



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

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

Meeting of Clackmannanshire Council

Thursday 15 May 2025 at 9.30 am

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



Clackmannanshire Council

There are 32 Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

Details of all of our Council and Committee dates and agenda items are published on our website at www.clacks.gov.uk

If you require further information about Council or Committee meetings, please contact Committee Services by e-mail at committees@clacks.gov.uk or by telephone on 01259 452006 or 452004.

7 May 2025

A MEETING of the CLACKMANNANSHIRE COUNCIL will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on THURSDAY 15 MAY 2025 at 9.30 AM



NIKKI BRIDLE
Chief Executive

B U S I N E S S

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1. Apologies	--
2. Declaration of Interests Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Services Officer.	--
3. Minutes of Meetings (Copies herewith):	
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MEETING MANAGEMENT

The Convener has advised that subject to the efficient management of the meeting, meeting breaks will be as follows:

- There will be a 10-minute break after 2 hours sitting, as set out in Standing Orders.
- There will be a 45-minute break for lunch at 12.45 until 13.30
- There will be a 10-minute break at around 15.30.

Clackmannanshire Council – Councillors and Wards (Membership 18 - Quorum 5)

Councillors

Wards

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

Religious Representatives

We must appoint three religious representatives in accordance with Section 124 of the 1973 Act (inserted by Section 31 of the 1994 Act).

Religious representatives only have voting rights on matters relating to the discharge of the authority's function as education authority.

Our representatives are:

Reverend Sang Y Cha – Church of Scotland

Father Michael Carrie – Roman Catholic Church

Pastor Dee Jess – Baptist Church

Updated April 2025



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the Council Chamber, Kilncraigs, Alloa, on Thursday 20 March 2025 at 9.30 am.

PRESENT

Councillor Phil Fairlie, Convener (Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Denis Coyne
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Wendy Hamilton
Councillor Scott Harrison
Councillor William Keogh
Councillor Fiona Law
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Mark McLuckie
Councillor Jane McTaggart
Councillor Bryan Quinn
Councillor Janine Rennie

IN ATTENDANCE

Nikki Bridle, Chief Executive
Chris Alliston, Strategic Director (Partnership & Performance)
Lorraine Sanda, Strategic Director (People)
Kevin Wells, Strategic Director (Place)
Lindsay Sim, Chief Finance Officer (Partnership & Performance)
Colin Bruce, Chief Education Officer (People)
Sharon Robertson, Chief Social Work Officer (People) (Via Teams)
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)
Dale Bell, Solicitor, Legal and Governance (Partnership & Performance)
Andrew Buchanan, Housing Operations Manager (Place) (Via Teams and in Chambers)
Veronica Cully, Senior Manager, Inclusion and Partnership (People) (Via Teams)
Wendy Forrest, Head of Strategic Planning & Health Improvement (HSCP) (Via Teams)
Claire Fullarton, Communications Officer (Partnership & Performance) (Via Teams)
Sarah Goldberg, Team Leader, Legal and Governance (Partnership & Performance)
Alastair Hair, Team Leader/Senior Manager (Partnership & Performance)
Elizabeth Hutcheon, Management Accountancy Team Leader (Partnership & Performance)
Cherie Jarvie, Senior Manager, Partnership & Transformation (Partnership & Performance)
Joanna McDonald, Interim Chief Officer for Clackmannanshire and Stirling Health and Social Care Partnership (HSCP)
Paul Morris, Economic Development Strategy Officer (Place)
Ewan Murray, Chief Finance Officer, Clackmannanshire and Stirling Health and Social Care Partnership
Wendy Robertson, Senior Manager Transformation (via Teams)
Johan Roddie, Senior Manager, Permanence (People) (via Teams)
Catriona Scott, Senior Manager, Secondary Education (People)
Murray Sharp, Senior Manager, Housing (Place) (Via Teams and in Chambers)
Robbie Stewart, Senior Manager, Sport and Leisure (People) (Via Teams)
Donna Tierney, Accountant (Partnership & Performance) (Via Teams)
Callum Wynd, Tenant Participation Officer (Place)
Norman Gill, Foundation Scotland
Melanie Moore, Committee Services (Partnership & Performance)
Gillian White, Committee Services (Partnership & Performance) (Minute)

CC(25)020 APOLOGIES

Apologies were received from Councillor Craig Holden and Councillor Kathleen Martin.

CC(25)021 DECLARATIONS OF INTEREST

There were no declarations of interest.

CC(25)022 MINUTES OF CLACKMANNANSHIRE COUNCIL – 30 JANUARY 2025

The minutes of the meeting of the Clackmannanshire Council held on 30 January 2025 were submitted for approval.

Decision

The minutes of the meeting of Clackmannanshire Council held on 30 January 2025 were agreed as a correct record and signed by the Convener.

Action

Clerk to the Council

CC(25)023 MINUTES OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL – 30 JANUARY 2025

The minutes of the Special Meeting of the Clackmannanshire Council held on 27 February 2025 were submitted for approval.

Decision

The minutes of the Special Meeting of Clackmannanshire Council held on 27 February 2025 were agreed as a correct record and signed by the Convener.

Action

Clerk to the Council

CC(25)024 WESTHAUGH TRAVELLING PERSONS SITE – COUNCIL UPDATE

The report, submitted by the Strategic Direct (Place), provided an update on the Westhaugh Travelling Persons Site upgrade project and sought Council approval over a number of key factors to get the project back on site.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Jane McTaggart. Seconded by Councillor Scott Harrison.

Decision

The Council:

1. Noted that the Chief Executive has asked the Scottish Futures Trust (SFT) for a full report examining the project management by HUBCo East Central Scotland (para 6.4 of the report);
2. Noted that the approved project budget was £5,500,000 agreed by Council in May 2023;
3. Noted that the revised project total from both the replacement Tier 1 contractor and Councils own internal project costs has been established at £6,242,000, which is increase of £742,000 from the previously agreed project budget (para 4.1 of the report);

4. Noted that officers and HUBCo staff have identified value engineering works which provide a saving of £271,000 in the required project budget, achieved by the various substitution and specification alterations as referenced in Section 5 of this report (para 5.2 of the report);
5. Noted the following mitigations and decisions (paras 2.7 to 2.9 of the report) equate to £471,000, which represents the difference between the budget previously approved by Council, and the current project budget requirement;
6. Approved the revision by the contractor relating to excess soil (para 4.4 of the report) on the site to reduce spend by £107,000, thus bringing the revised total project budget to £5,864,000;
7. Noted the Council has received additional Scottish Government Grant of £164,000 (para 4.5 of the report);
8. Approved the use of £200,000 of council earmarked homeless prevention activity reserves (para 7.4 of the report) to fund the project beyond current financial governance; and
9. Noted that failure of council to take forward and complete this project, could mean the that the Scottish Government could request repayment of circa £1m of grant funding, already drawn down and spent on the project (para 7.1 of the report).

Action

Strategic Director (Place)

CC(25)025 BE THE FUTURE: CLACKMANNANSHIRE TRANSFORMATION SPACE

The report, submitted by the Strategic Director (People), updated Council following the report on 21 March 2024 about the Council's Be the Future Transformation Plan. It set out specific proposals to significantly move the Council's ambitions for working with our communities by creating a framework to enable community voice led service prioritisation and transformation.

The paper also proposed the creation of a Transformation Fund, to be managed by an experienced Charity Fund Management organisation – a Fund Manager. This Fund Manager would underpin the new arrangements by working with communities and individuals to identify and prioritise spend on early intervention activities in line with the priorities agreed in the Local Outcomes Improvement Plan.

Motion

To agree the recommendations in the report.

Moved by Councillor Ellen Forson. Seconded by Council Graeme Lindsay.

Decision

The Council approved:

1. The creation of a Community Interest Company to support the 'Clackmannanshire Transformation Space' which will ensure that community voice is at the heart of prevention and early intervention proposals designed to achieve better outcomes for Clackmannanshire communities. This will require Council to put in place contracts and legal agreements to secure proper governance (Paras 3.16 and Appendix 1 of the report).

2. The creation of a Transformation Fund, to be managed by an experienced Fund Manager, to provide the supporting transformation funding arrangements. It is proposed to use Foundation Scotland for the first year of this new way of working. As well as acting as the Fund Manager, Foundation Scotland will manage the Community Voice work, analyse and sift the emerging proposals, award the grants to deliver the proposals, and manage the resulting reporting requirements. This will require Council to put in place contracts and legal agreements to secure proper governance (Paras 3.18 to 3.23 and Appendices 1 and 2 of the report).
3. The creation of an Oversight Board, involving Council, private sector, public sector and community representatives to oversee the Clackmannanshire Transformation Space and ensure the desired outcomes are being achieved from this new way of working. (Paras 3.17 and Appendix 4 of the report).

The Council noted:

4. The proposals in this paper present a radically different way of working, and Year 0, the first year of operation, allows the Council, its partners and communities to trial the approach, learn from it, and adapt it, as it moves towards Year 1. Involving communities in the design, development and delivery of services in this way, is sector-leading Christie focused reform and community empowerment.
5. The proposals in this report allow the Council to implement Year 0 of the Clackmannanshire Transformation Space, including setting up the Transformation Fund. Year 0 also includes the set up of governance arrangements for funds to be awarded to communities with oversight by the Council and its partners, including Independent Funders. As such, Officers will report back during the year, but also a full report on Year 0 will be prepared seeking appropriate authorisation before proceeding to future years.

Action

Strategic Director (People)

CC(25)026 ANNUAL TREASURY MANAGEMENT REPORT 2023/24

The Council is required by regulations issued under the Local Government in Scotland Act 2003 to produce an annual review of treasury management activities. The report, submitted by the Chief Finance Officer, detailed the treasury management activities for the Council for the year ended 31 March 2024 and how this compared to the 2023/24 Treasury Management Strategy Statement set in March 2023.

Motion

To agree the recommendations in the report.

Moved by Councillor Ellen Forson. Seconded by Council Graeme Lindsay.

Decision

Having considered the report, the council noted the Annual Report for 2023/24 on the Council's Treasury Management Activities.

CC(25)027 INTEGRATED JOINT BOARD BUDGET

The report, submitted by the Chief Executive, had been noted on the Agenda as "Copy to follow" and had been prepared following discussions on the 6th and 13th March with the Chief Officer of the Integrated Joint Board (IJB) in respect of the forecast 2024/25 financial outturn position and the proposed 2025/26 Budget for the IJB. Its development has been supported by the IJB Chief Officer, Chief Finance Officer, and Council officers.

The report set out a request from the Chief Officer for financial support following the completion of a series of recent workshops aimed at addressing the financial deficit in 2025/26. It also sought confirmation of any available financial assistance, to mitigate the forecasted adverse outturn for 2024/25.

As the report was being presented shortly after the Council approval of the 2025/26 Budget, consideration of the proposed options required Council's agreement to suspend Standing Order 17.1.

Motion

To agree the recommendations in the report.

Moved by Councillor Fiona Law. Seconded by Council Ellen Forson.

Decision

The Council agreed to:

1. Approve the suspension of Standing Order 17.1, which does not permit consideration of a matter within six months from the date of the original decision, in order that the requests can be fully considered by Council;
2. Adopt Option B (paragraph 4.10 and set out below) to support the forecasted 2024/25 overspend in the Integrated Budget (section 4 and paragraph 4.10), having taken account of the risks set out in paragraph 4.12.

Option B: To make an additional financial contribution of £1.327m in line with Option 3 of those presented by the Chief Officer and in line with the sum assumed within the recently approved 2025/26 Budget (General Service Pressures Reserve)

3. Adopt Option E (paragraph 4.20 and set out below) in support of the 2025/26 Budget, having noted that Option F may not be required should the Scottish Government give permission for a two-year Budget to be implemented (section 4 and paragraphs 4.14 to 4.25).

Option E: Make no additional financial contribution to the 2025/26 Integrated Budget above the previously agreed and budgeted sum of £30.047m in line with paragraph 8.5.4 of the current Integration Scheme (paragraph 4.6)

The Council agreed to note:

4. The background and financial context to the operation of the Health and Social Care Partnership (paragraphs 3.1 to 3.7);
5. That any offer of additional financial contribution from the Council would be made on the basis it would be repaid in 2026/27, though there are risks associated with this; and
6. The potential cumulative impact of, and risks associated with, agreeing to fund additional contributions in respect of both requests received, specifically on the Transformation and Employment Fund earmarked reserves, and/or Council's uncommitted reserves.

Action

Chief Executive

In line with Standing Order 10.23, the Convener adjourned the meeting at 11.30 am for a comfort break. When the meeting resumed at 11.45 am, 16 members remained present.

CC(25)028 COUNCIL CHAMPIONS AND OUTSIDE BODIES AND IMPLEMENTATION OF THE SCOTTISH LOCAL AUTHORITIES REMUNERATION COMMITTEE (SLARC) RECOMMENDATIONS

At the Meeting of Clackmannanshire Council held on 30 January 2025, as part of the Mid-term Review of the Council's Decision-making Framework, and Councillor Responsibilities, the Council agreed changes to political responsibilities including the roles of Spokespersons.

As Council Spokesperson roles are directly linked to some Champion roles, the report, submitted by the Strategic Director (Partnership and Performance) sought Council's approval of consequential changes to the nominations for specific Champions.

At the statutory meeting of Clackmannanshire Council held on 25 May 2022 the Council appointed elected members to represent the Council to certain outside bodies. As a result of the resignations of the elected members to some of the outside bodies the Council was asked to nominate elected members to these positions as appropriate. It sought Council's view on whether it wished to be represented on these bodies and, if so, asked Council to appoint members to relevant organisations.

The report also invited the Council to consider the number of Senior Councillors and approve revised remuneration, in accordance with regulations set by Scottish Government Ministers, effective from 1 April 2025.

