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<b>Report To:</b>	<b>Education &amp; Lifelong Learning Committee</b>	<b>Date: 8 September 2009</b>
<b>Report By:</b>	<b>Corporate Director Regeneration &amp; Resources</b>	<b>Report No: LA/416/09</b>
<b>Contact Officer:</b>	<b>Sharon Lang</b>	<b>Contact No: 01475 712112</b>
<b>Subject:</b>	<b>Use of Powers Delegated to the Chief Executive</b>	

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### 1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to notify the Committee of decisions taken under the powers delegated to the Chief Executive since the last ordinary meeting of the Committee.

### 2.0 LIST OF DECISIONS TAKEN

2.1 The individual reports setting out details of each use of the Chief Executive's delegated powers form an Appendix to this report and are summarised as follows:-

APPENDIX

<u>Originator</u>	<u>Subject</u>
Acting Director of Education	Acceptance of Grant - Curriculum for Excellence
Acting Director of Education	Acceptance of Big Lottery Grant Award
Acting Director of Education	Acceptance of Tender - St Patrick's Primary School Boiler Replacement
Acting Director of Education	Advertisement for Consultants - Port Glasgow Joint Campus
Acting Director of Education	Secondary School Capping Arrangements 2009/10
Acting Director of Education	Approval of Cost for Deep Cleaning Contract at Wellington Academy (Exempt)
Acting Director of Education	Acceptance of Tenders - School Transport Contracts (Mainstream) (Exempt)

### 3.0 RECOMMENDATION

3.1 The Committee is asked to note the use of the powers delegated to the Chief Executive as summarised in this report.

Sharon Lang  
Legal & Administration

**Report To:** Education & Lifelong Learning Committee      **Date:** 8 September 2009

**Report By:** Acting Director of Education      **Report No:** EDUC/67/09/AH

**Contact Officer:** Albert Henderson      **Contact No:** 01475 712824

**Subject:** Use of Powers Delegated to the Chief Executive to approve the acceptance of Scottish Government Grant - Curriculum for Excellence

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**1.0 PURPOSE**

1.1 To advise the Committee of the use of powers delegated to the Chief Executive to accept a grant of £80,000 covering the school session 2009 - 2010 to support the implementation of Curriculum for Excellence.

**2.0 SUMMARY**

2.1 The Scottish Government has been working with partners towards the successful implementation of Curriculum for Excellence (CfE).

2.2 As part of a national support programme for local authorities, the funding will provide Inverclyde Council with provision to enable the secondment of an experienced primary and secondary teacher on a full time basis.

**3.0 RECOMMENDATION**

3.1 It is recommended that the use of the powers delegated to the Chief Executive to accept the offer of the £80,000 grant from the Scottish Government, be noted.

**Albert Henderson**  
**Acting Director of Education**

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#### 4.0 BACKGROUND

- 4.1 As a key part of the support from the Scottish Government, funding is being distributed to local authorities for the creation of 100 teaching posts for the 2009 – 10 school year. The allocation to Inverclyde Council is 2fte.
- 4.2 A condition of the grant, agreed by COSLA, is that the funding will result in the creation of new teaching posts.

#### 5.0 PROPOSALS

- 5.1 The funding will enable the secondment of an experienced primary and secondary teacher on a full time basis.
- 5.2 The seconded staff will work under the line management of Quality Improvement Managers to –
- produce a timeline and implementation plan for CfE
  - plan for coherent curriculum development by producing guidelines and advice for schools
  - work closely with Principal Teachers and Head Teachers to advise and share good practice

#### 6.0 IMPLICATIONS

##### 6.1 Finance

The £80,000 grant is being awarded on condition that Inverclyde Council will create 2 new teaching posts. This has been discussed and agreed by Finance Services.

Cost Centre	Budget Heading	Budget Year	Proposed full year costs	Virement from	Other comments
Primary and Secondary General	Teachers' staffing	August 2009 to June 2010	£80,000	N/A	To support the implementation of Curriculum for Excellence and create 2 additional teaching posts

##### 6.2 Legal

There are no legal implications.

