
Report to Clackmannanshire Council

Date of Meeting: 28 September 2017

Subject: Children and Young Peoples Service Plan 2017-2020

Report by: Head of Social Services

1.0 Purpose

- 1.1. The purpose of this report is to present the Clackmannanshire Children's Services Plan 2017-2020

2.0 Recommendations

- 2.1. It is recommended that -
- 2.2. Clackmannanshire Council approve the Children's Service Plan 2017-2020 and note the plan will be sent to the Scottish Government.

3.0 Considerations

- 3.1. The Clackmannanshire Children's Services Plan 2017-2020 sets out a strategic direction to protect support and promote the wellbeing of Clackmannanshire's children and young people. The plan is based on evidence that we have about the Clackmannanshire area and about what is important to our children and young people.
- 3.2. The production of this plan has involved collaborative working between Clackmannanshire Council, NHS Forth Valley, the Scottish Fire and Rescue Service, Police Scotland, Clackmannanshire Third Sector Interface, the Scottish Children's Reporter Administration and a range of other agencies in the local community.
- 3.3. We want Clackmannanshire to be a great place for children and young people to grow up. We will do this by ensuring that they have the best possible opportunities and life chances. We want every child to experience a safe and happy childhood. We want them to develop positive wellbeing and to access high quality learning and development opportunities, so that they can move forward confidently into adulthood.
- 3.4. Our core **priorities** for children and young people living in Clackmannanshire are that they:

- Are safe from harm
 - Have the best possible start in life
 - Grow up healthy, confident and resilient
 - Have skills for life, work and learning
- 3.5. These priorities are clearly aligned to the priorities identified for the Local Outcomes Improvement Plan for Clackmannanshire. The priorities apply to all children with recognition that there needs to be a targeted focus to meet the needs of those who face more challenges. To this end, each of these priorities is underpinned by the following **principles**:
- A focus on prevention and early intervention
 - A rights based approach
 - A commitment to addressing inequalities
 - A commitment to actively involving and listening to children, young people and their families
- 3.6. The development of the plan was informed by engagement across agencies and with children and families that has taken place from 2015- 2017 to gather information about their views and concerns. This has been used to help inform the priorities. In particular we have used the results of the surveys conducted in 2016 as part of the Clackmannanshire CPP's participation in Realigning Children's Services Programme
- 3.7. At an event held to assist in the development of the Children's Services Plan, members of staff working in children's services and related services (which can have a significant impact on the wellbeing of children and young people) set out to identify how we can best safeguard, support and promote the wellbeing of our children and young people. Some of the key messages were:
- We will intervene **early** to ensure children and young people get the help they need when they need it
 - We will work **with** children, families and communities will be help them to meet their own outcomes
 - Our responses to each child and young person will be **personalised**, taking into account their cultural, religious, ethnic, religious and language needs
 - Services will work together to undertake holistic assessments of children's needs and plan to meet needs in a **joined up** way
 - Children, young people and families will be supported to become **more involved** in helping us plan the services they need and help us
- 3.8. The plan will be used as a basis to drive and develop joint **strategic commissioning** across children's services. We will set out how we will use all of our resources to meet the future needs of children, young people and families and drive improvement. We will use the results of the surveys carried out through Realigning Children's Services and the development of the data base for the Local Outcomes Improvement Plans to help us plan and deliver high quality, accessible services to meet the current and future needs of children, young people and their families.

- 3.9. This will include working with wider related services that impact on the outcomes for children and young people such as housing, leisure services, economic development and third sector and community based services and supports. We will use the results of existing survey to drive and implement more integrated approaches to delivering services for children and young people across the partnership.
- 3.10. The areas for improvement and action detailed relate primarily to actions that will be progressed in 2017-18. The action plan will be reviewed each year and updated to reflect progress.

4.0 Sustainability Implications

4.1. The following positive implications on sustainability are outlined below

- Encourage community participation in decision making
- Target skills & training and reduce unemployment
- Reduce social exclusion
- Reduce health inequalities
- Improve quality of life in Clackmannanshire

5.0 Resource Implications

5.1. *Financial Details*

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

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

5.4. *Staffing*

6.0 Exempt Reports

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

7.0 Declarations

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

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

- The area has a positive image and attracts people and businesses
- Our communities are more cohesive and inclusive
- People are better skilled, trained and ready for learning and employment

- Our communities are safer
- Vulnerable people and families are supported
- Substance misuse and its effects are reduced
- Health is improving and health inequalities are reducing
- The environment is protected and enhanced for all
- The Council is effective, efficient and recognised for excellence

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

8.0 Equalities Impact

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

9.0 Legality

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

10.0 Appendices

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

Clackmannanshire Council Children Service Plan 2017-20

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)

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Approved by

NAME	DESIGNATION	SIGNATURE

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Chlach Mhanann

Clackmannanshire Children's Services Plan

2017-2020



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Welcome to Clackmannanshire's Children's Services Plan

The Clackmannanshire Children's Services Plan 2017–2020 sets out a strategic direction to protect support and promote the wellbeing of Clackmannanshire's children and young people.

This plan is for:

- ◆ **All children, young people and families living in Clackmannanshire Council area**
- ◆ **All staff working in agencies that provide services to children, young people and families living in the Clackmannanshire Council areas**
- ◆ **All staff working in related services where these services have an impact on children and young people**

The plan delivers on our requirement under the Children and Young Persons (Scotland) Act 2014 to set out how services are provided locally in the way which:

- ◆ **Best safeguards, supports and promotes the wellbeing and rights of children in the area concerned**
- ◆ **Ensures that any action to meet needs is taken at the earliest appropriate time and that, where appropriate, action is taken to prevent needs arising.**
- ◆ **Is most integrated from point of view of recipients**
- ◆ **Constitutes the best use of available resources**
- ◆ **Takes into account young people's voice and influence**

The plan is based on self-evaluation, feedback and data and evidence that we have about the Clackmannanshire area and about what is important to our children and young people. The production of this plan has involved collaborative working between Clackmannanshire Council, NHS Forth Valley, the Scottish Fire and Rescue Service, Police Scotland, Clackmannanshire Third Sector Interface, the Scottish Children's Reporter Administration and a range of other agencies in the local community.

On behalf of the Children and Young Peoples Strategic Partnership Group, we would like to thank all partners for their participation in preparing this new plan and for signing up to working to achieve our vision for the children and young people of Clackmannanshire.



1. Our Vision And Priorities For Children's Services

Our Vision

We want Clackmannanshire to be a great place for children and young people to grow up. We will do this by ensuring that they have the best possible opportunities and life chances. We want every child to experience a safe and happy childhood. We want them to develop positive wellbeing and to access high quality learning and development opportunities, so that they can move forward confidently into adulthood.

Our Priorities

We are ambitious for all our children and young people. We will make decisions about where to invest based on the evidence of "what works" and feedback from those who use our services. We know that we need to balance investment in universal services, whilst also concentrating our efforts towards addressing the challenges that exist in our most disadvantaged communities.

Overall in Clackmannanshire there is a high quality of life and people enjoy living here but there are challenges and significant variations across different communities. Reducing inequalities is at the heart of this plan. Inequalities are the unfair and avoidable differences across social groups and between different population groups. These inequalities impact across all areas of children's lives. Living in poverty is a very real problem for a significant proportion of children and families in our area. These children are at a greater disadvantage from birth than children growing up in some of our more affluent communities.

We have identified four core priorities that underpin our plan. Progress in these areas will have a positive impact in other broader areas, helping us to take forward our vision for the children and young people of Clackmannanshire.

Our core priorities for children and young people living in Clackmannanshire are that they:

- ◆ **Are safe from harm**
- ◆ **Have the best possible start in life**
- ◆ **Grow up healthy, confident and resilient**
- ◆ **Have skills for life, work and learning**

The priorities apply to all children with recognition that there needs to be a targeted focus to meet the needs of those who face more challenges. To this end, each of these priorities is underpinned by the following principles:

- ◆ **A focus on prevention and early intervention**
- ◆ **A rights based approach**
- ◆ **A commitment to addressing inequalities**
- ◆ **And a commitment to actively involving and listening to children, young people and their families**

These principles will be fully embedded in individual work with children and young people, operational planning, service redesign and delivery across the Community Planning Partnership. Over the longer term, we will also work as part of delivering the Region's City Deal to promote inclusive growth across Clackmannanshire, with a focus on making the area a great place for children and young people to grow up in.

2. The Strategic Context For Children's Services

The Children's Services Plan is part of a wider legal and planning framework, within which local planning and reporting takes place.

A list of the legislative and policy framework underpinning the planning of Children's Services is provided at Appendix 2.

National Outcomes

The Scottish Government has set out sixteen national outcomes to make Scotland a better place to live and a more prosperous and successful country. Many of these relate to children and young people. The key outcomes for our Children's Services Plan are:

- ◆ **Our children have the best start in life and are ready to succeed**
- ◆ **Our young people are successful learners, confident individuals, effective contributors and responsible citizens**
- ◆ **We have tackled the significant inequalities in Scottish society**
- ◆ **We have improved the life chances for children, young people and families at risk**

Children and Young People (Scotland) Act, 2014

The Act is the main piece of legislation that relates to the wellbeing of children and young people. The Act also sets out the requirements for Children's Services Plans.

The Act establishes a definition of wellbeing and provision for a single Child's Plan for children and young people who require this and a single point of contact for every child or young person from birth to 18 (or longer if still in school).

The Act supports investment in Early Learning and Child Care as a way to alleviate the impact of poverty on children's life chances. The range of early learning and childcare for three and four year olds, and some two year olds, has been increased. Free school meals have been provided for all children in Primary 1 - 3.

