



# Orkney and Shetland Valuation Joint Board



## Minute

Thursday, 30 September 2021, 11:00.

Microsoft Teams.

### Present:

#### Orkney Islands Council:

Councillors Andrew Drever, Robin W Crichton, David Dawson, Barbara Foulkes and Harvey Johnston.

#### Shetland Islands Council:

Councillors Theo Smith, Allison Duncan, John Fraser, Stephen Leask (substitute) and George Smith.

### Clerk to the Board:

- Karen A Greaves, Head of Executive Support, Orkney Islands Council.

### In Attendance:

- Colin Kemp, Treasurer.
- Dennis Stevenson, Assessor and Electoral Registration Officer (for Items 1 to 8).

#### Orkney Islands Council:

- Andrew Groundwater, Head of HR and Performance.
- Hazel Flett, Senior Committees Officer.
- Rebecca McAuliffe, Press Officer (for Items 1 to 8).

#### Shetland Islands Council:

- Jamie Manson, Executive Manager – Finance.
- Jan Riise, Executive Manager – Governance and Law (for Items 4 to 9).

### Apologies:

- Councillor Alastair Cooper, Shetland Islands Council.
- John Mundell, Interim Chief Executive, Orkney Islands Council.
- Maggie Sandison, Chief Executive, Shetland Islands Council.

## **Declarations of Interest:**

- No declarations of interest were intimated.

## **Chair:**

- Councillor Andrew Drever, Orkney Islands Council, Convener of the Board.

## **1. Disclosure of Exempt Information**

The Board noted the proposal that the public be excluded from the meeting for consideration of Item 11, as the business to be discussed involved the potential disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

## **2. Minute of Meeting held on 24 June 2021**

After consideration of the draft Minute of the Meeting of the Board held on 24 June 2021, copies of which had been circulated, the Board:

Resolved, on the motion of Councillor David Dawson, seconded by Councillor John Fraser, to approve the Minute of the Meeting of the Board held on 24 June 2021 as a true record.

## **3. Annual Audit Report 2019/20 – Action Plan – Update**

The Clerk to the Board presented an update on progress with the Action Plan arising from the Annual Audit Report on the 2019/20 audit.

The Clerk advised that good progress had been made, with three actions complete. Action 2 was overdue and it was recommended that the target date be extended. Action 4 was currently showing as red, but the target date was out of line with the budget process and it was recommended that the date be amended to December 2021.

The Board noted:

**3.1.** The updated Action Plan arising from the Annual Audit Report on the 2019/20, attached as Appendix 1 to the report by the Clerk to the Board.

The Board **resolved:**

**3.2.** That the target date for Action 2, Provision of Training for Elected Members and Officers, be amended to 31 March 2022.

**3.3.** That the target date for Action 4, Development of Medium Term Financial Plan, be amended to 31 December 2021.

## 4. Workforce Plan

The Assessor and Electoral Registration Officer presented the proposed Workforce Plan for the period 2021 to 2024.

The Assessor advised that, as part of the Annual Audit Plan for 2019/20, the auditors had recommended that the Board should consider adopting a workforce plan. The Workforce Plan, attached as Appendix 1 to the report circulated, set out the Board's current workforce and identified the process to be undertaken to identify the workforce it currently needed, the workforce required for the future, gaps between the current workforce and the required workforce and actions to fill those gaps, including recruitment, training and changing service provision.

The Assessor further advised that, although workforce planning had been happening in practice, the process was not written down in a document. Examples included the implications arising from the Barclay Review, whereby the Board agreed to recruit two Apprentice Valuers to assist with the revaluation exercise, as the timescale for that exercise had been reduced from five years to three years.

Section 4 of the draft Workforce Plan set out the current organisational structure, including the age profile of the workforce. Section 5 referred to agile and flexible working, noting that working arrangements had changed significantly as a result of COVID-19. Broadband in remote areas caused difficulties and, although most staff had been working from home, the majority were now back working in the office. Remote and/or home working may assist with recruitment and retention. Succession planning was also difficult, particularly as there was no handover period and the service operated from two separate offices.

