



**Greenfield, Alloa, Scotland, FK10 2AD (Tel.01259-450000)**

## **CLACKMANNANSHIRE COUNCIL MEETING**

**THURSDAY 11 MARCH 2010**

**Meeting start time: 9.30 am**

**(There will be a presentation for APSE Apprentice  
of the Year Finalists at 9.15 am)**

**Venue: Council Chamber, Greenfield, Alloa, FK10 2AD**

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For further information contact Chief Executive's Service, Clackmannanshire Council, Greenfield, Alloa, FK10 2AD

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Website: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

Date	Time
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# Clackmannanshire Council

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There are 32 Unitary Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at the 6 weekly meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct. Co-option of religious representatives in respect of Education policy decisions is also a Council responsibility.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend Council and Committee meetings to see how decisions are made.

Details of all Council and Committee dates and Agenda items are published on Clacksweb - [www.clacksweb.org](http://www.clacksweb.org)

For further information on Council meetings, please contact Chief Executive's Services by e-mail on [chiefexecutiveservices@clacks.gov.uk](mailto:chiefexecutiveservices@clacks.gov.uk) or by telephone on 01259 452003.

**04 March 2010**

**A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 11 MARCH 2010 at 9.30 am.**

**PETER J BROADFOOT**  
**Head of Administration and Legal Services**

**9.15 am: Presentation - APSE Apprentice of the Year Awards**

Hannah Douglas, Apprentice Joiner (1st Year Apprentice of the Year and Overall Apprentice of Year)

Darren Hammond, Apprentice Joiner (Finalist - Apprentice of the Year)

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2. Declaration of Interests Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
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## Clackmannanshire Council – Councillors and Wards

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### Councillors

### Wards

Councillor	Eddie Carrick	1	Clackmannanshire West	LAB
Councillor	George Matchett	1	Clackmannanshire West	LAB
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Janis Paterson	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	John S Biggam	2	Clackmannanshire North	SLD
Councillor	Walter McAdam	2	Clackmannanshire North	SNP
Councillor	Robert McGill	2	Clackmannanshire North	LAB
Councillor	Sam Ovens	3	Clackmannanshire Central	LAB
Provost	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Gary Womersley	3	Clackmannanshire Central	SNP
Councillor	Janet Cadenhead	4	Clackmannanshire South	LAB
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Mark English	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	IND
Councillor	Alastair Campbell	5	Clackmannanshire East	CON
Councillor	Irene Hamilton	5	Clackmannanshire East	SNP
Councillor	Harry McLaren	5	Clackmannanshire East	LAB

### Religious Representatives

Rev Mairi Lovett

Church of Scotland

Father Michael Milton

Roman Catholic Church



## **CLACKMANNANSHIRE COUNCIL**

**MINUTE OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, on THURSDAY 28TH JANUARY 2010 at 9.30 am.**

### **PRESENT**

Provost Derek Stewart (Chair)  
Councillor Donald Balsillie  
Councillor John Biggam  
Councillor Janet Cadenhead  
Councillor Alastair Campbell  
Councillor Eddie Carrick  
Councillor Kenneth Earle  
Councillor Mark English  
Councillor Irene Hamilton  
Councillor Craig Holden  
Councillor George Matchett QPM  
Councillor Bobby McGill  
Councillor Harry McLaren  
Councillor Tina Murphy  
Councillor Reverend Sam Ovens  
Councillor Janis Paterson  
Councillor Gary Womersley

### **IN ATTENDANCE**

Angela Leitch, Chief Executive  
Grahame Blair, Director of Services to People  
Garry Dallas, Director of Development and Environmental Services  
Stephen Bell, Head of Development Services  
Peter Broadfoot, Head of Administration and Legal Services (Clerk to the Council)  
Deirdre Cilliers, Head of Social Services  
Barry Dickson, Head of Business Improvement and Technology Services  
John Gillespie, Head of Housing, Property and Benefit Advice  
Jim Goodall, Head of Schools  
Brian Hutchison, Head of Human Resources  
Elaine McPherson, Head of Strategic Policy  
Gordon Stewart, Head of Property Services

### **CC.85 APOLOGIES**

Apologies for absence were received from Councillor Walter McAdam MBE.

### **CC.86 DECLARATIONS OF INTEREST**

Councillor Irene Hamilton declared a non-financial interest in Item 6 - Fairer Scotland Fund from 2010 and decided to participate in discussion and voting. Councillor Hamilton is a volunteer with Homestart.

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Councillor Craig Holden raised a Point of Order in that he considered Standing Order 34.1 to have been breached with regard to the request made by the Trade Union's request to speak at the Council Meeting. The Trade Union's application to speak was received in line with standing orders, but their application did not appear on the Agenda. Councillor Holden stated that he did not consider Standing Order 34.5 to apply in this case.

The Head of Administration and Legal Services advised that Standing Order 34.5 did apply in this case and that the Chief Executive had duly responded to the Trade Union's request.

Councillor Holden asked the Provost to confirm under standing order 22.1 that he was satisfied that Standing Orders had been followed.

The Provost explained that there is a procedure where a special meeting of the Clackmannanshire Consultative Forum: Member/Officer/JTUC could be called where Unions require to discuss issues with elected members, therefore there was an alternative forum for the Unions. The Provost confirmed that he was satisfied that Standing Orders had been followed.

Under Standing Order 22.4, Councillor Holden challenged the Provost's decision and asked for the matter to be put to the vote.

The Chief Executive commented that she had met with the Trade Unions the day before the Council Meeting and had explained that there were other forums open to the Unions for an ongoing dialogue. A Special Meeting of the Clackmannanshire Consultative Forum: Member/Officer/JTUC had been called for 10th February 2010.

Councillor Craig Holden asked for a roll call vote on this matter. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 members present who were eligible to vote.

The voting was as follows:

Against the Provost's decision (8):

Councillor Craig Holden  
Councillor John Biggam  
Councillor Mark English  
Councillor Janis Paterson  
Councillor Gary Womersley  
Councillor Irene Hamilton  
Councillor Donald Balsillie  
Councillor Tina Murphy

For the Provost's decision (9):

Provost Derek Stewart  
Councillor George Matchett  
Councillor Rev. Sam Ovens  
Councillor Harry McLaren  
Councillor Kenny Earle  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Eddie Carrick  
Councillor Alastair Campbell

The challenge to the Provost's decision was defeated by 9 votes to 8.

## **CC.87 MINUTE OF MEETING HELD ON THURSDAY 17 DECEMBER 2009**

Councillor Donald Balsillie stated that under CC.80, he had asked the Director of Development and Environmental Services to investigate further the availability of hypo therapy at the new Scottish National Wildlife Centre. The Chief Executive advised that she will check the outcome of the investigation and will report back to Councillor Balsillie.

The Council approved the minute of the meeting held on Thursday 17 December 2009 as a correct record of proceedings. The minute of the meeting was signed by the Provost.

## **CC.88 SERVICE AND MANAGEMENT RECONFIGURATION**

The report, submitted by the Chief Executive, presented proposals to reconfigure the structure of the Council and the main roles of its senior management. This would create a sustainable organisation, reducing Chief Officer posts by 5 Full time equivalents and the senior management salary bill by around 25%.