New duties have been introduced in relation to the UN Convention on the Rights of the Child (UNCRC) and the role of the Children's Commissioner has been strengthened. Public bodies must report on how they have taken action to advance the requirements of the UNCRC.

A number of significant changes have been made that affect children and young people in care and care-leavers. The Act provides a clear definition of Corporate Parenting, and defines the bodies to which it will apply. The Act introduces additional support for kinship carers, an entitlement to stay in a care placement up to age 21 and an extended entitlement to aftercare support from age 21 to age 26.

Getting It Right for Every Child (GIRFEC)

GIRFEC is important for everyone who works with and those whom come into contact with children and young people. It is now embedded in the Children and Young People (Scotland) Act 2014 and requires staff from all disciplines and agencies to work together to support families, and where appropriate, take early action at the first signs of any difficulty rather than only getting involved when a situation has already reached crisis point. This means working across organisational boundaries and putting children and their families at the heart of decision making.

Community Empowerment Act 2015 and Community Planning

The Act makes changes to Community Planning Legislation. Community Planning Partners must prepare and publish a Local Outcomes Improvement Plan (LOIP) with a focus on localities where there are poorer outcomes.

In addition to the LOIP, Clackmannanshire is required under the legislation to identify localities for the purposes of locality planning. Locality plans can be developed for geographic communities but also for communities of interest. Each locality plan must identify localities with population of no more than 30000 residents.

Clackmannanshire's Local Outcome Improvement Plan 2017-2027 or LOIP has been developed by the Clackmannanshire Alliance and sets out the collective ambition for change for Clackmannanshire over the next decade. The plan sets out partners commitment to reducing inequality and a renewed focus to work together to secure better outcomes for Clackmannanshire.

A central theme of the Local Outcome Improvement Plan, is tackling the poverty, inequality and disadvantage that has been identified in Clackmannanshire. Partners will work together to tackle the root causes of poverty, deprivation and inequality which has existed in some families for generations and to start to really improve outcomes for Clackmannanshire's young people and future adults.

Clackmannanshire's Local Outcome Improvement Plan identifies four long term strategic outcomes which will drive the direction of strategic partnership working in Clackmannanshire over the next 10 years:

Strategic Outcomes for Clackmannanshire

- ◆ **Clackmannanshire will be attractive to businesses and people; will create sustainable jobs, raise attainment and improve life skills to 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.**

This Children's Services Plan for Clackmannanshire has been developed in line with the Strategic Outcomes that have been identified for Clackmannanshire over the next 10 years.



Children and Young People Improvement Collaborative (CYPIC)

The Children and Young People Improvement Collaborative (CYPIC) brings together the Early Years Collaborative (EYC) and the Raising Attainment for All programme to deliver quality improvement throughout the child's journey from pre-birth to 18. The purpose of the CYPIC is to support schools and services for children, young people and families to be as good as they can be, based on evidence of what works in improving outcomes and life chances. The CYPIC is closely aligned with the Maternity and Children Quality Improvement Collaborative where the focus is on maternity, neonatal and paediatric healthcare settings. The CYPIC provides an overarching view of quality improvement work where specific quality improvement programmes for children and families can be affiliated and supported.

We recognise the importance of connected, informed and evidence based services for all families, but particularly for those who are most disadvantaged. This involves a commitment to ensure effective use of local, national and international data and evidence based research. It is widely acknowledged that the early years are of critical importance and can impact significantly on future life chances. For example, the Marmot Review (2010) tells us "that what happens during those early years (starting in the womb) has lifelong effects on health and wellbeing – from obesity, heart disease and mental health, to educational achievement and economic status".

Pregnancy & Parenthood in Young People Strategy 2016

The Pregnancy and Parenthood in Young People Strategy aims to drive actions that will decrease the cycle of deprivation associated with pregnancy in young people under 18. The Strategy will also provide extra support for young parents, particularly those who are looked after up to age of 26 in line with the Children and Young Peoples (Scotland) Act 2014. This is the first Scottish Strategy focused on pregnancy and parenthood amongst young people. It aims to increase opportunities available to young people to support their wellbeing and prosperity across the life course. Evidence shows that having a pregnancy at a young age can contribute to a cycle of poor health and poverty as a result of associated socio-economic circumstances before and after pregnancy (as opposed to the biological effects of young maternal age). The Strategy therefore addresses the fundamental causes of pregnancy in young people and its consequences, with actions focused on the wider environmental and social influences and individual experiences which effect inequalities of this particular group.

Health & Social Care Integration

Locally children and young people's health and social care services are not included within the services delegated to the Health and Social Care Partnership. However, planning for children's services requires to take account of developments across adult care services. This is particularly important for young carers and young people who may require more intensive health and social care services as adults. As adult services undergo service reconfiguration it will be essential to address the interface between children and adult services. Understanding of future needs through a comprehensive needs assessment will inform planning across service areas.

Mental Health Strategy for Scotland (2017-2027)

The Mental Health Strategy for Scotland sets out a ten year strategy, encompassing not only the NHS, but also wider society such as education, justice, employment and welfare. The strategy sets out prevention and early intervention ambitions, including access to emotional and mental well-being support in school, availability of evidence-based parenting programmes and evidence-based interventions to address behavioural and emotional issues in children and young people.

Carers (Scotland) Act

The provisions in the Carers (Scotland) Act are designed to support carers' health and wellbeing, including young carers. The provisions include:

- ♦ **a duty to provide support to carers, based on the carer's identified needs which meet the local eligibility criteria.**
- ♦ **The introduction of Adult Carer Support Plans and Young Carer Statements to identify carers' needs and personal outcomes; and**
- ♦ **a requirement for each local authority to have its own information and advice service for carers which must provide information and advice on, amongst other things, emergency and future care planning, advocacy, income maximisation and carers' rights**



Education (Scotland) Act 2016

This Act supports a range of improvements to Scottish education including: improving the attainment of pupils from poorer backgrounds; widening access to Gaelic medium education; giving children a voice in matters that affect them; and extending the rights of children with additional support needs.

The Scottish Attainment Challenge

The Scottish Attainment Challenge was launched in 2015. It is underpinned by The National Improvement Framework, Curriculum for Excellence and Getting it Right for Every Child.

The Attainment Challenge was introduced to improve educational outcomes in Scotland's most disadvantaged communities. The Attainment Scotland Fund is a targeted initiative focused on supporting pupils in the local authorities of Scotland with the highest concentrations of deprivation. Clackmannanshire is one of 7 local authorities chosen to receive a share of the funding allocated to drive forward these improvements, over 4 years.

National Improvement Framework for Scottish Education (2017)

The 2017 National Improvement Framework is the improvement plan for Scottish Education. It sets out for everyone working in Scottish Education a clear vision with twin aims of Excellence and Equity for all children. It identifies four clear priorities: raising attainment in literacy and numeracy, closing the poverty related attainment gaps, improving health and wellbeing; and positive school leaver destinations for all young people. Statutory planning and reporting at national and local level have been introduced from 2017 to show progress against these priorities.

Education Governance – Next Steps

The Scottish Government undertook to review the governance of the education system to ensure that each part of it – from early learning and childcare provision through to secondary school education – has a relentless focus on improving learning and teaching. The Government's vision is to have a system where teachers are the leaders of learning in schools, with the responsibility for delivering excellence and equity, and with greatly enhanced support available to them.

Having set out their vision the Government is committed to deliver change through regional improvement collaboratives to deliver a stronger and more empowered education system.

Developing the Young Workforce /Youth Employment Strategy (2014-2021)

The Developing Young Workforce and Youth Employment Strategy sets out how we will better

prepare children and young people from 3–18 for the world of work. It aims to reduce youth unemployment by 40% by 2021. It is broken down by the following key themes:

- ◆ **Expanding the offer – increasing the route from schools into employment, or further education which is closely linked to employment**
- ◆ **Promoting and shaping the offer – engaging with young people, parents, teachers and practitioners, partners and employers**
- ◆ **Supporting teachers and practitioners to develop children's and young people's learning about the world of work**
- ◆ **Providing earlier relevant, labour-market focused career advice when young people need it, leading to better outcomes**
- ◆ **Embedding meaningful employer involvement**
- ◆ **Consolidating partnership working with colleges and other training providers**
- ◆ **Young people able to access more vocational options during the senior phase of secondary school, which delivers routes into good jobs and careers, developed through effective partnership between schools, colleges, local authorities and other partners**
- ◆ **Improving opportunities and experiences for all learners, with a focus on reducing gender imbalance on course take-up**
- ◆ **Development of foundation apprenticeships in schools**
- ◆ **Stronger partnerships between employers and education.**

3. Clackmannanshire's Profile

Demographics

The population of Clackmannanshire is around 51,000. By 2037 the population of young people under 25 years is predicted to fall to less than 13,000, an overall drop of 11% from 2012. This is primarily predicted to come from a reduction in births with a predicted fall in under 5 year olds of 17%. Clackmannanshire is the only council in the Forth Valley area with a predicted decline in the younger population.

- ◆ **28.7% of households with dependent children in Clackmannanshire are headed by lone parents**
- ◆ **At 28.7% of households with dependent children, Clackmannanshire has a higher than national average share of lone parent household and a higher than average lone parent employment rate (NHS Health Scotland, Lone Parents in Scotland, 2016)**



Poverty and Deprivation

While parts of Clackmannanshire are more affluent, and the economic situation has improved over the last 10 years, there are significant variations across the area and Clackmannanshire continues to be one of the most deprived Council areas in Scotland.