Motion

To agree the recommendations in the report. To nominate the undernoted elected members to the roles of the outside bodies detailed in paragraph 3.6:

Outside Body	Nomination
Children's Hearing Scotland	Councillor Fiona Law
Clackmannanshire and Stirling Environmental Trust	Councillor Scott Harrison
CoSLA Policy Board - Health and Social Care Member	Councillor Fiona Law
CoSLA Policy Board - Community Wellbeing Member	Councillor Graham Lindsay
CoSLA Policy Board - Environment and Economy Member	Councillor Scott Harrison
Integrated Joint Board (Health and Social Care)	Councillor Fiona Law
NHS Forth Valley Board (remunerated position)	Councillor Fiona Law
SEStran (South East Scotland Transport Partnership) Board	Councillor Scott Harrison

To maintain the number of Senior Councillors as 8; and to allocate the total yearly amount payable to Clackmannanshire Council for remuneration of all its Senior councillors across all 8 Senior Councillors noting that the maximum amount payable, under the legislation, is capped at £37,458, noting that updated legislation will be laid before Parliament to correct this value to become £37,548.

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

Decision

The Council:

1. Agreed to the consequential changes to the specific champions as set out in the table below:

Champion	Original	Consequential Change
Champion for Carers	Spokesperson for Health and Social Care	Depute Spokesperson for People
Champion for Older People	Spokesperson for Housing & Property	Depute Spokesperson for Place
Champion for Climate Change	Spokesperson for Environment and Net Zero	Spokesperson for Place
Champion for Children & Young People	Spokesperson for Education	Spokesperson for People

2. Noted that where there has been no change to the political responsibilities, the Champions will remain the same as set out in the table below:

Champion	
Champion for Veterans	Provost
Champion for Armed Forces	Provost
Champion for Equalities	Council Leader
Champion for The Promise	Council Leader

3. Note the resignation of the elected members to the roles of outside bodies as at 19 March 2025 as detailed below:

Outside Body	Resigned as at 19 March 2025
Children's Hearing Scotland	Councillor Wendy Hamilton
Clackmannanshire and Stirling Environmental Trust	Councillor Fiona Law
CoSLA Policy Board - Health and Social Care Member	Councillor Wendy Hamilton
CoSLA Policy Board - Community Wellbeing Member	Councillor Scott Harrison
CoSLA Policy Board - Environment and Economy Member	Councillor Fiona Law
Integrated Joint Board (Health and Social Care)	Councillor Wendy Hamilton
NHS Forth Valley Board (remunerated position)	Councillor Wendy Hamilton
SEStran (South East Scotland Transport Partnership) Board	Councillor Fiona Law

4. Agreed the appointment of elected members to the roles of the outside bodies as detailed below:

Outside Body	Appointed 20 March 2025
Children's Hearing Scotland	Councillor Fiona Law
Clackmannanshire and Stirling Environmental Trust	Councillor Scott Harrison
CoSLA Policy Board - Health and Social Care Member	Councillor Fiona Law
CoSLA Policy Board - Community Wellbeing Member	Councillor Graham Lindsay
CoSLA Policy Board - Environment and Economy Member	Councillor Scott Harrison
Integrated Joint Board (Health and Social Care)	Councillor Fiona Law
NHS Forth Valley Board (remunerated position)	Councillor Fiona Law
SEStran (South East Scotland Transport Partnership) Board	Councillor Scott Harrison

5. Agreed to maintain the number of Senior Councillors as 8; and
6. Agreed to allocate the total yearly amount payable to Clackmannanshire Council for remuneration of all its Senior councillors across all 8 Senior Councillors noting that the maximum amount payable, under the legislation, is capped at £37,458, noting that updated legislation will be laid before Parliament to correct this value to become £37,548.

Action

Strategic Director, Partnership and Performance

CC(25)029 HR POLICIES

The report, submitted by the Senior Manager (HR and Workforce Development), invited Council to approve the new Sexual Harassment Policy and Procedure (attached at Appendix of the report).

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Wendy Hamilton.

Decision

Having challenged and commented on the report, the Council:

1. Agreed that the Sexual Harassment Policy and Procedure are formally approved; and
2. Noted the Equality / Fairer Scotland Impact Assessment which had been attached as Appendix B of the report.

Action

Senior Manager (HR and Workforce Development)

CC(25)030 COMMUNITY WEALTH BUILDING 2ND PROGRESS REPORT

The report, submitted by the Strategic Director (Place), provided Council with an update on progress to embed the principles of Community Wealth Building in Clackmannanshire, including next steps, since the publication of the Clackmannanshire Action Plan in December 2020.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council:

1. Noted the progress on delivery of 21 actions, as detailed in the Community Wealth Building Action Plan, approved at the Council meeting in December 2020; and
2. Agreed to the proposed activity to be undertaken in 2025 to further embed Community Wealth Building in Clackmannanshire in the year ahead as outlined within Paragraph 7 of the report, and as set out below:

Focus on Community Wealth Building in Clackmannanshire in 2025 will centre around the publication of a Clackmannanshire Strategy for Economic Transformation – supporting both the developing Regional Economic Strategy and the National Strategy for Economic Transformation – and engagement with the Centre for Local Economic Strategies to ensure that both the Council and Anchors remain fully engaged with a refreshed set of actions.

Ends: 12.30 pm



**MINUTES OF MEETING of the PETITIONS COMMITTEE held within the Council
Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on THURSDAY 3 APRIL
2025 at 1.30 PM.**

PRESENT

Councillor Donald Balsillie
Councillor Denis Coyne (S)
Councillor Ellen Forson (S)
Councillor Scott Harrison
Councillor Willian Keogh
Councillor Fiona Law
Councillor Mark McLuckie
Councillor Bryan Quinn

IN ATTENDANCE

Kevin Wells, Strategic Director (Place)
Lee Robertson, Senior Manager, Legal and Governance (Clerk to the Committee)
Murray Sharp, Senior Manager, Housing (Place)
Andrew Buchanan, Housing Operations Manager (Place)
Pat Cairney, Principal Building Standards Surveyor (Place)
Keith Johnston, Acting Planning and Building Standards Team Leader (Place)
Karen Payton, Team Leader – Communications & Marketing (Partnership & Performance)
Gillian White, Committee Services

As the appointment of a Chair and Vice Chair was on the Agenda for decision, Kevin Wells welcomed everyone to the Petitions Committee and outlined the protocol in terms of fire evacuation and process.

PET(25)01 APOLOGIES

Apologies were received from Councillor Martha Benny and Councillor Graham Lindsay. Councillor Denis Coyne acted as substitute for Councillor Benny and Councillor Forson acted as substitute for Councillor Lindsay.

PET(25)02 DECLARATIONS OF INTEREST

None.

PET(25)03 APPOINTMENT OF CHAIR AND VICE CHAIR

At the Council meeting of 30 January 2023, it was agreed that a Chair and Vice Chair of the Petitions Committee would be appointed from within the nominated Committee membership at the first meeting of the Committee.

Councillor Ellen Forson nominated Councillor Donald Balsillie as Chair. Councillor Balsillie declined the nomination as for this Petition being considered, he was also the local member.

Councillor Donald Balsillie then nominated Councillor Scott Harrison as Chair. Councillor Harrison accepted the nomination and as there were no further nominations, Councillor Scott Harrison was duly appointed as Chair of the Petitions Committee.

Councillor Donald Balsillie nominated Councillor Bryan Quinn as Vice Chair. Councillor Quinn accepted the nomination and as there were no further nominations, Councillor Bryan Quinn was duly appointed as Vice Chair of the Petitions Committee.

Decision

Councillor Scott Harrison was appointed as Chair and Councillor Bryan Quinn was appointed as Vice Chair of the Petitions Committee.

Action

Senior Manager, Legal and Governance

PLC(25)04 ORDER OF PROCEEDINGS

An order of proceedings was put before the Committee for information. The Chair advised all parties present of the procedure for hearing the petition.

PLC(25)05 PUBLIC PETITION – TILLCOUNTRY RAAC HOMEOWNERS

The report, submitted by the Senior Manager, Legal and Governance (Monitoring Officer) summarised the petition which had been received from Ms Lindsay McQuater entitled “Tillicoultry RAAC Homeowners”.

Attending:

Ms Lynsey McQuater, Principal Petitioner
Mr Wilson Chowdhry, Principal Petitioner’s Representative
Ms Fiona Crichton, Supporter
Ms Frances Reid, Supporter

The Committee heard a presentation from Wilson Chowdhry, on behalf of the Principal Petitioner Lynsey McQuater.

He highlighted a number of key points as follows:-

1. **Pre RAAC declaration valuations** – he urged the Council to adopt valuations reflecting property values as if the RAAC issue were not present. He was disappointed that despite the Council making a drastic change in its preferred recommendation, from voluntary acquisition to immediate works, sometime after the petition was written, that they are not being allowed to speak on the new proposal. The proposal involves replacing roofs, retrofitting cavity wall insulation and adding new external render to properties, an option many homeowners would prefer over the previous voluntary acquisition scheme, which only offered paltry sums. They had hoped to challenge Councillors to consider a sundry loan system that would enable homeowners to repair the homes while also preserving existing Council housing stock, sparing the Council the uncertainty of prolonged building projects.

He stressed that the Council has the ability to prevent financial crisis for so many who have found themselves in the situation through no fault of their own, suggesting that the Council must accept some responsibility for the historic construction of these homes, which introduced RAAC as a failed cost saving measure, and that these properties were later sold to unsuspecting buyers without any disclosure of the presence of RAAC or acknowledgement of safety concerns that were ignored for decades.

If the Council insists on voluntary acquisition, the petitioners demand that the pre RAAC valuation approach be adopted to ensure fairness. Any voluntary agreement that offered less than market value as at a pre RAAC valuation would push most homeowners towards bankruptcy and homelessness. He stressed that this is unacceptable and cannot be the intention of the elected members, and that they have a duty to support these homeowners in a way that is just and equitable.

2. **Financial support for RAAC-related costs** - he requested financial assistance for homeowners to cover RAAC related costs, including evacuation expenses and disturbance payments, through a voluntary agreement. However, he expressed his disappointment that despite multiple requests for information, they still do not have clarity on whether homeowners' requests for costs will be met, and these costs also include re-entry expenses for retrieving personal belongings, storage fees and Council rents. They are suffering immense hardship, and homeowners are calling for generosity. The delays in progressing options and finding a final resolution have been entirely due to the Council, the majority owner of these properties, who is already liable for much of these costs. He advised that this has only served to exacerbate financial burdens on homeowners and urged the Committee to help them. Homeowners should not be at the cost of a crisis they did not create.
3. **Request a public inquiry** – He called on Clackmannanshire Council to formally request that the Scottish Government conduct a public inquiry into how Scottish Councils' have handled RAAC. This inquiry must examine safety assessments; property transactions; risk assessments for the use of RAAC, considering in Tillicoultry the nearby quarries and quarries and mines and whether quarrying contributed to the early failure of RAAC in Tillicoultry homes; RAAC Disclosures; and Councils' responses to homeowner concerns. Transparency is critical to restoring public trust and ensuring accountability for the decisions that have left homeowners in this precarious situation.
4. **Advocate for a national financial support fund** – he urged the Council to take a stronger stance in lobbying the Scottish Government for a national Financial Support Fund for RAAC affected homeowners. The recent announcement of £3.4 billion in funding from Chancellor Rachel Reeves presents a timely opportunity to secure vital support. With the backing of the local MP, he believed that more visible advocacy from the Council could significantly influence policy decisions at a national level. He asked that whatever method of resolution is chosen in June, he implored the Council to continue pressing the Scottish Government to ensure homeowners do not suffer financial losses. This should include a commitment that, if the sundry loan scheme is chosen, the Council will advocate for government support to ensure long term financial stability.

In his final comments he summarised that the Council face a choice to allow homeowners to slip into financial devastation or to act decisively to ensure they are treated fairly. If voluntary acquisition remains on the table, the pre-RAAC declaration valuations must be implemented or if works are the way forward, financial support must be provided to cover past and ongoing costs. This is not just a policy decision, it's about real lives, real families and a community that has already suffered enough. He urged the Council to stand with homeowners and deliver a just outcome.

Members of the Committee had the opportunity to put questions to the petitioners and to officers of the Council.

Decision

Having considered the petition and the information presented to it by Ms Lynsey McQuater and her representative Mr Wilson Chowdhry; and having had the opportunity for questions, the Committee agreed to prepare a report to Council with the undernoted recommendations:

1. **Provide Pre-RAAC Declaration Valuations** – that the Council agree that a feasibility study, based on Royal Institution of Chartered Surveyors (RICS) requirements, is carried out by officers and surveyors to establish whether a mechanism for both pre and post RAAC valuations can be carried out as at the date of the Petitions Committee (3 April 2025).
2. **Financial support for RAAC-related costs** – that the Council explores all avenues within existing frameworks to provide support in whatever form that takes including all sectors.

3. **Request a Public Enquiry** – that the Council take no further action on this request at this time.
4. **Advocate for a National Financial Support Fund** – that the Council actively and more visibly lobby the Scottish Government and the UK Government for the establishment of a national financial support fund for RAAC-affected homeowners.

Action

Senior Manager, Legal and Governance (Monitoring Officer)

Ends 1600 hours

Report to Clackmannanshire Council

Date of Meeting: 15 May 2025

Subject: Committee Recommendations Referred to Council

Report by: Chief Executive

1.0 Purpose

- 1.1. The purpose of this report is to seek Council approval of recommendations which have been made by the Petitions Committee on 3 April 2025 and the Audit & Scrutiny Committee on 17 April 2025.
- 1.2. Under the Council's decision-making framework, Council has delegated certain matters to committees and has reserved certain powers. Included in the latter are the approval of main policies and strategies (Scheme of Delegation 3.2), the approval of budgets (Scheme of Delegation 3.19) and the spending of money not budgeted for (Scheme of Delegation 3.20).
- 1.3. Standing Order 8.4 requires that where a Committee passes a report to Council, the full Committee report shall not be included again on the Council agenda and that officers should prepare a brief report that refers to the relevant Committee report and recommendation(s).

2.0 Recommendations

- 2.1. From the **Petitions Committee**, in relation to the "*Public Petitions – Tillicoultry RAAC Homeowners*", where the Petitions Committee considered the petition, and the information presented to it; and made the undernoted recommendations to Council for the disposal of the petition.

It is recommended:

- 2.1.1. **In response to the request to provide pre-RAAC declaration valuations** – that the Council agree that a feasibility study, based on Royal Institution of Chartered Surveyors (RICS) requirements, is carried out by officers and surveyors to establish whether a mechanism for both pre and post RAAC valuations can be carried out as at the date of the Petitions Committee (3 April 2025).
- 2.1.2. **In response to the request to provide financial support for RAAC-related costs** – that the Council explores all avenues within existing frameworks to provide support in whatever form that takes including all sectors.