##### 6.3 Personnel

There are no personnel implications.

##### 6.4 Equalities

There are no equalities issues.

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## **7.0 USE OF EMERGENCY POWERS**

- 7.1 The use of Emergency Powers was requested in order that the funding could be accepted within the deadline of 26 June 2009 set by the Scottish Government.
- 7.2 Approval was received from Councillors McKenzie, Loughran and Brookes and the Chief Executive. Subsequently the offer of grant was accepted.

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<b>Report To:</b>	<b>Education &amp; Lifelong Learning Committee</b>	<b>Date:</b>	<b>8 September 2009</b>
<b>Report By:</b>	<b>Acting Director of Education</b>	<b>Report No:</b>	<b>EDUC/66/09/CL</b>
<b>Contact Officer:</b>	<b>Colin Laird</b>	<b>Contact No:</b>	<b>01475 712824</b>
<b>Subject:</b>	<b>Use of Powers Delegated to Chief Executive to accept Big Lottery Grant Award</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Committee of the use of powers delegated to the Chief Executive
- To accept the award of £392,962 over 5 years by the Big Lottery to the Community Learning and Development (CLD) Strategy Group, with Inverclyde Council as the grant recipient.
  - To endorse the implementation of the Wider Opportunities for Older People in Inverclyde (WOOP!) project.

## 2.0 SUMMARY

- 2.1 The project will provide learning opportunities for the over sixties in Inverclyde and will include some inter-generational activities with young people.
- 2.2 The project will employ a Development Worker to develop, support and provide CLD opportunities for WOOP! Participants. Initially the grant will be utilised to pay tutors to deliver programmes, however, over the lifetime of the project a pool of volunteer tutors will be created to continue to deliver programmes when the period of lottery funding ceases.

## 3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Committee note the use of the powers delegated to the Chief Executive:

To accept the award of £392,962 over 5 years by the Big Lottery to the Community Learning and Development (CLD) Strategy Group, with Inverclyde Council as the grant recipient

To endorse the implementation of the Wider Opportunities for Older People in Inverclyde (WOOP!) project with the Council as lead applicant.

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**Albert Henderson**  
**Acting Director of Education**

## **4.0 BACKGROUND**

- 4.1 The proportion of the Inverclyde population over 60 is growing and the CLD Strategy Group, having recognised there was a gap in CLD provision for older people, made their first submission for Wider Opportunities for Older People in Inverclyde (WOOP!) in October 2007. Although the first submission was unsuccessful, they were given some positive feedback and encouraged to re-submit. A revised application, which included an increased element of intergenerational activity, was submitted in November 2008.

The application to the 'Investing in Communities' grant programme went before the Big Lottery Scotland Board in May and was approved.

## **5.0 PROPOSALS**

- 5.1 The project as proposed will benefit 60+ residents, the majority of whom are resident in disadvantaged areas, and many of whom will be experiencing problems related to their mental health and well being. The project will also target those who are socially isolated and for many of the beneficiaries participating in WOOP! will at the start of their involvement be their only social contact.

Younger family members and neighbours of the older adults participating in the project will also benefit from the inter-generational programmes provided. Older people who perceive young people as threatening will have the opportunity of constructive contact with young people who in turn will benefit from more positive and supportive relationships with them. This project will work with Community Councils and other community organisations to promote mutual understanding and joint activity across the generations.

Research has shown that in order to win 'hearts and minds' and to change attitudes, habits and culture, it is necessary to create change over a number of years and to undertake initiatives on a scale sufficient to reach whole communities. The Big Lottery Grant over 5 years will help achieve this.

The outcomes for the project are:

- By March 2014, 2100 Inverclyde residents aged 60+ will have experienced improved physical and mental health and well-being as a result of participating in WOOP! opportunities.
- By March 2014, 70 WOOP! participants will have improved their skills and confidence through volunteering with the WOOP! project.
- By March 2014, 560 older Inverclyde residents (aged 60+) and 560 young people (aged 12-18) will have benefited from the transfer of skills and improved relationships and communication across the generations.