- ◆ **Around 26% of children in Clackmannanshire live in poverty, This equates to more than 1 in 4 children**
- ◆ **The highest rates of poverty in Clackmannanshire are evident in Alloa; Sauchie and Tullibody**
- ◆ **Clackmannanshire has four data zones which feature in the 5% most deprived areas in Scotland – these are all found in Alloa**
- ◆ **Clackmannanshire is currently sitting below the Scottish average in every economic measure. This includes in relation to job density; unemployment; gross weekly pay; and proportion of working age resident's dependant on key benefits**
- ◆ **Adults are less likely to be in work in Clackmannanshire, compared to other areas of Forth Valley. Unemployment is sitting at 17%, compared to 15% and 14% in Falkirk and Stirling respectively. Where Clackmannanshire residents are in work they are more likely to remain income deprived**
- ◆ **66% of Clackmannanshire's looked after children are from communities in deciles 1 and 2 in Clackmannanshire. 89% of looked after children live in communities which are in the 40% most deprived areas in Scotland.**

Protection

The number of children who are assessed by services who may require action to protect them or may need to be looked after by the local authority remains at a high level.

- ◆ **The rate of children referred to SCRA (Scottish Children's Reporter Administration) in Clackmannanshire is higher than the Scottish average and the rate of new Compulsory Supervision Orders are also higher**
- ◆ **The predominant factors where children are known to social services relate to domestic abuse; alcohol and substance misuse; and parental mental health**
- ◆ **Clackmannanshire has one of the highest rates of domestic abuse in Scotland. In 15/16 there were 698 incidents of domestic abuse in Clackmannanshire. In around 66% of incidents children were involved**
- ◆ **There are long-term trends in Clackmannanshire of higher levels of violent crimes than comparator local authorities. There is also a long term trend for higher rates of reconvictions for people who commit violent offences compared to Scottish averages**
- ◆ **Clackmannanshire had a lower than national average rate of children (per 1000 children aged 0-16) on the Child Protection register at the end of July 2016. The rate for Clackmannanshire is in line with the rate for comparator authorities**
- ◆ **In Clackmannanshire 66% of children on the child protection register were under five, a significantly higher figure than the national average of 53%**
- ◆ **In Clackmannanshire the percentage of children returning to the register after de-registration was 32%, significantly higher than the national figure of 17% in 2016**
- ◆ **Clackmannanshire has a higher than national average rate of looked after children (per thousand of 0-17 year olds). Both the rate and number of Looked after Children have remained fairly static over the past 6 years**
- ◆ **In Scotland 1.5% of children are Looked After by the Local Authority. In Clackmannanshire 2% of children are looked after**
- ◆ **Clackmannanshire has significantly higher proportions of children in foster care purchased by the authority compared with comparator councils, and significantly lower proportions of children in foster care provided by the authority**
- ◆ **There are a significant number of sibling family groups accounting for 64% of looked after children**



Health and Wellbeing

- ◆ 18% of women were exclusively breastfeeding at 6 to 8 weeks in Clackmannanshire in 2015/16, lower than the Scottish average
- ◆ 23% of 27-30 month assessments identified at least one developmental concern among children in Clackmannanshire in 2014/15, higher than the Scottish average
- ◆ 3.8% of Primary 1 school children in Clackmannanshire were severely obese in 2014/15, compared with 2.5% on average in Scotland in 2015
- ◆ A lower proportion of children in Clackmannanshire at age 12-13 years self-report good health and a lower proportion report feeling 'very happy' with their lives compared to children living in the rest of Scotland in 2014. Headline data from surveys conducted in our schools in 2016 indicates that the wellbeing of young women is an area of particular concern
- ◆ Clackmannanshire has seen a continued increase in teenage pregnancy rate. This is against the Scottish trend which has seen a decrease in teenage pregnancy rates particularly in young women less than 16 years of age
- ◆ Children with complex care needs are changing in terms of both the increasing complexity of need and an increasing number of children who have complex needs
- ◆ Alcohol intake in young people has decreased in the last 10 years, in line with Scottish trends, however the proportion of 13-15 year olds reporting drug use in Clackmannanshire is higher than the Scottish average

- ◆ The Child and Adolescent Mental Health Service (CAMHS) sees around 6 in 1,000 young people aged under 18 in Forth Valley, similar to levels across Scotland.
- ◆ Clackmannanshire has the highest prevalence rate in Forth Valley for illicit drug use

Attainment and Skills for Life

- ◆ Scottish Qualifications Authority Data from academic year 2015/16 highlights attainment levels in both literacy and numeracy across Clackmannanshire are improving but are still slightly below national averages; a difference of 4 percentage points for Level 4 Literacy & Numeracy and 7.5 percentage points for Level 5 Literacy & Numeracy
- ◆ Primary testing across Clackmannanshire in 2015/16 indicates slight improvements in all four assessments – Reading, Develop Ability, Mental Arithmetic & General Mathematics
- ◆ The rate of exclusions in both Primary & Secondary Schools across Clackmannanshire in 2014/15 was significantly higher than the national average (almost double: 104.3 cases per 1,000 pupils in Clackmannanshire compared to 58.5 cases per 1,000 pupils nationally)
- ◆ 25% of primary school children and 19% of secondary school children are registered for free school meals
- ◆ Attendance at Primary Schools across Clackmannanshire in 2014/15 was 94.7% (lower than Scottish average of 95.07%) and for Secondary Schools, it was 91.35% (slightly lower than the Scottish average of 91.84%)

- ◆ The percentage of Clackmannanshire school leavers seeking employment in 2015/16 was 8.4%
- ◆ In 2015/16 the percentage of school leavers entering a positive destination was 90.2% - 2.8% lower than the national average; however, school leavers entering employment and further education (college) in this year was higher than the national average.



4. What Do We Know About Our Children And Young People And What Is Important For Them?

This plan is informed by engagement across agencies and with children and families that has taken place from 2015- 2017 to gather information about their views and concerns. This has been used to help inform the priorities. In particular we have used the results of the surveys conducted in 2016 as part of the Clackmannanshire CPP's participation in Realigning Children's Services Programme.

"Most children in Clackmannanshire appear happy, consider themselves healthy, like the areas they live in and have good relationships with family, peers and teacher"

Realigning Children's Services, Health and wellbeing among children and young people in Clackmannanshire - Findings from the RCS Wellbeing Survey Programme

The Realigning Children's Services programme is about improving the lives of children through making better use of evidence and changing the way that we deliver services through a greater focus on early intervention and prevention. We have completed surveys with children, young people and parents and we have mapped out how we use our current resources. This has provided us with an evidence base for shifting the balance of resources from a focus crisis intervention to investing in services that provide support at the earliest opportunity. Third and independent sector organisations, community groups and services such as housing, sports and leisure that provide services to the wider population are central to this approach.

Surveys of Children, Young People and Parents: The three surveys conducted as part of the Realigning Children's Services programme provide a population-level perspective on the health and wellbeing of children in Clackmannanshire, as well as insights into the views and experiences of parents with young children.

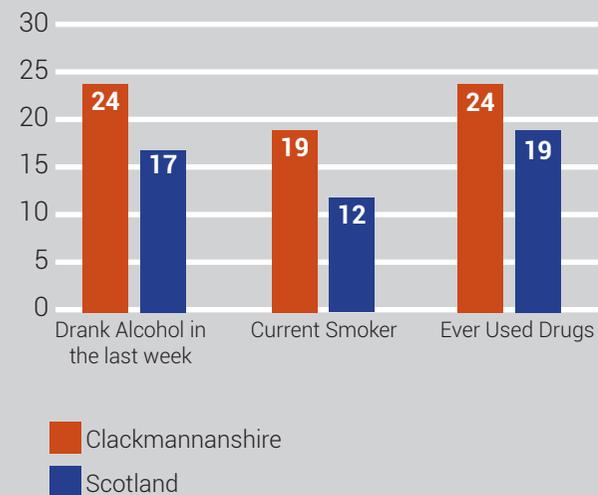
It is important to note that wellbeing outcomes for a majority of children in Clackmannanshire appear to be good.

- ◆ **83% of pupils in primary and 79% in secondary rate their own health as being either very good or good.**
- ◆ **84% of pupils in P5 to P7 always or often feel that they have a good life**
- ◆ **78% pupils in P5 to P7 and 65% in S1 to S4 say that they like school a lot or a bit.**
- ◆ **84% of pupils in P5 to P7 say they are very or fairly happy with their appearance**
- ◆ **88% of S1 to S4 pupils say they like the area they live in a lot or quite a lot.**



On a range of other indicators, too, wellbeing outcomes are broadly positive for most children. There are some specific areas where the outcomes for children are less positive and where the survey findings give some grounds for concern. For example, rates of smoking are higher among S2 and S4 pupils in Clackmannanshire than in Scotland as a whole, and rates of both alcohol and drug use are also higher among S4 pupils than nationally. These behaviours are, of course, not only potentially harmful in their own right, but tend to cluster together and to be associated with other forms of risk-taking (e.g. around sexual health).

Smoking, drinking and drug use among S4 pupils: Clackmannanshire and Scotland as a whole



Exposure to second-hand smoke in the home affects 22% of S1 to S4 pupils every day or most days and a further 17% at least sometimes.

More than a third of secondary school pupils reported that they do not normally eat fruit or vegetables on a daily basis.

The relatively **sedentary lifestyle** of many children, especially as they progress through the school system, was also identified. A majority of S1 to S4 pupils in Clackmannanshire (58%), for example, are physically active on less than five days a week. Indeed, one in five (18%) say they are active on just one day or less.

In terms of mental and emotional wellbeing, there are indications that the picture may be worse in some respects in Clackmannanshire than across Scotland as a whole. In both 2013 and 2015, for example, the proportion of S1 to S4 pupils in Clackmannanshire within the 'normal' range for the total score on the Strengths and Difficulties Questionnaire (an emotional and behavioural screening questionnaire for children and young people) was lower than the Scotland average.