2.1.3. **In response to the request a public enquiry** – that the Council take no further action on this request at this time.

2.1.4. **In response to the request for Council to advocate for a National Financial Support Fund** – that the Council actively and more visibly lobby the Scottish Government and the UK Government for the establishment of a national financial support fund for RAAC-affected homeowners.

2.2. The report relating to the Petitions Committee held on 3 April 2025 is available on the Council's website [Public Petition – Tillicoultry RAAC Homeowners](#)

2.3. From the **Audit and Scrutiny Committee**, in relation to the “*Staff Survey 2024*”, where the Audit and Scrutiny Committee noted the results of the survey; and made the undernoted recommendations to Council.

It is recommended:

2.3.1. That the Council agree the move to a bi-annual survey process.

2.4. The report relating to the Audit and Scrutiny Committee held on 17 April 2025 is available on the Council’s website [Staff Survey 2024](#).

3.0 Sustainability Implications

3.1. None

4.0 Resource Implications

4.1. *Financial Details*

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

4.3. Finance have been consulted and have agreed the financial implications as set out in the report. N/A

4.4. *Staffing*

5.0 Exempt Reports

5.1. 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**

- 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**

- Complies with relevant Council Policies ☒

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".

None

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 ☐


Petitions Committee of 3 April 2025 (Item 5) – report entitled
[“Public Petition – Tillicoultry RAAC Homeowners”](#)

Audit and Scrutiny Committee of 17 April 2025 (Item 8) – report entitled
[“Staff Survey 2024”](#)

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lee Robertson	Senior Manager, Legal and Governance	2087

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

Report to Council

Date of Meeting: 15th May 2025

**Subject: Be the Future Update – Clackmannanshire and Falkirk
Collaboration Work**

Report by: Chief Executive

1.0 Purpose

This paper provides the latest update in respect of the Council's Be the Future Target Operating Model (BtF TOM) and associated Transformation Programme. This paper provides an update on the top three themes, and progress on the Collaboration Work with Falkirk Council.

2.0 Recommendations

Council to note:

- 2.1. Progress on the top three priority areas (para 3.1-3.6)
- 2.2. Progress on the Collaboration Work with Falkirk Council (para 4.0-4.8).

3.0 Considerations

Top 3 Priority Themes Progress

Please note the progress in the priority themes set out below:

3.1. Digital and Data Transformation

Public Services Networks (PSN) Security - A Network Audit of the current network is being undertaken which includes the Corporate and Education networks. Work is also underway to isolate vulnerable legacy applications on the network. A tender for network replacement will need to take place, the scope will be to replace end of life security and network equipment for the corporate network.

- 3.2. **M365** – Work on the migration of shared mailboxes to M365 and the migration of distribution lists from M365 is underway. The implementation of Mobile Device Management – covering Androids and iOS devices is ongoing.

3.3. **Social Work IT Management System** - The specification and core statement of requirements has been completed. This will inform the ITT through to the final tender process for the new system. To maximise the benefit realisation of the new technology, in parallel with the procurement of the new system, further work is being undertaken to create a future operating model for social care and to identify the role the new technology will play in supporting wider ambitions and the direction of travel for the function. This will ensure transformational change alongside the procurement of a new system. A number of workshops and meetings with specific service areas have taken place.

3.4. A range of digital service developments are also progressing across service portfolios:

Customer Service Hub -The Customer Service Hub aims to enhance customer and employee experiences and modernise the workplace through new digital services

Education- The new School Enrolments application allows online enrolment for Primary and Secondary Schools and ELC admissions, with the Secondary School enrolments application now in development

Roads - New digital services for requesting a skip permits and enquiring about adoption plans are now live.

General Enquiries - New functionality will enable staff to record and allocate customer enquiries to council services for resolution, with the go live date to follow.

Fuel Poverty Applications - A new digital service for Fuel Voucher Applications will provide financial assistance to individuals and families experiencing fuel poverty, go live imminent.

SMART Clacks - The project uses damp and mould sensors to educate tenants on indoor air quality and energy conservation, reducing property maintenance costs. The properties have been identified, and installation is planned over the next month.

Data Insights - The Data Advisory Group will meet in April, to review the governance framework and pipeline of PowerBi reports. This will support the council's ability to deliver better services and outcomes for communities in Clackmannanshire. There will be a demonstration of the impressive developing capability at the May Be the Future Board.

3.5. **Workforce Strategy**

The Interim Workforce Strategy is being progressed via quarterly implementation group meetings. A Council wide Skills Matrix Project is underway, with skills matrix framework created, and management meetings being rolled out in April. The Senior Leadership Forum & Team Leader Forum forward plan underway, with sessions delivered around the CIPFA Local Code of Governance.

A Leadership programme outline approved by SLG, with route to procurement is now established. A Corporate Induction project is underway, with work on going with implementation date of June 2025.

Directorate workforce planning sessions are arranged with each SMT, feeding into creation of new Strategic Workforce Plan.

Flexible Working seminars conclude in conjunction with Flexibility Works – further management session for frontline staff to be arranged.

3.6. Asset Strategy

The Asset Management Strategy (AMS) will be developed in stages and will not only consider the Council's Corporate Assets, Commercial Assets, and Fleet, but will also seek to build upon the Council's Community Asset Transfer Policy. The timelines for these stages will be set out in the implementation plan for the AMS.

The AMS document is currently at an advanced stage, and we are working with the Strategic Director Place and Services to finalise the draft prior to wider circulation. Work is on-going with a view to having a completed draft document for Spokesperson review by the end of May. The report is on target for submission to Council in the Autumn for approval.

In parallel with this work, a draft of a Property Asset Management Plan, that will sit alongside the AMS is also being developed.

The Learning Estate Strategy (LES) will be a stand-alone strategy in its own right but will be closely referenced and aligned with the AMS as there will be dependencies and alignments. There was a positive Policy Development Session with the Admin Group at the end of March which outlined the direction of travel with the LES and associated Learning Estate Management Plan.

Primary School Learning Estate - 5 Primary Schools have been identified for upgrade and funding of circa £2.8 million has been approved. A programme plan and timeline to deliver improvement works has been completed with works scheduled to commence in summer 2025, with the contractor appointed.

4.0 Collaboration Work Update

4.1. In the Budget Context and Outlook paper agreed at the Special Council Meeting on 27th February Council was informed:

“ In line with the Council's BtF TOM, and building on the considerable track record of effective collaboration, our planned work is also prioritising work which considers options for transformation which can be achieved by working more with partners.

To take this forward, the Council is now in discussion with Falkirk and Stirling Councils, to consider the potential for a joint project which will help each Council to identify opportunities for future transformation. At this stage we are discussing a scope for discovery phase work.

The aim would be to provide each of the partner councils with a suite of options and opportunities for the way forward. These must be focused on delivering future efficiencies and savings to support the Council's financial strategy, as well as considering service sustainability. The work must also link to the Council's Target Operating Model and inform the next phase of the Council's transformation programme".

- 4.2. As Council was informed at the Budget setting meeting on 27 February, Discovery Phase work has been agreed and is currently being taken forward with Falkirk Council. Key activities to date have included:
- A Visioning Workshop was held at Chief Executive and Director level at the end of March.
 - Extensive Portfolio/ service level sessions between peer professional groups from both councils
 - analysis of a significant amount of quantitative and qualitative data from both councils.
- 4.3. The discussions around vision and ambition at both a council-wide level and for each directorate were focused around three options:
- a self-sustaining delivery model,
 - a mixed economy delivery model,
 - a regional model with integrated management and local delivery.

These options help to provide a consistent structure and framework for the potential collaboration opportunities to be explored across Directorates. The 'self-sustaining' model is effectively the baseline from which the Councils can assess the additional benefits, and whether they outweigh the costs, of the collaboration models.

- 4.4. The key features of the three models are set out below:

Exhibit 1: Discovery Phase Potential collaboration Models

Understanding the options for collaboration

The discussions around vision and ambition at both a council-wide level and for each directorate were focused around three options; a self-sustaining delivery model, a mixed economy delivery model and a regional model with integrated management and local delivery. These options help to provide a consistent structure and framework for the potential collaboration opportunities to be explored across Directorates. The 'self-sustaining' model is effectively the baseline from which the Councils can assess the additional benefits, and whether they outweigh the costs, of the collaboration models.

1 Self-sustaining delivery model	2 Mixed economy service delivery model	3 Regional model: integrated management, local delivery
<ul style="list-style-type: none"> Current forecast funding 'envelope' Existing budget plans Opportunity to stretch and the potential 'ceiling' for delivering benefits 	<ul style="list-style-type: none"> Alternative delivery options for target services Exploring opportunities to combine funding and/or delivery across organisations Exploring alternative delivery models and use of third / other sectors 	<ul style="list-style-type: none"> Identifying an option to more closely integrate areas of operational delivery across the two authorities Identifying the potential benefits from maximising funding and delivery economies of scale

- All options will still have operational and delivery risks associated
- All options require change and investment – including in people, process and technology change

- 4.5. To date a wide range of background data has been provided for analysis. Following on from this the 'As is' workshops within both Councils have taken place to assess the current position and challenges we face – covering the themes of People (Education, Children's social work and Adult Services), Place and Corporate & Customer. The 'To Be' workshops have also taken place looking at ideas and opportunities for future transformation both within each Council and across both Councils. Further function specific discussions have taken place to work through the outputs of the 'To Be' workshops
- 4.6. A draft report will be produced which will be presented to the Chief Executives and Directors in mid-May to provide a high-level indication of the opportunities for transformation, the indicative resources and steps needed to deliver the options.
- 4.7. The final report is expected to be available prior to the summer. This will take some time to work through to assess the options available and what transformation may be feasible. Feedback and engagement with Councillors will take as soon as appropriate with a report to be taken to Council in October 25.
- 4.8. Additionally, a joint bid with Falkirk Council has been submitted to the Scottish Government's Invest to Save Fund. The bid is seeking financial support for our potential Phase 2 work to design and implement preferred collaborative options. Feedback on the bid has not yet been received.

5.0 Sustainability Implications

- 5.1. N/A

6.0 Resource Implications

6.1. Financial Details

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

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

6.4. Staffing

7.0 Exempt Reports

- 7.1. 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

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

Complies with relevant Council Policies ☒

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 None

11.0 Background Papers

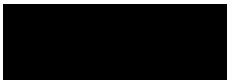
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Wendy Robertson	Senior Manager Transformation and Capital	

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

Report to: Clackmannanshire Council

Date of Meeting: 15 May 2025

Subject: Budget Strategy Update

Report by: Chief Finance Officer

1.0 Purpose

- 1.1. The purpose of this report is to maintain Council's regular update on the approved Budget Strategy. This report provides an update on the post – Budget context and sets the timetable and key milestones to commence the 2026/27 Budget process.

2.0 Recommendations

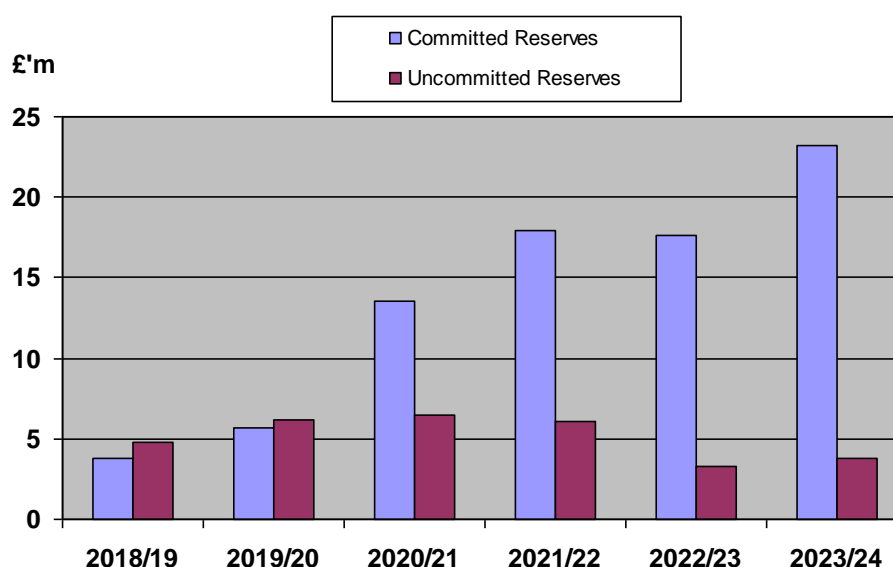
2.1 Council is asked to:

- 2.1.1 agree the high level Budget Timetable (Appendix A)
- 2.1.2 note the extremely challenging financial position and financial risks faced by the Council and the mitigations being put in place to manage these risks (paragraphs 3.1 to 3.6)
- 2.1.3 note that a Medium Term Financial Strategy (MTFS) is being developed and will be presented to Council in June (paragraph 3.7)
- 2.1.4 note that the indicative funding gap is £7.340m in 2026/27 rising to £19.132m by 2029/30 (paragraph 3.5 and Exhibit 2)
- 2.1.5 note the arrangements for 2026/27 budget preparation, including the work of the Budget Working Group and the proposed scheduling of three tranches of Budget Challenge sessions (paragraphs 4.1 to 4.3 and Appendix A)
- 2.1.6 note the approach to the preparation of the HRA 2026/27 Revenue and Capital Budgets (paragraphs 4.4 to 4.6)
- 2.1.7 note the establishment of a cross party working group to support the budget setting process (paragraph 4.7)
- 2.1.8 note the ongoing work with CoSLA and the Scottish Government to raise awareness of the systemic and contextual challenges facing Clackmannanshire (paragraph 4.9)

3.0 Post Budget Financial Outlook and Indicative Funding Gap

- 3.1 The financial and economic context within which the Council is operating remains challenging and highly uncertain as set out in the 2025/26 Budget reports to Council in February 2025. For this reason, spending restraint and the recruitment to critical posts only, implemented during the 2024/25 financial year, will continue during 2025/26. This position will be reviewed regularly throughout the year informed by the Council's quarterly outturn forecasts and updates on any financial areas of uncertainty. This position will be reported to the Audit and Scrutiny Committee and/ or Council as appropriate.
- 3.2 In this context, it is extremely important that work to implement savings approved in the Council's recent 2025/26 Budget, is prioritised. Services' approved budget allocations for 2025/26 reflect appropriate reductions in the budgeted sums where savings have been approved by Council. If services are delayed in implementing savings, it is important that forecasts accurately reflect this position in order that this can be scrutinised by the Audit and Scrutiny Committee and that mitigating savings are identified by services to ensure that the Budget remains balanced throughout the year.
- 3.3 Paragraph 3.6 below highlights the Council's current uncommitted reserves balance of £3.420m or 2% of net expenditure. External Audit have highlighted the trend in the Council's utilisation and earmarking of reserves and this is set out at Exhibit 1 below. Exhibit 1 shows low levels of uncommitted reserves and increasing balances of earmarked reserves. This has been in part due to the receipt of one-off and/ or ring-fenced monies such as the receipt of grant funding which should be utilised in line with any terms and conditions. These balances are considered through routine budget monitoring to ensure utilisation, increase visibility, scrutiny and transparency, and to facilitate the timely release of funds no longer required.