Members asked several questions, all in relation to recruitment and retention of staff, succession planning and remote/home working. The Assessor advised that more work was required before remote/home working could be considered as a feasible option, including staff accessing digital documents. The Assessor did not actively engage with career conventions to attract school leavers, as, unlike larger authorities, vacancies were not common and there was little scope within the existing structure and budget for traineeships.

The Board noted:

**4.1.** That, as part of the 2019/20 audit, the auditors recommended that the Board consider adopting a workforce plan.

**4.2.** The Orkney and Shetland Valuation Joint Board Workforce Plan 2021-24, attached as Appendix 1 to the report by the Assessor, which had been developed in order to address the action contained in the Governance Action Plan arising from the 2019-2020 audit.

The Board **resolved**:

**4.3.** That the Orkney and Shetland Valuation Joint Board Workforce Plan 2021-24 be approved.

## **5. Complaints Handling Procedure**

The Assessor and Electoral Registration Officer presented the revised Complaints Handling Procedure, as recommended by the Scottish Public Service Ombudsman.

The Assessor advised that the Scottish Public Service Ombudsman required all public authorities to adopt the new Local Authority Complaints Handling Procedure, together with the Customer-facing Guide, including any changes the Board wished to make, no later than April 2021. Although he had updated the procedure and published it on the Board's website by the required date, the document had not been formally presented to the Board for approval.

The Board had adopted a complaints handling procedure in 2013, which was revised in 2016 and recently updated again to align with the procedure recommended by the Scottish Public Service Ombudsman. The procedure contained five parts and extended to 56 pages, as opposed to the former procedure which extended to 25 pages.

To put in context, the Assessor advised that, since he came into post in 2015, two complaints had been received, both in relation to Council Tax – one in 2016 and one in 2018. Regarding the 2016 complaint, the Assessor had engaged with the stakeholder and the complaint had been withdrawn. Regarding the 2018 complaint, this had resulted in the matter being referred to the Court of Session, but the complaint was eventually withdrawn. Although there were a low number of complaints, they were dealt with effectively.

Councillor Crichton advised that, reading through the documentation, there were several references to senior management, but no reference to the Board and queried how a complaint reported to a Board member would be dealt with. The Executive Manager – Governance and Law, Shetland Islands Council, advised that the Improvement Service provided good advice to elected members in their induction material, including what elected members should do when they received a complaint about a service. The matter should not be dealt with by the elected member, but passed to the Assessor, who would ensure that Stages 1 and 2 of the complaints procedure were implemented. Periodic reports could be submitted to the Board on complaints received and action taken. Within Shetland Islands Council, the Executive Manager – Governance and Law advised that there was a supporting background document regarding unacceptable behaviours from service users and the Board should consider whether that type of policy could be adopted in order to assist staff. The Clerk to the Board confirmed that Orkney Islands Council had a similar policy and she undertook to provide a copy to the Assessor to allow him to consider taking an appropriate policy to the Board in due course.

The Board noted:

**5.1.** That, in 2018/19, the Scottish Public Services Ombudsman conducted a review of the Local Authority Model Complaints Handling Procedure to establish its effectiveness and usability.

**5.2.** That, following the review, the Scottish Public Services Ombudsman published a revised Model Complaints Handling Procedure on 31 January 2020.

**5.3.** That the revised Local Authority Model Complaints Handling Procedure included a "Customer-facing Guide", which was a separate, but integral, part of the Local Authority Model Complaints Handling Procedure.

**5.4.** That the Scottish Public Services Ombudsman required public authorities to adopt the revised Model Complaints Handling Procedure by April 2021.

The Board **resolved**:

**5.5.** That the Orkney and Shetland Valuation Joint Board Model Complaints Handling Procedure, attached as Appendix 1 to the report by the Assessor, be approved.

## **6. Equalities Duties**

The Assessor and Electoral Registration Officer presented the revised Single Equalities Scheme 2021-2024 for approval and the Equalities Mainstreaming and Equalities Outcomes report for scrutiny.

The revised Single Equalities Scheme 2021-2024 was the beginning of a new three year cycle of work required to meet the General Equality Duty. The Board would work collaboratively and individually over the next three years to achieve the Action Plan detailed in section 11.

