Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann

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Kilncraigs, Greenside Street, Alloa, FK10 1EB (Tel.01259-450000)

Meeting of
Clackmannanshire Council

Thursday 29 June 2023 at 9.30 am

Venue: Council Chamber, Kilncraigs, Alloa, FK10 1EB

Committee Services, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB
Phone: 01259 452006/452004   E-mail: committees@clacks.gov.uk Web: www.clacks.gov.uk

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Clackmannanshire Council

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 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.

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 our Council and Committee meetings to see how decisions are made.

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21 June 2023

**A MEETING of the CLACKMANNANSHIRE COUNCIL will be held in the
COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on THURSDAY 29 JUNE 2023 at
9.30 AM**

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**NIKKI BRIDLE
Chief Executive**

B U S I N E S S

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For further information contact Committee Services, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB
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Clackmannanshire Council – Councillors and Wards

Councillors   ## Wards

Councillor	Phil Fairlie	1	Clackmannanshire West	SNP
Councillor	Darren Lee	1	Clackmannanshire West	CONSERVATIVE
Councillor	Graham Lindsay	1	Clackmannanshire West	SNP
Councillor	Mark McLuckie	1	Clackmannanshire West	LABOUR
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONSERVATIVE
Councillor	William Keogh	2	Clackmannanshire North	LABOUR
Councillor	Fiona Law	2	Clackmannanshire North	SNP
Councillor	Wendy Hamilton	3	Clackmannanshire Central	SNP
Councillor	Janine Rennie	3	Clackmannanshire Central	LABOUR
Councillor	Jane McTaggart	3	Clackmannanshire Central	SNP
Councillor	Kenneth Earle	4	Clackmannanshire South	LABOUR
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	IND
Councillor	Bryan Quinn	4	Clackmannanshire South	SCOTTISH GREEN
Councillor	Scott Harrison	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LABOUR
Councillor	Denis Coyne	5	Clackmannanshire East	CONSERVATIVE

Updated January 2023

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MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the Council Chamber, Kilncraigs, Alloa, on Thursday 18 May 2023 at 9.30 am.

PRESENT

Councillor Phil Fairlie, Convener (Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Denis Coyne
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Wendy Hamilton
Councillor Scott Harrison
Councillor Craig Holden
Councillor Fiona Law
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Mark McLuckie
Councillor Jane McTaggart
Councillor Janine Rennie
Councillor Bryan Quinn
Mr George Marcinkiewicz, Religious Representative (Item 10)

IN ATTENDANCE

Nikki Bridle, Chief Executive
Pete Leonard, Strategic Director (Place)
Stuart Crickmar, Strategic Director (Partnership & Performance)
Lorraine Sanda, Strategic Director (People)
Chief Superintendent Barry Blair, Police Scotland (Item 4)
Emma Fyvie, Senior Manager – Development (Place)
Iain McDonald, Senior Manager – Environment (Place)
Murray Sharp, Senior Manager – Housing (Place)
Alison Morrison, Senior Manager – Property (Place)
Stuart Cullen, Team Leader - Transportation (Place)
Glenn Stuart, Team Leader – Waste Services (Place)
Gavin Wright, Team Leader – Planned Work and Compliance (Place)
Robert Seale, Climate Change and Energy Officer (Place)
Catriona Scott, Senior Manager – Secondary Education (People)
Lindsay Sim, Chief Finance Officer (Partnership & Performance)
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)
Cherie Jarvie, Senior Manager, Partnership & Transformation (Partnership & Performance)
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)
Elizabeth Hutcheon, Management Accountancy Team Leader (Partnership & Performance)
Karen Payton, Team Leader, Communications and Community (Partnership & Performance)
Rose Hetman, Strategy and Performance Adviser (Partnership & Performance)
Heather Buchanan, Solicitor, Legal and Governance (Partnership & Performance)
Shaun McPhee, Solicitor, Legal and Governance (Partnership & Performance)
Gillian White, Committee Services (Partnership & Performance)
Melanie Moore, Committee Services (Partnership & Performance)

CC(23)41   APOLOGIES

Apologies were received from Councillor William Keogh, Councillor Kathleen Martin and;
Rev Sang Y Cha and Rev. David Jess, Religious Representatives.

CC(23)42   DECLARATIONS OF INTEREST

None.

CC(23)43   MINUTES OF CLACKMANNANSHIRE COUNCIL – 23 MARCH 2023

The minutes of the meeting of the Clackmannanshire Council held on 23 March 2023 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 23 March 2023 were agreed as a correct record and signed by the Convener.

CC(23)44   LOCAL POLICE PLAN 2023 - 2026

A local policing plan for Clackmannanshire is a statutory requirement of the Police and Fire Reform (Scotland) Act 2012. The report, submitted by the Strategic Director (Partnership and Performance) and Chief Superintendent Barry Blair, Police Scotland, presented Clackmannanshire's Local Policing Plan for 2023-26 for Council consideration.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Jane McTaggart.

Councillor Darren Lee was not present during the decision.

Decision

The Council agreed to approve the Clackmannanshire Local Policing Plan for 2023-26.

Action
Chief Superintendent Barry Blair, Police Scotland

Councillor Lee returned to the meeting, prior to the next item of business.

CC(23)45   ELECTION OF ROLES AND ELECTED MEMBER REPRESENTATION ON OUTSIDE BODIES FOLLOWING CHANGES TO LABOUR GROUP LEADERSHIP

The report, submitted by the Chief Executive, asked Council to note the replacement appointments to the various roles and outside body positions following changes made to the Labour Group leadership.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Mark McLuckie.

Decision

The Council :

1. Noted that from 4 April 2023, following the decision of Councillor Kenneth Earle and Councillor Kathleen Martin to step down from Labour Group Leadership positions, Councillor Janine Rennie has been appointed as Leader of the Labour Group and Councillor Mark McLuckie has been appointed as Depute Leader of the Labour Group.

2. Noted that Councillor Janine Rennie, in her role as Leader of the Opposition, replaces Councillor Kenneth Earle as Chair of the Audit and Scrutiny Committee with effect from 4 April 2023.

3. Noted that Councillor Janine Rennie, in her role as Chair of the Audit and Scrutiny Committee is awarded a special responsibility allowance with effect from 4 April 2023.

4. Noted that Councillor Janine Rennie was an existing member of the Audit and Scrutiny Committee and Councillor Kenneth Earle has indicated that he will remain an ordinary member of the Committee, therefore no further appointments are required.

5. Appointed Councillor Janine Rennie, in her role as Leader of the Labour Group, to replace Councillor Kenneth Earle as a member of the Stirling and Clackmannanshire City Region Deal Joint Committee, with Councillor Earle replacing Councillor Rennie as a substitute member.

6. Noted that Councillor Janine Rennie, in her role as Leader of the Labour Group, replaces Councillor Kenneth Earle as a member of the Clackmannanshire Alliance.

7. Noted that Councillor Janine Rennie, in her role as Leader of the Labour Group, replaces Councillor Kenneth Earle as a member of the CoSLA Convention.

Action
Chief Executive

CC(23)46   BE THE FUTURE UPDATE

The report, submitted by the Chief Executive, provided the latest update in respect of the Council's Be the Future Transformation Framework. The report provided updates in respect of: capacity, resilience and resourcing model evolution; achievements to date; Council's Strategic Planning Framework; and Target Operating Model (TOM) Implementation Phase 1.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

Councillor Mark McLuckie was not present during the decision on this item of business.

Decision

The Council:

1. Noted the background to the Be the Future Programme (BtF) as set out in section 3 and Appendix 1;

2. Noted the development and evolution of the resourcing model and approaches developed to maximise the resource available to support the delivery of the Council's agreed TOM and Transformation projects (sections 4 and 6 and Appendix 2);

3. Noted the significant key achievements to date delivered under the Council's Be the Future Transformation Programme (section 5 and Appendix 3);

4. Agreed to streamline the Council's Strategic Planning Framework as described in section 7 and paragraph 7.6 and Appendix 4, subject to the due diligence activity described; and

5. Agreed to endorse the proposed approach to develop Phase 1 Implementation Plans for the Council's agreed TOM (section 8).

Action
Chief Executive

Councillor McLuckie returned to the meeting, prior to the next item of business.

CC(23)47   THE LENS INVESTMENT 2 PROGRAMME IN CLACKMANNANSHIRE

The report, submitted by the Strategic Director (People), provided the Council with an update on the conclusion of the second Lens Investment programme in Clackmannanshire.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

Decision

The Council:

1.   Noted the process undertaken and the investment decisions reached,

2.   Noted that the LENS will be providing an evaluation of this second programme to the Family Wellbeing Partnership (FWP) Board.

CC(23)48   BUDGET STRATEGY UPDATE

The report, submitted by the Chief Finance Officer, maintained Council's regular update on the approved Budget Strategy. This report set out the Budget approach for 2024/25 including a draft timeline of key milestones and briefings.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

Decision

The Council noted:

1.   The indicative funding gap of £11.6m in 2024/25 rising to £22.0m by 2026/27 (Table 1);

2.   The assumptions on which the indicative funding gap for the year 2024/25 to 2026/27 is based (paragraphs 3.3 to 3.6);

3.   The budget approach for 2024/25 including the formation of a Budget Working Group and timeline of Budget Challenge sessions (paragraph 4.3);

4.   The draft timeline of key milestones in preparing the budget and briefings (paragraph 4.10 and Appendix A);

5.   The re-established officer Capital Operations Group and associated remit (section 5.0); and

6.   The approach for the HRA Revenue and Capital Budget (section 6.0)

CC(23)49   WELLBEING HUB UPDATE

The report, submitted by the Senior Manager, Sport and Leisure (People), provided Council with an update on the progress of the Wellbeing Hub development.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Scott Harrison. Seconded by Councillor Graham Lindsay.

Decision

The Council noted:

1. A Joint Project Team has been formed for the Wellbeing Hub and Lochies School projects as per the Governance Structure presented in the February 2023 Council paper (paragraph 2.2.4) and outlined in appendix 2;

2. The output from the workshops delivered to the Joint Project Team on the Scottish Futures Trust (SFT) Briefing and Evaluation Framework (BEF). (See paragraphs 3.1-3.6**);**

3. Members of the Joint Project Team have undertaken a range of visits to comparable leisure facilities, schools for children and young people with additional support needs, community venues that have integrated school and leisure facilities and to a newly constructed primary school in Perth which has been built to full Passivhaus Certification standards. All of the learning from these visits is supporting the development of the Project Brief alongside the outputs from the BEF (see paragraphs 3.1-3.6);

4. Continued engagement and awareness raising of the project through presentations and in person sessions across a range of stakeholders including; the Clackmannanshire Alliance, Clackmannanshire Third Sector Interface (CTSi), CTSI Volunteer Managers Forum, CTSi Community Breakfast, Community Justice Forum and Clackmannanshire Sports Council;

5. Clackmannanshire Council has entered into a new Partnership Agreement with **sport**scotland on a four year investment cycle totalling £909,066.28. The Partnership Agreement is a commitment between Clackmannanshire Council and **sport**scotland to identify, plan and deliver shared priorities for sport and physical activity over the period 1 April 2023 – 31 March 2027.

    5.1 The strategic value of a partnership between **sport**scotland, Clackmannanshire Council exists as an agreement to deliver local and national priorities and outcomes for sport and physical activity.

    5.2 The partnership will support Clackmannanshire's local outcomes and priorities including the Sport & Active Living (SALF) refresh, Wellbeing Hub and Lochies School development, enhancement of the sport, physical activity and active living network, Family Wellbeing Partnership - Child Wellbeing Project and allow the Sport and Leisure Team to deliver the following:

    - Planning for sport
    - Active Schools Programme
    - Community Sport Hubs Programme
    - Inclusion Projects
    - Enhanced Places for Sport

6. The progress of the introduction of a curricular swimming programme for Primary 5 children across Clackmannanshire (**See paragraphs 3.7-3.11)**

CC(23)50   DIGITAL LEARNING STRATEGY

The report, submitted by the Senior Manager (Secondary Education), provided information on the impact and evaluation of the Clackmannanshire Education Service Digital Learning Strategy and Implementation Plan 2019-2022; and sought approval from Council for the revised Digital Learning Strategy and Action Plan 2023-2025.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Graham Lindsay. Seconded by Councillor Wendy Hamilton.

Decision

Having commented on the content of report, the Council:

1. Noted the impact and evaluation report on the Clackmannanshire Education Service Digital Learning Strategy and Implementation Plan 2019-2022; and

2. Approved the revised Digital Learning Strategy and Action Plan 2023-2025 which aligns with the Council's Digital Strategy 2019- 2025, approved by Council on 18 April 2019

Action
Senior Manager (Secondary Education)

Mr George Marcinkiewicz, Religious Representative and Councillor Darren Lee, withdrew from the meeting at the conclusion of the previous item of business.

In line with Standing Order 10.23, the Convener adjourned the meeting at 12 noon for a fifteen minute comfort break. When the meeting resumed, 15 members remained present.

CC(23)51   HOUSEHOLD WASTE AND RECYCLING COLLECTION POLICY

The report, submitted by the Strategic Director (Place), outlined proposed changes to the Council's household waste and recycling collection service with direct reference to the options appraisal undertaken. To reduce carbon emissions, changes have been designed to prompt behavioural change amongst residents, driving improvements in recycling performance and resulting in a reduction of non-recyclable waste arising.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Jane McTaggart.

Amendment 1

"The Council recognises that to enable the behavioural changes which are necessary to meet our net zero targets and ambitions that a clear and effective communications strategy is vital.

A further recommendation will be added to the Household Waste and Recycling Collection Policy Report as follows:

2.1.6 that a comprehensive communication and engagement strategy for this Policy will be developed and brought to the next meeting of Council in June."

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

Voting on Amendment 1

For   12 votes
Against   3 votes

Amendment 1 was carried by 12 votes to 3.

Amendment 2

"The introduction of a new grey bin to separate recyclable materials to enhance the recycling rate as well as financial return to the Council is welcomed. With an extensive programme of education and awareness to drive behaviour change alongside the grey bin introduction, I believe that Option 2 would be the preferred option for the Council to take forward.

However, the cost implications of Option 2 is not available for this Council and as such I would prefer that Council defer this Report until June's Council meeting to allow these costs, impact and for a comprehensive communication and engagement strategy for this Policy to be developed."

Moved by Councillor Mark McLuckie. Seconded by Councillor Janine Rennie.

Voting on Amendment 2

For   3 votes
Against   12 votes

Amendment 2 was defeated by 12 votes to 3.

Decision

In terms of Standing Order 14.7, Councillor Rennie 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 elected members present voted as follows:

For the motion as amended by Amendment 1 (12 votes)
Councillor Phil Fairlie
Councillor Graham Lindsay
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Fiona Law
Councillor Wendy Hamilton
Councillor Jane McTaggart
Councillor Ellen Forson
Councillor Craig Holden
Councillor Bryan Quinn
Councillor Scott Harrison
Councillor Denis Coyne

Against the motion as amended by Amendment 1 (3 votes)
Councillor Mark McLuckie
Councillor Janine Rennie
Councillor Kenneth Earle

On a division of 12 votes to 3 with 0 abstentions, the Council agreed:

1. To adopt the following proposed changes to its household waste and recycling collection service - Option 3 of the options appraisal exercise:

2. To introduce a new grey wheeled bin to households for the separate collection of paper, card and cardboard for recycling and for this bin to be emptied 4 weekly.

3. To retain the existing blue wheeled bin for the separate collection of metal cans, plastic bottles, pots, tubs and trays and cartons for recycling and for this bin to be emptied 4 weekly.

4. To empty the existing green wheeled bin for non recyclable waste 4 weekly.

5. That Garden and food waste collections to remain unaltered.

6. That a comprehensive communication and engagement strategy for this Policy will be developed and brought to the next meeting of Council in June

Action
Strategic Director (Place)

Councillor Janine Rennie and Councillor Mark McLuckie withdrew from the meeting at the conclusion of the previous item of business.

In line with Standing Order 10.25, the Convener adjourned the meeting at 2.10 pm for a half hour meal break. When the meeting resumed at 2.40 pm, 13 members remained present.

CC(23)52   ELECTRIC VEHICLE CHARGING – INTRODUCTION OF TARIFFS

The report, submitted by the Strategic Director (Place), sought Council approval to introduce an electric vehicle (EV) charge point tariff, minimum spend and overstay charge across our charging network. This approach will ensure the day to day running costs of the network is covered by users and will address increased costs to the Council due to providing energy for free at a time when energy costs are increasing. The Council will be unable to access future government funding for EV infrastructure, unless a tariff is in place by Spring 2023.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Jane McTaggart.

Voting

In terms of Standing Order 14.7, Councillor Holden asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 13 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For the motion (11 votes)
Councillor Phil Fairlie
Councillor Graham Lindsay
Councillor Donald Balsillie
Councillor Fiona Law
Councillor Wendy Hamilton
Councillor Jane McTaggart
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Bryan Quinn
Councillor Scott Harrison
Councillor Denis Coyne

Against the motion (2 votes)
Councillor Martha Benny
Councillor Craig Holden

Decision

On a division of 11 votes to 2 with 0 abstentions, the Council agreed to:

1.   Approve the introduction of a tariff, set as follows:

    - Fast / AC (7kW or 22kW): £0.48 per kWh

    - Rapid / DC: £0.69 per kWh

2.   Approve a minimum spend of £5;

3.   Approve an overstay charge for Fast and Rapid as follows:

    - Fast / AC – (22kW only) £12 after first 4 hours plus 10 minutes grace and £12 subsequently after every 4-hour duration

    - Rapid / DC - £20 after first 60 minutes plus 10 minutes grace and £20 every subsequent hour

4.   Approve a discount of 10% for Clackmannanshire residents without access to off-street parking/home charging.

5.   Delegate authority to the Strategic Director (Place) to modify charging tariffs to address fluctuating energy prices and ensure the Council is remains at a cost neutral position.

Action
Strategic Director (Place)

CC(23)53   DIVESTMENT FROM FOSSIL FUELS AND DELIVERING ON NET ZERO

Following a meeting of the Council's Climate Emergency Board on 25 October 2022, the report, submitted by the Strategic Director (Place), presented options, endorsed by the Board, to drive forward Council divestment from fossil fuels to Council for consideration.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Brian Quinn.

Voting

For the motion   10 votes
Against the motion   2 votes
Abstain from voting   1

Decision

On a division of 10 votes to 2 with 1 abstention, the Council agreed to:

1.   Request a meeting with the Committee of LGPS Falkirk at the earliest opportunity, to discuss a review of the current policy on engaging with and investing in fossil fuel companies due to a lack of evidence of its effectiveness, the growing financial and ecological risks from continued fossil fuel investment, and the pressing need for the pension fund to divest from fossil fuels;

2. Request that LGPS Falkirk divest from fossil fuels through the development and adoption of responsible investment policies which include:

(i) with immediate effect or at the very least a specified timeline, not to undertake any new investment in the top 200 publicly-traded fossil fuel companies;

(ii) divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds as soon as practicable or within a specific time frame i.e. five years from the date of this Report;

(iii) agree to set out an approach to quantify and address climate change risks affecting all other investments within the pension fund; and

(iv) ask LGPS Falkirk to demonstrate to the Council that the pension fund is seeking to invest in companies and initiatives that will reduce greenhouse gas emissions and minimise climate risk.

3. Review the Council's own approach to investment in fossil fuel companies through our treasury management policies.

Action
Strategic Director (Place)

CC(23)54   SENIOR MANAGER (TRANSFORMATION AND CAPITAL)

The report, submitted by the Chief Executive, invites Council to agree to reverse the decision taken in June 2019 regarding the establishment of Appointments Committees for the recruitment to the role of Senior Manager.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

Decision

The Council agreed:

1. That the Scheme of Delegation is amended as follows:

    "The authority to appoint our chief officers (the Chief Executive, directors) and Statutory Officers (S95, CSWO, CEdO, Monitoring Officer) is delegated to an Appointments Committee which we set up as and when we need it"

2. To note the considerations outlined in the paper.

3. To note that as recommendation 2.1.1 was agreed, the paper attached at Appendix 1 is not required..

Action
Chief Executive

EXEMPT ITEM

As set out in Standing Order 8.12, the Clerk advised that the decision on whether or not items of business are exempt is taken by resolution at each Council meeting and depended on what is being presented. She confirmed that she had been in touch with the parties, whose information was contained within the report, and there are no objections to the information being disclosed.

The Council Leader suggested that the item of business should be held in public to ensure transparency. The Council resolved in terms of Section 50A of the Local Government (Scotland) Act, 1973, that the press and public should **not** be excluded from the meeting during consideration of the following item of business.

CC(23)55   WESTHAUGH (TRAVELLING PERSONS SITE) REDEVELOPMENT CAPITAL PROJECT – CAPITAL BUDGET COMMITMENT

The report, submitted by the Strategic Director (Place), provided an update to Council on the Capital Budget requirement for the Westhaugh Travelling Persons Site redevelopment. There has been a 25% increase in costs from the £4.195m previously approved by a Special Meeting of Council on the 16th of February 2023. The value of the increase is £1.305m, bringing the total project cost to £5.5m. Therefore, further governance was required to confirm if this project is to go ahead in its current scope and if so, to allocate the additional capital funding from the HRA account.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Jane McTaggart. Seconded by Councillor Fiona Law.

Decision

Having commented on and challenged report, the Council agreed to:

1. Approve a further £1.305m to be allocated to the project by increasing the approved total HRA Capital allowance (2023/24) from £15.261m to £16.566m;

2. Approve that this will be delivered in line with the HRA approved borrowing for 2023/24 (3.24); and

3. Note the report.

Action
Strategic Director (Place)

*****

The Convener gave notice that as it is likely that meetings of Clackmannanshire Council will take a similar length of time in future; that the meeting will be structured in such a way that adequate breaks are provided during the day.

*****

Ends: 4.30 pm

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 29 June 2023

Subject: **Household Waste and Recycling Communications and Engagement Plan**

Report by: **Strategic Director (Place)**

1.0   Purpose

1.1   On 18 May 2023 the Council approved a report proposing the following changes to its waste and recycling collection policy.

- to introduce a new grey wheeled bin to households for the separate collection of paper, card and cardboard for recycling and for this bin to be emptied 4 weekly.

- to retain the existing blue wheeled bin for the separate collection of metal cans, plastic bottles, pots, tubs and trays and cartons for recycling and for this bin to be emptied 4 weekly.

- to empty the existing green wheeled bin for non recyclable waste 4 weekly.

- 3 weekly garden waste collections remain unaltered.

- weekly food waste collections remain unaltered.

1.2   The changes are being introduced to reduce carbon emissions, by prompting behavioural change amongst residents, driving improvements in recycling performance and resulting in a reduction of non-recyclable waste arising.