Exhibit 1: Earmarked reserves trends



- 3.4 Following Budget setting, the net expenditure, funding and resulting indicative funding gap for 2026/27 and beyond are shown in Exhibit 2. Council will note that the 2026/27 gap increased by £3.430m due to the utilisation of one off cash

savings, revenue reserves and capital receipts which have been committed to support the 2025/26 Budget:

Exhibit 2: General Services Budget 2025/26-2029/30 Indicative funding gap

	2025/26	2026/27	2027/28	2028/29	2029/30
	£000	£000	£000	£000	£000
Net Expenditure	170,980	179,396	186,987	194,663	201,763
Net Funding	(170,980)	(172,056)	(174,984)	(178,430)	(182,631)
Cumulative indicative Funding Gap	-	7,340	12,003	16,233	19,132
Annual indicative Funding Gap	-	7,340	4,663	4,230	2,899

3.5 The table above shows that the indicative funding gap for 2026/27, after the setting of the 2025/26 budget, is £7.340m, and there is a cumulative gap of £19.132m by 2029/30. This is based on current assumptions at this time and will be updated through the regular Budget Strategy updates to Council throughout the year.

3.6 This undoubtedly reflects a very challenging situation as we look ahead to next year's budget setting, especially when considered against the current financial context and key risks:

- £74m of budget savings have already been approved by Council since 2010;
- Pay award for 2025/26 – the pay award for 2025/26 has not yet been agreed and discussions are ongoing between Trade Unions, and COSLA and Council Leaders. Anything above the 3% included within the approved budget would require additional funding in 2025/26 and this would add to the gap in future years if permanent funding is not received;
- Clackmannanshire and Stirling Health and Social Care Partnership Budget (HSCP) projected overspend 2024/25 – the Partnership is currently forecasting an overspend of c£10m as reported to the IJB Board in March 2025. Following consideration of Council of a request for funding after the 2025/26 budget had been set the Council agreed to one of the options put forward by the Chief Finance Officer amounting to £1.327m, equivalent of a share based on budgeted contribution, to be repaid in future years;
- HSCP budget 2025/26 – at the time of writing this report, the IJB Board has not set a balanced budget for 2025/26. A budget gap of £8m after savings of £11m has been identified. Along with the request for additional funding for 2024/25, the IJB Chief Officer and Chief Financial Officer also requested an additional funding contribution for 2025/26 towards this gap, again presenting 3 options. Council considered this request, however could

not support any additional funding based on affordability as the request had been made after setting the 2025/26 Council budget;

- Increase in Employers National Insurance Rates (NI) – it is estimated that this will add £1.9m to the Councils paybill for 2025/26. Scottish Government funding at 60% has been confirmed, leaving a pressure of c£800k for the Council to find on a permanent basis, There is also a risk that this cost pressure will be passed on by providers of commissioned services and also suppliers and contractors of goods, works and services. The quantum of this amount is currently unknown but would also need to be met from Council funds.
 - Continuing inflationary pressures on the costs of goods and services;
 - Increases in demand for services – demand for frontline services including Child Care and specialist areas within Education and Learning have also been increasing. While some additional funds have been provided within the 2025/26 settlement, Clackmannanshire's high level of deprivation and need mentioned above means there is a risk that this demand will continue to exceed the funding provided;
 - Reserve Balances - uncommitted General Services Revenue reserves amount to £3.420m after setting the 2025/26 budget which equates to 2% in line with the minimum reserve policy. With the use of reserves to support the budget in previous years and the anticipated cost pressures mentioned above it is essential that the Council continues to prudently manage and direct reserve balances to ensure that these support activity including transformation to maintain financial sustainability and protect services, and
 - That few of the financial flexibilities and/or income raising opportunities made available to Scottish Local Government make a significant impact in the Clackmannanshire context, for instance the visitor levy and Council tax on second homes.
 - Future year budget gap – the indicative gap for 2026/27 shown above indicates a funding shortfall of £7.4m rising to £19.1m. As noted above, there are a number of assumptions within these indicative figures including assumptions on pay of 3%, flat cash funding and an increase in Council tax of 10%.
- 3.7 The risks and uncertainties noted above will be a key feature within the Medium Term Financial Strategy (MTFS) that is being developed and will be presented to Council at its meeting in June. A Financial Resilience Framework is also being developed that will sit alongside the MTFS to provide a longer term view of the Councils financial resilience.
- 3.8 In light of the current challenges the Council is undertaking a number of activities that are in varying stages of development that will mitigate the pressures and service and financial sustainability challenges currently being faced:
- Prioritising the political and managerial awareness raising and lobbying with regards the systematic challenges facing the Council with the Scottish Government, COSLA and key stakeholders such as Deloitte, the Council's

external auditors, Audit Scotland and the Accounts Commission. Key activities include meetings with Scottish Government post budget setting and a commitment to further meetings and regular check-ins with External Audit covering current issues including HSCP, MTFP etc. (paragraphs 4.8 and 4.9);

- Be the Future Target Operating Model - this work is being progressed in parallel with the Regional Collaborative Working options appraisal. The Senior Leadership Group (SLG) has held sessions to identify potential design options on delivery and the Chief Executive is developing consequential Management arrangement options. Good progress is being made on the Discovery Phase – associated with this is a joint invest to Save Bid which has been submitted to Scottish Government Fund in conjunction with Falkirk Council, requesting additional financial support to assist with phase 2 work which will follow this discovery phase (see Be the Future Report also on this agenda);

- Be the Future Transformation Programme – at its last meeting, Council considered and agreed the Transformation Space work which is innovative in this area. Significant progress is also being made on Digital and Data transformation including the Data Insights work and work to develop the SWIT system (see Be the Future Report also on this agenda);

- Income maximisation - a refreshed draft strategic approach is being developed on the Investment Strategy and a resource is continued to be sought following a recent unsuccessful recruitment campaign;

- Officers are participating in a COSLA group which is reviewing the challenges of small Councils and our work is informing the scope of the group;

- The Councils MTFS and Financial Resilience Framework is being developed and will be presented to Council in June 20205 (paragraph 3.7), and

- Continued focus on sound financial governance and maximising management efficiency in operational delivery. Financial mitigations of Spending Restraint and Recruitment to Critical Posts only is being continued for 2025/26 to ensure spend is in line with budget and support uncommitted reserves in light of the financial uncertainties noted above. Training sessions for budget holders along with developing the financial ledger system to improve oversight of financial management is also being progressed (paragraph 3.1).

3.9 Further updates on this work will be reported to Council through the appropriate reporting mechanism.

Budget Approach 2026/27

4.0

4.1 In light of this context, and in keeping with previous years, it is therefore appropriate that Council sets out the Budget preparation timetable and milestones to allow for work to be progressed prior to Council recess. The Budget process will again comprise the following key elements:

- **Budget challenge sessions** at portfolio and whole Council level: the first of three tranches of sessions will take place prior to Council recess
 - **Capital Operations Group:** will meet every second month to oversee both the in-year capital programme monitoring arrangements, review the currently approved programme and coordinate and evaluate new capital bids
 - **Member and Trade Union Briefings:** a Briefing session will be held following each Challenge round and same information shared with both elected members and Trade Union representatives
 - **Internal and External Consultation process:** the established process of consultation and engagement will be undertaken and the outcomes reported to all members and publicly as part of usual Budget arrangements.
- 4.2 Monthly Budget Working Group meetings have been set up, commencing in May. This group is made up of the Chief Executive, the Chief Financial Officer, the Chief Accountant, the Senior Manager for Transformation & Capital and the Strategic Directors from the three portfolio areas with the purpose of overseeing the full budget process. The group is responsible for directing the key budget tasks, ensuring that the timeline is adhered to. The group will continue to meet to support the budget strategy up until the budget is set.
- 4.3 The high level Budget timetable and associated key milestones are set out in Appendix A. A detailed project plan is being developed which will include a full project timeline for each main task with an assigned responsible officer, a risk register and identify dependencies between tasks. Oversight of this project plan will be undertaken by the budget Working Group.
- 4.4 As in previous years the budget setting process also includes the preparation of the HRA Revenue and Capital budgets including the setting of the HRA Rent levels. The approach includes three key areas of work which are currently underway:
- Preparing the expected level of Revenue income and expenditure on HRA activities for the coming year,
 - Reviewing and updating the Capital programme
 - The annual Rent consultation with tenants (mid Nov to mid Dec).
- 4.5 To support the above work for the 2025/26 financial year and over the medium to long term two additional areas of activity are being undertaken:
- stock condition surveys of our assets which will inform an improvement programme that will be built into the capital plan for future years, and
 - a review of central support recharges between the General Fund and the HRA to ensure that appropriate costs are accounted for in line with national guidance.

- 4.6 The 2026/27 HRA Revenue and Capital budget will be put forward to Council in early 2026 in line with the timescales for issuing any notice to tenants of changes in rent levels.
- 4.7 To support the budget process from an all member perspective a cross party working group is being established. This group will be represented by political leadership reflective of the make up of Council, up to a maximum of eight elected members. Regular meetings will be arranged with additional meetings nearer the budget setting date if required.
- 4.8 In recent Council briefings and Council meetings, and most recently within the Budget Context and Outlook Report presented to Council alongside the 2025/26 Budget Report at its meeting in February 2025, the Council Leader, Chief Executive and Chief Financial Officer have briefed councillors on political and managerial engagement to promote understanding, awareness and potential action with regards Clackmannanshire Council's systemic and contextual challenges and how this relates the funding and distribution mechanism.
- 4.9 This work is continuing through engagement with both CoSLA and Scottish Government and most recently, the Chief Executive and Chief Financial Officer met with the Scottish Government to provide an update on the Councils position following the setting of the Councils budget in February. The Chief Executive has also met with the Chief Executive of COSLA to discuss the nuances the Council faces as a small Council and the Chief Finance Officer is participating in a group, led by COSLA, with several other Directors of Finance to explore these challenges and potential mitigations including the allocation of funding and a de minimus funding level. Further updates on this work will be provided throughout the year.

5.0 Sustainability Implications

- 5.1 There are no direct environmental sustainability implications arising from this report.

5.0 Resource Implications

5.1 Financial Details

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



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

5.4 Staffing

- 5.5 There are no direct staffing implications arising from this report.

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**

Complies with relevant Council Policies

☒

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 A- Budget 2026/27: Key Milestones, Timeline and Outputs

11.0 Background Papers

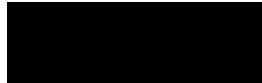
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

- General Services Revenue and Capital Budget 2025/26

Author(s)

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

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

Budget 2026/27: Key Timeline, Milestones and Outputs

Task/ Milestone	Timing	Responsible Officer(s)	Stakeholders/ Attendees	Output
Develop detailed project plan (including risk register and dependencies)	May	Senior Manager - Transformation	Budget Working Group	Project plan
Budget Working Group	May	CFO/CA	SLG, CFO, CA	Reviewing Project Plan
Budget Challenge Session 1	June	CFO/CA	Directors, Senior Managers, CEX, CFO and CA	Initial officer savings proposals and pressures – Savings spreadsheet to be populated
Budget Working Group	August	CFO/CA	SLG, CFO, CA	Reviewing business cases
Members and TU Briefings	August	CFO/CA	All Elected Members, TU's, Directors, CEX, Senior managers, CFO, CA	Outputs of Budget Challenge Session 1
HSCP - Resource Transfer	October	HSCP CO and CFO	HSCP Chief Officer & CFO, CEX, CFO and CAO	Review 2026/27 Business Case
Budget Working Group	September	CFO/CA	SLG, CFO, CA	Reviewing business cases
Budget Challenge Session 2	September	CFO/CA	Directors, Senior Managers, CEX, CFO and CAO	Updated business cases and list of potential savings
Capital Bids Submitted	October	Senior Manager - Transformation	Capital Operations Group	capital bids
Budget Working Group	October	CFO/CA	SLG	Review savings and demand pressures proposals
Members and TU Briefings	October	CFO/CA	All Elected Members, Tus, Directors, CEX, CFO and CA, Senior Managers	Output of Budget Challenge Session 2
HRA Budget Preparation	October	Director - Place	Director – Place, Senior Manager	Draft HRA budget preparation
Review Capital Plan	October	Senior Manager - Transformation	Capital Operations Group	Draft Capital Plan
Budget Working Group	November	CFO/CA	SLG, CFO.CA	Review draft capital plan
EQIA - Draft	November	Senior Manager - P&T	Directors, Senior Managers	Draft EQIA prepared, engage with appropriate groups
Budget Engagement Preparation	November	Senior Manager - P&T	SLG, Leader, Senior Manager (P&T)	Draft consultation materials
Budget Booklet Preparation	November	Senior Manager - P&T	Senior Manager P&T + Comms	Prepare draft on content narrative
Statement of Corporate Priorities	November	Senior Manager - Transformation	SLG, Senior Manager - Transformation, Senior Manager P&T	Identify and agree corporate priorities for 2026/27
Budget Challenge Session 3	November	CFO/CA	Directors, Senior Managers, CEX, CFO and CA	Advanced Draft of Business Cases
HRA Rent Consultation	November	Director - Place	Director - Place, Senior Manager, CFO and CA	Consult on proposed rent increases
Members and TU Briefings	December	CFO/CA	All Elected Members, Tus, Directors, CEX, CFO and CA	Output of Budget Challenge Session 3
Budget Working Group	December	CFO/CA	SLG, CFO.CA	Review Gap position