The Board and the Assessor were committed to adopting the principles and the ethos of the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The 2012 Regulations imposed a duty on certain authorities and this duty was met with the publication of the Equalities Mainstreaming and Equalities Outcomes report. The annual report, attached as Appendix 2 to the report circulated, was for the reporting period to 31 March 2021. Some of the data was exempt, as the Board employed less than 20 people. The new pay and grading model, adopted from 1 April 2021, would be referenced in the next reporting period and, without pre-empting, may well address some points regarding equal pay.

The Equalities Mainstreaming and Equalities Outcomes report should be read in conjunction with the Workforce Plan, as both documents were intertwined. Appendix 2 of the Equalities Mainstreaming and Equalities Outcomes report provided a summary of the staff profile, as well as pay levels which related to the previous pay structure.

Councillor Foulkes commented that she took assurance from the Assessor regarding the gender pay gap, with the differential quite apparent, and looked forward to the next report which would reflect the new pay and grading structure.

Councillor Dawson concurred that the documents were an interesting read, particularly regarding Electoral Registration where those in rented accommodation were less likely to interact.

The Board **resolved**:

**6.1.** That the Single Equalities Scheme 2021-2024, attached as Appendix 1 to the report by the Assessor, be approved.

The Board scrutinised:

**6.2.** The Equalities Mainstreaming and Equalities Outcomes report for 2020/21, attached as Appendix 2 to the report by the Assessor, and obtained assurance with regard to adopting the principles and the ethos of the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

## 7. Budget Outturn

The Treasurer to the Board presented the revenue budget outturn position for financial year 2020/21.

The Treasurer reported that the outturn position indicated a budget surplus position of £98,624 as at 31 March 2021. Appendix 1 gave the summary position, indicating total expenditure of £709,963 against an approved budget of £808,587. The underspend, currently £98,624, would be returned to the constituent authorities, following sign off of the annual accounts, when the actual budget underspend would be confirmed.

Although the external audit annual report was expected to be considered at this meeting, it was not yet complete and would now be presented to the November Board meeting.

Staff vacancies were the main contributor to the underspend position, together with additional grant monies received. COVID-19 and amended wording practices had also contributed to the budget variance, particularly in relation to travel and subsistence.

The Board noted:

**7.1.** The revenue budget outturn statement as at 31 March 2021, attached as Appendix 1 to the report by the Treasurer, reporting a budget surplus position of £98,624.

The Board scrutinised:

**7.2.** The explanations given in section 4 of the report by the Treasurer in respect of the significant budget variances, and obtained assurance that action had been taken with regard to those variances where appropriate.

## 8. Dates for Future Meetings

The Clerk had provided the undernoted dates for future meetings and asked the Board to confirm the dates and the format of meetings, so that the necessary arrangements could be made:

- 18 November 2021.
- 3 March 2022.
- 23 June 2022.
- 29 September 2022.
- 8 December 2022.

After discussion of the proposed dates and format of meetings, the Board **agreed:**

**8.1.** To meet on 18 November 2021 and 3 March 2022.

**8.2.** That the dates for the remainder of 2022, 23 June, 29 September and 8 December, be provisionally approved, in order to assist diary management, but should be subject to confirmation by the Board at its first meeting following the local government elections in May 2022.

**8.3.** That, where possible, the meetings should be face-to-face, rather than virtual, although arrangements would be made for hybrid meetings, if required.

## **9. Recruitment Matters**

On the motion of Councillor Andrew Drever, seconded by Councillor Barbara Foulkes, the Board resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

The Clerk to the Board presented proposals for re-advertising the post of Assessor and Electoral Registration Officer, together with measures to ensure continuity of the functions of the Board.

The Board **resolved** what action should be taken with regard to re-advertising the post of Assessor and Electoral Registration Officer, together with measures to ensure continuity of the functions of the Board.

**The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.**

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Councillor Barbara Foulkes left the meeting during discussion of this item.

## **10. Conclusion of Meeting**

At 12:18 the Convener declared the meeting concluded.

Signed: