



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

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

Partnership and Performance Committee

Thursday 13 January 2022 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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5 January 2022

A MEETING of the PARTNERSHIP AND PERFORMANCE COMMITTEE will be held Via MS Teams, on THURSDAY 13 JANUARY 2022 at 9.30 am.

STUART CRICKMAR
Strategic Director (Partnership & Performance)

B U S I N E S S

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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 28 October 2021 (Copy herewith)	05
4. Local Fire and Rescue Plan – Clackmannanshire – report by the Strategic Director, Partnership and Performance (Copy herewith)	09
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Partnership and Performance Committee – Committee Members (Membership 8 - Quorum 4)

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 28 OCTOBER 2021 at 9.30 am.**

PRESENT

Councillor Donald Balsillie (Vice Convenor) (Chair)
Councillor Dave Clark
Councillor Denis Coyne
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Jane McTaggart (S)
Councillor Mike Watson

IN ATTENDANCE

Stuart Crickmar, Strategic Director (Partnership and Performance) (Clerk to the Committee)
Lindsay Sim, Chief Finance Officer
Cherie Jarvie, Senior Manager, Partnership and Transformation
Ewan Murray, Chief Finance Officer, Clackmannanshire & Stirling Health and Social Care
Partnership
Superintendent Mandy Paterson, Police Scotland
Chief Inspector, Audrey Marsh, Police Scotland
Mark Bryce, Scottish Fire and Rescue Service
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
Melanie Moore, Committee Services, Legal and Governance

PPC(21)21 APOLOGIES

Apologies for absence were received from Councillor Les Sharp and Councillor Helen Lewis (Convenor). In the Convenor's absence, the Vice Convenor, Councillor Donald Balsillie took the Chair. Councillor Jane McTaggart acted as substitute for Councillor Sharp.

PPC(21)22 DECLARATIONS OF INTEREST

None.

**PPC(21)23 MINUTE OF PARTNERSHIP AND PERFORMANCE COMMITTEE HELD
ON 26 AUGUST 2021**

The minutes of the meeting of the Partnership and Performance Committee held on Thursday 26 August 2021 were submitted for approval.

Decision

The minutes of the meeting of the Partnership and Performance Committee held on Thursday 26 August 2021 were agreed as a correct record by the Committee.

The Convenor advised Committee that Item 5, Fire Performance Report would be taken before Item 4, Police Performance Report due to a meeting that Scottish Fire and Rescue have regarding the Cop 26 Conference.

PPC(21)24 FIRE PERFORMANCE REPORT – ANNUAL, 2020/21

A report, submitted by the Local Senior Officer Clackmannanshire –Stirling and Fife, provided the Committee with an overview of the half year performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire covering the period 1 April 2020 to 31 March 2021. The report was based on performance against objectives and targets set out in the Local Fire and Rescue Plan for Clackmannanshire. Performance indicators were detailed in the summary report at Appendix 1.

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 the report.

PPC(21)25 POLICE PERFORMANCE REPORT FOR CLACKMANNANSHIRE APRIL 2020 TO MARCH 2021

A report, submitted by the Local Police Commander, provided the Committee with information on the performance of Police Scotland in the Clackmannanshire local authority area for the period of 1 April 2020 to 31 March 2021.

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 the report.

PPC(21)26 FINANCIAL PERFORMANCE 2021/22 – AUGUST 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 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.

Motion

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

Moved by Councillor Donald Balsillie. Seconded by Councillor Dave Clark.

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 £0.300m;
2. the forecast centrally held Corporate Services revenue overspend for the year of £0.415m;
3. the forecast revenue overspend of the Clackmannanshire & Stirling Health & Social Care Partnership (HSCP) for the year of £1.535m, and
4. delivery of planned savings in the year forecasted to achieve 79.3%.

PPC(21)27 HR POLICIES

The report, submitted by the Strategic Director, Partnership and Performance, sought Committee approval of the following revised policies: Flexible Retirement policy, Overseas Criminal Record Checks policy, Continuing Further Education policy and Mental Health, Stress and Wellbeing policy.

Motion

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

Moved by Councillor Donald Balsillie. Seconded by Councillor Dave Clark.

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.
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 15 September 2021, following debate and questioning, the Tripartite agreed that these policies be presented to the Partnership and Performance Committee for consideration.

Action

Strategic Director (Partnership and Performance)

Ends 1138 hours

Report to Partnership & Performance Committee

Date of Meeting: 13 January 2022

Subject: Local Fire & Rescue Plan - Clackmannanshire

Report by: Strategic Director, Partnership & Performance

1.0 Purpose

- 1.1. The purpose of this report to agree an updated Local Fire and Rescue Plan for Clackmannanshire in line with requirements of the Police and Fire Reform (Scotland) Act 2012.

2.0 Recommendations

- 2.1. It is recommended that Committee:
- 2.1.1. Notes, comments on and challenges the Local Fire and Rescue Plan 2021 as set out at Appendix 1; and
- 2.1.2. Agrees the Local Fire and Rescue Plan 2021 at Appendix 1 subject to ratification by Council.

3.0 Considerations

- 3.1. The Scottish Fire and Rescue Service is required to prepare and submit a Local Fire and Rescue Plan to the local authority for approval. The 2021 Plan for Clackmannanshire attached at Appendix 1 has been prepared by the Area Commander, Mark Bryce, for consideration and approval.
- 3.2. The Plan is set out under the following priorities;
- 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 & Environment.

3.3. To ensure this Local Fire and Rescue Plan remains flexible to emerging local or national priorities a review may be carried out at any time but will be reviewed at least once every three years. A review may also be carried out if the Scottish Minister directs it or if a new Strategic Plan is approved. Following a review, the Local Senior Officer may revise the Plan.

3.4. There are no direct financial implications for the Council arising from this paper.

4.0 Sustainability Implications

4.1. There are no direct sustainability implications for the Council.

5.0 Resource Implications

5.1. Financial Details

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

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

5.4. Staffing – n/a

6.0 Exempt Reports

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

7.0 Declarations

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

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

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

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

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

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

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

8.0 Equalities Impact

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

Yes No

9.0 Legality

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

10.0 Appendices

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

Appendix 1 – Local Fire & Rescue Plan 2021 – Clackmannanshire.

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart Crickmar	Strategic Director	2127

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director	

2021



LOCAL FIRE AND RESCUE PLAN

Clackmannanshire

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Introduction

Welcome to the Scottish Fire and Rescue Service (SFRS) Local Fire and Rescue Plan for Clackmannanshire 2021. This plan has been created with a focus on placing our communities at the heart of everything we do, and to improve local outcomes for those who live, work in, and visit Clackmannanshire whilst tackling issues of social inequality. It has been created taking cognisance of the Clackmannanshire Local Outcome Improvement Plan, the Scottish Fire and Rescue Service Strategic Plan 2019-2022 and the Scottish Government's Fire and Rescue Framework 2016-2019. This plan will set out our priorities in order to support this ambition.

The demands placed upon the SFRS to respond to a wide variety of incidents, challenges us to ensure our personnel acquire and maintain a range of skills to enable our ability to respond to emergencies. Through the identification and the management of risks within Clackmannanshire we will continue to prepare for these responses, however we recognise on many occasions this demand can be reduced through effective engagement and intervention measures.

We recognise as a public service organisation and as a member of the community planning partnership, the demographics of our society is changing which will challenge us to continually improve on how we deliver our services to our communities. Our plan will therefore seek to focus on those areas of demand to maximise the potential to work in partnership and by using our capacity more effectively and innovatively to ensure we direct our resources to the point of need within our communities to protect those most at risk from harm.

Early in 2020 we faced an unprecedented challenge in the form of a global pandemic. In response to the COVID-19 outbreak, we dramatically changed how we worked so that we could continue to deliver an emergency service whilst keeping our staff and the public safe.

The pandemic is expected to have a lasting effect on society and this will change the way in which we deliver services in the long-term. The full implications are not yet known and this makes it difficult to make any far-reaching plans with certainty. As such we will keep the priorities of this Plan under regular review to ensure it remains relevant and appropriate.

