



**Clackmannanshire  
Council**

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Comhairle Siorrachd  
Chlach Mhanann

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

# **Partnership and Performance Committee**

**Thursday 28 October 2021 at 9.30 am**

**Venue: Via MS Teams**



## **Partnership and Performance Committee**

- (1) To determine policies for the resources, risk and governance and strategic support
- (2) To set standards for service delivery in the above mentioned areas
- (3) To secure best value in the provision of these services
- (4) To consider reports and plans from Community Planning Partners and other partnership arrangements and, where appropriate, to monitor the achievement of agreed outcomes, standards and targets
- (5) To monitor performance in the delivery of services including consideration of:
  - quarterly service performance reports
  - inspection or other similar reports
  - financial performance
- (6) To keep under review the impact of the Committee's policies on Clackmannanshire

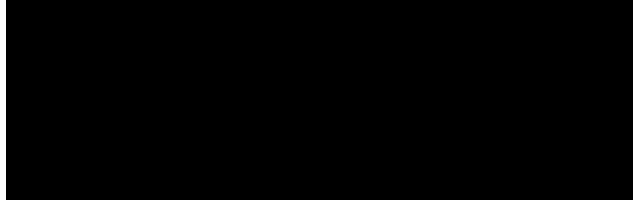
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**20 October 2021**

**A MEETING of the PARTNERSHIP AND PERFORMANCE COMMITTEE will be held Via MS Teams, on THURSDAY 28 OCTOER 2021 at 9.30 am.**



**STUART CRICKMAR**  
**Strategic Director (Partnership & Performance)**

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1. Apologies	- -
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	- -
3. Confirm Minute of Meeting of the Partnership and Performance Committee held on 26 August 2021 (Copy herewith)	05
4. Police Performance Report for Clackmannanshire April 2020 to March 2021 – report by the Local Police Commander (Copy herewith)	09
5. Fire Performance Report – Annual, 2020/21 – report by the Local Senior Officer, Stirling-Clackmannanshire-Fife LSO Area (Copy herewith)	31
6. Financial Performance 2021/22 – August Outturn report by the Chief Finance Officer (Copy herewith)	55
7. HR Policies – report by the Strategic Director, Partnership and Performance (Copy herewith)	65

## Partnership and Performance Committee – Committee Members (Membership 8 - Quorum 4)

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### Councillors

### Wards

Councillor	Helen Lewis (Convenor)	2	Clackmannanshire North	SNP
Councillor	Donald Balsillie (Vice Convenor)	2	Clackmannanshire North	SNP
Councillor	Les Sharp	1	Clackmannanshire West	SNP
Councillor	Denis Coyne	5	Clackmannanshire East	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Mike Watson	3	Clackmannanshire Central	CONS





**MINUTES OF MEETING of the PARTNERSHIP AND PERFORMANCE COMMITTEE held  
Via MS Teams, on THURSDAY 26 AUGUST 2021 at 9.30 am.**

**PRESENT**

Councillor Donald Balsillie (Vice Convenor) (Chair)  
Councillor Martha Benny  
Councillor Dave Clark  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Graham Lindsay (S)  
Councillor Les Sharp  
Councillor Mike Watson

**IN ATTENDANCE**

Stuart Crickmar, Strategic Director (Partnership and Performance) (Clerk to the Committee)  
Lindsay Sim, Chief Finance Officer  
Chris Alliston, Senior Manager, Human Resources and Workforce Development  
Cherie Jarvie, Senior Manager, Partnership and Transformation  
Ewan Murray, Chief Finance Officer, Clackmannanshire & Stirling Health and Social Care Partnership  
Carolyn Wyllie, Head of Community Health and Care, Clackmannanshire & Stirling Health and Social Care Partnership  
Elizabeth Hutcheon, Team Leader - Management Accountancy  
Sarah Farmer, Team Leader - HR Policy and Operations  
Alastair Hair, Team Leader – Workforce Development and Learning  
Rose Hetman, Strategy and Performance Advisor, Legal and Governance  
Lee Robertson, Team Leader - Legal Services, Legal and Governance  
Gillian White, Committee Services, Legal and Governance

**PPC(21)14 APOLOGIES**

Apologies for absence were received from Councillor Mike Watson and Councillor Helen Lewis (Convenor). In the Convenor's absence, the Vice Convenor, Councillor Donald Balsillie took the Chair. Councillor Graham Lindsay acted as substitute for Councillor Lewis.

**PPC(21)15 DECLARATIONS OF INTEREST**

None.

**PPC(21)16 MINUTE OF PARTNERSHIP AND PERFORMANCE COMMITTEE HELD  
ON 13 MAY 2021**

The minutes of the meeting of the Partnership and Performance Committee held on Thursday 13 May 2021 were submitted for approval.

**Decision**

The minutes of the meeting of the Partnership and Performance Committee held on Thursday 13 May 2021 were agreed as a correct record by the Committee.

## **PPC(21)17 FINANCIAL PERFORMANCE 2021/22 – JUNE OUTTURN**

The report, submitted by Chief Finance Officer, provided an update on the financial performance for the Partnership and Performance Division of the Council in respect of revenue spend for the current financial year 2021/22. This was based on forecast information as at 30 June 2021. Capital expenditure will be reported to the Audit Committee on 30 September 2021 as part of the overall Council's financial performance report.

### **Motion**

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

### **Decision**

Having challenged and commented on the report, the Committee agreed to note:

1. the forecast General Fund revenue overspend relating to the Partnership and Performance Division for the year of £0.329m;
2. the forecast centrally held Corporate Services revenue overspend for the year of £0.130m;
3. the forecast revenue overspend of the Clackmannanshire & Stirling Health & Social Care Partnership (HSCP) for the year of £1.673m, and
4. delivery of planned savings in the year forecasted to achieve 82.5%.

## **PPC(21)18 BUSINESS PLAN REVIEW 2021/23**

Partnership & Performance delivers a diverse range of services, including a number of statutory and essential support functions. The report, submitted by the Strategic Director, Partnership and Performance, presented the Partnership and Performance Business Plan 2021/23 for the consideration of Committee. The Business Plan was contained within Appendix 1 to the report.

### **Motion**

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

### **Decision**

Having challenged and commented on the Business Plan Review 2021/23, the Committee agreed to note the report.

## **PPC(21)19 HR POLICIES**

The report, submitted by the Strategic Director, Partnership and Performance, sought Committee approval of the following revised policies: Capability; Redeployment; and Learning and Development.

### **Motion**

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

**Decision**

Having challenged and commented on the HR Policies, the Committee:

1. Agreed, subject to formal approval by Council, the revised policies which were attached at Appendix 1 .
2. Noted that the Policy group met where extensive discussions took place with both Trade Unions and Management in the review and/or development of these policies.
3. Noted that on 16 June 2021 the Tripartite agreed that these policies be presented to the Partnership and Performance Committee for consideration.

**Action**

Strategic Director (Partnership and Performance)

**PPC(21)20 LOCAL CHILD POVERTY ACTION REPORT (2019/20 AND 2020/21)**

The report, submitted by the Strategic Director, Partnership and Performance, presented Clackmannanshire's Local Child Poverty Action Report for the periods 2019/20 and 2020/21 as required under the Child Poverty (Scotland) Act 2017. The report had been jointly prepared with NHS Forth Valley with contributions from a wide range of additional partners in line with the statutory guidance.

**Motion**

That the Committee agrees the recommendation as set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Graham Lindsay.

**Decision**

Having challenged and commented on the report, the Committee agreed to note that the report will be considered by the Clackmannanshire Alliance on the 10<sup>th</sup> September 2021 and published on the Council's website thereafter.

Ends 11.15 hours



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**Report to Partnership & Performance Committee**

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**Date of Meeting: 28<sup>th</sup> October 2021**

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**Subject: Police Performance Report for Clackmannanshire April 2020 to March 2021**

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**Report by: Local Police Commander**

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**1.0 Purpose**

- 1.1. The purpose of this report is to provide the committee with information on the performance of Police Scotland in the Clackmannanshire local authority area for the period 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021
- 1.2. The report is aligned with the headings of the [Clackmannanshire Local Policing Plan 2020-2023](#) priorities (i.e. **Responsive to the concerns of our communities, Enhancing our collective resilience to emerging threats, Protecting people most at risk from harm and Promoting confidence through our actions Road Safety and Road Crime**).
- 1.3. The Clackmannanshire Police Performance Report (Appendix 1) contains the current information on performance against selected performance indicators. This report provides complementary information to that in the table to present a summary of performance of policing in Clackmannanshire Council area and also identifies emerging trends, threats and issues.
- 1.4. Data for this report is sourced from Police Databases that are subject to changes as enquiries progress. They can be best regarded as Point in Time figures. 5 year average figures are not available for all measures. The information in the table should be regarded as provisional.

**2.0 Recommendations**

- 2.1. It is recommended that committee notes, comments on and challenges the report as appropriate

**3.0 Considerations**

- 3.1. Attention of members is drawn to the Management Information now published via Police Scotland Website which can be found at the following location - <http://www.scotland.police.uk/about-us/our-performance/>
- 3.2. Some of the risks and threats which continue to present in Clackmannanshire are:

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- Domestic Abuse
- Crimes of Violence
- Possession and Supply of Controlled Drugs
- Cyber Fraud

3.3. By their nature, these remain longer-term threats and Forth Valley Division continues to focus on intervention and enforcement to address them.

3.4. There were no significant new operational issues emerging during the previous reporting period.

3.5. There were no significant new operational issues emerging during the current reporting period.

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Laura McNab	Command Support, Forth Valley Division	101

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Alan Gibson	Chief Superintendent Forth Valley Division	

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# CLACKMANNANSHIRE COUNCIL

**PARTNERSHIP & PERFORMANCE COMMITTEE**



APPENDIX 1  
POLICE PERFORMANCE REPORT  
April 2020 – March 2021

ALAN GIBSON  
CHIEF SUPERINTENDENT

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## **BACKGROUND TO THIS REPORT**

As from April 2013, the Police and Fire Reform (Scotland) Act 2012 has required Police Scotland to produce and publish a Local Policing Plan (LPP) for each local authority area. The LPP clearly sets out the policing priorities for Clackmannanshire.

Performance in relation to the identified policing priorities is monitored and reviewed internally on a weekly basis. Yearly reports are produced to allow scrutiny by Clackmannanshire Council Scrutiny Committee. This report covers the period from 1<sup>st</sup> April 2020 to the 31<sup>st</sup> of March 2021.

In order to support effective scrutiny and determine whether our preventative approach is having a lasting positive impact, members of the Public Safety Committee will consider information linked to the priorities outlined within this plan which include:-

- Responsive to the concerns of our communities
- Protecting people most at risk from harm
- Promoting confidence through our actions
- Enhancing our collective resilience to emerging threats
- Road Safety and Road Crime

This report will make reference to crime groupings. Groups 1-5 refer to an amalgamation of five crime groups. They are Group 1, consisting of violent crime; Group 2 covering sexual offences; Group 3 covers a wide range of crimes of dishonesty, Group 4 includes vandalism, fire-raising and malicious mischief; and group 5 includes proactive Crimes. All statistics are provisional and should be treated as management information.

RESPONSIVE TO THE CONCERNS OF OUR COMMUNITIES

**Operation Alamo**

At the end of October, this national operation commenced, which is the policing response to fireworks / bonfire related incidents. Clackmannanshire police developed a local plan to support and deliver this, based on intelligence and previous incidents and areas of concern. The Community Policing Team (CPT) engaged with shops that sell fireworks and advised them of the dangers of these getting into the wrong hands. Our Schools Based Officers (SBOs) reiterated this message to the pupils in their respective high schools. Dedicated CPT Officers thereafter carried out patrols of problem areas, engaged with youths and responded to any firework related calls quickly and prevented any escalation.

**Clackmannan Youth Club**

It was identified by the Clackmannan Development Trust (CDT) that, due to a reduction in the bus service, it was difficult for children from Clackmannan to access services in other parts of the county. This limitation affected those without private transport hardest. The local community officers worked alongside the CDT to try and find a resolution to this.

The CDT held a youth consultation drop in at their offices to identify what young people in Clackmannan want. A safe place holding activities where they can meet other young people was top of their list.

The CDT have recruited a pool of volunteers to run the youth club but did not have funding for equipment. The other major cost was to be a venue but the Trust have moved to larger premises suitable to run the club from so this cost has been removed. PC Ritchie presented a case and applied for local community funding from his supervisors and was successful in securing financial support to assist with buying equipment for the youth club. This will be welcomed by the local Clackmannan youths.

**Drugs Enforcement**

Information was received that illegal drugs were being sold to children from an address in one of our local villages. Swift action was taken in developing this intelligence and in gleaning sufficient evidence in order to obtain a search warrant. This was granted and subsequently executed at the relevant address. A quantity of heroin and drug dealing paraphernalia was seized and other evidence obtained provided further information regarding the supply of cocaine and heroin in the Clackmannanshire area. This was later disrupted, further ensuring public safety.

## **Damage to Historic Building**

Greenfield House is a historic grade B listed building in the heart of Alloa, currently owned by a property developer, which became the centre of attention for local youths and "urban explorers".

The property, formerly the local authority headquarters, had fallen into a poor state of repair and the security of the building was being overcome by young people in the main. A meeting was convened by police and a local community group to discuss this issue, before police instigated a multi-agency meeting including council staff, Scottish Fire and Rescue Service and the owner of the building. This was very productive in addressing any safety and security issues and the owner was able to communicate directly with council planning staff about future use of the building.

Ongoing engagement by the CPT with security staff and the owner has led to improvements in building security and increased engagement on the part of the owner. Extra patrols were then carried out on a daily basis, with numerous checks every day, to ensure public safety. In addition, the CPT engaged with local youths in the area and advised them to keep away from the building as it was unsafe. Assisted by social media messaging, this also limited any further damage to the building and reduced the number of calls to police.

## **Active 8 - Sauchie**

Active8 is a charity that provides a range of inclusive activities and opportunities to residents within Sauchie and Fishcross, as well as to the wider community and areas of Clackmannanshire. They provide free activities ranging from cooking, drama and dance classes, music, holiday programmes and Christmas lunches etc. These activities are available for young children right up to Sauchie pensioners and families as a whole. PC Hamilton and PC Arundel have also been involved in helping with food packages and the youth club.

Since 12th February 2021, due to a high level of youth disorder calls within the



Sauchie area, the local community officers, PC's Hamilton and Arundel, carried out additional backshifts every Friday where they attended in the problem areas of Sauchie, most notably at Gartmorn Dam, Deerpark Primary School and Greygoran, engaging with the youths. The main problems were damage to property,

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broken glass and noise issues. Since then they have obtained the details of most of the youths involved and signposted them to new diversionary activities and opportunities with Active8. The following month police saw a reduction in crimes and calls relating to these issues in the areas of concern.

The officers have also been helping the group with litter picks in the area where they managed to fill roughly 35 bags / containers full of broken glass and cans etc. They have continued to work alongside Active8 and also the Schools Based Officer PC McGuirk , as most of the youths attend Lornshill Academy. This action has helped reduce the volume of calls received by the police. Complaints and litter from Gartmorn Dam, Greygoran, Deerpark and Lochies School Greygoran have all reduced.



### Equality & Diversity

PC Auld, Equality and Diversity Officer, and PC Parsons, Counter Terrorism Liaison Officer (CTLO) provided Third Party Reporting Centre training for the Regional Equality Centre, Sensory Centre and Rainbow Muslim Women's group. It is hoped this will help to raise awareness of third Party reporting and Hate Crime reporting possibilities within the division and encourage members of the public to report any issues they encounter.

### Fireraising

Following a deliberately set high profile fire, which destroyed an abandoned house in Tillicoultry and closed a main road for a considerable period of time, our School Based Officers (SBO's) took ownership of this enquiry after information indicated it was youths from the local area that were responsible. Enquiries were thereafter undertaken at the local Secondary School. The school register was interrogated and collated with information from staff and pupils and school CCTV. Two youths were identified from these enquiries and both pupils, in the presence of their parents fully admitted to their actions and were cautioned and charged. In addition they will be receiving educational inputs from police and fire service. Excellent work from the SBO's quickly detected this crime and provided reassurance to the local community.

## **PROTECTING PEOPLE MOST AT RISK FROM HARM**

### **Partnership Working/STRIVE**

In March 2021, a family consisting of 2 adults and 4 children were referred to STRIVE after they were victim of an attempted extortion. The incident involved damage to their property as well as threats of harm to the family, including the children.

The family wished to remain at their home address but due to the safety concerns surrounding this, STRIVE initially sought financing to fund additional security measures in the form of locks and CCTV.

The family then decided that moving address would be a better option for them and STRIVE assisted them in applying for and moving into temporary accommodation the following day where they remain until such time a permanent tenancy can be identified.

Due to the multi-agency approach to this case the safety of the family was ensured in a prompt manner. This prevented potential future problems for both police and the local authority in addition to improving the health and wellbeing of the family concerned.

### **Internet safety Assemblies**

Alva Academy requested that our Schools Based Officers (SBOs) assist with online assemblies in relation to internet safety issues. They worked collaboratively with school staff to be part of short, frank and informative assemblies for each year group, covering 350 pupils. This has now created opportunities to lead or be part of more online assemblies, all of which are organised and controlled by the school under their guidelines and safety protocols. This has been successful in delivering important safety measures to a large number of youths, in order to try and minimise the risk posed by today's internet safety considerations.

### **Police Input to Scouts**



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Local Community Officer PC Allen arranged a meeting with local Scouts online, in order to comply with the current Covid Regulations. This was done while parked in police van in Menstrie with the phone set up on the dash. The talk was in relation to the role of the Community Officer, drugs, bullying and internet safety. The children engaged fully and this was very well received. This was excellent community engagement, using technology to ensure the safety of children and young people.

### **Schools Mental Health Week**

Our SBOs assisted and participated in Alva Academy's Mental Health Week. As part of this the SBOs accompanied a mixed age group of pupils on their Duke of Edinburgh walk. During the walk they incorporated appropriate inputs on road traffic legislation, road safety and personal safety. As well as improving the knowledge of the pupils on such matters and enhancing their safety awareness, this helped build strong relationships between the police and the pupils.

### **Safety Talk at Primary School**

One of our local community officers was contacted by the head teacher of a small primary school. They had a child with significant support needs placed with them. This child came from a very anti-police family and was prone to running off from the school. The head teacher was looking for a way to begin breaking down barriers and the officer suggested a safety talk could be given to his class. As well as assisting to address the safety needs of the aforementioned child, it also helped the rest of his classmates. This talk was delivered by two community officers, outdoors at the school in line with Covid guidelines, and included a number of lighter activities and games.

The child engaged well with the activities and was hopefully the beginning of a change of his views on the police, as well as having highlighted the potential risks he places himself in by running off from school. A good example of building positive relationships with young people and staff within the school environment.

### **Crime Prevention**

Officers within our Community Safety Department have this year arranged for staff training at Nationwide and Barclays banks regarding current scams and preventative measures for doorstep, phone and computer fraud. The training covered various aspects including what to look out for, what actions to take, how to protect your computers against fraud and a case study.

They also purchased 300 bike marking kits which were issued to Community Policing Teams throughout the Division, in conjunction with the National Pedal Protect campaign.

## **Shut Out Scammers**



During May 2021 Police Scotland ran a “Shut out Scammers” campaign highlighting Rogue Traders.

Our Social Media officer has also received training in Neighbourhood watch alerts to allow targeted Crime Prevention messaging.

## **Vulnerable Youth**

During March 2021 there was a spate of vandalisms to motor cars and street furniture across one ward in the area. The local ward officer took ownership of this enquiry and after a lengthy enquiry, the youth responsible was identified. Following the identification, it was established that the youth suffered from severe untreated trauma and posed a risk to himself and potentially others. This has culminated in the community officer, SBO and social work working together to create a safety plan for the youth. A Team around the Child (TAC) meeting was arranged quickly and plans for psychological assessments were put in place. This piece of work has assisted in potentially changing the course of this young boy’s life and creating positive outcomes for him.

## **Vulnerable Adult**

Having received numerous calls from an adult male regarding his mental health and suicidal thoughts, the local community officer attended one such call in January 2021. Rather than just carrying out the usual triage procedure she returned the subject home and spoke with him at length as to the cause for his deteriorating wellbeing. It was blatantly obvious that a large part of the problem was the poor living conditions he was having to endure. Broken bed, no carpets, no Livingroom furniture, no TV or no washing machine.

Having discussed this with PC Harman (STRIVE officer), the subject was referred to SIP and STRIVE and now has been rewarded a SWF grant to purchase the items needed to address his living conditions. He also received help in relation to basic cooking skills as he had a cooker but he didn't know how to use it.

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As a result of all of the above, addressing the cause of his issues, with the help of Clackmannanshire Council and Social Work, there has been a reduction in calls to police in relation to this male.

## PROMOTING CONFIDENCE THROUGH OUR ACTIONS

### Naloxone Test of Change

The Naloxone Test of Change programme was approved at the police Senior Leadership Board in November 2020 and is one of the most significant Pilots to be carried out in modern Scottish Policing.

Naloxone is an emergency, first aid response to opioid/opiate-related drug overdose situations. It reverses the respiratory suppression caused by opioids, stimulating a person's breathing. It can buy someone enough time to allow ambulance clinicians to arrive and provide professional medical care.



The Police Scotland pilot will only involve the carriage and use of intra-nasal Naloxone sprays. Training began in early March 2021 for front line officers in Falkirk and Glasgow.

The pilot will last for six months following the final training session. Officers who have opted to participate will be issued with a personal supply of Naloxone on completion of their training and be able to carry and use the sprays from that point.

### Body Worn Cameras



In February 2021, we asked the public and our officers and staff for their views on armed police



officers using body worn video (BWV) cameras. Almost 9,000 people including over 1,000 officers and staff took part in the survey with the majority believing that the use of BWV would increase trust and confidence in the police and make them feel safer.

## **COP 26 - Operation Urram**



Operation Urram is the policing operation for the United Nations COP26 climate change conference taking place at Glasgow's Scottish Events Campus (SEC) from 1st - 12<sup>th</sup> November 2021. The United Nations Climate Change Conferences are annual summits organised by the UN where members agree and monitor actions to reduce man-made climate change.

COP26 is set to be the biggest conference ever hosted in the UK. Planning with partners is well underway for what will be a complex and challenging policing operation to support the delivery of a safe and secure event.

In addition to the conference, there are associated COP26 events planned across the country with the potential for protest activity at sites throughout Scotland. We will be working with the UK Government and other partners to ensure people and businesses are able to plan ahead for any potential disruption. We are committed to minimising the impact on 'business as usual' and the communities we serve across Scotland during the event. Police Scotland will provide an appropriate and proportionate policing response to any protest activity.

## **Operation Talla (Covid)**

Clackmannanshire police have continued to deal with Covid related incidents throughout the pandemic. When all licensed premises were closed due to restrictions, checks were made of relevant premises to ensure they remained closed. Police responded to Covid related incidents such as house parties and breaches of social distancing, by using the 4E's approach – engage, explain, encourage and enforce as a last resort. A number of fixed penalty tickets were

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issued and some individuals were reported to the Procurator Fiscal. Patrols of the area continued and positive engagement with members of the public and groups of local youths were carried out, in order to try and ensure the safety of all and help minimise the spread of the virus.

### **Operation Christmas**

Operation Christmas ran from 1st December to 31st December 2020. This involved high visibility policing with officers in the right place at the right times to ensure maximum impact and public reassurance. Focus was given to shopping areas and transport hubs with officers briefed and notified of current intelligence, to ensure they were aware of persons of interest. Operation Christmas changed slightly from recent years due to the Covid restrictions. There was no night time economy to focus upon so an increased police presence was maintained in our local villages to deter any illegal gatherings. During this period, the dedicated officers also successfully policed Hogmanay celebrations, ensuring public safety.

### **STRIVE Referral**

A complaint was received regarding a vermin issue at a private residence which stemmed from a hoarding issue within the address and was beginning to affect neighbouring properties. Due to the tenancy being private, Clackmannanshire housing services could offer no input. STRIVE attempted to engage with the elderly sole occupier via Scottish Fire and Rescue Service and the police community constable however the lady refused all supports and denied access to the property.

Concerned for the occupiers mental and physical health, STRIVE then made contact with the local GP surgery, stressing that they should visit the occupier at home to gain an insight into how she was living. The GP surgery responded to STRIVE informing them that following their concerns, a face to face appointment had taken place with the lady but no further information had been forthcoming.

Due to having contacted the key professional services at that time to advise of the situation, attempted to provide help and support to the lady and her unwillingness to engage, STRIVE reluctantly closed this case.

Some months later, Environmental Health (EH) colleagues reached out to STRIVE with new information and photographs evidencing significant concerns for the welfare of the lady. Due to the mention of statutory measures potentially having to be enforced, she reluctantly afforded EH access to the property at which time the severity of the situation became apparent. The lady had no running water or cooking

facilities and there was no clear floor space and no obvious indication of where she would sleep or wash herself and no toilet facilities.

The case has been re-opened to STRIVE to help EH in their efforts. STRIVE has been in touch with mental health services and the GP surgery again as well as adult care social work. Mental health services were in agreement that a review of her capacity should be considered and social work were asked to consider Adult Support and Protection measures. The community constable is also involved in building a rapport with the lady in the hope that this will encourage her to engage with the available supports.

This case highlights the need for a multi-agency approach. This lady had slipped through the cracks for many years which has allowed her situation to deteriorate to the point that she was living in squalor. The most capable partners, including EH, police, social work and health are all now informed of the situation and are working together to find solutions that will improve the quality of life of the individual involved.

### **Anti-social Behaviour – Partnership Working**

Excellent work by the local Community Policing Team (CPT) Officers resulted in the apprehension and return to prison of a well-known recidivist offender. This male, along with his partner, had caused a significant number of calls and complaints from neighbours in the block where they both resided in separate flats. The impact of their behaviours caused some residents to move out and others were fearful of leaving their homes due to the conduct and anti-social behaviour of both. The CPT recorded and investigated the complaints made over the preceding months resulting in several reports to the PF. The CPT liaised with Clackmannanshire Council Housing to get temporary CCTV installed and with Criminal Justice Social Work, which eventually resulted in an apprehension warrant being issued and then executed by the CPT.