### **Motion**

That the Council:

- a. approves the proposed corporate structure as set out in Appendix 1 of the report;
- b. approves the main roles and responsibilities of the Directors and Heads of Service as set out in Appendix 1 of the report;
- c. Agrees to the establishment of an Appointments Committee as set out in Sections 5.0 and 6.0 of the report; and
- d. Nominates members and substitutes to the Appointment Committee as per Section 6.0 of the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Harry McLaren.

Councillor Cadenhead put forward the undernoted nominations to the Appointments Committee:

Chair	Councillor Janet Cadenhead
Labour Group	Councillor Bobby McGill
Labour Group	Councillor Eddie Carrick
Non SNP Opposition	Councillor Alastair Campbell
Substitute	Councillor Rev. Sam Ovens

At the request of Councillor Donald Balsillie, the Provost and Leader agreed to take the motion parts A and B together as a separate item and the motion parts C and D together as a separate item.

Councillor Donald Balsillie put forward the undernoted nominations to the Appointments Committee:

Opposition Group Member	Councillor Donald Balsillie
Opposition Group Member	Councillor Tina Murphy
Non SNP Opposition	Councillor Craig Holden
Substitute	Councillor Irene Hamilton
Substitute	Councillor Walter McAdam
Substitute	Councillor Janis Paterson

## **Voting**

The voting on the motion (parts A and B) was as follows:

For the motion - 10 votes  
Against the motion - 6 votes  
Not voting - 1 abstention

## **Decision**

On a division of 10 votes to 6 with 1 abstention, the Council agreed to:

- a. approve the proposed corporate structure as set out in Appendix 1 of the report; and
- b. approve the main roles and responsibilities of the Directors and Heads of Service as set out in Appendix 1 of the report.

## **Action**

Chief Executive

## **Voting**

The voting on the motion (parts C and D) was as follows:

For the motion - 15 votes  
Against the motion - 0 votes  
Not voting - 2 abstentions

## **Decision**

On a division of 15 votes to 0 with 2 abstentions, the Council agreed to:

- c. The establishment of an Appointments Committee as set out in Sections 5.0 and 6.0 of the report; and
- d. Nominate members and substitutes to the Appointment Committee as per Section 6.0 of the report.

There being two nominations for the 1 non-SNP opposition position on the Appointments Committee, the matter was put to the vote:

For Councillor Craig Holden: 9 votes  
For Councillor Campbell: 8 votes

The Council agreed Membership of the Appointments Committee will be:

Chair	Councillor Janet Cadenhead
Labour Group	Councillor Bobby McGill
Labour Group	Councillor Eddie Carrick
Opposition Group Member	Councillor Donald Balsillie (SNP)
Opposition Group Member	Councillor Tina Murphy (SNP)
Non SNP Opposition	Councillor Craig Holden
Substitute	Councillor Rev. Sam Ovens
Substitute	Councillor Irene Hamilton
Substitute	Councillor Walter McAdam
Substitute	Councillor Janis Paterson

## **Action**

Chief Executive

### **CC.89 FAIRER SCOTLAND FUND FROM 2010**

The report submitted by the Head of Strategic Policy, explained the position in relation to Fairer Scotland Funding which from 2008-10 was ring-fenced for use by community planning partnerships but which from March 2010 would be rolled-up in the Council's revenue budget. The roll-up means that the Council required to agree how these resources for 2010-11 should be allocated.

## **Motion**

That the Council allocates £1.8M from its 2010-11 budget for distribution by the Clackmannanshire Alliance to programmes which support the criteria and principles of the Fairer Scotland Fund.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Kenny Earle.

## **Voting**

The voting on the motion was as follows:

For the motion	- 10 votes
Against the motion	- 6 votes
Not voting	- 0 abstentions

Councillor Craig Holden was not present in the Chamber during the vote on this item.

## **Decision**

The motion was carried by 10 votes to 6 with 0 abstentions.

Accordingly, the Council agreed to allocate £1.8M from its 2010-11 budget for distribution by the Clackmannanshire Alliance to programmes which support the criteria and principles of the Fairer Scotland Fund.

## **Action**

Chief Executive

### **CC.90 SOCIAL WORK COMPLAINTS REVIEW COMMITTEE MEETING**

The Social Work Complaints Review Committee met on 30 November 2009. The report, submitted by the Head of Administration and Legal Services, presented the findings and recommendations to Council.

## **Motion**

That Council agrees to consider and endorse the findings and recommendations of the Social Work Complaints Review Committee.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor George Matchett QPM.

## **Voting**

The voting on the motion was as follows:

For the motion	- 11 votes
Against the motion	- 6 votes
Not voting	- 0 abstentions

## **Decision**

The motion was carried by 11 votes to 6 with 0 abstentions.

Accordingly, the Council agreed to consider and endorse the findings and recommendations of the Social Work Complaints Review Committee.

## **Action**

Chief Executive

## **CC.91 CORNTON VALE PRISON VISITING COMMITTEE**

The report, submitted by the Head of Administration and Legal Services, sought Council approval of a nomination to fill a vacancy on Cornton Vale Prison Visiting Committee.

## **Decision**

The Council unanimously agreed to note the contents of the report and approved the nomination of Mrs Eileen Leckie to serve on Cornton Vale Prison Visiting Committee. The Council added their thanks to Mrs Leckie.

## **Action**

Chief Executive

## **CC.92 DISCIPLINARY AND GRIEVANCE POLICIES**

The report, submitted by the Head of Human Resources and Organisational Development, sought Council approval of revised staff disciplinary and grievance policies which have been developed by a management and trade union working group. It is intended that these policies and associated procedures shall apply to all Council Staff. In respect of teaching staff, under the terms of the national framework such policies and procedures require to be agreed through the Local Negotiation Committee for Teachers (LCNT). Agreement has been reached with teaching trade unions to adopt the revised disciplinary policy, and consideration is currently being given to the grievance policy. Both will require to be formally approved through the LNCT before implementation.

## **Motion**

That Council agree the revised staff disciplinary and grievance policies as set out in Appendices 1 and 2 of the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Eddie Carrick.

## **Voting**

The voting on the motion was as follows:

For the motion	- 16 votes
Against the motion	- 1 vote
Not voting	- 0 abstentions

## **Decision**

The motion was carried by 16 votes to 1 with 0 abstentions.

Accordingly, the Council agreed the revised staff disciplinary and grievance policies as set out in Appendices 1 and 2 of the report.

## **Action**

Chief Executive

## **CC.93 COMMUNITY CARE ELIGIBILITY CRITERIA AND WAITING TIMES FOR THE PERSONAL AND NURSING CARE OF OLDER PEOPLE**

The Chief Social Work Officer submitted a report which presented the Scottish Government framework of guidance on eligibility criteria for community care assessments and services for older people (November 2009) and the reporting requirements on waiting times. The guidance is for implementation by health and social care partnerships and therefore by Clackmannanshire Community Health Partnership. National monitoring requirements require local systems to be in place from 1st December 2009. The purpose of the report was to advise Council of recommended adjustments to the current policy and practice of the Clackmannanshire Community Care Teams. These adjustments will align local authority responses and reporting arrangements with the national standard. There is further work to be done on joint reporting with health service partners.

## **Motion**

That Council approves:

1. The revised eligibility criteria and associated waiting times for community care assessments and services; and
2. To note that while the guidance is specifically geared to older people, the new standard criteria will be applied where relevant across all community care groups.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Harry McLaren.

