

## WEST DUNBARTONSHIRE COUNCIL

At a Requisitioned Meeting of West Dunbartonshire Council held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 25 October 2006 at 9.00 a.m.

**Present:** Provost Alistair Macdonald, Councillors Denis Agnew, George Black, Jim Bolland, Dennis Brogan, Gail Casey, Tony Devine, James Flynn, Jackie Maceira, Douglas McAllister, James McCallum, Linda McColl, Duncan McDonald, Craig McLaughlin, Marie McNair, Connie O'Sullivan, Iain Robertson, Martin Rooney and Andy White.

**Attending:** Tim Huntingford, Chief Executive; David McMillan, Director of Housing, Regeneration and Environmental Services; Stephen Brown, Head of Legal and Administrative Services and George Hawthorn, Senior Administrative Officer.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Margaret Bootland, Geoff Calvert and Margaret McGregor.

### Provost Alistair Macdonald in the Chair

10310 Councillor Martin Rooney, seconded by Councillor McNair, moved:-

10311 I move that in terms of Standing Order 13(B) this meeting be adjourned to such a time and place as shall be determined by the Convenor, taking into account the matters raised in this motion.

10312 It is accepted that any Councillor is entitled to submit a motion dealing with items raised in the Best Value document but such a motion should only be debated by the Council after the Public Hearing is held by the Commission and the Commission has issued its findings.

10313 It would be entirely inappropriate and irresponsible for the Council to consider and debate motions which are based on inaccuracies contained within the document submitted by Audit Scotland.

10314 The Chief Executive has already written to the Accounts Commission, outlining the Council's main concerns over the process which followed the preparation of the initial draft report, the content of the report, which contains a number of inaccuracies and partial information, and a lack of acknowledgement of the progress which the Council has made since the implementation of the Draft Improvement Plan.

- 10315 In addition the document is very grudging about the amount of work staff have put into providing services to an area with high levels of poverty and deprivation. In general the report does not acknowledge or reflect the huge amount of positive work done by staff throughout all departments of the Council.
- 10316 These are real concerns for the Council and although Audit Scotland has recognised some inaccuracies, the document still misrepresents the position of the Council and there are numerous uncorrected factual inaccuracies contained within the report. These matters will become clear at the Public Hearing and it would be prejudicial for this Council to consider and debate issues prior to the Accounts Commission ruling on these areas. The Chief Executive has pointed out to the Accounts Commission that the document from Audit Scotland is unbalanced and he has provided a detailed summary of concerns, many of which address issues which are contained in the motions before Council today, and which have been presented as if the findings from Audit Scotland were established facts rather than matters which are disputed by the Council.
- 10317 The Hearing by the Accounts Commission is expected to take place shortly and thereafter the Accounts Commission will issue its findings. These findings will require to be the subject of a report to Council and thereafter all Councillors will be afforded an opportunity to debate all of the matters raised in the findings issued by the Accounts Commission.
- 10318 The Head of Legal and Administrative Services was heard in response to questions concerning the competence of the above motion and confirmed the following:-
- (a) In terms of Standing Order 13 (b), any member was entitled to move that a meeting be adjourned; and
  - (b) In terms of Standing Order 13 (c), a motion for adjournment of the meeting may be made at any time (not being in the course of a speech) and will be moved and seconded without discussion and will immediately be put to the meeting.
- 10319 As an amendment Councillor McLaughlin, seconded by Councillor Robertson, moved:-
- 10320 That the meeting should not be adjourned.
- 10321 Furthermore, given the gravity of the statements contained in the Best Value report concerning the culture of bullying within the Council and the comments expressed by the Unions:-
- 10322 The Council agrees to instruct the monitoring officer to seek to establish an external independent inquiry to investigate the allegations of bullying made during the Audit, in particular within the HRES department.