## **6.0 IMPLICATIONS**

### **6.1 Finance**

The grant has been awarded in full with £392,962 being offered by the lottery on condition that Inverclyde Council provide an additional £215,693 of in kind funding over the five year period of the grant. This additional funding has two component parts - £64,693 will be funded from the existing CLD budget and £151,000 is the value attached to services that will be provided free of charge by a pool of volunteers.

Cost Centre	Budget Heading	Financial Year 2009/10	Financial Year 2010/11	Financial Year 2011/12	Financial Year 2012/13	Financial Year 2013/14	Financial Year 2014/15	Virement
CLD	Salaries	£3,752	£6,418	£7,187	£8,117	£9,052	£3,620	Current staffing N/A
	Utilities and admin costs	£3,077	£5,092	£5,246	£5,402	£5,564	£2,166	CLD other expenditure

## 6.2 Legal

Inverclyde Council is the contracted grant recipient for this project.

## 6.3 Personnel

The Development Worker post is full-time for the first 3 years of the project and 0.5 for the remaining 2 years. A 0.5 Administrator will also be employed for the duration of the project. The new posts will be fully funded by the Big Lottery Grant. £171,000 of the grant has been allocated for the payment of part-time and sessional tutors.

## 6.4 Equalities

It was recognised that carer responsibilities might act as a barrier to participation for some older people and funding for (grand) child and dependant care has been included in the grant. The project will also include access to adaptive and assistive technologies for participants with disabilities. Measures have also been included to promote the participation of men who are traditionally under-represented in adult learning programmes.

## 7.0 **USE OF EMERGENCY POWERS**

7.1 The use of Emergency Powers was requested in order that the offer of funding could be accepted.

7.2 Approval was received from Councillors McKenzie, Loughran and Brooks and the Chief Executive. Subsequently the offer of funding was accepted.

## 8.0 **CONSULTATION**

8.1 A range of consultation activities were undertaken to confirm need and support for the project and to identify the types of programmes that would attract older people. During the period July/August 2008:

- 5 Focus Groups were conducted which involved a total of 62 participants
- Door to door canvassing of senior citizens housing was undertaken and the views of 40 residents ascertained
- Inverclyde Libraries distributed a questionnaire to older library users, 21 completed questionnaires were returned



## **9.0 BACKGROUND PAPERS**

9.1 The full submission to the Big Lottery is available on request.

<b>Report To:</b>	<b>Education &amp; Lifelong Learning Committee</b>	<b>Date:</b>	<b>8 September 2009</b>
<b>Report By:</b>	<b>Acting Director of Education</b>	<b>Report No:</b>	<b>EDUC/70/09/TR</b>
<b>Contact Officer:</b>	<b>Tom Reid</b>	<b>Contact No:</b>	<b>01475 712824</b>
<b>Subject:</b>	<b>Use of Powers Delegated to the Chief Executive to accept the lowest tender for St Patrick's Primary School Boiler Replacement</b>		

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## **1.0 PURPOSE**

- 1.1 To advise on the use of powers delegated to the Chief Executive to accept the lowest acceptable tender for St Patrick's Primary School Boiler Replacement.

## **2.0 SUMMARY**

- 2.1 The Education Capital Programme includes budget provision of £100,000 for Boiler Replacement at St Patrick's Primary School. Tenders have now been received and the total cost of the project including allowances for professional fees and other charges is £149,125.84. The use of powers delegated to the Chief Executive was required as the cost of the project is in excess of the project budget.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the use of powers delegated to the Chief Executive to accept the tender from Heatcare Services Scotland Ltd in the amount of £116,317.20 is noted.

**Albert Henderson**  
**Acting Director of Education**

## 4.0 BACKGROUND

4.1 The project comprises the replacement of the existing boiler plant, together with associated ancillary items and controls. It also includes for the cleaning and removal of the existing oil tank and for a new gas supply.

## 5.0 PROPOSALS

5.1 It is proposed to accept the lowest tender received, that of Heatcare Services Scotland Ltd in the amount of £116,317.20.