Task/ Milestone	Timing	Responsible Officer(s)	Stakeholders/ Attendees	Output
Scottish Government Budget & Local Government Settlement	December	CFO/CA	CFO/CA	Updated Gap position
Budget Engagement - Officer Proposals	January	Senior Manager - P&T	SLG, Leader, Senior Manager (P&T)	Consultation launched in relation to officer budget proposals. Public and relevant stakeholders including 3rd Sector etc.
EQIA	January	Senior Manager - P&T	Senior Manger P&T	Advanced EQIA
Proposed Capital Budget	January	Senior Manager - Transformation	CEX, Directors, CFO and CAO	Finalise proposed Capital Plan
HSCP - Resource Transfer	January	CFO/CA	HSCP CO and CFO, CEX, Leader, CFO and CA	Resource transfer position consolidated for integration with Council budget
HRA Budget Finalised	January	Director-Place	Director - Place, Senior Manager, CFO and CA	Finalise proposed HRA Budget
Members and TU Briefings	January	CFO/CA	All Elected Members, Tus, Directors, Senior Managers, CEX, CFO and CA	Budget Gap updates following draft settlement and proposed capital plan
Budget Working Group	January	CFO/CA	SLG, CFO.CA	Management Budget
Budget Booklet - Finalised	By end of January	Senior Manager - P&T	Senior Manager P&T and Comms, Directors, Leader	Final proposed Budget Booklet prepared including corporate priorities
Budget Setting - HRA Revenue & Capital Budget	January	Director - Place	Council/Special Council	Final Budget presented for Approval
Consultation Outcome	February	Senior Manager - P&T	SLG, Leader, Senior Manager (P&T)	Engagement Results, Draft Pack
Budget Working Group	February	CFO/CA	SLG, CFO.CA	Finalise outstanding budget tasks
Budget Cascade - Pre Budget	February	CFO	All staff	Cascade to staff
Budget Setting - General Fund Revenue & Capital Budget and Treasury Management Strategy	February	CFO/CA	Special Council	Final Budget presented for Approval
Budget Cascade - Post Budget	March	CFO	All staff	Cascade to staff
Budget Working Group	March	CFO/CA	SLG, CFO.CA	Budget Debrief

Report to: Clackmannanshire Council

Date of Meeting: 15th May 2025

Subject: Commissioning change to the model of long-term care for older adults and the impact for Clackmannanshire Council.

Report by: Joanna MacDonald, Interim Chief Officer

1.0 Purpose

To provide Clackmannanshire Council with an update on the Integration Joint Board's decision made in March 2025 regarding changes to the commissioning model for long-term care for older adults, and the resulting implications for the capital asset of Menstrie House.

2.0 Recommendations

Council are asked to:

- 2.1. Note that, the Integration Joint Board made the decision in March 2025, to approve a change in the model of long-term care in Clackmannanshire resulting in a permanent service change. As a result Menstrie House will become surplus to requirements for its current use by December 2025.
- 2.2. Note the return of Menstrie House asset to the Council's Property Service Portfolio and Agree to receive an options appraisal of potential future use of the asset as outlined in 3.7.

3.0 Considerations

This paper is presented to update on the Integration Joint Board decision of 26 March to change the commissioning model of long-term care for older adults to ensure consistency across the Clackmannanshire and Stirling Partnership. This is in line with the Strategic Commissioning Plan 2023 - 2033 strategic priorities, which was approved by the Integration Joint Board in March 2023.

V:\Health and Social Care Integration\Meetings\Integration Joint Board\3. Integration Joint Board - Meetings\2024 - 2025\26.03.2025\10. 2025.03.26 Commissioning change to the model of care v3.docx

- 3.1. The Integration Joint Board approved the permanent service change as part of the ongoing re-design of the commissioning of long-term care for older adults by December 2025.
- 3.2. Engagement with the Menstrie House workforce, residents, families and trade unions was planned and delivered in alignment with the report from the January 2025 Integration Joint Board meeting.
- 3.3. As laid out in the Integration Joint Board papers in November 2024, January 2025 and March 2025, the commissioning changes required for the model of long-term care is also in line with the Strategic direction of the Integration Joint Board as well as within the Self-directed Support (Scotland) Act.
- 3.4. The cessation of the provision of a residential service at Menstrie House was agreed by the Integration Joint Board as the most viable option to a) ensure that, where, needed our residents receive the level of nursing care required, b) ensure the strategic direction for the provision of long term care in the Partnership is followed, and c) reduce costs as the cost of continuing the service is prohibitive when considering the best use of public funds to care for the population.
- 3.5. Modelling of the estimated financial implications of the approved service change has been undertaken, and it is assumed to result in revenue savings of approximately £1.2m by financial year 2027/28. These savings will contribute to the estimated savings requirements of £21.878m by 2027/28 detailed in the Integration Joint Board's Delivery and Medium-Term Financial Plan.
- 3.6. When residential service provisions at Menstrie House cease, the asset will return to the Council's Property Service's Portfolio. It is anticipated that this would be managed in line with the planned Asset Management Strategy, which is currently under development.
- 3.7. Whilst at present there is no identified Service plan for the asset, it remains a strategic plot and could present opportunities for future use, such as supportive care or adaptive housing need, working alongside 3rd parties. The Council's Property Service will explore the asset's potential and revert to a future Council with an options appraisal following the approval of the Asset Management Strategy.

4.0 Sustainability Implications

- 4.1. N/a

5.0 Resource Implications

5.1. *Financial Details*

- 5.2. The financial case to cease service provision at Menstrie House was contained within the paper approved by the Integration Joint Board in March 2025. The costs of re-providing appropriate care for the remaining residents was incorporated within the financial case.

- 5.3. 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 ☒
- 5.4. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒
- 5.5. *Staffing*
- 5.6. The most significant variable in the future revenue costs relates is the existing permanent workforce at Menstrie House. The required workforce transition will be managed in line with the organisation change policies of Clackmannanshire Council as the employing body.
- 5.7. The central premise of the financial case was the £2.002m revenue budget for Menstrie House delegated to the HSCP, 40% would be retained for alternative care provision (including alternative care for the remaining residents) and 60% will be released to savings in 2025/26 (24%), 2026/27 (59%) and 2027/28 (17%).

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

- 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

- Complies with relevant Council Policies ☒

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".

None

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)

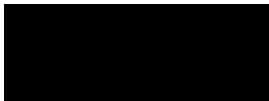
Yes ☒ (please list the documents below) No ☐

Appendix 1 - Integration Joint Board March 2025 paper Commissioning change to the model of long-term care for older adults

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Wendy Forrest Kevin Wells	Head of Strategic Planning and Health Improvement Strategic Director: Place	forrestw@stirling.gov.uk Tel: 01259 45 2533 Mob: 07958 624042

Approved by

NAME	DESIGNATION	SIGNATURE
Joanna Macdonald	Interim Chief Officer/ Director	

Report to Clackmannanshire Council

Date of Meeting: 15 May 2025

Subject: Equality Impact Assessment of Home to School Transport Policy

Report by: Strategic Director (People)

1.0 Purpose

- 1.1. The purpose of this paper is to update the Council on progress following its request for an Equality Impact Assessment (EQIA) of the Council's School Transport Policies which was to be brought back to Council for consideration in May 2025.

2.0 Recommendations

- 2.1 It is recommended that Council note the progress being made on the completion of the EQIA and agree that a completed EQIA be brought back to the meeting of Council on 26 June 2025

3.0 Considerations

- 3.1. At its meeting on 30 January 2025, it was agreed that an Equality Impact Assessment of the Council's School Transport Policies would be undertaken and be brought back to Council for consideration in May 2025.
- 3.2. Significant progress has been made towards developing the EQIA on the existing School Transport Policies, however due to the requirement for additional external Legal advice coupled with leave of officers, it has not been possible to fully complete this work in time for this Council meeting.
- 3.3. The external legal advice has now been received, and officers are actively considering this and will reflect in the final EQIA which will be presented to Council in June 2025.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

5.2. There are no financial implications of accepting the recommendation

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

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

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

Complies with relevant Council Policies ☒

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 None

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
Michael Boyle	Education Business Manager	2454
Cherie Jarvie	Senior Manager	2365

Approved by

NAME	DESIGNATION	SIGNATURE
Lorraine Sanda	Strategic Director (People)	

Report to Council

Date of Meeting: 15 May 2025

Subject: Drugs & Alcohol Policy Pilot Review

Report by: Strategic Director, Partnership & Performance

1.0 Purpose

- 1.1. This report provides an update to Council on the implementation of the Drugs and Alcohol Policy in 2023, with a particular focus on the pilot of 'with cause' testing.

2.0 Recommendations

Council is asked to:

- 2.1. **Challenge** and **comment** on the paper as appropriate;
- 2.2. **Approve** the Drugs & Alcohol Policy as outlined at Appendix 1 which was originally presented to Council in February 2023; and
- 2.3. **Note** that by approving, this introduces the permanent implementation of 'with cause' testing.

3.0 Considerations

- 3.1. In February 2023, following an amendment to the proposed paper, Council approved the Drugs & Alcohol Policy, on a pilot basis, for 15 months, with a review scheduled after 12 months.
- 3.2. The amendment outlined that Council recognised the extended period of time the policy had been under discussion between all relevant parties and further recognised a previous agreement in principle to the introduction of such a policy in 2017.
- 3.3. Council also recognised, that following consultation with representatives of Joint Trade Union Committee (JTUC), that there continued to be some areas of concern or uncertainty around the policy.

- 3.4. As part of the approval by Council, and prior to the introduction of the Pilot, Officers undertook training and engagement with staff, including Alcohol Awareness sessions and Managing Alcohol & Drugs in the Workplace sessions¹. A toolbox talk was also developed which has been received by 125 employees. A further 18 employees have also attended Overdose Awareness training in the past two years.
- 3.5. In further support of the pilot, seven drop-in sessions were held at different locations across the Council estate to allow employees to ask questions about the policy and to see how the testing equipment operated. Feedback from these sessions was positive, with employees in several areas advocating for random testing to be introduced (albeit on an anecdotal basis).
- 3.6. The roll out of the Policy was further supported by articles on the Council's Connect intranet, and Connected magazine, thereby ensuring a robust communication and engagement process prior to the roll out of the pilot.

Pilot Implementation

- 3.7. The pilot commenced on 1 April 2024 and will continue to run until a formal decision is taken by Council in relation to its continued use.
- 3.8. During the pilot testing has been undertaken with 3 employees - one who was returning to work following an alcohol related issue and two who presented as under the influence while at work. Six sets of tests have been conducted in total. Four sets of tests were for the one employee who was returning to work.
- 3.9. No employees refused to take a test during the pilot period.
- 3.10. At least one further case of alcohol or drug misuse has been dealt with without the need for testing to be used. However, previously such cases have taken 8-10 hours of management time to resolve, whereas this case took under 2 hours. The fact that testing was able to be offered resulted in a much quicker resolution than would likely have otherwise been the case.
- 3.11. The only ongoing cost of the testing programme is £400 per 25 employees tested for the consumables used to conduct the test and £135 to have the breathalyser calibrated each year. This is significantly lower than the cost of management time in dealing with such issues without testing being available.
- 3.12. During the testing period Trade Unions expressed concern over the introduction of testing as part of the policy. The position, as confirmed by the JTUC, being that there is broad support for the policy, with the exception of testing, due to a lack of evidence of improved safety for the Council's workforce.

¹ 38 employees attended Alcohol Awareness sessions, and 48 managers attended Managing Alcohol in the Work Place sessions.

Recommendations following the Pilot

- 3.13. Drug and Alcohol misuse remains an important issue in Scottish society. In 2023 there were 1277 alcohol specific and 1172 drug misuse deaths reported in Scotland. The 2021/22 Scottish Crime & Justice Survey shows that 37% of violent crime was alcohol related.
- 3.14. 11 Scottish Councils are using alcohol and drug testing as part of their employee policies, and as part of their efforts to manage safety and health. Several other authorities, including Clackmannanshire Council, are looking to introduce a testing regime. At the time the pilot was approved there were only 8 Councils using testing as part of their approach.
- 3.15. Aberdeen City, Aberdeenshire, Dumfries and Galloway, East Ayrshire, Inverclyde, North Lanarkshire, Scottish Borders and Stirling Councils all have with cause testing in place. Argyll and Bute, East Dumbartonshire, Shetland Councils and Tayside Contracts have random testing in place in addition to with cause testing.
- 3.16. Although the numbers involved in the pilot have been small it has shown that there is benefit to having a testing regime in place (as shown at S3.8 – 3.10 of this report).
- 3.17. Furthermore, while there is a small cost in retaining the policy, this is outweighed by the reduction in management costs when dealing with these situations. Officers therefore recommend that the policy is now fully implemented, supported by further communication and education.

4.0 Sustainability Implications

- 4.1. Not applicable.