## **Decision**

The Council unanimously agreed to:

1. The revised eligibility criteria and associated waiting times for community care assessments and services; and
2. To note that while the guidance is specifically geared to older people, the new standard criteria will be applied where relevant across all community care groups.

## **Action**

Director of Services to People

## **CC.94 KINSHIP CARE ALLOWANCES**

The report, submitted by the Director of Services to People, was brought to Council to complete the work of establishing a fair and affordable Kinship Care policy and procedure in Clackmannanshire.

### **Motion**

That the Council

1. Scrutinise the 4 options set out in the report to re-configure the kinship care payments system and the professional advice contained within each option;
2. Agree to the implementation of the guidance and procedures for the assessment and approval processes for the awarding of kinship care payments attached as set out in Appendix 1 to the report.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Harry McLaren.

### **Amendment 1**

Amendment to recommendations:

- 2.2 That the Council agrees to match £1 for £1 the Scottish Governments allocation for Kinship Care and requests officers to bring back to Council a Kinship Care allowance scheme based on a budget that-
  - i) Sets a standard care rate for each year until March 2014
  - ii) Sets a rate that is simple to understand, fair, equitable, and easy to administer as well as distribute on the basis of projected numbers of eligible children to be supported in 2013/14.
  - iii) That any savings made within the Kinship Budget are allocated 50% to efficiency savings and 50% to improved foster care arrangements.

Moved by Councillor Donald Balsillie. Seconded by Councillor John Biggam.

### **Voting**

The voting on amendment 1 was as follows:

For amendment 1	- 5 votes
Against amendment 1	- 9 votes
Not voting	- 3 abstentions

Amendment 1 was defeated by 9 votes to 5 with 3 abstentions.

### **Amendment 2**

That the Council

1. Agree to implement Option 4 as set out in paragraph 4.4 of the report.
2. Agree to the implementation of the guidance and procedures for the assessment and approval processes for the awarding of kinship care payments as set out in Appendix 1 to the report.

Moved by Councillor Eddie Carrick. Seconded by Councillor George Matchett.

## **Voting**

Councillor Craig Holden asked for a roll call vote on amendment 2. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 members present who were eligible to vote.

The voting on amendment 2 was as follows:

### **For amendment 2 (9)**

Provost Derek Stewart  
Councillor George Matchett QPM  
Councillor Rev. Sam Ovens  
Councillor Harry McLaren  
Councillor Kenny Earle  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Eddie Carrick  
Councillor Alastair Campbell

### **Against amendment 2 (8)**

Councillor Craig Holden  
Councillor John Biggam  
Councillor Mark English  
Councillor Janis Paterson  
Councillor Gary Womersley  
Councillor Irene Hamilton  
Councillor Donald Balsillie  
Councillor Tina Murphy

## **Decision**

The amendment was carried by 9 votes to 8

Accordingly, the Council agreed:

1. To implement Option 4 as set out in paragraph 4.4 of the report.
2. To the implementation of the guidance and procedures for the assessment and approval processes for the awarding of kinship care payments as set out in Appendix 1 to the report.

## **Action**

Director of Services to People

***Councillor George Matchett withdrew from the meeting at this point in the proceedings.***

## **CC.95 PRIVATE HOUSING ASSISTANCE SCHEME (HOUSING (SCOTLAND) ACT 2006)**

The report, submitted by the Head of Housing, Property and Benefit Advice, sought approval for the Council's Statement of Assistance, required under Section 72 of the Housing (Scotland) Act 2006. It also sought approval to extend the current Care and Repair Service Level Agreement and to tender for a future Care and Repair Services.

### **Motion**

That Council:

1. Approves the Private Housing Assistance Scheme contained in Appendix 1 of the report; and
2. Agrees to tender the future Care and Repair Service and instruct officers to prepare appropriate tender documentation.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Janet Cadenhead.

### **Decision**

The Council unanimously agreed to:

1. Approves the Private Housing Assistance Scheme contained in Appendix 1 of the report; and
2. Agrees to tender the future Care and Repair Service and instruct officers to prepare appropriate tender documentation.

### **Action**

Director of Services to People

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Councillor Craig Holden raised a Point of Order in that he considered Standing Order 34.5 to have been breached with regard to the request made by the Trade Union's request to speak at the Council Meeting, in that the law does not provide an opportunity for the Union's views to be heard.

The Head of Administration and Legal Services advised that it had already been agreed that the Standing Orders had been followed.

Councillor Holden asked the Provost to confirm under standing order 22.1 that he was satisfied that Standing Orders had been followed as he was concerned that by taking the decision not to allow the Unions to speak, the Unions would never be allowed to address Council.

The Provost confirmed that he was satisfied that Standing Orders had been followed.

Under Standing Order 22.4, Councillor Holden challenged the Provost's decision and asked for the matter to be put to the vote.

Councillor Craig Holden asked for a roll call vote on this matter. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote.

The voting was as follows:

Against the Provost's decision (8):

Councillor Craig Holden  
Councillor John Biggam  
Councillor Mark English  
Councillor Janis Paterson  
Councillor Gary Womersley  
Councillor Irene Hamilton  
Councillor Donald Balsillie  
Councillor Tina Murphy

For the Provost's decision (8):

Provost Derek Stewart  
Councillor Rev. Sam Ovens  
Councillor Harry McLaren  
Councillor Kenny Earle  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Eddie Carrick  
Councillor Alastair Campbell

With 8 votes against the Provost's decision and 8 votes for the Provost's decision, the challenge to the Provost's decision was defeated on the casting vote of the Provost.

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**CC.96 NOTICE OF MOTION IN TERMS OF STANDING ORDER 31 - COUNCIL'S NEW PAY AND GRADING SCHEME**

There was submitted a notice of motion by Councillor Craig Holden.

**Motion**

"Council acknowledges the widespread concern and anxiety arising from the progression of the new pay and grading scheme. Council affirms its commitment to ensure that the negotiations and imposition of the pay and grading scheme will be conducted in a fair and transparent manner which respects the contribution that every member of staff makes towards the running of this organisation.

Council confirms that every member of staff will be provided with adequate opportunity to undertake an informal review of their current job with their Line Manager prior to any pay or grading imposition and that these reviews and any subsequent appeals will be held in accordance with protocols previously agreed between the Council and the Trade Unions.

Council also reaffirms the commitment made by the Chief Executive to minimise the financial loss to staff members through the provision of new opportunities and practical support/advice designed to develop individual job roles and enhance work related skills."

Moved by Councillor Craig Holden. Seconded by Councillor Bobby McGill.

Councillor Cadenhead asked for the undernoted statement to be included in the minute of the meeting:

"I have accepted as Leader of the Council and have assured myself that any changes or anything to do with the evaluation of single status was not affected by any changes in the budget situation and that if it is ever in any way proved otherwise, I will resign my position immediately as the Leader of the Council."

**Decision**

The Council agreed unanimously to support Councillor Craig Holden's motion.

**Action**

Chief Executive

**EXEMPT INFORMATION**

**On a division of 10 votes to 6, the Council resolved in terms of Section 50(A) of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 6 and 9.**

**CC.97 RESIDENTIAL DEVELOPMENT SITE, ALLOA ROAD, TULLIBODY**

The report, submitted by the Head of Property Services, sought approval for the sale of a residential development site in Alloa Road, Tullibody.

**Motion**

Councillor Eddie Carrick moved the recommendation as set out in the report. Seconded by Councillor Tina Murphy.