1.3   At the May Council meeting Members recognised the importance of communications and engagement with householders and asked that Officers return to this meeting with a follow up report and strategy.   The Communications and Engagement Plan is to be found at Appendix A.

2.0   Recommendations

2.1   The Council notes the Communications and Engagement Plan at Appendix A and all the communications and engagement activities and actions described in this report.

3.0 Considerations

3.1 The Waste service will lead on the production and delivery of the communications and engagement plan for the service change, as well as the development of all communications and campaign materials. They will be supported by an Officer from Zero Waste Scotland (ZWS) who has previous experience of working for a local authority undergoing a similar service change for the equivalent of 1 day a week for as long as is required at no cost to the Council. There will also be input from the in-house communications team who will assist with the delivery of internal and external communications as outlined in the strategy.

3.2 ZWS have created a range of leaflet templates and toolkits to help local authorities communicate with households specifically about changes to waste and recycling collection services that relate to the implementation of the Code of Practice (CoP) for Household Recycling in Scotland and to the reduction of frequency of residual waste collections. The Council will fully utilise this support, meaning that demand for the in-house communications team resource will be kept to a manageable level.

3.3 The campaign will promote recycling and ensure clear and concise information is available to help communities understand the impending service changes. The strategy will involve using all channels to reach diverse audiences, including web, social media, and direct communication with individuals and community organisations. This will include attending local meetings and events in order to directly engage with residents about the new service, answering any queries that arise.

4.0 Communications

4.1 A list of printed materials to be produced as part of the communications campaign can be seen listed in Table 1. The two main forms of direct communication with all residents are the 'warm up' flyer and the 'pre launch' booklet and calendar, both of which will be delivered through the letterbox of every domestic address in the county.

Table 1

Items	Date
Generic A5 flyer for use at events etc.	June
Pull up banners – different ones promoting new grey bin, new collection frequencies and food waste recycling	June
'Warm up' flyer in branded envelope directly delivered to households	July
Green bin sticker attached to lid – A5 size with message 'no food waste or recyclables in this bin'	August
Grey bin 'Paper, card and cardboard recycling' sticker – A5 size attached to inside of lid	August
Vehicle livery – vinyl stickers to be attached to side of bin wagons	August
'Pre launch' booklet and calendar in branded envelope directly delivered to households	September
Blue bin sticker attached to lid – A5 size with message 'plastic bottles, pots, tubs and trays, metal cans and cartons only in this bin'	October

4.2 The 'warm up' flyer will take the form of a generic letter in a branded envelope which makes it clear that it contains important information about the waste and recycling collection service, intended to encourage the householder to open it. It will explain the impending changes to the service and when they are due to happen. It will tell the householder to expect a new grey bin to be delivered to their address in August/ September and what it is to be used for and also for them to expect further information and a calendar listing new collection dates from October to be posted through their door in September.

4.3 The 'pre launch' booklet will be a 16 page A5 full colour publication and will be an adaptation of a booklet already in use promoting existing recycling services. It will be updated to include reference to the new grey bin and the new collection frequencies of the different bins, as well as promoting the food waste collection service. The calendar will show the dates on which every individual address has to put out their different bins and food caddy for collection from October.

4.4 Council website

A list of FAQs (frequently asked questions) about the new service was posted on 18 May after the Council decision. The front page of the website has also been updated in order to highlight the service changes.

4.5 Press Releases

A press release was issued on 18 May after the Council decision. It was also posted on the website. Further press releases will follow as we move towards implementation.

4.6 Digital and Social Media

The Council's corporate Twitter and Facebook accounts and the Waste service's Twitter account are being used to post frequent messages in the lead up to and after the start of the new service in October.

4.7 Vehicle Livery

It is intended to install vinyl stickers on both sides of the 4 waste collection vehicles (bin wagons) that service the more urban areas of the county, promoting the new service. These will act as moving billboards. The 4 food waste collection vehicles already have livery that promotes that service.

4.8 Internal Communications

It is important that Council staff, many of whom are resident in the county, clearly understand the service changes and why the Council is making them, so that every member of staff can act as an ambassador for the service. This communication will be achieved through the intranet i.e. Connect and the Connected staff magazine. Those staff who physically deliver the waste and

recycling collection service have been, and will continue to be, regularly briefed by the Waste Team Leader about the impending changes.

5.0 Engagement

5.1 Community gala days:

It is intended that Waste Officers will have a stand at each of the following events where they will be available to answer any questions from residents about the upcoming service changes:

- Dollar Gala   3rd June
- Menstrie Gala   10th June
- Tillicoultry Gala   18th June
- Clackmannan Fun Day   24th June
- Alva Games   8th July
- Tullibody Fun Day   15th July
- Tillicoultry Community Week   6-13th August

The above is a list of events that Officers are currently aware of. If and when further events are identified, particularly in areas not represented above such as Sauchie and Alloa, then contact will be made with the event organisers requesting permission to attend.

At each event Officers will have with them blue and grey bins containing appropriate recyclable items, as well as food caddies and liners to issue and will be available to provide practical advice about how householders can make the new service work for them.

5.2 Supermarkets

Officers will make contact with the supermarkets in Alloa i.e. Asda, Tesco, Morrison's, Aldi and Lidl seeking permission to staff a similar stand in their car park with the intention of engaging with shoppers who are Clackmannanshire residents about the new service.

5.3 Libraries

The Waste service has made contact with Libraries and the plan is for unmanned displays to be placed in the libraries and Community Access Points (CAPs) across the county, promoting the forthcoming changes to waste and recycling collections.

5.4 Community Council meetings

A Waste Officer attended the Joint Community Council Forum meeting on 25 May at Alva Academy and made a PowerPoint presentation about the new service, which was followed by a lengthy discussion. At the same time an offer was made by the Waste service to attend individual Community Council meetings, as per the following schedule.

Table 1

Community Council	Meeting routine (all evenings)
Alloa	Last Tuesday of the month Not June, July and December
Alva	2nd Monday in Alva Trust Not July August or December
Clackmannan	21 June in the Town Hall - confirmed
Dollar	3rd Monday in the Academy
Menstrie	2nd Tuesday in the Church Hall Not July or August
Muckhart	Wednesday in the Coronation Hall (6 times per year)
Sauchie Fishcross	2nd Monday in Sauchie Hall, not July, August & December
Tillicoultry Coalsnaughton Devonside	2nd Tuesday in the Ben Cleuch Centre. Not July
Tullibody, Cambus, Glenochil	n/a

5.5 Schools

The Waste team will work collaboratively with the Education service to engage with school children about recycling, which can be an effective way of stimulating behaviour change amongst parents and carers. The Waste team will seek to work with Eco Schools co-ordinators within schools to develop fun ways of learning about waste and recycling and the impacts that this has on our environment. A number of ideas could be explored including running competitions for pupils. The intention is to utilise childrens' so called 'pester power' to encourage recycling conversations and prompt behavioural change in the home.

5.6 Housing Providers

The Waste Team Leader has met with Tenancy Services within Housing to discuss how the key messages can be best communicated to tenants, including through Housing Officers. As a consequence he is due to attend a team meeting of all Housing Officers on 29 June.

Contact is also being made with the Clackmannanshire Tenants and Residents Federation and Sauchie Community Group with an offer to attend meetings or events in an effort to raise awareness of the impending changes amongst tenants.

A similar approach will be made to the Housing Associations in the county including Paragon, Ochil View and Kingdom.

5.7   Customer Contact Centre

It is anticipated that the service change will lead to an increase in telephone calls to the Council, particularly during key stages of the service change. An additional staff member will be recruited to work within the Customer Contact Centre on a 3 month fixed term contract, commencing in advance of 'go live' with the new service. It is intended that this will provide the capacity to deal with all additional calls generated by the service change.

6.0   Financial Summary

6.1   The report to Council on 18 May set out the implementation costs of the new waste and recycling collection policy, together with anticipated savings that would offset those costs. The communications and engagement activities set out in this report will be delivered within the existing Waste service budget.

6.2   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 ✓

6.3   Finance has been consulted and has agreed the financial implications as set out in the report.   Yes ✓

7.0   Exempt Reports

7.1   Is this report exempt?   Yes ☐ (please detail the reasons for exemption below) No ✓

8.0   Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1)   Our Priorities (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and
ensure fair opportunities for all   ✓
Our families; children and young people will have the best possible
start in life   ☐
Women and girls will be confident and aspirational, and achieve
their full potential   ☐
Our communities will be resilient and empowered so
that they can thrive and flourish   ☐

(2)   Council Policies (Please detail)

9.0   Equalities Impact

9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ✓   No ☐

10.0 Legality

10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.   Yes ✓

11.0 Appendices

11.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 – Waste and Recycling Communications and Engagement Plan

12.0 Background Papers

12.1 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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Glenn Stuart	Waste Team Leader	Extension : 2562

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	███████

Clackmannanshire Council | Comhairle Siorrachd Chlach Mhanann

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Waste & Recycling Communications & Engagement Plan

June 2023

Contents

Introduction and background

With the looming ban on sending waste to landfill (31 December 2025), Scotland's local authorities need to encourage residents, business and communities to recycle as much waste as possible to limit the amount of waste being incinerated.

The Council achieved a recycling rate of 55.4% in 2019 (pre COVID) and 48.6% in 2020 (during COVID). The recycling rate for 2021 is c50% (post COVID). These figures include kerbside collections, glass and textiles collected at bring sites and recycling at Forthbank Recycling Centre.

The Council would like to increase overall recycling rates further and reduce contamination in household recycling collections.

Current recycling includes:
- A blue bin collected every 2 weeks for paper, cardboard, metal cans, plastic bottles, pots, tubs and trays and cartons.
- A grey caddy collected every week for all types of food waste.
- A green bin for material that currently cannot be recycled. This is collected every three weeks, unless your property has a special collection arrangement.
- A brown bin collected seasonally every 3 weeks for garden waste. This service requires purchase of a permit.
- Communal glass recycling points are available throughout Clackmannanshire.

Prior to the 2023/24 budget being set, Waste Services submitted a report to Council which outlined a number of options for proposed changes to the Council's household waste and recycling collection service which are designed to prompt behavioural change amongst residents, to drive an improvement in recycling performance and reduce carbon emissions.

The proposed changes will make sure we are compliant with the Code of Practice for Household Recycling in Scotland and future-proof it against further anticipated legislative and policy changes. The Council agreed to adopt the following proposed changes to its household and recycling collection service.
- To introduce a new grey bin to households for the separate collection of paper, card and cardboard. This will be emptied every 4 weeks.
- The blue bin for the collection of metal cans, plastic bottles, pots, tubs and trays and cartons will be emptied every 4 weeks.
- The green bin for non recyclable waste will be emptied every 4 weeks.

- Garden waste collections will remain 3 weekly.
- Food waste collections will remain weekly.

The Council submitted a successful application for funding to the Recycling Improvement Fund to make the proposed changes.

The changes will support the Council in trying to help the Scottish Government achieve the following targets:

- Minimum of 70% recycling of **all** (not just household) waste by 2025.
- Minimum of 60% recycling of household waste by 2020, progressing towards 65% municipal waste target by 2035 in line with EU targets.
- 33% reduction of food waste, against a 2013 baseline, by 2025.
- 15% reduction of all waste, against a 2011 baseline, by 2025.
- Maximum 5% of all waste to landfill by 2025.
- Biodegradable waste to landfill ban by 01 January 2026.

Waste and Recycling Objectives

To deliver an efficient recycling service with the aim of lowering carbon emissions to assist the Council in reaching net zero emissions for its operations by 2040 and increasing recycling rates. The waste team will:

- introduce a new grey wheeled bin to households for the separate collection of paper, card and cardboard for recycling

- change the frequency of collections to the following:

- A grey bin for paper, card and cardboard - every 4 weeks.
- A blue bin for plastics, metals and cartons - every 4 weeks.
- A green bin for non-recyclable household waste - every 4 weeks.
- A brown bin for garden waste - every 3 weeks (seasonally).
- A grey caddy for food waste - every week.

Communications Objectives

Objective	Timeline	Measurement
To ensure all householders are aware of and understand the service change	By 29/09/2023	Number of letters delivered
Reach and respond to our target audience using social media and directing them to the FAQs page	Between 18/05/2023 and 29/09/2023	Impressions on social media (goal - 50k), Engagement rate on social media posts (goal - 20%), FAQs page impressions (goal – 9,000)
To ensure all householders know the new collection dates	By 29/09/2023	Number of calendars delivered
Increase awareness of correct use of recycling bins	By October 2024	Recycling rates (modelled to increase by 10%)

Key Messages

Key messages will be aimed at people understanding the changes to the recycling service as well as increasing awareness of what each bin is for and why recycling is important. These messages will be taken from Recycle for Scotland/ Zero Waste Scotland (ZWS) so that we are consistent with the rest of Scotland.

Your waste and recycling services are changing in October.

We are making improvements to your recycling and waste services so we can reduce carbon emissions, increase the efficiency of recycling in Clackmannanshire and help to move Scotland closer to more consistent recycling across the country.

You will receive a new grey wheeled bin for the separate collection of paper, card and cardboard which will be emptied every 4 weeks.

The existing blue wheeled bin will still be used for the collection of metal cans, plastic bottles, pots, tubs, trays and cartons and will be emptied every 4 weeks.

The existing green wheeled bin for non-recyclable waste will be emptied every 4 weeks.

Garden waste collections are not changing.

Food waste collections will continue to be weekly.

Why are we making these changes?
The changes we are making to waste and recycling collections will:

- lower carbon emissions
- improve the efficiency of recycling by keeping the paper, card and cardboard clean and dry, making it fully recyclable and increasing its value
- reduce the amount of contaminated recycling that goes to landfill
- help meet Scottish Government recycling targets in the future
- provide more consistent recycling across Scotland making it easier for everyone to recycle
- reduce the need to sort the two types of recycling which will save the Council money that will be put towards other services.

Headline message	Sub message	Call to action
Your waste and recycling services are changing in October	You will receive a new grey wheeled bin	Use your new bin for paper, card and cardboard recycling
	The frequency of collections is changing	Use your new calendar from October

Toolkits to use for this key message
Reduced frequency toolkit - https://www.zerowastepartners.org.uk/collections-133/
Service change toolkit - https://www.zerowastepartners.org.uk/collections-159/

- **Don't let your good recycling go to waste**

Please make sure you put the right material in the right bin.

We supply the following bins to households.

- A grey bin for paper, card and cardboard that we collect every 4 weeks.
- A blue bin for plastics, cans and cartons that we collect every 4 weeks.
- A green bin for non-recyclable household waste that we collect every 4 weeks.
- A grey caddy for food waste that we collect every week.
- A brown bin for garden waste that we collect seasonally every 3 weeks. This service requires a permit.

Communal glass and textiles recycling points are available throughout Clackmannanshire.

Headline message	Sub message	Call to action
Don't let your good recycling go to waste	Cleaner recycling means less landfill	Use your new bin for paper, card and cardboard and make sure it is clean and dry
		Rinse your bottles, cans and food containers

Toolkits to use for this key message
Contamination toolkit - https://www.zerowastepartners.org.uk/collections-132/

Barriers (as researched by ZWS)

Ease - it is often 'easier' to throw things away than recycle or reuse them, the incentives for consumers to recycle are weak and householders remain confused about what materials can be recycled.

Frequency – confusion towards different collection frequencies across the service and concerns around remembering which container to put out each week.

Capacity – concerns about current non-recyclable waste bin capacity and the prospect of stretching this to four weeks.

Inconvenience – the perceived 'inconvenience' of recycling – specifically the time and effort required in participating in all of the services.

Why bother? – a lack of understanding of the benefits of recycling.

Communications should therefore:

Be positive, promoting all of the services available and thanking householders for participating.

Explain the rationale behind the change, specifically environment benefits.

Include interesting information like the recycling journey.

Provide reassurance through waste analysis findings and address concerns like smell and vermin.

Target Audience

Core target audience - householders (25,000) in Clackmannanshire.

Other stakeholders - community groups, elected members, Council staff, businesses, organisations, housing associations.

Communications Activity

External Communications
- Flyer to be used to issue at community gala days etc (see Appendix A)
- 'Warm up' letter to householders (07/2023)
- Recycling leaflet and calendar (09/2023)
- New web copy and FAQs (18/05/2023, 29/09/2023)

Internal Communications
- Copy on Connect to inform staff (18/05/2023)
- Copy in Connected staff magazine (date tbc)
- Manager Cascade (22/05/2023)

Community engagement
- Waste Services to attend community events

Digital and social media
- Social media posts to promote key messages (19/05/2023 – 29/09/2023)

Press
- Press release following Council decision (18/05/2023)

Design and Branding

All design and print should be co-ordinated through the designer in the Communications Team. This will ensure corporate and ZWS brand guidelines are adhered to; allow best value to be achieved by using the Print Procurement Framework; and ensure other policies and procedures are complied with (e.g. around equality, data protection and copyright).

Elements for branding
- Letter to residents containing information on the changes with branded envelope
- Social media images
- Information leaflet containing information on what goes in each bin

Budget

This communications plan will be delivered in-house by existing employees. Waste Services will arrange payment for printing of materials, mail fulfilment and other activities directly.

Other Resources

Zero Waste Scotland local authority communications guidance:
https://www.zerowastescotland.org.uk/LocalAuthorityCommunicationsGuidance
Zero Waste Scotland partner website:
https://www.zerowastepartners.org.uk/

Appendix A

Double sided A5 flyer being used at gala days and other events to promote service changes.

CLACKMANNANSHIRE COUNCIL

Report to: Council

Date of Meeting: 29 June 2023

Subject: Housing Operations Performance Update

Report by: Strategic Director (Place)

1.0   Purpose

1.1.   This report provides council with an update on several key performance areas in the Housing Service. The focus is on performance in relation to Void property management, which falls under the HRA budget. A void is the term given to properties, where keys have been handed back to the landlord before they are re-let to another housing waiting list applicant.

1.2.   As interrelated activities, the report also focusses on the recent challenges being faced by the Homeless Service and Housing Support functions of the Council, which are managed with the Councils General Fund Budget.

2.0   Recommendations

2.1   It is recommended that Council:

2.1.   Approves the increase in the HRA private contractors' budget of £960k within revenue, for 2023/24 to deal with the current backlog of voids,

2.2.   Notes the carry forward of £73k from last year's HRA capital programme, to enhance the off the shelf budget, has been approved by the Chief Executive in line with the Council Financial Regulations,

2.3.   Notes that the work on voids will be delivered within the HRA approved borrowing level for 2023/24,

2.4.   Notes engagement with Private Contractors will be done in accordance with the Councils approved procurement process,

2.5.   Approves the additional temporary and backfill staffing requests as detailed in the report (4.22 – 4.26),

2.6.   Notes the agreement of Trade union colleagues in the proposals contained within, including the use of additional overtime,

2.7.   Notes the consultation with the Clackmannanshire Tenants' and Residents' Federation,

2.8.   Notes that a review of the Housing Service strategic response to the homeless pressures will take place during the summer recess and a members briefing held shortly afterwards.

3.0   Considerations

3.1.   **Background Void Performance**

3.2.   There are currently a large number of Void including Off The Shelf (OTS) buy back properties awaiting refurbishment works. At the time of writing the report the volume of these was one hundred and two (102). The loss in revenue for these properties is around £8,500 per week.

3.3.   A number of years ago the service engaged with Vanguard Scotland to improve performance in the service. The baseline of how long it was taking for voids, from the point keys were returned to a property being re-let was 85 days or a little over 12 weeks. At that stage there were around 70 voids in a backlog, i.e. not all being actively worked upon.

3.4.   By February 2019, just before COVID restrictions, the end to end time had dropped by 50 full days/ 7 weeks to an average of 35 days/ 5 weeks. However, even at that stage there were 39 voids, awaiting work.   It is not uncommon for Housing providers to have voids awaiting work, and this can range from Utility meter updates to full house refurbishment work requiring to be done.

3.5.   The Council at the presentation of last Local Government Benchmarking Framework (LGBF) for 2021/22, was still ranked 3rd for Void performance, measured by Void rent loss[1]. The Council achieved a void rent loss of 0.66% compared with a national figure of 1.63%. Given that most social landlord's budget and/or target for void rent loss is around 1%, the Councils performance has been excellent in this area in recent years.

3.6.   **Current VOID Performance**

3.7.   At the time of writing, the present end-to-end time for voids being re-let is in excess of 79 days[2] and is getting poorer. At this early stage in 2023/24 financial year, void rent loss is already projecting a potential overspend of over £115k against budget, if the current level of performance is maintained.

3.8.   Performance in relation to voids has been affected by a number of areas since 2019, firstly extended Covid Health and Safety restrictions which affected how many workmen could be in a house at the one time safely. As reported previously to Council, Housing (HRA) Staff being some of the last of all Council staff, responding to the covid response and helpline. Although the service has been refunded for this time clearly the opportunity costs was the fact that Housing work and priorities have not progressed as quickly as they could have.

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1 20th April, 2023 Audit and Scrutiny Committee

2 See Appendix 1

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3.9. More recently the large number of transfer led applicants to the Primrose Street Development and the increase in Homeless caseloads, have all led to pressure in the system. This has been compounded by in some cases adjusting and not sticking to the agreed vanguard rules and principles, which, while clearly done for the right reasons, has not worked.

3.10. The above reasons have all resulted, combined and individually, in the detrition of performance. That volume is such that our own internal trade's resource does not have the capacity, as demonstrated by the throughput (Appendix 1) to undertake and complete the works, within a timeframe that is acceptable to either the Council or applicants waiting on a home.

3.11. Clearly work and action is needed to be taken on the system to improve matters.

3.12. **Void Action Proposal**

3.13. The proposal is to divert all voids in the current backlog and above our operating capacity (throughput), to an external contractor, utilising a whole house refurbishment framework contract. This will be done in accordance with the Councils procurement process. This will allow the in-house resource to focus clearly in line with the vanguard principles with a select number of properties, problem solve where possible and work to improve and maximise the throughput as much as possible.

3.14. The Council's own internal trades workforce will continue to provide the required resource provision to undertake refurbishment works to an estimated 375 void properties, that will pass through the housing and property service this year and will be fully employed in doing so. This is already budgeted for within the revenue repairs budget assigned to void repairs works.

3.15. In addition, when we start to receive these voids back from contractors this will place additional strain on the tenancy management team and resource and it is very likely that additional overtime, with possibility of weekend working will be required to make sure we can get applicants matched and into their new homes as quickly and comfortably as possible. This spend will be managed within existing budgets.

3.16. **Voids Other Considerations**

3.17. The delays to turning properties around has meant that staff, councillors and the Chief Executive's office have had a number of chasing and update requests relating to empty properties. This is clear failure demand and it is clear that the service needs to work on a communications strategy to ensure expectations are managed by those who have been matched to a property. This communication will be easier once engagement with a contractor has taken place and target dates for completion have been considered.

