

**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Customer Services*  
*Executive Director: Douglas Hendry*



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*15 October 2015*

## **NOTICE OF MEETING**

A meeting of the **ARGYLL AND BUTE COUNCIL** will be held in the **COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD** on **THURSDAY, 22 OCTOBER 2015** at **11:00 AM**, which you are requested to attend.

Douglas Hendry  
Executive Director of Customer Services

## **BUSINESS**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTERESTS (IF ANY)**
- \* **3. MINUTES OF COMMITTEES** (Pages 1 - 6)  
Minutes of Special Policy and Resources Committee of 8 October 2015

The above minutes are submitted to the Council for approval of any recommendations on the items which the Committee does not have delegated powers. These items are marked with an \*.

- 4. AUDITED ANNUAL ACCOUNTS 2014-15** (Pages 7 - 320)  
Report by Head of Strategic Finance
- 5. AUDIT COMMITTEE ANNUAL REPORT 2014-15** (Pages 321 - 328)  
Report by Chair of the Audit Committee
- \* **6. PLANNING OUR FUTURE** (Pages 329 - 332)  
Report by Executive Director of Customer Services
  - (a) SERVICE CHOICES** (Pages 333 - 348)  
Report by Head of Strategic Finance (previously considered by the P&R Committee)

**(b) SERVICES CHOICES - SUBSTITUTED SAVINGS** (Pages 349 - 352)

Report by Head of Strategic Finance

**(c) INNOVATION, INCOME GENERATION AND GROWING THE ECONOMY** (Pages 353 - 356)

Report by Executive Director of Customer Services (previously considered by the P&R Committee)

**(d) PUBLIC CONSULTATION** (Pages 357 - 380)

Report by Executive Director of Customer Services

**7. NOTICE OF MOTION UNDER STANDING ORDER 13**

Moved by Councillor Robb and seconded by Councillor Trail

Motion – Hermitage Academy

The Council:

Notes that the pass rate at Hermitage Academy for the first S5 exams under the new Senior Phase Model is below the national average for Higher and substantially below the national average for National 5.

Notes the Hermitage Academy Senior Phase Model has pupils embarking on a 2 year course in S4/S5, bypassing certification in S4 and being presented at the appropriate level in S5.

Agrees pupils at Hermitage Academy shall have the option to undertake up to eight qualifications at National 5 level in S4. This does not preclude the substitution of higher or lower grade qualifications, vocational qualifications or other awards if appropriate to a pupil's ability and maturity.

Agrees that additional resources be made available from within the education budget to Hermitage Academy as required to implement that change and improve overall academic attainment.

**8. NOTICE OF MOTION UNDER STANDING ORDER 13**

Moved by Councillor Breslin, seconded by Councillor Strong.

Preamble

Some councillors have continuing concerns about the tender process for the Alcohol & Drugs Partnership and the award of a contract to a single supplier. The Audit Scotland report into this was critical of aspects of the process and the manner in which the ADP had been managed in the past but it did not establish clearly why the service specification in the Invitation to Tender (ITT) was so radically altered within weeks of the new contract starting. The Audit Scotland report did not look at the subsequent issues of former addictions staff not being employed by the new contractor and the TUPE issues which remain outstanding.

Motion

This motion calls for a fully independent enquiry to be set up to examine in detail the competence of the ITT, the competence of the contract that was then awarded, the variations to that contract, the reasons, justifications and timing for and of those variations and the resulting TUPE implications for the former addictions staff. The

enquiry will also look at the internal approval process for the tender and any other matters the enquiry considers relevant to the ADP and its operation. The enquiry will be carried out by a Scottish law firm that has internal expertise in both contract law and employment law. This work will be openly tendered in line with the council's procurement policy and using Public Contracts Scotland. It is essential that the enquiry produces a final report at the full council meeting scheduled for 26 November 2015.

#### **9. NOTICE OF MOTION UNDER STANDING ORDER 13**

Moved by Councillor Breslin, seconded by Councillor Strong.

Democratic accountability and scrutiny should be a key aim of this council. The Alcohol and Drugs Partnership (ADP) and the forthcoming integration of health and social care do not allow for sufficient democratic scrutiny and we propose the following to remedy this:

1. One elected member of the council should be nominated to be on the Executive Group of the ADP.
2. One additional elected member should be nominated to be on the Integrated Joint Board for health & social care.
3. All members of this council should be able to attend all meetings of the ADP and IJB, and any sub groups, with the same rights as they have to attend any council meeting as laid down in the council's constitution.

## **Argyll and Bute Council**

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