## 6.0 IMPLICATIONS

### 6.1 Finance

Financial Implications: The total cost of the project, including allowances for professional fees and other charges is £ 149,125.84. The budget allowance for the project is £100,000. This was a budget allowance only based on projects carried out in 2007. A cost was produced by Property Resources during the design period, amounting to £131,050. The cost of the project is therefore 13.8% in excess of the latest estimated cost and 49% in excess of the project budget. The reason for the increase in the cost in comparison to the estimate is an increase in the cost of the new gas supply.

The School Estate Capital programme 2008/09 had a contingency allowance of £37,000 remaining at the end of the year and this, together with £12,000 from the 2009/10 contingency allowance can fund the project deficit.

Cost Centre	Budget Heading	Budget Year	Proposed Spend	Virement from	Other Comments
Education Capital Programme	St Patrick's PS Boiler Replacement	2009/10	£100,000		
	Contingency allowance	2008/09	£37,000		
	Contingency allowance	2009/10	£12,000		

### 6.2 Legal:

There are no Legal implications.

### 6.3 Personnel:

There are no Personnel issues.

## 7.0 USE OF EMERGENCY POWERS

7.1 The use of Emergency Powers was requested in order that the project could proceed without delay. To avoid disruption to the school the work required to be carried out during the school holidays.

7.2 Approval was received from Councillors McKenzie, Loughran and Brookes and the Chief Executive. Subsequently the contract was accepted and the work carried out.

## **8.0 CONSULTATION**

- 8.1 The Chief Financial Officer has been consulted on this matter and agreed with the action proposed.
- 8.2 There are no direct staffing implications in respect of the report and as such the Head of Organisational Development and Human Resources was not consulted.
- 8.3 There are no legal issues and as such the Head of Legal and Administration was not consulted.

## **9.0 EQUALITIES ISSUES**

- 9.1 The selection process requires applicants to produce evidence that they are equal opportunities employers.

## **10.0 LIST OF BACKGROUND PAPERS**

- 10.1 PRFM Tender Report – St Patrick’s PS Boiler Replacement.

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<b>Report To:</b>	<b>Education &amp; Lifelong Learning Committee</b>	<b>Date:</b>	<b>8 September 2009</b>
<b>Report By:</b>	<b>Acting Director of Education</b>	<b>Report No:</b>	<b>EDUC/68/09/TR</b>
<b>Contact Officer:</b>	<b>Tom Reid</b>	<b>Contact No:</b>	<b>01475 712824</b>
<b>Subject:</b>	<b>Use of Powers Delegated to the Chief Executive to advertise for consultants for Port Glasgow Joint Campus</b>		

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## **1.0 PURPOSE**

- 1.1 To advise Committee of the use of powers delegated to the Chief Executive to advertise for a design team for the Port Glasgow Joint Campus.

## **2.0 SUMMARY**

- 2.1 The Education and Lifelong Learning Committee at its meeting of 3<sup>rd</sup> March 2009 approved the building of a new Joint Campus Secondary School to replace the existing Port Glasgow High School and the existing St Stephen's High School. It is intended to procure the project as a Design and Build Contract with a novated Design Team. The same procedure was successfully used for the Prudential Schools Project.
- 2.2 The Education and Lifelong Learning Committee at its meeting of 3<sup>rd</sup> March 2009 agreed the setting up of a Working Group to consider the options for the provision of Additional Support Needs Education. This Working Group will report its conclusions to the meeting of the Committee in September with options being set out in a consultation paper which the Committee will be asked to approve to issue for Public consultation. Whilst a decision has yet to be taken, one of the options is likely to recommend at least some of the ASN provision being included in the Joint Campus.
- 2.3 The Council is also in discussion with James Watt College in respect of the possible provision of a vocational educational facility within the Joint Campus. Again, a decision has yet to be taken.
- 2.4 In terms of The Public Procurement Regulations, works contracts which exceed £3.49 million must be advertised in the Official Journal of the European Union ('OJEU'). In terms of Standing Order 6.1 of the Council's Standing Orders relating to Contracts, Committee approval is required to advertise a contract.
- 2.5 The use of powers delegated to the Chief Executive were required as the OJEU notice must be issued now to ensure the programme for procurement of the project is met.