The male was returned to prison to serve the remaining 3 months of his sentence with an additional 5 months for his recent offending. This cumulative behaviour has placed their respective tenancies with the council at risk. Positive feedback and thanks was received from several residents and has improved the quality of life for local residents.

ENHANCING OUR COLLECTIVE RESILIENCE TO EMERGING THREATS

**Counter Terrorism**

On 1st October 2020, PC Parsons Counter Terrorist Liaison Officer (CTLO) set up a Cyber resilience input via MS teams for members of our Multi Agency Contest Group and Forth Valley Voluntary Sector Group in order to raise awareness of Cyber Attacks, Business Cyber Security and Personal Cyber Security. We did this to increase awareness since more and more businesses and organisations are currently working from home and this may become the new norm.

Members of our Cyber Security Team and the Cyber Resilience Coordinator for the Scottish Council for Voluntary Organisations carried out the presentations which covered the use of the new platforms such as Zoom and Teams and the need for backing up systems to prevent hacking.

Internal training has been undertaken with our Senior Management Team and specific Forth Valley departments regarding options available to Police Scotland should a Counter Terrorist incident occur (MOTO). This training has led on to a Divisional exercise and will continue to Regional and National Exercises in the coming months to ensure Forth Valley Police Division is able to deal with any such incidents should they occur.



Act Awareness (Action Counters Terrorism) training has been undertaken with partner agencies to ensure their staff have a raised knowledge and awareness off the current CT issues and what to do in such circumstances. Training includes awareness re HOT principles (Hidden, Obvious, Typical) regarding suspicious items and Stay safe (Run, Hide, Tell).

**Drugs Warrant**

In November 2020 Clackmannanshire CPT executed drug search warrants at two local addresses simultaneously. Both these individuals are connected and one of them is from a well-known family known to be involved in Serious and Organised

## OFFICIAL

Crime. Approximately £2,500 of Heroin, £1000 cash, a number of mobile phones and related drug dealing paraphernalia was recovered.

### **Drugs Recovery**

Response officers on patrol during the night shift in Dollar noticed a male acting suspiciously near a vehicle. They stopped him and established the vehicle was his. Using powers of search Under the Misuse of Drugs Act 1971, the male and his vehicle were searched. During this, the officers recovered a large selection of sweets and cookies which transpired to be cannabis Edibles. These were retained by police. The male was from out with the area and evidence indicated he was clearly concerned in the supply of controlled drugs. These types of drugs are popular with young people so this disruption to their supply has hopefully helped prevent further young people being exposed to this.

## ROAD SAFETY AND ROAD CRIME

### **Operation Kooky**

Following numerous complaints about driver behaviour, in particular on the A91 between Tillicoultry, Alva and Menstrie, Operation Kooky ran during the first week of November 2020. This was planned and delivered by the CPT and targeted speeding drivers, dangerous/inconsiderate parking, uninsured vehicles and other road traffic related offences. During the course of the week, the problem areas were patrolled by officers and this positive proactive police action was well received by the majority of the public.

631 vehicles were checked and numerous offences were detected. These offences were dealt with by means of a Fixed Penalty Ticket or by the driver being reported directly to the Procurator Fiscal. This was a very successful operation which showed that we listen to the concerns of our communities and will take appropriate action to deal with any issues.

### **Festive Drink Driving campaign**

Clacks officers, from both Response and CPT, participated in the national Festive Drink/Drugs Driving Campaign. Officers carried out early morning road checks as well as mobile patrols, stopping a number of drivers and carrying out relevant procedures. This provided a high visibility deterrent to those who may drink or use drugs and drive, to curb such behaviours.

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire**

**March 2021**

<b>Violence, Disorder &amp; Antisocial Behaviour</b>					
		Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Victims	% Change
1	Total No Group1: Crimes of Violence	139	117	22 more	18.8%
2	Murder	1	0	1 more	-
3	Attempted Murder	5	5	same number	0.0%
4	Culpable Homicide (common law)	0	0	None	-
5	Culpable Homicide (other)	1	0	1 more	-
6	Serious Assault detection rate	78.9%	80.8%		-1.9%
7	Serious Assault	57	52	5 more	9.6%
(Context)					
8	Robbery detection rate	82.8%	69.2%		13.6%
9	Robbery	29	26	3 more	11.5%
10	Common assault detection rate	81.3%	76.3%		5.0%
11	Common assault	568	674	106 fewer	-15.7%
12	Number of complaints regarding disorder	3541	2513		40.9%

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire  
March 2021**

<b>Violence, Disorder &amp; Antisocial Behaviour (continued)</b>					
		Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Victims	% Change
13	Number of Domestic Abuse Incidents Reported to the Police	787	786		0.1%
14	Total Crimes and offences in domestic abuse incidents	568	562		1.1%
15	Percentage of Domestic Incidents that result in a crime being recorded	46.5%	45.9%		0.6%
16	Total crimes and offences in domestic abuse incidents detection rate	77.3%	76.3%		1.0%
17	Total Detections for Domestic Bail Offences	48	52		-7.7%
18	Ensure 95% of domestic abuse initial bail checks are conducted within a prescribed timeframe (24hrs)	91.2%	-		-
19	Hate Crime and offences detection rate	87.8%	86.2%		1.6%
<b>Violence, Disorder &amp; Antisocial Behaviour - Stop and Searches</b>					
		Apr 2020 - Mar 2021	Apr 2020 - Mar 2021 Positive	Victims	% Change
20	Number of stop and searches conducted (total)	186	97		
<p>On the 11th May 2017 Police Scotland adopted a new code of practice on the use of stop and search. At this time the use of non-statutory (Consensual) search ceased. Further information on Police Scotland's use of stop and search and on the code of practice is available on the Police Scotland Website.</p>					
(Context)					

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire  
March 2021**

<b>Additional Identified Local Priorities</b>					
		Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Victims	% Change
21	Number of detections for drugs supply, drugs productions, drugs cultivation	55	69		-20.3%
22	Theft by housebreaking (including attempts) detection rate	49.4%	33.7%		15.7%
23	Theft by housebreaking (including attempts)	87	89	2 fewer	-2.2%
24	Theft by shoplifting detection rate	81.3%	81.8%		-0.5%
25	Theft by shoplifting	160	214	54 fewer	-25.2%
26	Vandalism & Malicious Mischief detection rate	37.3%	35.4%		1.9%
27	Vandalism & Malicious Mischief	504	517	13 fewer	-2.5%
28	Number of detections for Consuming Alcohol in a designated place (where appropriate byelaws exist)	8	7		14.3%
<b>Public Protection</b>					
		Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Victims	% Change
29	Number of Sexual Crimes	120	156	36 fewer	-23.1%
30	Sexual Crimes detection rate	55.0%	59.6%		-4.6%
31	Rape detection rate	43.8%	57.1%		-13.3%



**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire  
March 2021**

<b>Road Traffic Casualty Statistics</b>				
	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Victims	% Change
People Killed	1	6	5 fewer	-83.3%
People Seriously injured	5	10	5 fewer	-50.0%
People Slightly Injured	9	32	23 fewer	-71.9%
(Context)				
Children (aged<16) Killed	0	0	None	-
Children (aged<16) Seriously Injured	0	2	2 fewer	-100.0%
(Context)				

<b>Road Safety &amp; Road Crime - Detected</b>				
	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Victims	% Change
32   Dangerous driving	22	30		-26.7%
33   Speeding	96	83		15.7%
34   Disqualified driving	15	21		-28.6%
35   Driving Licence	60	47		27.7%
36   Insurance	158	101		56.4%
37   Seat Belts	10	5		100.0%
38   Mobile Phone	6	6		0.0%

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire  
March 2021**

<b>Public Confidence</b>					
		Apr 2020 - Mar 2021			
		Number of Complaints about the Police	Number of Complaints per 10,000 Police Incidents		
39	Complaints received about the Police	59	39.6		
		On Duty Allegation s	Off Duty Allegation s	Quality of Service Allegation s	Total Number of Allegation s
40	Total Allegations Recorded	67	0	24	91

The complaints received are the total Complaints about the Police received and logged on our system. One complaint about the Police can have several allegations contained within, similar to one crime report having several charges contained within. The allegations are similar to individual charges, for example a member of the public can submit a complaint about the Police which is recorded as one complaint, within this complaint they could outline their dissatisfaction in relation to not receiving adequate updates in relation to the crime reported (allegation 1), not being satisfied with the time taken to progress their crime report (allegation 2) and the uncivil manner of the subject Police Officer investigating their crime (allegation 3).

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**Report to: Partnership & Performance Committee**

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**Date of Meeting: 28<sup>th</sup> October 2021**

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**Subject: Fire Performance Report – Annual, 2020/21**

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**Report by: Local Senior Officer, Stirling-Clackmannanshire-Fife LSO  
Area**

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## **1.0 Purpose**

- 1.1 The purpose of this report is to provide committee with:
- 1.2 An overview of the half year performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire covering the period 1st April 2020 to 31st March 2021. The report is based on performance against objectives and targets set out in the Local Fire and Rescue Plan for Clackmannanshire. Performance indicators are detailed in the summary report at appendix 1.

## **2.0 Recommendations**

- 2.1. It is recommended that committee note and challenge the report as appropriate.

## **3.0 Considerations**

- 3.1. A number of significant trends are worth highlighting.
- 3.2. There has been one fire related fatality and 21 fire casualties in the reporting period.
- 3.3. A Serious Fire Task Group has been set up within the SFRS. This group will produce a quarterly report providing information on fire fatalities which will assist in local Community Safety Engagement activity.
- 3.4. The SFRS deliver Seasonal Thematic Action Plans from 1st April 2020 to 31<sup>st</sup> March 2021. Targets include reducing accidental dwelling fires, reducing fire fatalities and casualties, reducing deliberate fire setting, reducing the number of outdoor fires, and reducing fire related anti-social behaviour.

- 3.5. There were fifty-four Accidental Dwelling Fires (ADF), an increase of fourteen when compared with the same period the previous year. The cause of these fires has predominantly been cooking related activities which in Scotland is the number one cause of fires in the home. This will continue to be a focus of our on-going prevention work.
- 3.6. Work continues to identify and support vulnerable people in Clackmannanshire, through the Home Fire Safety Visit (HFSV) Programme and fire safety referrals through multi-agency activity. The quantity and quality of referrals from partners allow the service to target resources within Clackmannanshire, with the aim of reducing the number of accidental dwelling fires and casualties from these fires in the long term.
- During the reporting period, local operational crews and the Community Action Team carried out one hundred and ninety-four HFSV`s. Due to the COVID pandemic, six hundred and forty-nine phone engagements and sixteen virtual group talks have been carried out. Post fire advice was also offered on eighty-one occasions after an ADF.
- 3.7. There were fourteen deliberate primary fires, a decrease of six compared with the same period last year. There were seventy-four deliberate secondary fires, which is an increase of eleven compared with the same period last year.
- 3.8. The number of Unwanted Fire Alarm Signals during the reporting period was two hundred and one. This is a decrease of twenty-four compared to the same period last year. We continue to monitor all UFAS activity and contact all duty holders to discuss the implications of UFAS and identify where improvements can be made. We are also informing duty holders of the latest fire detection technology available which has a proven record in reducing unwanted signals.

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
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Mark Bryce	Area Commander & LSO for Stirling-Clackmannanshire-Fife LSO Area	



## PERFORMANCE REPORT

*Covering the activities and performance in support of the Local Fire and Rescue Plan for Clackmannanshire*



**SCOTTISH**  
**FIRE AND RESCUE SERVICE**  
Working together for a safer Scotland

**Working together  
for a safer Scotland**

## **About the Statistics in this Report**

The activity totals and other statistics quoted in this report are provisional in nature and subject to change because of ongoing quality assurance and review.

Because all statistics quoted are provisional there may be differences in the period totals quoted in our reports after original publication which result from revisions or additions to the data on our systems.

From 2015-16 onwards responsibility for the publication of end-year statistical data transferred from the Scottish Government to the SFRS. This change of responsibility does not change the status of the figures quoted in this and other SFRS reports reported to the Committee.

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## DEFINITIONS

### **Accidental Dwelling Fire**

Building occupied by households, excluding hotels, hostels and residential institutions. In 2000, the definition of a dwelling was widened to include any non-permanent structure used solely as a dwelling, such as caravans, houseboats etc. Caravans, boats etc. not used as a permanent dwelling are shown according to the type of property. Accidental includes fires where the cause was not known or unspecified.

### **Fire Fatality**

A person whose death is attributed to a fire is counted as a fatality even if the death occurred weeks or months later.

### **Fire Casualty**

Non-fatal casualties consist of persons requiring medical treatment including first aid given at the scene of the fire, but not those sent to hospital or advised to see a doctor for a check-up or observation (whether or not they actually do). People sent to hospital or advised to see a doctor as a precaution, having no obvious injury are recorded as precautionary 'check-ups'.

### **Deliberate Fire**

Includes fires where deliberate ignition is merely suspected, and recorded by the SFRS as "doubtful".

### **Non-Domestic Fires**

These are fires identified as deliberate other building fires or accidental other building fires.

### **Primary Fires:**

- Buildings (including mobile homes) fit for occupation (i.e. not wholly derelict) and those under construction.
- Caravans, trailers etc.
- Vehicles and other methods of transport (not derelict unless associated with business e.g. scrap metal).
- Outdoor storage (including materials for recycling), plant and machinery.
- Agricultural and forestry premises and property.
- Other outdoor structures including post-boxes, tunnels, bridges, etc.

### **Secondary Fires**

- Single derelict buildings.
- Grassland etc., including heath, hedges, railway embankments and single trees.
- Intentional straw or stubble burning.
- Outdoor structures, including: lamp-posts, traffic signs and other road furniture, private outdoor furniture, playground furniture, scaffolding, signs and hoarding etc.
- Refuse and refuse containers.
- Derelict vehicles (a vehicle without a registered keeper).



### **Home Fire Safety Visit**

A comprehensive assessment carried out by a trained assessor, which examines the level of fire risk within a home. It provides a means to mitigate the risk through the provision of guidance, advice and, if required, the installation of long life battery operated smoke and heat alarm(s).

### **Adult Protection Referral (AP1)**

This is a process where SFRS Community Action Teams or operational crews can refer an Adult at risk of harm to Social Services. There are specific criteria that require to be met when identifying an Adult at risk of harm and certain SFRS Safeguarding procedures which must be followed to ensure compliance with various legislation. Similar procedures are in place to refer a Child at risk of harm.

### **False Alarms**

Where the SFRS attends a location believing there to be a fire incident, but on arrival discovers that no such incident exists, or existed.

### **Unwanted Fire Alarm Signal**

Where the SFRS attends a non-domestic location believing there to be a fire incident, but on arrival discovers that no such incident exists, or existed.

## Introduction





































This is the 2020-2021 annual monitoring report covering the SFRS's performance and activities in support of the seven priorities in the Local Fire and Rescue Plan for Clackmannanshire 2021, namely:

- **Priority 1 – Local Risk Management and Operational Preparedness**
- **Priority 2 – Unintentional Harm and Injury**
- **Priority 3 – Domestic Fire Safety**
- **Priority 4 – Deliberate Fire Setting**
- **Priority 5 – Built Environment**
- **Priority 6 – Unwanted Fire Alarm Signals**
- **Priority 7 – Transport and Environment**

As well as supporting the seven priorities in the Local Fire and Rescue Plan for Clackmannanshire, this monitoring report shows how SFRS activities and performance contribute to the wider priorities of the Clackmannanshire Council Community Planning Partnership (CPP), as set out in the Local Improvement Plan for Clackmannanshire.

## Annual Performance Summary

The table below provides a summary of activity between **1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021** compared to the same activity on the previous years, against headline indicators (HI) and annual targets. It aims to provide an at a glance of our direction of travel.

	Headline Indicators	2017-18	2018-19	2019-20	2020-21	Short Trend	Long Trend
	<b>1. Accidental Dwelling Fires (ADF)</b>	47	45	40	54		
	<b>2. ADF Fatal Casualties</b>	0	0	0	2		
	<b>3. ADF Non-Fatal Casualties</b>	8	16	8	21		
	<b>4. Deliberate Primary Fires</b>	24	15	20	14		
	<b>5. Deliberate Secondary Fires</b>	77	59	63	74		
	<b>6. Non-domestic Building Fires</b>	20	17	17	21		
	<b>7. Fatal Casualties in Non-Domestic Building Fires</b>	0	0	0	0		
	<b>8. Non-Fatal Casualties in Non-Domestic Building Fires</b>	1	0	2	1		
	<b>9. Unwanted Fire Alarm Signals</b>	240	231	225	201		
	<b>10. Road Traffic Collision (RTC) Incidents</b>	12	13	21	11		
	<b>11. Fatal RTC Casualties</b>	0	0	2	1		
	<b>12. Non-Fatal RTC Casualties</b>	13	11	16	5		

KEY TO SYMBOLS	Improving	No Change	Getting Worse
<b>Short Trend</b> This year compared with last year			
<b>Long Trend</b> This year compared with the previous 3-year average			

## Annual Performance Highlights

Of the 12 headline indicators, the following performance figures should be noted for the 2020-2021 Annual report:

- There were **fifty-four** ADF's. This is an increase of **fourteen** compared to the same period last year.
- There was **one** ADF Fatal Casualty. The previous four years there were no ADF Fatal Casualties.
- There were **twenty-one** ADF Non-Fatal Casualties. This is an increase of **thirteen** compared to the same period last year.
- There were **fourteen** Deliberate Primary Fires. This is a decrease of **six** compared to the same period last year.
- There were **seventy-four** Deliberate Secondary Fires. This is an increase of **eleven** compared to the same period last year.
- There were **twenty-one** Non-Domestic Building Fires. This is a increase of **four** compared to the same period last year.
- There were **zero** Fatal Casualties in Non-Domestic Building Fires. This is the sixth consecutive year where there were no Fatal Casualties in Non-Domestic Building Fires.
- There was **one** Non-Fatal Casualty in Non-Domestic Building Fires. A decrease of **one** compared to the same period last year.
- The number of Unwanted Fire Alarm Signals (UFAS) caused by automatic fire alarms (AFAs) in non-domestic buildings was **two hundred and one**. This is a decrease of **twenty-four** compared to the same period last year.
- There were **eleven** Road Traffic Collisions (RTC). This is a decrease of ten compared to the same period last year.
- There was **one** Fatal RTC Casualty. This is a reduction of **one** from the previous reporting year.
- There were five Non-Fatal RTC Casualties. A reduction of **eleven** compared to the same period last year.

## Priority 1: Local Risk Management and Operational Preparedness

### Description;

Risk Management and operational preparedness is a key area of work for the SFRS. In Clackmannanshire, this means:

- Knowing what the risks are in Clackmannanshire and then making plans, so we are resilient to respond to any event.
- Being prepared to respond to national threats or major emergencies.
- Developing flexibility to deploy crews, to take on a broadening role within the community.
- Firefighters being equipped to deal with emergencies safely and effectively and our stations being in a constant state of readiness.
- Ensuring that firefighter safety is paramount in everything we do. This will ensure that our personnel are able to meet the challenges we face

### Activity;

**Operational Intelligence (OI);** Local operational crews regularly carry out a process to identify risk, gather information and collate relevant data and ensure that it is made available, in an easily understood format, at the point of need. State of the art portable tablets are installed in all fire appliances in the area to allow ease of access to this data at emergency incidents. The provision of OI is a key component to firefighter safety and resolving operational incidents in a safe and effective manner.

**Emergency/Events Planning;** Local SFRS officers liaise regularly with Clackmannanshire Council emergency planning and other partner agencies, to plan for, prepare and mitigate the effect of major incidents within the area and attend Safety Advisory Group meetings as and when required, to provide Fire and Rescue related advice and guidance regarding local events planning.

**Flooding;** The local multi agency Flood Partnership group is supported by locally based SFRS officers, providing guidance and support to local flood groups in Menstrie and Tillicoultry to prevent, prepare and mitigate the effect of flooding events on local communities.

**Firefighter Training;** During 1<sup>st</sup> April 2020 – 31<sup>st</sup> March 2021 we delivered training aligned to our Training for Operational Competence framework to all operational staff. This ensures staff are trained and tested their preparedness to deal with various incident types.

## Priority 2: Unintentional Harm and Injury

The Building Safer Communities programme is a collaborative initiative which seeks to help national and local partners and communities work together to make Scotland safer and stronger. The programme vision is of a flourishing, optimistic Scotland in which resilient individuals, families and communities live safe from crime, disorder, danger and harm.

In October 2016 a strategic assessment of Unintentional Harm in Scotland was completed. This assessment aims to provide a picture across Scotland and is intended for use as a resource of information for policy makers and local practitioners. This is the first time that the different sources of relevant data and information that inform incidents of unintentional harm in Scotland has been put together into one single strategic assessment.

The strategic assessment is designed to complement the wide range of good work that is underway across the country, both at national and local partnership level. In so doing it provides a snapshot in time of trends and is designed to inform strategic planning and help direct future action and intervention.

In setting this out, the strategic assessment identifies five areas of priority, representing both those identified as most at risk of unintentional harm; and those areas for focus of partnership activity:

- Under 5s
- Over 65s
- Areas of increased deprivation
- Strategic data gathering, analysis and sharing
- Bridging the gap between strategy and delivery

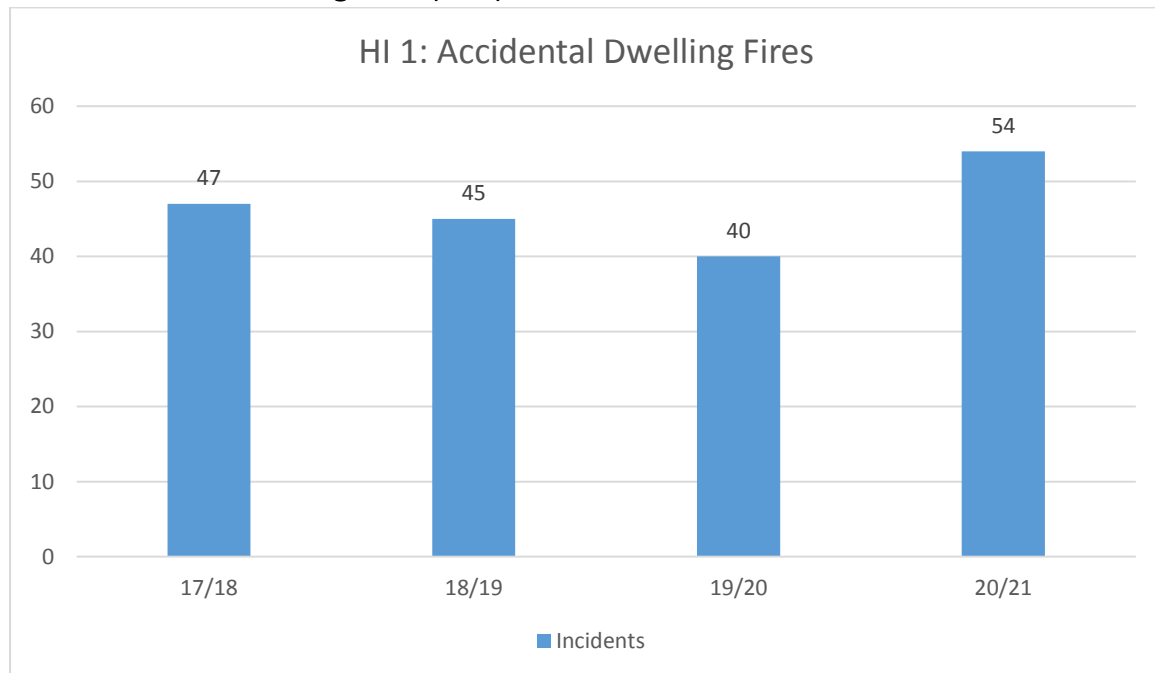
The strategic assessment is complimented by a summary document that captures the main findings and recommends for some next steps to action. Case studies and a short literature review of interventions to prevent and reduce unintentional harm have also been produced.

In addition, a number of thematic briefing papers are available for practitioners which cover key points relating to specific unintentional harm and set out in clear format the key trends and considerations relating to:

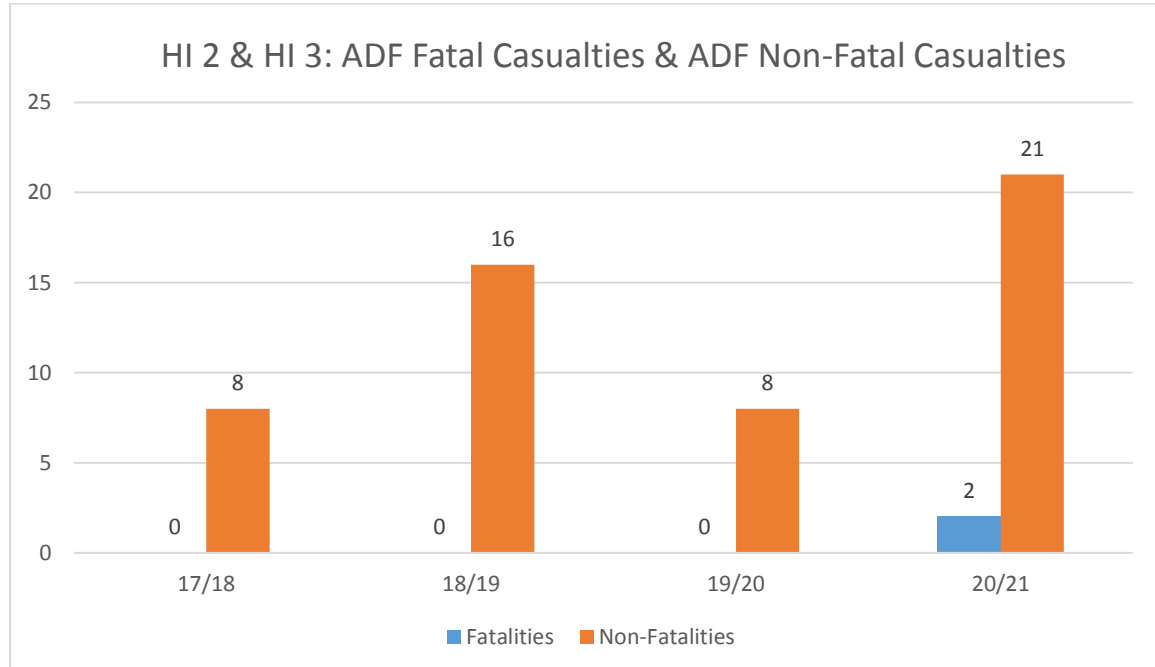
- Children and Young People
- Older People
- Deprivation
- Home Safety
- Road Safety
- Outdoor Safety

## Priority 3: Domestic Fire Safety

### HI 1: Accidental Dwelling Fires (ADF)



### HI 2: ADF Fatal Casualties and HI 3: ADF Non-Fatal Casualties



### **Indicator Description;**

The largest single type of primary fire in Clackmannanshire is accidental fires in the home and their prevention is a key focus of the Service's community safety activity.