As the SFRS continues to evolve we will seek to play a key part in public service reform and identify the means in which to ensure that our role reflects the needs of society to ensure that as a modern Fire and Rescue Service, we continue to protect Clackmannanshire communities. This Local Fire and Rescue Plan, in conjunction with the statutory responsibilities placed upon the SFRS will be used as a driver to build upon our existing partnership arrangements in Clackmannanshire whilst seeking to foster new relationships to support the Service's mission of "Working Together for a Safer Scotland".

Mark Bryce
Area Commander
Local Senior Officer
Stirling-Clackmannanshire-Fife

National Context

Scottish Ministers set out their specific expectations for the Scottish Fire and Rescue Service in the Fire and Rescue Framework for Scotland 2016. This provides the outline we should follow to ensure our resources and activities are aligned with the Scottish Government’s Purpose and national outcomes.

Our [Strategic Plan 2019-22](#) has been designed to meet these national expectations. Set against a complex and evolving backdrop our Strategic Plan encapsulates our mission, values and our strategic outcomes and objectives.



To ensure we can prevent the worst from happening and to be fully prepared to respond should we be called, we need to be aware of any new changing risks which threaten the safety of communities or the workforce. When developing our most recent plan, cognisance was given to: our changing population and the forecasted rise in over 75s; doing what we can to balance social and economic inequality; climate change and the devastating impact the inclement weather can have on peoples’ lives and livelihoods; and the threat of terrorism.

Our Strategic Plan is supported by a three-year Strategic Plan Programme which provides details on all the activities we intend to carry out to successfully achieve our ambitions. The

Programme informs our Annual Operating Plan, which provides specific detail on the actions we carry out each year, and from which our performance is scrutinised.

This Plan is a statutory Local Fire and Rescue Plan. It sets local direction to meet the strategic outcomes and objectives outlined above. It also demonstrates how we will contribute to Community Planning Partnerships (CPPs).

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Local Context

Clackmannanshire is an area in mainland central Scotland resting on the north bank of the Firth of Forth sharing inland boundaries with Perth & Kinross, Fife and Stirling.

The administrative town of Alloa has a population of some 20,390 people with a total population of 51,360 for the area as a whole.

The Local Authority area contains 5 wards. These can be seen below in Figure 1.

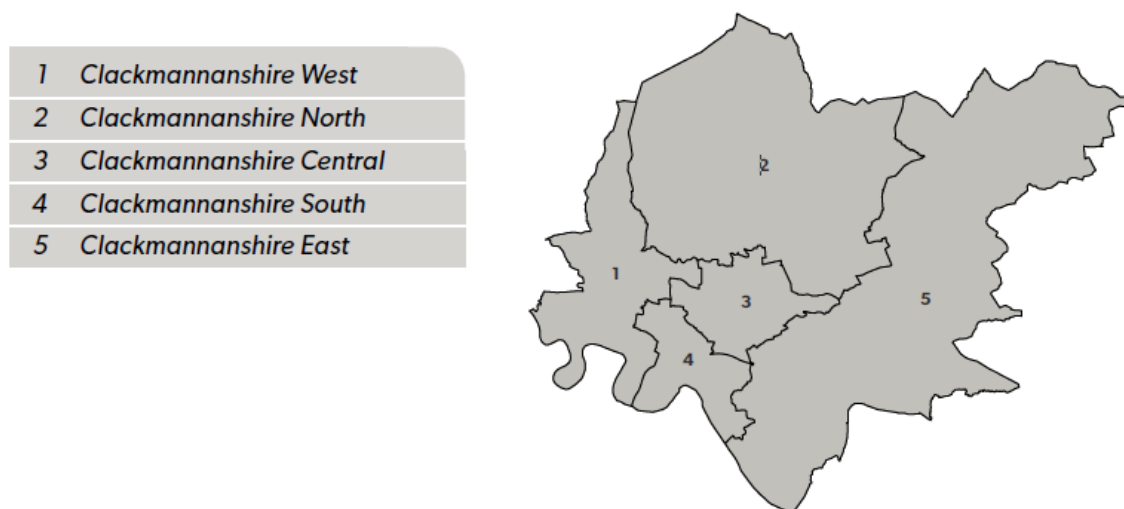


Fig. 1 - Clackmannanshire Wards

Socio-economic Profile

The Scottish Index of Multiple Deprivation (SIMD) is a data and analysis tool used to identify small area concentrations of multiple deprivation across Scotland. The background data is taken from a number of factors that are known to affect the quality of individuals' lives e.g. income, health, employment, education, housing, access and crime. By collecting data on these domains, the SIMD can help identify areas where inequality is highest. The data can then be used by organisations to target policies and funding where the aim is to tackle areas of multiple deprivation and inequality.

The SIMD for Clackmannanshire features "Alloa South and East" as one of the area's most in need of support. Although other communities in Clackmannanshire also feature in the index, many households within "Alloa South and East" are faced with particular challenges in relation to poverty, inequality and disadvantage.

The priorities in this plan and the actions contained in the LOIP will direct SFRS and partner resources to these areas to deliver prevention activity – providing our services where communities are most in need of support.

SFRS Resources in Stirling-Clackmannanshire-Fife

The Scottish Fire and Rescue Service has three Service Delivery Areas. North, West and East Service Delivery Areas. The Local Senior Officer (LSO) area of Stirling-Clackmannanshire-Fife sits within the East of Scotland Service Delivery Area which comprises four LSO areas;

- Stirling-Clackmannanshire-Fife
- Falkirk-West Lothian
- City of Edinburgh
- Midlothian, East Lothian and Borders



During the creation of the Scottish Fire and Rescue Service, the former Central Scotland Fire and Rescue Service area was split into two separate areas, creating Stirling and Clackmannanshire as a single LSO area (Falkirk area became Falkirk-

West Lothian). A restructure of areas recently led to the official creation of the Stirling-Clackmannanshire-Fife (SCF) LSO area in September of 2019. SCF is served by seven wholetime stations denoted by red circles with M in the centre (Alloa Station is red and blue to denote both wholetime and retained duty systems on station) and 18 retained duty system stations, served by 35 fire engines. The area also contains specialist resources including height vehicles at Dunfermline and Kirkcaldy stations, two water rescue teams at Stirling and Glenrothes stations, Technical Rope Rescue at Lochgelly Station and a Special Operations Response Unit at Stirling Station.

These resources are staffed by 614 personnel working various duty patterns. The area is managed by a team comprising the Area Commander, four Group Commanders and eleven Station Commanders. The structure can be seen in the diagram below.



Performance Scrutiny

The SFRS strategic direction is set by the Fire and Rescue Service Framework for Scotland. Scottish Ministers set out their expectations for the Service using this Framework - setting the overarching strategic direction for the SFRS. National SFRS performance is reported back to Scottish Government on an annual basis, providing data and evidence to demonstrate progress towards each of the ten “Strategic Priorities” contained in the Framework.

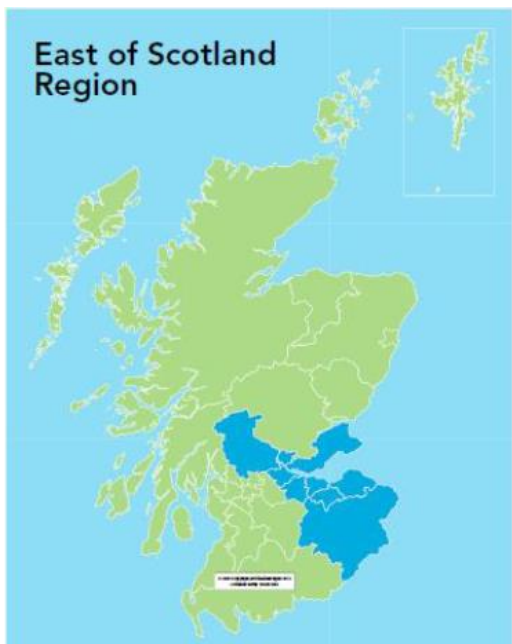
In order to meet the expectations of the Framework, the SFRS produces a Strategic Plan every three years. The current Strategic Plan for 2019–2022 outlines how we as a Service will deliver against our priorities, deliver against desired outcomes in local communities and make a greater contribution to the communities we serve.