**Voting**

The voting on the motion was as follows:

For the motion	- 10 votes
Against the motion	- 5 votes
Not voting	- 1 abstention

**Decision**

The motion was carried by 10 votes to 5 with 1 abstention.

Accordingly, the Council agreed the recommendation as set out in the report.

**Action**

Director of Development and Environmental Services

Ends: 2.00pm

**CLACKMANNANSHIRE COUNCIL**

**MINUTE OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 11 FEBRUARY 2010 at 9.30 am.**

**PRESENT**

Provost Derek Stewart (Chair)  
Councillor Donald Balsillie  
Councillor John Biggam  
Councillor Janet Cadenhead  
Councillor Alastair Campbell  
Councillor Eddie Carrick  
Councillor Kenneth Earle  
Councillor Mark English  
Councillor Irene Hamilton  
Councillor George Matchett QPM  
Councillor Walter McAdam MBE  
Councillor Bobby McGill  
Councillor Harry McLaren  
Councillor Tina Murphy  
Councillor Reverend Sam Ovens  
Councillor Janis Paterson  
Councillor Gary Womersley

**IN ATTENDANCE**

Angela Leitch, Chief Executive  
Grahame Blair, Director of Services to People  
Garry Dallas, Director of Development and Environmental Services  
Peter Broadfoot, Head of Administration and Legal Services (Clerk to the Council)  
Barry Dickson, Head of Business Improvement and Technology Services  
John Gillespie, Head of Housing Property and Benefit Advice  
Susan MacKay, Finance Manager

**CC.98 APOLOGIES**

Apologies for absence were received from Reverend Mairi Lovett (Religious Representative).

**CC.99 DECLARATIONS OF INTEREST**

None

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Prior to debate on agenda item 3 (General Services Revenue Budget 2010/11), Councillor Balsillie asked that the meeting be adjourned for one hour to allow Opposition members further time to consider the savings provided by services for financial year 2010/11; the paper had been issued to elected members two days previously on 9 February 2010.

The Chief Executive advised the Council that, as part of the member/officer round table budget discussions, it had been agreed that the papers would be issued in advance to allow members the opportunity to consider the content prior to today's meeting. The information presented two days previously is broadly similar to the detailed papers that had been available to the round table discussions and, as a matter of courtesy, was issued in advance of today's meeting as soon as this became available.

The meeting did not adjourn.

Councillor Balsillie asked that the concerns of the SNP Group regarding the late delivery of this paper (Savings Provided by Services for Financial Year 2010/11) be recorded in the minute.

- *Councillor Walter McAdam joined the meeting at this point in the proceedings (9.35 am)*

### **CC.100 GENERAL SERVICES REVENUE BUDGET 2010/11**

A report was submitted by the Finance Manager, the purpose of which was to present the Council's General Services Revenue Budget for 2010/11. The budget was summarised in Appendix 1 of the report.

The budget process for preparing the 2010/11 General Services Revenue budget involved input from all budget holders and Senior Officers with discussion involving Elected Members on savings being offered. The savings provided by services for financial year 2010/11 were issued to elected members on 9 February 2010.

The main assumptions included within the budget are:

- Inflation has been determined at 1%
- Council Tax rates remain frozen at 2009/10 levels
- with all PPP schools operational, full year costs are reflected in line with the funding model.

### **Motion**

That Council approves the recommendations set out in the report at paragraph 2.1.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Harry McLaren.

### **Voting**

Councillor Balsillie asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 Members present who were eligible to vote.

On the roll being called the Members present voted as follows:

For the motion (9)

Provost Derek Stewart  
Councillor George Matchett  
Councillor Reverend Sam Ovens  
Councillor Janet Cadenhead  
Councillor Bobby McGill  
Councillor Kenneth Earle  
Councillor Harry McLaren  
Councillor Eddie Carrick  
Councillor Alastair Campbell

Against the motion (7)

Councillor Walter McAdam  
Councillor Tina Murphy  
Councillor Irene Hamilton  
Councillor Janis Paterson  
Councillor Mark English  
Councillor Gary Womersley  
Councillor Donald Balsillie

Abstain (1)

Councillor John Biggam

**Decision**

Accordingly, on a division of 9 votes to 7 with one abstention, the Council agreed to support the motion to:

- Approve the General Services Revenue Budget for 2010/11
- Approve the savings necessary to allow a balanced budget for 2010/11
- Approve the level of Council Tax for 2010/11 (rates remain frozen at 2009/10 levels)
- Note the indicative budgets for 2011/12 and 2012/13.

**Action**

Chief Executive

**CC.101 GENERAL SERVICES CAPITAL PROGRAMME 2010/11 TO 2014/15**

A report was submitted by the Finance Manager, the purpose of which was to present the General Services Capital Programme for the years 2010/11 to 2014/15 for approval.

The programme listed the individual projects included in the five year plan including significant developments and continued investment in roads and footways, flood prevention schemes, primary and nursery schools.

Councillor Balsillie asked that, as the local member for Ward 2 (Clackmannanshire North), his concerns regarding budget allocation being removed from the townscape improvements for Alva and the Johnstone Centre in total effectively £½m, be recorded in the minute.

**Motion**

That Council approves the General Services Capital Programme for the years 2010/11 to 2014/15.

Moved by Councillor Eddie Carrick. Seconded by Councillor George Matchett.

**Voting**

Councillor Cadenhead asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 Members present who were eligible to vote.

On the roll being called the Members present voted as follows:

For the motion (10)

Provost Derek Stewart  
Councillor George Matchett  
Councillor Reverend Sam Ovens  
Councillor Janet Cadenhead  
Councillor Bobby McGill  
Councillor Kenneth Earle  
Councillor Harry McLaren  
Councillor Eddie Carrick  
Councillor Alastair Campbell  
Councillor John Biggam

Against the motion (0)

None

Abstain (7)

Councillor Walter McAdam  
Councillor Tina Murphy  
Councillor Irene Hamilton  
Councillor Janis Paterson  
Councillor Mark English  
Councillor Gary Womersley  
Councillor Donald Balsillie

**Decision**

Accordingly, the Council agreed by 10 votes to 0 with 7 abstentions to approve the General Services Capital Programme for the years 2010/11 to 2014/15.

**Action**

Chief Executive/Director of Development and Environmental Services

- *Councillor English withdrew from the meeting at this point in the proceedings (11.15 am)*

**CC.102 HOUSING REVENUE BUDGET 2010/11 AND CAPITAL PROGRAMME 2010/16**

A report was submitted by the Head of Housing and the Finance Manager, the purpose of which was to present the budget of income and expenditure for the Housing Revenue Account in the forthcoming financial year 2010/11.

The report highlighted the key factors influencing the budget and outlined the main income and expenditure assumptions of the budget setting. The report also considered the main issues that shape the 2010/11 to 2015/16 Housing Capital Programme and presented in outline the proposed annual capital programme for the coming year (2010/11), together with draft programmes for the next four years.

**Motion**

That Council approves the recommendations set out in the report.

Moved by Councillor Reverend Sam Ovens. Seconded by Councillor Kenneth Earle.

## **Decision**

The Council agreed unanimously to approve:

- the budget on income and expenditure as set out in the report and Appendix 1 of the report.
- an increased level for Council house rents of 5.0% for financial year 2010/11.
- the same level of increase to be applied to charges for lock-ups, garage sites and the Travelling Persons' site.
- the proposed Housing (HRA) Capital Programme for 2010/11 as set out in Appendix 2 of the report.

