businesses associated with queuing traffic outside sites had been mitigated. The Council could monitor illegal use of the sites by traders who had not purchased a Trade Waste Permit. Four options had been considered, ranging from complete withdrawal of the booking system to the requirement that all vehicles pre-book. The Waste and Passenger Transport Manager, Mr Ross Sharp-Dent presented the report and highlighted that approximately three quarters of all Local Authorities in Scotland had introduced a similar booking system. Five official complaints had been received since the introduction of the booking system over 2 previous years. A public survey had been undertaken in June 2022, which had found that the majority of respondents, 44 out of 59, were happy with the system. In response to a question regarding the monitoring of fly tipping as a consequence of the system, Mr Sharp-Dent confirmed that fly tipping was monitored on a constant basis. Whilst no specific analysis of fly tipping relating to the booking system had been undertaken, there had not been a significant change detected in the data. It was confirmed that whilst larger vehicles such as people carrier cars, could be required to book a slot, that was generally limited to instances where the whole of a vehicle had been used to carry waste. Operatives were asked to use common sense to ensure that members of the public understood to use the booking system if they were dropping of a large volume of waste. Members commended report and were encouraged by the plans to introduce smart phones to front-line staff to allow them to monitor bookings in real time.

DECISION

AGREED to:-

- (a) **retain the current Community Recycling Centre Booking System, which covers trailers and large vehicles, and to expand it to include small vans;**
- (b) **deliver the proposed improvements to the booking system as outlined in the report;**
- (c) **note that the majority of visits to Community Recycling Centres were made by car and were therefore unaffected by the existing and proposed booking system; and**
- (d) **note the benefits of the booking system in relation to:**
- (i) **reducing waiting times;**
 - (ii) **reducing queues out with the sites, which create Health and Safety risks and impact local businesses; and**
 - (iii) **controlling misuse of sites by traders who had not purchased permits.**

The meeting concluded at 11.00 am