To address the requirements of the Strategic Plan, the LSO areas are tasked with creating a Local Fire and Rescue Plan (LFRP) for their area of responsibility. Each LSO area has the opportunity to focus on priorities in the Strategic Plan and those more acute priorities that impact on the safety and wellbeing of those communities within the LSO area (eg. LOIP outcomes). The LFRP is endorsed by the Local Authority prior to publishing, and it is the key priorities in this document that will be used by the Fife Council Environment & Protective Services Committee locally to interrogate local SFRS performance across the Clackmannanshire area where we will present a performance report on a six-monthly basis.

Local Priorities

Priority 1 - Local Risk Management and Operational Preparedness

Background



SFRS is a key partner within the Resilience Partnership structure in Scotland as a Category One Responder as set out in the Civil Contingencies Act (2004) and Civil Contingencies Act (2004) (Contingency Planning) Regulations (2005).

There are three Regional Resilience Partnerships (RRP's) in Scotland which mirror the Scottish Fire and Rescue Service Delivery Areas (SDA's). These are supported by Local Resilience Partnerships (LRP's) of which there are 12 in Scotland. The Forth Valley Resilience Partnership is part of the East of Scotland Region.

SFRS works closely with partners including Police Scotland, Scottish Ambulance Service, Scottish Environment Protection Agency, NHS Forth Valley, MET Office, Maritime and Coastguard Agency and Local Authorities to develop and maintain plans

based on identified risks across the RRP area.

Importantly, all partners work to ensure that collectively, we have the capability to deal safely and effectively with the consequences of any industrial or natural hazards in our area. Further information on this can be found within the East of Scotland LRP Community Risk Register.

As part of the Forth Valley Local Resilience Partnership, we will prepare for, and participate in an exercise programme, which tests the emergency procedures of our business partners. This exercise programme ensures that all partner personnel can operate safely in the event of an emergency, and that our major businesses can return to normal working sooner.

Locally, our management team and personnel must also ensure that we have the capacity, capability and training to respond to all incident types.

Operational Intelligence

SFRS continue to maintain an Operational Intelligence system, which is a database of premises which are inspected based on the level of risk it presents to;

- SFRS Personnel
- Public
- Community Resilience
- Historic and Cultural Value

Our personnel gather information on these premises including site plans, building construction, utilities isolation, risks to firefighter safety and other key information. The premises are categorised as high, medium or low, and inspected according to the risk level.

SFRS personnel maintain the database of premises by completing an inspection programme, ensuring that new risks are identified and inspected, and that premises which either no longer present a risk, or no longer exist, are removed from the system.

Operational personnel can access premises information at the incident locus through the interface of a Getac tablet. The tablet is essentially a large storage device, using technology similar to a smartphone, with mapping and all risk premises details for the whole of Scotland available. The tablet is kept up to date via a Wi-Fi connection within each station appliance bay.

Training

Our personnel undertake a programme of training within the SFRS Maintenance Phase Development Programme. This training programme ensures that all personnel receive training on the 46 incident types over a rolling three-year programme. This includes core, standard, and advanced training modules. Personnel on stations with a specialist rescue resource also receive additional training in that discipline.

Preparedness

As part of the Forth Valley Local Resilience Partnership, we have prepared for, and participated in an exercise programme, which tests the emergency procedures of our business partners. This exercise programme ensures that all partner personnel can operate safely in the event of an emergency, and that our major businesses can return to normal working sooner.

Our personnel also identify premises within their own station area, and working with premises holders, complete exercises on a smaller scale.

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 and within the Forth Valley Local Resilience Partnership.

The Clackmannanshire/Stirling multi-agency Flood Partnership group is supported by locally based SFRS officers, providing guidance and support to local flood groups in Bridge of Allan, Menstrie and Tillicoultry to prevent, prepare and mitigate the effect of flooding events on local communities

We will maintain local risk management and operational preparedness by:

- Ensuring that our training and equipment are appropriate and our personnel are competent to meet our risk profile, and maintain the ability to adapt to changes
- Ensuring that firefighter safety is paramount in everything we do. This will ensure that we have personnel are able to meet the challenges we face
- Maintaining an accurate record of information on identified local risks through Operational Intelligence
- Working with our partners to plan, prepare and exercise our response to major emergencies.

We will monitor the effectiveness of our management strategies by:

- Monitoring our Operational Intelligence and fire safety databases
- Monitoring our equipment maintenance records
- Monitoring our personnel training and development databases
- Monitoring our absence management databases
- Monitoring our performance at exercises through operational assurance processes.

By achieving this we will:

- Ensure the safety of our personnel and public
- Reduce exposure to risk for our personnel, public and businesses within Clackmannanshire
- Ensure that our communities are resilient, and have the equipment and knowledge to mitigate the effects of major emergencies.

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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 show our very young and elderly, particularly in more deprived communities, are most at risk of suffering from an unintentional harm. Case studies shows that a number of agencies are often involved with those most vulnerable and that previously information has not been passed to the relevant agency to make a safe intervention so reducing unintentional harm.

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.

Locally, a number of Youth Engagement Programmes are delivered in the Clackmannanshire Council area by SFRS staff and in conjunction with our partners, such as; Youth Volunteer Scheme, Corporate Parenting, CPR training skills sessions at local secondary schools and Bonfire Awareness sessions for all primary and secondary schools.

Clackmannanshire's population currently shows that there are 9166 children (15 and under), with a 9.2% decrease expected by 2037. There are currently 8,731 elderly people (65+), with a 44.3% expected increase by 2037. Analysis shows that our very young and elderly,

particularly in more deprived communities, are most at risk of suffering from an unintentional injury. Analysis also shows that a number of agencies are often involved with those most vulnerable to these injuries, and that previously, information has not been passed to the relevant agency to make a safe intervention.

Analysis also shows that a number of agencies are often involved with those most vulnerable to these injuries, and that previously, information has not been passed to the relevant agency to make a safe intervention.

Working with our community safety partners, both within Clackmannanshire and across Scotland, SFRS has a significant role to play in contributing towards identifying those at risk, and the risks they are exposed to, and reducing or eliminating those risks, either directly through SFRS, or indirectly through partner intervention.

We will seek to reduce the impact of unintentional injury and harm by:

- Creating a multi-agency plan with our partners, which enhances appropriate information exchange, which will enhance the safety of those within our communities who are most at risk
- Working with our partners to understand the signs and causes of unintentional harm in the home, and educate Fire and Rescue Service personnel to identify these and deliver appropriate interventions
- Utilising our Home Safety Visit programme to assess for risk in the home, with a focus on the young and elderly, referring those deemed at risk from injury and harm to partners to provide additional support
- Focusing resources where demand has been identified and deliver key community safety messages.

We will monitor the effectiveness of our intervention strategies by:

- Providing regular performance reports against our plan to monitor its success
- Working with our partners, reviewing the number of information exchange requests for assistance, both to and from our partners
- Evaluating our intervention measures, and those of our partners.

By achieving a reduction in the frequency and severity of unintentional harm and injuries we will:

- Contribute to safer communities within Clackmannanshire
- Reduce the social and economic cost of unintentional harm and injury
- Support vulnerable people to live independently within their communities
- Ensure the safety and well-being of those living in, working in, and visiting Clackmannanshire.

Priority 3 - Domestic Fire Safety

Dwelling Fires, and the potential fire casualties and fatalities resulting from them, have a significant impact on the families affected, as well as the wider communities, and responding services, not to mention the financial cost to the economy. The information below provides definitions within the Domestic Fire Safety priority.

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'

We will seek to reduce accidental dwelling fires and fire related injuries within the home by:

- Identifying those areas and members of the public most at risk from fire and offer to undertake Home Safety Visits at those addresses
- Working with our partners and sharing appropriate information on risks identified within the home to ensure the safest solution for those at risk.

We will monitor the effectiveness of our intervention strategies by:

- Continuously monitoring the number of accidental dwelling fires
- Continuously monitoring the severity and cause of accidental dwelling fires
- Continuously monitoring the number and severity of fire related injuries
- Increasing the provision of appropriate fire detection systems in the homes of those at risk.

By achieving a reduction in the frequency and severity of unintentional harm and injuries we will:

- As a partner based approach, improve the lives of those most vulnerable to fires and other risks
- Reduce the social and economic impact on our communities from fires
- Reduce the demand on SFRS resources, creating capacity for other activities.