## **3.0 RECOMMENDATIONS**

- 3.1 That the use of Powers delegated to the Chief Executive to advertise for a design team for the Port Glasgow Joint Campus is noted

**Albert Henderson**  
**Acting Director of Education**

## 4.0 BACKGROUND

- 4.1 The Port Glasgow Joint Campus is a major part of the Council's Education Estate Strategy. Work is well advanced in preparing accommodation schedules and other briefing documents for issue to the design team when appointed, which it is anticipated will be in December 2009. It is necessary to issue an OJEU notice now in order to obtain expressions of interest from consultant teams. These will be evaluated and a short list of tenderers drawn up, with tender documents anticipated to be issued in September 2009.
- 4.2 The work of the ASN working group has identified various possible options for future provision. One option is to include at least part of the provision within the Joint Campus. The Council is also in discussion with James Watt College regarding the possibility of including a vocational education facility in the Joint Campus. It is proposed to include both ASN provision and the Vocational Education Unit as options when the OJEU notice is issued. This does not commit the Council to including these in the final project, however if they are not included now it may not be possible to add them in at a later stage without the process having to stop and be restarted with the issue of a fresh OJEU notice. If the issue of the OJEU notice was held back until a decision was taken on ASN provision and the vocational unit this would compromise the timescale for the Joint Campus.
- 4.3 In terms of The Public Procurement Regulations, works contract which exceed £3.49 million must be advertised in the Official Journal of the European Union ('OJEU'). In terms of Standing Order 6.1 of the Council's Standing Orders relating to Contracts, Committee approval is required to advertise a contract.

## 5.0 PROPOSALS

- 5.1 It is proposed to issue an OJEU notice requesting expressions of interest for a design team for the Port Glasgow Joint Campus, to include options for ASN provision and a vocational unit.

## 6.0 IMPLICATIONS

### 6.1 Finance

There is provision within the Education Estate Strategy for the new Joint Campus and for a new special school. The cost of employing the design team is included within these budgets. There is currently no financial provision for the vocational unit; this would have to be the subject of further discussions with the James Watt College. The Council does not however enter into any financial commitment by issuing the OJEU notice.

Cost Centre	Budget Heading	Budget Year	Proposed Spend	Virement from	Other Comments
Education Capital Programme	Port Glasgow Joint Campus	09/10-14/15	£38.4M		
	ASN School	10/11-14/15	£8.619M		

### 6.2 Legal:

There are no Legal implications.

### 6.3 Personnel:

There are no Personnel Issues

## **7.0 USE OF EMERGENCY POWERS**

- 7.1 The use of Emergency Powers was requested in order that the OJEU notice can be issued in accordance with the programme for the procurement of the Joint Campus
- 7.2 Approval was received from Councillors McKenzie, Loughran and Brooks and the Corporate Director Improvement and Performance on behalf of the Chief Executive. Subsequently the notice was placed and 33 expressions of Interest were received.

## **8.0 CONSULTATION**

- 8.1 The Chief Financial Officer has been consulted on this matter and has agreed with the action proposed.
- 8.2 The Head of Legal and Administration has been consulted, is in agreement with the action proposed and has approved the wording of the OJEU Notice.
- 8.3 There are no direct staffing implications in respect of the report and as such the Head of Organisational Development and Human Resources has not been consulted.

## **9.0 EQUALITIES ISSUES**

- 9.1 The selection process requires applicants to produce evidence that they are equal opportunities employers.

## **10.0 LIST OF BACKGROUND PAPERS**

- 10.1 Port Glasgow Joint Campus OJEU Notice.