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

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 ☒

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

(2) Council Policies

Complies with relevant Council Policies ☒

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 Drugs & Alcohol Policy

10.2 Drugs & Alcohol EQIA

10.3 Connect article

10.4 Connected article

10.5 Drugs & Alcohol Toolbox Talk

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 ☐


National Records of Scotland: Drug Related Deaths in Scotland in 2023

Scottish Crime & Justice Survey 2021/22: Main Findings

Author(s)

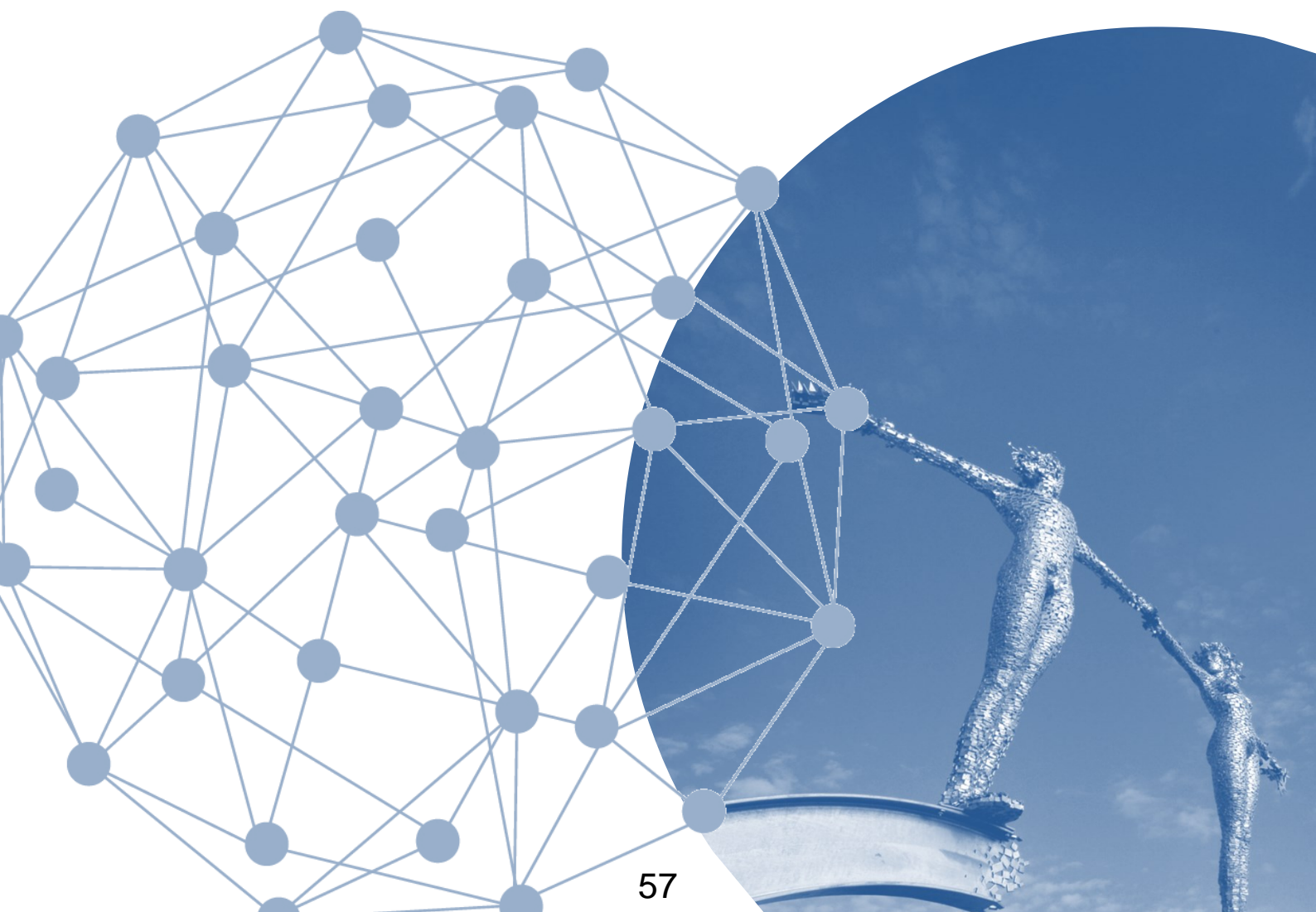
NAME	DESIGNATION	TEL NO / EXTENSION
Seonaid Scott	Health & Safety Manager	2174

Approved by

NAME	DESIGNATION	SIGNATURE
Chris Alliston	Strategic Director – Partnership and Performance	



Drugs & Alcohol Policy 2023



DOCUMENT CONTROL SHEET:

Key Information:

Title:	Drugs & Alcohol Policy
Date Issued:	<u>February 2024</u>
Date Effective From:	<u>1 April 2024</u>
Version Number:	1.4
Document Type:	Policy
Document Status:	Pilot
Author:	Seonaid Scott
Owner:	H&S Manager
Approver:	Council
Approved by and Date:	<u>Council February 2023</u>
Contact:	Seonaid Scott
File Location:	

Revision History:

Version:	Date:	Summary of Changes	Name:	Changes Marked:
<u>0.1</u>		<u>Draft</u>		<u>N/A</u>
<u>0.2</u>	<u>Nov 2018</u>	<u>Updated following comments at January Policy group & further research</u>		
<u>0.3</u>	<u>January 2019</u>	<u>Updated following policy group comments</u>		
<u>1.1</u>	<u>August 2021</u>	<u>Redrafted for further review</u>		
<u>1.2</u>	<u>December 2021</u>	<u>Redrafted after discussion at Exec H&S Committee</u>		
<u>1.3</u>	<u>March 2022</u>	<u>Updated following policy group comments</u>		
<u>1.4</u>	<u>January 2022</u>	<u>Minor amendments following discussion at Tripartite</u>		

1. Policy Statement

- 1.1. Clackmannanshire Council recognise that substance misuse related problems are an area of health and social concern. The Council also recognises that misuse of various substances can have a significant detrimental impact on work performance, behaviour and employee safety. Persons impaired by the consumption of alcohol and/or drugs may pose a risk to themselves and to the people working with or near them.
- 1.2. Under the Health and Safety at Work etc. Act 1974, the Council has a duty to ensure the health, safety and welfare of all its employees. In addition we are obliged to comply with the Misuse of Drugs Act 1971, and to notify police if we become aware of the use or supply of illegal substances on Council premises. It is a further offence to knowingly allow any person under the influence of alcohol or drugs to take control of a motor vehicle.
- 1.3. Clackmannanshire Council recognises the right to privacy or private life as enshrined in the European Convention of Human Rights (Article 8) and the need to ensure that this policy does not infringe on that right unnecessarily.
- 1.4. It is Clackmannanshire Council policy that it is strictly forbidden to:
 - Bring onto, or be in possession of, illegal substances on Council premises or when at work.
 - Be impaired by alcohol, drugs or other substances when reporting for work, when on Council premises for work purposes, when driving a Council vehicle or driving on Council business
 - Consume alcohol, drugs or other substances on Council premises or when at work. This does not apply to functions which are out with work but which happen to take place in Council premises.
- 1.5. The Council will always seek to support individuals who declare that they are experiencing some form of substance misuse. However, in order to protect the safety and health of employees and those others who may be affected, the Council reserves the right to:

Drugs & Alcohol Policy

- Refuse entry to sites or premises to any person (e.g. employee, contractor, visitor etc.) whom it suspects of being impaired by alcohol, drugs or other substances and to remove from sites or premises any person who is so suspected.
 - Invoke Council disciplinary procedures against any employee in contravention of this policy. A breach of this policy may be deemed Gross Misconduct under Council disciplinary procedures.
 - Where practicable and available, transfer persons taking prescribed or over the counter drugs, who have informed their line manager in advance, to other duties whilst taking that medication.
- Conduct testing where it is suspected that an employee may be under the influence of drugs or alcohol.

1.6. The Council recognises that substance misuse is a problem in society that can have significant health implications for the individuals concerned. In this regard, the Council are not seeking to victimise any persons and we will offer support and assistance to anyone who recognises that they have a substance misuse related problem. Any person who approaches the Council for help, or is found to have an issue with substance misuse, and is prepared to undergo an agreed form of treatment, will be provided with all possible assistance.

1.7. The Council recognises that staff may not realise they have a substance misuse issue and will provide training to all of its management team to ensure any concerns are dealt with in a reasonable, supportive and confidential manner. Our key focus will be on safety and in supporting our staff members deal with any issues in this regard.

1.8. The Council recognises that staff are entitled to a private life and will only take disciplinary action where an impairment due to the consumption of alcohol or drugs has a detrimental impact on work performance or where safety is a concern.

2. Introduction

- 2.1. Clackmannanshire Council has a duty under the Health and Safety at Work etc. Act 1974, to ensure the health, safety and welfare of all its employees.
- 2.2. It is an offence under the Misuse of Drugs Act 1971 for any individual to knowingly allow the production, supply or use of controlled substances, except in specified circumstances, for example, when they have been prescribed by a doctor.
- 2.3. Under the Road Traffic Act 1988 and the Transport and Works Act 1992, drivers of road vehicles or individuals in charge of a motor vehicle must be free from illegal drugs, novel psychoactive substances, prescribed drugs for which no valid prescription is available and/or alcohol above the Scottish legal drink-drive limit while driving or attempting to drive a vehicle.
- 2.4. Under the Management of Health and Safety at Work Regulations 1999, Clackmannanshire Council has to assess the risks to the health and safety of employees. If an individual within the Council knowingly allows an employee who is impaired by a substance to continue working and the employee's behaviour places them or others at risk, Clackmannanshire Council or the individual could be prosecuted.
- 2.5. Clackmannanshire Council recognises an individual's right to privacy as enshrined in the European Convention of Human Rights (Article 8) and will take a balanced approach when considering what actions to take in cases where the suspected consumption of alcohol or drugs leads to an impairment or safety concern.
- 2.6. 'Substance misuse' is a broad term and covers the use of illegal drugs, novel psychoactive substances, prescribed drugs for which no valid prescription is available, alcohol and substances such as solvents.
- 2.7. Any employee with a drug or alcohol related problem is encouraged to come forward and seek help. Any employee who notifies us of any such problem will be supported to seek professional help. Managers will discuss any concerns with staff and encourage them to seek or accept assistance.

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- 2.8. The Council recognises that work related stress can lead to increase in consumption of Alcohol & Drugs. It is recommended that the provisions of the Mental Health & Wellbeing policy are carried out to reduce stress therefore negating the need for the member of staff to use alcohol/drugs.

3. Purpose and Scope

3.1 The purpose of this policy is to:

- Provide a framework within which substance misuse problems can be managed in a fair and consistent manner whilst protecting the reputation of Clackmannanshire Council.
- Prevent the presence of substance misuse problems at work
- Ensure that the misuse of substances does not affect health and safety on Council premises.
- Ensure that the misuse of substances does not affect the efficient operation of the Council's business.
- Provide a policy which encourages an environment where employees experiencing problems with substance misuse have the confidence to admit the problem and seek help.
- Provide a policy in which supports managers to deal with substance misuse in a fair, sympathetic and consistent manner.

3.2 The policy aims to ensure that all employees are aware of the risks associated with alcohol and drug misuse, the consequences of their actions in relation to this and the support that is available to them.

3.3 This policy applies to all employees of Clackmannanshire Council. It also applies to all consultants, contractors or other third parties employed or engaged by or on behalf of Clackmannanshire Council. However it is recognised that testing will be used mainly in safety critical work which will make it more likely to be used in some areas of work than others.

4. Responsibilities

Employee/Individual Responsibilities

4.1. All employees and contractors are required to take reasonable care of themselves and others who could be affected by what they do at work. All individuals have a duty to attend work and ensure they are fit to undertake their duties.

4.2. All individuals are not permitted to consume or provide drugs or alcohol while on duty, except the consumption of prescribed or over the counter medication which is being used to treat an ailment. Individuals are not permitted to possess illegal drugs in the workplace.

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- 4.3. When required, all individuals are obliged to participate fully in the testing process outlined below.
- 4.4. All individuals have a responsibility to tell their doctor, dentist or pharmacist about their job role when being prescribed or buying medication and/or herbal products. It is the individual's responsibility to check whether any medication they are taking has any side effects which may impair their ability to work safely. If there are such side effects, the individual must inform their manager who will confidentially discuss the possibility of making reasonable adjustments.
- 4.5. All employees have a responsibility to report any situation that may present a danger to health and safety. If any employee suspects that a work colleague may not be fit for work they have a duty to report this to their line manager, a member of the Corporate Health & Safety Team, or HR Business Partner.

Line Management (including supervisory staff) Responsibilities

- 4.6. Managers and Supervisors have a duty to provide a safe place of work and engage employees who work safely. It is their responsibility to implement this Policy and ensure that all employees have knowledge and understanding of the policy. They will also make sure that all employees are aware that to use, possess, consume, store or sell illegal drugs, or prescribed drugs where no prescription is in place, on any Council site is considered gross misconduct and will result in disciplinary action, which is likely to lead to dismissal.

Corporate Health and Safety Team

- 4.7. The Corporate Health and Safety Team will be responsible for ensuring testing can be carried out by an appropriately qualified officer.

Human Resources

- 4.8. HR will ensure that support is available to employees who declare an issue related to substance misuse. Any such declaration will be confidential and shall not incur disciplinary action.
- 4.9. HR will support managers in dealing with any issues requiring disciplinary action as a result of substance misuse.

5. Support for Substance Misuse

- 5.1. It is important to recognise a dependency at the earliest opportunity to enable treatment to be sought and received. Please refer to Appendix 1 for further information on recognising alcohol and drug problems.

Seeking Support

- 5.2. Individuals are encouraged to voluntarily disclose any issue with substance misuse. Clackmannanshire Council recognises that an addiction may be a health issue. Individuals who voluntarily admit to a dependency problem will be supported through a rehabilitation programme, providing the employee is committed to resolving their dependency.
- 5.3. All information will be treated confidentially and individuals will be encouraged to seek professional help from their GP and other external organisations.
- 5.4. Employees may be referred to Occupational Health for assessment and advice including any adjustments to role. In addition, where appropriate, access to counselling may be offered to help employees with the rehabilitation.
- 5.5. A list of other support sources is available in Appendix 2.

Rehabilitation Monitoring Programme

- 5.6. A rehabilitation monitoring programme will involve regular discussions between a manager and employee on how the employee's dependency is affecting their ability to carry out their role. This may involve occupational health referrals, regular meetings, additional supervision, temporary adjustments, and an allowance of limited relapses.
- 5.7. If an employee refuses to participate in a rehabilitation monitoring programme, the matter will be dealt with in accordance with the Council Disciplinary Policy and/or Capability Policy.

6. Alcohol & Drug Testing

6.1 Any employee may be asked to consent to undertaking an alcohol and drugs test, where a manager has reasonable cause to suspect that an employee is under the influence of alcohol or drugs while at work.

6.2 Reasonable cause might include:

- Observation of reduced work performance, personality changes, physical signs such as smelling of alcohol or of other drugs. A Manager's Checklist of indicators that could be symptomatic of impaired fitness for work through alcohol or other substances is provided in Appendix 1.
- An incident or accident in the workplace where a manager has reason to suspect that an employee involved has been under the influence of alcohol or drugs.
- A complaint or whistleblowing disclosure alleging that an employee or group of employees have been under the influence of alcohol or drugs at work.

In each case there must be some indication of impairment in the employee before testing is requested.