Priority 4 - Deliberate Fire Setting

Deliberate fire setting is a significant problem for the Scottish Fire and Rescue Service and is responsible for a high number of all secondary fire activity attended by fire crews in Clackmannanshire. These fires are split into two categories, which are described below;

Primary Fires - are generally more serious fires that harm people or cause damage to property. Primary fires are defined as fires that cause damage and meet at least one of the following conditions:

- any incident which involves uncontrolled combustion requiring equipped personnel
- any fire involving fatalities, casualties or rescues
- any fire attended by six or more pumping appliances.

Secondary Fires - are generally small outdoor fires, not involving people or property. These include refuse fires, grassland fires and fires in derelict buildings or vehicles. There remains a close link between deliberately set secondary fires and other forms of anti-social behaviour.

Analysis shows that the greatest amount of deliberate fire setting activity takes place in SIMD identified areas of multiple deprivation. Activity increases significantly in April and May each year, and is at its lowest in December and January of each year.

We work hard to identify areas of high activity and engage with schools and groups in the local area. We also work with local partners in Police Scotland and the Local Authority to identify areas of high activity, and increase a presence in the area, engaging with groups to discuss behaviours and discourage future anti-social behaviours and fire raising.

We will seek to reduce the instances of fire related anti-social behaviour by:

- Using local knowledge and data systems, identify those areas of Clackmannanshire most affected by deliberate fire setting
- Identifying the cause of the deliberate fire setting, and inform appropriate partners to take action where required
- Working with partners to develop strategies to reduce deliberate fire setting
- Using educational tools such as school talks and specialist Community Safety Engagement programmes to educate people of the risks involved with deliberate fire setting, and the consequences it brings.

We will monitor the effectiveness of our strategies by:

- Monitoring the number, type and cause of deliberate fire setting incidents in Clackmannanshire
- Evaluating our education programmes for effectiveness and change where appropriate.

In reducing deliberate fire setting we will:

- Reduce the risk of injury to the public and SFRS personnel
- Make our communities safer places to live, work in and visit
- Ensure SFRS resources are available to make our communities safer.

Priority 5 - Built Environment

All fires in workplaces and business premises are classified as Non- Domestic Fires and come under the scope of the Fire (Scotland) Act 2005.

Our Prevention and Protection personnel within SCF manage a regular auditing programme of relevant premises (non-domestic dwellings). Where a fire occurs, SFRS complete a 'post fire audit' with the premises holder. We will continue to audit premises in order to prevent fires occurring, and provide advice where they have occurred.

Our Prevention and Protection personnel also work with architects to provide fire engineered solutions in the planning phase of proposed buildings. Our personnel will continue to work to ensure that proposed buildings plans have the appropriate fire safety solutions in place at the appropriate stages of the planning process.

We will work to reduce fire related incidents within relevant premises by:

- Maintaining our fire safety audit schedule in accordance with the SFRS Enforcement Schedule
- Engaging with duty holders, providing advice and support to ensure that they are compliant with Part 3 of the Fire (Scotland) Act 2005
- Working with our partners to ensure that appropriate fire engineered solutions are incorporated into building proposals at the appropriate stage.

We will monitor our progress by:

- Monitoring the number and building types of completed audits by our staff
- Monitoring the amount of fire engineering solutions and other enquiries managed by our personnel
- Monitoring the number and severity of fire related incidents in our relevant premises.

In achieving a reduction in fires within relevant premises we will:

- Increase life preservation through the application of preventative measures
- Ensure that business owners, employees and visitors can safely use premises in our communities, whilst protecting our economy
- Ensure that Clackmannanshire's cultural and historic buildings are preserved for generations.

Priority 6 - Unwanted Fire Alarm Signals

Unwanted Fire Alarm Signals (UFAS) can be defined as 'any alarm activation which is not the result of a fire or a test'.

SFRS has a UFAS Reduction Strategy policy which requires personnel to contact premises occupiers when the premises breaches trigger numbers of UFAS incidents over a period.

SCF area has allocated a 'UFAS Champion' who contacts premises after **every** UFAS incident. The UFAS Champion engages with the premises occupier in positive dialogue and advice, which has, at times, required only the changing of a single detector head.

We aim to reduce the number of UFAS attendances by:

- Operating a 'zero tolerance' policy, and engage with premises holders to identify the causes of every UFAS incident
- Implementing intervention systems such as staff alarm response or technical interventions including changes to the detector type, or double activation systems where required
- Implementing the SFRS policy on UFAS where required, and reduce the operational response to premises which continue have UFAS incidents
- Identifying premises which attract a significant operational response, and re-assess the response required.

We will monitor the effectiveness of our intervention by:

- Monitoring and challenging each UFAS incident across Clackmannanshire
- Monitoring engaged premises to identify the success or otherwise of agreed UFAS reduction plans
- Monitoring our performance systems to identify whether our interventions are successful.

By reducing UFAS incidents we will:

- Reduce the unnecessary responses to SFRS and the businesses they disrupt
- Reduce unnecessary appliance movements, reducing our carbon footprint, and increasing the safety of our personnel and public on the road
- Increase our capacity to complete other important tasks within our communities.

Priority 7 - Transport and Environment

A core part of the SFRS's activity locally is responding to emergencies such as road traffic collisions (RTCs), flooding and other rescue situations. Firefighters are trained to a high standard and have at their disposal the most modern equipment for extricating people in rescue situations.

At a local level SFRS have a crucial role to play in contributing to and supporting the wider road safety agenda to achieve a reduction in RTCs and casualties and this will be a key focus of our work with community partners.

From evidence it has been identified that young drivers and rural road driving are areas of specific risk within Clackmannanshire and we will focus our education and awareness campaigns on these areas. Road casualty figures in Scotland have reduced significantly over the previous 20 years, however, the figures show that we cannot lose sight of the work that remains to be done to make our roads safer and further reduce deaths and injuries.

Locally we are responding to more incident types due to the evolving nature of our role and as the expectations of the public in our role change. Special services are a collective term for the non-fire related incidents the Service attends. They include RTCs where people are trapped, rope rescue and water rescue incidents.

The Stirling-Clackmannanshire-Fife LSO area are involved in several projects with our partner agencies to reduce casualties from RTC's and Special Service incidents. These educational projects will be delivered to our communities with the aim of reducing such incidents.

We will seek to reduce the number of incident occurrences by:

- Continuing to work with partners to further expand water safety education to secondary and primary school pupils across Clackmannanshire
- Contributing towards community resilience planning programmes with partners in order to ensure that an adequate local community flooding response is established where required.

We will monitor the effectiveness of our strategies by:

- Monitoring the amount of water related incidents along with partners
- Monitoring the frequency of attendances at RTCs and non-fire emergencies, as well as the number and severity of injuries. These will be monitored alongside Police Scotland RTC incidence information
- Monitoring the progress made in creating community resilience plans with partners and the public.

In reducing the number of such incidents, we will:

- Make Clackmannanshire communities safer, and reduce the social and economic costs of such incidents
- Reduce the burden on our emergency services from such incidents
- Deliver better protection of our communities from flooding incidents.

Review

To ensure this Local Fire and Rescue Plan remains flexible to emerging local or national priorities a review may be carried out at any time but will be reviewed at least once every three years. A review may also be carried out if the Scottish Minister directs it or if a new Strategic Plan is approved. Following a review, the Local Senior Officer may revise the Plan.

Contact Us

If you have something you would like to share with us or you would like more information, you can contact us by:

Write to:

Local Senior Officer
Scottish Fire and Rescue Service
Stirling-Clackmannanshire-Fife LSO HQ
Alloa Fire Station
Clackmannan Road
Alloa FK10 4DA

Telephone:

01259 724112

Website:

www.firescotland.gov.uk

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Scottish Fire and Rescue Service



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FIRE AND RESCUE SERVICE

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Report to: Partnership & Performance Committee

Date of Meeting: 13 January 2022

Subject: Financial Performance 2021/22 – October Outturn

Report by: Chief Finance Officer

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 October 2021. Capital expenditure will be reported to the Audit Committee on 3 February 2022 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 underspend relating to the Partnership and Performance Division for the year of £(0.203)m;
 - the forecast centrally held Corporate Services revenue overspend for the year of £0.533m;
 - the forecast revenue overspend of the Clackmannanshire & Stirling Health & Social Care Partnership (HSCP) for the year of £1.509m, and
 - delivery of planned savings in the year forecasted to achieve 78.4%.