3.18. The situation has been discussed with trade union colleagues and they have agreed to the above proposal. They have also committed to work with management about making sure we can collectively seek to increase the throughput with the existing resources. TU colleagues are also willing to work with management to plan on how we can further increase internal resource to support this work going forward, in line with agreed organisational redesign

protocols. Union colleagues would like to see this situation addressed urgently. The service does feel like it is felt prudent to have an allowance with the framework arrangements, for financial year 2024/25 owing to the challenges relating to recruitment of suitable trained staff and minimising the risk of a future backlog (especially accounting for the return of decant properties for Westhaugh residents). Council will be kept updated in terms of progress of these actions, through the regular business plan reporting.

3.19. **HRA funding requirement for the Proposal**

3.20. Council is therefore asked to approve an increase in the HRA 2023/24 revenue budget for private contractors of £0.960m, to be funded from the current HRA surplus. This will support the planned action of procuring a suitable external multi-trade contractor to refurbish an agreed number of void properties.

3.21. The Chief Executive has also approved (in line with Council financial regulations) the carry forward from last financial year of £0.073m capital underspend within the OTS buy back budget, to provide additional capital funding. This will support the £2.6m budget already agreed and within this years capital programme for OTS property purchase and refurbishment.

3.22. The proposed total spend with the contractor between revenue (£960k) and the capital refurbishment allowance (£909k) with the OTS HRA capital budgets equates to £1.87m, this forecast accounts for the variable condition of voids and OTS buy back properties. Although the extent of refurbishment works proposed is large, our anticipation is that this should be delivered within this budget.

3.23. The draft year end outturn position for HRA Revenue spend at 31 March 2023 is a surplus of £7.0m. Including the existing surplus of £9.6m from 2021/22, this brings the total surplus to £16.6m before earmarked reserves.

3.24. After allowing for the utilisation of reserves, earmarked reserves and minimum reserves totalling £2.2m, the HRA surplus available to offset capital expenditure in 2023/24 and future years equates to £14.4m.

3.25. The forecast as at December on the HRA capital programme for 2022/23 was projected at £8.8m, the draft final position is reporting a further reduced spend of £7.8m.

3.26. Reflecting the draft capital outturn position for 2022/23 together with a forecast reduction of £0.750m in the 2023/24 capital programme expenditure, relating to roof and render works and the additional investment in Westhaugh, of £1.305m approved by Council in May, means accounting for the required pressure in void and OTS property refurbishment, the HRA would now require borrowing of £4.6m after use of reserves as opposed to the £6.2m outlined in the HRA 2023/24 Budget Setting report approved by Council at its meeting in February 2023, to fund a £15.9m revised planned capital expenditure programme.

3.27. Therefore, crucially, with the variances approved at May Council (Westhaugh Investment) and those requested in this report, the HRA will still be within the overall approved HRA borrowing agreed by Council in February 2023.

4.1. **Homelessness**

4.2. The homeless team are currently under a significant amount of pressure due to the increasing caseload the team are facing. The presentation rate is only showing a slight increase as demonstrated with the chart below. It should be noted, applications do tend to reduce during December/January, primarily we suspect due to the office closure.

No. of presentations
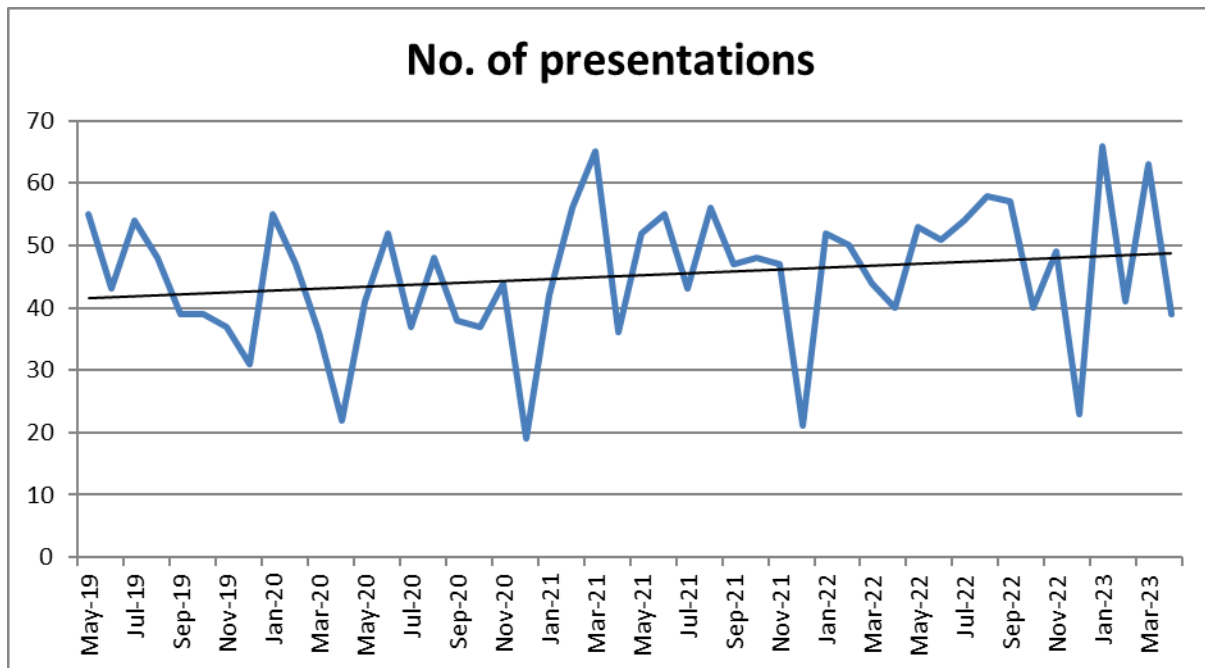
4.3. The number of open cases, which the team are required to manage has increased consistently over the last four years and is now 63% higher than it was in May 2019.

Total Case load on 1st of month
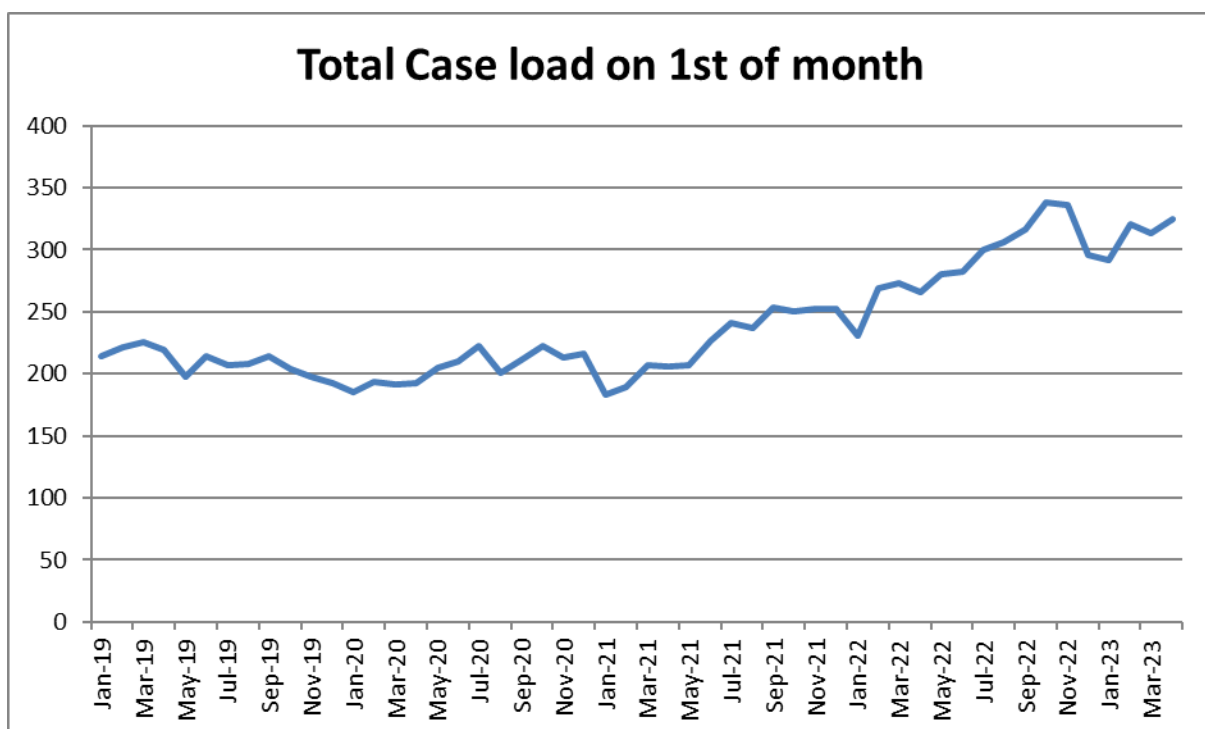
4.4.   The increase in case load is greater than the increase in presentations which is also likely due to fewer voids becoming available. Total number of voids available for let during the previous four years is:

	Number of lets
2019/2020	417
2020/2021	335
2021/2022	353
2022/2023	351

4.5.   At the same time as the reduction in lets, the Council has increased the percentage of lets going to homeless applicants from 47% in 2019/20 to being just over 60% in each of the corresponding last three years, in an attempt to dampen the homeless caseload.

4.6.   The homeless team have also managed applications from Ukrainian families, where placements with host families have broken down or come to an end, this has resulted in the housing team helping an additional 20 families, so far.

4.7.   The team resource has been fairly stable for a number of years. The eight members of staff had been managing until the recent spikes in caseloads, making the required well rounded person centred approach difficult now to service.

4.8.   The main reasons for homelessness in the last year has been relationship breakdown and asked to leave.

Applicant terminated secure accommodation	9
Asked to leave	145
Discharge from prison / hospital / care / other institution	34
Dispute within household / relationship breakdown: non-violent	159
Dispute within household: violent or abusive	48
Emergency (fire, flood, storm, closing order from Environmental Health etc.)	1
Fleeing non-domestic violence	28
Forced division and sale of matrimonial home	1
Harassment	25
Loss of service / tied accommodation	4
Other action by landlord resulting in the termination of the tenancy	31
Other reason for leaving accommodation / household	53
Other reason for loss of accommodation	20
Overcrowding	10
Termination of tenancy / mortgage due to rent arrears / default on payments	25

4.9. The Council does not require those leaving care to be recorded as homeless, although seen as good practice, as part of the response to the Promise it does under represent our data and the work carried out by the Team.

4.10. The above table (4.8) is the area of practice that our collective intervention activities need to be focussed upon.

4.11. As detailed further below, these increases in demand are not unique to Clackmannanshire and are being felt across the country as per the Scottish Government report on Homelessness to September 2022. It is also expected that we have not yet reached the peak of applications. It is likely we will see further effects of the increase in mortgage interest rates and potential for repossessions. There has also been increased pressure on private landlords who have been affected by restrictions on evictions and rent increases over the last three years which is likely to lead to increases in applications once they are able to evict or increase rents. The Scottish Government are also planning to progress a Housing Bill through parliament this year which is expected to include further addition obligations on Local authorities to prevent homelessness.

4.12. **Homelessness National Picture**

4.13. ALACHO has recently carried out a RAG survey of all 32 Councils. This was issued, to support the work that COSLA and SOLACE have been doing to raise the profile of the challenges the sector is facing with the Scottish Government.

4.14. The overall situation has deteriorated since November 2021, the last time a similar survey was conducted (results from that survey included in Appendix 2 for context). The deterioration isn't universal; some local authorities feel that they have held their own or improved their position over the past 18 months. There also appears to be a regional shape to the problem with east central Scotland (Fife, Edinburgh and the Lothians, Dundee and the old Central Region) predominantly red. The picture in the west is more mixed with a number of rural and island Councils are clearly also facing significant challenges.

4.15. Some survey responses have acknowledged about the stress in the system where Incident Management Team type responses (last actioned during COVID) have been required to ensure Councils have been able to meet their legislative duties. The survey responses provide a clear sense that the system is under pressure to deal with the day-to-day presentations and caseload but the overall capacity to cope with anything more is very limited.

4.16. These are some of shared concerns/commentary from the whole of the sector;

- A general but not universal increase in presentations,

- A reduction in the number of voids becoming available,

- A slow down in the new build programme,

- Delays in returning voids to a lettable standards including those caused by the utilities but now with the added challenge of securing sufficient resource, internal or external, to complete the work,

- The additional pressures created by the demand from Ukrainian refugees,

- The sector's capacity to meet the Unsuitable Accommodation order has clearly declined and breaches are now common place across a number of Councils.

4.17. **Housing Support**

4.18. The Council's Housing Support Service is a service set up to meet the Council's statutory duties, set out at S32B of the Housing (Scotland) Act 1987, to provide support to persons found to be homeless and in need of such support. The team also play a central and pivotal role in supporting refugees coming to Clackmannanshire under the various humanitarian programmes set up by the UK government.

4.19. The service is required to be registered with the Care Inspectorate under the Public Services Reform (Scotland) Act 2010 and, for compliance, is required to operate with an individual named person operating as the registered manager for the service. The service is currently exploring options to ensure a "registered manager" is identified following recent resource challenges.

4.20. At the time of writing the report the service has had to temporarily close the service to new referrals pending the introduction of alternate arrangements for the "registered manager" position. The Care Inspectorate has been notified of this and we await further clarification relating to this matter and guidance from them relating to which qualifications that will enable someone to oversee this role on a temporary basis. This service is also marked for external inspection this year, the closure is allowing staff to prepare for that and ensure case files are updated for the inspection process.

4.21. Additionally, eligibility for assistance from the Scottish Welfare Fund for homeless people looking to move into permanent accommodation is contingent upon them receiving formalised support of the type provided by the Housing Support Team. Without access to support, homeless persons in need might find themselves unable to move on from temporary accommodation, exacerbating the temporary accommodation shortage, or will find difficulty in sustaining their new tenancy and potentially end up repeating the traumatic journey.

4.22. **Homeless Team & Housing Support Resource Requirement**

4.23. The service as reported to Council in December 2022 was already in statutory breach of its obligations in relation to homeless persons and those at threat of becoming homeless. This was in relation to the Unsuitable Accommodation Order. This has been further tested recently, most notably with no accommodation (either in our stock or outwith) available on some days, especially family accommodation. This is a further breach of the Councils statutory obligation. The service has had to lease accommodation from Ochil View Housing Association, this might provide some respite for family

temporary accommodation however, this charge is not covered in full by Housing Benefit and will result in a subsidy loss to the Partnership and Performance budget. Moreover, with staff challenges, the focus has been on providing homelessness assessments at the expense of welfare checks, given the focus on homeless deaths each year this is clearly an area of risk for the Council.

4.24. As detailed above there is therefore a risk facing the Council of potential intervention by either the Scottish Housing Regulator (SHR) and or the Care Inspectorate in relation to these matters. Given the further risk of critical and statutory service delivery failures outlined and the challenges facing staff, Council are requested to approve the recruitment of two full time temporary Housing Officers (up to two years) to work within the homeless team, providing targeted support to manage through the current case load. Council should note that this is outwith the agreed organisational redesign protocols.

4.25. The funding for these two GF roles will be met by the earmarked Homeless Reserve.

4.26. In addition, it is vital that the role of registered manager (as described in 3.45 - 3.50) be resolved as a matter of urgency. The Service proposes to Council that a temporary acting up be offered, ring-fenced to the support team members who can meet the registration requirements of the Care Inspectorate. The implications would mean that the team will require and seek Council decision as part of this report, to backfill the vacancy this will create. The funding for the additional support can be funded by the allowance provided by the Scottish Government for Homeless Prevention activities (2023/24).

4.27. **Homeless Prevention Strategic Response**

4.28. As detailed at table 4.8 our main collective prevention activities need to focus upon the reasons for presentation. The Council has received funding in year 2023/24, to prioritise homeless prevention activities. The service has limited capacity to focus on this strategic area and to review, the related, Rapid Rehousing Transition Plan (RRTP). Progress on implementation of the RRTP actions has been limited, again, due to limited resources and also to those resources having been redirected to Covid related activities during the pandemic. The primary focus, at this time, is to focus on statutory requirements relating to the Strategic Housing Investment Plan (SHIP) and Housing Need and Demand Assessment (HNDA).

4.29. It is proposed that during the recess, possible prevention activities are further examined with colleagues, primarily in the People Directorate including the Family Wellbeing Partnership, with a view of holding a members briefing soon after recess on what might be deliverable and actionable.

4.30. **Consultation**

4.31. The Service has a statutory obligation to consult with tenants, views have been sought from Clackmannanshire Tenants & Residents Federation (CTRF), with both the Senior Manager (Housing) and Team Leader (Housing) attending the CTRF management meeting on 2nd June 2023.

4.32. The CTRF, was disappointed that the situation with the Voids had reached such levels but recognise that there is a proposed plan to deal with the issues as quickly and efficiently as possible. CTRF did welcome that the Senior Manager for Housing will re-establish a monthly cross service Visual Measurement Board (VMB), so that performance can be more readily tracked and opens up transparency around performance management. CTRF is hopeful that elected members will also take up the opportunity to join the open sessions, to see performance analysed, issues monitored, actions actively tracked and recorded to improve performance for tenants and prospective tenants.

4.33. The agreed dates, locations and times for the VMB's are attached as an appendix (3) to this report, which will be led by either the Senior Manager for Housing or Property.

4.34. **Other Considerations**

4.35. The Council will need to be cognisant of the introduction of the further prevention requirement.

5.0   Sustainability Implications

5.1   The Housing Service is working to ensure its stock is as energy efficient as possible, within the funding and affordability envelope available.

6.0   Resource Implications

6.1   Financial Details

The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate.   ☑

6.3   Finance have been consulted and have agreed the financial implications as set out in the report.   Yes ☑

6.4   Staffing

6.5   Additional staffing as detailed in the report. A resource review of void management within the repairs service will be undertaken to increase throughput capacity and Council updated of the progression of this work.

7.0   Exempt Reports

7.1   Is this report exempt?   Yes   (please detail the reasons for exemption below) No X

8.0   Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

   (9) Our Priorities (Please click on the check box☒)

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all ☐

Our families, children and young people will have the best possible start in life.

☑

Women and girls will be confident and aspirational, and achieve their full potential ☑

Our communities will be resilient and empowered so that they can thrive and flourish ☑

(2) **Council Policies** (Please detail)

Housing Revenue Account Budget 2023/24 and Capital Programme 2023/24 (February 2022),
Local Government Benchmarking Framework 2021-22 (April 2023),
Westhaugh (Travelling Persons Site) Redevelopment Capital Project – Capital Budget Commitment (May 2023),
Scottish Housing Regulator Annual Assurance Statement (December 2022)

9.0 Equalities Impact

9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☑

10.0 Legality

10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

11.0 Appendices

11.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 – Voids Throughput

Appendix 2 – ALACHO Homelessness RAG Survey

Appendix 3 – VMB Housing Performance Meeting Schedule

Appendix 4 – Vanguard Methodology for Check

12.0 Background Papers

12.1 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).
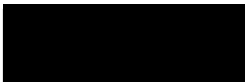
Yes ☑   No ☐

(please list the documents below)

As above Council policies

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Murray Sharp	Senior Manager (Housing)	5113
Andrew Buchannan	Team Leader (Housing)	5169

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	███████

PURPOSE – GET PERSON A HOME AND SET THEM UP TO SUCCEED

THROUGH PUT - MAINSTREAM VOIDS			THROUGH PUT – TEMP VOIDS		
	KEYS IN\KEYS RET			KEYS IN\KEYS RET	
WB 06/03	13	7	WB 06/03	10	6
WB 13/03	7	7	WB 13/03	4	7
WB 20/03	7	8	WB 20/03	7	7
WB 27/03	7	11	WB 27/03	6	3
WB 03/04	8	5	WB 03/04	3	10
WB 10/04	7	7	WB 10/04	5	5
WB 17/04	4	6	WB 17/04	1	4
WB 24/04	2	6	WB 24/04	7	3
WB 01/05	2	5	WB 01/05	2	3
WB 08/05	11	6	WB 08/05	3	6
WB 15/05	10	7	WB 15/05	5	5
WB 22/05	10	8	WB 22/05	5	4
WB 29/05	7	10	WB 29/05	4	5

	Baseline	**March – May**	**June**
End to End – Mainstream	85 days	64 days ↑ 4 days since last ¼	79 days
End to End – Temp @ Kelliebank		10 days ↓ = last ¼	2 days
Refusals	53%	35% - 91 lets 32 refusals	44% 9 lets 4 refusals

Current Mainstream Voids –77   Current Temp Voids – 11 – including Chapelle Cres
Notice – 26   Due In - 30

Customer Satisfaction

End of year 2021/22 – 96 %

January, 23 – 91%
February – 100%
March – 100%
April – 97%
May – 100%

RAG survey results 2023 onwards

(November 2021 for context)

ALACHO							
RAG survey results							
Council	November 2021				May 2023		
	Presentations	Meeting the UAO	Supply of permanent lets		Presentations	Meeting the UAO	Supply of permanent lets
Aberdeen	🟩	🟩	🟩		🟥	🟥	🟥
Aberdeenshire	🟩	🟩	🟩		🟩	🟩	🟩
Angus					🟧	🟥	🟧
Argyll and Bute	🟧	🟧	🟧		🟧	/R	🟧
Clackmannanshire	🟧	🟧	🟩		🟥	🟥	🟥
Comhairle Nan Eilean Siar	🟧	🟧	🟧		🟧	🟧	🟧
Dumfries and Galloway	🟧	🟩	🟧		🟥	🟥	🟥
Dundee	🟧	🟧	🟧		🟥	🟥	🟥
East Ayrshire	🟧	🟩	🟧		🟧	🟩	🟧

Area							
East Dunbartonshire	Green	Green	Amber		Green	Green	Green
East Lothian					Amber	Amber	Red
East Renfrewshire	Amber	Amber	Amber		Red	Red	Red
Edinburgh	Red	Red	Red		Red	Red	Red
Falkirk	Red	Amber	Amber		Red	Amber	Amber
Fife	Red	Amber	Amber		Red	Red	Red
Glasgow	Amber	Amber	Amber		Red	Red	Amber
Highland	Amber	Red	Red		Red	Amber	Amber
Inverclyde	Amber	Amber	Amber		Amber	Green	Amber
Midlothian	Amber	Green	Amber		Red	Red	Amber
Moray	Green	Green	Green		Green	Green	Green
North Ayrshire	Amber	Green	Amber		Amber	Green	Amber
North Lanarkshire	Amber	Green	Amber		Red	Green	Amber
Orkney	Amber	Amber	Amber		Amber	Amber	Amber
Perth & Kinross	Green	Green	Green		Green	Green	Amber
Renfrewshire	Amber	Amber	Amber		Amber /R	Amber /R	Amber /R
Scottish Borders	Amber	Amber	Amber		Amber	Amber	Red
Shetland					Red	Red /A	Red
South Ayrshire					Red	Red	Red

South Lanarkshire			/G				
Stirling					/R		/R
West Dunbartonshire		/G					
West Lothian							

VMB Housing
Performance Focus
Monthly Meeting Schedule

Date	Time	Location
28/07/2023	10-11am	Council Chambers, Kilncraigs or via teams
25/08/2023	10-11am	Council Chambers, Kilncraigs or via teams
29/09/2023	3-4pm	Council Chambers, Kilncraigs or via teams
27/10/2023	10-11am	Council Chambers, Kilncraigs or via teams
23/11/2023	10-11am	Council Chambers, Kilncraigs or via teams
22/12/2023	10-11am	Council Chambers, Kilncraigs or via teams
26/01/2024	10-11am	Council Chambers, Kilncraigs or via teams
23/02/2024	10-11am	Council Chambers, Kilncraigs or via teams
29/03/2024	10-11am	Council Chambers, Kilncraigs or via teams
26/04/2024	10-11am	Council Chambers, Kilncraigs or via teams
31/05/2024	10-11am	Council Chambers, Kilncraigs or via teams
28/06/2024	10-11am	Council Chambers, Kilncraigs or via teams

Vanguard Methodology for Check

In 2015 the Council Housing Service engaged Vanguard Scotland experts in the transformation of services, as a strategic partner.