## **Action**

Chief Executive/Director of Services to People

- *Councillor McAdam withdrew from the meeting at this point in the proceedings (11.35 am)*

## **CC.103 PRUDENTIAL INDICATORS 2010/11 TO 2012/13**

A report which sought to update and revise the indicators approved by Council last year in the context of the Council's latest spending plans over the period 2010/11 to 2012/13 was submitted by the Finance Manager.

The capital budgets of the Council for 2010/11 to 2012/13 have been prepared under the self regulating Prudential Code. Local authorities are required by regulation to comply with the Prudential code in terms of meeting their statutory duty under Section 35(1) of the Local Government in Scotland Act 2003 to 'determine and keep under review the maximum amount which it can afford to allocate to capital expenditure'.

## **Motion**

That Council approves the prudential indicators set out in the report for the years 2010/11 to 2012/13.

Moved by Councillor Bobby McGill. Seconded by Councillor Kenny Earle.

## **Voting**

Councillor Cadenhead asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 15 Members present who were eligible to vote.

On the roll being called the Members present voted as follows:

For the Motion (10)

Provost Derek Stewart  
Councillor George Matchett  
Councillor Reverend Sam Ovens  
Councillor Janet Cadenhead  
Councillor Bobby McGill  
Councillor Kenny Earle  
Councillor Harry McLaren  
Councillor Eddie Carrick  
Councillor Alastair Campbell  
Councillor John Biggam

Against the Motion (0)

None

Abstain (5)

Councillor Tina Murphy  
Councillor Irene Hamilton  
Councillor Janis Paterson  
Councillor Gary Womersley  
Councillor Donald Balsillie

**Decision**

Accordingly, the Council agreed by 10 votes to 0 with 5 abstentions, to approve the prudential indicators set out in the report for the years 2010/11 to 2012/13.

**Action**

Chief Executive

ENDS 12.00 pm

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**Report to Council**

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**Date: 11 March 2010**

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**Subject: Substitution Arrangements for Appointments Committee**

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**Report by: Chief Executive**

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**1.0 Purpose**

- 1.1 The purpose of the report is to advise Council of the need to make substitution arrangements in respect of the Appointments Committee.

**2.0 Recommendations**

- 2.1 Council is asked to agree a nomination to act as a substitute on the Appointments Committee in respect of the one place allocated to the non-SNP Opposition.
- 2.2 Council invites all members who may be interested in participating in the work of the Appointments Committee and who have not already undergone relevant training in respect of recruitment process for senior appointments, to volunteer for the appropriate training.

**3.0 Considerations**

- 3.1 At its meeting in January 2010, Council established a Council Appointment Committee pursuant to the proposed Service Reconfiguration described in the relevant report to Council on that issue.
- 3.2 Council Standing Orders and Scheme of Delegation require that Chief Official appointments are made by an Appointments Committee reflecting the political balance of the Council. In line with these arrangements, the agreed composition of the Appointment Committee established at the January 2010 Council meeting was:

Council Leader Committee Chair  
2 further Administration (Labour group ) members  
2 opposition group (SNP) members  
1 non-SNP opposition member

3.3 While substitute members in respect of the Administration and Opposition Group (SNP) were approved at that meeting, there was no formal arrangement put in place in respect of substitute arrangements for the non-SNP Opposition member of the Committee. As with other substantive and substitute members of the Committee, this nominee will require to undergo appropriate training for their role on the Appointments Committee.

3.4 Council therefore requires to agree substitute arrangements for this role.

#### 4.0 Sustainability Implications

There are no sustainability implications arising from this report.

#### 5.0 Resource Implications

5.1 Financial Details - none

5.2 Staffing - none

#### 6.0 Exempt Reports

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 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

##### (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

## 9.0 Legality

- 9.1 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".

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
Grahame Blair	Director of Services to People	2374

### Approved by

NAME	DESIGNATION	SIGNATURE
Angela Leitch	Chief Executive	Signed by Grahame Blair on behalf of the Chief Executive



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**Report to Council**

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**Date: 11 March 2010**

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**Subject: Amendment to School Clothing Grant Qualifying Criteria**

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**Report by: Director, Services to People**

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**1.0 Purpose**

- 1.1. To seek Council's approval to amend its current Clothing Grant qualifying criteria to draw them into line with The Education (School Lunches) (Scotland) Regulations 2009 Act. Parents or carers who are in receipt of both Child Tax Credit and Working Tax Credit with an income below the threshold for receipt of maximum Working Tax Credit now receive Free School Meals but do not qualify for a School Clothing Grant from the Council under its current qualifying criteria.

**2.0 Recommendations**

- 2.1. The Council is recommended to approve an amendment to the Clothing Grant qualifying criteria. The amendment proposed in this paper is that all parents should now qualify automatically for a School Clothing Grant if they meet the criteria for the award of free school meals.

**3.0 Considerations**

- 3.1. A School Clothing Grant is currently paid to parents and carers in receipt of Income Support, Income Based Job Seekers Allowance, Income Based Employment and Support Allowance, Child Tax Credit where no Working Tax Credit is payable and the annual income does not exceed £16,040 and those families who receive support under Part VI of the Immigration and Asylum Act 1999. The Education (School Lunches) (Scotland) Regulations 2009 Act came into force on 3 August 2009. From August 2009 some parents and carers in Clackmannanshire who are in receipt of maximum Working Tax credit are entitled to free school meals for their children but they do not receive automatically a School Clothing Grant.
- 3.2. To enable the payment of School Clothing Grant to recipients of maximum Working Tax Credit in line with the amended free school meal criteria in budget year 2010/11 will require a budget increase of approximately £3025, or the equivalent of 55 clothing grants for young people.

#### 4.0 Sustainability Implications

- 4.1. The change to the eligibility criteria for School Clothing Grants will have a positive impact on low income families, assisting parents and carers with the cost of purchasing school uniforms for their children.

#### 5.0 Resource Implications

##### 5.1. *Financial Details*

- 5.2. Clackmannanshire Council School Clothing Grants are currently paid at £55 per child, for children who are in compulsory education and who meet existing qualifying criteria.

- 5.3. In 2009/10 the Clothing Grant budget is £70,700

The amendment to qualifying criteria proposed in this paper would imply that a Clothing Grant Budget of £74,305 will be required for budget year 2010/11.

##### 5.4. *Staffing*

- 5.5. The recommended change to the Clothing Grant qualifying criteria will have no staffing implications.

#### 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 tick )

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

- (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

## 9.0 Legality

9.1 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".

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

**Letter dated 30 June, from Scottish Government, Schools Directorate, Support for Learn Division detailing changes to Free School meal entitlement from 3 August 2009.**

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Jackie Hall	Operational Support Assistant	01259 452399

### Approved by

NAME	DESIGNATION	SIGNATURE
Jim Goodall	Head of Education	Signed by Jim Goodall
Grahame Blair	Director Services to People	Signed by Grahame Blair



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**Report to:** Council

---

**Date:** 11 March 2010

---

**Subject:** Introducing Housing with Care for Older People in Clackmannanshire

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**Report by:** Director, Services to People

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### **1.0 Purpose**

- 1.1. This report informs Council of the principles of Housing with Care, presenting proposals from the work being undertaken by the Services to People Delivery Group on accommodation to meet the future needs of older people in Clackmannanshire.