#### **HI 1 – Accidental Dwelling Fires (ADF)**

As a headline target, the aim is to reduce the rate of ADF's, in a growing Clackmannanshire population, by keeping these fires **below 62** each year.

#### **HI 2 – ADF Fatal Casualties**

This indicator counts those people for whom fire has been clearly identified as the cause of death, even if they die some-time after the actual fire. Those who die at, or after, the fire but where fire is **not** identified as the cause of death are not included in these figures. As a headline target, the aim is to have **zero** ADF Fire Fatalities.

#### **HI 3 – ADF Non-Fatal Casualties**

This headline target counts all types of non-fatal fire injury in the home, including precautionary checks. As a headline target, the aim is to reduce the risk of injury from fire in the home, in an increasing Clackmannanshire population, by keeping fire injuries **below 13** each year.

### **Performance Management;**

There were **54** ADF's during the reporting period, with **28** of these ADF's cooking related.

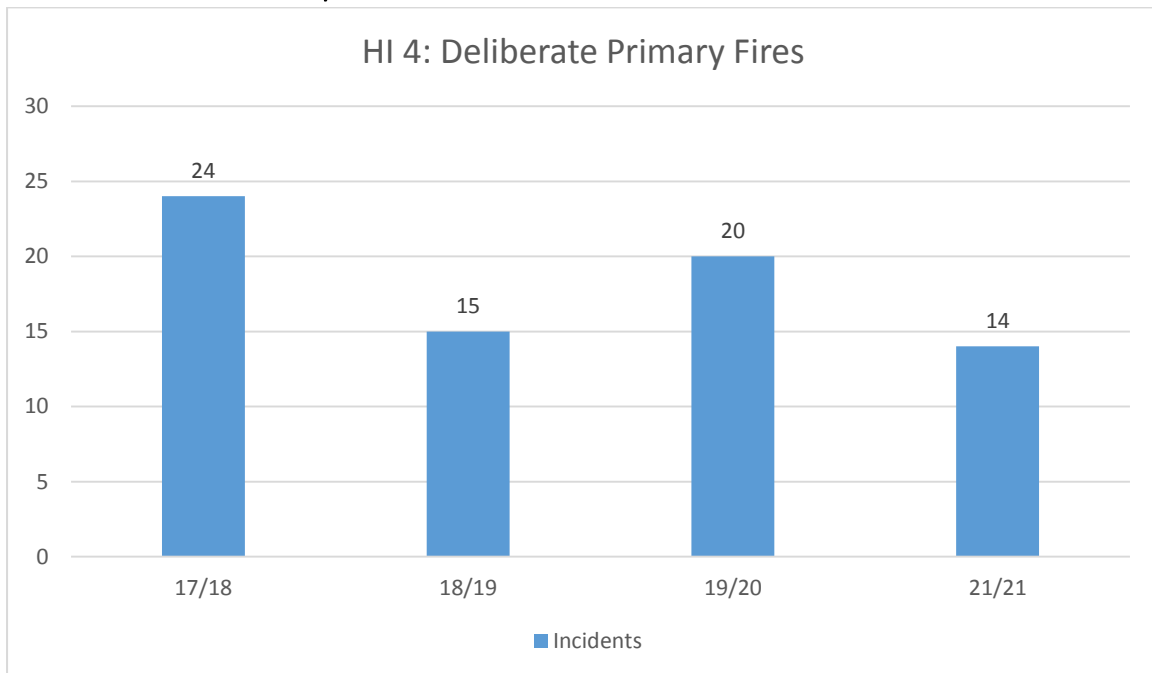
There were **2** ADF Fatal Casualties during the reporting period.

There were **21** ADF Non-Fatal Casualties during the reporting period.

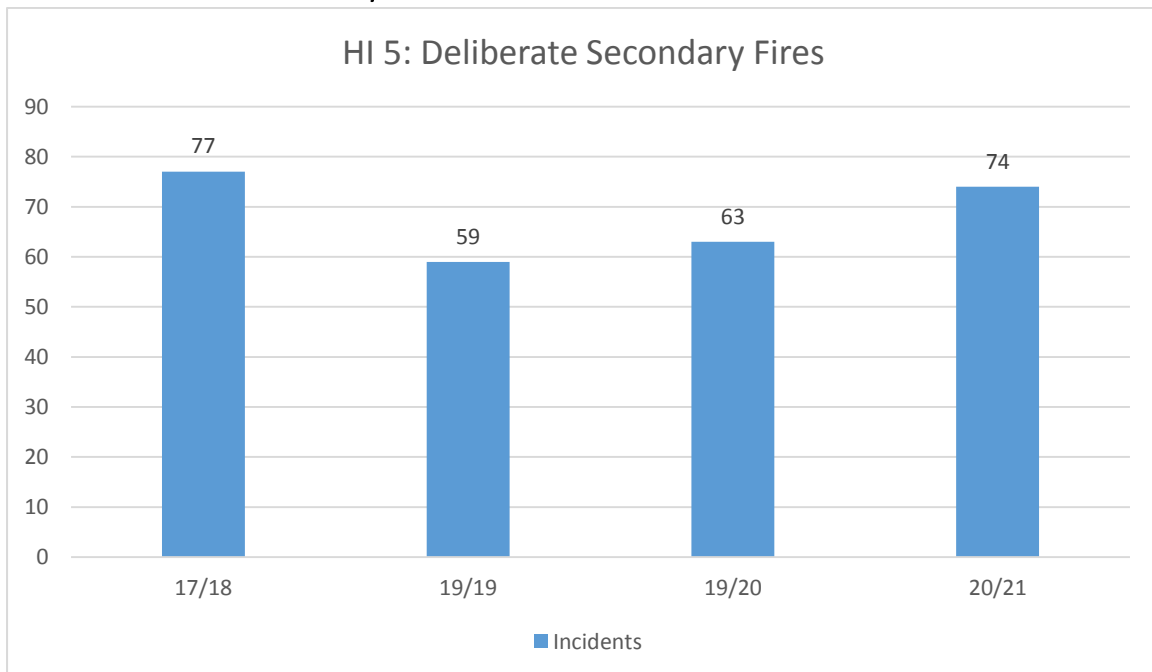


## Priority 4: Deliberate Fire Setting

### HI 4: Deliberate Primary Fires



### HI 5: Deliberate Secondary Fires



## **Indicator Description;**

These headline and indicators targets account for all types of fire that are believed to have been started intentionally, and are categorized as Deliberate Fires and Deliberate Secondary Fires.

### **HI 4 – Deliberate Primary Fires**

These deliberate fires cover the following types:

- Fires in the home
- Fires in non-domestic buildings
- Fires in motor vehicles

As a headline target the aim is to reduce the rate of deliberate primary fires in Clackmannanshire by keeping these fires **below 19** each year.

### **HI 5 – Deliberate Secondary Fires**

These deliberate fires cover the majority of outdoor fires including grassland and refuse fires and includes fires in derelict buildings, but not chimney fires.

As a headline target the aim is to reduce the rate of deliberate secondary fires in Clackmannanshire by keeping these fires **below 74** each year.

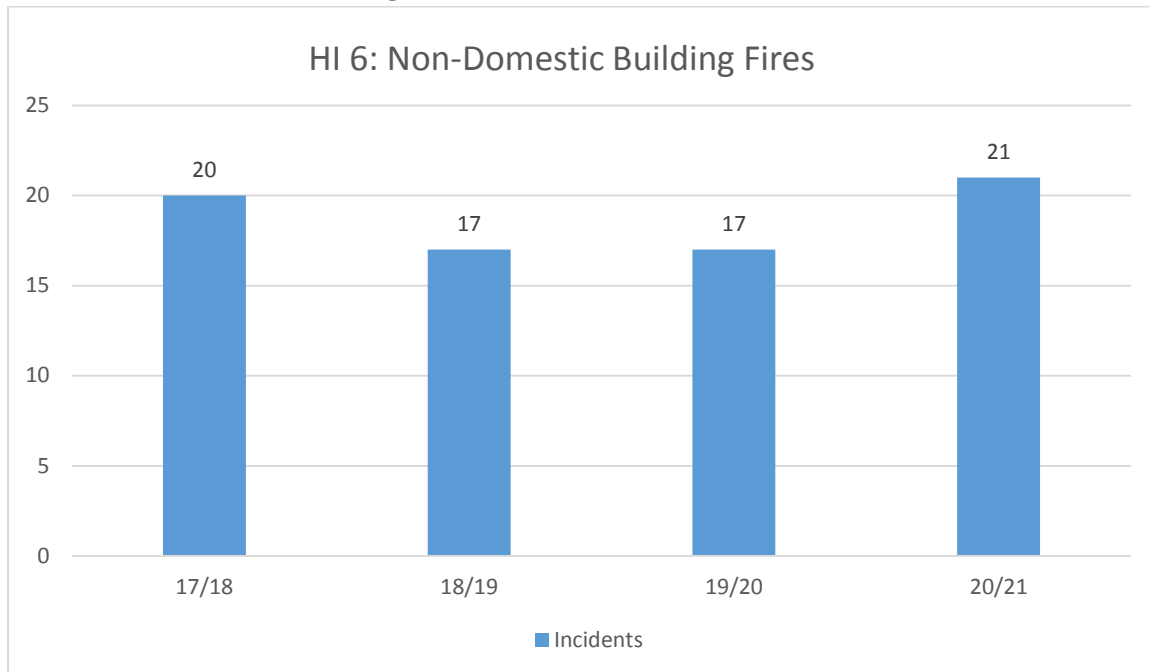
## **Performance Management;**

There were **14** Deliberate Primary Fires during the reporting period. There were **3** fires recorded in public admin, security & safety, prison premises, **2** involving cars, **2** involving outdoor equipment and machinery, **2** involving Grassland, woodland & crops (broadleaf/hardwood) and **1** each in Grassland, woodland & crops (conifers/softwood) Education/primary schools, Entertainment and culture, Private shed and Purpose built flat/maisonette (up to 3 storeys). This is a reduction of **6** compared to the same period last year.

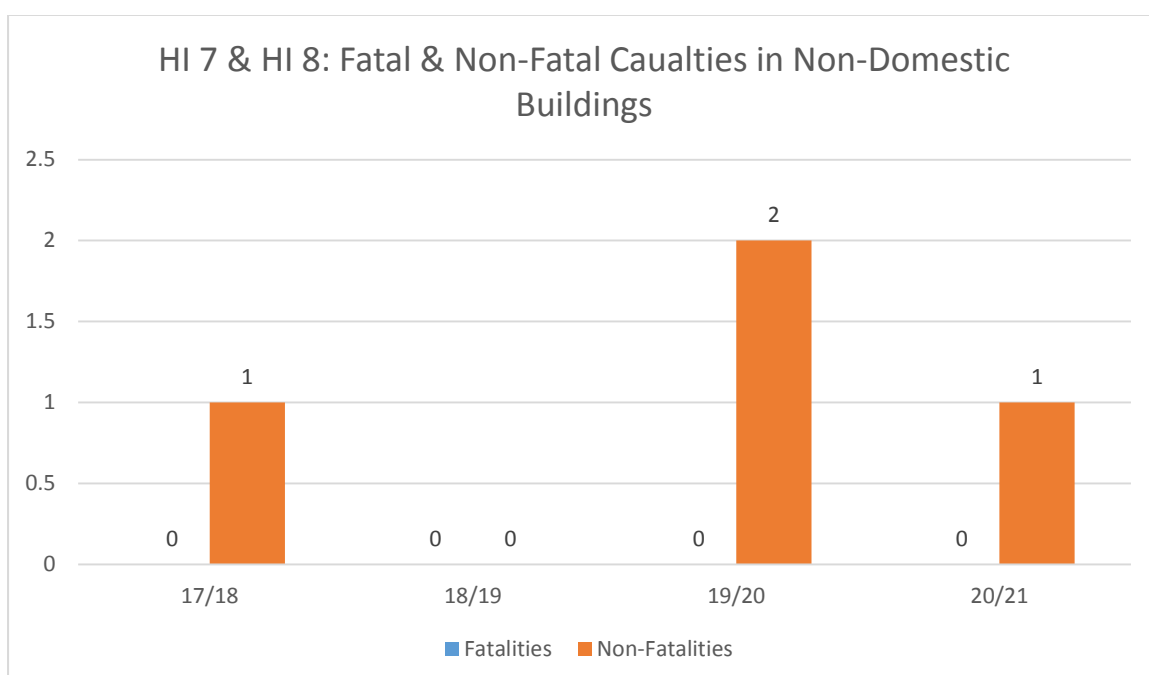
There were **74** Deliberate Secondary Fires reported during the reporting period. There were **24** fires involving loose refuse and **7** involving outdoor structures/wheelie bins. This is an increase of **11** compared to the same period last year.

## Priority 5: Built Environment

### HI 6: Non-Domestic Building Fires



### HI 7: Fatal Fire Casualties in Non-Domestic Buildings and HI 8: Non-Fatal Fire Casualties in Non-Domestic Buildings



### **Indicator Description;**

These headline and indicators targets cover the types of non-domestic buildings applicable to Part 3 of the Fire (Scotland) Act 2005 and is designed to reflect the effectiveness of fire safety management in respect of these types of building. These include buildings such as Care Homes, Hotels, and Hospitals.

#### **HI 6 Non-domestic Building Fires Applicable to the Act**

As a headline target, the aim is to reduce the rate of accidental fires in non-domestic buildings (where the Act applies), by keeping these fires **below 21**, in Clackmannanshire each year.

#### **HI 7 Fatal Fire Casualties in Non- Domestic Building Fires Applicable to the Act**

As a headline target the aim is to have **zero Fatal Fire Casualties** in Non- Domestic buildings.

#### **HI 8 Non- Fatal Fire Casualties in Non-Domestic Building Fires Applicable to the Act**

As a headline target, the aim is to reduce the rate of Non-Fatal Fire Casualties in Non-Domestic Buildings by keeping these **below 1** in Clackmannanshire each year.

### **Performance Management;**

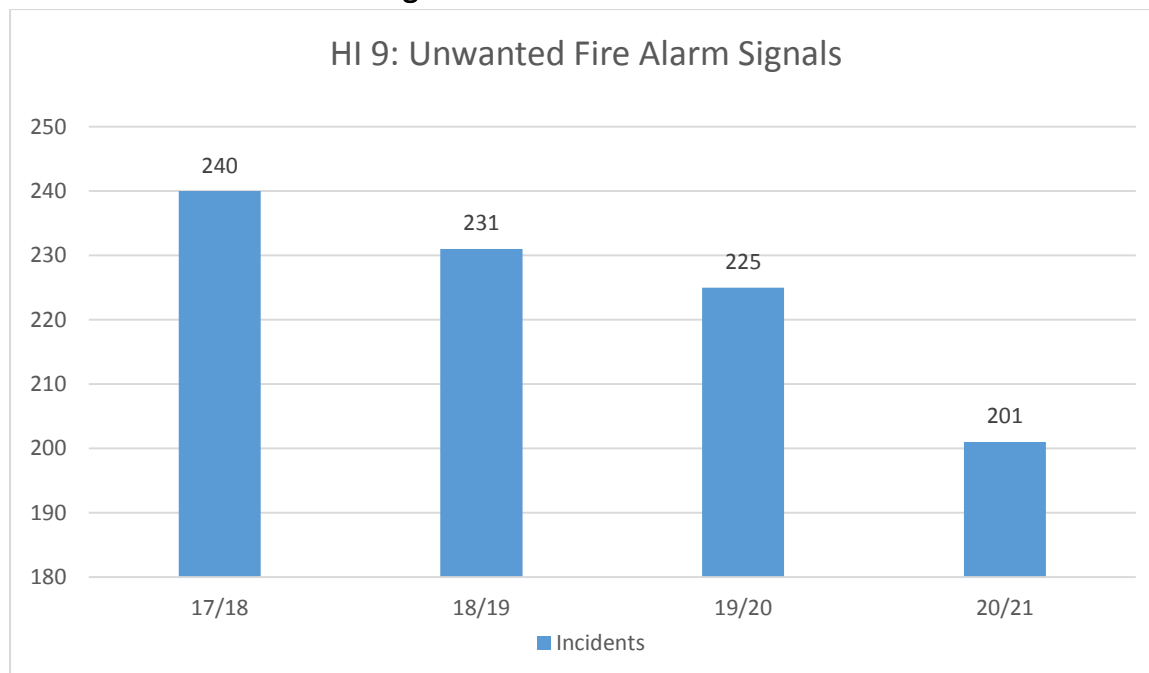
There were **21** Non- Domestic Building Fires during the reporting period. There were **5** fires involving a garden sheds, **5** in Public admin, security and safety, prison and **2** in Education premises. The remainder of the instances were single occurrences in various property types. This is a decrease of **4** compared to the same period last year.

There were **no** Non-Domestic Fatal Casualties during the reporting period.

There was **1** Non-Domestic Non-Fatal Casualty during the reporting period, which occurred within a prison establishment. This is a decrease of **1** compared to the same period last year.

## Priority 6: Unwanted Fire Alarm Signals

### HI 9: Unwanted Fire Alarm Signals



#### **Indicator Description;**

Automatic Fire Alarms (AFA) are fundamental to providing early warning from fire, giving people the chance to evacuate safely. However, to be effective, they must be properly installed, and a good fire safety management regime must be in place by the duty holder, so they do not activate where there is no fire.

Every Unwanted Fire Alarm Signal (UFAS) from an AFA has an impact in terms of unnecessary blue light journeys, redirecting SFRS resources away from other activities such as community safety work and causing considerable disruption to businesses.

#### **HI 9: Unwanted Fire Alarm Signals (UFAS)**

As a headline target, the aim is to improve fire safety management and awareness, by reducing the number of attendances to unwanted fire alarm signals from automatic systems in non-domestic buildings to **less than 239** each year.

## **Performance Management;**

During the reporting period we were called out to **201** Unwanted Fire Alarm Signals (UFAS). This was a decrease of **24** compared to the same period last year.

Below are examples of the most common type of UFAS incidents during the reporting period;

- Education Facilities = **32**
- Industrial Premises, warehouses, and bulk storage areas = **30**
- Residential Home, Nursing/Care = **20**

UFAS incidents create a significant number of unnecessary blue light journeys, placing our firefighters and communities at risk, and tying up resources that may be needed at a real emergency elsewhere. To reduce the impact of UFAS, we have introduced a process, that will ensure our weight and speed of response to UFAS incidents is based on risk.

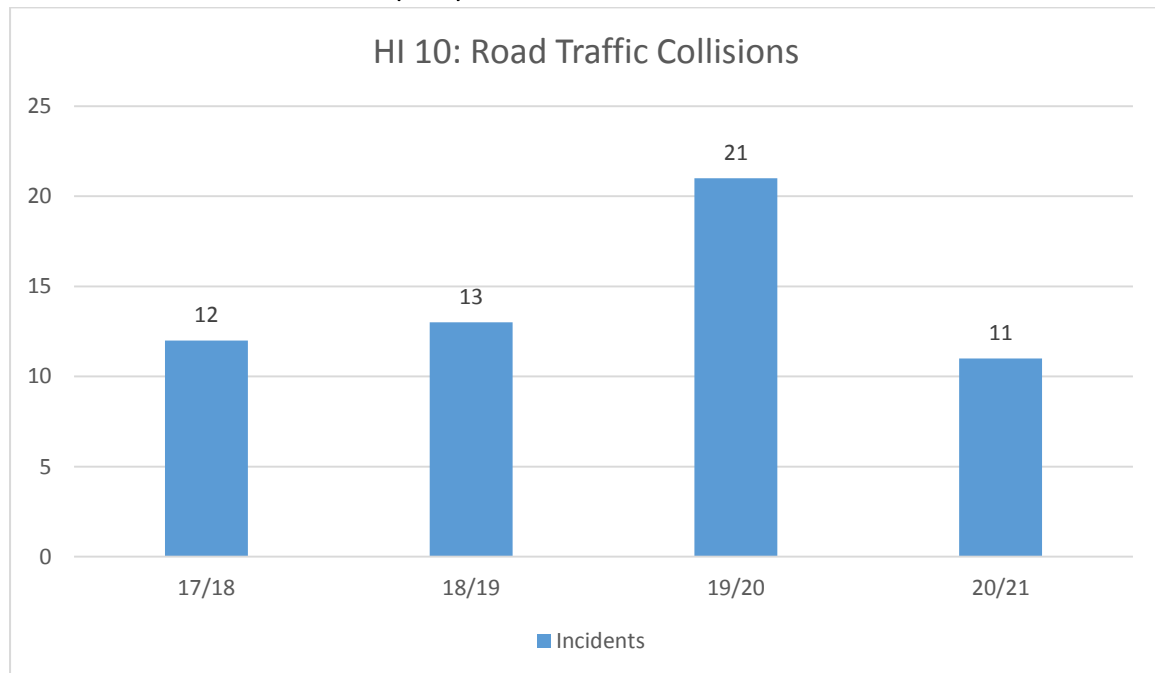
### **Time for Change - Public Consultation**

Each year the SFRS attend more than 28,000 false alarms from workplace automatic alarms. This makes up 31% of the incidents we attend nationally losing over 64,000 productive hours and an equivalent cost of £3.5 million. We want to reduce this activity and are reviewing how we respond to false alarms from AFAs in the workplace.

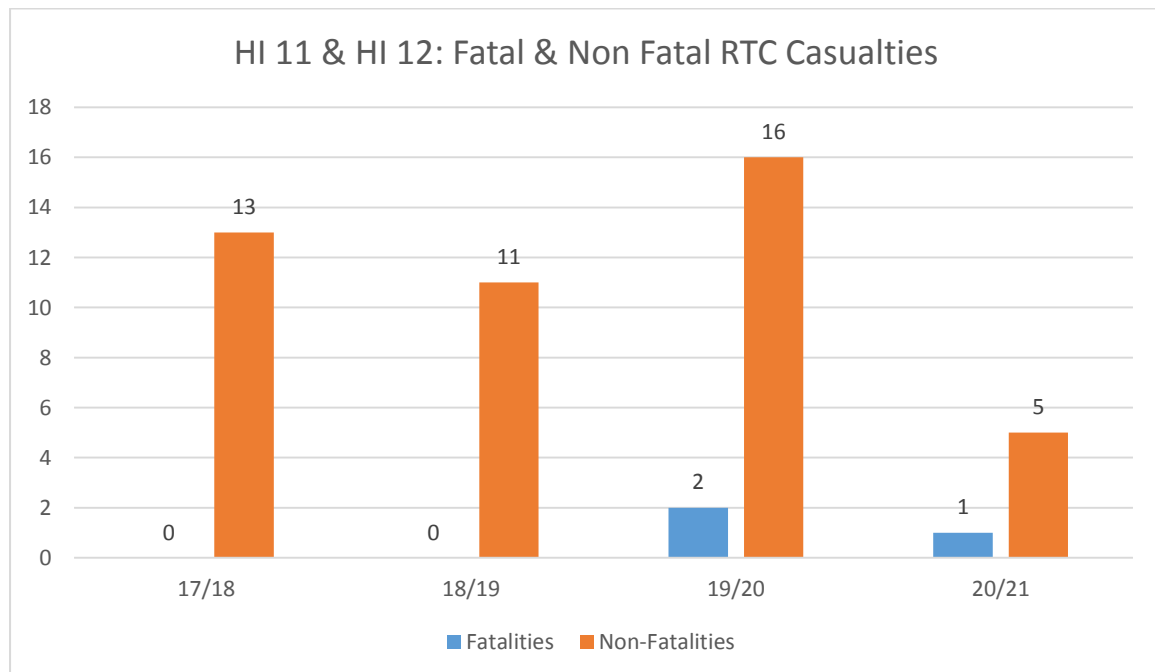
Public consultation on three options which will deliver significant UFAS reductions concludes on Monday 11<sup>th</sup> October.

## Priority 7: Transport and Environment

### HI 10: Road Traffic Collision (RTC) Incidents



### HI 11: Fatal RTC Casualties and HI 12: Non-Fatal RTC Casualties



## **Indicator Description;**

The SFRS has become increasingly involved in more non-related fire prevention work, in support of its role in promoting the wider safety and wellbeing of its communities. The headline indicators and targets reflect the fact that most of the non-fire related incidents attended by the SFRS in Clackmannanshire are RTC incidents.

### **HI 10: RTC Incidents**

As a headline target, the aim is to reduce the rate of RTC's in Clackmannanshire, by keeping them **below 16** each year.

### **HI 11: Fatal RTC Casualties**

As a headline target, the aim is to reduce the risk of death from RTC's in Clackmannanshire, by keeping **zero** Fatal RTC Casualties.

### **H12: Non- Fatal RTC Casualties**

As a headline target, the aim is to reduce the risk of injury from RTC's in Clackmannanshire by keeping them **below 12** each year.

## **Performance Management;**

We attended **3** RTC Incidents, to assist in the release/extrication of the occupants of the vehicles a reduction of 4 from the previous year. 7 of the incidents we attended was to make the scene or vehicle safe only.

There was **1** Fatal RTC Casualty during the reporting period at RTC Incidents we attended.

There were **5** Non-Fatal casualties during the reporting period at RTC Incidents we attended. This was a reduction of **11** compared to the same period last year.



## Appendix 1 – Community Safety Engagement Activities – Clackmannanshire Council Area

<b>Home Fire Safety Visits (HFSV) – 01/04/20 to 31/03/21</b>	
High Risk	141
Medium Risk	39
Low Risk	14
<b>Total Completed</b>	<b>194</b>

<b>AP1 Referrals</b>	<b>24</b>
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In the absence of being able to complete as many home fire safety visits as we would in normal years, all referrals were called and had extensive phone conversations regarding their home fire safety. An SFRS online home fire safety checker was developed (<https://www.firescotland.gov.uk/your-safety/online-hfsv-checker.aspx>) and where appropriate a link was sent onto the occupant or their family.