3.0 Background

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

Table1

PARTNERSHIP & PERFORMANCE
FINANCE & REVENUES
LEGAL & GOVERNANCE
HR & WORKFORCE DEVELOPMENT
PARTNERSHIP & TRANSFORMATION

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 underspend of £(0.203)m. This is a favourable movement of £(0.503)m since the August Finance update report to this Committee on 28 October 2021.
- 4.2 Corporate services is forecasting an overspend of £0.533m. This is mainly due to centrally held savings that will be realised across Council Services throughout the year.
- 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 Appendix 2. 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 £1.509m 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 £(0.025)m since last reported to Committee on 28 October 2021.
- 5.2 This forecasted overspend should be viewed alongside the overall projected Integrated Joint Board (IJB) overspend on Adult Social Care of £2.477m, with the total integrated budget of the IJB Partnership forecast to overspend by £2.946m. This forecast includes an estimated £2.549m of COVID related expenditure being claimed in the Quarter 2 return to Scottish Government. If these costs are fully met this would reduce the IJB overspend to £0.396m.
- 5.3 This position was set out in the Financial Report to the IJB at its meeting on 24 November 2021 which stated that given the relatively modest overspend, it is assumed that the financial risk could be managed through a number of actions as detailed in the report.

5.4 The key drivers of the projected overspend in the Clackmannanshire element of the budget are detailed within **Appendix 3**.

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 £0.524m (78.4%) are forecast to be achieved with the remaining £0.144m (21.6%) 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 two savings that have been identified as Amber. The largest saving relates to homeless income that is not likely to be achieved in full. The factors contributing to the achievement of these savings 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 underspend in Performance of £(0.203)m and an overspend of £0.533m 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 £1.509m.

7.3 Of the associated £0.688m approved savings, £0.524m (78.4%) 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 October 2021

Appendix 2- Outturn variances at October 2021

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

Appendix 4- Summary Savings by Directorate at October 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	

	Revised Budget 2021/22 £'000	Forecast to March 2022 £'000	Variance Forecast to Budget £'000	Variance as at August £'000	Variance Movement From Previous Forecast £'000
Resource & Governance	6,442	5,948	(494)	(55)	(439)
Strategy & Customer Services	1,743	1,720	(24)	10	(34)
Executive Team	474	465	(10)	(10)	0
Development & Environmental	667	677	9	9	0
Housing & Community Safety	1,921	2,235	315	345	(30)
	11,248	11,045	(203)	300	(503)
Corporate Services	(653)	(191)	462	344	118
Misc Services - Non Distributed Costs	1,100	1,100	(0)	0	(0)
	447	909	462	344	118
less allocated to non general fund	(1,305)	(1,305)	0	0	0
	(858)	(396)	462	344	118
Add Requisitions from Joint Board					
Central Scotland Valuation Joint Board	459	459	0	0	0
Add/Deduct					
Interest on Revenue Balances	(91)	(20)	71	71	(0)
Loans Fund Contribution	4,770	4,770	(0)	0	(0)
Contribution to Bad Debt Provision	200	200	0	0	0
	4,480	5,013	533	415	118
TOTAL	15,728	16,058	330	715	(385)
Health & Social Care Partnership	19,875	21,385	1,509	1,535	(26)

Partnership & Performance	Annual Budget 2021/22 £'000	Forecast to March 2022 £'000	Variance Forecast to Budget at October £'000	Variance due to Covid £'000	Variance due to Non Covid £'000	Variance Forecast to Budget at August £'000	Variance movement August to October £'000	Narrative
Resource & Governance	6,442	5,948	(494)	0	(494)	(55)	(439)	<p>Accountancy: £(0.066)m underspend due to vacancies and difficulty in recruiting.</p> <p>Corporate training: Forecast on budget with no variance.</p> <p>Elections: £0.039m overspend due to the expected costs to be incurred for the upcoming 2022 local elections. Elections in May next year but we will be likely to have £10k for Staff Training costs and £30k Idox costs (Postal votes & Printing costs) before the year end.</p> <p>IT: £(0.046)m underspend, £0.023m movement - £(0.098)m underspend due to capitalisation of new VM Ware and cessation of Wi-Fi Spark fees; £(0.020)m underspend, £0.023m movement due to vacancy management; £0.056m overspend on telephones / mobiles.</p> <p>HR: £(0.463)m underspend, £(0.412)m movement - £(0.059)m underspend, £(0.004)m movement due to staffing vacancies; £(0.409)m underspend and movement due to refund of employer contributions from Scottish Public Pensions Agency.</p> <p>Legal, Democracy & Audit: £(0.005)m underspend, £0.005m movement - £(0.011)m underspend, £0.058m movement due to staffing vacancies; £0.009m overspend due to unachievable income; £(0.013)m various small underspends.</p> <p>Head of Service: £0.047m overspend relating to a legacy unachievable saving on a staffing restructure.</p>
Strategy & Customer Services	1,743	1,720	(24)	0	(24)	10	(34)	<p>£0.100m external funding 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>Scottish Certificates income - unachieved income target of £0.024m.</p> <p>Shortfalls in income are offset by current staffing underpends of £(0.139)m within the contact centre, receptions, communications team & strategy. This has increased by £(0.023)m from August as staff take up new posts. The costs of advertising have almost doubled recently resulting in a forecast overspend of £0.017m. In addition, £(0.025)m underspend is forecast in other miscellaneous savings a slight increase of £(0.010)m from August for support to other community groups.</p>
Executive Team	474	465	(10)	0	(9)	(10)	0	£(0.009)m underspend within subscriptions and supplies and services.
Development & Environmental	667	677	9	31	(22)	9	0	<p>Licensing: £0.031m overspend, £(0.003)m movement due to underachievement of alcohol and civil licence income as a result of Covid.</p> <p>Trading Standards: £(0.017)m underspend due to decreased contractor costs.</p> <p>Environmental Health: £(0.005)m underspend, £0.003m movement due to an increase in income from testing.</p>
Housing & Community Safety	1,921	2,235	315	272	43	345	(30)	<p>Revenues: underspend of £(0.054)m due to staffing vacancies pending restructure, reduced by £0.012m from August. The staffing underspend is partially offsetting the cost of external support required to administer the Scottish Welfare Fund.</p> <p>Scottish Welfare Fund is forecast to overspend by £0.220m, a decrease of £(0.050)m from August. The cost of external support is forecast to be £0.175m partially offset with a staffing underspend of £(0.043)m, an increase of £(0.019)m. The remaining forecasted overspend relates to payments to individuals £0.086m: Community care grants for Furniture purchases is anticipated to be £0.029m overspent and crisis payments are anticipated to be overspent by £0.057m. A slight decrease of £(0.031)m from previously reported. High demand for the service continues, with requests for assistance as the economic impacts of Covid continue.</p> <p>Housing Benefits is forecast to overspend by £0.129m a decrease of £(0.009)m from August 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 over the last two years.</p>
Division Total	11,248	11,045	(203)	303	(505)	300	(503)	
Corporate Services	4,480	5,013	533	0	533	415	118	£0.533m overspend, £0.118m movement - £0.071m overspend due to low interest rates on cash investments; £0.462m overspend and £0.118m movement relates to cross service savings held corporately that are realised within all Council Services and included within Service underspends - Family friendly, Mileage, Vacancy management and credit card rebates.
Corporate Services	4,480	5,013	533	0	533	415	118	