### **2.0 Recommendations**

- 2.1. It is recommended that Council endorses this model of care and approves a proposal for the provision of accommodation with care services at West Lodge Gardens, Alloa. This is a trial partnership scheme between Clackmannanshire Council and Trust Housing Association.
- 2.2. Council notes that further options will be developed for additional Housing with Care provision for older people in Clackmannanshire, and instructs officers to bring forward further proposals to Council in due course.

### **3.0 Considerations**

- 3.1. Scotland's population is changing. The projections for an increasing population of older people are well-documented and are of national interest and concern. People are living longer and healthier lives but there are more demands for support and services at home when people reach 75-80+ years.
- 3.2. The need to re-shape the health and social care of older people is driven by the national agenda to shift the balance of care and support away from institutional provisions and to improve outcomes for older people in their communities. In partnership with other agencies, local authorities need to explore new ways of managing the potential impact of demographic shift, increasing demand, changing needs and associated financial pressures.
- 3.3. The Scottish Government and COSLA and are working together with local authorities and the NHS to look at ways in which a broad and sustainable

range of community-based services and provisions can meet people's needs at home, rather than in hospital or institutionalised care.

- 3.4. Models of Housing with Care are already established in some local authority areas and they offer responsive, cost-effective and sustainable approaches to the coordination of provisions for older people. The aim of Housing with Care is to help individuals to remain as independent as possible at home and to offer extra support, assistance and care when needed.
- 3.5. The duties of support staff in Housing with Care combine elements of social care and housing management tasks, with some flexibility in the skill mix of a staff group drawn from home care and housing providers. Existing services can be revised and re-configured in local authority provisions or in partnership with housing associations. A range of care, support, advice and services can be offered as required over a 24-hour period in tenancies fitted with a core package of assistive technology. Prompt responses to wide-ranging needs can be provided in a safe environment. Members will be aware that traditional models of sheltered housing are increasing untenable as a result of European working time directives, and the limitations of the support model previously delivered through sheltered housing arrangements.
- 3.6. Tenancies would be considered in the first instance for people who require at least 12 hours of formal or informal care a week. Support services would be adjusted and increased as required to meet individual changing needs. Services could meet physical, social, emotional, domestic and practical care needs and these tenancies with built-in assistive technologies also cater well for people with dementia.
- 3.7. The Services to People delivery group has been considering how to apply a Housing with Care model using existing housing and social care resources. The average net cost to the Council of supporting an older person in a care home setting is £240 per week, £12480 per annum. It is estimated that the net cost of a placement in a Housing with Care would be around £150 per week, £7800 per annum. An estimated 10 - 20 people per year who currently can only be offered a care home place could benefit from support provided by a Housing with Care service could benefit from this if it was available.
- 3.8. An existing sheltered housing provider, Trust Housing Association, is offering the possibility of converting a number of tenancies at West Lodge Gardens in Alloa from a 'Sheltered Housing' to a 'Housing with Care' service
- 3.9. The proposed specification for Housing with Care at West Lodge Gardens includes :-
  - Nomination rights held by the Council's Housing and Social Services Teams
  - A coordinated and incremental approach to assessments of need and service provisions
  - 25 flats providing accommodation for older people requiring support. This would include older people who have physical support needs and people with dementia. A team of staff on site would meet most known needs and external services would only be purchased if required

- Eligibility criteria would require that new tenants would need 12 hours or more of care and support per week
  - Meal provisions on site for up to 40 people, including other tenants
  - 24-hour support available
  - Telecare contact and response services would supplement on-site care as necessary
  - Domestic services : cleaning, shopping, laundry and household management
  - Communal lounge and day activities on site
- 3.12. Housing with Care is about working in partnership to offer a range of responsive services on one site, in a partnership of housing and social care providers. It has the potential to maintain and improve the quality of life of older people who are in need.
- 3.13. **Summary**  
 Housing with Care can offer an improved service which is responsive and cost effective. Council is requested to endorse this model of provision. This first project in partnership with Trust Housing Association will be closely monitored and evaluated for efficiency and effectiveness and then followed up with service planning and costing proposals for new developments.

#### **4.0 Sustainability Implications**

- 4.1. Housing with Care offers a more sustainable approach to meeting the needs of older people in their communities. There are economies of scale providing services in one base while sustaining people in their own homes.

#### **5.0 Resource Implications**

##### *5.1. Financial*

The full financial implications of the recommendation for the West Lodge Gardens project are subject to further negotiation with Trust Housing. There are efficiency savings in the provision of combined support and care on one site with a reduction in staffing and travel costs.

- 5.2. There are capital and revenue implications for future Housing with Care projects. Future costing will be based on best value principles.

##### *5.3. Staffing*

A sustainable staffing model will be put in place for this and any other Housing with Care developments in the future. Arrangements in respect of West Lodge Gardens are likely to see a reduction in external spot purchase home care for individuals in the scheme, being replaced by a dedicated on-site team drawn from either Trust HA staff, Clackmannanshire Council Home Care staff, or a combination of both.

## 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 tick )

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

(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

## 9.0 Legality

9.1 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".

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)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Clare Hebbert	Policy Officer	452366

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Deirdre Cilliers	Chief Social Work Officer	Signed by Deirdre Cilliers
Grahame Blair	Director, Services to People	Signed by Grahame Blair



**CLACKMANNANSHIRE COUNCIL**

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**Report to Council**

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**Date: 11 March 2010**

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**Subject: Clacks Telecare Service**

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**Report by: Director of Services to People**

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**1.0 Purpose**

- 1.1. To seek approval from Clackmannanshire Council for the implementation of a major telecare programme for people in Clackmannanshire.

**2.0 Recommendations**

- 2.1. That Council approves the implementation of the Clacks Telecare Service as described within the body of this report.

**3.0 Considerations**

- 3.1. Clackmannanshire Council, alongside its public service partners, is determined to provide the best level and quality of service provision that it can within available resources. As members are well aware, this aspiration is held within a context of significant changes both in the demographics of our population, the challenging current economic environment, and the expectations of service users.
- 3.2. Clackmannanshire Council has provided and continues to provide a wide range of services designed to sustain and improve the quality of life of our citizens who require additional support and protection beyond that available through universal services. Part of that provision in Clackmannanshire has included the longstanding service provided through the Mobile Emergency Care Scheme (MECS) disaggregated from the former Central Regional Council in 1996, based largely round the use of simple technology (control unit and pendant in most cases) put into people's (mainly older people's) homes, the resultant alerts being routed through a call centre (currently provided by Stirling Council), with a staff response where necessary from Clackmannanshire's MECS staff.