The proportion of children indicating that they were a young carer - in other words that they care for or look after someone in their home because, for example, of a long-term illness or disability - was also higher in Clackmannanshire (at 17%) than in other areas participating in the Realigning Children's Services programme, and higher too among S2 and S4 pupils than nationally (14% compared with 10%). In Clackmannanshire, as elsewhere, the proportion reporting that they had such caring responsibilities was higher among younger pupils. This may indicate some differences in how pupils of different ages interpreted the question.

"There are persistent inequalities in health and wellbeing among children and young people"

Realigning Children's Services, Health and wellbeing among children and young people in Clackmannanshire - Findings from the RCS Wellbeing Survey Programme

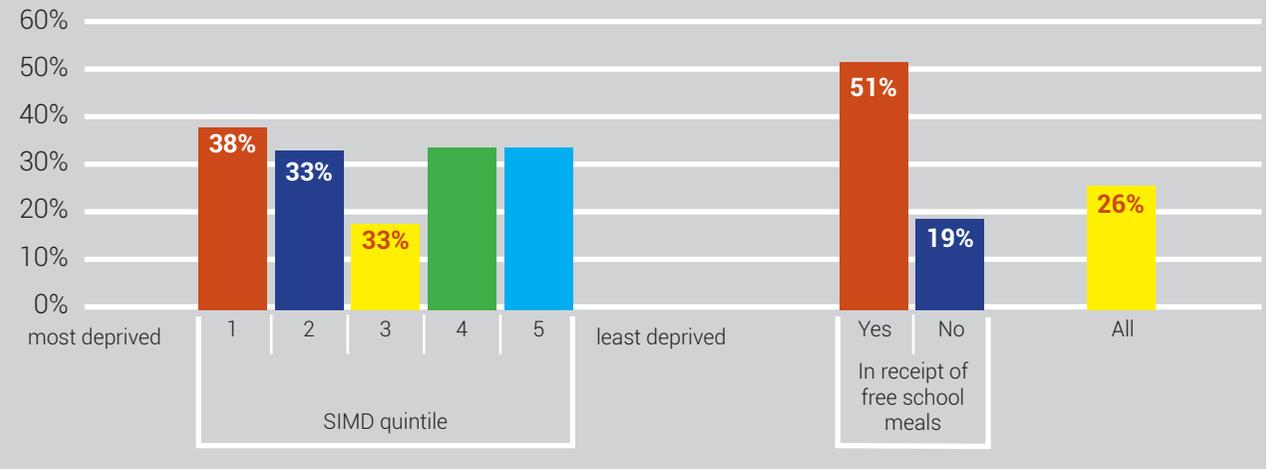
On some measures - such as alcohol consumption, for example - there is little variation across socio-economic backgrounds. On others, however, the differences remain stark. In the least deprived quintile, for example, 14% of P5 to P7 pupils were exposed to second-hand smoke; in the most deprived areas, by contrast, the figure was 38%.

"Poor outcomes in one area of wellbeing are often accompanied - and potentially compounded - by poor outcomes in another"

Realigning Children's Services, Health and wellbeing among children and young people in Clackmannanshire - Findings from the RCS Wellbeing Survey Programme



Percentage of children in P5 to P7 exposed to smoking in their own home, by area deprivation and eligibility for free school meals



Although it is, of course, possible for children to be doing well in some health and wellbeing domains and less well in others; poor outcomes in one area are often accompanied by poor outcomes in others and these are often likely to reinforce and amplify each other. For example, it is apparent from the survey results that those most likely to drink fizzy drinks are also least likely to brush their teeth regularly, with obvious implications for dental health. The same children are also less likely to eat fruit and vegetables or to be physically active, with compounding consequences for obesity levels.

School is an important potential setting for interventions and programmes that can help to promote wellbeing among children and young people. The survey findings also emphasise the

extent to which everyday experience of school itself - for example, the extent to which children are engaged, and have good relationships with peers and teachers - is fundamental to mental and emotional wellbeing. For instance, the surveys showed that those children who feel that other pupils treat them with respect, have lower exposure to bullying, have close friends or friends that are nice to them, and who enjoy school more all tend to enjoy better mental and emotional wellbeing.

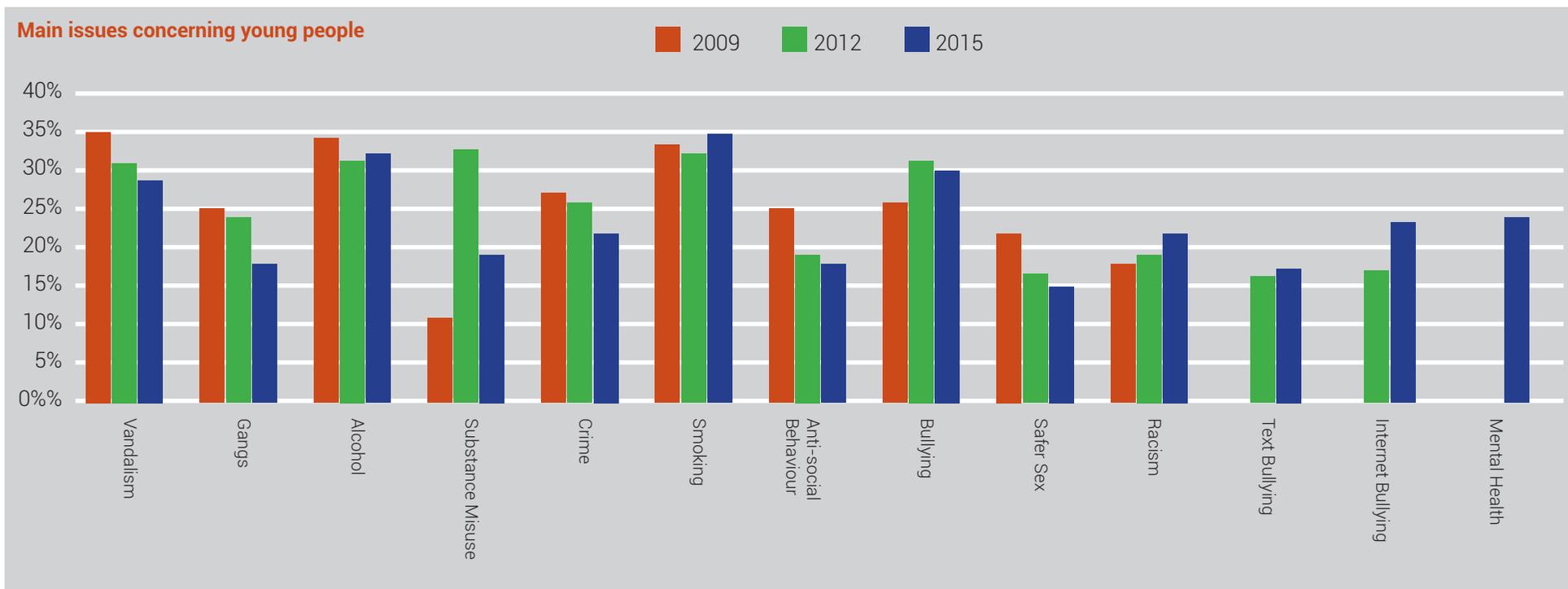
Other Surveys and Data from Secondary Schools:

Youth Services conducted a survey of 12-17 year olds across Clackmannanshire Secondary Schools. 1751 responses were received, representing a 67% return rate. Areas asked about included the main concerns for young people.

The table below demonstrates the main issues that concern young people identified in their local communities. The top three concerns identified in this survey were smoking, alcohol and bullying. The survey indicates that there is an increased level of concern about internet bullying since 2012.

Peer-led Enquiry 2016 and keeping safe: This was further reflected in the recent peer- led enquiry conducted by pupils from across Clackmannanshire Secondary Schools. Young people highlighted the increased pressure to engage on line and specifically with social media. They spoke about the pressure to be available on-line and the resulting anxiety if they did not respond to posts or texts. While they spoke about the benefits of social media to cultivate friendships and access wider networks, they also talked about the lack of face-to -face interaction and identified that on-line activity could become a source of social comparison, bullying and isolation, impacting negatively on their wellbeing.

The pupil-led enquiry approach empowered the young people to take a lead on a number of key actions to raise awareness of the impact of excessive on-line activity with their peers and explore opportunities to disconnect from over- use of social media.



Public Consultation: Feedback gathered from the public and staff by NHS Forth Valley as part of a review of Women & Children services included key themes around:

- ◆ **The importance of delivering a person-centred approach**
- ◆ **Ensuring appropriate access to services for all**
- ◆ **The importance of delivering continuity of care and co-ordinated and integrated care and optimising care management across services for women and children**

The vast majority of respondents to the formal consultation on the Children's Services Plan agreed with the vision, priorities and principles as set out in the Plan. The key themes arising from the comments related to the importance of having the resources and mechanisms to deliver on our core priorities, providing high quality services and targeted support to children with disabilities and complex care needs and working with parents to provide them with support at the earliest opportunity.

Staff Views: At an event held to assist in the development of the Children's Services Plan, members of staff working in children's services and related services (which can have a significant impact on the wellbeing of children and young people) set out to identify how we can best safeguard, support and promote the wellbeing of our children and young people.

Some of the key messages were:

- ◆ **We will intervene early to ensure children and young people get the help they need when they need it**
- ◆ **We will work with children, families and communities to help them meet their own outcomes**
- ◆ **Our responses to each child and young person will be personalised, taking into account their cultural, religious, ethnic, religious and language needs**
- ◆ **Services will work together to undertake holistic assessments of children's needs and plan to meet needs in a joined up way**
- ◆ **Children, young people and families will be supported to become more involved in helping us plan the services they need and help us**



5. What Outcomes Do We Want To Achieve?

We know that we need to change the way we are delivering services to improve outcomes for children and young people through an increased focus on prevention and early intervention. We will continue to work to ensure that wherever possible universal services can meet the needs of children and young people in their local community.