<b>Safety Equipment Dispensed – 01/04/20 to 31/03/21</b>	
Fire retardant bedding	16
Fire retardant throws	11
Ashtrays / Bins	14
Letterbox defenders	4

<b>Community Safety Engagement Activities – 01/04/20 to 31/03/21</b>	
Virtual Group Talks / engagements	16
Post Domestic Incident Responses	81
Over the phone engagements	649

### Other Community Safety Engagement Activities throughout 2020/21

Due to Covid-19 restrictions most engagement activities have had to be cancelled or postponed. In it's place, SFRS has adapted to virtual, online and telephone support and engagement.

In the build-up to bonfire night and in the absence of being able to visit the schools in person, local videos were made and shared with every primary school in the area. Additional partner work was done with the secondary schools and the campus police to delivery bonfire / firework safety information for all its pupils.

Social media was heavily utilised to send out safety messages including a Facebook post about pedestrian road safety which received 171,000 views.

## Appendix 2 - Acts of Violence

There were **no** reports of acts of violence towards firefighters during the reporting period, which reflects on the positive partnership working carried out within the Clackmannanshire Council area.

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**Report to: Partnership & Performance Committee**

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**Date of Meeting: 28 October 2021**

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**Subject: Financial Performance 2021/22 – August Outturn**

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**Report by: Chief Finance Officer**

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## **1.0 Purpose**

- 1.1. This paper provides an update on the financial performance for the Partnership and Performance Division of the Council in respect of revenue spend for the current financial year 2021/22. This is based on forecast information as at 31 August 2021. Capital expenditure will be reported to the Audit Committee on 25 November 2021 as part of the overall Council's financial performance report.

## **2.0 Recommendations**

- 2.1 The Committee is asked to note the report, commenting and challenging as appropriate on:
- the forecast General Fund revenue overspend relating to the Partnership and Performance Division for the year of £0.300m;
  - the forecast centrally held Corporate Services revenue overspend for the year of £0.415m;
  - the forecast revenue overspend of the Clackmannanshire & Stirling Health & Social Care Partnership (HSCP) for the year of £1.535m, and
  - delivery of planned savings in the year forecasted to achieve 79.3%.

## **3.0 Background**

- 3.1 **Table 1** details the portfolios that are within the remit of the Partnerships & Performance Division:

**Table1**

<b>PARTNERSHIP &amp; PERFORMANCE</b>
<b>FINANCE &amp; REVENUES</b>
<b>LEGAL &amp; GOVERNANCE</b>
<b>HR &amp; WORKFORCE DEVELOPMENT</b>
<b>PARTNERSHIP &amp; TRANSFORMATION</b>

*Source: Organisational Redesign: Update June 2019*

#### **4.0 General Fund Revenue**

- 4.1 The Division's net service expenditure forecast before Corporate Services is an overspend of £0.300m. This is a favourable movement of £(0.028)m since the June Finance update report to this Committee on 26 August 2021.
- 4.2 Corporate services is forecasting an overspend of £0.415m. This is mainly due to centrally held savings that will be realised across Council Services throughout the year. It is too early to determine whether these will be achieved in full so prudence has been applied to calculate an early possible outcome.
- 4.3 **Appendix 1** provides an overview of the financial outturn position within each Service Expenditure area.
- 4.4 **Appendix 2** sets out the main variances.
- 4.5 Covid19 continues to impact the delivery of Services as we move through the Recovery phase of the pandemic. Elements of the variances attributable to Covid19 are shown within the appendix. The Council received funding during 2020/21 and 2021/22 and will allocate this funding to cover overspends relating to Covid19 as appropriate.

#### **5.0 Clackmannanshire & Stirling Health and Social Care Partnership (HSCP)**

- 5.1 The Clackmannanshire element of the Health and Social Care Partnership is projecting an overspend of £1.535m for the financial year based on financial performance for quarter 2 and care commitments recorded in the social care management information service (CCIS) forecast for the remainder of the year. This is a favourable movement of £(0.138)m since last reported to Committee on 26 August 2021.
- 5.2 This forecasted overspend should be viewed alongside the overall projected overspend on the Integrated Budget of the Health and Social Care Partnership for delegated Health and Social Care Services of £2.585m. This position was reported to the Integration Joint Board Finance and Performance Committee on 22 September 2021.
- 5.3 The key drivers of the projected overspend in the Clackmannanshire element of the budget are detailed within **appendix 3**
- 5.4 There still appears to be a Covid related impact on the levels of additional demands being observed to both maintain citizens care in their own homes in

their communities and support discharge from acute hospital and other residential care. Therefore some additional funding support is being sought from Scottish Government via the quarterly Covid financial return. The Quarter 1 return was submitted to government on 30 July and will be subject of review and consideration. Therefore any potential additional Scottish Government support is not assumed at this point. No Scottish Government support for unachieved savings is assumed in the current financial year as was provided in 2020/21 financial year.

5.5 The Integration Scheme requires a budget recovery plan to be prepared and it is envisaged the issues detailed above and detailed within the variances in **Appendix 3** would form the basis of such a recovery plan.

5.6 **Appendix 3** sets out the main forecast variances for the year compared to budget as at 31 August 2021.

## **6.0 2021/22 Savings Progress**

6.1 The 2021/22 budget incorporated approved savings of £2.126m. Of this total, £0.668m is attributable to the Partnership & Performance Division.

6.2 Based on analysis to date, savings of £0.530m (79.3%) are forecast to be achieved with the remaining £0.138m (20.7%) being forecast as at risk (Amber) in 2021/22.

6.3 **Appendix 4** provides details of progress towards achieving the approved 2021/22 savings and shows further details of the saving that has been identified as Amber. This relates to homeless income not likely to be achieved. The factors contributing to the achievement of this saving will be monitored through the year and updates provided through these reports.

## **7.0 Conclusions**

7.1 The Partnership & Performance Division revenue spend is anticipating an overspend in Performance of £0.300m and an overspend of £0.415m in Corporate Services.

7.2 The Clackmannanshire element of the Clackmannanshire & Stirling Health & Social Care Partnership (HSCP) is forecasting a revenue overspend for the year of £1.535m.

7.3 Of the associated £0.688m approved savings, £0.530m (79.3%) is forecast to be achieved by the year end.

## **8.0 Sustainability Implications**

8.1 None

## **9.0 Resource Implications**

9.1 *Financial Details*

9.2 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

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

9.4 *Staffing*

9.5 None

**10.0 Exempt Reports**

10.1 Is this report exempt? No

**11.0 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)

**12.0 Equalities Impact**

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

**13.0 Legality**

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

**14.0 Appendices**

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

Appendix 1- Financial Outturn position at August 2021

Appendix 2- Outturn variances at August 2021

Appendix 3- Clackmannanshire element of the HSCP - Outturn variance at August 2021

Appendix 4- Summary Savings by Directorate at August 2021

## 15.0 Background Papers

15.1 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
Elizabeth Hutcheon	Management Accountancy Team Leader	6214

### Approved by

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





	<b>Annual Budget 2021/22 £'000</b>	<b>Forecast to March 2022 £'000</b>	<b>Variance Forecast to Budget £'000</b>	<b>Variance as at June 2021 £'000</b>	<b>Variance Movement From Previous Forecast £'000</b>
Resource & Governance	6,440	6,385	(55)	(4)	(51)
Strategy & Customer Services	1,748	1,759	10	42	(32)
Executive Team	250	241	(10)	(8)	(2)
Development & Environmental	640	650	9	21	(12)
Housing & Community Safety	1,937	2,281	345	277	68
	<b>11,015</b>	<b>11,315</b>	<b>300</b>	<b>328</b>	<b>(28)</b>
Corporate Services	(374)	(30)	344	130	214
Misc Services - Non Distributed Costs	1,100	1,100	(0)	0	(0)
	726	1,070	344	130	0
<b>less allocated to non general fund</b>	<b>(1,305)</b>	<b>(1,305)</b>	<b>0</b>	<b>0</b>	<b>0</b>
	(579)	(235)	344	130	0
<b>Add Requisitions from Joint Board</b>					
Central Scotland Valuation	459	459	0	0	0
<b>Add/Deduct</b>					
Interest on Revenue Balances	(91)	(20)	71	0	71
Loans Fund Contribution	4,829	4,829	0	0	0
Contribution to Bad Debt Provision	200	200	0	0	0
	4,818	5,233	415	130	285
<b>TOTAL</b>	<b>15,834</b>	<b>16,548</b>	<b>715</b>	<b>458</b>	<b>257</b>
<b>Health &amp; Social Care Partnership</b>	<b>19,875</b>	<b>21,410</b>	<b>1,535</b>	<b>1,673</b>	<b>(138)</b>

Partnership & Performance Directorate  
Variances as at 31 August 2021

Appendix 2

Partnership & Performance	Annual Budget 2021/22	Forecast to March 2022	Variance Forecast to Budget at August	Variance due to Covid	Variance due to Non Covid	Variance Forecast to Budget at June	Variance movement June to August	Narrative
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Resource & Governance	6,440	6,385	(55)	0	(55)	(4)	(51)	<p><b>Accountancy:</b> £(0.014)m underspend due to vacancies and difficulty in recruiting.</p> <p><b>Corporate training:</b> Forecast on budget with no variance.</p> <p><b>Elections:</b> £0.040m overspend, £0.015m movement due to the expected costs to be incurred for the upcoming 2022 local elections.</p> <p><b>IT:</b> £(0.066)m underspend, £(0.054)m movement - £(0.089)m underspend, £(0.053)m movement on capitalisation for new VM Ware and removal of Wi-Fi Spark fees; £(0.025)m underspend, £(0.004) movement due to vacancy management; £0.056m overspend, £(0.005)m movement on telephones / mobiles.</p> <p><b>HR:</b> £(0.051)m underspend, £(0.007)m movement - £(0.043)m underspend, £(0.002)m movement due to staffing vacancies; £(0.008)m underspend, £(0.005)m movement due to various small underspends.</p> <p><b>Legal, Democracy &amp; Audit:</b> £(0.010)m underspend, £0.010m movement - £(0.016)m underspend, £0.010m movement due to staffing vacancies; £0.010m overspend due to unachievable income; £(0.004)m various small underspends.</p> <p><b>Head of Service:</b> £0.047m overspend relating to a legacy unachievable saving on a staffing restructure.</p>
Strategy & Customer Services	1,748	1,759	10	0	10	42	(32)	<p>The £0.100m <b>external funding</b> income budget will not be achieved. The budget has been based on the expectation that additional funding would be achieved to offset the revenue budget. This has proved not to be the case, although substantial funding has been secured, this has primarily had an impact on capital projects.</p> <p><b>Scottish Certificates income</b> - There has been a consistent high level of income that is expected to continue. This has reduced the overspend by £(0.023)m leaving a forecast overspend of £0.024m.</p> <p>Shortfalls in income are offset by current staffing underpends of £(0.116)m within the <b>contact centre, receptions &amp; communications team</b>. This has increased by £(0.028)m from June as staff retire and replacements are delayed. The costs of <b>advertising</b> have almost doubled recently resulting in a forecast overspend of £0.017m. In addition, £(0.015)m is forecast by recharging members time and other miscellaneous savings a slight decrease of £0.002m from June.</p>
Executive Team	250	241	(10)	0	(8)	(8)	(2)	£(0.010)m underspend, movement of £(0.002)m within subscriptions and supplies and services.
Development & Environmental	640	650	9	34	(25)	21	(12)	<p><b>Licensing:</b> £0.034m overspend, £(0.006)m movement due to underachievement of alcohol and civil licence income as a result of Covid.</p> <p><b>Trading Standards:</b> £(0.017)m underspend due to decreased contractor costs.</p> <p><b>Environmental Health:</b> £(0.008)m underspend, £(0.006)m movement due to an increase in income from testing.</p>
Housing & Community Safety	1,937	2,281	345	272	73	277	68	<p><b>Revenues:</b> underspend of £(0.066)m due to staffing vacancies pending restructure this has reduced by £0.036m from June. The staffing underspend is partially offsetting the cost of external support required to administer the Scottish Welfare Fund.</p> <p><b>Scottish Welfare Fund</b> is forecast to overspend by £0.272m a small increase of £0.011m from June. The cost of external support from our software provider is forecast to be £0.175m partially offset with a staffing underspend of £(0.024)m. Community care grants for Furniture purchases is anticipated to be £0.081m overspend and crisis payments are anticipated to be overspend by £0.041m. High demand for the service continues, with requests for assistance as the economic impacts of Covid continue.</p> <p><b>Housing Benefits</b> is forecast to overspend by £0.138m an increase of £0.020m from June as the full saving of £0.150m is not expected to be met. The continued use of Homeless units has impacted on the eligible grant that can be reclaimed against the award. The net cost of the service has increased by £0.323m in two years.</p>
<b>Division Total</b>	<b>11,015</b>	<b>11,315</b>	<b>300</b>	<b>306</b>	<b>(5)</b>	<b>328</b>	<b>(28)</b>	
Corporate Services	4,818	5,233	415	0	415	130	285	£0.415m overspend, £0.285m movement - £0.071 overspend and movement due to lower interest expected on deposits due to low interest rates; £0.344m overspend and £0.214m movement relates to savings held corporately but realised within all Council Services and included within Service underspends - Family friendly saving, Mileage, Vacancy management and credit card rebates. This will be reviewed as the year progresses.
<b>Corporate Services</b>	<b>4,818</b>	<b>5,233</b>	<b>415</b>	<b>0</b>	<b>415</b>	<b>130</b>	<b>285</b>	

## Variances at 31 August 2021

Appendix 3

	Annual Budget 2021/22	Forecast to August 2021	Variance Forecast to Budget at August	Variance due to Covid	Variance due to Non Covid	Variance Forecast to Budget at June	Movement in variance June to August	Narrative
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Employees</b>								Underspend across a range of services: including: Integrated Mental Health £(410k); Disability Day Care £(183k); Assessment & Care Management including Hospital Discharge £(105k) Intermediate Care £(52k) and Reablement £(58k). There is an overspend at Menstrie House of £252k and Ludgate Respite £88k (Excludes Covid related costs to be charged to NHS Mobilisation Fund) The increased underspend is the result of slippage in recruitment.
	8,716	7,991	(726)		(726)	(613)	(113)	
<b>Long Term Care</b>								
<b>Nursing Homes</b>								Nursing Home places fell by 55 at the start of the year but have now risen to 210 as homes have re-opened to admissions. This forecast is potentially subject to significant volatility depending on the future course of the pandemic. The movement reflects the increase in placements since June.
	7,626	8,649	1,023		1,023	851	172	
<b>Residential Homes</b>								Overall numbers remain stable at around 60. The movement is due to a realignment of budgets following the allocation of growth funds.
	3,169	3,171	2	0	2	(598)	600	
<b>Community Based Care</b>								
<b>Care at Home</b>								The forecast reflects the impact of Covid on the delivery of Care at Home with weekly hours currently standing at 12,000 compared to pre covid levels of 10,000. The full impact of Covid on service delivery is being reviewed to identify potential to charge costs to the NHS Mobilisation Fund. The positive movement since June is the result of the allocation of growth funding.
	8,728	9,664	936		936	2,102	(1,166)	
<b>Day Care</b>								Day Care for approximately 42 service users of which 19 have complex needs.
	230	250	21		21	22	(1)	
<b>Direct Payments</b>								Numbers have increased from 70 to 73 service users receiving a direct payment. The forecast has been revised to reflect actual pattern of payments to date. The movement since June reflects the increased number of payments.
	953	1,172	219	0	219	114	105	
<b>Housing Aids and Adaptations</b>								Demand driven adaptations within private sector homes. The number of adaptations was significantly impacted by Covid, but are now progressing.
	159	160	1	0	1	1	0	
<b>Housing with Care</b>								This budget is for Supported Accommodation provided by external organisations. Expenditure is less than budget as some of the care has transferred to Care at Home.
	163	110	(54)	0	(54)	(54)	1	
<b>Respite</b>								Costs for respite continue to increase as Respite plans for the year are confirmed.
	129	89	(40)	0	(40)	(29)	(12)	
<b>Misc. Third Party Payments</b>								This heading covers various payments to other agencies including other local authorities, registration fees and payments to voluntary organisations. The overspend is on payments for complex care and third sector organisations. The movement reflects the allocation of growth funds to address service pressures.
	1,080	1,321	241	0	241	(213)	454	
<b>Premises Expenditure</b>								The budget covers cleaning materials within operational buildings. This heading includes Covid related costs for cleaning materials.
	11	34	23		23	23	0	
<b>Supplies and Services</b>								Includes equipment, house adaptations, food and insurance, postage, printing and administration.
	403	377	(26)		(26)	(26)	(0)	
<b>Transport Expenditure</b>								Travel costs underspent as a result of Covid
	48	35	(13)		(13)	(8)	(5)	
<b>Income</b>								
<b>Income</b>								This income is largely contributions towards the cost of care. Movement since June reflects increased income for Residential Rare and Home Care as services re-open.
	(4,269)	(4,398)	(129)		(129)	127	(256)	
<b>Resource Transfer (Health)</b>								Includes Income from NHS, integration funding and contributions for complex care as well as forecast contributions from the NHS Mobilisation fund for Covid.
	(7,271)	(7,215)	56		56	(26)	82	
<b>Total</b>	<b>19,875</b>	<b>21,410</b>	<b>1,534</b>	<b>0</b>	<b>1,534</b>	<b>1,673</b>	<b>(138)</b>	

## Management Efficiencies

Service Reference	Description of Saving	2021/22 £	Achieved/ Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service Updates
P&PMGT1	Reduction in Corporate Training Budget	12,000	12,000				Saving is achieved
P&PMGT2	To consolidate various approaches around cash handling	15,000	15,000				Initial data being gathered to enable procurement to proceed
P&PMGT3	Reduction in Various Budget Lines	1,200	1,200				Saving is achieved
P&PMGT4	Budget realignment in Strategy and Performance (across mileage, supplies and subscriptions).	3,000	3,000				Saving is achieved
P&PMGT5	Homeless Income - CASH	150,000	12,000	138,000			Early indications are that the grant percentage received last year will not be sufficient to cover the full saving.
P&PMGT6	Vacancy management based on turnover levels	290,000	290,000				This is outturned within the services.
P&PMGT9	Triennial valuations of pensions	162,000	162,000				
P&PMGT11	Budget Realignment - postages & stationery	2,000	2,000				Saving is achieved
P&PMGT12	Mileage - CASH	30,000	30,000				This is outturned within the services.
<b>Total</b>	<b>Management Efficiencies</b>	<b>665,200</b>	<b>527,200</b>	<b>138,000</b>	<b>0</b>	<b>0</b>	

## Policy

Service Reference	Description of Saving	2021/22 £	Achieved/ Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service Updates
P&PPOL3	To remove the residual budget remaining to conduct a citizens survey previously titled Clacks 1000.	3,000	3,000				Saving achieved.
		<b>3,000</b>	<b>3,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	

Summary By Type	2021/22 £	Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £
<b>Management Efficiencies</b>	665,200	527,200	138,000	0	0
<b>Policy</b>	3,000	3,000	0	0	0
<b>Total Division</b>	<b>668,200</b>	<b>530,200</b>	<b>138,000</b>	<b>0</b>	<b>0</b>

79.3% 20.7% 0.0% 0.0%

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**Report to Partnership and Performance Committee**

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**Date of Meeting: 28 October 2021**

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**Subject: HR Policies**

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**Report by: Strategic Director Partnership & Performance**

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**1.0 Purpose**

1.1. This paper seeks Committee approval of the following revised policies:

- Flexible Retirement policy
- Overseas Criminal Record Checks policy,
- Continuing Further Education policy
- Mental Health, Stress and Wellbeing policy

**Recommendations:**

Committee is asked to:

- 1.2. **Challenge** and **comment** on the paper as appropriate.
- 1.3. **Agree**, subject to formal approval by Council, the revised policies which are attached.
- 1.4. **Note** that the Policy group met where extensive discussions took place with both Trade Unions and Management in the review and/or development of these policies.
- 1.5. **Note** that on 15 September 2021, following debate and questioning, the Tripartite agreed that these policies be presented to the Partnership and Performance Committee for consideration.

**2.0 Considerations**

- 2.1. HR and Workforce Development continues, as part of its rolling programme, to review, update existing policies as well as developing new policies and procedures related to HR, H&S, OD and Payroll.
- 2.2. In order to ensure collaborative and partnership working the Council's policy group meet regularly to review and agree new/revised policies and procedures.

- 3.0 The Flexible Retirement scheme enables the Council to retain the skills and knowledge of an experienced employee whilst enabling the employee to wind down to retirement. Under the Local Government Pension scheme, the Council is able to allow employees to access their retirement benefits early, if they are 55 or older and, with Council consent, reduce their working hours or grade. Requests where there would be a cost to the Council will normally not be granted, however, consideration will be given to cases where these costs have been incorporated into the actuarial reduction for the employee.
- 3.1. The Overseas Criminal Record Checks policy outlines the process for conducting criminal record and related background checks for applicants who have lived or worked abroad or employees of the Council who have lived abroad, perhaps during a career break. Permission to work in the UK alone does not mean that the person is always suitable to work with protected groups and/or Council staff. Therefore, there is always the need for this criminal conviction checking.
- 3.2. The Continuing Further Education policy seeks to assist the Council in meeting the objectives of our Strategic Workforce Plan 2019-2022, specifically with regards to having a sustainable and resilient workforce, and ensuring our workforce has the skills and knowledge to meet future demands. As such this policy, procedure, and associated learning contract provides means by which staff can explore more formal qualifications typically offered by universities, or colleges, and which are deemed either to be 'essential' to their current role, or are identified as developmental learning.
- 3.3. The policy also ensures that where courses are identified, there is fairness in how opportunity is afforded to employees. In addition, use of learning contracts ensures that the Council can not only ensure that the right members of staff progress with formal qualifications (where often there is considerable time investment required), but also that we can retain talent where often significant financial investment is made on behalf of Services.
- 3.4. The Mental Health, Stress and Wellbeing policy has seen significant redrafting, with emphasis on clarifying roles and responsibilities and the measures/strategies for managing mental health, stress and wellbeing. The policy aims to promote a working environment where the mental health and wellbeing of all employees is paramount and where colleagues feel valued and protected.
- 3.5. Examples of key changes are: introduction of mandatory mental health awareness training for all employers, mandatory mental health and wellbeing training for managers to enable them support employees, Wellbeing Champions/Ambassadors in work teams and promotion of Wellbeing Conversations.

### **3 Sustainability Implications**

3.1 None

## 4 Resource Implications

### *Financial Details*

4.1 N/A

### *Staffing*

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

## 5 Exempt Reports

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

## 6.0 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)

## 7.0 Equalities Impact

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

Yes  No

## 8.0 Legality

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

## 9.0 Appendices

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

Flexible Retirement Policy and EQIA

Overseas Criminal Records Checks Policy and EQIA

Continuing Further Education Policy and EQIA

Continuing Further Education Procedure and EQIA

Mental Health, Stress and Wellbeing policy and EQIA

## 10.0 Background Papers

10.1 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
Sarah Farmer	HR Team Leader – Policy and Operations	01259 452172

### Approved by

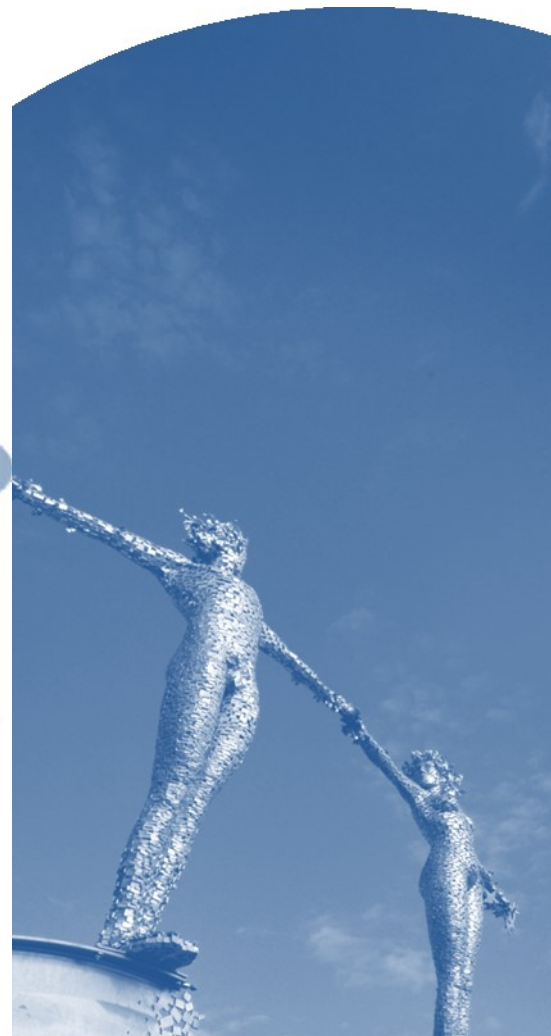
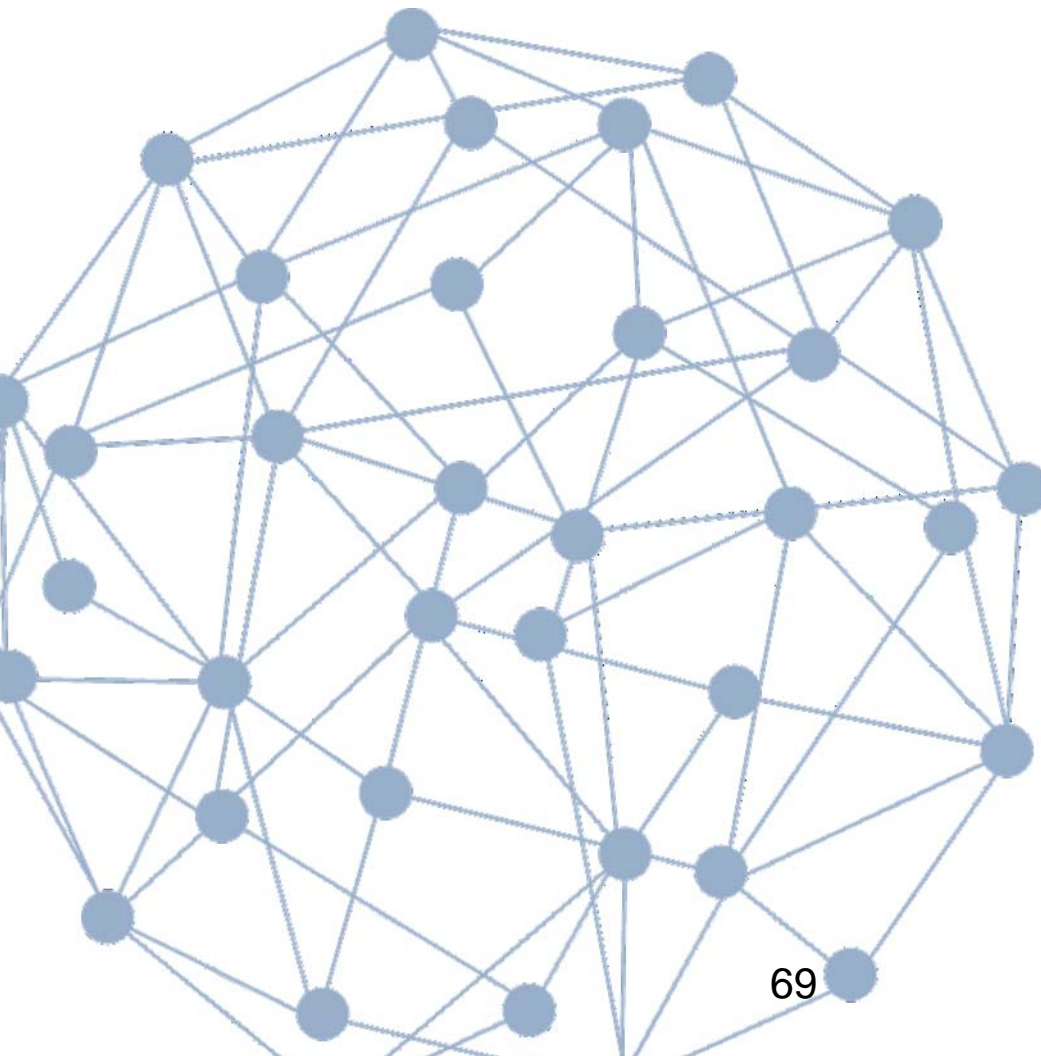
NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director Partnership & Performance	





# Flexible Retirement

## 2021



# **FLEXIBLE RETIREMENT**

## **1. Introduction**

- 1.1. Clackmannanshire Council recognises that, in appropriate circumstances, mutual benefits can accrue to employees and the Council from applying a Scheme of Flexible Retirement. Such a Scheme enables the Council to retain the skills and knowledge of an experienced employee whilst enabling the employee to wind down in the prelude to retirement.
  