6.3 If a line manager has a belief that an employee is under the influence of drugs or alcohol they must contact a member of the Health & Safety Team and a Trade Union representative before taking any action other than the initial step of preventing the employee from driving or operating machinery. The line manager should meet with the employee in a private setting and convey his/her concerns with a view to establishing whether there is a reasonable explanation for the employee's behaviour. Wherever possible it is recommended that another member of management/supervisory staff is present during this discussion to help validate the manager's suspicion that

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the employee is under the influence of alcohol or drugs. The employee may be accompanied by a Trade Union Representative or work colleague if available at that time.

- 6.4 Managers should seek immediate advice from the Health & Safety Team who will arrange for an alcohol and drugs test to be carried out if that is deemed to be necessary.
- 6.5 Testing will not be necessary where an employee admits to being under the influence of alcohol or drugs and in these circumstances, the matter will be dealt in accordance with Section 5 of this policy.
- 6.6 A member of the Health & Safety team will normally attend the workplace within 2 hours of being requested to undertake the test. Testing for drugs will be undertaken using fingerprint testing and alcohol testing will be undertaken by breathalyser.
- 6.7 The administering officer will advise the manager of the initial results immediately following the test. If a positive test is identified, the sample taken will have further laboratory tests in a UKAS Accredited facility will provide additional information and confirmation of the initial results within 48 hours.
- 6.8 The line manager should arrange to discuss the results with the employee in the presence of a Human Resources Business Partner. A Trade Union Representative or work colleague may accompany the employee. Where there is a positive result for which the employee cannot offer a reasonable explanation, the matter will be dealt with in accordance with the council's Disciplinary Procedure. A reasonable explanation could be that the employee has been taking medically prescribed drugs but has underestimated any potential side effects.

- 6.9 If the testing process indicates that the employee may have an alcohol or drug dependency related problem the matter will be managed in accordance with section 5 of this policy.

7. Principles of Testing

- 7.1 The administering and management of drug and alcohol testing will be underpinned by the following key principles:

- Written consent will be sought on each occasion before an employee is asked to submit to a drug or alcohol test;
- Employees will be advised of the drugs they are being tested for in accordance with the best practice guidance issued by the Information Commissioner's Office, Employment Practices and Data Protection Code;
- Drug and alcohol test results constitute sensitive personal data and must therefore be handled in accordance with data protection requirements. In addition any action taken or support provided to employees is strictly confidential in accordance with the requirements of the General Data Protection Regulations (GDPR);
- Testing will be conducted by a Health & Safety team member who will be responsible for ensuring a tamper proof process, the provision of accurate and reliable results and for carrying out tests with the least possible intrusion to employees' privacy;

Failure to Consent to Testing

- 7.2 An employee who refuses to give consent to testing without due cause may be subject to investigation under the disciplinary policy.
- 7.3 Where consent is withheld for 'with cause' testing, the circumstances surrounding the decision to invoke the testing process such as observed

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behaviour, a workplace accident/incident or whistle-blowing complaint will be investigated without the benefit of test results and any disciplinary action will be taken on the basis of reasonable suspicion of wrongdoing.

Action in the Event of Positive Test Result

- 7.4 The action to be taken following a positive test result will depend on the circumstances which will be investigated as part of a disciplinary investigation. It is proposed that a flexible approach which takes account of a range of factors is adopted, providing the ability to apply a stricter sanction where the risk/implications justify a more robust disciplinary response. Therefore, all cases will be considered on their merits taking into account level of risk/potential implications for harm to other parties (including fellow employees, clients and general public), reputational damage and repeated incidences.
- 7.5 Where appropriate the employee will be offered help and support for drug or alcohol dependency but it may also be necessary invoke the Council's disciplinary policy.
- 7.6 Employees taken through disciplinary proceedings following a positive test result will have a right to appeal under the normal provisions of the Disciplinary Policy.

8. Awareness & Communication

- 8.1. All employees will be provided with awareness training in relation to this policy. All employees will be required to sign off that they understand the policy.
- 8.2. All contractors will be made aware of this policy as part of the procurement process.

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- 8.3. All employees with line management responsibility will be provided with training to support the implementation of this policy in a fair and consistent manner.

9. Monitoring and Review

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

Policy Name	Drugs & Alcohol	
Department	Partnership & Performance	
Policy Lead	H&S Manager	
Equality Impact Assessment		
Has a EQAI been completed	Stage 1	<input type="checkbox"/>
	Stage 2*	<input type="checkbox"/>
<p>* In no please provide rationale</p> <p>Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics</p>		
Date Full EQAI complete		
Date Approved		
Review Date		

Possible signs of Alcohol or Drug misuse

Signs to look out for include:

- ☐ sudden mood changes;
- ☐ unusual irritability or aggression;
- ☐ a tendency to become confused;
- ☐ abnormal fluctuations in concentration and energy;
- ☐ physical changes such as dilated pupils, red eyes or instability while standing;
- ☐ increased appetite;
- ☐ impaired job performance;
- ☐ poor time-keeping;
- ☐ increased short-term sickness absence;
- ☐ a deterioration in relationships with colleagues, customers or management;
- ☐ dishonesty and theft (arising from the need to maintain an expensive habit).

Remember: all the signs shown above may be caused by other factors, such as stress, and should be regarded only as indications that an employee *may* be misusing drugs.

Sources of Support for those with Drug or Alcohol Issues

Know The Score. 0800 587 5879 or www.knowthescore.info

Drinkline Scotland 0800 7314 314 or www.drinkaware.co.uk

PAM Assist 0800 882 4102 or www.pamassist.co.uk

Change, Grow, Live

Limetree House, North Castle Street, Alloa, FK10 1EX.

Tel: 0808 1962188 Mon-Fri 9am – 9pm, Sat 9am-1pm

Forth Valley Substance Misuse Service

St Ninians Health Centre, Mayfield Street, Stirling, FK7 0BS

Tel: 01786 468282

Falkirk Community Hospital, Falkirk, FK1 5SU

Tel: 01324 673670

Community Alcohol & Drug Service

Stirling Community Hospital, Livilands Gate, Stirling, FK8 2AU

[Tel: 01786 434430](tel:01786434430)

Transform Forth Valley (was Signpost Recovery)

Office 2.6, The E-Centre, Cooperage Business Village, Alloa, FK10 3LP

Tel: 01259 272112

E: info@transformfv.org.uk www.transformfv.org.uk

Other agencies may also exist if the employee lives in a different area. A listing of local services is available on the Know the Score website.

Alcohol & Drug Testing Process

1. The line manager should in the first instance, meet with the employee in a private setting and convey their concerns with a view to establishing whether there is a reasonable explanation for the employee's behaviour. Wherever possible it is recommended that another member of management or HR staff is present during this discussion to help validate the manager's suspicion that the employee is under the influence of alcohol or drugs. The employee may be accompanied by a Trade Union Representative or work colleague if available at that time. It may be necessary to change an employees work location and/or duties if an employee is suspected of having consumed or be under the influence of alcohol or illegal drugs during working hours until the test is undertaken or where an employee refuses to take a test. In some circumstances the employee may be suspended.
2. Managers should contact the Health & Safety Team immediately on 01259 452225 who will arrange for an alcohol and/or drugs test to be carried out if required. A member of the Health & Safety team will normally attend the workplace within 2 hours of being requested to undertake the test. Testing for drugs will be undertaken using fingerprint testing and alcohol testing will be undertaken by breathalyser.
3. Testing will not be necessary where an employee admits to being under the influence of alcohol or drugs and in these circumstances, the matter will be dealt in accordance with Section 5 of this policy.
4. Prior to any test being administered written consent will always be sought on each occasion before an employee is asked to submit to a drug or alcohol test. Employees will be advised of the drugs they are being tested for in

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accordance with the best practice guidance issued by the Information

Commissioner's Office, Employment Practices and Data Protection Code. As part of the consent process employees will be asked about any medication they are taking.

5. Testing will be conducted by a Health & Safety team member who will be responsible for ensuring a tamper proof process, the provision of accurate and reliable results and for carrying out tests with the least possible intrusion to employees' privacy.
6. The administering officer will advise the manager of the initial results immediately following the test. If a positive test is identified, further laboratory tests in a UKAS Accredited facility will provide additional information and confirmation of the initial results within 48 hours.
7. Drug and alcohol test results constitute sensitive personal data and will be handled in accordance with data protection requirements. In addition any action taken or support provided to employees is strictly confidential in accordance with the requirements of the General Data Protection Regulations (GDPR);
8. The line manager should arrange to discuss the results with the employee in the presence of a HR Business Partner. A Trade Union Representative or work colleague may accompany the employee. Where there is a positive result for which the employee cannot offer a reasonable explanation, the matter will be dealt with in accordance with the council's Disciplinary Procedure.

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9. If the employee declares an alcohol or drug dependency related problem following a positive test result the matter will be managed in accordance with section 5 of this policy.

Equality and Fairer Scotland Impact Assessment - Screening

Title of Policy:	Drugs & Alcohol Policy
Service:	Partnership & Performance
Team:	Health & Safety

Will the policy have to go to Council or committee for approval	Yes* Executive H&S Committee not Council Committee
Is it a major policy, significantly affecting how functions are delivered?	No
Does it relate to functions that previous involvement activities have identified as being important to particular protected groups?	No
Does it relate to an area where the Council has set equality outcomes?	No
Does it relate to an area where there are known inequalities?	No
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	No

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

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

APPROVAL		
NAME	DESIGNATION	DATE

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

Equality and Fairer Scotland Impact Assessment - Scoping

Purpose of the proposed policy or changes to established policy	
<p>The policy and procedure aim to provide a framework within which substance misuse problems can be managed in a fair and consistent manner. In addition it aims to promote greater awareness of how alcohol, drugs and substance misuse and/or dependency can be prevented, achieve a balance between employee support and discipline when dealing with incidents of substance misuse or employees who have dependency problems, encourage and support self-referral or intervention at an early stage of dependency; and meet the Council's legal obligation to discharge its duty of care to its employees and clients.</p> <p>The Council's policy is not intended to intrude upon the privacy of its employees, particularly in health matters, where their condition does not affect their conduct or performance. However the Council is concerned where health or behaviour impairs conduct or work performance and impacts on the health and safety of other employees or clients. It is recognised that alcohol, drugs or other substances can be a cause of such impairment, and the aim of this policy is to mitigate the risks associated with this.</p>	
Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?	
General Equality Duty -	
➤ Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct	<p>The policy and procedure provides a framework which aims to ensure all employees are treated fairly and consistently in its application. Having a framework to ensure consistency should assist with the removal of potential harassment or victimisation by providing clear guidelines and transparency to processes.</p>
➤ Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not	<p>Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics. The procedure sets out a clear framework for dealing with suspected incidents of alcohol and drugs misuse whilst encouraging self referral where problems may exist and ensuring relevant support is available.</p>
➤ Fostering good relations between people who share a protected characteristic and those who do not.	<p>This element of the Duty is more relevant to the Council's role as a service provider, and there is relatively limited direct relevance to this particular procedure.</p>
Fairer Scotland Duty -	
➤ Reducing inequalities of outcome caused by socioeconomic disadvantage	

Alcohol-specific deaths are nearly seven times higher in the most deprived decile compared to the least deprived decile whilst hospital admissions are eight times higher. The disease burden of drug use disorders is seventeen times higher in the most deprived areas compared with the least deprived, whilst 54% of drug-related hospital admissions were patients living in the 20% most deprived areas (Scottish Government).

A positive outcome of this policy could be the potential to prevent alcohol, drug or substance misuse by early intervention and support. Alcohol and drugs misuse can have significant financial impact on individuals and families, therefore through early intervention this policy could potentially mitigate the associated financial impacts on households.

In addition, increased levels of wellbeing and therefore reduced absence levels reduce potential for formal council processes which could result in employment being concluded. This maintains employability and income.

To which of the equality groups is the policy relevant?		
Protected Characteristic	Yes/No *	Explanation
Age	No	<p>There is a perception that young people are more likely to use drugs and alcohol, but it is an issue that impacts upon all age groups.</p> <p>On average, higher-risk drinking causes around 686 hospital admissions and 22 deaths a week. In total, there were over 1,136 alcohol-specific deaths and 1,187 drug-related deaths in Scotland in 2018. Three quarters of the people suffering a drug-related death were over 35 years old, demonstrating a clear trend of an ageing population for which drug use has become more harmful over time.</p> <p>This Policy is consistent in its approach to the management of drug and alcohol related problems regardless of the employee's age.</p>
Disability	No	An employee taking medication for a health condition is protected from unfair treatment under the Equality Act 2010
Gender Reassignment	No	The findings of a survey from the Transgender Inclusion in Drug and Alcohol Services suggested that trans people in Scotland may use drugs at higher rates than the general population. 67% of respondents had tried drugs, compared to just 23% of the general population.
Marriage and civil partnership	No	

Pregnancy and Maternity	No	
Race	No	
Religion and Belief	No	
Sex	No	<p>Evidence suggests greater drinking/substance misuse in males than females</p> <p>This Policy is consistent in its approach to the management of drug and alcohol related problems regardless of the employee's sex.</p>
Sexual Orientation	No	<p>Research suggests that LGBTI people are more likely to drink alcohol, and more likely to drink excessively, than the general population (Emslie et al. 2015). Despite limited academic work undertaken on alcohol in the LGBTI community in Scotland, work that has been done has shown that alcohol plays a major role in the social and sexual lives of LGBTI people, was implicated in violence and impaired decision making around sexual risk taking. Gay and bi-sexual men in particular are at higher risk of certain sexually transmitted infections and alcohol use can play a role in this.</p>

* Delete as required

<p>What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?</p>
<p>The evidence referred to above includes evidence from Scotland's Census Results, the Equality and Human Rights Commission, regional employment patterns, publications on poverty and income inequality, the Scottish Health Survey and statistics published by Police Scotland.</p> <p>In terms of internal evidence, reference has been made to the most recently published staff equality data.</p> <p>Gaps remain in our data as there are areas where staff have not answered or have indicated prefer not to say,</p>
<p>Which equality groups and communities might it be helpful to involve in the development of the policy?</p>

The procedure has been developed in consultation with recognised trade unions, along with elected manager representatives who will be involved in the review of the draft policy and procedure at policy group. Discussion will take place at policy group on the content of the policy procedure and suggested amendments/additions will be agreed collectively.

Next steps

The Council will take steps to ensure that this procedure is understood and applied fairly by managers.

Briefing sessions and training will be available to managers. In addition, advice, guidance and support will be provided from our Health and Safety staff.