We will also strengthen the range of support services available in Clackmannanshire to ensure that children and young people with more intensive support needs are, wherever possible, able to live safely with their families and in their local community.

What we have heard from children, young people and their families and our analysis of the data available to us has informed the outcomes we want to deliver through this Plan. We have completed survey work in Clackmannanshire schools and with local parents. We have also completed mapping work identifying expenditure on children, the type of services that are being delivered and the ages of children in receipt of services. We have spoken with front line staff and managers. This has given us an evidence base to support service redesign and future investment decisions across children's services. We will underpin this with meaningful communication with all our stakeholders and most importantly, with children and young people and their families.

All of this has informed the core priorities for this Children's Services Plan, that children and young people:

- ◆ **Are safe from harm**
- ◆ **Have the best possible start in life**
- ◆ **Grow up healthy, confident and resilient**
- ◆ **Have skills for life, work and learning**

Each of these priorities is underpinned by the following **principles**:

- ◆ **A focus on prevention and early intervention**
- ◆ **A rights based approach**
- ◆ **A commitment to addressing inequalities**
- ◆ **And a commitment to actively involving and listening to children, young people and their families**

These priorities are clearly linked to the SHANARRI indicators set out in the National Practice Model. This is reflected in the delivery section of this Plan and in service planning, team planning and as required, plans for individual children. Wellbeing is at the heart of the Getting it Right for Every Child and a child's wellbeing is influenced by everything around them. The wellbeing indicators help make it easier for everyone to be consistent in how they consider the quality of a child or young person's life at a particular point in time. Services will be provided in a way that best meets the needs of each child and their family. Community based, universal, third sector and more specialised services will work together to ensure that this principle is at the heart of service delivery.



Every child or young person should be safe, healthy, achieving, nurtured, active, respected, responsible and included. These eight indicators help make sure everyone – children, parents, and the people who work with them, such as teachers and health visitors – has a common understanding of wellbeing. Families and people working with children and young people can use the wellbeing indicators to identify what help a child or young person needs in order to help them access the right support or advice.

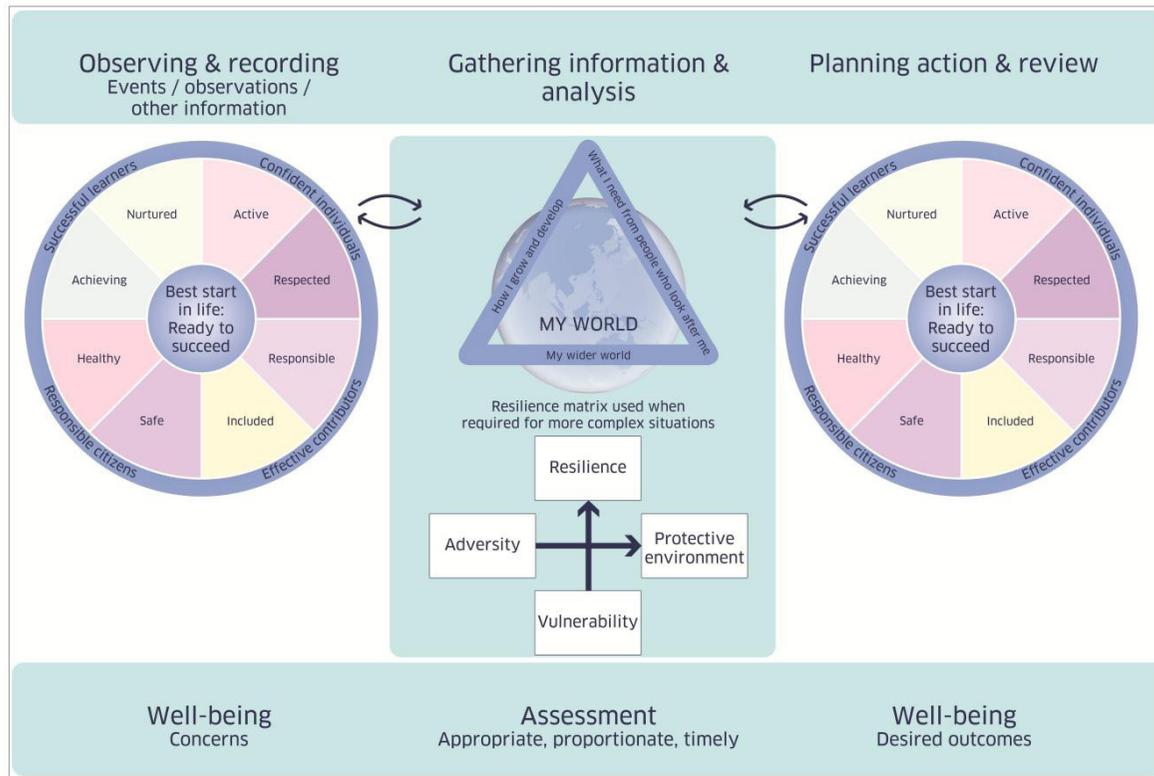
"We will work to further embed the GIRFEC principles, enhancing the Team around the Child and ensure children and young people benefit from local educational and recreational opportunities."

Each child or young person is unique and there is no set level of wellbeing that children should achieve. Each child should be helped to reach their full potential as an individual. This includes full consideration of their individual circumstances, the support they get from their family and community, and the services that support them. Factors such as adequate sleep, play, a healthy, well-balanced diet and good quality housing and safe neighbourhoods have a positive impact on all aspects of a child's or young person's wellbeing.

We will work to further embed the GIRFEC principles, enhancing the Team around the Child and ensure children and young people benefit from local educational and recreational opportunities. Where children and young people have significant complexities/needs, they will be supported by intensive, targeted interventions to reduce risks, build resilience and improve outcomes. Services and supports will be designed to provide targeted, evidence-based support to ensure that children and young people access help to overcome social, educational, physical and economic inequalities.

In the areas for improvement and action, we have focused on the delivery of our four priority outcomes in relation to each of the wellbeing indicators and alignment to our underpinning principles. A rights based approach is fundamental to this. Our actions are designed to challenge us to transform services for children and shift the balance towards supporting children and young people at an earlier stage and supporting them to remain wherever possible in their own communities.

National practice model



6. How Will We Achieve Our Outcomes?

Partnership working and better use of our collective resources is central to the successful delivery of this plan. We will make best use of every opportunity available to us to invest in improving outcomes for our children and young people.

Local Communities

The delivery of our plan is dependent on working with children, young people and their families as part of strong, supportive local communities. The objectives of this plan cannot be delivered without their direct involvement and engagement. This includes maintaining and supporting the development of active community based third sector organisations and social enterprises. It will also include supporting the direct involvement and participation of children and young people in their schools as active citizens in local groups and as volunteers and increasing engagement and support with parents and carers.

Investment in our Employees

We are planning so that we will have the staff that we need in the right places to meet future demand and requirements. We will continue to work with partner organisations including Forth Valley College, Higher Education Institutes and across all sectors to ensure we have the staff with the right qualifications, skills and personal qualities to achieve our outcomes.

Our employees are key to providing the right support at the right time to children, young people and their families. We recognise the importance of valuing and investing in front line staff, working across the statutory, third and independent sectors. We will work to ensure that our workforce is equipped to promote the wellbeing of children and young people and to protect and promote their rights. We will continue to ensure that both our staff and the wider public know when and how to take action to secure the safety of children and young people when this is required.



There is a commitment to provide a framework for early years training requirements to facilitate the implementation of the Children and Young People (Scotland) Act 2014. In order to grow and develop the workforce funding is available for existing staff to work towards a range of early years qualifications. All staff considered as support workers in day care of children within early years establishments are now registered with Scottish Social Service Council and are now required to undertake a SVQ level two qualification as a condition for registration. This is currently being undertaken in partnership with Forth Valley College.

By August 2017 Clackmannanshire Council will have employed ten Modern Apprenticeships/trainees to be trained and qualified to SVQ3 in order to deliver extended early learning and childcare provision.

Within the NHS, the transformation of community nursing has generated significant investment and opportunity within the workforce. There has been a national commitment to increase the number of qualified health visitors. This is an ongoing process with Clackmannanshire seeing an increase in health visiting numbers yearly since 2012. The increased staffing is supporting the delivery of the national health visiting pathway to children and families in Clackmannanshire.

The Family Nurse Partnership (FNP) programme for teenage first time parents is currently in its pilot phase with five nurses trained in the FNP approach locally. As the programme progresses and is evaluated a decision on FNP delivery in Clackmannanshire will be reached.

School nursing is entering a period of transformation following national information received from the early implementation sites. School nursing will have a focus on nine priority areas including mental health and wellbeing. This re-focusing will require a period of significant training and change within the service to ensure we continue to meet the needs of the school aged population.

We have invested in multi-agency approaches to learning and development to support a shared culture and a greater understanding of roles and responsibilities, based on the principles of GIRFEC. This includes multi-agency forums for front line practitioners and learning opportunities that focus on public protection across the lifespan.

Financial Investment and Service Planning

We invest significant financial resources in the delivery of children's services across Clackmannanshire. The mapping of our investment across agencies that we are currently completing will be used to help us to plan the shift to an approach that is more focused on the delivery of early intervention and prevention and intensive family based supports, away from a focus on crisis intervention.

We will use this plan as a basis to drive and develop joint strategic commissioning across children's services. Strategic Commissioning is the term used for all of the activities involved in assessing and forecasting needs, linking investment to agreed outcomes, considering options, planning the nature, range and quality of future services and working in partnership to put these in place.