Variances at 31 October 2021

	Annual Budget 2021/22	Forecast to October 2021	Variance Forecast to Budget at October	Variance due to Covid	Variance due to Non Covid	Variance Forecast to Budget at August	Movement in variance August to October	Narrative
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Employees								Underspend across a range of services including: Integrated Mental Health £(424k); Disability Day Care £(180k); Assessment & Care Management including Hospital Discharge £(108k) Intermediate Care £(52)k and Reablement £(58)k. There is an overspend at Menstrie House of £220k and Ludgate Respite £68k (Excludes Covid related costs to be charged to NHS Mobilisation Fund) The reduced underspend is the result of recruitment within Reablement and MECS.
	8,716	8,003	(714)	0	(714)	(726)	12	
Long Term Care								
Nursing Homes								Nursing Home places fell by 55 at the start of the year and now sit at around 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 August.
	7,626	8,720	1,094	0	1,094	1,023	71	
Residential Homes								Overall numbers remain stable at around 60. The movement is due to a realignment of budgets following the allocation of growth funds.
	3,169	3,139	(30)	0	(30)	2	(33)	
Community Based Care								
Care at Home								The forecast reflects the impact of Covid on the delivery of Care at Home. Weekly hours currently stand at around 11,000 compared to pre covid levels of 10,000. Forecast is subject to volatility given uncertainty in both demand and availability of care. The full impact of Covid on service delivery levels is being reviewed to identify potential to charge to the NHS Mobilisation Fund. The positive movement reflects current service commitments.
	8,728	9,441	714	0	714	936	(222)	
Day Care								Day Care for approximately 42 service users of which 19 have complex needs.
	230	244	14	0	14	21	(7)	
Direct Payments								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 August reflects reflects increased number of payments and increased rates.
	953	1,233	280	0	280	219	61	
Housing Aids and Adaptations								Adaptations within private sector homes. The number of adaptations carried out had been significantly impacted by Covid, but are now progressing.
	159	160	1	0	1	1	0	
Housing with Care								This budget is for Supported Accommodation provided by external organisations. Expenditure is less than budget as some care costs have transferred to Care at Home.
	163	111	(53)	0	(53)	(54)	1	
Respite								Costs for respite continue to increase as Respite plans for the year are confirmed.
	129	98	(31)	0	(31)	(40)	9	
Misc. Third Party Payments								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.
	1,080	1,381	301	0	301	241	60	
Premises Expenditure								The budget covers cleaning materials within operational buildings and includes Covid related costs for cleaning materials.
	11	97	86	0	86	23	63	
Supplies and Services								Includes equipment, house adaptations, food and insurance, postage, printing and administration. Movement reflects an updated forecast for insurance (+£10k) and equipment (£+45k)
	403	431	28	0	28	(26)	55	
Transport Expenditure								Travel costs underspent as a result of Covid
	48	43	(5)	0	(5)	(13)	9	
Income								
Income								This income is largely contributions towards the cost of care. Movement since August reflects increased income for Residential Care and Home Care as services re-open.
	(4,269)	(4,502)	(232)	0	(232)	(129)	(104)	
Resource Transfer (Health)								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	0	56	56	0	
Total	19,875	21,385	1,509	0	1,509	1,534	(25)	

Detailed Schedule of Savings - Partnership & Performance Division

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			Work progressing however, unlikely that saving will be achieved this financial year.
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	21,000	129,000			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, and is expected to be achieved
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, and is expected to be achieved
Total	Management Efficiencies	665,200	521,200	144,000	0	0	

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.
		3,000	3,000	0	0	0	

Summary By Type	2021/22 £	Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £
Management Efficiencies	665,200	521,200	144,000	0	0
Policy	3,000	3,000	0	0	0
Total Division	668,200	524,200	144,000	0	0

check

78.4% 21.6% 0.0% 0.0%

Report to Partnership & Performance Committee

Date of Meeting: 13 January 2022

Subject: Revised Data Protection Policy

Report by: Strategic Director, Partnership & Performance

1.0 Purpose

- 1.1. The purpose of this report to ensure that the Council's Data Protection Policy is up to date.

2.0 Recommendations

- 2.1. It is recommended that Committee:
- 2.1.1. Notes, comments on and challenges the revised Data Protection Policy as set out at Appendix 1; and
- 2.1.2. Agrees the Data Protection Policy at Appendix 1 subject to ratification by Council.

3.0 Considerations

- 3.1. An Internal Audit report noted that the Council's Data Protection Policy had been reviewed but there was no record of it having been approved by Committee. Council officers therefore agreed to review the current policy and seek appropriate Council governance.
- 3.2. The revised Policy, attached at Appendix 1, has been reviewed in the context of prevailing legislation and good practice. Should Committee, and subsequently Council, agree the revised policy, a programme of organisational communication and development will support be put in place within the approved resource base to enable deployment.

4.0 Sustainability Implications

- 4.1. There are no direct sustainability implications for the Council.

5.0 Resource Implications

- 5.1. *Financial Details*

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

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

5.4. *Staffing*

6.0 Exempt Reports

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

7.0 Declarations

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

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

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

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

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

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

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

8.0 Equalities Impact

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

Yes No

9.0 Legality

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

10.0 Appendices

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

Appendix 1 – Data Protection Policy

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart Crickmar	Strategic Director	2127
Heather Buchanan	Solicitor	2354

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director	



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DATA PROTECTION POLICY

Version:	1
Author/Service:	Legal & Governance Service – Heather Buchanan
Authorised by:	Head of Partnership & Performance
Release Date:	
Policy Review Date:	1 December 2022

Revision History:

Revision Date	Revised by	Previous Version	Description of Revision
30 Nov 2021	Heather Buchanan		Policy revised to ensure compliance with the UK GDPR

Introduction

Clackmannanshire Council needs to collect, store, process and when required share information or data about people with whom it has contact in order to carry out its functions as a Local Authority and/or meet its statutory obligations.

The Council may need to hold personal data on a wide variety of individuals such as members of the public, customers and clients, elected members, past, present and prospective staff as well as suppliers of goods and services in order to fulfil its commitments.

This Policy applies to our processing of personal data of data subjects, and sets out how the Council will protect the rights of individuals and comply with the data protection legislation.

The Council recognises that it is essential to deal both legally and competently with personal data while conducting its day-to-day business. This creates a level of confidence between the Council and the people whose information it holds and demonstrates that the Council respects the privacy of those people. Clackmannanshire Council is exposed to potential fines for failure to comply with the provisions of data protection legislation.

This policy is not a stand alone document and should be read in conjunction with other related policies, procedures and guidance.

To comply with data protection legislation all employees, elected members, consultants, volunteers, contractors and other agents of the Council who use its computer facilities or paper files to hold and process personal information must comply with the Data Protection Policy.

Definitions

‘Personal Data’ means information relating to a living individual (the data subject) who can be identified from the data or from the data and other information which is in the possession of (or is likely to come into the possession of) the data controller.

‘Special Category Data’ means personal data about an individual’s race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetics, biometric information (where used for ID purposes), and information relating to an individual’s health, sex life or sexual orientation.

‘Data Controller’ is a person or organisation who decides how any personal information can be held and processed, and for what purposes. Clackmannanshire Council is a Data Controller.

‘Data Processor’ – this role is carried out by a person other than a Council employee (for example a Contractor) who process personal information on behalf of the Council.

Purpose

The purpose of this policy is to ensure that the Council fully adheres with its legal obligations as set out in the UK General Data Protection Regulation (GDPR) and other data protection legislation in relation to the protection of personal data that it holds about any individual.

In complying with the Principles of Data Protection as laid down by GDPR the Council not only protects itself but also staff, customers and others who have contact with the Council. However, both the Council and individuals may be held accountable by the [Information Commissioner's Office](#) (ICO), the body which oversees the data protection laws.

Data Protection Principles

We will comply with the following six principles when processing personal data in carrying out our activities and functions as a Council. The personal data must be:

1. Processed lawfully, fairly and in a transparent manner in relation to the data subject.
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
6. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Protection Officer

The Council is required to have a named individual as the person with the overarching responsibility for ensuring compliance with the data protection legislation and promotion of good practice throughout the organisation.

The role of the Data Protection Officer (DPO) is to:

- Inform and advise the Council and its employees about their obligations to comply with the GDPR and other data protection laws.
- Monitor compliance with the GDPR and other data protection laws, including the assignment of responsibilities, managing and responding to data breaches, awareness raising and training of staff involved in the processing operations and related audits.
- Provide advice about data protection impact assessments and monitor their performance.
- Liaise and cooperate with the Information Commissioner's Office on issues related to the processing of personal data.

In addition to the above the DPO will also assist in determining the lawful basis for processing personal data, preparing appropriate contracts in terms of data sharing agreements, and handling complaints from data subjects.

Employee Responsibility

Each member of staff who deals with personal data has a responsibility to follow the procedures and guidelines set down by the Council in relation to data protection in order to ensure that data is held securely; not disclosed to any unauthorised parties and that it is disposed of securely once it is no longer required to be kept.

All staff will undertake data protection training as part of their induction and will be required to do refresher training at least every 2 years.