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<b>Report To:</b>	<b>Head of Legal &amp; Administration</b>	<b>Date:</b>	<b>8 September 2009</b>
<b>Report By:</b>	<b>Acting Director of Education</b>	<b>Report No:</b>	<b>EDUC/69/09/AH</b>
<b>Contact Officer:</b>	<b>Albert Henderson</b>	<b>Contact No:</b>	<b>01475 712824</b>
<b>Subject:</b>	<b>Use of Powers Delegated to the Chief Executive to approve Secondary School Capping Arrangements 2009 / 2010</b>		

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## **1.0 PURPOSE**

- 1.1 To advise the Committee of the use of powers delegated to the Chief Executive to suspend the current capping arrangements for secondary schools for the year 2009 / 2010 for the sole purpose of concluding the current transfer to secondary school exercise.

## **2.0 SUMMARY**

- 2.1 Due to the current situation with secondary school placing requests within the Inverclyde area and in light of the Sheriff's ruling in August 2008 on the Greenock Academy placing request appeal, it is deemed unlikely that the Council will be successful if challenged by any parents whose placing requests are refused.

## **3.0 RECOMMENDATIONS**

- 3.1 It was recommended that the Committee note the use of the powers delegated to the Chief Executive:
- (i) to suspend the current capping arrangements for secondary schools for the year 2009 / 2010.
  - (ii) to agree that no further placing request applications be accepted for 2009 / 2010 in order that the current admissions process to primary and secondary schools be concluded.

**Albert Henderson**  
**Acting Director of Education**



## **4.0 BACKGROUND**

4.1 The current situation in terms of secondary placing requests is as follows:

(i) Gourock High School

The number of current placing requests is such that it can be accommodated within the increased S1 intake of 120 resulting from the 4 appeals being granted by Education Appeals Committee on 11 May 2009.

(ii) Notre Dame High School

The number of current placing requests is such that it can be accommodated within the current capping of 140.

(iii) Greenock Academy

The current capping level for Greenock Academy is 100. The number of current placing requests is such that to grant all of them would exceed the current capping level by 2 places.

(iv) Other Secondary Schools

All placing requests to other secondary schools have been accommodated within current capping arrangements.

4.2 In light of the Sheriff's ruling August 2008 on the Greenock Academy placing request appeal, it is deemed unlikely that the Council will be successful if challenged by any parents whose placing requests are refused.

4.3 In addition a review of transfer arrangements of children to secondary schools is currently being carried out by an independent consultant appointed by the Council. The review may lead to changes in future placing request arrangements and in order that appropriate stakeholder consultations take place it is acknowledged that the outcomes of the review will not be available until after the deadline for appeal hearings. Therefore, it is considered appropriate, for this year only, to seek delegated authority for the Chief Executive to exceed current capping arrangements. This would facilitate the conclusion of the current secondary transfer exercise.

4.4 In order that the admissions process for primary and secondary schools be concluded, no further placing requests will be accepted for school session 2009 / 2010.

## **5.0 PROPOSAL**

5.1 Current capping arrangements for secondary schools for the year 2009 / 2010 be suspended and that no further placing request applications are accepted for 2009 / 2010 in order that the current admissions process to primary and secondary schools be concluded.

## **6.0 IMPLICATIONS**

6.1 Financial

There are no financial implications

6.2 Legal

There are no legal implications

### 6.3 Personnel

There are no personnel implications

### 6.4 Equalities

There are no equality implications.

## **7.0 USE OF EMERGENCY POWERS**

7.1 The use of emergency powers was requested in order that current capping arrangements for secondary schools for the year 2009 / 2010 are suspended for the sole purpose of concluding the current transfer to the secondary school exercise.

7.2 Approval was received from Councilors McKenzie, Loughran and Brooks and the Chief Executive.

## **8.0 CONSULTATION**

8.1 The Chief Financial Officer has been consulted and is in agreement with the action proposed.

8.2 The Head of Legal and Administration has been consulted and is in agreement with the action proposed.

8.3 There are no direct staffing implications in respect of the report and the Head of Organisational and Development and Human Resources has not been consulted.

## **9.0 EQUALITIES ISSUES**

9.1 There are no equality issues.