We will set out how we will use all of our resources to meet the future needs of children, young people and families and drive improvement. We will use the results of the surveys carried out through Realigning Children's Services and the development of the data base for the Local Outcomes Improvement Plans to help us plan and deliver high quality, accessible services to meet the current and future needs of children, young people and their families. This will include working with wider related services that impact on the outcomes for children and young people such as housing, leisure services, economic development and third sector and community based services and supports. We will use the results of existing survey to drive and implement more integrated approaches to delivering services for children and young people across the partnership.

The value and importance of community groups, volunteers and children and young people and their parents who are active and contributing to the life of their schools and local neighbourhoods is key to this.



Improvement and Service Redesign

We are currently developing more creative approaches to the use of our resources, designed around the outcomes that children and their families identify.

We are taking forward a range of improvement activity through the Attainment Challenge. Clackmannanshire is one of 7 local authorities chosen to receive a share of the funding allocated to drive forward these improvements, over 4 years. The aims of the Attainment Challenge in Clackmannanshire are to raise the attainment of all children and to provide targeted support to those children most affected by the poverty related attainment gap.

Children and Families Social Work Services will continue to invest in the delivery of Self-directed Support across children and families services with a focus on extending opportunities for choice and control for children, young people and their families. We have a pilot that is designed to empower children, young people and their families and to work with them to safely return young people to the Clackmannanshire area and reduce the number of children who are looked after away from home. The aim is to test how a flexible use of budget for 'looked after' children can lead to better outcomes for young people and their families and also make better use of stretched local authority budgets. We will build on this to increase opportunities available across all service areas.

We will develop intensive support services to improve access to appropriate support at an early stage and increase access to evidence based family support programmes across all age ranges. We will further extend support arrangements for young people who have been looked after and accommodated beyond the age of 21. We are ensuring more joined up working between Children and Families and Youth Justice and extending opportunities for structure programmes to address offending behaviour through structured early and effective intervention. All of these developments will be progressed in partnership to make best use of our collective resources.

We will work with internal and external services to support the implementation of the National Health and Social Care Standards across early years and children's services, which is a key means of delivering on the core priorities in this plan.

As we progress with our work on the City Deal, we will identify how our approach to the City Deal across the Stirling and Clackmannanshire Region can be used to promote inclusion and address some of the inequalities that impact on the lives of children and young people in Clackmannanshire.



7. Areas For Improvement And Action, 2017 – 2020

Our priorities for improvement are those where we believe our efforts as partner organisations, working together with children, young people and their families, can do the most to improve the outcomes for Clackmannanshire's children and young people and can address inequalities across the Community Planning Partnership.

Our plan is structured around the SHANARRI indicators. Links are identified to our four core priorities for children and young people, so that they:

- ◆ Will be **safe** from harm
- ◆ Will have the **best possible start in life**
- ◆ Will **grow up healthy, confident and resilient**
- ◆ Will have **skills for life, work and learning**

A number of the actions will help support activity across a range of the SHANARRI indicators and core priorities and the indicators of Respected, Responsible and Included are grouped together as the actions set out will address each of these indicators.

Our four priorities are underpinned by the following core principles. These principles require to be fully evidenced in individual work with children and young people, operational planning, service redesign activity and in commissioning activities.

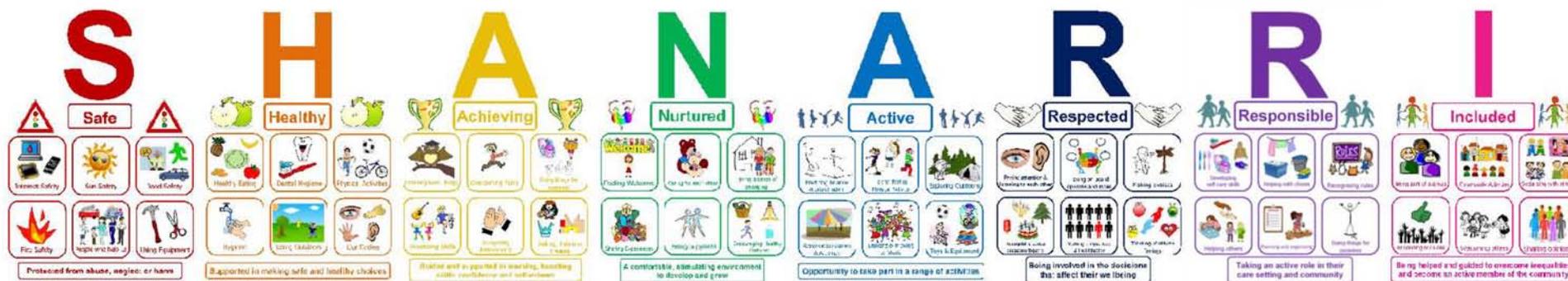
A focus on prevention and early intervention

A rights based approach

A commitment to addressing inequalities

and a commitment to actively involving and listening to children, young people and their families.

The areas for improvement and action detailed relate primarily to actions that will be progressed in 2017-18. The action plan will be reviewed each year and updated to reflect progress.



Safe

Linked Core Priority : All children and young people are safe from harm

Outcomes	Key Actions	Success Measures	Data Source/Lead
All agencies and services that work with or have contact with children and young people actively consider, assess and manage potential risks to a child	Implement 2017-2018 Strategic Plan for Child Protection Committee including a multi-disciplinary programme of training	Child Protection Referrals (% of children on the CPR comparative to national average)	Social Services
Children and young people are safe from bullying and harassment	Implement a range of evidence based interventions in schools to provide support to vulnerable families and young people, from early intervention to intensive support where required	Number of reported bullying incidents per 1,000 pupils per annum in Primary Schools Number of reported bullying incidents per 1,000 pupils per annum in Secondary Schools	Education Education
Children and young people are risk aware and know how to stay safe	Central E-Safety Partnership promotes online safety for children, young people and their parents and carers	Awareness Programmes delivered	E-Safety Partnership
The communities where children, young people and their families live, are safe for children to live and grow up in	Ensure that there is early and effective support in place to identify children and families affected by substance misuse and to minimise the harm caused by this. This will include revised assessment and referral pathways	Assessment tools and referral pathways in use	Alcohol and Drugs Partnership



Healthy

Linked Core Priority : All children and young people grow up healthy, confident and resilient

Outcomes	Key Actions	Success Measures	Data Source/Lead
Health inequalities are reducing	Evaluate the Family Nurse Partnership pilot, which currently provides targeted support to address health inequalities in the context of teenage pregnancy	Results of evaluation report	NHS Forth Valley
	Targeted support to improve the percentage accessing antenatal care at an early stage to ensure that women experience positive pregnancies	Reduction in the rates of stillbirth and infant mortality	NHS Forth Valley
Children are growing up in an environment that promotes and supports healthy development	Further develop targeted support services within early years including support to parents	% of all children will reach all expected developmental milestones by the time of the child's 27-30 month review	NHS Forth Valley
		% of all children will reach all expected developmental milestones at the time the child starts primary school	NHS Forth Valley
	Extend preventative approaches including third sector partners and community organisations	Evidence of innovative approaches and use of resources to target healthy development in children and young people	Third Sector Forum
	Progress actions under the NHS Forth Valley Tobacco Action Plan to reduce children and young people's exposure to second hand smoke in a range of settings. This includes targeted campaigns to increase smoke free environments.	Number of smoke free pledges	NHS Forth Valley and Clackmannanshire Council



Linked Core Priority : All children and young people grow up healthy, confident and resilient (continued)

Outcomes	Key Actions	Success Measures	Data Source/Lead
Children and young people to have the skills and knowledge to adopt healthy lifestyles and make safe and healthy choices	Continue to deliver "Max in the Middle" (a programme that uses drama, dance, discussion and food to help improve mental, emotional, social and physical wellbeing) and other accredited programmes within school settings	% of children and young people reporting feelings of wellbeing in national surveys	Education
	Extend opportunities to focus on promoting positive relationships and informed decisions to promote positive sexual health	% of obese children in primary 1 and S1 Teenage pregnancy levels	NHS Forth valley (Scottish Health Survey) NHS Forth Valley (ISD)
Staff working with children and their families provide support to enable children and young people to achieve the best possible health outcomes	Continue to support implementation of UNICEF's Baby Friendly approach across communities, to secure and sustain an improvement in the rates of breastfeeding	% of children breastfed at the time of their 6-8 week review	NHS Forth Valley
	Deliver the workforce plan to recruit and train additional health visitors in line with Scottish Government recommendations	Number of qualified health visitors reflects national caseload weighting guidance	NHS Forth Valley
	Develop a workforce plan for school nursing in line with the nine national priorities	Workforce plan in place	

Achieving

Linked Core Priority : All children and young people grow up with skills for life, work and learning

Outcomes	Key Actions	Success Measures	Data Source/Lead
The attainment gap relating to poverty, deprivation additional support needs and looked after children and young people is reduced	<p>Delivery of the actions linked to the Attainment Challenge: Ensure barriers to learning are identified early and addressed</p> <p>Improve planning and interventions for children with specific additional support needs</p> <p>Carer's Strategy in place which includes actions in respect of young carers</p>	<p>% of children achieving appropriate Curriculum for Excellence levels</p> <p>% of looked after and accommodated young people entering positive destinations</p> <p>% of looked after young people entering positive destinations</p> <p>% of families of children with additional support needs who feel confident that their child's needs are being addressed</p> <p>Number of young carers identified and in receipt of support</p>	<p>Education (link to Scottish Attainment Challenge) and Skills Development Scotland</p> <p>Carer's Centres</p>
Children and young people are equipped with the skills, confidence and self esteem to progress successfully	Increase supports in schools to ensure that children are ready for learning	<p>Attendance rates</p> <p>Exclusion rates</p>	Education



Linked Core Priority : All children and young people grow up with skills for life, work and learning (continued)