In addition, a wellbeing campaign aimed at raising awareness on the impacts of Alcohol and Drugs will be undertaken.

The Council will monitor the implementation of the policy to ensure fairness is its application.

Equality and Fairer Scotland Impact Assessment - Decision

Evidence findings		
<p>There are no evidence findings to suggest that any protected group will be impacted more than others through the application of this policy.</p> <p>This new procedure provides a clear framework on its use as well as potential positive impacts in terms of staff wellbeing.</p>		
Details of engagement undertaken and feedback received		
<p>This Procedure has been developed in consultation with recognised trade unions who, along with Council Management, form the Council's Policy Group. In addition the policy/procedure will be considered by, and approved by, the Councils Executive Health and Safety Committee.</p>		
Decision/recommendation		
<p>Having considered the potential or actual impacts of this policy, the following decision/ recommendation is made:</p>		
<p><u>Tick</u></p> <p style="text-align: center;">✓</p>	<p>Option 1: No major change</p> <p>The assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that all opportunities have been taken to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.</p>	
	<p>Option 2: Adjust the policy – this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact, or to introduce additional measures to reduce or mitigate any potential negative impact.</p>	
	<p>Option 3: Continue the policy – this means adopting or continuing with the policy, despite the potential for adverse impact. The justification should clearly set out how this decision is compatible with the Council's obligations under the duty.</p>	
	<p>Option 4: Stop and remove the policy – if there are adverse effects that are not justified and cannot be mitigated, consideration should be given to stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.</p>	
Justification for decision		
<p>This assessment finds no indication that the procedure will unlawfully discriminate against protected groups, and that a systematic approach has been taken to ensure that the procedure does not discriminate and takes into account the diverse needs and circumstances of individuals. Steps to monitor the equality impact have been agreed, along with practical to promote fair use.</p>		
APPROVAL		
NAME	DESIGNATION	DATE

Connected article

As you will be aware a new Drugs & Alcohol policy was agreed for a pilot by Council in February 2023. The policy is available [here](#)

We now have training available for staff and managers to help support the roll out of this policy. The training is provided by Alcohol Focus Scotland through the Alcohol & Drug Partnership.

Alcohol Awareness

This course is suitable for any employee who wishes to gain a basic understanding of alcohol, its impact and basic ways in which they can provide support and signpost others affected by it.

Friday 16th February (Roads staff only)	Forthbank	09:30 - 12:30
Monday 4th March	Kelliebank	09:30 - 12:30
Tuesday 12th March	Ludgate	09:30 - 12:30
Monday 18th March	Kelliebank	09:30 - 12:30
Monday 25th March	Kelliebank	09:30 - 12:30

Managing Alcohol & Drugs in the Workplace

This course is aimed at providing Managers with an introduction to the impact alcohol and drugs have on Scottish society and specific guidance on how to address alcohol and drug related issues in the workplace. Including updates as a result of Covid-19 and home working.

Tuesday 14th February	Council Chambers, Kilncraigs	09:30 - 12:30
Thursday 22nd February	Kelliebank	09:30 - 12:30
Thursday 7th March	Alloa Town Hall	09:30 - 12:30
Friday 15th March	Council Chambers, Kilncraigs	09:30 - 12:30
Wednesday 20th March	Council Chambers, Kilncraigs	09:30 - 12:30

If you would like to attend either course please go into the Event category of Clacks Academy and search for the event then put your details in. If you have any difficulties in doing this please email training@clacks and we will help you with the process.

Testing Awareness Drop Ins

One of the key changes in the new policy is that it introduces testing of employees where there is a set cause to do so. The H&S team will run drop in sessions as below to show how the testing works and answer any questions that employees may have.

Tuesday 20th February	Canteen, Kelliebank	15:00 - 16:00
Wednesday 28th February	Atrium, Kilncraigs	12:30 - 13:30
Tuesday 5th March	Hub, Alva Academy	15:30 - 16:30
Thursday 14th March	Roads Depot, Forthbank	15:00 - 15:30
Thursday 14th March	Waste Depot, Forthbank	15:30 - 16:00
Monday 25th March	Atrium, Kilncraigs	12:30 - 13:30

Think about your drinking

ALCOHOL: LET'S GET THINKING ABOUT DRINKING

Do you or people close to you think you drink too much? Is it affecting your relationships, financial security, physical and/or mental health or your work?

WHAT IS ALCOHOLISM OR ALCOHOL DEPENDENCE?

Alcohol dependence is characterised by craving: a preoccupation with alcohol and continued drinking despite harmful consequences, e.g. liver disease or depression caused by drinking.

WHAT MAKES ALCOHOL HARMFUL?

Some argue that alcohol has its protective mechanisms, with certain antioxidants reducing inflammation and enhancing healthy gut bacteria.

However, in excess and not drinking within the limits of government recommendations, it can become extremely damaging to our health.

When we consume alcohol, it can be converted into a carcinogen called acetaldehyde, which can harm our DNA repair mechanisms. In addition, alcohol is broken down and rebuilt into triglycerides and cholesterol in the liver. If your triglycerides levels become too high, they can build up in the liver, causing fatty liver disease.

There are a host of other negative effects:

- ▶ Increasing oxidative stress – which can damage your cells, proteins and DNA;
- ▶ Gut inflammation;
- ▶ Inability to absorb vital vitamins and minerals;
- ▶ Encouraging engagement in risky behaviour – smoking, changes in eating habits;

- ▶ Excess calories leading to weight gain and poor weight management;
- ▶ Alcohol has a high sugar content, putting us at risk of metabolic syndrome – a cluster of conditions that occur together, increasing your risk of heart disease, stroke and type 2 diabetes.

WHAT ARE THE RECOMMENDED LIMITS?

Men and women are advised not to regularly drink more than 14 units a week.

A unit of alcohol is about:

- ▶ Half a pint of lower- to normal-strength lager/beer/cider;
- ▶ A single small shot measure of spirits;
- ▶ A very small glass of wine.

WHAT ARE THE BENEFITS OF CUTTING DOWN ON ALCOHOL?

There are immediate benefits to cutting down on our alcohol intake: better weight management, feeling more energised and being less tired during the day and when we wake up first thing in the morning.

There is also a strong correlation between drinking and feelings of anxiety and low mood. Cutting down our overall consumption of alcohol will improve our behaviours (irritability, poor judgement) and will also enhance our wellbeing and mood.

Alcohol might help us fall asleep, but even a couple of drinks will affect our quality of sleep. Research shows, when we drink alcohol, we spend less of the night in a deep, restorative sleep, i.e. quality sleep, because it interrupts our natural sleep cycle.

When we implement drink-free days and change our relationship with alcohol, we can wake up feeling refreshed and ready for the challenges the day brings.

Top tips for cutting down alcohol intake:

- ▶ Have regular alcohol-free days;
- ▶ When socialising, consider meeting people in alcohol-free venues (gyms and cafes);
- ▶ Pace consumption by sipping drinks slowly or try mocktails.
- ▶ Keep an alcohol diary, set yourself an alcohol limit and stick to it;
- ▶ Set a budget for alcohol, only allow yourself a fixed range;
- ▶ Let your friends and family know you are cutting back on your alcohol, so you can resist the temptation of over-consuming.

If you think that drinking is costing you more than money, there are places you can go for help and advice:

- ▶ Alcoholics Anonymous: A free programme of recovery based on 12 steps, with group meetings and support:

Freephone: 0800 9177650

Email: help@aamail.org

- ▶ Drinkline: National alcohol helpline on 0300 123 1110
- ▶ Alcohol Change UK: A website with information and links to support
- ▶ Drink Aware: A website with information and links to alcohol support services

Please also speak to your manager or contact the H&S team as the Council has an Alcohol & Drugs policy in place to support you.

Further information is available on Keeping Staff Connected or by contacting the Health & Safety Team on 01259 452225 or hands@clacks.gov.uk

Drugs & Alcohol Policy

Reason for Talk	The Council has reviewed its Drugs & Alcohol policy and made a number of significant changes.
Why	Drugs & Alcohol misuse can cause serious health concerns for individuals as well as placing those around them at greater risk of accidents.
Outline	Support will be offered to employees who advise that they have an issue with drugs or alcohol misuse. Where there is reasonable cause to suspect an employee is under the influence at work, testing may be undertaken.

1. Why do I need to think about Drug & Alcohol misuse?

Drug and Alcohol misuse remains an increasing issue in Scottish society. In 2020, 1339 people died from drug-related causes, with 1190 deaths related to alcohol misuse.

Between July and September 2022 135 people in Clackmannanshire were referred for specialist alcohol & drug support. This is equivalent of 1% of the local population, which if replicated in our employee workforce could potentially mean 20 employees are facing these/similar issues every quarter.

2. What does the Drug & Alcohol Policy mean for me?

The wording in the Drug & Alcohol Policy is in **bold** with comments underneath.

All employees and contractors are required to take reasonable care of themselves and others who could be affected by what they do at work. All individuals have a duty to attend work and ensure they are fit to undertake their duties.

This is already set out in the Council's Health and Safety Policy. The policy is intended to be supportive to employees and anyone who has an issue with alcohol or drug misuse is encouraged to seek support by letting their manager, HR or the Health & Safety team know. The issue must be dealt with confidentially by those told by the employee.



All individuals are not permitted to consume or provide drugs or alcohol while on duty, except the consumption of prescribed or over the counter medication which is being used to treat an ailment. Individuals are not permitted to possess illegal drugs in the workplace.

This requirement is in place to help keep you and those around you safe and healthy. Being under the influence of drugs or alcohol can impair our judgement. Most of us will have to make lots of judgements while at work whether that is about which button to press on a machine, what action to take to help a service user or even just about which piece of work to tackle first. If our judgement is impaired then there it is more likely that we will make bad decisions.

When required, all individuals are obliged to participate fully in the testing process outlined in the policy

It can be difficult to ascertain whether someone is under the influence of drugs or alcohol. Testing can help provide evidence to help support that decision making.

Testing will only take place where there is reasonable cause. This might include

-Observation of reduced work performance, personality changes, physical signs such as smelling of alcohol or of other drugs. A Manager's Checklist of indicators that could be symptomatic of impaired fitness for work through alcohol or other substances is provided in Appendix 1.

- An incident or accident in the workplace where a manager has reason to suspect that an employee involved has been under the influence of alcohol or drugs.

- A complaint or whistleblowing disclosure alleging that an employee or group of employees have been under the influence of alcohol or drugs at work.

In each case there must be some indication of impairment in the employee before testing is requested.



Drug testing is done via fingerprints. You simply place each finger on the test cartridge for 5 seconds. Test results are then available around 10 minutes later. If a non-negative result is found, a further sample is sent to a laboratory for further analysis. The tests look for Opiates, Methamphetamines, Cocaine and Cannabis.

Alcohol testing is done via a breathalyser in the same way as if you were stopped by police. The legal limit for driving in Scotland is 22 micrograms per 100 millilitres.

All testing will be carried out by a member of the H&S team.

All individuals have a responsibility to tell their doctor, dentist or pharmacist about their job role when being prescribed or buying medication and/or herbal products. It is the individual's responsibility to check whether any medication they are taking has any side effects which may impair their ability to work safely. If there are such side effects, the individual must inform their manager who will confidentially discuss the possibility of making reasonable adjustments.

This is an essential requirement to help staff meet their legal obligations under the Health & Safety at Work Act.

All employees have a responsibility to report any situation that may present a danger to health and safety. If any employee suspects that a work colleague may not be fit for work they have a duty to report this to their line manager, a member of the Corporate Health & Safety Team, or HR Business Partner.

We understand that it can be difficult to raise issues about a colleague but you have a legal duty to ensure you report anything which could cause a danger to health and safety. It can help to think about how you would feel if your colleague was involved in an accident which caused the death of a young child. Would it still seem reasonable to not report your concerns?



Other Issues Discussed:

Other Group/Individual comments:

TOOLBOX / SAFETY TALK



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Chlach Mhanann

Record of Delivery	Drugs & Alcohol Policy	
Date of Talk:		
Service Area/Location		
Presenter		
Attendees		
Name (Please print)	Employee Number	Signature
Name & Signature of Person Giving Talk		

Please send completed sheet(s) to: hands@clacks.gov.uk

Councillor Craig Holden

Ward 4 Clackmannanshire South (Multi Member Ward)

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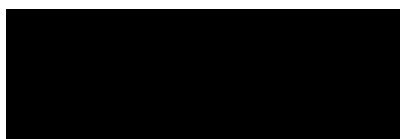
Comhairle Siorrachd
Chlach Mhanann

**THIS PAPER RELATES TO
ITEM 10
ON THE AGENDA**

**Motion to Clackmannanshire Council Meeting
15th May 2025**

Council recognises that inconsiderate, obstructive and dangerous parking is a major risk to public safety. Council agrees, therefore, to write to Police Scotland requesting that they undertake a review of their current approach to parking enforcement within Clackmannanshire and outline what steps they are prepared to take to ensure that public confidence is maintained in this key part of Police Scotland's public safety remit.

Council further agrees for Officers to bring forward an outline plan with options to a future meeting of Council in relation to its decision on 24 October 2019 to pursue a Decriminalised Parking Enforcement Scheme in Clackmannanshire, no later than the end of this calendar year.



Councillor Craig Holden
Ward 4, Clackmannanshire South

6th May 2025

Councillor Ellen Forson
Leader of the Council

Ward 4 Clackmannanshire South (Multi Member Ward)
Kilncraigs, Greenside Street, Alloa, FK10 1EB
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Comhairle Siorrachd
Chlach Mhanann

**THIS PAPER RELATES TO
ITEM 11
ON THE AGENDA**

Motion to Clackmannanshire Council Meeting 15th May 2025

Council instructs the Chief Executive to initiate the dispute resolution process as set out in Section 14 of the Clackmannanshire and Stirling Health and Social Care Integration Scheme.

The dispute concerns two key issues:

- a) the process and governance arrangements for reviewing the Integration Scheme; and
- b) the need to formalise partner arrangements for reviewing the Integration Joint Board's Strategic Commissioning Plan.

The Chief Executive is further instructed to explore opportunities to align this process with the dispute initiated by Stirling Council, in order to maximise efficiency across all partners.



Councillor Ellen Forson
Ward 4, Clackmannanshire South

6th May 2025