The leadership team gained an insight into the current performance of the service, from the customers' perspective. It also engaged staff at all levels in the change programme of what was working and what wasn't working. This ensured that staff, including Union representatives, saw for themselves the issues across the whole service and had an opportunity to shape the new design. Teams of front line staff and operational managers from each of the key areas used the Vanguard Model for 'check' (figure 1) to identify the root causes of wasteful practices and potential for improvement.
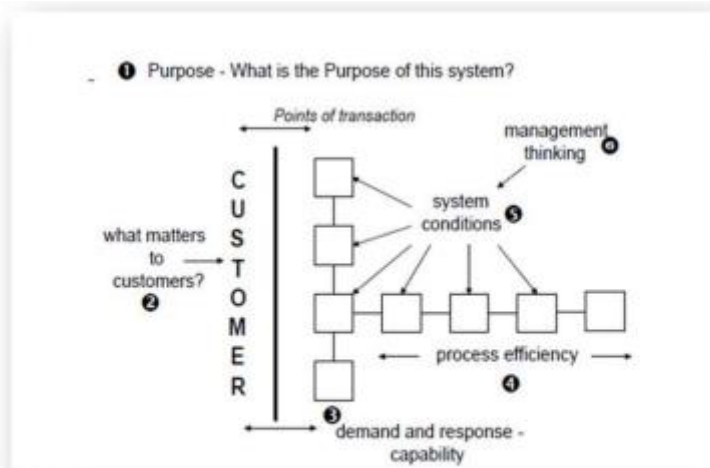

Figure 1 – The Vanguard model for studying a service organisation (Check)

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 29 June 2023

Subject: Financial Regulations

Report by: Chief Finance Officer/S95 Officer

1.0   Purpose

1.1.   To seek approval of the revised Financial Regulations.

2.0   Recommendations

2.1.   It is recommended that Council approves the revised Financial Regulations as set out at Appendix 1.

3.0   Considerations

3.1.   The Council's Financial Regulations focus on the main principles underpinning sound financial governance and, where appropriate, signpost to other policies or governance documents.

3.2.   These Regulations underwent a significant review in June 2019 where they were updated to reflect current processes and procedures. It was agreed that the Regulations would be reviewed on an annual basis thereafter and updated if required to ensure their continuing relevance. A review has been carried out as at June 2023 and various changes have been made to reflect updated processes and procedures. Proposed amendments to the revised document are highlighted in a background document circulated to all Members in advance of the meeting.

3.3.   Financial Governance is a key priority for the Senior Leadership Group and following approval of these revised Financial Regulations these will be promoted within the Council through various means. This will include a session with the Senior Leadership Forum (SLF) to highlight and discuss these financial regulations along with other key governance documents. This will be used to promote the principles of good financial governance and enhance the profile of Financial Regulations and Contract Standing Orders.

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.   Finance has been consulted and has agreed the financial implications as set out in the report.   Yes ☑

5.4.   Staffing

6.0   Exempt Reports

6.1.   Is this report exempt?   No ☑

7.0   Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1)   **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all   ☑
our families; children and young people will have the best possible start in life   ☐
Women and girls will be confident and aspirational, and achieve their full potential   ☐
Our communities will be resilient and empowered so that they can thrive and flourish   ☐

(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 ☑ (Not applicable)

9.0   Legality

9.1.   It has been confirmed that 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".

Appendix 1 – Financial Regulations June 2023

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)

No ☑ (please list the documents below)

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Sim	Chief Finance Officer	2022

Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Sim	Chief Finance Officer	
Stuart Crickmar	Strategic Director Partnership & Performance	

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1

Definitions

This section defines terminology used within the Financial Regulations.

The Council	Clackmannanshire Council
Section 95 Officer (S95 Officer)	The Proper officer as defined in the Council's scheme of delegation as required by Local Government (Scotland) Act 1973.
Chief Officer	A Senior officer responsible for the running in whole or in part a Service as defined in the Council's current Scheme of Delegation and employed in accordance with the Scheme of Salaries and Conditions of Service for Chief Officials.
Emergency	An unplanned event that requires an immediate response to safeguard life, health or property.
Fleet manager	An officer so delegated who has the required professional qualifications and experience and holds the relevant accreditation with the Department of Transport
Guidelines / procedures	Any guideline, procedure, or similar document issued by the S95 Officer under the authority conferred by Financial Regulation 1.3.
Councillor	An Elected Member of the Council
Officer	An employee of the Council.
Monitoring Officer	As identified in the Council's current Scheme of Delegation
Council Policy	A formal policy approved by the Council or a sub-Committee, where powers have been delegated, which has to be followed by all parties referred to in the policy document.
Accountable Stationery	Any document that is of sufficient importance for audit and control purposes that each document should be accounted for. This is done by having sequential numbers and controlling the issue and use of the documents.
Purchase Order	An official instruction raised in the Councils Finance System and sent to a supplier requesting the provision of works, goods or services to the Council. A purchase order is an item of accountable stationery as defined above.
Authorised Signatory	A person with authority delegated to them by a Chief Officer to authorise payments for goods and services. Depending on the circumstances, signature may be electronic or hard copy.
Relevant Committee	A committee identified in the Council's Standing Orders and Scheme of Delegation as the appropriate Committee to receive reports on financial performance related to Council overall or specific Services.

These Financial Regulations form part of the Standing Orders and Scheme of Delegation approved by the Council and must be read in conjunction with them.

SECTION A - INTRODUCTION

1.   **STATUS OF FINANCIAL REGULATIONS**

1.1.   The Council's Financial Regulations aim to ensure the highest standards of probity in dealing with public money and to assist and protect staff in such dealings.

1.2.   The Scheme of Delegation will identify the Proper Officer who, under the general direction of the Council and the Chief Executive, is responsible for the administration of the Council's financial affairs as required under Section 95 of the Local Government (Scotland) Act 1973.

1.3.   In addition to these Regulations, the S95 Officer may issue financial guidelines and instructions. Official guidelines, procedures etc issued by the S95 Officer have the same status as the Financial Regulations. Subject to the approval of the S95 Officer, Chief Officers may also issue financial guidelines for activities within their Service.

1.4.   Every Committee, Sub-Committee, Councillor and officer of the Council must adhere to these Financial Regulations. Chief Officers will ensure that all officers in their reporting lines are made aware of these Financial Regulations and the requirement to comply with them.

1.5.   Only the Council can agree exceptions to these Financial Regulations.

1.6.   Any officer discovering a possible breach of these Financial Regulations must report the matter immediately to their line manager and to the S95 Officer. Failure by any officer to comply with the Financial Regulations, or in the case of staff with supervisory responsibilities, failure to ensure the compliance of others, could be treated as misconduct which may give rise to disciplinary procedures up to and including dismissal. Some breaches of Financial Regulations may be treated as offences giving rise to criminal proceedings. The Council's Policy on Prevention and Detection of Fraud is to be treated as part of these Financial Regulations.

1.7.   Financial transactions are aggregated for the purposes of these Financial Regulations. Therefore, financial limits cannot be avoided by deliberately splitting transactions into smaller components.

1.8.   An officer with delegated authority can incur expenditure which is essential to meet any immediate need created by an emergency, subject to any such action being reported to the appropriate Chief Officer within two working days. This may include but not limited to, the prevention of the destruction of Council property.

1.9.   The powers of a Chief Officer may be delegated in accordance with the Council's Scheme of Delegation.

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SECTION B – FINANCIAL ADMINISTRATION AND BUDGETING

2.   **FINANCIAL ADMINISTRATION**

2.1.   Meetings of the Council regulate and control its finances so as to comply with these Financial Regulations. Officers will keep Councillors informed as to the position of the Council's finances and will report on the final accounts of each financial year as soon as practicable and in line with statutory requirements.

2.2.   The S95 Officer will:

- report to the Council on the level of financial resources proposed to be used in each financial year,

- report to the relevant Committees as set out in the Council's Standing Orders and Scheme of Delegation, as well as meetings of the Council, regarding the Council's finances and financial performance.

2.3.   Chief Officers must consult with the S95 Officer on the financial aspects of any report to Council or before any commitment is incurred which may significantly affect the finances of the Council. Chief Officers are responsible for ensuring that there are adequate internal controls in place for the conduct of all Council business in a correct and secure manner and in accordance with best practice. In respect of the Annual Accounts, the Chief Executive and Council Leader are required to sign an Annual Governance Statement, which will cover all arrangements for risk management, governance, and control.

2.4.   It is the responsibility of Chief Officers to ensure that all staff within their Portfolio are made aware of the existence of the Standing Orders, Scheme of Delegation, Contract Standing Orders and Financial Regulations. Staff should receive any training which may be required to perform their jobs according to the requirements of the Standing Orders, Scheme of Delegation, Contract Standing Orders and Financial Regulations.

2.5.   Chief Officers, in consultation with the S95 Officer, are also responsible for ensuring that necessary supporting procedures and guidance are in place to ensure that all staff have proper guidance regarding the systems they are using that integrate with the financial system (Technology One). Where changes occur, procedures and guidance should be updated accordingly.

2.6.   The Council manages its finances through the Technology One financial system. The S95 Officer will ensure that sufficient resources are made available to ensure that the system is maintained and continuously developed in line with the Council's strategy and policies on data security and privacy. The S95 Officer has responsibility for ensuring that guidance notes and training are made available to ensure the efficient and effective use of the system and compliance with these Financial Regulations.

3.   **BUDGETS**

3.1.   The S95 Officer will determine the format of the budget that is approved by the full Council. Chief Officers, in conjunction with the S95 Officer, will prepare detailed revenue and capital budgets for consideration by the Council in compliance with accounting guidance provided by the S95 Officer.

3.2.   When drawing up draft budget requirements, Chief Officers will have regard to approved Council Policy requirements and business plans. Budgets must include all

4

financial aspects related to the delivery of Services within the business plans, and consider the risks associated with delivery.

3.3.   The draft revenue and capital budgets for General fund and Housing Revenue Account (HRA) will be submitted to the Council for approval in advance of the 1st April of the forthcoming year. Housing Rent and Council Tax charges will be submitted for approval by Council no later than the date required in order that these charges can be effective from 1st April, and in respect of Council Tax, before the statutory date of 11th March.

3.4.   The S95 Officer will prepare and submit reports to the Council on the estimated resources available to fund aggregate spending plans over the medium term (3 years), subject to information being made available from the Scottish Government.

3.5.   The approved revenue or capital budgets will, assuming they comply with other requirements, such as Contract Standing Orders, constitute authority of officers, as appropriate in terms of the Scheme of Delegation, to incur expenditure.

4.   BUDGETARY CONTROLS

4.1.   The S95 Officer will establish an appropriate framework of budgetary management and control to ensure that:

- budget management is exercised within annual budgeted limits;

- Chief Officers are provided with up-to-date, real time information of income and expenditure in sufficient detail to enable managers to fulfil their budgetary responsibilities;

- Significant forecast and actual over and underspends from approved budgets are investigated and reported by Chief Officers to the appropriate Committee.

4.2.   Chief Officers will ensure that an accountable manager is identified to manage each element of the budget under their control.

4.3.   The S95 Officer will submit regular performance statements of revenue and capital income and expenditure against budgets to the relevant Committee.

4.4.   It is the Chief Officer's responsibility to report to S95 Officer significant overspends. The S95 Officer, after consultation with each Chief Officer, will arrange for a report to be submitted to the appropriate committee or to Council (for consent, if necessary) if it is forecast that the total revenue or capital income or expenditure for a Service is likely to vary significantly from the approved budget.

5.   BUDGET TRANSFERS (VIREMENT) AND BUDGET CHANGES

5.1.   A virement is intended to enable Chief Officers to manage budgets with a degree of flexibility within the overall approved revenue or capital budget.

5.2.   Provided they do not relate to the funding of new Council services or changes in policy, budget virements, capital or revenue, must be approved as follows:

- up to £50,000 by a Chief Officer in consultation with the S95 Officer;

- greater than £50,000 but less than or equal to £100,000 by the Chief Executive, along with the Chief Officer and the S95 Officer.

- greater than £100,000 by the Council.

5.3.   A virement that is likely to impact on the level of service activity of more than one Chief Officer should be implemented only after the approval of all the relevant Chief Officers.

5.4.   Any budget virements must be approved by 31 March of the financial year to which it relates.

5.5.   Schools must adhere to the virement and budget carry forward rules contained within the Scheme of Devolved School Management and note that virements must also be approved by 31 March and not the end of the academic year.

5.6.   Where an approved budget is a lump-sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement.

5.7.   For capital budgets, the Council must approve any changes to the approved capital programme. This is not required for the re-profiling of capital expenditure within the approved assets plans upto £100,000.

5.8.   New proposals not already in the capital plan must be approved by the Council. This includes any proposals which are fully funded by specific grants or other income to the Council. Any proposals that have revenue consequences must follow the limits on virement set out at 5.2 above.

6.   **ACCOUNTING**

6.1.   All accounts and accounting records of the Council will be compiled under the direction of the S95 Officer. The S95 Officer will exercise supervision over any financial records and financial systems maintained by individual Services, particularly with regard to ensuring uniformity.

6.2.   The S95 Officer is responsible for the Council's financial statements which must be prepared in accordance with proper practices as set out in the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (the SORP) published by CIPFA and the Local Authority (Scotland) Accounts Advisory Committee (LASAAC).

6.3.   The S95 Officer will draw up the timetable for final accounts preparation and will advise staff and external auditors accordingly. Chief Officers will comply with accounting guidance provided by the S95 Officer and will supply information when required.

6.4.   The S95 Officer will prepare for audit and publish the draft financial statements by the statutory deadline of 30 June in each financial year. The draft accounts will be presented to Council for consideration prior to 31 August each financial year.

6.5.   The S95 Officer will present the audited financial statements to Council for approval at the first available meeting following completion of the annual audit and before the statutory 30 September deadline.

SECTION C – CONTROL ARRANGEMENTS

7.   FINANCIAL DOCUMENT RETENTION

7.1.   Chief Officers should ensure that arrangements are in place for the proper management of financial documents and that these documents are retained in accordance with any specific statutory requirements, including the Data Protection Act, the Freedom of Information (Scotland) Act, and any approved Council and / or management policies and procedures particularly the Council's Records Management Plan which includes its retention schedule and destruction arrangements.

7.2.   The S95 Officer will determine the retention periods for specific documents.

7.3.   The recommended retention periods for records are detailed in the Council's document retention schedule.

7.4.   Invoices paid through the accounts payable section will be scanned and held electronically within the financial system.

7.5.   Disposal of records should be carried out under controlled conditions by two persons, and an appropriate record should be completed, dated and signed by both as evidence.

7.6.   The Scheme of Delegation will identify the officer responsible for the custody of securities, property deeds, etc.

8.   SEGREGATION OF DUTIES AND INTERNAL CONTROLS

8.1.   It is the S95 Officers' responsibility to ensure there are appropriate segregation of duties and internal controls in place for financial transactions. It is Chief Officers' responsibility to ensure these arrangements are complied with and to notify the S95 Officer of any deviation.

8.2.   No Officer should have sole responsibility for all elements of a financial transaction, for example the requisition, order, receipt, and payment for works, goods or services.

8.3.   Officers involved in calculating and / or recording any income due to the Council should not process the related income.

8.4.   All cash collection and cash accounting records should be examined and checked by a second Officer, with periodic sample checks by line management as appropriate. All checks must be documented. Particular care must be taken to implement proper controls in all Council offices where Officers are required to collect and handle cash or valuables, in order to protect those individuals from suspicion or accusation.

8.5.   Reference should be made to the Council's Guidance on Following the Public Pound covering all matters pertaining to funding given to external organisations. There should also be compliance with the COSLA / Accounts Commission Guidance.

8.6.   Where any external organisation receives significant funding, as defined in the COSLA/ Accounts Commission Code of Practice on Following the Public Pound, it will be a condition of funding that Officers of the Council have such rights of access to the organisation's premises, records and staff as are necessary to form an opinion as to the adequacy of the organisation's internal control arrangements.

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8.7.   The S95 Officer may authorise funding transfers to external bodies of £30,000 per annum, providing that these transfers are made from approved budgets. Any transfer of funding above that limit requires a decision of Council.

8.8.   A register of ALEOs (Arms-Length External Organisations) who receive funding from the Council will be maintained by the S95 Officer.

SECTION D – INCOME AND EXPENDITURE

9.   INCOME

9.1.   Chief Officers will at least annually, and in consultation with the S95 Officer, review all scales of charges or tariffs relating to their Service. Appropriate steps will be taken to publicise all fees and charges.

9.2.   Chief Officers are responsible for identifying all sources of income within their Service, for calculating and issuing sales invoices for the income due to the Council and for monitoring to ensure all income is received. The S95 Officer may assist Services in the collection and monitoring of income.

9.3.   All income received by an officer will immediately be acknowledged by the issue of an official receipt or other document approved by the S95 Officer. Exceptions to this rule may be permitted but only with the specific approval of the S95 Officer.

9.4.   All receipts and other forms of stationery used to record income will be in a form approved by the S95 Officer. They should be treated as accountable stationery and will be ordered, controlled and issued under arrangements approved by the S95 Officer.

9.5.   All money received by an officer on behalf of the Council must be paid in full and without delay into an official nominated bank account.

9.6.   A clear, documented, audit trail must be maintained as evidence of proper income handling, administration, and banking.

10.   DEBT MANAGEMENT

10.1.   It is the responsibility of Chief Officers to ensure that the Council's Corporate Debt Policy is followed for the cancellation or write-off of all debts, and raising of credit notes.

11.   PURCHASING OF WORKS, GOODS AND SERVICES

11.1.   Any officer who enters into an agreement for the supply of works, goods or services to the Council must ensure that the agreement complies with these Regulations and Contract Standing Orders and that they have the delegated authority to enter into such an agreement.

11.2.   All strategies, policies, and operational procedures etc. issued by the Council's Procurement and Finance sections must be adhered to at all times.

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11.3. Official purchase orders must be issued for all works, goods or services to be supplied to the Council, except as provided for in 12.5, below. Those who have authority to make purchases must ensure that official purchase orders are raised and sent to the supplier. Official purchase orders are only those raised through the Technology One finance system.

11.4. Official purchase orders are not required where purchase cards are used. Procedures for the issue of purchase cards, authorisation limits and checking of statements sanctioned by the S95 Officer must be followed at all times. The S95 Officer must also be satisfied with the control arrangements in place. All purchase card users must obtain receipts, both as an internal control and also to enable VAT to be reclaimed as set out in the Purchase Card policy and procedures guide..

11.5. Official purchase orders must be provided to the supplier in advance of any works, goods or services being provided to the Council. Verbal or email requests for works, goods or services should only be used in genuine emergency situations. Where this is the case, an official purchase order must be raised and the order number provided to the supplier within 2 working days.

11.6. All official purchase orders must be approved by an authorised signatory. The S95 Officer will maintain lists of approved officers and limits.

11.7. The officer authorising an official purchase order must be satisfied that:

- there is sufficient budget provision (this must always take precedence);
- the expenditure is legal and within the power of the Council;
- best value has been achieved;
- the timing of the official purchase order and the quantities ordered are appropriate;
- the price, quantity, and details pertaining to delivery have been agreed;
- the nature and quantity of works, goods or services to be supplied are clearly stated on the official purchase order;
- appropriate financial ledger codes have been used;
- the official purchase order is within their delegated authority limit;
- the official purchase order does not contravene any other section of these Regulations or Contract Standing Orders;
- all instructions, guidelines, advice, and best practice advised by the Council's Procurement and Finance sections have been complied with.

12.   PAYMENT FOR WORKS, GOODS AND SERVICES

12.1. All payments, except those from imprests (petty cash) and advances or by purchase cards, will be by transfer of funds from the Council's bank accounts. Payment by cheque will only be made under exceptional circumstances.

12.2. All invoices will be matched to official purchase orders within the financial system. Items should be goods receipted promptly when they are received to enable invoices to be matched to the approved official purchase orders and allow payment to be processed.

12.3.   The officer receipting the official purchase order must be satisfied that the works, goods or services have been received, examined and are in line with the official purchase order and that appropriate entries have been made in inventories or stock records, where relevant.

12.4.   When an invoice is received, officers must ensure that:

- the invoice is in the name of Clackmannanshire Council and addressed to a Council office address;

- the invoice is a proper liability of the Council;

- the invoice complies with the requirements of HM Revenues and Customs, as regards VAT (e.g. must have VAT number, proper address, and all other relevant details);

- the official purchase order is quoted on the invoice;

- the quantity agrees to the goods receipt;

- the invoice price matches the purchase order price;

- the arithmetic is correct including discounts, credits and VAT;

- no additional charges have been added to the invoice if none were agreed at the time of the order, including postage and carriage, and

- any adjustments to the purchase order/goods receipt are made before passing to creditors.

12.5.   Works, goods and services should not be paid for in advance. In exceptional circumstances, this may be undertaken where the advantages clearly outweigh the inherent risks of potential non-delivery of goods or services, or of the supplier company ceasing to trade. Requests for approval should be made to the S95 Officer in advance.

12.6.   In all situations where discounts are available, care should be taken that the relevant time period is adhered to.