- 10323 The independent inquiry should have no affiliations with any political party or union. The Council will extend all necessary resources to the person and ask that all staff and members co-operate fully with the investigation.
- 10324 The inquiry should also be permitted to take private and public evidence from all quarters of the Council and the public when conducting their investigation.
- 10325 Furthermore, this Council expresses concern over the Best Value Audit's findings in relation to decisions affecting the people of Renton and the sale of Community Assets.
- 10326 The Auditor has highlighted that there were no strategic approaches in arriving at the decisions over the closure of Renton Library and Community Education Centre as well as the sale of Levenford House.
- 10327 Given these concerns, where able, the Council agrees to suspend the decisions highlighted.
- 10328 The Council instructs the monitoring officer and internal audit to conduct an audit and investigation into the decision making processes, associated costs and consequences resulting from the decisions taken.
- 10329 The Council also expresses deep concern over the Best Value audit reports determination that there are shortfalls in the community planning partnership process.
- 10330 Furthermore the Council recognises that as a leading partner in the CPP that we must accept a major share of the responsibility for its failures.
- 10331 Therefore this Council agrees to instruct the monitoring officer to seek an independent review of the CPP by an external accountancy/scrutiny organisation.
- 10332 In recent years it has become evident that the current Labour administration and its leadership have made decisions that do not always stand up to public scrutiny.
- 10333 It is clear that there are some Councillors who are of the impression that it is their responsibility to run the department and to micro manage staff.
- 10334 In light of concerns from the Auditor this Council instructs the monitoring officer to draft a Councillors and Convenors responsibilities protocol and that all members undertake compulsory training on the protocol.
- 10335 Furthermore this Council agrees to develop stronger reporting mechanisms for officers who feel pressurised by Councillors and Senior Management.

- 10336 The Council also instructs the Monitoring Officer to scrutinise all Committee reports and to ensure a professional officer recommendation is contained within each report.
- 10337 The Council expresses deep concern over the decision making processes that led to the allocation of the Schools Improvement Fund.
- 10338 Education should always remain above political interference and resources should be distributed on the basis of identified need, rather than a political agenda.
- 10339 Therefore this Council agrees to instruct the monitoring officer to investigate the processes that led to the expenditure decision of the fund and to recommend any procedural changes that may be necessary to avoid a similar situation.
- 10340 In any large organisation the effective Leadership is key to ensuring effective success. It is clear that the present Leadership does not carry the full support of the staff or external community partners.
- 10341 While the Audit report highlights that the Leadership has a clear commitment and vision it has not been able to convey that vision to others, despite being in the post for some time.
- 10342 Only through a shared vision approach will any organisation be able to move forward to achieve continuous improvement.
- 10343 This Council agrees that there is sufficient evidence contained within the report to prove that the Leadership, both politically and managerially has at times been grossly ineffective.
- 10344 It is clear that of those staff responding to the survey, 59.3% said that the members did not provide good leadership and a staggering 48.6% said the same of managers.
- 10345 Therefore this Council agrees to call on the Labour Party to remove Councillor Andrew White and his Depute, Councillor Jim Flynn from their posts.
- 10346 In addition the Council agrees to establish an Investigation Committee to take evidence on areas of managerial weaknesses and report back to the Council after 3 months.
- 10347 This Council expresses deep concern over the issues raised concerning the working culture and continuous improvement agenda.
- 10348 Therefore the Council agrees that to address these deficiencies by establishing a short term working group – involving the unions, members, community reps and external culture management advisors.

- 10349 The working group should report back with recommendations to the Council no later than 3 months from its inception on how to improve the culture and working environment of this Council.
- 10350 Large organisations are by their very nature open to potential fraudulent activities and misuse of resources.
- 10351 All Councillors agree that we must all stand united and expose any such improprieties. Furthermore all Councillors must ensure effective scrutiny of procedures.
- 10352 The Best Value Audit report highlighted weaknesses and potential misuse of resources as well as concerns over the procurement of contracts and goods.
- 10353 Therefore to restore public confidence in the Council we instruct the monitoring officer to request that Internal Audit, Audit Scotland and Strathclyde Police are invited into the Council to provide advice and to investigate any alleged breaches of the financial regulations.
- 10354 The agencies should also be requested to investigate all committee decisions, in particular the recruitment panel, the community planning partnership and the Children's Services Committee decisions on school closures.
- 10355 This Council agrees that the Best Value Audit report has been a painful and public exercise for the Council and its workforce.
- 10356 It is clear that while the report painted a dark picture of the operation of West Dunbartonshire Council, it did however highlight and praise the efforts of our workforce for their joint working and initiatives, despite the inadequacies of Leadership and senior management.
- 10357 The Council agrees that the Monitoring Officer relay to ALL staff the Council's thanks for their dedication to this Council. The letter should also state that Councillors take the findings of the report seriously and are committed to improving the Council, for the betterment of its staff and residents.
- 10358 On a vote being taken, 5 Members voted against the adjournment and 14 voted in favour of the adjournment.
- 10359 Accordingly, the meeting adjourned at 9.12 a.m.