- 3.3 Other support services, such as home care, meals on wheels, occupational therapy, and care home provision are also supplied following an assessment of need and are delivered through integrated working between services for people, most significantly in terms of adults and older people between Social Services, Housing and Health. We intend to take this successful integrated working further on a variety of fronts, including as described within this report.
- 3.4 I referred earlier to the changing demographics of Clackmannanshire. We know that many more people with learning disabilities are living longer and living more inclusive lives. More and more mental health services are provided in the community as opposed to hospital settings. Members are well aware of the changing nature of household composition, with associated increased demand on housing opportunities, including housing and support for people with additional needs.
- 3.5 In terms specifically of older people in Clackmannanshire, the number of older people (over 65) in the area will increase by 81% by 2031. Within that overall increase, there will be an increase of 109% in the number of over 75s, who are known to be the highest consumers of health and care services. At the current time, for every person of pensionable age in the area, there are 4.3 adults of working age. Members will be aware that adults of working age are by some considerable distance the biggest group involved in the supply of both formal and informal care of older people, and in the financing of care through local and national taxation. By 2031, there will be 2.3 adults of working age for every pensioner in Clackmannanshire.
- 3.6 Against this backdrop, the current pattern of service provision would not in the long run be sustainable, either in terms of the availability of formal and informal carers, or in terms of the availability of financial resources to increase at a parallel rate at the population in need of care and support.
- 3.7 In light of this, we are looking at different measures to help address these growing needs, and to look at better ways to provide support services for people, building further on the successful models of care supplied in Clackmannanshire so far. It is within this context that I am bringing forward the proposals in relation to the Clacks Telecare Service described below.
- 3.8 Wider developments in technology have included the use and application of relevant technologies which can promote the care, support and safety of vulnerable people in different client groups. The Scottish Government has continued to exhort service commissioners and providers to explore how using technology alongside all other approaches can improve the quality of people's lives and at the same time make the best use of whatever level of resources can be made available for care and support.
- 3.9 In the context of the Clacks Telecare Service, making best use of resources to help provide care, support and protection for people in need does not mean using technology as a means of saving money. Where the

- sensible use of technology alongside other complementary approaches to supporting people can allow the recycling of resources to meet additional future needs (not least from the demographics described earlier), then this is a welcome opportunity to maximise the value of the resources that are available in this area.
- 3.10 The aim of the Clacks Telecare Service is fundamentally about improving the quality of life for service users. For example the use of telecare has been proved to reduce the need for some older people to move into sheltered housing, to delay the need for some older people to require a care home placement, and to provide much more timely and effective support to older people. Across Scotland, when a frail older person experiences a fall, the average time they can expect to lie on the floor is around 4 hours. Experience elsewhere has demonstrated that with a sound telecare system which includes the use of a fall detector, the average response time can be reduced to 22 minutes.
- 3.11 Advanced telecare services consist of 3 main components. These are
- Sensors and other equipment based in the home, connected through a telephone line to monitoring software
  - a call handling capability, with pre-determined protocols established by an assessor in conjunction with the service user and/or their carer, which govern what the response should be to any alert raised by the service user or their equipment
  - response arrangements, potentially provided by keyholders, families or carers, or by a Council response team developed out of the current MECS staff team
- 3.12 The Clacks Telecare Service will be aimed at an initial target of 1300 households, mainly older people, but including also other client groups which could benefit from the service, including people with learning disabilities, people with mental health issues, victims of domestic abuse, and children with disabilities. Each service user will receive a core package of technology, initially comprising a control unit connected to a phone line, 2 passive infrared movement detectors, an extreme temperature detector identifying both excessively high or low temperatures in the home, 2 flood detectors and a smoke detector. This equipment will be wireless, and capable of easy and quick installation (within a day), and be equally easily removed and reused as necessary. Implementing this approach will remove the need for the continuation of the current practice of assigning some MECS service users as "telephone clients" who are simply provided with a phone number to call MECS staff if required (i.e. without any associated equipment support).
- 3.13 Externally sourced elements of the programme will be procured competitively through the UK Government's Buying Solutions, which is the national procurement partner for UK public services and is an Executive

Agency of the Office of Government Commerce in the Treasury, and through the Public Contracts Scotland procurement website.

- 3.14 In addition, further specialised pieces of equipment can be installed in the home where necessary to meet identified needs or risks. These could include examples such as
- Fall detector
  - Chair/Bed Occupancy Detector
  - Wandering Detector
  - Incontinence Detector
  - Automated Reminders
  - Video door entry
  - Carbon monoxide detector
- 3.15 In the event that a potential service user who would benefit from the Clacks Telecare Service does not have a landline installed, one would be arranged and funded by the Council.
- 3.16 In terms of call handling, there have been arrangements in place in respect of the MECS service for calls within that scheme to be handled by a Stirling Council call centre. There are established standards for the accreditation of telecare call handling, as well as assessment and service response arrangements, established and monitored by the Telecare Services Association (TSA). It will be a requirement of the Service to seek expressions of interest in providing the telecare call handling service from TSA-accredited providers, and for Clackmannanshire Council to seek TSA accreditation in due course in terms of assessment and response standards. It would be the intention to seek expressions of interest on a fixed term basis to allow subsequent consideration of whether the Council itself wished to develop an in-house capability which would meet TSA accreditation for telecare call-handling. A number of Councils and Housing Associations (not including Stirling Council) provide TSA-accredited call handling capabilities. The call handling element of the Programme will therefore also be procured competitively.
- 3.17 In terms of response delivery, I am proposing that each service user in the Clacks Telecare Service be invited to identify 2 keyholders of their choice who may be able and willing to play a part in responding to appropriate alerts. This will be supported by the provision of a key safe at each service user's home if one is not already in place. As described earlier, there will be a pre-defined protocol governing what response is given to each and every sensor in the home. These protocols can be customised to provide a different response at different times of the day, night or week, allowing families and carers to contribute to the support of the service user at times of their choosing/availability, but the default response in all circumstances

will be a response from the call centre/Clacks Telecare Team. The first stage of the programme will involve a re-assessment of the needs of the current 1300 MECS clients to establish which of them would benefit from a telecare package, and whether such a package could provide a better way of meeting their needs than any other service provision currently being provided in traditional ways. This re-assessment programme will involve staff from the current MECS team and potentially from our Community Care teams, once they have received appropriate training. Where a current MECS service user is not in need of a telecare package, their existing MECS-level service will continue. The existing MECS team will develop into the Clacks Telecare Service team, workers will be re-designated as Telecare Support Workers, and an appointment to a Team Manager post will be put in place following an internal recruitment process to provide in-house leadership and development of the service.

3.18 The Clacks Telecare Service will be funded by a variety of means, as indicated in the table below. As stated at 3.8 above, the Scottish Government has been keen to promote the rollout of telecare, and a further approach for additional resources to contribute to the implementation of the programme has been made. I have been informally informed that we can expect £120,000 from the Scottish Government for telecare in 10/11, a figure I understand which will be applied to most other Council areas. If this is confirmed, Clackmannanshire will benefit from this distribution formula on a pro rata basis. There is no indication at this point of the position from 11/12 onwards. The figures on both costs and resources are indicative at this stage, but are reasonable estimates from previous experience.