12.7.   All invoices should be forwarded promptly to the Creditors team for processing where the goods receipt will be matched to the invoice and listed on the Suppliers account ready for payment. Payments to suppliers will be processed in line with Council's standard payment terms of 30 days. Exceptions to these terms will only be on approval by the S95 Officer.

12.8.   In exceptional circumstanced a payment may be made before the next scheduled payment run. All requests should clearly indicate the reasons for the early payment and be approved by an authorised signatory. All requests will be reviewed by Finance as to whether the request merits early payment.

12.9.   Requests for payment without an invoice must be supported by appropriate documentation approved by an authorised signatory. Requests should be made on a Direct Payment Voucher (DPV) or through processes agreed with the S95 Officer. Examples of payments include, but are not limited to: payment of grants, payments for financial assistance such as Free School Meals and benefit and support payments and the allocation of direct payments or personal budgets under options 1 & 2 of the Social Care (Self-Directed Support) (Scotland) Act 2013.

12.10.   It is the responsibility of Chief Officers to supply and update the S95 Officer with the names and specimen signatures of authorised signatories.

13. SALARIES, WAGES, PENSIONS AND EXPENSE CLAIMS

13.1. The payment of all salaries, wages and other payments to officers or former officers of the Council will be made by the Payroll section in line with Council policy.

13.2. Any documents, physical or electronic, which form the basis of a payment must be approved by an authorised signatory as required. Chief Officers will supply and update the S95 Officer with the names and specimen signatures of such authorised signatories.

13.3. Payments will wherever possible be claimed and authorised using the Council's HR/Payroll management system.

13.4. The approving officer must be satisfied that:

- any payment conforms with approved terms and conditions for the employee concerned;

- forms and claims have been completed accurately and are correct;

- claims are not excessive or anomalous;

- in the case of expense claims, journeys were necessary and authorised, expenses were properly and necessarily incurred and allowances were properly due. In addition, all receipts must be kept, both as verification and to enable VAT to be reclaimed. If receipts are not attached to the claim, the officer authorising it must obtain an acceptable explanation, and that must be submitted with the claim, prior to being approved by such officer;

- in the case of any claims made in regard to additional payments for hours worked which attract a premium payment, the Officer was authorised in advance to work the additional hours and they were actually worked, and

- Claims should be submitted within 3 months of the date of the expenditure. Any claims made outwith this timescale would only be approved by S95 Officer in exceptional circumstances

13.5. Chief Officers will notify Human Resources and the S95 Officer as soon as possible of all matters affecting the payment of officers.

13.6. Appointments of all officers and changes to grades will be made in accordance with approved Council policies and accompanying procedures.

13.7. The re-imbursement of travel and subsistence expenses must be in accordance with the Council's Policy, and any accompanying procedure and guidance. Claims may only be made in respect of expenditure that was actually incurred.

13.8. Claims should be submitted on a monthly basis with receipts attached. Claims submitted more than three months after the event will only be paid if authorised by the S95 Officer.

13.9. Any extraordinary payments made to staff such as payments made for mutual termination, redundancy or severance that are outwith the standard terms of the policy must be approved by the S95 Officer.

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14.   PAYMENTS TO COUNCILLORS

14.1.   Payments to Councillors, including co-opted Councillors, will be made by the S95 Officer or under arrangements approved by the S95 Officer. A properly completed standard claim form must be completed in accordance with:

- guidelines issued by the Council on Councillors Allowances;

- Local Government (Scotland) Act 2004 and any regulations made under the Act;

- Sections 46-49 (as amended) and any regulations made by the Scottish Ministers in terms of Section 50 of the Local Government (Scotland) Act 1973.

14.2.   Councillors may claim travelling and subsistence allowances at the approved rates.

14.3.   All claims for a financial year are to be submitted within three months of the date of expenditure or before the end of April in respect of the Financial Year Ending on 31 March (i.e. within one month of the Year End).

SECTION E – ASSETS AND SECURITY

15.   INVENTORIES

15.1.   Chief Officers will make arrangements for inventory lists to be drawn up. The inventory should include office equipment, furnishings, plant and machinery and any other valuable property. A purchase price of £500 may be used to determine if an item should be included on an inventory list, however other factors such as attractiveness and portability should be taken into consideration.

15.2.   For insurance purposes, a copy of the inventory list should be kept off site.

15.3.   Inventories should be kept up to date, with at least an annual check of all items. Any significant discrepancies should be reported to the S95 Officer immediately.

15.4.   Wherever practical, valuable property should be clearly marked as the property of the Council.

15.5.   Council property should not be removed from Council premises, other than in the course of proper Council business, except with the specific authority of the relevant Chief Officer.

15.6.   The ICT service should be consulted before disposing of any IT equipment. All disposals should be in compliance with ICT Security policies and WEEE (Waste Electrical and Electronic Equipment) directive. The disposal of other inventory items should be undertaken in accordance with Financial Regulation 16.4.

16.   STOCKS AND STORES

16.1.   Chief Officers are responsible for the control of their stocks and stores. They must ensure that:

- stock is securely stored;

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- stock levels are maintained at the minimum level required to meet operational requirements;

- records are to be maintained for all stock items and updated for each stock transaction;

- stock is counted at least once per year and checked by a person independent of the day-to-day administration of the stock. The appropriate Manager or Supervisor will sign the Final Stock Certificate to confirm agreement with the Final Valuation;

- Any surpluses or deficiencies found on stocktaking or at any other time are investigated and reported to the responsible Manager within the Service, and, if material, to the S95 Officer immediately.

16.2. All stock write-offs must be authorised in writing by a manager independent of the day-to-day administration of the stock. Any significant write-offs should be sanctioned in writing by the S95 Officer.

16.3. Any significant stock losses should be reported to the S95 Officer immediately.

16.4. Disposal of surplus stocks must be authorised by a Chief Officer and can be disposed of as follows:

- if the income realised is expected to be under £2,000, the method of disposal is delegated to the Chief Officer and can be without realisation of sales proceeds;

- if stock to be disposed of is valued in excess of £2,000, disposal should be by open market sale;

- when appropriate, especially on electrical items, the disposal should be accompanied with a statement which clearly states that the Council does not accept any liability for anything that may go wrong with the item following the disposal.

17. ASSETS

17.1. The S95 Officer will maintain a record of all land, building, vehicles, plant and equipment in an Asset Register. All assets will be valued and depreciated in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom.

17.2. All Chief Officers will ensure that all purchases and sales/disposals of assets are promptly reported to the S95 Officer to ensure that the register can be updated on an ongoing basis.

17.3. Further regulations relating to Land & Buildings and Fleet are set out below.

LAND & BUILDINGS

17.4. A Chief Officer identified in the Scheme of Delegation will maintain a register of all properties owned or leased by the Council recording the purpose for which held, location, extent and plan reference, purchase details, particulars or nature of interest and rents payable and particulars of any tenancies granted. All properties will be revalued periodically, to ensure that market values continue to be reflected, and in line with the Code of Practice on Local Authority Accounting in the United Kingdom.

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17.5.   The Council's Monitoring Officer will have the custody of all title deeds under secure arrangements.

17.6.   Where a Chief Officer deems that Land or Buildings are surplus to requirements, a report must be submitted to Council for approval to declare surplus and disposal (if applicable) in line with best value.

FLEET

17.7.   The officer responsible for fleet management identified in the scheme of delegation is responsible for ensuring that all vehicles are maintained in a satisfactory state of repair, and will take action or issue advice to ensure that all legal and safety requirements are complied with. "Vehicles" includes all those owned, leased, hired by, or otherwise in the custody or control of the Council.

17.8.   The Council's policy in regard to the purchase, maintenance and disposal of fleet will be maintained by the officer responsible for fleet management and comply with these regulations and contract standing orders and be agreed with the S95 officer. This includes policy in regard to vehicle leasing, purchase, retention etc.

18.   ASSET SECURITY

18.1.   Chief Officers are responsible for maintaining proper security of all buildings, stocks, stores, furniture, equipment, cash, etc. under their control. These items should not be removed from Council premises, other than in the course of proper Council business, except with the specific authority of the relevant Chief Officer.

19.   CASH SECURITY

19.1.   Chief Officers will advise the S95 Officer of all changes in circumstances within the Service where cash is held or is otherwise under the control of officers of the Council. They will ensure that the minimum level of cash is held subject to the practicalities of individual circumstances.

19.2.   Cash should never be used in any instance where a purchase order can be raised.

19.3.   When cash is held, risk management and insurance implications must always be considered. All staff who have responsibility for handling cash should ensure that they are familiar with and comply with the Council's policies and procedures for handling cash and insurance policies which includes the amount of cash that can be held in any one safe or similar receptacle.

19.4.   Changes to the list of authorised signatories for Petty Cash must be promptly notified to the S95 Officer who is responsible for maintaining the central database.

19.5.   The deposit of cash or incoming cheques at Council offices should be evidenced by a receipt or written record.

19.6.   Officers with specific authorisation given by the S95 Officer are responsible for the security of safes and similar receptacles. Access should be limited to named officers and a security protocol for each safe should be established taking into account the security requirements such as locations, sensitivity and value of contents and the numbers of staff requiring access. A register of keyholders for safes and similar receptacles is maintained by the S95 Officer. Keys to safes and similar receptacles are

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to be kept in the custody of persons with delegated responsibility at all times and the loss of any such keys must be reported immediately to the relevant Chief Officer and to the S95 Officer.

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SECTION F – INTERNAL AUDIT, RISK AND INSURANCE

20.   **INTERNAL AUDIT**

20.1.   The S95 Officer will make arrangements for a continuous and effective Internal Audit of the financial and other operations of the Council. The Internal Audit Charter will define the role and responsibilities of Internal Audit.

20.2.   The aim of the Internal Audit function is to provide an independent and objective opinion to the Council on the risk and control environment, comprising risk management, governance, and control, by evaluating its effectiveness in achieving the Council's objectives. It objectively examines, evaluates, and reports on the adequacy of the framework of internal controls as a contribution to the proper, economic, efficient, and effective use of resources.

20.3.   The Internal Audit Manager is accountable to a Chief Officer identified within the Scheme of Delegation, but has the right where circumstances warrant it to report in their own name and without fear or favour to the Chief Executive and to all officers and members. In addition, the Internal Audit Manager presents reports on relevant topics, including the Annual Internal Audit Plan, Annual Assurance Report, and Progress Reports, to the relevant Committee. Internal Audit staff have freedom of access at all times to all officers, members, IT systems, documents, and other Council assets consistent with any requirements of Data Protection legislation.

20.4.   Chief Officers are responsible for identifying and managing the risk of fraud and corruption, for ensuring that appropriate risk management, internal control, and governance arrangements are in place, and that best value is achieved. The Internal Audit Manager's Annual Assurance Report to the relevant Committee will provide an opinion on the overall adequacy and effectiveness of these arrangements.

20.5.   Internal Audit will review and report on the adequacy and effectiveness of internal controls, and in particular:-

- The safeguarding of assets;

- The economic, efficient and effective use of resources;

- The suitability and reliability of management information;

- Compliance with approved Council policies, plans, and procedures.

20.6.   Internal Audit must comply with relevant professional guidance, currently the CIPFA / CIIA Public Sector Internal Audit Standards.

20.7.   Where Internal Audit write a report with recommendations, Chief Officers must confirm, in writing, within the specified timescale the action to be taken. Alternatively, they must provide an explanation where no action will be taken. It should be clearly understood, that in all instances where no action is taken, for whatever reason, that management have accepted the risk that arises from failure to implement an Internal Audit recommendation. This is in line with the principles of risk management and corporate governance.

20.8. Chief Officers are required to notify Internal Audit of all proposed changes to systems, or the establishment of new systems, where these have a material impact on internal control.

20.9. All officers and Members of the Council are required to promptly notify the S95 Officer of all financial irregularities or of any circumstances that may suggest the possibility of irregularities. The S95 Officer, in conjunction with the Internal Audit Manager, will determine the form of any resultant investigation.

20.10. Any officer has the right to use the Council's Reporting Concerns at Work (whistleblowing) Policy on reporting serious concerns at work. This may include contacting the relevant Chief Officer with responsibility for Fraud, the S95 Officer or Internal Audit Manager on any matter which gives them cause for concern.

21. RISK MANAGEMENT AND BUSINESS CONTINUITY

21.1. Chief Officers must ensure that appropriate Risk Management measures are taken within their Service. A Risk Register and Risk Management Plan will be drawn up and kept constantly updated. Chief Officers will maintain Risk Management Action Plans for their own areas and a Council-wide approach to risk management including the maintenance of a corporate risk register will be co-ordinated by the Chief Executive.

21.2. Chief Officers must have a comprehensive Business Continuity Plan to cover all their operational activities and locations. Officers must be fully aware of the contents of the Plan and the Plans must be reviewed, tested and updated periodically.

21.3. Updated copies of Business Continuity Plans must be passed to the service responsible for Emergency Planning, which will act in a corporate co-ordinating capacity for the Plans.

22. INSURANCE

22.1. The S95 Officer will make appropriate insurance arrangements and will negotiate all claims via the Council's Insurers.

22.2. Staff must comply with any requirements imposed by the Council's insurers as a condition of the policies.

22.3. Chief Officers will notify the S95 Officer promptly of any changes in properties, vehicles, equipment and other assets, any new or increased risks and any activities that might result in claims against the Council.

22.4. Chief Officers will immediately notify the S95 Officer in writing of any loss, liability or damage or any event likely to lead to a claim. Chief Officers will inform the Police where there is a legal liability to do so or where the Insurance Section has advised them to do so.

22.5. Chief Officers will notify the S95 Officer, and the Council's Monitoring Officer and HR Officer of all cases involving personal injury.

22.6. All appropriate officers of the Council will be included in suitable fidelity guarantee insurance. Chief Officers should provide an up-to-date list of any officers that are providing advice that would be covered under the fidelity guarantee to the Insurance section.

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22.7. Chief Officers will consult the S95 Officer and the Council's Monitoring Officer regarding the terms of any indemnity that the Council is requested to give.

SECTION G – BANKING, TREASURY AND CAPITAL INVESTMENT

23. BANKING ARRANGEMENTS AND CHEQUES

23.1. All arrangements with the Council's bankers, including indemnities, will be made by, or under arrangements approved by, the S95 Officer who is authorised to operate such bank accounts as may be considered necessary.

23.2. Cheques drawn on the Council's main bank accounts will be signed by the S95 Officer or other officers formally authorised by the S95 Officer, in line with delegated authority limits agreed with the bank.

23.3. All arrangements for transfer, receipt, or payment using any form of automated bank transfer will be made by, or under arrangements approved by, the S95 Officer.

23.4. Personal cheques cannot be cashed out of money held on behalf of the Council or substituted for cash collected on behalf of the Council.

23.5. The S95 Officer shall ensure that banking services are put out to tender in line with Contract Standing Orders to ensure best value.

23.6. All Council bank accounts, and other bank accounts operated by Council officers as part of their work with the Council, must be regularly reconciled.

24. TREASURY MANAGEMENT AND PRUDENTIAL CODE

24.1. The Council adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice and CIPFA's Prudential Code for Capital Finance in Local Authorities

24.2. All borrowing and lending will be performed in the name of the Council.

24.3. All funds in the hands of the Council will be aggregated for the purposes of Treasury Management and will be under the control of the S95 Officer.

24.4. All executive decisions on borrowing, investment or financing are managed in accordance with the Scheme of Delegation which makes provision for the S95 Officer to act on the Council's behalf and is required to act in accordance with the CIPFA Code and in particular:-

- all loans to the Council will be negotiated by the S95 Officer and wherever possible will be paid direct by the lender or his agent to the Council's bank account;

- all Council loan certificates will, prior to use, be in the custody of the S95 Officer and issued only when required for completion;

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- all heritable securities which are the property of or in the name of the Council and the title deeds of all property in its ownership will be held in custody of the Monitoring Officer;

- any trust funds will wherever possible be in the name of the Council.

24.5.   In line with the requirements of the Treasury Management Code and the Prudential Code, the S95 Officer will provide the following reports to Council during the year:

- an Annual Treasury Management Strategy Statement including key Prudential Indicators report at the commencement of each financial year based on the capital and revenue spending plans set out in the proposed budget paper;

- a Mid–year review of the Treasury function; and

- an Annual Review of the Treasury function for presentation following the end of each financial year.

24.6.   The S95 Officer will be the Council's registrar of stocks, bonds and mortgages granted by the Council and will maintain records of all borrowing of money by the Council.

24.7.   All authorisation levels for Treasury Management Activities will be agreed with the S95 Officer.

SECTION H – IMPRESTS, ADVANCES AND OTHER FUNDS

25.   IMPRESTS / PETTY CASH

25.1.   The S95 Officer will provide an amount of money, called an imprest, to nominated Officers of the Council, for the purpose of paying for minor petty cash expenditure.

25.2.   Imprests will be operated in accordance with detailed procedures issued by the S95 Officer.

26.   ADVANCES

26.1.   An advance can be paid to an officer who is likely to incur substantial expenditure on behalf of the Council out of their own pocket. This practice is not intended for routine expense claims and requests should be made to the S95 Officer and agreed in advance. Any advance agreed shall not exceed a reasonable estimate of the expenses to be incurred. Advances will be issued and operated in accordance with detailed procedures issued by the S95 Officer.

27.   INDEPENDENT FUNDS

27.1.   Independent funds are those operated by Council officers authorised for that purpose by the S95 Officer by reason of their employment with the Council. Examples include school funds and donation accounts.

27.2.   Funds should be operated in accordance with any specific guidance issued by the S95 Officer.

27.3.   Authorised Officers are responsible for:-

- authorising the establishment of funds;

- maintaining a register of all funds and bank accounts;

- ensuring that proper books of account and other records are maintained and are always up to date;

- ensuring all funds with their own bank accounts are audited annually;

- ensuring that any concerns are immediately notified to the appropriate Chief Officer, and, if involving concerns over potential financial irregularity, to the S95 Officer.

27.4.   All bank accounts, purchases, contracts etc must be in the name of the Council or, with the agreement of the S95 Officer, the name of the establishment (e.g. the school name). The establishment's address must be used for all correspondence and for the delivery of all goods ordered and paid for from the account.

27.5.   The Head of the Establishment is responsible for ensuring that income and expenditure is properly monitored and that accounts remain in credit at all times.

27.6.   Independent Funds should be regarded as public money and therefore all purchases must comply with Public Procurement legislation and other requirements on fair competition, best value etc.

28.   CLIENT FUNDS

28.1.   Any officer who, by reason of their employment with the Council, is responsible for the custody or management of cash or property belonging to a third party will employ standards of stewardship no less than those laid down elsewhere in these Regulations.

28.2.   Officers will adhere to any guidance issued by their Chief Officer.

28.3.   Each officer will, if so required by the S95 Officer or by the Chief Officer concerned, provide immediately a full account of all cash and property received from, or on behalf of a third party.

29.   PROTECTION OF PRIVATE PROPERTY

29.1.   Circumstances may arise where the Council is required to assume legal responsibility over the movable property of a third party such as a list of personal possessions left in an abandoned house or where a client is moving into care.

29.2.   Chief Officers must ensure that a detailed inventory of all such property is prepared. The inventory should be assessed for items of value or legal importance, and arrangements made for their safe custody and eventual disposal.

29.3.   Chief Officers must have in place detailed procedures relevant to their services areas in regard to the management and protection of private property.

30.   **TRUST FUNDS**

30.1.   Trust funds are money or other assets to be used for the purpose(s) specified in the trust deed. Trust funds are commonly used as a method of donating money for the benefit of a community or project, for example bequests from the public.

30.2.   Trust funds and bequests will be operated under the directions of the S95 Officer and the Monitoring Officer.

30.3.   A trust deed setting out the terms and conditions of the trust must be deposited with the Monitoring Officer.

30.4.   Trustees are bound by the terms of the trust deed and trust legislation and when they have responsibility for cash or other assets should employ standards no less than those laid down elsewhere in these Regulations.

31.   **VARIATION OF FINANCIAL REGULATIONS**

32.1.   The S95 Officer shall be authorised to amend these Regulations as and when required, to take account of alterations in Financial Practice and Legislation. Such changes will be reported to Council.

[End

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CLACKMANNANSHIRE COUNCIL

Report to Clackmannanshire Council

Date of Meeting: 29 June 2023

Subject: HR Policies

Report by: Strategic Director – Partnership and Performance

1.0   Purpose

1.1.   This paper seeks Council approval of the updated Maximising Attendance Policy/Procedure, updated Secondment Policy/Procedure and the updated Salary Over and Under Payments Policy/Procedure.

2.0   Recommendations

Council is asked to:

2.1.   **Challenge** and **comment** on the paper as appropriate.

2.2.   **Note** that extensive discussions have taken place with Trade Unions and Management in the formation and development of these policies.

2.3.   **Note** that on 14 June 2023 the Tripartite discussed these policies and noted that they would now be presented to Council for formal approval.

2.4.   **Approve** the policies as tabled which are attached at Appendix 1.

3.0   Considerations

3.1.   HR and Workforce Development continues, as part of its rolling programme, to review and update the Council's policies and procedures related to HR, H&S, OD and Payroll.

3.2.   In order to ensure collaborative and partnership working the Council's policy group, which comprises TU colleagues, Management and HR, meet regularly to review and agree new/revised policies and procedures. The policy group last met on the 23 May 2023.

3.3. The primary aim of the Maximising Attendance policy and procedure is to support staff to meet their contractual obligation to attend work regularly, and to address any concerns about their health or level of attendance as quickly as possible.   The Council recognises that the causes of absence are often far broader than simple ill health and this procedure also aims to provide Supervisors / Line Managers with appropriate guidance to support wellbeing and actively promote good physical and mental health.

3.4 The secondment policy and procedure provides an established framework in the management of secondments both internally and externally. It allows managers to follow a consistent and fair approach to secondment requests. It provides employees with an overview of the secondment approval process and the important considerations for them during secondment from an employment perspective.

3.4. The over and underpayments policy is intended to ensure that in the event of an under or overpayment the Council aims to remedy the matter in a fair and reasonable manner. Following discussions and adoption of proposed changes the policy and procedure were agreed by the policy group.

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. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

5.4. Staffing

TUs have been consulted in the development of the policies and procedures.