- 1.2. The Council's overall Scheme on Discretions under the Local Government Pension Scheme provides for the Council to exercise discretion to allow an employee to take Flexible Retirement (i.e. early payment of retirement benefits) if they have attained age 55, and with Council consent, reduce their working hours or their grade.
  
- 1.3. Flexible retirement requests that result in a strain (See Appendix 2) on the fund will normally not be granted, however, consideration will be given to cases where these costs have been incorporated into the actuarial reduction (on the basis that there will be no cost to the Council – See Appendix 2) or where there are no strain costs.

## **2. Scope**

- 2.1. The Scheme applies to all employees who are members of the Local Government Pension Scheme.
  
- 2.2. Separate arrangements apply to Teaching Staff under both the SPPA and SPPA (2015) Scheme where options of Phased Retirement and Winding Down may be considered.

### 3. Criteria

3.1. Local Government Scheme members are able to draw their pension benefits whilst continuing in the Council's employment subject to the following criteria being met:

- Employee must be aged 55 or over and have at least 2 years scheme membership;
- Employee must, with Council consent, reduce either the hours they work or their grade; and
- Employer consent must be given to early payment of pension benefits
- There must be positive benefit to the Council in terms of efficiency savings and/or skills retention.

### 4. Reduction in Hours

4.1. In considering requests for flexible retirement on reduced hours, the general rule will be that there should be no cost to the Council and no impact on service delivery. An employee will be required to reduce their normal contractual hours by **at least 40%**.

4.2. A reduction can be achieved in a number of ways i.e. reduced hours on specific days, or every day, or reducing days worked in week. The proposed reduced pattern should be detailed in the request.

### 5. Reduction in Grade

5.1. Flexible retirement based on a reduction in grade might appeal to employees who wish to voluntarily take a lower graded post in the latter stages of their career. The ability to accommodate such requests will be dependent on the employee identifying a suitable lower graded **vacant** post which they would wish to be considered for. The normal recruitment process would be followed and appointment will be made on merit or it may be feasible through a

service restructuring involving a redefinition of roles which may provide the opportunity for flexible retirement, based on grade reduction, as an alternative to early retirement/voluntary severance.

- 5.2. A minimum reduction of at least one full salary grade will normally be necessary before flexible retirement would be considered. For example, Grade 4 moving to Grade 3. This will result in a new contract of employment and the employee would move to the terms and conditions and rate of pay for the lower graded post.

## 6. Request for Flexible Retirement

- 6.1. Formal requests for flexible retirement should be submitted to the Line Manager on the Application Form (Appendix 1) and will be dealt with under the principles of early retirement (paragraph 3, 4 and 5). Any proposed reduction in working hours must be acceptable in terms of the operation of the service.
- 6.2. Requests should also include an indication of the expected duration that the member of staff proposes to undertake the reduced hours/reduced grade. This allows the Council to plan appropriately in preparation for the staff member leaving employment should their application be approved.
- 6.3. If the service are unable to accommodate the request, the manager will discuss this with their service HR Business Partner and thereafter meet with the employee to outline the reasons why the application can not be supported. This will also be confirmed in writing.
- 6.4. To allow sufficient time for costs to be obtained from LGPS and operational issues to be discussed and considered, requests for flexible retirement should be submitted **at least 4 months** before the proposed implementation date.

- 6.5. In line with the Council's Employers Discretionary Functions Policy the Chief Financial Officer (S95 Officer), Strategic Director (Partnership and Performance) and employing Service will consider all relevant factors including costs and changes to the employee's contract of employment, and only where it can be demonstrated to be in the best interests of the Council will benefits be released.
- 6.6. Applications for flexible retirement may be resubmitted after 12 months from the current application.
- 6.7. There is no right of appeal in the event the service is unable to accommodate a request.

## **7. Administrative Arrangements**

- 7.1. When considering a request for flexible retirement the Senior Manager/Strategic Director must be satisfied that there will be no significant detriment to service and that the work can be satisfactorily covered or reduced. If required, the Line Manager should meet the employee to discuss the request and how this could be accommodated (within 15 working days of request).
- 7.2. Where a request can be supported in principle by the Senior Manager they should liaise with their HR Business Partner. The HR Business Partner will then request, through the HR Admin team, details from LGPS of costs to the Council and any actuarial reduction to the employee's pension benefits.
- 7.3. The information provided by the Pension Fund will enable finance to undertake a Cost Benefit Analysis (CBA).
- 7.4. The reduction in hours may be filled to ensure continuation of service delivery, however all approved requests should be cost neutral to the Council and in some cases may generate a small saving. Where the intention is to fill

the post this must be shown in the CBA. Any request to recruit to fill the reduction in hours must be made inline with Council recruitment approval protocols.

7.5. Where the information from LGPS indicates the request would not be cost neutral the employee will be notified by the Manager that the request will not progressed further. There is no right of appeal to this decision.

## **8. Approval Arrangements**

8.1. In line with the Council process for dealing with any early retirement request the relevant Senior Manager will indicate support for the flexible retirement application by signing the application form where it has been demonstrated that there is no detriment to the service and that the request is cost neutral or allows for a saving.

8.2. In certain circumstances, advised by LGPS, in order to enable any proposed reduction in hours to be worked there may be a requirement for an employee to commute (See Appendix 2) a proportion of their annual pension to ensure that their pension and new salary is not more than the salary earned immediately prior to retirement. Alternatively less hours can be worked.

8.3. Once returned HR will provide a copy of the estimated pension benefits to the member of staff.

8.4. Thereafter the Senior Manager should arrange to meet with the employee to advise of outcome of their application. The employee can be accompanied at this meeting with a colleague or trade union representative if they wish.

8.5. Where the request has been approved the employee must confirm whether they wish to proceed with the retirement. To meet with pension requirements LGPS must be given a minimum of 3 months notice of flexible requirement and any agreed commencement date must comply with this requirement.

8.6. All requests for flexible retirement and outcomes will be monitored centrally by the HR team in regard to decisions made and will be reported to SLG in line with early retirement report.

## **9. Implementation of Contractual Variation**

9.1. When final approval has been given and the employee wishes to proceed with flexible retirement the Senior Manager/Line Manager must notify HR of the contractual changes using the standard employment change form. HR will ensure that the pension documentation is passed to Payroll to process S22 and to ensure that LGPS timescales are met.

9.2. Terms and conditions in relation to pay, annual leave etc will be pro-rata to new working arrangements and continuity of service will continue. These changes will be confirmed by HR through the issue of a revised Statement of Particulars.

9.3. Where an employee opts to move to a lower graded role as part of the Flexible Retirement process any salary preservation which may have existed on their current role will cease when they change grade. A new contract of employment will be issued by HR.

## **10. Employee Considerations**

10.1. When considering flexible retirement employees should consider the following:

- Remaining in employment whilst in receipt of pension benefits may result in a higher rate of tax.
- Employees are opting to draw their full pension benefits accrued to the date of implementation (subject to any actuarial reduction). It is not possible to opt to draw only part of pension benefits.

- Employees will automatically rejoin the pension scheme paying contributions on the reduced salary and build up new pension benefits which will become payable on full retirement. Employees who do not wish to rejoin the Scheme may opt out and no contributions will be deducted from their salary, this means that an employee will not receive any additional LGPS pension when they retire fully and there would also be no death in service benefits. Opt-out forms are available from the pension scheme provider:
  
- Further information on the LGPS can be accessed from the Falkirk Council LGPS website <https://www.falkirkpensionfund.org/>: or
  - i. It is recommended that employees obtain appropriate and independent financial advice to ensure that you have the best possible arrangements in place to suit your circumstances.
  
  - ii. The Financial Services Authority provides a web based service to locate local financial advisers.

## **11. Processing of Personal Data**

The council processes personal data collected as part of requests for flexible retirement in accordance with its data protection policy. In particular, data collected as part of a flexible retirement request is held securely and accessed by, and disclosed to, individuals only for the purposes of processing flexible retirement requests in line with the agreed procedure outlined above.



## 12. Monitoring and Review

12.1. Both Senior Management and Trade Union Representatives shall monitor the effectiveness of these procedures on an ongoing basis. Amendments will be made as and when deemed necessary and after consultation with recognised trade unions.

Policy Name	Flexible Retirement
Department	HR
Policy Lead	Chris Alliston
Equality Impact Assessment	
Stage 1 EQIA completed	Yes
Stage 2 EQIA completed	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 Approved	
Review Date	



## APPENDIX 1 - FLEXIBLE RETIREMENT APPLICATION FORM

### SECTION 1 : PERSONAL DETAILS

Surname:		Forename(s):	
Pay Reference:	<input type="text"/>	Job Title:	
Head of Service Strategic Director		Current Weekly Working Hours	
Proposed Date on which you wish to commence reduced hours/grade			

### SECTION 2 : STATEMENT OF APPLICATION

<b>Flexible Retirement Application</b> (please tick one of the following)	
I would like to reduce my contractual hours by at least 40%	<input type="checkbox"/>
I would like to reduce my contractual hours by _____ % (please complete)	<input type="checkbox"/>
I would like to reduce my Grade	<input type="checkbox"/>
I would like to reduce my contractual hours by at least 40% and reduce my Grade	<input type="checkbox"/>
I would like to reduce my contractual hours by _____ % and reduce my Grade	<input type="checkbox"/>
<b>Reduction in Hours</b>	
- State weekly hours you would like to work and how these hours may be worked (daily/weekly pattern)	
I think the reduction in my contractual hours will affect the Council and my colleagues as follows:	
Should my application be approved I would intend to work until _____ at which time it would be my intention to conclude employment.	

**Reduction in Grade**

- I would like to consider a reduction in grade in the following post(s)

(You may wish to specify any current vacancies)

**Declaration and Signature**

I have read the Council's policy/procedure on Flexible Retirement and understand that full pension benefits must be taken and I am responsible for the cost of reduced pension.

I have not made an application for flexible retirement in the past 12 months.

I understand a reduction in my working hours and/or reduction in grade due to a flexible retirement request will result in a permanent change to my contract of employment.

I understand that in order to ensure that my pension + new salary cannot be more than what I earned immediately prior to my receiving pension benefits. If pension advise that I would be better off I will discuss having taken relevant advice commute a proportion of my annual pension towards my lump sum or reduce the number of hours originally requested to work as part of my application.

<b>Print Name</b>		<b>Dated</b>	
<b>Signature</b>			

**SECTION 3 : SERVICE STATEMENT**

To be completed by Strategic Director/Senior Manager

<p><b>REDUCTION IN HOURS</b></p> <p>Request may be met within existing post</p> <p>YES <input type="checkbox"/>      NO <input type="checkbox"/></p> <p>If YES is this subject to filling remaining hours</p> <p>YES <input type="checkbox"/>      NO <input type="checkbox"/></p> <p>If NO please provide further details and options agreed with employee as way of assisting with the request</p>
<p><b>REDUCTION IN GRADE</b></p> <p>Request can be met within existing team or employee has specified suitable vacancy</p> <p>YES <input type="checkbox"/></p> <p>Specific how this will be achieved</p> <p>NO <input type="checkbox"/></p> <p>Specify Reason</p> <p>Any other comment</p>

<p><b>Declaration and Signature (Strategic Director/Senior Manager)</b></p> <p>I have read the Council's policy/procedure on Flexible Retirement and provisionally agree to figures being obtained from the LGPS in relation to the above employee.</p>			
<b>Print Name</b>		<b>Dated</b>	
<b>Signature</b>			

The completed Flexible Retirement application form should be sent to HR.

**SECTION 4: FINANCE USE (TO BE COMPLETED ON RECEIPT OF PENSION FIGURES)**

**Flexible Retirement Application** (please tick one of the following)

Is there a strain cost associated with agreeing this flexible retirement request

YES  NO

**(1) Reduction in Hours**

What would be the expected annual Saving based on:

(a) The proposed reduction in hours with no filling of released hours

£

(b) The proposed reduction in hours with filling of released hours

£

**(2) Reduction in Grade**

(a) The proposed reduction in grade with associated none filling of vacancy would give rise to a saving of:

£

(b) The proposed reduction in grade and associated filling of vacancy is cost neutral

**(3) Salary Check**

Current Annual Salary

£

Revised Salary

£

+ Annual Pension

£

Total

£

Can this application be supported from a financial perspective

YES  NO

**Declaration from Chief Finance Officer**

The application can/cannot be support on the grounds that the undernoted are/are not met

- 1. There is no strain cost
- 2. The proposed reduction in grade / hours is in line with policy and,
- 3. Revised Salary + Pension does not exceed salary prior to release of benefits

<b>Signature</b>		<b>Dated</b>	
------------------	--	--------------	--

**SECTION 5: APPROVAL**

**Declaration and Signature**

I am in agreement that this application IS / IS NOT approved. (Delete as appropriate)

<b>Print Name</b>		<b>Dated</b>	
<b>Signature</b>			

## **APPENDIX 2 - DEFINITIONS**

### **Strain costs and when will they occur**

Pension strain costs occur when there is a clear shortfall in the assumed level of funding needed to provide a particular pension benefit. Often, strain costs occur when a member draws their benefits a lot earlier than expected. The normal retirement age for all members of the LGPS is currently aligned to the members State Pension Age. Therefore as the benefits are being paid earlier they will be paid out for longer and also employee and employer contributions will not have been paid for as long as was anticipated

### **Commutation**

This is the option to give up part of your annual pension to receive a tax-free lump sum payment. In general for every £1 of pension that you decide to give up you will receive £12 of tax-free cash in return, subject to Her Majesty's Revenue & Customs (HMRC ) limits.

Please note that Commutation is not compulsory, you can either opt for the higher annual pension or you can receive a lower annual pension and a revised higher lump sum.

To be able to commute your pension to lump sum, you must make an election before your benefits become payable. LGPS Falkirk will provide you with the necessary forms to complete as part of the retirement process.

### **Actuarial Reduction**

If you choose to voluntarily retire before your Normal Pension Age your benefits will normally be reduced to take account of being paid for longer.. How much your benefits are reduced by depends on how early you draw them.

The reduction is based on the length of time (in years and days) that you retire early i.e. the period between the date your benefits are paid and your Normal Pension Age. The earlier you retire, the greater the reduction.

LGPS Falkirk will advise you of the impact to your pension.

## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Mental Health, Stress & Wellbeing Policy
<b>Service:</b>	Partnership & Performance
<b>Team:</b>	Health & Safety


Will the policy have to go to Council or committee for approval	Yes
Is it a major policy, significantly affecting how functions are delivered?	No
Does it relate to functions that previous involvement activities have identified as being important to particular protected groups?	No
Does it relate to an area where the Council has set equality outcomes?	No
Does it relate to an area where there are known inequalities?	Yes
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	Yes

**IF YES TO ANY - Move on to an Equality & Fairer Scotland Assessment**

**IF NO - Explain why an Equality & Fairer Scotland Assessment is not required**

--

### APPROVAL

NAME	DESIGNATION	DATE
	Strategic Director Partnership & Performance	

NB This screening exercise is not to be treated as an assessment of impact and therefore does not need to be published. However, if you decide not to assess the impact of any policy, you will have to be able to explain your decision. To do this, you should keep a full record of how you reached your decision.



## **Equality and Fairer Scotland Impact Assessment - Scoping**

<b>Purpose of the proposed policy or changes to established policy</b>
The purpose of the policy is to ensure that all Council employees are supported to maintain good mental health or to deal with any issues which may adversely affect their mental health and overall wellbeing.
<b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b>
<b>General Equality Duty -</b>
<b>➤ Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b>
Poor mental health can be a reason for unwanted behaviour. The policy sets out the expected behaviours for all Council staff to help eliminate this.  It also outlines measures to help eliminate barriers to employment, and provides support, for people who have, or are experiencing, a mental health condition. The policy further ensures that reasonable adjustments (including paid time off work to participate in mental health and wellbeing activities or to access specialist advice/support) are made to support any employee who suffers from a mental health condition.
<b>➤ Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b>
The policy sets out measures that would be pursued to promote mental health and wellbeing for all staff of Clackmannan Council. It also highlights how mental health issues among employees can be raised and dealt with, and the specific support available to them.
<b>➤ Fostering good relations between people who share a protected characteristic and those who do not.</b>
The policy promotes an open and supportive culture, and effective and consistent communication, which are key to removing any stigma attached to mental health issues and building good relations between managers and staff, and among all employees, irrespective of their mental health status.
<b>Fairer Scotland Duty -</b>
<b>➤ Reducing inequalities of outcome caused by socioeconomic disadvantage</b>
Finding work in the open market, or returning to work and retaining a job is often a challenge for people with mental health issues. The policy will contribute to eliminating all types of mental disability discrimination within the Council. Removing employment-related stigma and discrimination experienced by staff with mental health issues would help keep them in work and ensure they are not socio-economically disadvantaged.

To which of the equality groups is the policy relevant?		
Protected Characteristic	Yes/No*	Explanation
Age	No	
Disability	Yes	Mental illness or impairment may be considered a disability.
Gender Reassignment	No	
Marriage and civil partnership	No	
Pregnancy and Maternity	No	
Race	No	
Religion and Belief	No	
Sex	No	
Sexual Orientation	No	

\* Delete as required

**What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?**

Generally, the stigma and discrimination faced by employees with mental health issues is widely published. Mental health issues, such as stress, depression and anxiety, impact on employees' wellbeing, productivity and absence levels.

Within Clackmannanshire Council, for example, 7781.5 days were lost due to mental health and stress related issues (both work and non-work related) during the 2020-2021 financial year. Results from our recent staff survey also showed that about 50% of respondents (out of 712) felt their mental health and wellbeing was 'fair' or 'poor'. There is, therefore, the need to focus more attention on promoting staff mental health and wellbeing within the Council.

**Which equality groups and communities might it be helpful to involve in the development of the policy?**

Persons with mental health issues, or disabilities, Human Resources practitioners, Trade Unions, Occupational Health practitioners.

**Next steps**

Upon approval of this policy, the following steps would be taken to ensure the policy is effectively implemented:

1. Communication of the policy to all staff members.
2. Mandatory Mental Health Awareness training for all line managers and staff
3. Provision of relevant support from the Council Human Resources Dept, Health and Safety team and Occupational Health specialist to line managers in dealing with employees' mental health issues.
4. Regular monitoring and review of the implementation of the policy.

## Equality and Fairer Scotland Impact Assessment - Decision

Evidence findings		
<p>The evidence shows that the policy does not discriminate against any particular protected group. In fact, it offers equality of opportunity and fosters good relations between employees who share a protected characteristic and those who do not. It also goes further to offer specific support to employees who may find themselves in a protected group as a result of their mental disability.</p>		
Details of engagement undertaken and feedback received		
<p>The policy was developed in consultation with the Council Management, Trade Union representatives, health and safety, and HR colleagues. It has been reviewed by the Council's Policy Group, and will be reviewed and approved by the Council's Executive Health and Safety Committee.</p>		
Decision/recommendation		
<p>Having considered the potential or actual impacts of this policy, the following decision/recommendation is made:</p>		
<b>Tick</b> √	<p><b>Option 1: No major change</b> The assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that all opportunities have been taken to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.</p>	
	<p><b>Option 2: Adjust the policy</b> – this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact, or to introduce additional measures to reduce or mitigate any potential negative impact.</p>	
	<p><b>Option 3: Continue the policy</b> – this means adopting or continuing with the policy, despite the potential for adverse impact. The justification should clearly set out how this decision is compatible with the Council's obligations under the duty.</p>	
	<p><b>Option 4: Stop and remove the policy</b> – if there are adverse effects that are not justified and cannot be mitigated, consideration should be given to stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.</p>	
Justification for decision		
<p>This assessment has found no evidence to suggest that the policy will lead to unlawful discrimination against any protected group.</p>		
APPROVAL		
NAME	DESIGNATION	DATE
[REDACTED]	Strategic Director Partnership & Performance	

## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Flexible Retirement
<b>Service:</b>	HR and Workforce Development
<b>Team:</b>	Human Resources

Will the policy have to go to Council or committee for approval	Yes
Is it a major policy, significantly affecting how functions are delivered?	No
Does it relate to functions that previous involvement activities have identified as being important to particular protected groups?	No
Does it relate to an area where the Council has set equality outcomes?	No
Does it relate to an area where there are known inequalities?	No
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	No

**IF YES TO ANY - Move on to an Equality & Fairer Scotland Assessment**

**IF NO - Explain why an Equality & Fairer Scotland Assessment is not required**

--

### APPROVAL

NAME	DESIGNATION	DATE

NB This screening exercise is not to be treated as an assessment of impact and therefore does not need to be published. However, if you decide not to assess the impact of any policy, you will have to be able to explain your decision. To do this, you should keep a full record of how you reached your decision.

## **Equality and Fairer Scotland Impact Assessment - Scoping**

<p><b>Purpose of the proposed policy or changes to established policy</b></p>
<p>The scheme of flexible retirement enables the Council to retain the skills and knowledge of an experienced employee whilst enabling the employee to wind down in the prelude to retirement. Provisions for flexible retirement are contained with the Councils Scheme of Discretions under the LGPS and allow an employee to take flexible retirement if they have attained age 55, and with the Council consent, to reduce their working hours or grade.</p> <p>The policy/procedure outlines the processes to be followed from application, consideration and approval.</p>
<p><b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b></p>
<p><b>General Equality Duty -</b></p>
<p>➤ <b>Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b></p>
<p>Whilst it should be noted that one of the criteria to flexible retirement is being aged 55 or over this is in line with the local government pension scheme rules.</p>
<p>➤ <b>Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b></p>
<p>Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics. Flexible retirement can be requested by all employees from the age of 55 and this could include for personal reasons, which could be covered by a protected characteristic (for example wishing to leave employment or retire early due to caring needs or health needs which would not be covered by ill health retirement).</p>
<p>➤ <b>Fostering good relations between people who share a protected characteristic and those who do not.</b></p>
<p>This element of the Duty is more relevant to the Council's role as a service provider, and there is relatively limited direct relevance to this particular procedure.</p>
<p><b>Fairer Scotland Duty -</b></p>
<p>➤ <b>Reducing inequalities of outcome caused by socioeconomic disadvantage</b></p>
<p>This Procedure should assist with the retention of staff, and maintaining employment may be extremely important for protected groups who have a higher level of poverty.</p>

To which of the equality groups is the policy relevant?		
Protected Characteristic	Yes/No*	Explanation
Age	Yes	<p>The Council's staff data shows that we have an aging workforce. The age group with the highest number of incumbents is 51-60 (31.9%), and that 8.2% of staff are aged 60 and over.</p> <p>Enabling a policy of flexible retirement allows those staff, where there is no financial impact on the Council, to reduce working hours, as well as allowing a shift in work life balance, creating opportunities for younger workers and can be seen as transitioning our older workforce into full retirement at a later date whilst maintaining skills and knowledge.</p>
Disability	Yes	<p>Staff data shows a relatively high "Compare Not to Say" response in relation to disclosure of a disability (39.5%). At a national level, it is estimated that <u>1 in 10 people who are economically active have a disability or long term health condition</u>.</p> <p>With an aging workforce there is potential for more age related disabilities. This policy may offer potential requirement to work more flexibly as part of any reasonable adjustment.</p> <p>The flexible retirement options may also be beneficial to those with care responsibilities (in particular the care of older people). This provision allows a member to access pension benefits whilst remaining in employment.</p>
Gender Reassignment	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
Marriage and civil partnership	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
Pregnancy and Maternity	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
Race	Yes	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
Religion and Belief	Yes	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
Sex	Yes	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability

Sexual Orientation	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
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\* Delete as required



**What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?**

The evidence referred to above includes evidence from Scotland's Census Results, the Equality and Human Rights Commission, regional employment patterns, publications on poverty and income inequality, the Scottish Health Survey and statistics published by Police Scotland.