Outcomes	Key Actions	Success Measures	Data Source/Lead
Children and young people achieve expected levels of educational attainment at appropriate stages	Implement targeted programmes e.g. Language is Fun Together (LIFT) programme is delivered to early learning and childcare settings	<p>% of children with average expressive vocabulary for age by end of Early Learning and Childcare</p> <p>% of children achieving expected levels of Curriculum for Excellence outcomes in Literacy Numeracy</p> <p>% of young people achieving at SCQF Levels in English and Mathematics</p>	Education
All young people will be ready for employment, training of further or higher education on leaving school	<p>A career pathway model from Primary to post School is implemented</p> <p>An alternative pathway /destinations approach is implemented</p> <p>A range of senior phase qualifications/ achievement awards is offered</p> <p>Develop partnership with employers/ Developing the Young Workforce</p> <p>Implement Corporate Parenting Strategy and further develop approaches to supporting looked after young people into work placements and training</p>	<p>% of children and young people moving on to a sustained, positive destination</p> <p>% of Awards achieved by young people by end of Senior Phase</p> <p>% of looked after young people moving on to a sustained and positive destination</p>	Education

Nurtured

Linked Core Priority : All children and young people grow up healthy, confident and resilient

Outcomes	Key Actions	Success Measures	Data Source/Lead
Children and young people thrive as a result of nurturing environments and relationships	Provide support to families who most need it through partnership working and targeted interventions and opportunities for family learning Increase identification of young carers	Number of parents engaging in validated parenting programmes Number of young carers identified	Education (Link to Scottish Attainment Challenge) and Social Services
Parents and carers are supported and encouraged to develop skills and confidence to care for and help children and young people thrive	Targeted parenting programmes New arrangements will be introduced to engage with parents of children with disabilities Support food activities with local organisations and staff to address health and economic food issues, particularly those working with vulnerable individuals and families through provision of small grants and targeted training	Number of family learning/support opportunities offered	Education and Social Services Education
Children and young people, including those who are in most need, live in suitable housing and are supported wherever possible to remain in their local community	Develop service models including a core and cluster approach to extend accommodation options and support young people leaving care to return to the local community Recruit and retain local foster carers and supported carers	Model in place and young people supported in Clackmannanshire area Number of new foster carers and supported carers recruited	Social Services Social Services



Active

Linked Core Priority : All children and young people grow up healthy, confident and resilient

Outcomes	Key Actions	Success Measures	Data Source/Lead
Looked after children and young people access and participate in play, physical activity and sport	Increase opportunities for looked after children and young people to access activities and sports programmes in their local communities	% of looked after young people participating in activity and sports programmes	Education and Strategic Active Sports and Leisure
Children and young people are making active lifestyle choices	Increase opportunities for looked after children and young people to access activities and sports programmes in their local communities	Meeting the national target of two hours of physical education per week for all school age children Proportion of children who report they are physically active	Education Education



Respected, Responsible and Included

Linked Core Priorities :

All children and young people grow up healthy, confident and resilient

All children and young people will have skills for life, work and learning

Outcomes	Key Actions	Success Measures	Data Source/Lead
<p>Children, young people and their families are respected and fully involved as partners in decision-making and planning</p>	<p>Implementation of the Clackmannanshire Corporate Parenting Strategy for looked after young people</p> <p>Extend opportunities for looked after children and young people to meet with and influence decision-makers. Work with looked after young people to put in place a Champion's Board</p> <p>Develop approaches to participation and engagement to put children and young people at the heart of decision-making</p> <p>Revise and update the process for transition between services for children and young people with complex needs and disabilities involving children, young people and their families</p>	<p>Reports on implementation of key actions in the Strategy</p> <p>Champion's Board in place</p> <p>Evidence of involvement and consultation with children, young people and their families when planning changes to relevant services</p> <p>Feedback from engagement events</p> <p>Increase use of independent advocacy services</p>	<p>Corporate Parenting Steering Group</p>



Linked Core Priorities : (continued)

All children and young people grow up healthy, confident and resilient

All children and young people will have skills for life, work and learning

Outcomes	Key Actions	Success Measures	Data Source/Lead
Children and young people understand their rights and their responsibilities	<p>Increase availability of independent advocacy for children and young people who most need it</p> <p>Increase involvement and engagement of children and young people in formal meetings</p>	<p>Referral rates to advocacy services</p> <p>Number of children and young people attending Child Protection meetings and LAAC reviews or completing "Having Your Say" forms</p> <p>% of children reporting that they are treated fairly and with respect</p>	<p>Social Services</p> <p>Social Services</p> <p>Education</p>
Children and young people are engaged positively in their local communities	<p>Youth Network Voice is expanded to include a wider range of partners</p> <p>Syrian refugee integration and resettlement programme is fully implemented</p> <p>Strengthen support arrangements for accommodated children and young people up to the age of 26 (% of those eligible over the age of 21 continuing to be supported)</p>	Evidence of positive engagement	Education, Housing and Social Services
Children and young people are diverted from the Criminal Justice System. Fewer young people are referred to the Criminal Justice Service	More young people and children who offend are offered structured programme work to support change and are supported within Children and Families Services	Number of young people referred to Criminal Justice Service	Social Services
Children and young people are supported to remain in their own homes and communities, whenever possible	<p>Increase the proportion of looked after children and young people living at home in their own communities versus those who are looked after and accommodated away from home</p> <p>Introduce a range of intensive support services across the age ranges, for example, Functional Family Therapy</p>	Proportion of looked after children living in the local community	Social Services
Children, young people and their families have a sense of belonging at school and in their local community	Pilot University of Strathclyde parental and community project in the Alva Cluster	Evaluation of pilot % of children and young people who report that they can exercise influence in school and community	Education

8 Appendices

Appendix 1: Framework for Delivery:
Governance and Reporting Arrangements

Appendix 2: Legislative and Policy Context

Appendix 1

Framework for Delivery: Governance and Reporting Arrangements

We will report on the implementation of this plan through our Community Planning Partnership Structure, and will establish governance and accountability that improves integrated and joint working for the benefit of children and young people.

Part 2 of the Community Empowerment (Scotland) Act 2015 places a range of duties on community planning partners in order to strengthen the role of community planning. These duties are intended to support an increase in the pace and scale of public service reform through a focus on achieving outcomes and improving the process of community planning.

The purpose of community planning and Children's Services planning are aligned in seeking to deliver better outcomes for people in Clackmannanshire by promoting a collaborative, partnership approach between public bodies and communities and by keeping a focus on tackling inequalities.

The Community Planning Partnership will review arrangements for the governance of Children's Services in 2017 -2018.

Governance of Community Planning is overseen by the Clackmannanshire Alliance Board which meets quarterly and is supported by the Clackmannanshire Executive. Accountability of delivery is achieved through quarterly partnership performance reports to the Clackmannanshire Alliance Board. Scrutiny of Community Planning is achieved through regular performance reports to Clackmannanshire Councils Scrutiny Committee.

Appendix 2

This provides an overview of the key statutory and strategic planning context for the Children's Services Plan.

Legislation

The Children and Young Person's (Scotland) Act (2014)
 The Community Empowerment Act 2015
 The Community Justice (Scotland) Act 2016
 The Public Bodies (Joint Working) Scotland Act (2014)
 The Equality Act (2010)
 Carers (Scotland) Act 2016

National Policy & Programmes

Mental Health Strategy for Scotland 2017-2027
 National Improvement Framework for Scottish Education 2016
 Children and Young People Improvement Collaborative 2016
 Child Protection Improvement Programme
 Pregnancy & Parenthood in Young People Strategy 2016
 Universal Health Visiting Pathway in Scotland – Pre Birth to Pre School 2015
 Scotland's Youth Employment Strategy 2014
 National Guidance for Child Protection in Scotland 2014
 Curriculum for Excellence 2009
 Getting it Right for Every Child (GIRFEC) 2008
 Standards in Scotland's Schools Act 2000
 Education (Scotland) Act 2016
 National Autism Strategy 2011
 National Improvement Framework for Scottish Education 2017
 Self-directed Support Strategy 2010-2020
 Pupil Equity Funding
 Developing the Young Workforce
 Transforming School Nursing
 Review of Maternity and Neonatal Services
 Road to Recovery 2008
 Changing Scotland's Relationship with Alcohol 2009

Getting our Priorities Right 2013

A Framework for the Delivery of Palliative Care for Children and Young People in Scotland 2012

A Fairer Scotland for Disabled People – Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities

Local Policy

Clackmannanshire Community Plan 2010-2020

Clackmannanshire Council Corporate Plan

Clackmannanshire Local Outcomes Improvement Plan 2017-2027

Community Justice Outcome Improvement Plan 2017-2018

Clackmannanshire Mainstreaming Equalities Report and Outcomes 2017-2021

Clackmannanshire Corporate Parenting Strategy 2015-2018

Forth Valley Alcohol and Drug Partnership Strategy 2014-2016

NHS Forth Valley Healthcare Strategy 2016-2021

NHS Forth Valley Clinical Review (Women's and Children's Services) 2016

NHS Forth Valley Children and Young Persons Strategic Framework 2015-2018

Clackmannanshire and Stirling Health and Social Care Partnership Strategic Plan 2016-2019

choice
achieving
FUTURE

indicators
LOCAL OUTCOME IMPROVEMENT PLAN
further education
INFORM
PRIORITIES COMMITMENT support
Clackmannanshire
VISION healthy INVOLVING
opportunities CONFIDENT GROW services
CHILDREN'S safe SHANARRI
Listening communities
THRIVE
duty CARE empowered PARTNERSHIP
National Outcomes WELLBEING
PLAN INDEPENDENT survey child work
free school meals
attainment challenge
NATIONAL IMPROVEMENT FRAMEWORK
mental health included
GIRFEC
active



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

Report to Clackmannanshire Council

Date of Meeting: 28th September

Subject: Workforce Committee – Proposed Change in Remit

Report by: Council Leader

1.0 Purpose

- 1.1. To ask Council to change the remit of the Workforce Committee

2.0 Recommendations

- 2.1. Council changes the remit of the Workforce Committee to delegate to it the hearing of appeals by employees below the level of Head of Service.