6.0 Exempt Reports

6.1. Is this report exempt?   Yes ☐ (please detail the reasons for exemption below) No X

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	X
Our families; children and young people will have the best possible start in life	☐
Women and girls will be confident and aspirational, and achieve their full potential	☐
Our communities will be resilient and empowered so that they can thrive and flourish	☐

(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 X   No ☐

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.   Yes X

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Maximising Attendance Policy and Procedure

Secondment Policy and Procedure

Over and Under Payments Policy and Procedure

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 X

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
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Maximising Attendance Policy

2023

MAXIMISING ATTENDANCE

Version Control

Key Information:

Title:	Maximising Attendance Policy
Date Issued:	2022 Review
Date Effective From:	TBC
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0.1	January 2016	Draft Document created	CA	N/A
0.2	August 2017	Amendment made following comment from policy group.	DK	N/A
0.3	September 2017	Incorporating amendments made at policy group.	DK	N/A
0.4	September 2017	Council approval sought.	DK	N/A
0.4	December 2022	Reviewed (no amendments)	SS/CD	N/A

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MAXIMISING ATTENDANCE

1.0   Introduction

1.1   Clackmannanshire Council values all its employees and is committed to providing support and assistance to staff in the management of ill health and incapacity.

1.2   The Council recognises the importance of maintaining the health and well being of employees and undertakes to provide systems of management, which actively promote and encourage mental and physical well being at work.

1.3   The Council acknowledges that the causes of absence are often far broader than simple ill health, the Maximising Attendance and Employee Wellbeing Procedures will reflect the need for an holistic approach to absence management.

1.4   High levels of attendance contribute positively to the provision of quality services. Absence is costly, it affects service provision, efficiency and can impact on morale and motivation amongst other staff. Employees are contracted and paid to come to work therefore regular attendance from all employees is the expected norm. It is critical for the effective and efficient operation of the Council's services.

1.5   The Council, in conjunction with the Trade Unions, is committed to implementing a fair and consistent means of monitoring absence, to ensure that Managers are aware of when they should and how they can properly support staff to maintain or improve attendance. Managers need to be responsive to the needs of employees by identifying health or other problems at an early stage.

1.6   The Council undertakes to ensure that employees are aware of their responsibilities under the Maximising Attendance Policy and Procedure.

1.7   The Council is aware of the implications of and its responsibilities under the Equality Act 2010 (as amended) and will fully comply with them.

3

1.8   The Council processes personal data collected during the Maximising
attendance process in accordance with its Data Protection Policy. In
particular, data collected as part of Maximising Attendance is held securely
and accessed by, and disclosed to appropriate individuals in the
management of the Maximising Attendance process. Inappropriate access or
disclosure of employee data constitutes a data breach and should be
reported in accordance with the Council's data protection policy immediately.
It may also constitute a disciplinary offence, which will be dealt with under the
organisation's disciplinary procedure.

2.0   Scope

2.1   This policy applies to all Council employees and addresses both short and
long term sickness absence.

3.0   Principles

3.1   This policy, and the associated procedures prepared for managers and
employees, provide clarity about how we intend to support staff to maintain
wellbeing and maximise their attendance. In pursuing these aims we will
always ensure that the following general principles are followed.

3.2   The Council will:

- actively promote the health, wellbeing and safety of our employees
- support employees, wherever practicable, in remaining in the
workplace
- ensure that every individual is treated fairly
- communicate clear expectations with regard to attendance and support
employees to achieve them

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3.3   Managers will adopt a supportive and constructive approach to managing attendance issues, taking account of individual circumstances.

3.4   Every effort will be made to ensure that attendance issues are dealt with promptly, confidentially, consistently and effectively, demonstrating clear outcomes at all stages.

3.5   Every member of staff will know and understand that regular attendance at work is of vital importance and that attendance procedures must be adhered to.

3.6   Advice and guidance will be provided by the Council's Occupational Health Provider where it is deemed appropriate.

3.7   In cases of long term sickness absence the Council may have to consider termination of employment in line with its Capability Policy.

3.8   Personal medical information will be handled in line with data protection legislation.

4.0   Monitoring and Review

4.1   Both Senior Management and Trade Union Representatives shall monitor the effectiveness of this policy on a ongoing basis. Amendments will be made as and when deemed necessary and after consultation with recognised trade unions.

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EQUALITY IMPACT ASSESSMENT

Policy Name	Maximising Attendance Policy
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes

Maximising Attendance Procedure

2023

Maximising Attendance Procedure

Version Control

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0.1	July 2016	Draft document created	CA	N/A
0.2	September 2017	Changes made following policy group comments.	DK	N/A
0.3	September 2017	Changes made following policy group.	DK	N/A
0.4	December 2022	Changes made following policy group	SS/CD	

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Maximising Attendance Procedure

1.0 Introduction

1.1 Clackmannanshire Council values the contribution made by all employees and recognises the importance of employee attendance to optimise service delivery, meet employment contract obligations and maintain staff morale.

1.2 The Council recognises that there are instances when an employee is absent from work on medical grounds which require a period of recuperation for a return to health and to the workplace and will treat ill health in a supportive and sympathetic manner.

1.3 The primary aim of this procedure is to support staff to meet their contractual obligation to attend work regularly and to address any concerns about their health or level of attendance as quickly as possible.

1.4 The Council recognises that the causes of absence are often far broader than simple ill health and this procedure aims to provide Supervisors / Line Managers with appropriate guidance to support wellbeing and actively promote good physical and mental health.

1.5 The council processes personal data collected as part of the Maximising Attendance Procedure in accordance with its data protection policy. In particular, data collected as part of this process is held securely and accessed by, and disclosed to, individuals only for the purposes necessary to action and manage this procedure.

2.0 Sickness Absence reporting and certification

2.1 Where a member of staff is prevented by sickness from reporting to duty, they (or in exceptional circumstances, another person acting on their behalf) should follow the undernoted absence reporting procedures (refer to Section 2.3) to be entitled to Occupational Sick Pay or Statutory Sick Pay.

2.2   For the purposes of this document any reference to Line Manager/Supervisor shall be taken as a reference to a Head Teacher or some other member of staff with authority delegated by the Head Teacher when the absence relates to a member of teaching staff.

2.3   <u>First Day Initial Notification (Single Status Staff)</u>

- A member of staff must contact their Line Manager / Supervisor by telephone (text message and email are not acceptable unless previously agreed by their line manager.) as soon as possible on the first day of absence or in the case of partial days absence at the time they take ill and are required to leave work. Contact should normally be made prior to the staff member's starting time and in any case no later than 10 a.m. or as soon as reasonably possible except for staff on shifts or other irregular working patterns (see below) Staff must advise their Manager / Supervisor of the reason(s) for their absence ("sick" or "unwell" is not acceptable) and give an indication of how long they anticipate they may be absent.

- In certain circumstances the member of staff may be too ill to advise their Supervisor / Line Manager of their absence. In this situation their "Representative" will mean a person acting on their behalf, for example a husband or wife, partner or relative.

- Staff who work shifts, part time or job share should notify their Supervisor / Line Manager as soon as they are aware they will be absent from work. They should not wait until the next day or time they are due to attend work.

- In the absence of their direct line manager / supervisor staff should report their absence to another nominated manager within their service. Services should make local arrangements to ensure that staff know who to report to and any alternative arrangements, for example for shift workers.

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- A member of staff reporting absent should ensure they continue to contact their line manager on a daily basis if they are unable to advise the likely duration of their absence.

- Where absence is for up to 7 calendar days the member of staff should, on their return, complete a Self Certificate available from CONNECT or iTrent.

- Where the absence extends beyond 7 calendar days staff should submit a Statement of Fitness for Work. A Self Certificate should also be submitted if the Fitness for Work note does not cover the first 7 calendar days.

2.4   First Day Initial Notification (Teaching Staff)

- The employee must notify the school/council as soon as is practicable. If the employee is unable to do this due to illness, some other person may act on his/her behalf. The employee should, if possible, indicate the date of return to work.

- Where the absence continues to a fourth day further notification, as above, should be made to the school/council.

- Self-certification is for 4 – 7 days.

- Where the absence period is 4 to 7 days, the employee will complete a self-certification form on return to work.

2.5. Short term Absences

- Frequent short term unplanned absences are extremely disruptive to service delivery and can impact upon other members of staff.

- Following a short term absence an employee will attend a return to work meeting, ideally within one day of returning to work, but no later than one week from their return. These meetings are to discuss the reasons for the absence, what support may be required and to identify if there are any underlying factors the Council should be aware of.

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2.6.   Long term Absences (28 Days or more)

- The Council takes a sympathetic view towards ill health and will provide a supportive approach to all staff in such circumstances. Supervisors/line managers will ensure they keep in touch with their staff on long term sickness absence and give help, support and information where necessary.

- At this time the Supervisor / Line Manager may seek medical advice from the Council's Occupational Health Adviser if they have not already done so.

2.7.   Part Day Absences

- Where a member of staff attends work and becomes unwell during the working day they should notify their line manager (or, if not available, another manager / supervisor) before leaving. Where a manager or alternate is not available then the staff member should contact HR on 01259 452244. In exceptional circumstance a staff member can let a colleague know they are unwell who will then notify the relevant manager on their behalf.

- Part day absences where the time lost is less than 50% of the employee's normal working day will be recorded for monitoring purposes but will not normally count for support and guidance intervention triggers. Absence of over 50% of the working day will be counted as a half day.

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3.0 **Managers Responsibilities**

<u>Managers are responsible for ensuring that:</u>

- their staff adhere to the absence notification procedures
- new staff are provided with a copy of "HR Induction Booklet - Attendance"
- the appropriate arrangements are in place to cover the workload of the absent employee wherever possible.
- they accurately record all periods of sickness absence and the reasons for the absence within the iTrent System when contacted by the employee
- they keep in regular contact with the absent member of staff, including arranging home visits where it is appropriate to do so with the consent of the employee.
- It should be noted that in cases of work related stress the member of staff should be provided with the Council's Stress Risk Assessment questionnaire and given information on support available. It may be more appropriate in exceptional circumstances for another manager to manage the absence, advice should be sought from HR.
- they arrange support interventions which would assist the employee promptly e.g. occupational health, physiotherapy, counselling. (Home working or adjustments in the workplace may also be a useful option in some circumstances).
- they conduct a return to work meeting after every period of absence, ideally within one day of returning to work, but no later than one week from their return
- they closely monitor levels and patterns of absence for their employees and initiate support and guidance interventions when the trigger points are reached and where appropriate set attendance improvement targets.

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- For short term absence - 3 or more absences in a rolling 12 month period, regardless of duration; absence over 15 days in a 12 month period; or absences that follow a pattern

- For long term absence - after 28 calendar days of absence

- they follow the procedures to try to resolve matters at an early stage, moving to health related capability or disciplinary procedures when appropriate to do so.

- they regularly brief staff on roles and responsibilities within the maximising attendance and staff wellbeing policy and procedures.

- Update iTrent on receipt of Statement of Fitness for work and if the employee provides a hard copy form forward these to HR.

- Update iTrent with Return to work meetings and Support and Guidance/Review meetings (where applicable).

- Every manager should make sure that they know what they are expected to do and when.

4.0 **Staff Responsibilities**

4.1 Staff are responsible for ensuring that:

- they meet their contractual obligation to attend work, unless unfit to do so

- they follow the absence notification procedures

- they should provide their manager with sufficient information about the reason for their absence and the likely duration.

- they advise their line manager of any outstanding work which requires attention, where known

- they keep in touch with their manager

- they complete and return / forward self certification or Statement of Fitness for work promptly

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- they actively participate in the return to work process

- they co-operate with support and guidance interventions

- they attend Occupational Health when referrals are made and if unable to attend should give sufficient notice

- Every member of staff should familiarise themselves with the HR Induction Handbook – Attendance and make sure that they know what they are expected to do and when

- That they ensure when they have a planned break whether out of the country or otherwise that they inform their line manager while absent from work.

5.0   Annual Leave and Sickness Entitlement

Sickness Absence During Annual Leave or Public Holidays

5.1   Staff (including part time and term time staff) who are sick while on annual leave may be entitled to recover leave from the period of sickness if:

- the period in question is covered by medical certification, confirming that they were not fit to work.

- During periods of school closure teaching staff should contact HR in the first instance.

5.2   Staff will only be regarded as being unfit for work from the date of the Statement of Fitness for work. Leave cannot be recovered if the Doctor advises that the employee "may be fit for work".

5.3   Where a teacher or music instructor, owing to certified absence, has been incapacitated for a continuous period of 8 consecutive days or more, the employee will accrue compensatory leave if the following conditions are met. For each certified absence the employee will accrue compensatory leave of 2 days for every 5 days of designated annual leave which cannot be taken, subject to a maximum credit of 8 such days accruing in any one leave year. This is not in addition to statutory leave.

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In agreement with the council, this compensatory leave entitlement shall be taken by the employee following his/her return to work. The timing of this leave is subject to the overriding needs of the service and should normally be taken in the term in which the return to work takes place or within the following term.

Entitlement to Accrue Annual Leave During Sickness Absence (Except Teachers)

5.4   Where an employee is absent for three months or more in a 12 month period annual leave will be pro rata'd. The Working Time Directive however requires the Council to give at least 28 days of paid annual leave to employees working a five day week (pro-rata for those working fewer days). The 28 day minimum leave includes public holidays.

Entitlement to Carry Forward Annual Leave After A Period of Sickness Absence

5.5   Employees who are sick for a whole leave year or those who have been on certified absence which has prevented them from taking the statutory minimum leave of 28 days will be able to carry forward up to the statutory minimum leave into the next leave year. Currently this is 28 days inclusive of public holidays (pro-rata), this applies to all employees regardless of their normal service related entitlement.

5.6   This leave should normally be used within the leave year or the carry forward period to the end of June. If it would be unreasonable to expect an employee to take this leave during that time their Senior Manager may extend the period. As with all leave, this must be taken within the exigencies of the service.

Taking Annual Leave During a Period of Sickness Absence (except teachers)

5.7. Individuals can request annual leave during a period of long term sickness absence, up to the statutory leave maximum, with the prior agreement of their Service. Managers should contact their Human Resources Business Partner to discuss the individual case before making arrangements.

5.8 Annual leave may also be used during periods of phased return to cover non working days which would not otherwise be paid (phased returns will normally be paid in full for a maximum period of 4 weeks).

5.9 It is not appropriate to use annual leave in the place of short term sickness absence and managers should neither expect nor allow staff to do so. Assistance and advice are available from Human Resources or for members, from their Trade Union Representative, if staff or managers experience any difficulties.

6.0 Disability and Sickness Absence

6.1 If a member of staff has a condition that means they are considered disabled within the definitions of the Equality Act 2010 and related codes of practice the Council must make reasonable adjustments to their job role in order to accommodate their short term or long term requirements. The member of staff will be fully consulted at all times.

6.2 In line with the Council's Health Related Capability Policy and Procedure if reasonable adjustments proposed with regards to the Equality Act 2010 or alternative employment prove not to be possible options, and there is no likelihood of a return to work in the near future, a decision to conclude employment may be the outcome.

6.3 The Council will take into account matters related to disability when reviewing an employees level of attendance.

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7.0 Pregnancy related Sickness Absence

7.1 Pregnancy related sickness absence will not be taken into account when looking at a staff members sickness absence record for the purpose of attendance management.

8.0 Retirement on grounds of ill health

8.1 The Council recognises that cases will arise, following a medical assessment, where it becomes clear that a member of staff may be permanently unable to undertake their normal duties on medical grounds. In such cases the Health Related Capability Procedure will be followed.

8.2 The Council will, in the first instance, discuss with the employee whether they wish ill-health retirement procedures to be activated. If the member of staff does not accept the view of the Occupational Health Adviser about their future fitness then they should be advised by HR to obtain further independent medical advice for submission to the Council's OH Adviser.

8.3 HR will advise all employees of the requirements of each pension provider in relation to retirement on ill health grounds.

9.0   Capability or Disciplinary Procedures

9.1   Capability Procedure

- As part of the support and guidance process supervisors / line managers will have discussed the level or pattern of absence (including any underlying health conditions) with the individual and how this can be improved.

- Where the required level of improvement has not been reached or initial improvement not sustained, moving to health related capability or disciplinary procedures should be undertaken.

- Where the underlying cause is to be health related, it may be necessary for the individual to be interviewed by another appropriate manager and if necessary advised that an appointment will be arranged with the Occupational Health Adviser, if this process has not already been completed.

- As a result of the appointment with the Occupational Health Adviser the following options may be considered depending upon the particular facts and circumstances of the case

  - continued sick leave until prognosis can be determined;
  - unpaid leave of absence;
  - part-time working / phased return to work;

- Where the employee's ill heath is such that he or she can no longer do their job then the following options may require to be considered:-

  - re-deployment
  - ill health retiral;
  - mutual termination; or
  - termination of employment on the grounds of health related capability
  - Managers and members of staff should refer to the Council's Capability Procedures for further guidance and information.

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9.2   Disciplinary Procedure

Where an employee's attendance record or non-compliance gives serious cause for concern and formal disciplinary action is considered, the Supervisor / Manager must:

- have the authority to use the disciplinary procedures, if not the matter should be referred to a more senior manager (Team Leader or above).

- where there is no underlying health condition related to the absence(s), follow the procedures and timescales as outlined in the Disciplinary Procedure.

- tell the member of staff what improvement in attendance is expected and warn of the likely consequences of failure to improve; and

- where this applies to a Trade Union official, discussion will take place with a Senior Official or Full Time Official, after obtaining the employee's agreement, prior to disciplinary action being taken.

- Employees should be made aware that disciplinary action up to and including dismissal could be the result of continually failing to meet absence targets and / or failure to follow the reporting procedure.

- Alleged abuse of the sickness absence scheme must be dealt with in line with the Council's disciplinary procedures.

- Managers and staff should refer to the Council's disciplinary procedures for further guidance and information.

10.0 Monitoring

10.1 Senior Management and Trade Union Representatives shall monitor the effectiveness of this procedure on a ongoing basis. Amendments will be made as and when deemed necessary and after consultation with recognised trade unions.
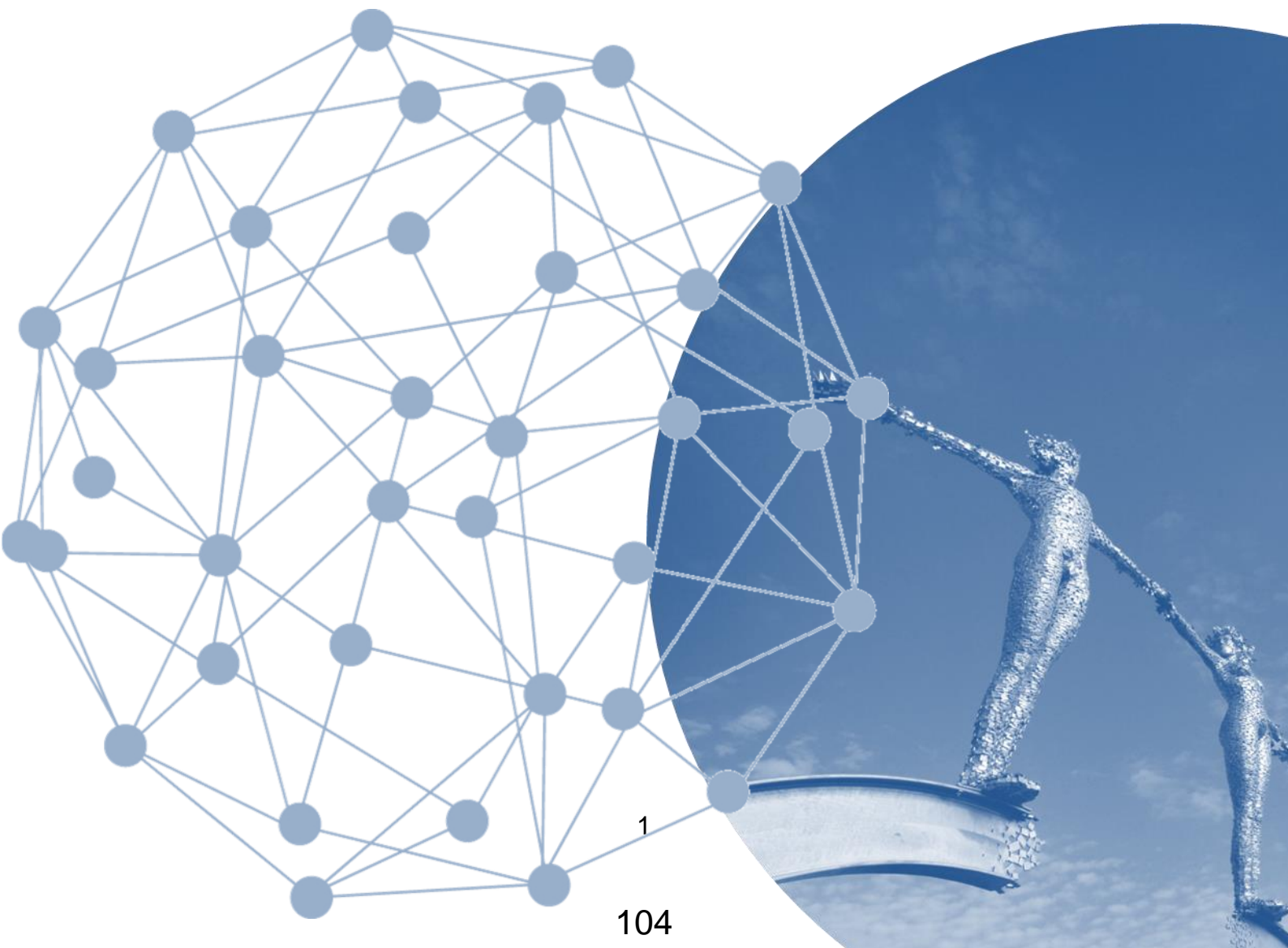
EQUALITY IMPACT ASSESSMENT

Policy Name	Maximising Attendance
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes

Secondment Policy

2023

SECONDMENT POLICY

1. General Introduction

1.1. Clackmannanshire Council recognises the importance of being able to recruit and retain high calibre employees and the value that secondment opportunities, both internally and externally, can bring to this commitment

1.2. Secondments are recognised by the Council as a means of strengthening partner relationships, knowledge sharing and continuous professional development.

2. Policy Statement

2.1. Clackmannanshire Council is committed to being a fair employer and will reasonably consider all requests from staff who may wish to be considered for either an internal or external secondment.

2.2. Any agreement to a secondment should primarily be in the overall interests to the Council and in line with service need or career development.

2.3. This policy applies to all staff within the Council, with the exception of Teaching Staff and Associated Professionals.

2.4. The Secondment Procedure for Teaching staff and Associated Professionals is outlined in Part 2, Appendix 2.21 of the SNCT Handbook.