Data Security

The need to ensure that data is kept securely means that precautions must be taken against physical loss or damage, and that both access and disclosure must be restricted. All staff are responsible for ensuring that:

- Any personal data which they hold is kept securely.
- Personal information is not disclosed either orally or in writing or otherwise to any unauthorised third party.

Failure to comply with the Data Protection Policy can put at risk the data subjects whose personal data is being processed, and carries the risk of civil and criminal sanctions for the Council

Personal Data Breaches

A data breach may take many different forms, for example:

- Loss or theft of information or equipment on which personal data is stored.
- Unauthorised access to or use of personal data either by a member of staff or a third party.
- Loss of personal data resulting from an equipment or systems failure.
- Human error such as accidental deletion or alteration of personal data.
- Unforeseen circumstances such as a fire or flood.
- Deliberate attacks on our IT systems, such as hacking, viruses or phishing scams.

The GDPR introduces a duty on all organisations to report certain types of personal data breach to the Information Commissioner's Office without undue delay and, where possible, within 72 hours of becoming aware of the breach, if it is likely to result in a risk to the rights and freedoms of data subjects. A data subject must be notified if a data breach is likely to result in a high risk to their rights and freedoms.

Staff are required to contact the Data Protection Officer and their line manager immediately on the discovery of a potential data breach.

Retention of data

Personal data will be kept securely and should not be retained for longer than is necessary.

In order to comply with various legal requirements, Clackmannanshire Council is required to retain data it holds for differing lengths of time.

Once the data is no longer required to be held it must be securely destroyed. Information on the retention periods can be found in the Council's retention policy.

The rights of individuals

The General Data Protection Regulation provides individuals with the following rights regarding how we process their personal information:

- The right to be informed about how their information will be used.
- The right of access to their personal information known as a subject access request.
- The right to rectification, which is the right to require the Council to correct any inaccuracies.
- The right to request the erasure of any personal information held by the Council where the Council no longer has a basis to hold the information.
- The right to request that the processing of their information is restricted.
- The right to data portability.
- The right to object to the Council processing their personal information.
- Rights in relation to automated decision making and profiling.

Lawful Processing

The Council must have a valid lawful basis in order to process personal data.

There are six available lawful bases for processing. No single basis is 'better' or more important than the others – which basis is most appropriate to use will depend on the purpose and relationship with the individual. These are:

- **Consent:** the individual has given clear consent for the Council to process his/her personal data for a specific purpose.
- **Contract:** the processing is necessary for a contract that the Council has with the individual, or because the individual has asked the Council to take specific steps before entering into a contract.
- **Legal obligation:** the processing is necessary for the Council to comply with the law (not including contractual obligations).
- **Vital interests:** the processing is necessary to protect someone's life or for the protection of the vital interests of the data subject or another person.
- **Public interest:** the processing is necessary for the Council to perform a task in the public interest or in the exercise of official authority vested in the Council.
- **Legitimate interests:** the processing is necessary for the purposes of legitimate interests pursued by the Council or a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. However, this basis is not available to processing carried out by the Council in the performance of its official tasks: it can only apply to the Council when it is fulfilling a different role

Where special category data and/or criminal offence data is processed the Council also need to identify a lawful condition for processing that information and document it.

The Council must include information about both the purposes of the processing and the lawful basis for it in our relevant privacy notices.

Privacy by Design

Data protection impact assessments (DPIAs) help the council to identify the most effective way to comply with their data protection obligations and meet individuals' expectations of privacy. These should be carried out whenever a service is introducing a new system or where processing of personal data is likely to result in a high risk to the rights and freedoms of individuals.

Privacy Notices

We will issue Privacy Notices from time to time informing data subjects about the personal data that we process about them, how they can expect their personal data

to be used and for what purposes. We will take appropriate measures to provide information in privacy notices in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

Transfers of personal data outside the UK

We may only transfer personal data outside the UK on the basis that the recipient country, territory or organisation is designated as having an adequate level of protection or that the organisation receiving the information has adequate safeguards in place so far as data protection is concerned. Further advice can be obtained from the Data Protection Officer.

Other Policies, Procedures and Guidance

Staff Guide on GDPR
Data Breaches
Subject Access Requests
Data Security Policy
Data Protection Impact Assessments
Data Sharing

Online training on Data Protection – an introduction to GDPR

Further information and guidance

Any questions or concerns about this Policy should be directed to the Data Protection Officer,

Data Protection Officer
Clackmannanshire Council
Kilncraigs
Alloa
FK10 1EB

Email: dpo@clacks.gov.uk

Further information is also available from the Information Commissioner's website: www.ico.org.uk

Report to Partnership & Performance Committee

Date of Meeting: 13 January 2022

Subject: CCTV Systems Policy

Report by: Strategic Director, Partnership & Performance

1.0 Purpose

- 1.1. The purpose of this report to ensure that the Council's Closed Circuit Television Policy is up to date.

2.0 Recommendations

- 2.1. It is recommended that Committee:
- 2.1.1. Notes, comments on and challenges the Closed Circuit Television Systems Policy as set out at Appendix 1; and
- 2.1.2. Agrees the Closed Circuit Television Systems Policy at Appendix 1 subject to ratification by Council.

3.0 Considerations

- 3.1. The Council owns and operates CCTV systems at various locations within its offices and facilities. The Council recognises its legal obligations in operating such systems and the rights and freedoms of those individuals, including its staff, service users and visitors, whose images may be captured by the systems. The Council is committed to operating CCTV systems fairly and lawfully at all times in accordance with, in particular, data protection and human rights laws.
- 3.2. The Council considers that CCTV systems have a legitimate role to play in helping to maintain a safe and secure environment for staff, service users and visitors. Images captured by CCTV systems are personal data which must be handled and used by the Council in accordance with data protection and human rights laws.
- 3.3. This Policy outlines why and how the Council uses CCTV systems, how the Council will handle and use personal data recorded by its CCTV systems, how the Council will respond to requests for disclosure of captured images and for how long the Council will retain captured images.

- 3.4. The CCTV systems policy at Appendix 1 sets out that the Council will comply with the following principles when installing and operating CCTV systems within its offices and facilities:
- 3.4.1. CCTV systems will only be installed and operated where there is a clear identified and documented need and legal basis for their use.
 - 3.4.2. Privacy by design will be the principal consideration when procuring new CCTV systems or if changes are to be introduced to existing systems by way of operation or the underlying technology.
 - 3.4.3. CCTV systems will only be installed and operated after a data protection impact assessment (DPIA) has been completed.
 - 3.4.4. CCTV systems will be located to ensure that only necessary areas are captured by the systems and to minimise the capture of areas not relevant to the purposes for which the system has been installed, such as private homes, areas of private or neighbouring property and areas where staff are working (to the extent that this is possible for staff working in areas where CCTV systems are in operation, such as reception areas).
 - 3.4.5. CCTV systems will not capture sound.
 - 3.4.6. CCTV systems will only capture images of a suitable quality for the purposes for which the systems have been installed.
 - 3.4.7. Appropriate technical and organisational measures will be put in place to ensure the security of CCTV systems and captured images and to protect the systems from vandalism. Controls will be implemented to govern access to and use of such images by authorised personnel only.
 - 3.4.8. Appropriate measures will be taken to provide clear signage and information to individuals whose images are captured by the CCTV systems.
 - 3.4.9. Captured images will only be retained for as long as is necessary for the purposes for which the CCTV systems have been installed.
- 3.5. There are no direct financial implications arising from this paper.

Conclusions

- 3.6. CCTV systems have a legitimate role to play in helping to maintain a safe and secure environment for staff, service users and visitors. Images captured by CCTV systems are however personal data which must be handled and used by the Council in accordance with data protection and human rights laws.