#### **CLACKS TELECARE PROGRAMME**

	10:11	11:12	12:13	13:14	14:15	5 years
Equipment			108,000	108,000	108,000	324,000
Equipment maintenance 15%	58,500	117,000	133,200	149,400	165,600	623,700
Call handling Staff (including Team Leader)	81,120	81,120	81,120	81,120	81,120	405,600
Project Management	232,000	232,000	232,000	232,000	232,000	1,160,000
	25,000					25,000
<b>TOTAL</b>	<b>396,620</b>	<b>430,120</b>	<b>554,320</b>	<b>570,520</b>	<b>586,720</b>	<b>2,538,300</b>
<b>Sources</b>						
Joint Improvement	120,000					120,000

Team (Scottish Government)

Community care savings						
Medication	25,000	50,000	50,000	50,000	50,000	225,000
Meals	50,000	50,000	50,000	50,000	50,000	250,000
Shopping	22,500	45,000	45,000	45,000	45,000	202,500
Check visits	50,000	100,000	100,000	100,000	100,000	450,000
Housing	200,000	200,000	200,000	200,000	200,000	1,000,000
MECS staff budget (part)	232,000	232,000	232,000	232,000	232,000	1,160,000
Communications Centre	57,000	57,000	57,000	57,000	57,000	285,000
MECS equipment	50,000	50,000	50,000	50,000	50,000	250,000
<b>TOTAL</b>	<b>806,500</b>	<b>744,000</b>	<b>744,000</b>	<b>744,000</b>	<b>744,000</b>	<b>3,942,500</b>

Assumptions

Training resources to support programme require to be identified  
 1300 installs by March 12  
 15 net new installs per month thereafter  
 If call handling in-house, further one off £50,000 required for PNC5 software

The Council's existing General Capital Programme is currently being reviewed, and Council approved in February £780,000 over 2 years in the General Capital programme for support towards the initial outlay on equipment. Funding towards the replacement of/addition to equipment from 12/13 will be reviewed nearer that time.

3.19 The estimated costs involved indicate an average cost per service user of between £9 and £10 per week. It is intended to make the Clacks Telecare Service available without charge for those assessed as potentially benefitting from the service. As can be seen, it is anticipated over time that providing some services to people in different ways may allow for the freeing up of resources to meet future demographic pressures as described earlier in this report. For example, it is estimated that providing a care worker to supervise an older person taking medication would cost around £4000 per year, assuming 3 short visits per day, 7 days a week. For those people assessed as potentially able to benefit from a telecare package which included a medication dispenser unit linked to the main control unit, the annual cost of the equipment, the call handling service and the back-up response service would be less than £500 per year.

3.20 Options to make the service more widely available on a chargeable basis for those whose level of community care need does not meet the Service criteria will be explored.

#### 4.0 Sustainability Implications

4.1. None

#### 5.0 Resource Implications

5.1. *Financial Details*

5.2. 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

5.3. *Staffing*

5.4 As described above, a range of staff within Services to People will be central to the successful roll out of the Clacks Telecare Service.

#### 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 tick )

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

(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

## 9.0 Legality

9.1 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".

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
Grahame Blair	Director	01259 452374

### Approved by

NAME	DESIGNATION	SIGNATURE
Grahame Blair	Director	Signed by Grahame Blair

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**Report to Council**

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**Date: 11 March 2010**

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**Subject: The establishment of a nursery class of Park Primary School  
and the closure of Tower Nursery School**

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**Report by: Director, Services to People**

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## **1.0 Purpose**

1.1 The purpose of the report is

- (i) to seek approval to conduct a public consultation on a proposal by Education and Community Services to close Tower Nursery School and
- (ii) to re-establish the service as the nursery class of Park Primary School.

## **2.0 Recommendations**

2.1 It is recommended that Council approves the proposal by Education and Community Services to conduct a public consultation on closing Tower Nursery and to re-establish it as the nursery class within Park Primary School.

## **3.0 Considerations**

3.1 The closure of any school requires that a formal, consultation process be carried out

3.2 At its meeting of 27 September 2007, Council approved the recommendations of the independent commission set up to review of the provision of education 3-12. One of the recommendations of the commission was to move to provide early years' education within the campus of primary schools wherever possible.

- 3.3 Council has already approved one closure of a nursery school to re-establish it as a nursery class. The closure of Clackmannan Nursery School and its merger with Clackmannan Primary School was approved by Council in June 2009. Inspections conducted by both HMIE and the Care Commission following the management of both establishments during the interim arrangements, as well as since formal closure of the school, report that the quality of early years' education provided in Clackmannan has been sustained and built upon.
- 3.4 At its meeting in December 2009, Council considered a report on Primary School Provision in Alloa West, and approved a recommendation that officers examine any other possibilities within the Council area for improving the organisation and delivery of teaching and learning through shared leadership of service components.
- 3.5 When it was established, Tower Nursery School provided nursery education for most of the town of Alloa. Over time, nursery classes have been established in the other schools in the town that serve the Alloa catchment area. Tower Nursery currently provides education services to 3-5 year old children who are mainly resident in the catchment area of Park Primary School. The nursery school is located on the same campus as the primary school and the two establishments are a short walk away from each other. Nursery pupils who have extended day places currently use the Park dining room for lunch.
- 3.6 Since the retiral of its headteacher in June 2009, Tower Nursery school has been led by an acting headteacher supported by a team of Early Years Workers. There has been no reduction in the quality of service delivery. Tower Nursery was recently inspected by HMIE and a good report followed.
- 3.7 The post of headteacher at Park Primary School has been filled by an acting headteacher for more than 2 years.
- 3.8 The current vacancies in both establishments allow for a merger under the leadership of a new headteacher of Park Primary School.
- 3.9 The services available to parents and pupils will suffer no detriment as a result of the proposed closure and revised management arrangements, as these will continue to be delivered as the nursery class of Park Primary School. The staffing in the nursery class will continue at the same level as is currently provided.
- 3.10 The new management arrangements will support improved transition for pupils moving from nursery to primary education. The proposed arrangements should also be more convenient for parents who have children who attend both establishments. The work of both establishments should be enhanced in supporting continuity of learning. This is especially important because the implementation of Curriculum for Excellence means that learning at the 'early

stage' covers the age range 3-6 years. A single management arrangement is wholly consistent with the principles of the Early Years Framework, published recently by the Scottish Government and CoSLA. Whilst helping to deliver the GIRFEC agenda, the proposed change in arrangements would be consistent with the Council's Single Outcome Agreement and its Corporate Priorities.

- 3.11 The changes in management arrangements are expected to generate a saving of around £40 000 per annum as the result of the deletion of the head teacher's post in a full financial year. It is proposed that any such savings should be retained for use within the Education and Community Services budget, to enhance services provided out of the redesigned campus. In particular, we would want to enhance the availability of technology within the school and potentially in the home environment, particularly to support children who do not have the benefit of internet access at home and/or as a means to fund any refurbishment required as a potential result of this proposal.
- 3.12 The accommodation needs of the school will need to be kept under review. The current capacity of the school is 300 pupils with a projected roll of 175 in session 2010 - 11. Roll projections indicate that this will drop to around 130 by 2014. However, before the nursery class could be established in the school, the Primary Support Service would require to be relocated as a result of the need for space to accommodate the nursery class.
- 3.13 A minor refurbishment of Park Primary School may be required to provide appropriate accommodation for a nursery class. Officers would be required to examine the extent (if any) of refurbishment required, and consequently identify how any such upgrading would be funded.
- 3.14 A report detailing the outcome of the public consultation will be presented to Council no later than the end of June 2010.

#### **4.0 Sustainability Implications**

There are no sustainability implications arising from this report.

#### **5.0 Resource Implications**

##### **5.1 Financial Details**

- 5.2 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

##### **5.3 Staffing**

- 5.3.1 There are no staffing implications in relation to the arrangements which exist currently for the management of nursery provision in Tower Nursery or in Park Primary School. The merger of the nursery school and the primary school, if approved, will allow the deletion of the post of Headteacher, Tower Nursery School.

## 6.0 Exempt Reports

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 tick )

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

### (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

## 9.0 Legality

9.1 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".

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)

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### Approved by

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Grahame Blair	Director Services to People	Signed by Grahame Blair