2

3. Monitoring and Review

3.1. HR will monitor the effectiveness of the policy on an ongoing basis. Revisions and updates will be implemented by the Council following, if appropriate, consultation with recognised Trade Unions.
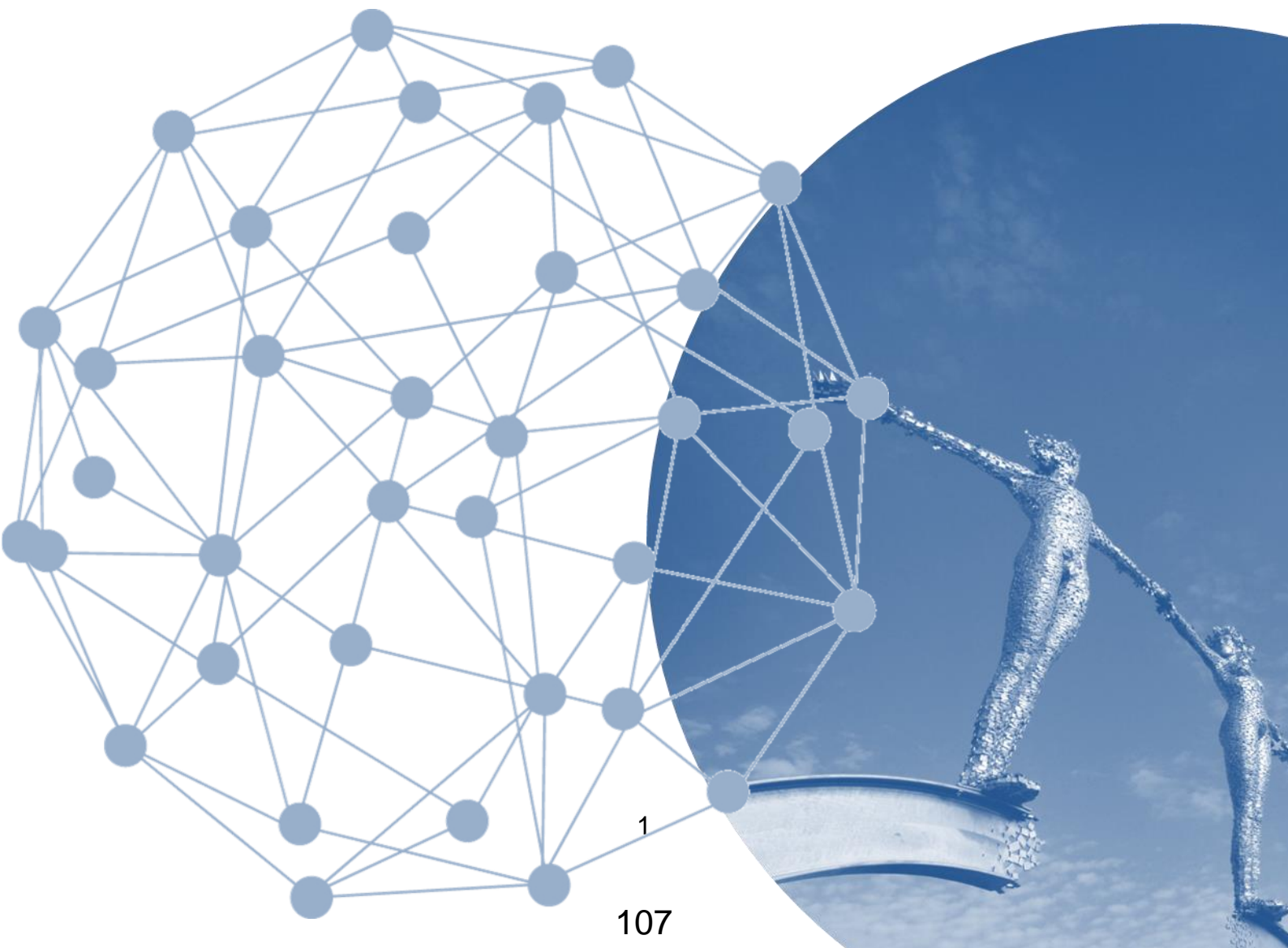
EQUALITY IMPACT ASSESSMENT

Policy Name	Secondment Policy
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes

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Secondment Procedure

2023

SECONDMENT PROCEDURE

1. Introduction

1.1. Clackmannanshire Council recognises the mutual benefits that secondments can bring to staff and the Council.

1.2. External secondments are most likely to occur with partnership organisations such as the NHS, Police Scotland, Scottish Government and any other appropriate organisation taking into consideration service requirements.

1.3. A secondment is defined as, "an employee temporarily transferring to another section/service or organisation for a defined period, specific purpose and with the agreement of all parties."

1.4. Employees should ensure that they have prior agreement from their Senior Manager that the Council can support a secondment before applying.

1.5. Employees are required to have at least 2 years' continuous employment, on a permanent or temporary basis, to be eligible to be considered for a secondment.

1.6. Approval will normally be given for secondments which are 3 months to 2 years in duration. Although, with agreement this can be for a longer period.

1.7. Where a secondment is agreed this should be supported by a secondment agreement and have an identifiable end date.

1.8. An unsigned secondment agreement may delay the start date of any agreed secondment.

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2. Responsibilities

2.1. The relevant service area Senior Manager has overall responsibility for approving secondments taking into consideration any budget implications.

2.2. HR will be responsible for issuing secondment agreements where agreed and approved.

2.3. Line managers should evaluate the rationale behind the appointment of a secondee prior to making any decisions. Line managers will also be responsible for managing the external secondee in line with the associated secondment procedure.

2.4. Staff have a responsibility to ensure that where seconded they understand that they may have to work to the host organisation's specific conditions regarding hours of work, flexitime and holiday arrangements such as holiday leave year.

3. Internal Secondment Opportunities (i.e. Secondments Within The Council)

3.1. Any employee wishing to apply for a secondment must do so with the permission of their Senior Manager. All requests will be considered on the outlined criteria:

- The exigencies of the service
- The potential for securing a backfilling resource
- What will the experience bring to the Council and the employee when the employee returns

3.2. Internal recruitment into any post will be in line with the Council's Recruitment and Selection Policy and Procedure.

3.3. A line manager from the host service/team should ensure they meet with the member of staff on commencement of the secondment and undertake appropriate induction arrangements.

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3.4. During the secondment contact should be maintained with the substantive service, this is a joint responsibility with the secondee and their substantive line manager.

3.5. The line manager of the secondee should ensure they meet with them on a regular basis to discuss the secondment.

4. External Secondment Opportunities (i.e. Secondment To An External Organisation)

4.1. Any employee wishing to apply for an external secondment must do so with the permission of the relevant Senior Manager. All requests will be considered on the outlined criteria:

- The exigencies of the service
- The potential for securing a backfilling resource
- What will the experience bring to the Council and the employee when the employee returns
- The recruiting body engaging in a secondment agreement

4.2. The secondee will usually work under the normal working arrangements specific to the host organisation. Any variation to this is by agreement at the time of secondment.

4.3. Where an employee undertakes a secondment with an external partner they will be required to meet the host organisations standards regarding conduct but will remain subject to Clackmannanshire Council's formal policies and procedures.

4.4. All terms and conditions of employment will remain during the secondment to an external organisation.

4.5. When absent the secondee should follow the absence reporting procedure for the host organisation although it should be noted that sickness allowance and payment will be in line with Council terms and conditions.

4.6. The partner organisation will be responsible for advising the Council of any periods of sickness absence.

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4.7. Procedures for the authorisation of leave will be advised by the host organisation or service, the host organisation will ensure that the Council is updated of leave.

4.8. Where an employee is undertaking a secondment to an external partner the secondee will not have a break in their continuous service with the Council.

4.9. During secondment the secondee would be subject to any performance review/appraisal operated by the host organisation and during the secondment arrangements must be put in place for feedback on this to be provided to his/her substantive manager for inclusion in the individual's performance review and development (PRD) folder. Where the host organisation has no PRD arrangements in place, a process for regular review and feedback should be agreed by the substantive manager and the host organisation.

4.10. Any performance concerns should be discussed with the employee and the host organisation and the substantive line manager should be made aware.

4.11. Where there are concerns raised regarding meeting requirements for continuous professional development (CPD) then this should be discussed with the individual and the host organisation.

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5. Inward Secondments (i.e. Secondment Of External Staff Into The Council)

5.1 Any individual who is seconded into the Council from an external organisation will normally be employed on Clackmannanshire Council's Terms and Conditions and is responsible for making any arrangements with their employer with regard to their return to their originating post. .

5.2 All inwards secondments will be supported by a secondment agreement signed by the Council and seconding organisation. Such an agreement will outline the duration, notice periods, conditions applicable etc. to the secondment.

The following sections below apply to Council staff undertaking Internal or External Secondments.

6. Pension

6.1. Employees should seek advice from pensions directly regarding any impact on their pension before undertaking an external secondment.

7. Organisational Change and Workforce Management

7.1. In the event of an employee's service undergoing a restructure during the period of their secondment the Council will ensure that that seconded employee is fully consulted.

8. Termination of Secondment Arrangements

8.1. Should the secondment be terminated earlier than initially agreed then this should be with reasonable notice which would normally be four weeks to the substantive service/organisation.

8.2. Where a secondment is due to come to an end then the service should meet with the secondee to discuss the secondment coming to an end. Where the secondment has been ongoing for a period of two years or more then notice should be provided of no less than 8 weeks.

8.3. Where the employee requests to end their secondment early this will have to be assessed if it can be approved based on service delivery requirements.

8.4. Triggers for the early termination of a secondment arrangement may include but are not restricted to:

- Disciplinary issues
- Unacceptable levels of absence
- Performance issues
- Organisational change

9. Conditions of Return After Secondment

9.1. Arrangements should be made to prepare the secondee for a return to their substantive post by updating him/her on any changes to the team and or working arrangements that may have been implemented during their period of secondment.

9.2. When the secondment is for 20 months or less the secondee would normally return to their substantive post on conclusion.

9.3. Should the secondment be for a period of longer than 20 months or it is anticipated that cover may be difficult, the secondee would normally return to a comparable post on the same grade and normally within their own service.

9.4. Salary on return will be on the salary for the post the employee left, incorporating the normal salary increments and pay awards during the time of the secondment.

7

10. Renewal of Secondment Arrangements.

10.1. Where there is a need for the secondment arrangement to continue beyond the scheduled end date appropriate approvals should be sought.

10.2. A revised secondment agreement should be issued, which should be signed and returned to HR.

10.3. It should be noted that any agreement for a secondee to return to the same post following a longer secondment needs careful consideration and should be discussed with an HR Business Partner.

11. Responsibilities for Health and Safety

11.1. Should an employee be seconded to an external partner organisation then that organisation will be responsible for the Employers Liability Insurance and have a duty of care under the relevant Health and Safety legislation for the secondee.

12. Backfilling of the Substantive Post

12.1. Should the substantive service require to backfill the secondee on a temporary basis then this should be done in line with the Council Recruitment and Selection Policy/Procedure and relevant approvals sought where appropriate.

13. Data Protection Statement

13.1 The Council processes personal data collected during a secondment in accordance with its Data Protection Policy. In particular, data collected as part of the secondment process is held securely and accessed by, and disclosed to appropriate individuals in the management of the secondee and secondment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

14. Monitoring and Review

14.1. HR will monitor the effectiveness of the procedures on an on-going basis. Revisions and updates will be implemented by the Council following, if appropriate, consultation with recognised Trade Unions.

EQUALITY IMPACT ASSESSMENT

Policy Name	Secondment Procedure
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes

SALARY OVER AND UNDER PAYMENTS POLICY

2023

Version Control

Key Information:

Title:	Salary Over and Under Payments
Date Issued:	
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Approver:	Council
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Contact:	**Donna Perrie**
File Location:	

Revision History:

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0.1	2018	D Perrie	Final
Review	2023	D Perrie	Reviewed

SALARY OVER AND UNDER PAYMENTS

1.0 Introduction

1.1 Clackmannanshire Council has a duty to take reasonable care to ensure that staff receive the appropriate rates of pay, allowances and benefits in accordance with the terms of their contracts of employment.

1.2 To assist the Council in complying with this duty staff should regularly check that they are receiving their correct contractual entitlements and report any unusual or unexpected variances to their line manager as soon as possible. Line managers must in turn, notify Payroll within the pay processing deadlines, any changes to the terms and conditions or working arrangements of employees that are likely to affect their rates of pay.

1.3 In the event that an overpayment or underpayment occurs, the Council aims to remedy the matter in a manner that is reasonable and fair to the member of staff affected whilst at the same time, fulfilling the Council's duty to exercise care in administering public funds.

1.4 Under the terms of this policy, the Council undertakes to remedy any underpayment at the earliest opportunity, normally the next available pay run.

1.5 Equally the Council will timeously and effectively recover in full, all overpayments made in error or as a consequence of fraudulent actions. Recovery will be affected either by deduction from salary or by other appropriate measures arranged through the Council's revenues Sundry debtors department.

1.6   Under the Employment Right Act 1996 the Council is entitled to recover, without agreement, an overpayment of salary or an overpayment in respect of expenses incurred by the member of staff carrying out their employment. The Council will contact the employee and explain why an overpayment has occurred and, wherever possible, agree a reasonable period of recovery and by default recover over the same period any overpayment was received. In exceptional circumstances recovery periods may be extended.

1.7   Whilst the primary aim of this policy is to deal with salary underpayments and overpayments, the Council acknowledges the importance of having robust human resources and payment systems and procedures in place to prevent or minimise the likelihood of those errors occurring.

2.0   Scope

2.1   The policy covers current and former employees/Workers

3.0   Key Principles

3.1   All incidences of salary underpayment or overpayment will be dealt with according to the merits of each individual case.

3.2   Incidents of underpayments will be addressed quickly and repayment of outstanding monies normally made in the next available pay run.

3.3   Where a payment is required to be processed outwith the normal payrun as a result of an error made within the service a £25.00 charge for each transaction will be chargeable to the service.

3.4   Where incidences of overpayment are identified, the employee affected and other relevant parties will be notified as soon as possible and arrangements will be made to timeously recover any monies owed to the council.

4

3.5 An employee who knowingly fails to notify of an overpayment situation in accordance with the terms of this policy and in circumstances where it is reasonable to conclude that they would have been aware of the overpayment, may be subject to the Council's disciplinary procedures.

4.0 Processing of Personal Data

4.1 The council processes personal data in accordance with its data protection policy. In particular, data collected as part of payroll processing is held securely and accessed by, and disclosed to, individuals only for the purposes of processing over/under payments in line with the agreed policy outlined above.

5.0 Monitoring and Review

5.1 Both HR and Trade Union Representatives shall monitor the effectiveness of the policy on an ongoing basis. Changes may result from employee, management and union feedback and/or from changes in employment legislation. Revisions and updates will be implemented by the Council following consultation with recognised Trade Unions

5

Policy Name	Over and Under Salary Payments
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes ☐ No* ☒
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQIA complete	N/A
Date Approved	
Review Date	

SALARY OVER AND UNDER PAYMENTS PROCEDURE

2023

Version Control

Key Information:

Title:	Salary Over and Under Payments
Date Issued:	
Date Effective From:	
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			.

Approvals: This document requires the following signed approvals.

Name:	Signature:	Title:	Date:	Version:

Distribution: This document has been distributed to

Name:	Title/Service:	Date of issue:	Version:

SALARY OVER AND UNDER PAYMENTS

1.0 Introduction

1.1 Clackmannanshire Council has a duty to take reasonable care to ensure that staff receive the appropriate rates of pay, allowances and benefits in accordance with the terms of their contracts of employment.

1.2 The Council is required to recover public money which has been paid out incorrectly, regardless of reason.

1.3 This procedure outlines how recovery of overpayments or payment of underpayments will be made.

2.0 Definitions

Overpayment

2.1 An overpayment is where an employee is paid an amount in excess of contractual entitlement. The causes of overpayment may include, but are not exclusively limited to:

- Late or no notification of a leaver, maternity, sickness absence, change of contractual hours,
- Placed on incorrect salary scale,
- An error being made by the Service, HR or Payroll

Underpayment

2.2 An underpayment is where an employee is not paid their contracted pay in the month. The causes of underpayment may include, but are not exclusively limited to:

- Late or no notification of a new start, maternity, sickness absence or change to contracted hours,
- Timesheets, expenses and other claims not completed, received or processed in time,
- Placed on incorrect salary scale,
- Error in Self Service
- An error being made by the Service, HR or Payroll,

3

3.0   Roles and Responsibilities

Line Managers

3.1   Managers are responsible for informing payroll and the member of staff as soon as they discover that one of their staff members have been paid incorrectly.

3.2   Managers are responsible for ensuring that all relevant forms (new starts, leavers, changes) affecting staff pay are completed and passed to HR at the earliest opportunity and in line with the payroll deadlines.

3.3   Payroll will undertake initial validation checking each month and where any staff members pay differs from the previous month and cannot be explained through such things as increment date or payawards the information will be sent to the line manager for checking. Managers are responsible for ensuring any such queries are checked immediately and undertake any corrective action.

3.4   Line managers approving any payroll claims must assure themselves that they have the delegated authority to undertake this action.

3.5   Authorised signatories are responsible for ensuring that monthly payroll returns, timesheets, expenses/mileage claims are completed, checked and verified. The Council has moved to electronic submission via the iTrent System however the same principles apply prior to approving.

3.6   In the event that an employee is overpaid the line manager is responsible for meeting with the staff member and advising them of what has occurred.

3.7   Services are responsible for ensuring the review payroll establishment reports and payroll budget via Tech1 to confirm accuracy of payments.

Employees and Ex- Employees

3.8   Whilst every effort will be made to ensure that payment of salary is made accurately, there may be occasions when information on a change of circumstances is not made available in time to make an automatic adjustment and in overpayment of salary may result. Staff should ensure they check their pay slip each week/month to ensure their pay is accurate.

3.9 A leaver from the Council is responsible for checking that their final payment is correct and that they do not continue to receive payments from the Council after they have left.

3.10 Failure to declare an obvious overpayment could be construed as misconduct and result in formal disciplinary action.

3.11 Payroll and HR will be responsible for ensuring that any overpayments identified are corrected to ensure that no continuation of the overpayment can occur

3.12 The line manager will liaise with the Payroll and Systems Manager and staff member to agree an overpayment recovery plan.

3.13 Payroll will ensure that for existing staff recovery is processed by way of payroll.

3.14 In the case of former employees Payroll will liaise with Sundry Debtors in order that recovery can be made.

3.15 Recovery of an overpayment will be by reasonable agreement and will be referred to as the "Repayment Plan". The repayment plan is underpinned by the following principles:

- One lump sum payment recovery for an overpayment which occurred in a single amount; or

- Payment to be made within the same financial year; or

- Monthly instalments over at least the same number of months as the overpayment occurred.

3.16 Repayment may be extended in exceptional circumstances at the discretion of the lead Council Officer responsible for payroll functions.

3.17 Where an employee leaves the service of the Council and the overpayment amount has not been recovered this will be deducted from the staff members final salary with any residual amounts advised to Debt Recovery.

5

Underpayments

3.18   Should an underpayment of salary occur, any underpayment will normally be rectified in the next available pay period after the underpayment has been identified. If the staff member is in receipt of benefits, or financially disadvantaged, then the underpayment as will be rectified soon as possible.

4.0   Monitoring and review

4.1   Both HR and Trade Union Representatives shall monitor the effectiveness of the procedure on an ongoing basis. Changes may result from employee, management and union feedback and/or from changes in employment legislation. Revisions and updates will be implemented by the Council following consultation with recognised Trade Unions

Clackmannanshire Council

Policy Name	Over and Under Salary Payments
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes ☐ No* ☒
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQIA complete	N/A
Date Approved	
Review Date	

CLACKMANNANSHIRE COUNCIL

Report to Clackmannanshire Council

Date of Meeting: 29 June 2023

Subject: Wellbeing Hub Update

Report by: Senior Manager, Sport & Leisure

1.0   Purpose

1.1.   The purpose of this report is to provide Council with an update on the progress of the Wellbeing Hub development.

2.0   Recommendations

It is recommended that the Council notes the following:

2.1.   The appointment of Hub East Central Scotland Ltd (Hubco) to develop a design and build project for the new Wellbeing Hub and Lochies School **(See paragraphs 3.1-3.3).**

2.2.   The progression of the project from RIBA Stage 1 – Preparation & Briefing, to RIBA Stage 2 – Concept Design **(See paragraphs 3.4-3.5).**

2.3.   The next stages for the project including supply chain selection for the design team and Tier 1 contractor **(See paragraphs 3.6-3.7).**

2.4.   An update on the Primary 5 curricular swimming programme and wider swimming provision **(See paragraphs 3.8-3.13).**

2.5.   An update on the Communications Strategy for the project **(See paragraphs 3.14-3.18)**

3.0   Considerations

Procurement Strategy

3.1.   The recommended procurement route for the project is Two-Stage Design and Build (D&B). The key drivers and determining factors include:
- The prevailing market conditions.
- The specified Passivhaus design standards.
- Access to Tier 1 Contractors capable of delivering a project of this scale with Passivhaus experience.

- The need for early contractor involvement & engagement with the supply chain to improve quality.
- The associated programme improvements; and,
- The desire for increased cost certainty at the earliest stage.

3.2.   Based on these key drivers Hub East Central Scotland Ltd have been appointed (as provided for in the Council's Scheme of Delegation) to procure the project under the existing Territory Partnering Agreement (TPA) which the Council is a party to amongst other public authorities. Under the terms of the TPA a New Project Request (NPR) has been issued to Hub East Central Scotland Ltd.

3.3.   Strict control measures will be put in place through the Project Team to monitor costs and performance throughout the duration of the project.

Project Progression to RIBA Stage 2 – Concept Design

3.4.   The four workshops undertaken as part of the Scottish Future's Trust Briefing & Evaluation Framework (BEF) have now been completed. The output of these workshops has helped to shape key documentation within the Project Brief. The framework has provided structure, transparency and certainty to this process and has ensured that all key officers and strategic partners were part of the process.

3.5.   The draft Project Brief has been completed and this includes the specific vision and outcomes for the project which enables the supply chain selection process to take place. The Project Brief will continue to be refined and developed until the end of RIBA Stage 2 at Q4 2023 as per the project timeline. **(See appendix 1 for RIBA stages overview).**

Project Next Steps

3.6.   Supply chain selection for the design team and Tier 1 contractor which involves;

- expression of interest to Hub East Central Scotland Ltd framework supply chain
- completion of a pre qualification questionnaire which includes the submission of a proposal outlining their experience, capability, resources, fees, etc
- short list created for interview
- interview process and selection
- Hub East Central Scotland Ltd and members of the Project Board / Senior Project Team will be involved in the selection process.

3.7.   In parallel with the above process the draft Authority Construction Requirements (ACRs) will be developed to a sufficient level of detail to allow the Concept Design to commence immediately after the appointment of the design team and Tier 1 contractor.

Swimming Programme

3.8.   Between April and June 2023 all 590 Primary 5 children from our 19 schools, including Lochies School, have now received 5 weeks of water safety and aquatics skills training at Dollar Academy or The Peak, Stirling. This equates to a total of 2,950 individual hours of delivery in the pool. This is augmented with water safety sessions in school.