In terms of internal evidence, reference has been made to published staff equality data.

**Which equality groups and communities might it be helpful to involve in the development of the policy?**

Union involvement and review by members of the Council has taken place.

**Next steps**

In order to better meet the General Equality Duty, the Council will take steps to ensure that this Procedure is applied fairly. These steps will include:

- Encouraging staff to disclose a disability, in order to assist with monitoring the impact of this Procedure
- Raising awareness with managers of the need to act fairly and impartially
- Encouraging managers to be mindful of the Council's commitment to support staff and to take into account the needs of protected groups
- Consider Flexible Retirement options as part of workforce planning.

## Equality and Fairer Scotland Impact Assessment - Decision

Evidence findings		
<p>The Procedure will support those aged 55 and above to access pension benefits whilst remaining in employment. This in turn allows better financial planning and transition to full retirement by reducing the impact of reduced income during the transition phase. This complements the Council's Fairer Scotland Duty.</p>		
Details of engagement undertaken and feedback received		
<p>This Procedure has been developed in consultation with recognised trade unions, and has been reviewed by the Council's Tripartite and Partnership and Performance Committee.</p>		
Decision/recommendation		
<p>Having considered the potential or actual impacts of this policy, the following decision/recommendation is made:</p>		
Tick	Option 1: No major change	
✓	<p>The assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that all opportunities have been taken to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.</p>	
	Option 2: Adjust the policy	
	<p>– this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact, or to introduce additional measures to reduce or mitigate any potential negative impact.</p>	
	Option 3: Continue the policy	
	<p>– this means adopting or continuing with the policy, despite the potential for adverse impact. The justification should clearly set out how this decision is compatible with the Council's obligations under the duty.</p>	
	Option 4: Stop and remove the policy	
	<p>– if there are adverse effects that are not justified and cannot be mitigated, consideration should be given to stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.</p>	
Justification for decision		
<p>This assessment finds no indication that the Procedure will unlawfully discriminate against protected groups, and that a systematic approach has been taken to ensure that the Procedure conscientiously takes into account diverse needs and circumstances. Steps to monitor the equality impact have been agreed, along with practice to promote fair use.</p>		
APPROVAL		
NAME	DESIGNATION	DATE

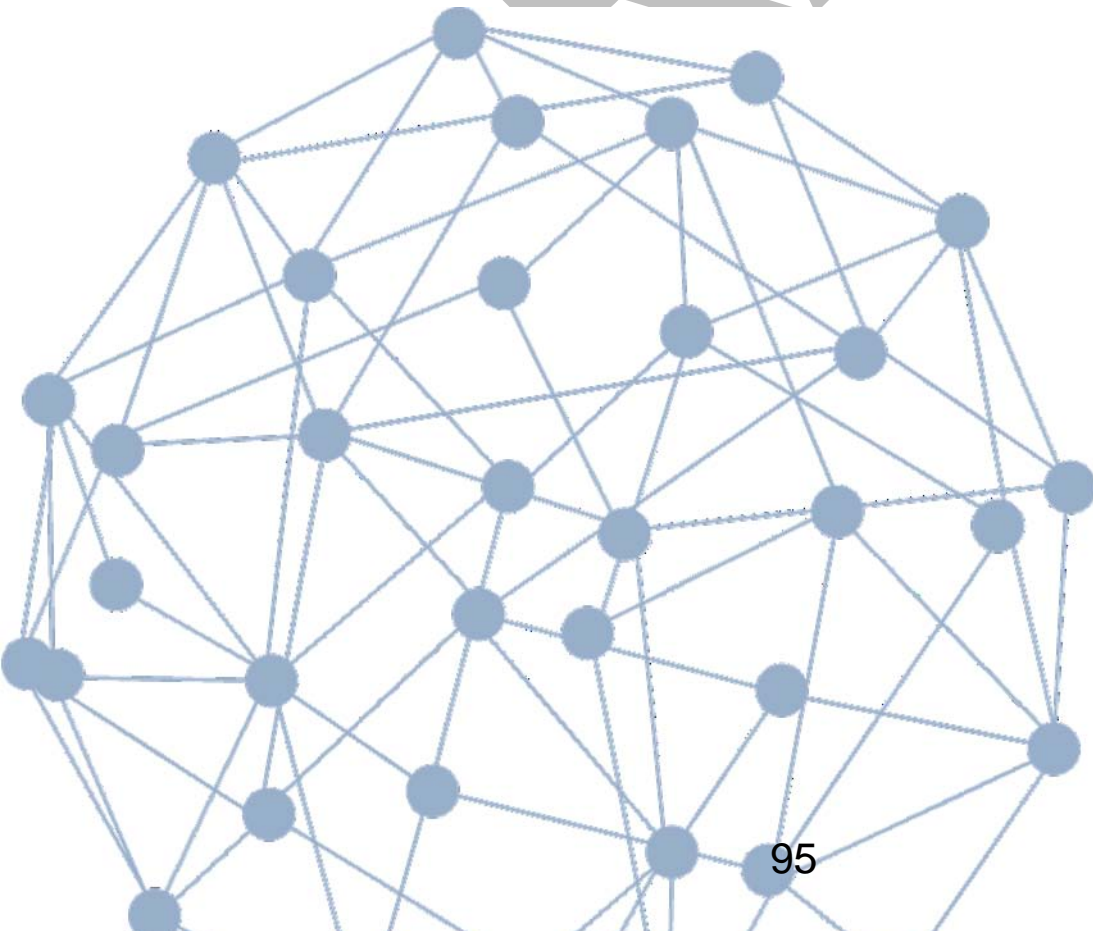


# Overseas Criminal Records Check Policy

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2020

DRAFT



## DOCUMENT CONTROL SHEET:

### Key Information:

<b>Title:</b>	Overseas Criminal Checks
<b>Date Issued:</b>	
<b>Date Effective From:</b>	
<b>Version Number:</b>	0.1
<b>Document Type:</b>	Policy
<b>Document Status:</b>	
<b>Author:</b>	Alyssa Jones
<b>Owner:</b>	HR
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	
<b>Contact:</b>	Alyssa Jones X2177
<b>File Location:</b>	N/A

### Revision History:

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>	<b>Changes Marked:</b>
0.1	December 2020	Draft	AJ	N/A
0.2	June 2021	After Policy Group	SF	Yes
0.3				
0.4				

# OVERSEAS CRIMINAL RECORD CHECKS

## 1. Policy Statement

- 1.1. Clackmannanshire Council is committed to ensuring the safe recruitment and continued employment of individuals in posts working with children and vulnerable adults, whilst ensuring the fair treatment of individuals including those who have previous convictions.
- 1.2. This policy should be read in conjunction with the Council's Recruitment and Selection Policy, PVG Policy, Rehabilitation of Offenders, Criminal Conviction Checks, Equal Opportunities Statement.

## 2. Introduction

- 2.1. This policy outlines the process for conducting criminal record and related background checks for applicants who have lived or worked abroad.
- 2.2. The process also relates to existing employees who have lived or worked abroad during their employment with Clackmannanshire Council e.g. following a career break. The process covers periods abroad in excess of 3 months for the preceding 5 year period from the date the disclosure certificate is required.
- 2.3. Applications from suitably qualified people who are from or have lived abroad are encouraged, although eligibility to work in the UK must always be verified. Permission to work in the UK however, does not mean that the person is suitable to work with protected groups and/or Council staff. Therefore, there is always the need for criminal conviction checking, which is a separate process.

## 3. Scope

- 3.1. When the post requires a Disclosure Scotland Check, this should be obtained as a matter of good practice, even if the applicant claims never to have lived in the UK before. There may be occasions where an overseas applicant has visited the UK on holiday and may have committed an offence.

3.2. The policy applies to:

- Applicants currently living abroad and applicants currently living in the United Kingdom who have lived abroad for 3 months or more within the previous 5 years;
- Existing employees who have lived abroad for 3 months or more within the previous 5 years;
- Existing employees, in circumstances where they spend time abroad before returning to work with the Council. E.g. through:
  - Career break or sabbatical e.g. to undertake voluntary work or travel.
  - Secondment to a foreign organisation where the workplace is outside the UK.
  - International exchange – i.e. teachers' exchanges.

#### **4. Disclosure Information**

4.1. It is the responsibility of the applicant to provide the overseas criminal record check. The check should come from the police or judicial authority, government department, or embassy of the country or countries concerned and be an official statement confirming that the individual does not have any history of or pending criminal record proceedings. This can then be verified by the manager, with advice from Human Resources as required.

4.2. The Disclosure and Barring Service (DBS) which provides a similar disclosure service for England and Wales, offers advice about obtaining criminal record information from a number of countries and how an individual can obtain their criminal record or certificate of good conduct from overseas.

4.3. The London Diplomatic List, on the Foreign and Commonwealth Office (FCO) web site provides a list of embassies and consulates contact details. (Applicants should be advised that checks may be carried out to authenticate any documents.). HR will confirm these checks if required, as part of the pre-employment checking process.

## 5. References

- 5.1. In addition to the standard reference checking that should be completed for all applicants, in accordance with Clackmannanshire Council's Recruitment and Selection Procedure, additional reference checking may be appropriate for applicants who have spent 3 months or more abroad.
- 5.2. In particular, this may be of use where, despite the best efforts of the applicant, it has not been possible for the individual to obtain an overseas criminal conviction check. In such circumstances, additional references may be useful in assessing the individual's suitability for the post.
- 5.3. Examples of additional reference checking that would be appropriate might include seeking a reference from an academic institution if the applicant claims to have been studying abroad or seeking references from all employers where the normal practice is only to seek references from the most recent employers.  
If it is considered appropriate to request additional references, permission from the applicant should be sought. Although refusal may raise suspicions this should not be a reason to automatically reject the applicant without further investigation.

## 6. Professional Registration

- 6.1. It should not be assumed that because an applicant has a UK professional registration that the person has had a UK or an overseas criminal record check. A professional registration may, however, be a factor to take into account when assessing other information provided.
- 6.2. For jobs where no professional registration is required this should also be considered as part of the risk assessment. In addition it may be necessary to take additional care in verifying qualifications and educational certificates if not issued within the UK. Further information can be provided by Scottish Social Services Council, General Teaching Council for Scotland or Scottish Negotiating Committee for Teachers.

## 7. Existing Employees Temporarily Residing Abroad

- 7.1. Before agreeing to any contractual change involving an employee residing abroad for a 3 month period or more managers should ensure that the employee is aware that the Council will require them to complete a Disclosure Scotland check on return and how this will be done.
- 7.2. Checks should also be carried out to include any other countries of residence for 3 months or over during the break, exchange or secondment. It will usually be the employee's responsibility to source the necessary documents, although in some situations, e.g. exchanges, or secondment, it may be sufficient to agree with the host organisation that the employee will remain bound by the Council's disciplinary procedure and that arrest, charge, or conviction while abroad should be made known to the Council.
- 7.3. Other possible approaches include:
- Seeking a reference from the host organisation upon return.
  - Making it a condition of permission to take leave that the employee should obtain an overseas criminal conviction check upon return.
- 7.4. It is the manager's responsibility to identify and complete any relevant checks, with advice from Human Resources as required. If an employee is about to return from work overseas and these arrangements have not been agreed in advance contact Human Resources for advice.

## 8. Timescale

- 8.1. Where possible a reasonable period should be allowed to obtain the information. After six weeks, if no information has been obtained consider whether to:
- Allow more time,
  - Make a risk assessment on the partial information already obtained, or,
  - Reject the applicant.
  - For existing employees, advice should be sought from HR.



8.2. The Council appreciates that obtaining an overseas criminal record check can be difficult and differs from country to country. In some cases it will prove impossible for an applicant/employee to obtain the required statement, particularly where the country is experiencing political difficulties. Political refugees may find it very difficult to obtain the required statement. The accuracy of the information received might be questionable. There may be concerns that such a request could put the individual's personal safety in jeopardy.

8.3. When deciding how to proceed, the responsible manager should consider what action has been taken to try and obtain the check and seek evidence of the dates and actions the applicant has taken. This evidence should be considered along with anecdotal information such as whether similar difficulties have been encountered by other candidates applying to the same source and discussed with Human Resources. It may also be useful to consult other Local Authorities to provide further information.

## 9. Translation

9.1. Some countries offer a certificate in English or the option of a translated duplicate. Many countries do not. This also applies to references. It should not be assumed that referees can read English; in some circumstances it may be necessary to send a translation of the reference request letter or form.

9.2. If a translation is required this must be carried out by a Clackmannanshire Council approved source. <http://connect/service-areas/partnerships-and-performance/strategy-performance/strategy-and-quality-development/emergency-interpreting-service.html>

## 10. Scrutiny

10.1. Extra rigor should be used to check references, the dates of previous employment and any other biographical information supplied by the applicant.

10.2. Under Care Commission guidance, it is the responsibility of the recruiting manager to question any gaps in the application form/employment records received and to check where the applicant/employee has been employed.

- 10.3. The manager should cross reference documentation and check for consistency; information in the passport, work permits, references, and work history in the application form. Inspect closely the overseas documents produced for issue date, certificate numbers, etc., to ensure they are authentic.
- 10.4. Original documents should be provided. If a translation has been required ensure that the original document and the translation are inspected by a Clackmannanshire Council's approved source.  
<http://connect/service-areas/partnerships-and-performance/strategy-performance/strategy-and-quality-development/emergency-interpreting-service.html>
- 10.5. While managers are not expected to be an expert in recognising forged documents, check for evidence of tampering. Be suspicious of plausible explanations for missing or damaged originals: for example where the applicant claims a document has been damaged by liquid spillage or has accidentally been laundered. If unsure, please seek advice from Human Resources.
- 10.6. Verification of authenticity of certificates provided may be available from the embassy or consulate of the country of origin.
- 10.7. It is important to take care with documents confirming identity for foreign nationals. Documents to confirm suitability are likely to differ to those which confirm permission to work in the UK.
- 10.8. The Centre for the Protection of National Infrastructure (CPNI) may be able to provide further information and intelligence on checking identity and related issues.

## **11. Risk Assessment**

- 11.1. It is particularly important that decisions taken on the suitability of individuals to join the childcare and, or, protected adult workforce, are consistent and risks are managed.
- 11.2. If no overseas criminal record checks or only partial checks have been obtained this should not be a reason to automatically reject the applicant. Consider the reasons why the applicant claims to have been unable to obtain the information. Consider whether other information, such as information from references means that the lack of a comprehensive authenticated criminal record check is less

important. The decision on whether to confirm employment should be verified by the appropriate recruiting manager in consultation with the Senior Manager - HR & Workforce Development.

- 11.3. The assessment of suitability should consider the completeness, quality and authenticity of evidence provided. If the check reveals a criminal record this should be assessed using the same risk assessment criteria that would be applied to similar information from Disclosure Scotland.
- 11.4. Offences in different jurisdictions may not be directly comparable to offences committed in Scotland. This means that certain crimes may be described or categorised differently. In addition the record may include convictions for activities that would not be regarded as crimes in Scotland and vice versa. The Council's legal team should be asked to provide advice on what a foreign conviction equates to in Scottish law. The Apex Scotland Disclosure Helpline offers advice on what UK convictions mean and may also be able to advise on foreign convictions.
- 11.5. If it is not possible to confirm the appointment, either because conviction history is incompatible with the duties of the post or because insufficient information has been obtained the reasons should be discussed with the applicant. The applicant must have the opportunity to raise concerns about how the evidence provided has been interpreted, to allow for simple issues, such as an error in translation, to be brought to the attention of the Council.

## **12. Re-imbursement of Costs**

- 12.1. The application process, issuing authority, and costs incurred vary from country to country.
- 12.2. Paying for checks and certificates is the responsibility of the applicant/employee.

## **13. Processing of Personal Data**

- 13.1. The Council processes personal data collected as part of the overseas criminal record checks in accordance with its data protection policy. In particular, data collected as part of overseas criminal record checks is held securely and accessed by, and

Clackmannanshire Council  
Overseas Criminal Record Checks

disclosed to, individuals only for the purposes of completing appropriate overseas criminal record checks.

## 14. Monitoring and Review

14.1. SLG and Trade Union Representatives shall monitor the effectiveness of this policy on an ongoing basis. Amendments will be made as and when deemed necessary and, where appropriate, after consultation with recognised trade unions.

Policy Name	Overseas Criminal Record Checks
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	
Date Approved	
Review Date	

## APPENDIX 1 – USEFUL CONTACTS

A list of useful sources is given below. The list was correct at the time of writing. Note that these external resources may change or move unexpectedly. Please let the authors of this document know about any links that need to be added, removed or updated.

Phone numbers for the agencies below have not been given. Where contact by phone is possible the number can generally be found on the “home” page or “contact us” page of the web site.

The Disclosure Scotland/Government web site is a useful source for many of these links and other relevant advice.

This table may be updated independently from the rest of this policy.

What	Web site or page
Apex Scotland	<a href="https://www.apexscotland.org.uk/">https://www.apexscotland.org.uk/</a>
Centre for the Protection of National Infrastructure (CPNI)	<a href="https://www.cpni.gov.uk/">https://www.cpni.gov.uk/</a>
CPNI: A Good Practice Guide On Pre-Employment Screening	<a href="https://www.cpni.gov.uk/content/security-pre-screening">https://www.cpni.gov.uk/content/security-pre-screening</a>
Disclosure and Barring Service	<a href="https://www.gov.uk/government/organisations/disclosure-and-barring-service">https://www.gov.uk/government/organisations/disclosure-and-barring-service</a>
Disclosure and Barring Service other countries information	<a href="https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants">https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants</a>
Disclosure Scotland	<a href="https://www.mygov.scot/disclosure-types/">https://www.mygov.scot/disclosure-types/</a>
Foreign and Commonwealth Office (FCO)	<a href="https://www.gov.uk/government/organisations/foreign-commonwealth-office">https://www.gov.uk/government/organisations/foreign-commonwealth-office</a>
Foreign and Commonwealth Office (FCO) London Diplomatic List	<a href="https://www.gov.uk/government/publications/foreign-embassies-in-the-uk">https://www.gov.uk/government/publications/foreign-embassies-in-the-uk</a>
Safer pre and post employment checks (NHS Scotland document)	<a href="https://www.gov.scot/publications/safer-pre-post-employment-checks-nhsscotland-pin-policy/">https://www.gov.scot/publications/safer-pre-post-employment-checks-nhsscotland-pin-policy/</a>
UK Visas and Immigration (Part of Home Office)	<a href="https://www.gov.uk/government/organisations/uk-visas-and-immigration">https://www.gov.uk/government/organisations/uk-visas-and-immigration</a>

## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Overseas Criminal Record Check Policy
<b>Service:</b>	Human Resources
<b>Team:</b>	Human Resources

Will the policy have to go to Council or committee for approval	Yes
Is it a major policy, significantly affecting how functions are delivered?	No
Does it relate to functions that previous involvement activities have identified as being important to particular protected groups?	No
Does it relate to an area where the Council has set equality outcomes?	No
Does it relate to an area where there are known inequalities?	No
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	No

**IF YES TO ANY - Move on to an Equality & Fairer Scotland Assessment**

**IF NO - Explain why an Equality & Fairer Scotland Assessment is not required**

<b>APPROVAL</b>		
<b>NAME</b>	<b>DESIGNATION</b>	<b>DATE</b>

NB This screening exercise is not to be treated as an assessment of impact and therefore does not need to be published. However, if you decide not to assess the impact of any policy, you will have to be able to explain your decision. To do this, you should keep a full record of how you reached your decision.

## Equality and Fairer Scotland Impact Assessment - Scoping

<b>Purpose of the proposed policy or changes to established policy</b>		
Clackmannanshire Council is committed to ensuring the safe recruitment and continued employment of individuals in posts working with children and vulnerable adults, whilst ensuring the fair treatment of individuals including those who have previous convictions. This update of the current policy for Overseas Criminal Records Checks is to ensure that everyone is aware of the standards required.		
<b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b>		
<b>General Equality Duty -</b>		
➤ <b>Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b>		
The policy aims to treat all employees and future employees fairly and consistently and should assist with removing potential discrimination, harassment or victimisation. Clear guidelines are provided for managers to check documentation. The involvement of HR and where appropriate another independent manager ensures that unlawful discrimination, harassment and victimisation and other prohibited conduct is eliminated and that a clear, fair and transparent process is followed.		
➤ <b>Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b>		
Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics. As part of the Overseas Criminal Records Check Policy protected characteristics are considered and appropriate support put in place where this is necessary/appropriate.		
➤ <b>Fostering good relations between people who share a protected characteristic and those who do not.</b>		
This element of the Duty is more relevant to the Council's role as a service provider, and there is relatively limited direct relevance to this particular policy.		
<b>Fairer Scotland Duty -</b>		
➤ <b>Reducing inequalities of outcome caused by socioeconomic disadvantage</b>		
This Policy should assist in the recruitment of potential employees and current employees who have lived overseas for an excess of 3 months, this is relevant for those who require to undergo a Disclosure Scotland Check. Maintaining employment can be extremely important for protected groups who have a higher level of poverty. For example, poverty rates are higher for households with a disabled adult, and the employment rate for people with a disability is significantly lower than the employment rate for people who do not have a disability.		
<b>To which of the equality groups is the policy relevant?</b>		
<b>Protected Characteristic</b>	<b>Yes/No*</b>	<b>Explanation</b>
Age	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of Age.
Disability	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of Disability.

Gender Reassignment	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of gender reassignment.
Marriage and civil partnership	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of Marriage and civil partnership.
Pregnancy and Maternity	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of being pregnant or on maternity leave.
Race	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of race.
Religion and Belief	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of religion and belief.
Sex	No	There are more women than men who are employed by the Council (71.3% of staff excluding teachers are female compared to 28.7% of men). It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of sex.
Sexual Orientation	No	It is submitted that this protected characteristic is not directly relevant to this Policy and it is not anticipated that there could be any differential impact on people on the grounds of sexual orientation.

\* Delete as required



**What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?**

The evidence referred to above includes internal evidence; reference has been made to the most recently published staff equality data.

**Which equality groups and communities might it be helpful to involve in the development of the policy?**

Trade Unions have been actively involved in the development of the policy.

**Next steps**

In order to better meet the General Equality Duty, the Council will take steps to ensure that this Policy is applied fairly. These steps will include:

- Advice and support will be provided to managers from HR Business Partners on the application of the policy.

## Equality and Fairer Scotland Impact Assessment - Decision

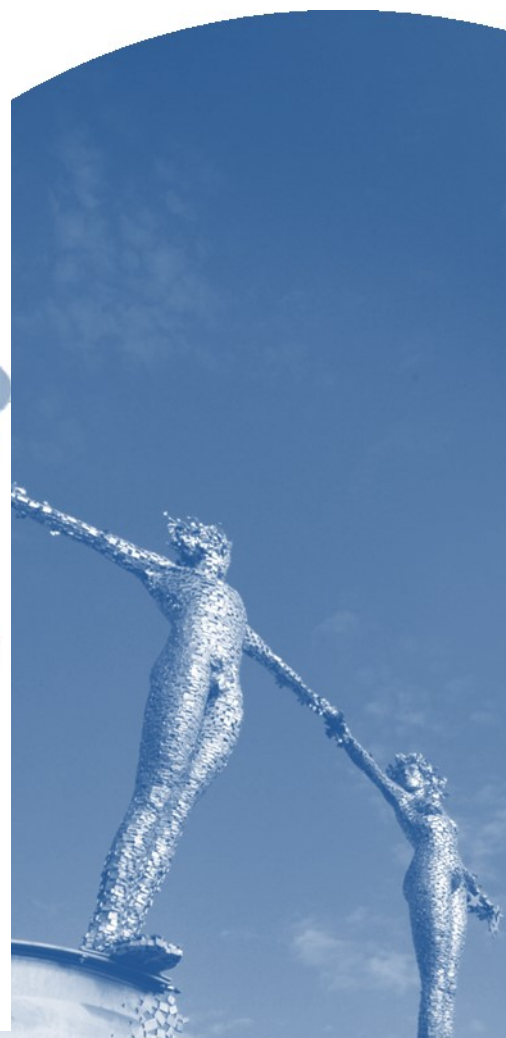
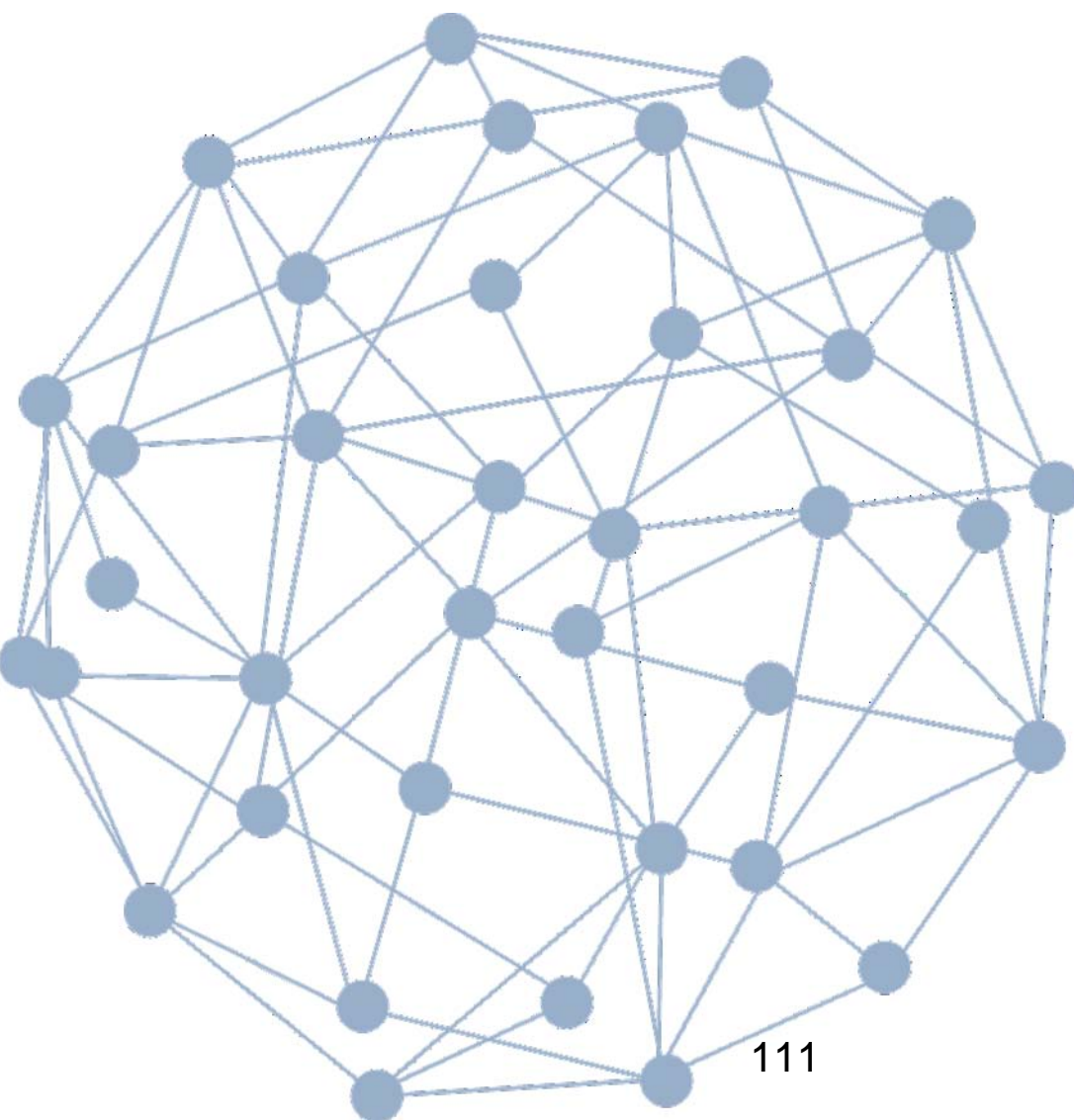
Evidence findings		
The evidence shows that this policy does not leave anyone who is within a protected group at a disadvantage, and that the Council's approach demonstrates that it has taken steps to meet the needs of protected groups.		
Details of engagement undertaken and feedback received		
This Policy has been developed in consultation with recognised trade unions who, along with Council Management, form the Council's Policy Group. In addition the policy/procedure will be considered by Tripartite (Elected Members, Unions and Management) It will also be reviewed, and hopefully formally adopted, by the Partnership and Performance Committee on behalf of the Council.		
Decision/recommendation		
Having considered the potential or actual impacts of this policy, the following decision/recommendation is made:		
Tick	Option 1: No major change	
✓	The assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that all opportunities have been taken to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.	
	Option 2: Adjust the policy – this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact, or to introduce additional measures to reduce or mitigate any potential negative impact.	
	Option 3: Continue the policy – this means adopting or continuing with the policy, despite the potential for adverse impact. The justification should clearly set out how this decision is compatible with the Council's obligations under the duty.	
	Option 4: Stop and remove the policy – if there are adverse effects that are not justified and cannot be mitigated, consideration should be given to stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.	
Justification for decision		
This assessment finds no indication that the Policy will unlawfully discriminate against protected groups.		
APPROVAL		
NAME	DESIGNATION	DATE



# Continuing and Further Education Policy

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2021



## Continuing & Further Education Policy

### 1. Introduction

- 1.1. This Policy will assist the Council in meeting the objectives as set out in the Strategic Workforce Plan 2019-22, specifically to:
  - have a sustainable and resilient workforce; and
  - Ensure our workforce has the knowledge, skills, and behaviours capable of meeting future demands.
- 1.2. Courses of study leading to formal qualifications may be supported where they are considered essential in enabling the employee to perform more effectively in their current role.
- 1.3. Where a qualification or course is not deemed as 'essential' in enabling the employee to perform more effectively in their current role, an application for 'developmental' learning may be made to the employee's line manager.
- 1.4. In consideration of developmental requests, the employee may also choose to submit a separate formal application under section 63D of the Employee Rights Act, otherwise known as 'time to train'.
- 1.5. In consideration of both 'essential' and 'developmental' learning opportunities, managers must ensure fairness and equality of opportunity for all employees with their team.