4.0 Sustainability Implications

4.1. There are no direct sustainability implications for the Council.

5.0 Resource Implications

5.1. *Financial Details*

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

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

5.4. *Staffing*

6.0 Exempt Reports

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

7.0 Declarations

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

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

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

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

8.0 Equalities Impact

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

9.0 Legality

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

10.0 Appendices

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

Appendix 1 – CCTV Policy

Appendix 2 – CCTV Footage Disclosure Form

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart Crickmar	Strategic Director	2127
Heather Buchanan	Solicitor	2354

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director	



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CCTV SYSTEMS POLICY

Version:	1
Author/Service:	Legal & Governance Service – Heather Buchanan
Authorised by:	Head of Partnership & Performance
Release Date:	
Policy Review Date:	1 December 2023

Revision History:

Revision Date	Revised by	Previous Version	Description of Revision
1 Dec 2021	Heather Buchanan		Policy produced to ensure compliance with the UK GDPR and data protection laws

CLACKMANNANSHIRE COUNCIL

CCTV SYSTEMS POLICY

1. Introduction

- 1.1 The Council owns and operates CCTV systems at various locations within its offices and facilities. The Council recognises its legal obligations in operating such systems and the rights and freedoms of those individuals, including its staff, service users and visitors, whose images may be captured by the systems. The Council is committed to operating CCTV systems fairly and lawfully at all times in accordance with, in particular, data protection and human rights laws.
- 1.2 The Council considers that CCTV systems have a legitimate role to play in helping to maintain a safe and secure environment for staff, service users and visitors. Images captured by CCTV systems are personal data which must be handled and used by the Council in accordance with data protection and human rights laws.
- 1.3 This Policy outlines why and how the Council uses CCTV systems, how the Council will handle and use personal data recorded by its CCTV systems, how the Council will respond to requests for disclosure of captured images and for how long the Council will retain captured images.

2 Principles

- 2.1 The Council will comply with the following principles when installing and operating CCTV systems within its offices and facilities:
 - 2.1.1 CCTV systems will only be installed and operated where there is a clear identified and documented need and legal basis for their use.
 - 2.1.2 Privacy by design will be the principal consideration when procuring new CCTV systems or if changes are to be introduced to existing systems by way of operation or the underlying technology.
 - 2.1.3 CCTV systems will only be installed and operated after a data protection impact assessment (DPIA) has been completed.
 - 2.1.4 CCTV systems will be located to ensure that only necessary areas are captured by the systems and to minimise the capture of areas not relevant to the purposes for which the system has been installed, such as private homes, areas of private or neighbouring property and areas where staff are working (to the extent that this is possible for staff working in areas where CCTV systems are in operation, such as reception areas).
 - 2.1.5 CCTV systems will not capture sound.
 - 2.1.6 CCTV systems will only capture images of a suitable quality for the

purposes for which the systems have been installed.

- 2.1.7 Appropriate technical and organisational measures will be put in place to ensure the security of CCTV systems and captured images and to protect the systems from vandalism. Controls will be implemented to govern access to and use of such images by authorised personnel only.
- 2.1.8 Appropriate measures will be taken to provide clear signage and information to individuals whose images are captured by the CCTV systems.
- 2.1.9 Captured images will only be retained for as long as is necessary for the purposes for which the CCTV systems have been installed.

3 Reasons for use of CCTV systems

- 3.1 The Council uses CCTV systems for its legitimate business purposes, including:
 - 3.1.1 to prevent and detect (and act as a deterrent against) crime and anti-social behaviour, to protect buildings and assets from damage, disruption, vandalism and other crime and to apprehend and prosecute offenders;
 - 3.1.2 for the personal safety of staff, visitors and other members of the public from unacceptable behaviour, including aggressive or abusive actions; and
 - 3.1.3 to ensure general compliance with relevant legal obligations, including ensuring the health and safety of staff and others.

4 How the Council will operate CCTV systems

- 4.1 The Council will operate its CCTV systems, capture images and use captured images in accordance with the requirements of data protection law.
- 4.2 The Council will ensure that clear and prominent signs are displayed at the entrance of the area in which CCTV systems are in operation to alert individuals that their images may be captured. The signs will contain details of the Council as the organisation operating the systems, the purpose for which the Council has installed and uses the systems and contact details for further information.
- 4.3 The security and integrity of captured images will be ensured by live feeds from CCTV systems and captured images only being viewed, accessed and stored by staff who have authority to do so. Staff responsible for operating the CCTV systems will exercise care when using the systems. This includes positioning CCTV system cameras so as to not

overlook areas that are not intended to be captured and operating the systems, professionally and lawfully, with respect for colleagues and the general public and in accordance with this Policy.

5 Requests for disclosure of captured images by third parties

- 5.1 No images captured by the Council's CCTV systems will be disclosed to any third party, unless they are required for crime prevention and detection, the apprehension and prosecution of offenders, legal proceedings or by court order. No captured images will be posted online or disclosed to the media.
- 5.2 The Council will retain detailed records of the following when disclosing captured images to third parties:
 - 5.2.1 date and time at which access was allowed;
 - 5.2.2 identification of any third party who was allowed access;
 - 5.2.3 reasons for allowing access; and
 - 5.2.4 details of the captured images to which access was allowed.

A "CCTV Footage Disclosure Request Form" must be completed by the third party.

6 Individual requests for access to or erasure of captured images

- 6.1 Data protection law grants rights to individuals in relation to their personal data. This includes rights to request access to and erasure of their images captured by the Council's CCTV systems.
- 6.2 To allow the Council to handle and respond to requests and locate relevant captured images, requests must include:
 - 6.2.1 date and time of the recording;
 - 6.2.2 location where the images were captured; and
 - 6.2.3 information to permit identification of the individual, if necessary.
- 6.3 In the case of access requests, individuals will be asked if they wish to view the captured images or would like a copy. Viewings of captured images will take place at the Council offices where appropriate.
- 6.4 The Council retains copyright in all images captured by its CCTV systems. Any further use or publication of images provided to an individual in response to an access request is prohibited, unless the individual obtains authorisation from the Council.

- 6.5 The Council is entitled to refuse access to captured images in limited circumstances, such as where disclosure would prejudice the prevention or detection of crime or the prosecution of offenders. Where captured images have been passed to the Police or Procurator Fiscal, an access request from an individual will be refused until such time as the Council has been notified that no proceedings will be taken, or proceedings have concluded.
- 6.6 The Council will edit, disguise or blur images of third parties when disclosing captured images in response to an access request to protect the interests of third parties captured in the images.

7 Data Protection Impact Assessment

- 7.1 Prior to introducing a new CCTV system, placing a CCTV system in a new location or implementing changes in how the CCTV system operates or the underlying technology, the Council will complete a DPIA to assess compatibility with the requirements of data protection law. The DPIA will assist the Council in deciding if the new system, new location or changes in operation or technology are necessary and proportionate in the circumstances, whether they should be used or if limitations should be placed on their use in the light of risks.

8 Retention of captured images

- 8.1 Images captured by the Council's CCTV system will be automatically and securely deleted unless retention is required for an ongoing issue, for example, the apprehension and prosecution of offenders or to respond to a request made by an individual under data protection law. In those situations, captured images will be retained for as long as is necessary for those purposes.

9 Complaints

Complaints about the use of the Council's CCTV systems should be forwarded to the DPO in the first instance and handled in accordance with the Complaints procedure.

10 Consequences of failure to comply

The Council takes compliance with this Policy very seriously. Failure to comply with the Policy puts at risk the individuals whose images are captured by the CCTV systems, and carries the risk of sanctions for the Council and associated significant reputational damage.

11 **Other Procedures & Guidance**

Data Protection Policy
CCTV Footage Disclosure Request Form

12 **Further Information**

Any questions or concerns about this Policy should be directed to the Data Protection Officer:

Data Protection Officer
Clackmannanshire Council,
Kilncraigs,
Alloa,
FK10 1EB.
Email: dpo@clacks.gov.uk

CCTV Footage Disclosure Request Form

Name of Officer Making Request	
Position and Badge Number	
Date of Request	
Contact Number	
Contact E-mail	
Location of Incident	
Date of Incident	
Timings of Incident	
Incident Details	
Reason for request: (a) prevention or detection of crime; and / or (b) apprehension or prosecution of offenders Please provide as much detail as possible.	
By completing and submitting this form, you confirm that the CCTV footage requested is needed for one or both of the above purposes, and a failure to provide the CCTV footage will be likely to prejudice one or both of those purposes and the individual(s) whose personal data is contained within the CCTV footage should not be informed of the request because to do so would prejudice one or both of the above purposes.	
Signature of Officer Making Request	

<u>For Office Use Only</u>	
Reviewed By:	
Result of Review	
Is A Download Required?	Yes / No
Disc Number	
Further Comments	