3.9.   Attendance has been excellent despite some initial fear and anxiety all 590 young people got in the water and significant progress has been made in their water confidence, technical skills and ability to achieve the targets, particularly at beginner level.

3.10.   The programme has relied heavily on a range of partnerships including; Scottish Swimming, Safety Training Awards, Dollar Academy, the PEAK (Active Stirling), Stirling Council, Bo'ness Recreation Centre (Falkirk Council) and Clackmannanshire Council all supporting the programme in various ways such as; delivering staff training, access to swimming pools, tendering for the transport for over 600 pupils and staff.

3.11.   In order to condense a programme of this scale into one term required a huge amount of planning from the Sport & Leisure team and cooperation from our schools including; adjusting timetables and lunch hours, and preparing pupils and their families ahead of their sessions.

3.12.   Informal feedback about the programme from pupils and staff has been extremely positive. More detailed evaluations, assessments and data will be included in a final report. A review of the current delivery model is underway in preparation for the 2023/24 academic year.

3.13.   In addition to the school swimming programme the Sport & Leisure Team's 'Active Summer' programme now includes an expanded water confidence programme at Alloa Academy this year – offering sessions for both children and young people with additional support needs and new sessions for Primary 4 children moving up to primary 5 to build confidence and skills ahead of their school swimming in the 2023/24 academic year.

Communications Update

3.14.   Community engagement is continuing throughout the summer period as part of the RIBA Stage 2 process including officers attending gala days, open days, holiday programmes and other third sector sessions. This engagement will include both awareness raising and gathering views as the project develops.

3.15.   As part of the communications strategy a review of the digital strategy for the project has been completed. The purpose of the review was to find and deliver a suitable digital presence for a project of this nature and the requirement around audience building and engagement. This has resulted in;

3.15.1. The creation of a suite of dedicated Wellbeing Hub & Lochies School social media platforms including twitter, Instagram, YouTube and Facebook.

3.15.2. Dedicated time and resource allocated from within the communication advisors to support the launch and ongoing audience building for the platforms.

3.15.3. The ability to control the flow of information directly through these channels about the project whilst continuing to link with Council channels therefore widening the reach of the messaging.

3.16. Strategic input and development into press releases ensuring that developments across the wider Sport & Leisure team reinforce the project messaging.

3.17. Support and development of the content of the website including updates to the FAQ's, engagement summary and the addition of a visual map showcasing the venue location.

http://www.clacks.gov.uk/leisure/wellbeing

3.18. Artwork creation of banners, flyers and social media images for communications campaigns and assisting in deployment of brand and design – with a view to establishing an updated brand when the project brief is completed.

4.0 Sustainability Implications

4.1 Alignment with the Clackmannanshire Council Interim Climate Change Strategy

5.0 Resource Implications

5.1 Financial Details

The projected costs for the Wellbeing Hub and Lochies School developments are outlined in the General Services Capital Programme 2023/24 to 2042/43.

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** (Please double click on the check box☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all   ☑

Our families; children and young people will have the best possible start in life ☑

Women and girls will be confident and aspirational, and achieve their full potential ☑

Our communities will be resilient and empowered so that they can thrive and flourish ☑

(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   It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.   Yes ☑   No ☐

10.0   Appendices

10.1   Appendix 1 **RIBA stages overview**

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
Robbie Stewart	Senior Manager, People (Sport & Leisure)	2431

Approved by

NAME	DESIGNATION	SIGNATURE
Lorraine Sanda	Strategic Director, People	■■■■■■■

Wellbeing Hub & Lochies School

RIBA Stages Overview

Task ID	Task Name	Start	Finish
1.	**Pre-Construction Design & Procurement Programme**	**Q1 2023**	**Q4 2024**
1.1	RIBA Stage 1 – Preparation & Briefing	Q1 2023	Q2 2023
1.2	Gateway 1 – Approval to proceed to RIBA Stage 2	Q2 2023	
1.3	RIBA Stage 2 – Concept Design	Q3 2023	Q3 2023
1.4	Gateway 2 – Approval to proceed to RIBA Stages 3 & 4 *(Outline Business case (OBC)*	Q4 2023	
1.5	RIBA Stage 3 – Spatial Coordination	Q4 2023	Q1 2024
1.6	RIBA Stage 4 – Technical Design	Q2 2024	Q3 2024
1.7	Gateway 3 – Approval to proceed to Contract Finalisation *Full Business Case (FBC)*	Q3 2024	
1.8	RIBA Stage 4 – Contract Finalisation	Q4 2024	Q4 2024
1.9	Gateway 4 – Financial Close	Q4 2024	
2.	*Construction Delivery Programme*	*Q4 2024*	*Q4 2026*
2.1	RIBA Stage 5 - Construction	Q4 2024	Q4 2026

CLACKMANNANSHIRE COUNCIL

Report to: Council

Date of Meeting: 29 June 2023

Subject: Naloxone Policy

Report by: Senior Manager, Justice Services

1.0   Purpose

1.1.   To provide a report on the current legal developments around the handling and supply of Naloxone as would apply to Clackmannanshire Council services and staff.

1.2.   To seek approval from Council for the Clackmannanshire Council Naloxone Policy (Appendix 1).

2.0   Recommendations

2.1.   **It is recommended that the Council**:

2.1.1   Approves the Clackmannanshire Council Naloxone Policy to support the training and safe administration of Naloxone by employees who volunteer to do so.

3.0   Considerations

3.1   Naloxone is a medicine used to temporarily reverse the effects of an opiate overdose. Opiates include drugs like heroin and methadone, which were implicated in 89% of drug deaths in Scotland in 2020. When a person overdoses on opiates their breathing becomes restricted, but Naloxone acts to reduce the level of opiate uptake in the brain to allow time to call for emergency medical assistance. Naloxone can be administered either as a nasal spray or, more commonly, as an injection from a container similar to the EpiPens used in cases of severe allergic reaction.

3.2   Naloxone has been approved for use in overdose situations by professionals and members of the public in Scotland for many years. Prior to the COVID-19 pandemic Naloxone was only legally available on prescription or from a limited number of drug treatment services.   In 2020, as a result of the Covid

pandemic, the Lord Advocate issued new guidance[1] which allowed for much greater uptake of Naloxone among the public and non-specialist services. The Scottish Government have set out their commitment to extend the Lord Advocate's guidance to ensure 'that those changes remain in place, and, if possible, new legislation is introduced at a UK level to make them permanent.[2]' They want everyone who is affected by drug use to be able to access Naloxone and this has been encouraged by major national campaigns.

3.3   Clackmannanshire Council does not currently have a corporate policy around Naloxone. In light of this, the Lead Officers for Clackmannanshire and Stirling Alcohol and Drug Partnership (CSADP) and Clackmannanshire Community Justice Partnership (CJP) sought approval from Council Senior Leadership Team to develop a Naloxone Policy for Clackmannanshire Council. On 10 August 2022, SLT agreed to the development of a policy that would take account of the legislative changes in relation to Naloxone since 2020. Current policies in other local authority areas have not been updated to reflect the Lord Advocate's guidance. In addition, it was agreed to consult with staff who work in settings where they may encounter people in overdose situations in order to raise awareness and address concerns in relation to the introduction of a Naloxone Policy. The responses to questions raised by staff are reflected in the Frequently Asked Questions appendix to the Policy.

3.4   The uptake of training and subsequent carrying and use of Naloxone will be voluntary, with no obligation on employees to do so. The policy sets out details of available training for staff which can be accessed free of charge and takes less than an hour. In addition, supplies of Naloxone can be provided by NHS Forth Valley at no cost. The policy only applies to employees acting in the course of their duties who have undertaken the appropriate training.

3.5   The Policy proposes the introduction of a Naloxone Champion to be appointed within each service area who will have responsibility for ensuring that records of Naloxone training and supply are kept up to date. In addition, a central record will be kept through Health and Safety and Workforce Development and Learning.

3.5   The Naloxone Policy forms part of wider joint working that has been taking place between CSADP and Clackmannanshire CJP over the past 18 months to align policies that promote harm reduction interventions, reduce drug deaths and address stigma and discrimination faced by people with substance use issues in any situation. It will allow Council staff to access training and be equipped to administer a potentially life-saving intervention should they encounter a suspected opiate overdose.

4.0   Sustainability Implications

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[1] *Lord Advocate's guidelines: Supply of naloxone during COVID-19 pandemic;* COPFS: accessed at *https://www.copfs.gov.uk/publications/lord-advocate-s-guidelines-supply-of-naloxone-during-covid-19-pandemic/*

[2] *Drug Deaths Task Force Response: A Cross Government Approach*; Scottish Government 2023).

4.1.   No sustainability implications are identified.

5.0   Resource Implications

5.1.   Financial Details

There are no financial implications identified.

5.2.   Staffing

Staff who volunteer will be required to undertake Naloxone training.

Naloxone Champions will require to be identified in each service area.

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** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	☑
Our families; children and young people will have the best possible start in life	☐
Women and girls will be confident and aspirational, and achieve their full potential	☐
Our communities will be resilient and empowered so that they can thrive and flourish	☑

(2)   **Council Policies** (Please detail)

N/A

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   It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.

Yes   ☑   No ☐

10.0   Appendices

10.1   Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix A – Clackmannanshire Council Naloxone Policy

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 ☐

- 'Lord Advocate's guidelines: Supply of naloxone during COVID-19 pandemic'; COPFS.
- 'Drug Deaths Task Force Response: A Cross Government Approach'; Scottish Government

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Scott McDonald	Senior Manager, Justice Services	2326

Approved by

NAME	DESIGNATION	SIGNATURE
Lorraine Sanda	Strategic Director, People	███████████

NALOXONE POLICY

2023

1   **INTRODUCTION**

1.1   Naloxone is a prescription-only medicine used to temporarily reverse the effects of an opiate overdose. Its proven safety record makes it ideal for use in any situation where opiate overdose is suspected, and its use is now widely supported across Scottish society. Opiates include drugs like heroin and methadone, which have for decades been implicated in the majority of drug-related deaths in Clackmannanshire and Scotland generally.

1.2   Reviews of drug-related deaths show that people who have died through overdose are frequently known to Council services. With this in mind, we have an opportunity to support Council staff to identify overdose situations and reduce the harm from them, potentially saving lives.

1.3   This policy sets out how Naloxone supply and use by appropriately trained volunteers, is encouraged by Clackmannanshire Council as part of our wider commitment to supporting efforts to reduce harm from substance use. It sets the terms by which Clackmannanshire Council employees, who volunteer, are supported to be trained and to use Naloxone safely.

1.4   There is no duty on Council employees, trained or otherwise, to use Naloxone in any situation. In adopting this policy Clackmannanshire Council aims to encourage the uptake of Naloxone as a safe harm reduction measure, it does not place any additional obligation on any member of staff or service to provide for Naloxone's supply or administration.

2   **BACKGROUND**

2.1   Loss of consciousness and restricted breathing are common symptoms of opiate overdose, and without attention can result in death or brain injury to the person. Naloxone acts by reducing the level of opiate uptake in the brain, pausing the effects of overdose and giving time for emergency medical assistance to be sought.

2.2   In cases where the symptoms of opiate overdose prompt a trained person to administer Naloxone, but the underlying cause is not an opiate overdose, Naloxone remains safe to use. It will have no effect, but the person believed to be experiencing overdose will not be harmed.

2.3   Naloxone can be administered either as a nasal spray or, more commonly, as an injection from a container similar to the EpiPens used in cases of severe allergic reaction. Legal controls on Naloxone apply uniformly across all means of administration.

2.4   As a registered medicine, Naloxone requires to be handled in line with regulations. NHS Forth Valley is the local supplier of Naloxone for any service wishing to receive support, with both the Prenoxad (injectable) and Nyxoid (nasal) forms available according to need.

2.5   Prenoxad is supplied in a pack sized to fit in the pocket of a bag, with a hard plastic casing which allows for safe transport. Each pack contains the necessary material to safely administer Naloxone. Packs are not reusable and should be disposed of in a yellow sharps bin after use.

2.6   Nyxoid is supplied in packaging similar to other nasal sprays used for example in the treatment of colds. Each pack should also only be used once and disposed of appropriately.

3   **NALOXONE IN LAW**

3.1   Scotland was the first country in the world to adopt a national Naloxone programme to equip people with a medicine they can use in opiate overdose situations to save lives. Since 2011 the Scottish Government has funded the supply of Naloxone with NHS Health Boards responsible for local supply.

3.2   Naloxone is available in different forms, as explained later in this policy. Each form of Naloxone has been approved for use in Scotland as a medicine, this policy applies to all forms of Naloxone approved for use in Scotland.

3.3   Since 2014 Scotland has seen an unprecedented increase in the number of drug-related deaths, most cases of which involve the use of opiates. Naloxone's ability to temporarily reverse the effects of overdose make it an important part of our support for people at risk of drug-related death.

3.4   In 2020 the Lord Advocate, Scotland's chief public prosecutor, issued new guidance which set the stage for Naloxone's supply and use to be taken up on a wider basis across Scotland. This guidance remains in effect and establishes that supply of Naloxone is available through more providers registered with Scottish Government. This allowed in practice for national organisations including Scottish Drugs Forum and Scottish Families Affected by Alcohol and Drugs to begin offering training and supply of Naloxone to citizens across Scotland, regardless of their employment status or personal circumstance.

3.5   As such, it is possible for people across Scotland to undertake training in Naloxone's use and be supplied by a national organisation. This extends also to people who may be employed by Clackmannanshire Council, and so this policy sets out how Council employees, in the course of their duties, can be trained and supported to safely use Naloxone in response to a suspected opiate overdose.

4   **RESPONSIBILITIES AND ORGANISATIONAL ROLES**

Employee/ Individual Responsibilities

4.1   Once a Council volunteer is trained in the identification of potential opiate overdose, and administration of Naloxone, they are able to use it in the course of their duties as a Council employee in exactly the same way as they would outside of a work situation.

4.2   Trained employees who have volunteered to administer Naloxone who are travelling to different sites should be able to access a supply of Naloxone for administration in the course of their work. Procedures for the safe storage and carrying of Naloxone can be confirmed with NHS Forth Valley ahead of a supply of Naloxone being made available.

4.3   In a situation where a Council employee, in the course of their duties as a member of staff, encounters an apparent opiate overdose situation there is no expectation that they should administer Naloxone unless they are trained and judge that it is safe to do so. Emergency medical assistance should always be sought where a person is found with reduced consciousness or other signs of apparent overdose. Scottish Ambulance Service routinely carry Naloxone and are trained to administer it.

Chief Officers and Senior Managers Responsibilities

4.4   Chief Officers and Senior Managers are accountable to the Chief Executive Officer, and have responsibility for the coordination and compliant delivery and implementation of the Council's policies, guidance and procedure. With regards to the Naloxone policy, Chief Officers and Senior Managers will ensure that operational teams across the Council are supported to be aware of this policy and to facilitate training and availability of Naloxone in their area of service.

4.5   This can include consultation with the Community Justice Coordinator and Alcohol and Drug Partnership Lead Officer to ensure adequate training and supply of Naloxone for operational purposes, encouraging staff uptake of training through regular CPD and personal review processes, and reflection on the strategic effectiveness of practical arrangements with the partnerships above.

4.6   A central record of Naloxone training and supply will be kept. Senior managers will appoint a Naloxone Champion with responsibility for ensuring that appropriate records of Naloxone training and supply are kept for their area of service.

Line Management (including supervisory staff) Responsibilities

4.7   Anyone with line management responsibility who is interested in supporting the uptake of Naloxone by themselves or their direct reports should inform the relevant

senior manager who will make contact with the CJP Coordinator or ADP Lead Officer. Practical arrangements for the training and supply of Naloxone can then be made, reflecting the particular circumstances of each service.

4.8   Details of training will be made available to all team leaders across Clackmannanshire Council. This will be sourced centrally through NHS Forth Valley. Only locally facilitated training delivered by NHS Forth Valley and Recovery Scotland, or training delivered by accredited Scottish Government programmes (administered by Scottish Drugs Forum or Scottish Families Affected by Alcohol and Drugs) should be completed under the terms of this policy.

4.9   Naloxone Champions should ensure that the central record of training is updated with staff who are trained in Naloxone use. Records should be reviewed at least annually, and reflect the current provisions for Naloxone supply among trained staff.

4.10   A service agreement for each service outlining the processes for accessing training and supply of Naloxone should be made available through the Naloxone Champion. Where employees choose not to undertake training themselves, they should be aware of how they can respond to a suspected overdose situation through emergency procedures. This service agreement should be reviewed annually, and implemented with oversight from the ADP Lead Officer and CJP Coordinator, and Naloxone Lead in NHS Forth Valley.

4.11   Naloxone supplied to Council services should only be administered by staff trained in its use. Naloxone can also be delivered by Scottish Ambulance staff who should be contacted by calling 999 in the event of any suspected overdose. A trained member of staff with access to Naloxone, in any situation where a suspected overdose is recognised, is able to administer Naloxone as a potentially life-saving intervention as with other forms of harm reduction such as first aid or defibrillation.

Corporate Health and Safety Team Responsibilities

4.12   The Corporate Health and Safety Team will make arrangements for expiration dates on supplies to be checked annually.

4.13   **Clackmannanshire Council Corporate Responsibilities**

The Senior Manager: Justice Services will ensure that any registration required with Scottish Government Population Health Directorate to ensure compliance with the Lord Advocate's Guidance is in place. They will also be responsible for ongoing review and any necessary updates to the registration.

5 TRAINING

5.1 As a registered medicine, Naloxone should be used by people trained to identify the signs of an overdose and administer it. This policy applies only to Council employees acting in the course of their duties who have undertaken the appropriate training in identifying opiate overdose situations and administering Naloxone.

5.2 Training can be sourced locally through the Peer Naloxone Training Programme. This is ideal for staff groups who may wish to be trained, as sessions are delivered in-person in under an hour, with the opportunity for Q&A.

5.3 Online training is also available through Scottish Drugs Forum, which can be completed at any time and covers the same material. Like the Peer Naloxone Training Programme, this training covers both how to identify a potential opiate overdose situation, and how to administer Naloxone.

5.4 Any employee who has completed training for Naloxone is encouraged to make their service aware through their line manager. This will allow a register of people to be kept so that supply and training refreshers can be offered, and our support for harm reduction activity can be comprehensive.

5.5 Council services seeking a supply of Naloxone can contact NHS Forth Valley either through the Peer Naloxone Training Programme or via the Alcohol and Drugs Partnership Lead Officer.

5.6 A set of Frequently Asked Questions have been developed based on consultation with staff prior to development of this Policy. These are set out in Appendix 1.

6 EQUALITY IMPACT ASSESSMENT

Policy Name	Naloxone Policy
Department	Justice Services, People Directorate
Policy Lead	Michelle Rogers, Community Justice Coordinator
Equality Impact Assessment	
Full EQIA required	Yes ☒ No* ☐

* In no please provide rationale	
Date Full EQIA complete	14.4.23
Date Approved	
Review Date	

CLACKMANNANSHIRE COUNCIL NALOXONE POLICY

NALOXONE FAQs

1. **What puts people at risk of overdose?**
   The main risk factors for overdose are:

- Reduced tolerance –tolerance to a drug can reduce (often within a few days) when a person has stopped using a drug. High risk times for overdose include release from prison/custody, discharge from hospital, following residential rehab or stopping Opiate Substitution Therapy.
- Using a combination of different drugs (not necessarily at exactly the same time). Due to how long some drugs can stay in the system, people can still be 'mixing drugs' even if they are not taken on the same day in some instances. Long-acting drugs may be present in the body for several days. Other factors such as poor physical health, mental health and social factors can also increase the risk of overdose.

2. **Who is likely to witness an overdose?**
   People most likely to witness an overdose are people who use drugs, family members, friends, staff working in drug services, homeless service staff, hostel staff, outreach workers, police officers, social workers .. the list is endless. Anywhere people might be using drugs.

3. **What are the signs and symptoms of an overdose?**
   Unresponsive
   Slow/shallow/rasping breathing (often mistaken for snoring)
   Pale skin and may have blue lips (cyanosis)
   Pinpoint (constricted) pupils (indicates that opiates have been consumed) however opiate overdose should not be ruled out if pinned pupils are not present

4. **What is Naloxone?**
   Naloxone is a medication that reverses the effect of opioids. In an emergency overdose situation it can be a lifesaver. It will last for around 20-30 minutes after administration and is designed as a first aid intervention that can be carried out whilst waiting for emergency services to arrive.

   It does not cause any kind of 'high' or intoxication, its only job is to reverse the effects of respiratory depression caused by opioids. Opioids include methadone, codeine, tramadol, fentanyl and morphine amongst others, so it is not only for use in suspected heroin overdoses.

5. **How is Naloxone administered?**

Naloxone can be given by injection (Prenoxad) or by a nasal spray (Nyxoid). They are both equally as effective.

6. **Can I make someone worse by giving them Naloxone when they haven't taken an opioid overdose?**

No. It is safe to give naloxone to someone even if it turns out they haven't taken opiates. However, it also won't improve their condition as it won't reverse the effects of alcohol or other drugs such as cocaine or benzodiazepines although they may contribute to an overdose.

7. **Can I be prosecuted for using Naloxone?**

In 2005 Naloxone was added to a list of medicines that anyone can legally administer in an emergency to save a life. You must suspect an opiate overdose prior to administering Naloxone.

In 2020 the Lord Advocate, Scotland's chief public prosecutor, issued new guidance which set the stage for Naloxone's supply and use to be taken up on a wider basis across Scotland. The guidance states that '*it would not be in the public interest to prosecute any individual working for a service registered with the Scottish Government Population Health Directorate who supplies naloxone to another person for use in an emergency to save a life. Nor will it be in the public interest to prosecute employees of NHS bodies who supply such services with stocks of naloxone*.'

This statement of policy is subject to the condition that appropriate instruction on the use of naloxone and basic life support training will be provided to persons receiving the medication for such use alongside the medication.

8. **How many times can someone be given Naloxone?**

Sometimes people need more than one dose of Naloxone to reverse the effects of the opioid they have taken. There is no limit to how many times naloxone can be administered so it will be dependent on supply available at the time. Like CPR, you can continue to give naloxone until the person regains consciousness or the emergency services arrive.

If the person who has overdosed is physically dependent on opioids they may experience acute withdrawal syndrome following naloxone administration, the risk of which increases with the amount of naloxone that has been administered.

Naloxone is very short-acting and the effects will begin to wear off after 20-30 minutes. It is very important that the person does not use any further drugs while the naloxone is active as when it wears off they would likely overdose again.

Reference

My 1st 48 Hours Out; Guidelines for naloxone provision upon release from prison and other custodial settings; Frankfurt University of Applied Sciences and Scottish Drugs Forum, 2018.