### 2. Essential Learning & Qualifications

- 2.1. Essential learning and qualifications can be defined as:

*“Any job-related learning, or qualification, which is essential to allowing the employee to perform effectively in their current role”.*
- 2.2. Employees of the Council will be entitled to receive time off to travel to, attend required learning, and undertake required assessments / examinations leading to a required 'essential' skill or qualification.
- 2.3. Where learning takes place out with the employee's normal working hours, the employee will be entitled to time off in lieu, or flexi credit.
- 2.4. The Council will pay all costs associated with required essential training or qualifications, including the cost of course fees and materials.
- 2.5. Employees who are required to sit formal examinations as a result of undertaking a required qualification will be granted leave in line with the examinations required of the qualification.

- 2.6. This policy also applies to Elected Members so far as essential training or required qualifications are mandated by statute or determined by a decision of Council.

### **3. 'Developmental' learning & Qualifications**

- 3.1. 'Developmental' learning and qualifications can be defined as:

*"Any learning or qualification which, although completion may assist the employee develop personally and/or professionally, is not an essential requirement of the role as per the post holders role description".*

- 3.2. The amount of financial support and time off offered to individuals for developmental learning is at the discretion of the employee's line manager.

- 3.3. When addressing requests for support, the line manager must consider:

- The amount of budget available;
- The business benefit of the proposed learning;
- The motivations of the person applying for the learning;
- Any associated recruitment and retention issues; and
- Equality of opportunity for other staff members in the team.

- 3.4. On approval, managers may choose to request the employee to enter into a learning contract with the employee.

### **4. 'Time to Train' applications**

- 4.1. Employees may choose to submit a request for 'developmental' training under Section 63D of the Employee Rights Act 1996, otherwise known as a 'time to train application'.

- 4.2. The Employee Rights Act 1996 Section 63D provides that, from April 2010, employees have the right to request 'time to train'. Employees can make requests for time to undertake any training which they believe will improve their effectiveness at work. There is no limit on the amount of time, study, or training that an employee can request, however employees do not have the right to be paid for the time spent training when requests of this nature are made.

- 4.3. Applications under S63D must be made in writing, to the employee's line manager, stating 'that the request is being made under S63D of the Employment Rights Act 1996'.

4.4. The following information should be appended to the application:

- The training subject matter;
- Where and when the training would take place;
- Who the provider / supervisor is;
- What qualification the training would lead to;
- How the employee thinks that the proposed learning would improve their effectiveness at work;
- The date of the application; and
- The date and method of their last application (if applicable).

4.5. Managers are only required under the Act to consider one request per employee in any 12 month period unless the employee requests that a previous request for training be ignored.

4.6. The manager of the employee should consider and respond to the request within 28 days, indicating either to:

- Accept the request on the basis of the information set out in the individual's written request and inform the employee of the decision in writing; or
- Meet with the employee to discuss their request – then within 14 days of that meeting, inform the employee of the decision in writing.

4.7. If the manager agrees to the training request they must outline, in writing, the following information:

- The subject of the training;
- Where and when the training will take place;
- Who will supervise the training;
- What qualification it will lead to;
- Whether the employee will pay any remuneration under the contract of employment;
- Any changes to the employee's working hours in order to accommodate the agreed study or training; and
- How the fees or other direct costs of the agreed training will be met.

4.8. If the decision is to refuse the application, the manager's notification must be made in writing. The manager may only refuse an application for time to train for one of the following reasons:

- The proposed training would not improve the employee's effectiveness at work;
- The proposed training would not improve team performance;
- The additional financial costs of allowing the employee time off;
- Agreeing to the training would have a detrimental effect on the ability to meet customer demand;
- The manager would be unable to reorganise work amongst existing staff;
- The manager would be unable to recruit additional staff to cover;
- Agreeing the request would have a detrimental impact on quality;
- Agreeing to the request would have a detrimental effect on performance;
- There would be an insufficiency of work during the periods the employee proposes to work;
- There are planned structural changes during the proposed training period.

#### **Repayment of learning costs**

4.9. Where an line manager agrees to a staff member undertaking either an 'essential' or 'developmental' learning pathway, a learning contract outlining the conditions for repayment of costs must be signed.

4.10. Use of a learning contract ensures that the Council can realise value for money and a return on investment from extended and formalised training, primarily, via staff retention and upskilling.

4.11. Where an employee leaves the service of the Council or fails to complete either an 'essential' or 'developmental' learning course, the line manager will, as per the pre-agreed Learning Contract, seek repayment of costs paid by the Council as follows:

<b>Employee fails to complete qualification</b>	Repayment of all costs paid by Clackmannanshire Council excluding travel cost and time off
<b>Employee leaves the service of the Council whilst undertaking the qualification</b>	Repayment of all costs paid by Clackmannanshire Council excluding travel cost and time off
<b>Employee leave the service of the Council within 12 months of completion of the qualification</b>	Repayment of all costs paid by Clackmannanshire Council excluding travel cost and time off
<b>Employee leave the service of the Council within 13-24 months of completion of the qualification</b>	Repayment by employee of 50% of costs paid by Clackmannanshire Council excluding travel costs and time off.

4.12. Repayment shall be by regular deductions from salary up to a maximum of 2 years. Any variation of the deduction period shall be at the discretion of the relevant Strategic Director and after having consulted with the employee.

4.13. Line managers must keep a copy of any learning contracts agreed with staff members for future reference.

## **5. Monitoring and review**

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

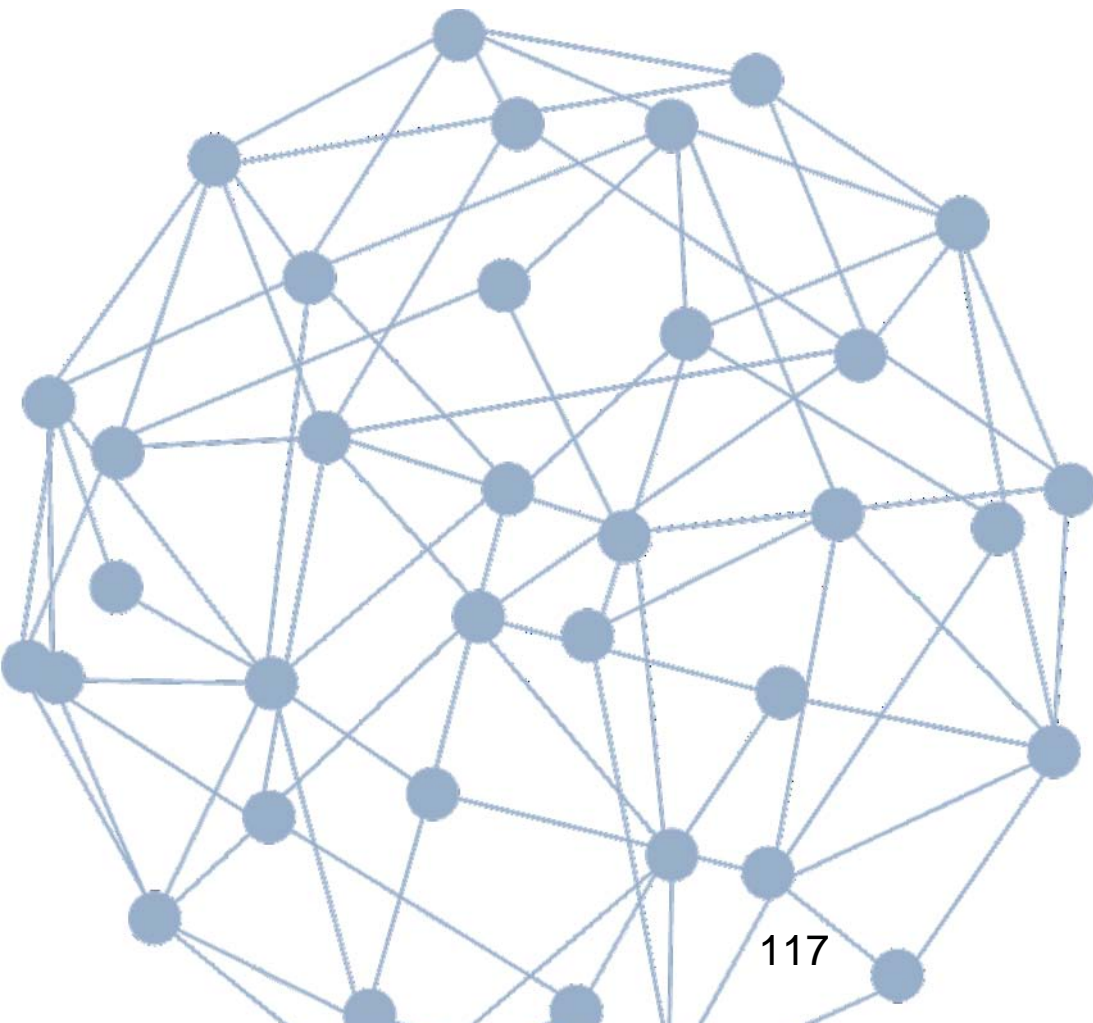




# Continuing and Further Education Procedure

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**2021**



## **Continuing and Further Learning Procedure**

### **1.0 Definition of Scope**

- 1.1 The Continuing and Further Learning Policy and procedure, and associated Learning Contract, applies exclusively to training supported and paid for by Clackmannanshire Council which is provided by Universities, Further Education Colleges, and SVQ arrangements. This includes part-time, distance learning, or online courses.
- 1.2 This policy applied to all Clackmannanshire Council staff, however does not apply to those undertaking an apprenticeship with the Authority.

### **2.0 Raising Requests**

- 2.1 A request to obtain financial support under the Continuing and Further Learning Policy should be made by the employee to their Line Manager in the first instance.
- 2.2 Once an initial discussion has taken the place, the employees Line Manager will contact either Corporate Learning & Development, or Social Services Learning and Development to discuss the details of the request.

### **3.0 Consideration of requests**

- 3.1 Once agreement has been reached to progress the contract, the employees Line Manager should complete the form 'Learning Contract' as appended to the Continuing and Further Learning Policy.
- 3.2 Completed Learning Contracts should be submitted to the employees Strategic Director for consideration and approval. Strategic Directors will wish to consider the following:
  - Whether equality of opportunity has been considered in identifying the individual to take forward the qualification;
  - Whether the qualification is required to support the undertaking of essential Service functions;



- The time required away from the employees day to day duties, and the impact thereof; and
- Whether the cost of the qualification has been factored into the Services' annual training needs analysis.

3.3 Once fully considered, Strategic Directors have the option to either approve, or reject the Learning Contract.

*Approval*

3.4 Approved Learning Contracts should be returned by the Strategic Director to the employees Line Manager.

3.5 Approved Learning Contracts will then be copied and retained by the employees Line Manager, provided to the employee for their own reference, and sent to the Council's Workforce Development & Learning team for retention.

*Rejection*

3.6 If the Learning Contract is rejected by the Strategic Director, the Learning Contract and an explanatory narrative should be returned to the employees Line Manager.

#### **4.0 Conclusion of Employment**

4.1 On conclusion of employment with the Council, the employees Line Manager should assess whether a deduction from the employees final salary is required in line with the Continuing and Further Education Policy.

4.2 Deductions will only be taken forward where there is a pre-agreed learning contract signed by both the staff member and line manager.

4.3 Where a deduction is required, the employees Line Manager should meet with the employee in the first instance in order to advise them of deduction required.

4.4 The employees Line Manager should then provide a copy of the Learning Contract to Payroll, who will arrange for the appropriate deduction to be made from the employees final salary.

- 4.5 No deductions will be made where a member of staff has been dismissed, or made redundant from the post in which the learning was undertaken.

### Repayment of learning costs

- 4.6 Where an employee leaves the service of the Council or fails to complete either an 'essential' or 'developmental' learning course, the line manager will, as per the pre-agreed Learning Contract, seek repayment of costs paid by the Council as follows:

<b>Employee fails to complete qualification</b>	Repayment of all costs paid by Clackmannanshire Council excluding travel cost and time off
<b>Employee leaves the service of the Council whilst undertaking the qualification</b>	Repayment of all costs paid by Clackmannanshire Council excluding travel cost and time off
<b>Employee leave the service of the Council within 12 months of completion of the qualification</b>	Repayment of all costs paid by Clackmannanshire Council excluding travel cost and time off
<b>Employee leave the service of the Council within 13-24 months of completion of the qualification</b>	Repayment by employee of 50% of costs paid by Clackmannanshire Council excluding travel costs and time off.

- 4.7 Repayment shall be by regular deductions from salary up to a maximum of 2 years. Any variation of the deduction period shall be at the discretion of the relevant Strategic Director and after having consulted with the employee.
- 4.8 Line managers must keep a copy of any learning contracts agreed with staff members for future reference.

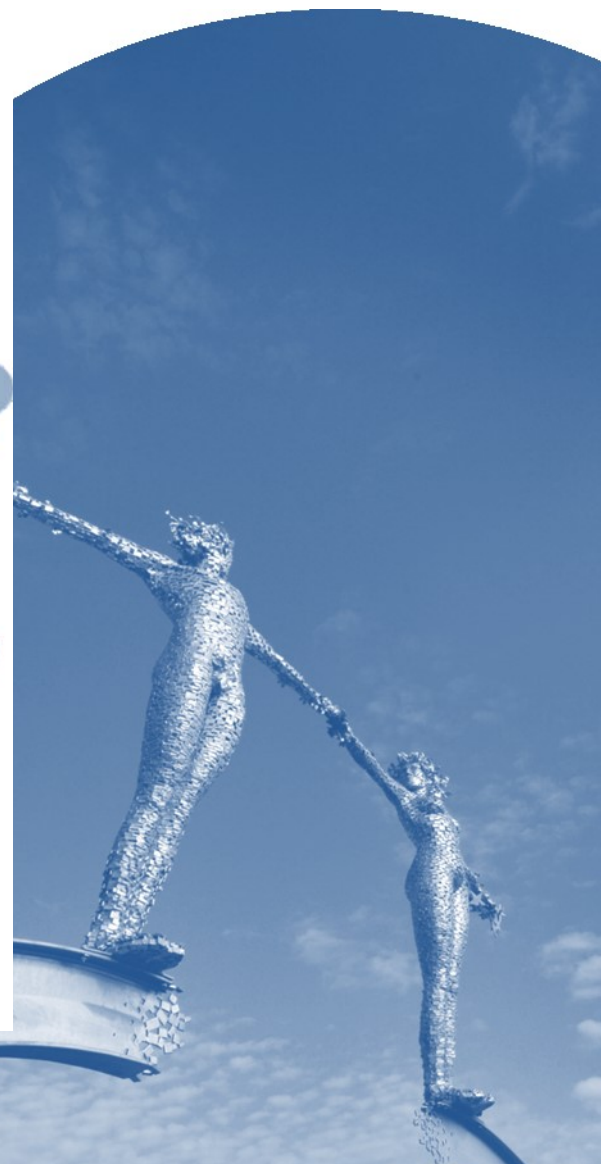
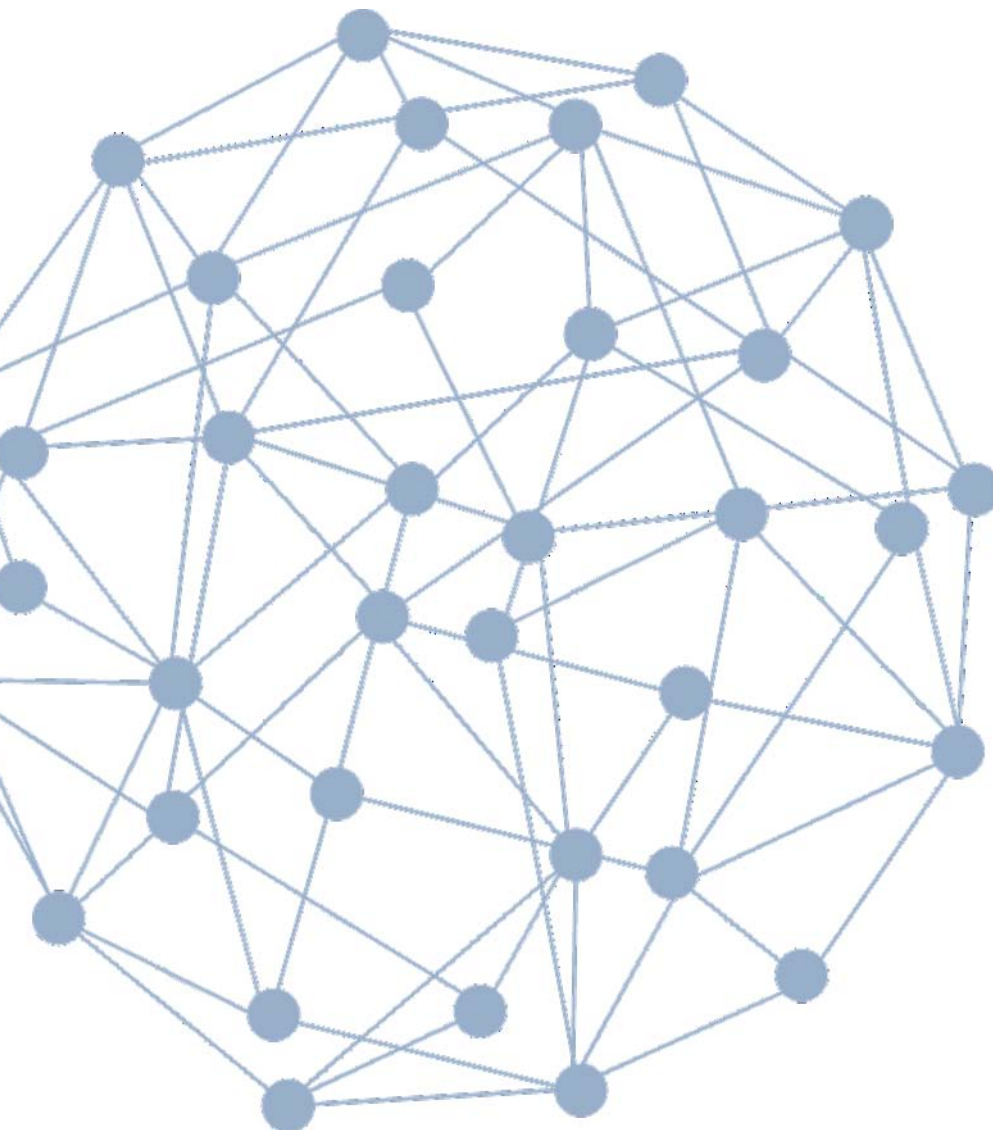
### 5.0 Monitoring and review

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

# Learning Contract

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2021



# Learning Contract

## Guidance notes for completing this learning contract

This form is to be completed only after reading the Council's Continuing and Further Education Policy and procedure.

By signing this document, you are entering into a legally binding contract between you and Clackmannanshire Council.

Only sign if you are willing to be bound by the terms of this learning contract. If you are under any doubt as to the nature of the obligations hereunder, do not sign this agreement.

### Part 1:

Fill in your details. In the section '*Previous relevant qualifications, with dates*' add in anything that the College/University/Professional Body requires as a pre-requisite for you applying to attend the course, as well as any qualifications that relate to your job role.

If you are applying for a first level qualification, list any School or College qualification with the grade achieved.

The '*Course details*' section contains space for the dates of any second and/or third stage qualification, therefore you do not need to complete a separate Learning Contract for each stage.

### Part 2:

This Section is designed to assess your application. If required, you may be invited to a meeting with your Line Manager in order to understand more about your application.

Managers must also ensure equality of opportunity, so where there are several requests for study there may need to be an interview process to assess who is the best candidate. This ensures that the Council safeguards its investment in Further Education.

### Part 3:

If your course is continuing on from a previously authorised course of study (i.e. progressing through SVQs) then complete and print Part 3 and add this to your previous paperwork.

Please make sure that you attach a copy of the Module Descriptor or Programme details with your application.

Completed applications, in addition to any supporting evidence, should be handed to your Line Manager.

### Instructions for line managers:

Line Managers should contact either Workforce Development & Learning, or Social Services L&D (where appropriate) in order to discuss the relevance of the staff members' application, and any requirements for assessing their capability to undertake the qualification applied for.

Approval of applications must be sought from your Strategic Director who should liaise with colleagues as appropriate to ensure that the application is relevant, required, and that costs can be justified.

## Learning Contract

<b>Part 1. Personal details: To be completed by the applicant</b>	
Full Name:	
Post Title:	
Salary Scale / Grade:	
Current Post Appointment Date:	
Service:	
Section:	Location:
Work Telephone Number:	
Previous relevant qualifications, with dates:	

<b>Course / Qualification details: To be completed by the applicant</b>		
Course / Qualification applied for:		
Enrolment Date:		
Name of Educational Institution:		
Specify full qualification or intermediate stage:		
Main Subjects:		
Method of Study, with options if appropriate:		
Full course duration:	Start date:	Completion date:
First stage:	Start date:	Completion date:
Examination dates:		
Second stage:	Start date:	Completion date:
Examination dates:		
Third stage:	Start date:	Completion date:
Examination dates:		

**Part 2. Learning Contract Proposal - Please include as much information as possible**

*Why do you need to obtain this qualification?*

*What previous study/experience makes you suitable to embark upon this course?*

*What are the key learning outcomes of the course?*

*How will achieving this qualification help you to do your job more effectively?*

*How will this help your Team or Service meet its objectives?*



**PART 3. Contract**

All employees who are granted financial assistance and / or non-financial support for further or higher education by Clackmannanshire Council will enter into this contract with the Council and will agree to the conditions detailed within the Continuing & Further Education Policy and which is appended to and forms part of this Learning Contract. By signing this document, you are entering into a legally binding contract between you and Clackmannanshire Council. Only sign if you are willing to be bound by the terms of this and the Council's Further Education Policy. If you are under any doubt as to nature of the obligations hereunder, do not sign this agreement.

Percentage funding of total course cost sought: \_\_\_\_\_% **(please complete)**

Funding to be provided in the Financial Year(s): \_\_\_\_\_ **(please complete)**

**Applicants Signature**

I have read and understand the terms and conditions of the appended Continuing and Further Education Policy and that by signing hereunder I hereby agree to be bound by such terms and conditions that form part of this Learning Contract.

Name: (please print)

Signature:

Date:

**Line Managers Signature**

Name:

Designation:

Date:

Signature:

**Authorisation: To be completed by the Strategic Director**

Name:

Date:

Signature:

## **Equality and Fairer Scotland Impact Assessment - Screening**

<b>Title of Policy:</b>	Continuing and Further Education Policy & Procedure
<b>Service:</b>	Human Resources
<b>Team:</b>	Human Resources

Will the policy have to go to Council or committee for approval	Yes
Is it a major policy, significantly affecting how functions are delivered?	No
Does it relate to functions that previous involvement activities have identified as being important to particular protected groups?	No
Does it relate to an area where the Council has set equality outcomes?	No
Does it relate to an area where there are known inequalities?	No
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	No

**IF YES TO ANY - Move on to an Equality & Fairer Scotland Assessment**

**IF NO - Explain why an Equality & Fairer Scotland Assessment is not required**

### **APPROVAL**

<b>NAME</b>	<b>DESIGNATION</b>	<b>DATE</b>

NB This screening exercise is not to be treated as an assessment of impact and therefore does not need to be published. However, if you decide not to assess the impact of any policy, you will have to be able to explain your decision. To do this, you should keep a full record of how you reached your decision.

## **Equality and Fairer Scotland Impact Assessment - Scoping**

<b>Purpose of the proposed policy or changes to established policy</b>
This policy provides staff and managers with a framework from which to apply for funding in support of formal, recognised qualifications, and which are exclusively provided for by Universities, Further Education Colleges, and SVQ arrangements.
<b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b>
<b>General Equality Duty -</b>
<b>➤ Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b>
The policy and procedure aims to treat all employees fairly and consistently and should assist with removing potential indirect discrimination, harassment or victimisation by providing clear guidelines and transparency to training processes.
<b>➤ Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b>
The policy and procedure requires managers to consider the impacts of funding training in terms of equality of opportunity, particularly in ensuring the right candidate is taken forward.
<b>➤ Fostering good relations between people who share a protected characteristic and those who do not.</b>
This element of the Duty is more relevant to the Council's role as a service provider, and there is relatively limited direct relevance to this particular policy and procedure.

**Fairer Scotland Duty -**

➤ **Reducing inequalities of outcome caused by socioeconomic disadvantage**

This Policy and Procedure should assist with the retention of staff, and provide more formal routes for development within roles. This is particularly important as maintaining employment can be extremely important for protected groups who have a higher level of poverty. Levels of socioeconomic disadvantage are also more frequent for other protected groups including lone parents who are predominantly female, and Black, Asian or Minority Ethnic (BAME) groups. Furthermore, with the Council recruiting for many roles from within local Clackmannanshire communities, this may result in better outcomes, and more opportunities for formal learning from these groups.

**To which of the equality groups is the policy relevant?**

<b>Protected Characteristic</b>	<b>Yes/No*</b>	<b>Explanation</b>
Age	No	It is submitted that this protected characteristic is not directly relevant to this policy and procedure and it is not anticipated that there could be any differential impact on people on the grounds of age.
Disability	No	It is submitted that this protected characteristic is not directly relevant to this policy and procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability.
Gender Reassignment	No	It is submitted that this protected characteristic is not directly relevant to this Policy and Procedure and it is not anticipated that there could be any differential impact on people on the grounds of gender reassignment.
Marriage and civil partnership	No	It is submitted that this protected characteristic is not directly relevant to this Policy and Procedure and it is not anticipated that there could be any differential impact on people on the grounds that they are married or in a civil partnership.
Pregnancy and Maternity	No	It is submitted that this protected characteristic is not directly relevant to this Policy and Procedure and it is not anticipated that there could be any differential impact on people on the grounds that they are pregnant or on maternity leave.
Race	No	It is submitted that this protected characteristic is not directly relevant to this Policy and Procedure and it is not anticipated that there could be any differential impact on people on the grounds of race.
Religion and Belief	No	It is submitted that this protected characteristic is not directly relevant to this Policy and Procedure and it is not anticipated that there could be any differential impact on people on the grounds of religion and belief.
Sex	Yes	There are more women than men who are employed by the Council (71.3% of staff excluding teachers are female compared to 28.7% of men).  As such, this Policy and Procedure could assist with their retention of staff in areas where there is proportionality high female workforce.

Sexual Orientation	No	It is submitted that this protected characteristic is not directly relevant to this Policy and Procedure and it is not anticipated that there could be any differential impact on people on the grounds of sexual orientation.

\* Delete as required

**What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?**

In terms of internal evidence, reference has been made to the most recently published staff equality data.

No external data has been reference in relation to this Policy & Procedure.

**Which equality groups and communities might it be helpful to involve in the development of the policy?**

Trade Unions have been actively involved in the development of the policy.

**Next steps**

In order to better meet the General Equality Duty, the Council will take steps to ensure that this Procedure is applied fairly. These steps will include:

- Encouraging staff to disclose a disability, in order to assist with monitoring the impact of this Procedure
- Encourage staff to disclose symptoms to their line manager
- Raising awareness with managers of the need to act fairly and impartially
- Monitoring grievance data relating to the implementation of this Procedure
- Encouraging managers to be mindful of the Council's commitment to support staff and to take into account the needs of protected groups

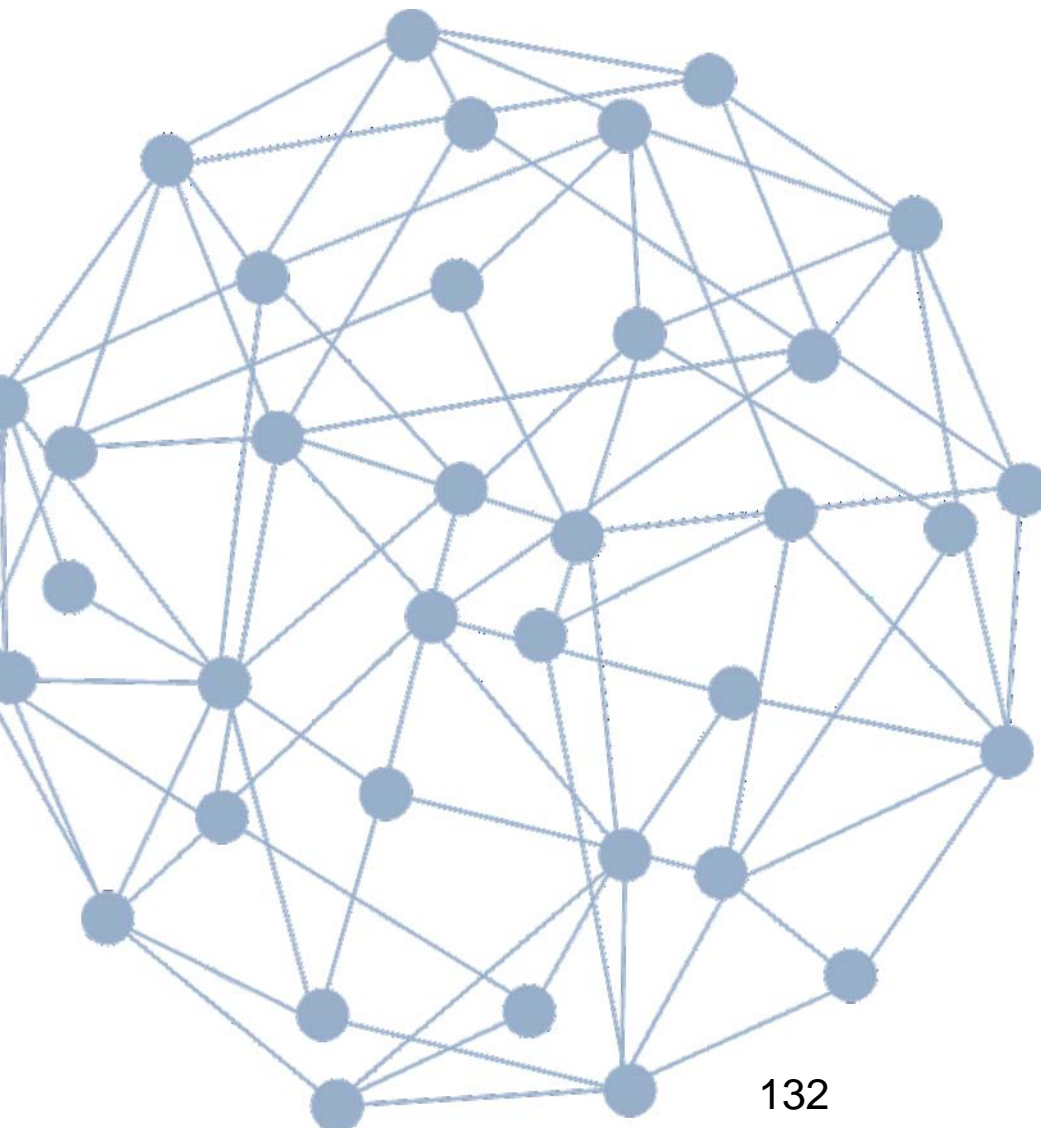
**Equality and Fairer Scotland Impact Assessment - Decision**

<b>Evidence findings</b>		
The evidence highlights that the introduction of this policy/procedure will have a positive impact on protected groups. The overall commitment to support employees in their careers should assist the Council in demonstrating that it has paid due regard to the General Equality Duty. The Procedure should support the retention of staff, and mitigate the potential for adverse impacts on protected groups through managers not implementing equality of opportunity.		
<b>Details of engagement undertaken and feedback received</b>		
This Procedure has been developed in consultation with recognised trade unions who, along with Council Management, form the Council’s Policy Group. In addition the policy/procedure will be considered by Tripartite (Elected Members, Unions and Management) It will also been reviewed, and hopefully formally adopted, by the Partnership and Performance Committee on behalf of the Council.		
<b>Decision/recommendation</b>		
Having considered the potential or actual impacts of this policy, the following decision/recommendation is made:		
<b>Tick</b>	<b>Option 1: No major change</b>	
✓	The assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that all opportunities have been taken to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.	
	<b>Option 2: Adjust the policy</b> – this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact, or to introduce additional measures to reduce or mitigate any potential negative impact.	
	<b>Option 3: Continue the policy</b> – this means adopting or continuing with the policy, despite the potential for adverse impact. The justification should clearly set out how this decision is compatible with the Council’s obligations under the duty.	
	<b>Option 4: Stop and remove the policy</b> – if there are adverse effects that are not justified and cannot be mitigated, consideration should be given to stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.	
<b>Justification for decision</b>		
This assessment finds no indication that the Procedure will unlawfully discriminate against protected groups, and that a systematic approach has been taken to ensure that the procedure positively impacts on employees including those with a disability.		
<b>APPROVAL</b>		
<b>NAME</b>	<b>DESIGNATION</b>	<b>DATE</b>



# Mental Health, Stress & Wellbeing Policy

## 2021





## 1. Policy Statement

- 1.1. Clackmannanshire Council is committed to ensuring the health and welfare of employees, including their mental as well as physical health and wellbeing. As an employer, we aim to create and maintain a workplace environment that promotes and supports good mental health and wellbeing for all employees.
- 1.2. The Council recognises its responsibilities under the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999, and the Equality Act 2010 in this regard.

## 2. Introduction

- 2.1 Mental health and wellbeing is an important aspect of overall health and wellbeing and can be affected by different factors, including life events such as relationship breakdowns, bereavement, workplace pressures and mental health conditions such as depression or anxiety. The National Health Service (NHS) describes mental wellbeing and mental illness as follows:

**Mental Wellbeing** - Definitions of mental wellbeing generally include aspects such as: life satisfaction, optimism, self-esteem, mastery and feeling in control, having purpose in life, and a sense of belonging and support.

**Mental Illness** - refers to a diagnosable condition or personality disorder that significantly interferes with an individual's cognitive, emotional or social abilities, e.g. depression, anxiety, schizophrenia. The International Classification of Diseases ICD 10, Chapter 5 provides a comprehensive list of recognised mental and behavioural disorders.

**Stress** - The Health and Safety Executive (HSE) defines stress as 'the adverse reaction people have to excessive pressures or other types of demand placed on them. It arises when they perceive that they are unable to cope with those demands'.

- 2.2. Promoting positive mental health and wellbeing in the workplace is essential to strengthen the positive, protective factors of employment, reduce risks factors for mental ill health and improve general health.

2.3 Although it can be healthy for people to experience challenges in their lives, this can cause a degree of pressure on the individual. It is acknowledged that too much pressure can be harmful and destructive to health and, if excessive or long term, this can lead to stress. It is recognised that while stress can result from a build-up of excessive pressures in the workplace, it can equally result from non-work related pressures or life events that transfer the symptoms to the workplace.

### **3. Purpose and Scope**

3.1 The purpose of this policy is to:

- Create a working environment where the mental health and well-being of employees is paramount and where colleagues feel valued and protected.
- Set clear responsibilities for ensuring safe and healthy workplace, and positive mental wellbeing, for all employees.
- Clearly outline measures that will be pursued to ensure good mental health and wellbeing for all staff.

3.2 The aims of the policy are to:

- Promote mental health and wellbeing for all staff.
- Promote an open and supportive culture where mental health issues can be raised and dealt with effectively.
- Communicate and promote the council's commitment to identifying and tackling organisational issues that negatively affect mental health and wellbeing.
- Ensure suitable and sufficient risk assessments are conducted to prevent, identify and control sources of work related stress, and ensure that the outcomes of risk assessments are reported and acted upon. All managers/HR advisers will be trained in dealing with Stress Risk Assessments (SRAs) and how to support staff. SRA meetings should deal with stressors only.

## Mental Health, Stress and Wellbeing Policy

- Provide employees experiencing mental health problems with access to professional assistance and support. Reasonable paid time off to access support will be given in line with relevant policies and procedures, such as Maximising Attendance Policy, Work Life Balance and Flexible Working Policy, etc.
- Reduce barriers to employment for people who have experienced mental health problems.

3.1. This policy applies to all employees of Clackmannanshire Council. The implementation of this policy will be supported by other relevant Council policies and guidance e.g. Maximising Attendance Policy, Work Life Balance and Flexible Working Policy, Stress Risk Assessment Guidance, Managing Stress – A Guide for Managers, etc.

### **4. Responsibilities**

#### 4.1. The Chief Executive & Senior/Service Managers

The Chief Executive has overall responsibility for Health, Safety and Welfare within the council, and ensuring that suitable arrangements and procedures are in place to comply with this policy and all relevant health and safety legislation.

In line with the Council's scheme of delegation, senior managers are responsible for ensuring that this policy is effectively implemented throughout out their areas of service.

#### 4.2. Managers

Managers play a key role in creating a mentally healthy workplace and, in this regard, are responsible for:

- Managing their staff in a manner which is not detrimental to mental health and which, at its best, can positively promote mental health and wellbeing;
- Ensuring, as far as is reasonably practicable, that the work environment is safe and that measures are taken to reduce the risk of mental ill health as a result of work related factors;

## Mental Health, Stress and Wellbeing Policy

- Providing supportive leadership and creating an open and supportive environment that encourages employees to discuss issues related to mental ill health;
- Initiating and maintaining effective and consistent communication with team members, including wellbeing conversations;
- Reviewing management information, being alert to indicators of stress within the team and undertaking risk assessment as appropriate;
- Ensuring that all new employees receive appropriate induction and training and, thereafter, identifying and meeting the learning and development needs of all employees through the use of the Performance Review & Development (PRD) process and one-to-one meetings;
- Monitoring workloads, working hours and holidays to ensure that staff are not overloaded or overworking, and are taking their full holiday entitlement;
- Ensuring that all employees are aware of the council's wellbeing programme and support mechanisms, including confidential counselling, occupational health and procedures for dealing with bullying & harassment at work;
- Providing their staff with opportunities to participate in mental health promotion activities;
- Liaising with Human Resources to maximise support for employees who have mental health problems;
- Supporting employees who become sick as a result of mental ill health in accordance with the council's Maximising Attendance Policy, and providing additional support to staff who are experiencing stress outside work, e.g. bereavement, separation, etc;
- Monitor and report on levels of sickness absence which relate to mental health problems, including stress-related illness (in conjunction with the occupational health service and human resources);
- Completing relevant Mental Health Awareness and Stress Management Training.
- Treat employees with dignity and respect.

## Mental Health, Stress and Wellbeing Policy

### 4.2 Employees

All employees are obliged to take account of their own health and safety in the workplace along with that of others and, in this regard, are responsible for:

- Raising issues of concern promptly with their line manager, HR or Occupational Health, TU rep, so they can be addressed at an early stage;
- Being alert to symptoms of stress in themselves and others;
- Supporting any colleague experiencing poor mental health by encouraging them to speak to their line manager;
- Seeking appropriate support at the earliest opportunity from their GP, the Employee Assistance Programme or other appropriate agencies if they have health and wellbeing problems;
- Recognising the importance of achieving a work-life balance;
- Effectively managing their workload in conjunction with their line manager to ensure that the demands placed upon them are appropriate and achievable;
- Cooperate with managers to assess levels of stress and engage with measures to support mental ill-health issues.
- Treating other employees with dignity and respect.

### 4.3 Human Resources

Human Resources will:

- Provide advice and support to employees and managers in relation to this policy and ensure policies and procedures are being followed.
- Help signpost appropriate support for employees who are experiencing mental ill-health.

### 4.4 Health & Safety Team

The Health & Safety Team will:

- Train and support managers in promoting mental health and wellbeing, and in implementing stress risk assessments - ensuring policies are being followed.
- Monitor and review the effectiveness of measures to promote mental wellbeing and report this to the Executive Health & Safety Committee and Tripartite as required.

## Mental Health, Stress and Wellbeing Policy

### 4.5 Occupational Health & Employee Assistance Programme

Occupational Health and Employee Assistance Programme (EAP)/Employee Counselling Service will provide advice to employees and managers to help employees remain at work if possible. They will:

- Provide specialist advice on mental wellbeing.
- Support individuals who have been off sick with mental health and stress problems, and advise them and their management on a planned return to work.
- Refer individuals to workplace counsellors or specialist agencies as required.

### 4.6 TU Safety Representatives

Safety representatives can support employees in identifying the causes of stress and meeting with management to raise and address issues which may be causing them stress. They will:

- Promote mental wellbeing across the Council.
- Participate in Healthy Working Life Group activities, and the Council's wellbeing planning and implementation.
- Encourage employees who approach them to seek appropriate support.

### 4.7 Healthy Working Lives Group

The Council's Healthy Working Lives Group will be responsible for obtaining and maintaining the Council's Healthy Working Lives award. The Group will promote healthy lifestyles for employees by initiating and leading wellbeing campaigns, activities and opportunities, such as healthy eating, stress control, smoking cessation, drugs and alcohol awareness, employee engagement, etc.

## **5. Measures for Managing Mental Health, Stress and Wellbeing**

### **5.1 Promotion of Mental Health and Wellbeing for all staff**

- All employees will undergo a mandatory mental health awareness and wellbeing training. The training will provide a basic understanding of mental health and wellbeing issues, and highlight the various resources and support available to staff.

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- The Council will run regular mental health and wellbeing campaigns to encourage awareness of mental health issues.
- All employees will be given opportunities to look after their mental wellbeing and participate in mental wellbeing activities, e.g. physical activities, stress busters, social events, relevant mental health and wellbeing seminars/workshop, etc.
- Employees will be offered flexible working arrangements that promote their mental wellbeing.
- Employees will be given the opportunity to influence how they do their jobs, scope for varying their working conditions as far as possible, and opportunities to develop and fully utilise their skills.
- Managers will ensure that employees are set realistic targets that do not require them to work unreasonable hours, and have clearly defined job descriptions, objectives and responsibilities.
- Appropriate actions will be taken to effectively manage conflict and ensure the workplace is free from bullying, harassment and any form of discrimination.
- Wellbeing Ambassadors/Champions: Each work team will have a wellbeing ambassador/champion. Wellbeing ambassadors/champions will receive relevant awareness training in mental health and wellbeing. They will liaise with the Council Healthy Working Lives Group, Health and Safety and Human Resources Teams, and Team Managers/Supervisors in leading and promoting mental health and wellbeing activities in their respective teams.

### **5.2 Promotion of an Open and Supportive Leadership Culture**

The following will be pursued:

- Managers will undergo relevant mandatory mental health and wellbeing training (such as NHS 'Mentally Healthy Workplace', or SAMH 'Mental Health in the Workplace – a Guide for managers' and 'Understanding Stress Management in the Workplace') to enable them to promote the mental wellbeing of their staff and deal with issues around mental health and stress effectively.

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- Managers will help to prevent excessive pressure becoming stress by recognising the common signs and symptoms of this in themselves and others, by ensuring that appropriate interventions are carried out and by promoting an open and supportive environment that encourages employees to discuss issues. Tips on signs of mental wellbeing issues and stress are contained in the Council document: *Managing Stress – A Guide for Managers*.
- Managers will give non-judgemental and proactive support to individuals who experience mental health problem, and deal sympathetically with any staff suffering from mental health problems due to circumstances outside the workplace.
- All matters discussed between manager and member of staff must be treated with strict confidentiality and not disclosed to anyone without express permission from the staff member. Any concerns from managers should be raised with the relevant HR Business Partner or a member of the H&S Team.
- They should ensure that their management style reflects the behaviours outlined in the Council's Competency Framework and Dignity at Work Procedure.

### **5.3 Effective and Consistent Communication**

- Managers should ensure effective and consistent communication with team members to enable them identify and tackle any organisational or work-related issues (e.g. job demands, control over the job/role, support from managers and colleagues, working relationships, the role and changes at work) that negatively affect the mental health and wellbeing of their staff. This can be achieved through regular team meetings, one-to-one meetings, PRD meetings and wellbeing conversations. Regular and consistent communication will also offer employees the opportunity to alert their line managers to any mental health or stress related concerns they may have.
- Communication at an early stage is important to allow any mental wellbeing issues or causes of stress to be identified and appropriate action to be taken to minimise its effects on the employee and on service delivery.



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- A good two-way communication should be established and maintained to ensure staff involvement, particularly during periods of organisational change, or any unexpected events.
- Managers should be particularly aware of the impact that organisational change may have on employees and should ensure that appropriate communication and adequate support is provided, particularly where it is known that an employee may already be vulnerable to stressful reactions.

### **5.4 Management of Stress**

#### **5.4.1 Identifying the Causes and Symptoms of Stress**

- A strong moral and business case exists for addressing the causes of stress in the workplace and the council places emphasis on preventing stress wherever possible. In order to do so, managers and employees alike need to be equipped to identify possible sources and triggers of stress in the workplace.
- While the council cannot prevent or control the causes of stress out with the workplace, early identification of the symptoms of stress will allow employees to be supported in the workplace and assisted to manage the circumstances which are causing them stress.
- Each team must have a stress risk assessment which identifies the likely sources of stress and measures to control these. These should be reviewed on a regular basis in line with the Council's Risk Assessment policy. The Health & Safety Team can provide support in identifying causes of stress within a team.
- Where issues of mental ill-health are identified, the line manager should liaise with the HR Business Partner to ensure that appropriate support is offered.

### 5.4.2 Stress Management Standards

The Health and Safety Executive (HSE) has identified six key areas (or risk factors) which may lead to work related stress. These are:

- Demands of the job;
- Employee's control over their work;
- The support an employee receives from managers and colleagues;
- Relationships at work;
- Role in the organisation;
- Change and how it's managed.

Key to managing these risks are ensuring supportive leadership and effective and consistent communication, along with appropriate risk assessment as described in sections 5.2 and 5.3. The Council will strive to implement the HSE management Standards.

## **5.5 Support for Mental Ill-Health**

### 5.5.1 Line Management Support

- Employees who are experiencing symptoms of mental ill-health are encouraged to advise their manager at the earliest opportunity in order that the most appropriate means of help can be identified and offered. Where employees are not comfortable speaking to their line manager, they should speak to one of the HR Business Partners, H&S, their TU Rep or a Mental Health First Aider.

In some cases the employee's concerns will be alleviated by reviewing the balance of their workload commitments and any other non-work commitments to determine whether they are taking on more than they can realistically cope with. A temporary adjustment to workload priorities and/or some support in self-regulating their work, such as the use of time management techniques may be sufficient to assist the employee manage and control their stress levels.

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- The Stress Risk Assessment process may be helpful to identify more significant issues. The documents for this are issued by the line manager and analysed by the Health and Safety Team. The manager, or a nominated person, is then responsible for discussing the report and implementing any measures to help control or prevent the stress being exacerbated.
- If an employee is not comfortable approaching their manager or having done so feels that their concerns have not been adequately addressed, they should seek advice from Human Resources. Additionally the employee may wish to seek advice from a Trade Union representative, and if appropriate, seek a medical view from their GP.

### 5.5.2 Mental Health First Aiders

- The Council also has a number of employees who have undertaken the Mental Health First Aid training and have gained crucial skills in managing mental health in the workplace and how to support others.
- List and contact details of Council Mental Health First Aiders will be published and made accessible to all employees.

### 5.5.3 Employee Assistance Programme

The council offers free access to an employee assistance programme which can provide support for work and non-work related issues, including health, legal, marital, relationship, family, financial, substance abuse or emotional concerns, etc.

The support provided includes:

- Structured Counselling – available via telephone, face-to-face or online depending on the issues requiring support.
- Trauma and Critical Incident Support
- Eye Movement Desensitisation and Reprocessing therapy.
- Cognitive Behaviour Therapy.

### 5.5.4 Stress Control Classes and other Wellbeing training

- Stress Control classes are also held within the Council and the local community.
- A number of e-learning courses are also available to all employees on Clacks Academy.
- The Council will also, on a regular basis, identify and run relevant mental health and wellbeing seminars/workshops to support staff.

### **5.6 Reducing Barriers to Employment for People with a History of Mental Health**

#### 5.6.1 Council Policy on Maximising Attendance

- Where an employee is advised by their GP to take some time off as a result of a mental health condition, the relevant provisions of the council's Maximising Attendance Policy will apply in conjunction with this policy. In these circumstances, managers should adopt a proactive but sensitive approach so that the employee does not feel isolated or guilty. The manager should establish with the employee whether regular contact would be helpful and how this should be arranged during the period of absence.
- Care should be taken to ensure that any return to work is planned and the employee supported to prevent further absence. Occupational Health advice can be invaluable in achieving this.

## 6. Monitoring and Review

This document is subject to monitoring by management and Trade Unions on an ongoing basis. Revisions and updates will be implemented by the Council following consultation with recognised Trade Unions.

Policy Name	Mental Health and Wellbeing Policy
Department	Partnership & Performance
Policy Lead	H&S Manager
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
* 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 EQAI complete	N/A
Date Approved	
Review Date	