3.0 Considerations

- 3.1. At its meeting of 15th December 2016, the Council agreed to remove from the remit of the Workforce Committee, as set out in the Scheme of Delegation, its responsibility for hearing appeals by employees below the level of Head of Service raised in line with Human Resources policies and procedures.
- 3.2. The appeals taken to the Workforce Committee were invariably to do with terminating the employment relationship due to disciplinary or capability issues.
- 3.3. Instead of such decisions being heard by the Workforce Committee, the Council agreed to establish a Chief Officer panel comprising two Chief Officers, one of which must be either the Chief Executive or Depute Chief Executive who would be supported by appropriate advisers.
- 3.4. Heads of Service appeals were retained by the Committee because of the role that elected members play in their appointment.
- 3.5. The administration wishes to reinstate the Workforce Committee because it believes that elected members should ultimately be accountable for terminating the employment relationship.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

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

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

5.4. Staffing

6.0 Exempt Reports

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

7.0 Declarations

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

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

The area has a positive image and attracts people and businesses

Our communities are more cohesive and inclusive

People are better skilled, trained and ready for learning and employment

Our communities are safer

Vulnerable people and families are supported

Substance misuse and its effects are reduced

Health is improving and health inequalities are reducing

The environment is protected and enhanced for all

The Council is effective, efficient and recognised for excellence

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

8.0 Equalities Impact

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

Yes No NA

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".

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

Council's Scheme of Delegation 2012

Council Paper Workforce Committee Proposed Change in Remit dated 15th December 2016

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Councillor Les Sharp Signed: L Sharp	Council Leader	2286

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 28th September 2017

Subject: Budget Strategy Update

Report by: Depute Chief Executive

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 fiscal outlook and focuses on the potential impact of increases in pay inflation above the 1% cap that has been in place in recent years.

2.0 Recommendations

2.1 It is recommended that Council notes:

- a. the fiscal outlook and information on wages and living standards set out in paragraphs 3.1 to 3.6
- b. the key policy initiatives announced by the Scottish Government in its programme for government on 5th September 2017 (paragraph 3.7)
- c. the refined median financial planning scenarios to reflect the full exclusion or inclusion of the Council's share of the additional £130m allocated to local government by the Scottish Government in December 2016 (Exhibits 2 and 4 respectively)
- d. the impact of different rates of pay inflation on the Council's indicative funding gap (Exhibits 5a, 5b, 5c, 6a, 6b, and 6c).

3.0 Fiscal outlook

3.1 There have been two Fiscal Affairs Scotland (FAS) Updates since the last report to Council. The two briefings consider:

- Local Government Budget Settlement analysis since 2010/11
- Ongoing implications of Brexit
- Changes in Wages and Living Standards.

3.2 The FAS analysis looks at the pattern of local government budget settlements since

austerity was initiated around 2010/11. It focuses on the General Resource Grant (GRG) and Non Domestic Rate Income (NDRI) as the key variables over this period. The analysis concludes:

- Up to 2015/16, much or all of the annual cut in GRG was offset by an increase in NDRI
- Over the last two years, this relationship has broken down as NDRI moved from being a net contributor to the annual change in the LG Revenue Budget to a negative contributor
- Additionally, GRG has fallen by a relatively large cash amount in each of the last two years
- As a result the LG Revenue Budget share has fallen from around 34% to 32% share of the overall Scottish Revenue Spend.

3.3 Key issues have also been highlighted in respect of future LG Revenue Budget Settlements, including:

- The extent to which NDRI continues to decline
- The extent to which LG Revenue Budget remains unprotected
- Pressures from existing Protected Budgets, for instance the NHS and Police
- Education budget control: the extent of LG influence over future education budgets
- The extent to which there will be flexibility in relation to the setting of Council Tax levels
- The performance of the Scottish economy whereby growth prospects directly impact the available Scottish Budget as a whole through devolved Income Tax receipts.

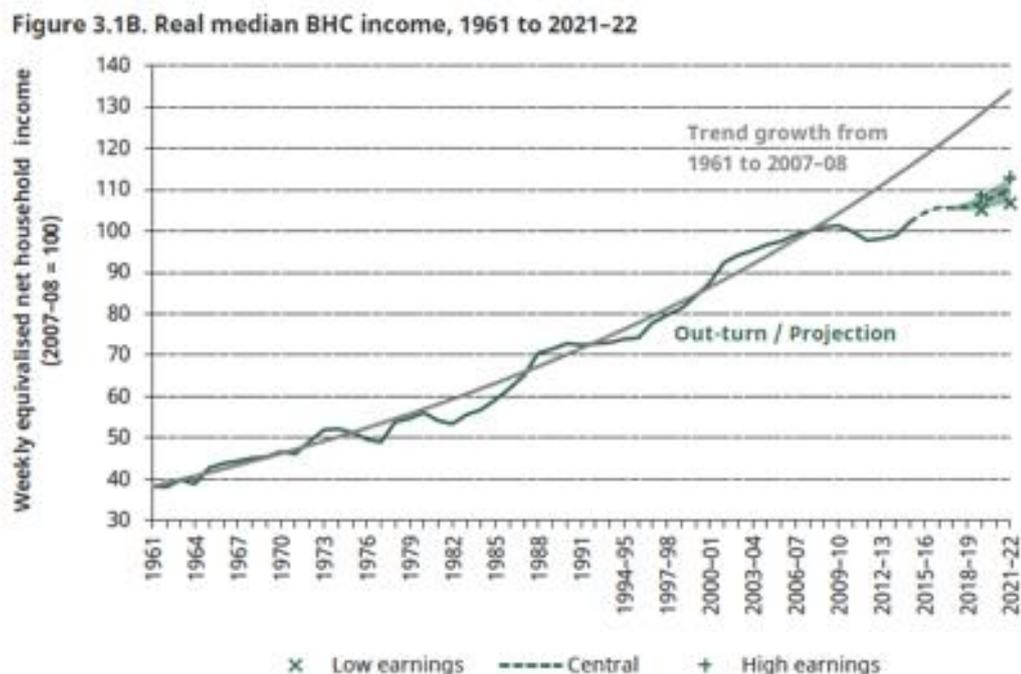
3.4 As has been the case for almost a decade, economic and budget uncertainty levels remain high. As recently as two years ago, it was anticipated that this uncertainty would have reduced by now, however, a combination of slow economic growth, Brexit and a lack of political stability means that it is still extremely difficult to forecast future revenues, or to plan Budgets beyond a year ahead.

3.5 There continues to be pressure for a weakening of future austerity measures, for instance in respect of the 1% public sector pay cap. To date, the Chancellor of the Exchequer has not indicated that this will be the case. However, it is unlikely that any such UK wide policy changes will be intimated until closer to the Autumn Budget in November.

3.6 At the UK level, it had been anticipated that after a prolonged period of negative growth in UK wages, wages would start to rise. This has not happened. However, whilst growth in economic productivity has been poor, inflation has been increasing significantly, impacting food and energy prices. FAS has undertaken some analysis of the growth in household income over time as an indicator of household living

standards (Exhibit 1). This indicates that the long term steady rise in living standards experienced post 1960, appears to have ended. This indicates potential implications for households in respect of their ability to afford the basics such as housing, food and energy, whose prices may be growing at a faster rate. Without a return to real terms wage increases, this position is unlikely to change.

Exhibit 1: Long term Growth in real household income over time



Source: Authors' calculations using Family Resources Survey and Family Expenditure Survey, various years, and projections for 2015-16 to 2021-22 using TAXBEN and assumptions specified in the text.

Source Fiscal Affairs Scotland August 2017

3.7 On the 5th September 2017, the First Minister announced the Scottish Government's legislative Programme for Government. This included:

- commitment to real terms increase in the NHS revenue budget
- Frank's Law: the extension of free personal care to the under 65s with degenerative conditions
- funding for local authorities to support the recruitment and training of staff in nurseries and the delivery of new premises
- Education Bill
- £10m Ending Homelessness Together Fund
- Public sector 1% pay cap to be lifted
- increase number of Modern Apprentices

- Barclay review of business rates
- Planning Bill
- Social Security Bill
- Climate Change Bill.

4.0 Budget Strategy Implementation

4.1 At the June meeting of Council, refreshed financial planning assumptions and scenarios were presented. Exhibit 2 shows a revised median scenario which indicates a funding gap of £14.2m for 2018/19 and £29.6m for the three years cumulatively to March 2021. The key revision has been to remove the 50% assumed baselining of the Council's share of the additional £130million allocated to local government post the December Budget announcement.

Exhibit 2: Indicative funding gap 2018/19 to 2020/21 without the Council's share of additional £130m allocated to local government

Year	2018/19 £'000	2019/20 £'000	2020/21 £'000
Net expenditure	124,624	129,447	134,286
Net funding	110,398	107,451	104,681
Annual Indicative funding gap	14,226	7,770	7,609
Cumulative Indicative funding gap	14,226	21,996	29,605

4.2 Exhibit 3 below summarises the key financial planning assumptions underpinning the indicative funding gap derived in Exhibit 2:

Exhibit 3: Financial Planning Assumptions for 2018/19 to 2020/21

	Exhibit 2
General Revenue Grant Reduction	5%
Council Tax	2%
Non-Domestic Rates Income	0%
Additional share of £130m revenue	0%
Pay award (teaching and non-teaching staff)	1%
Demand pressures (General and contract inflation)	£3.5m

- 4.3 In light of the First Minister’s announcement that the public sector 1% pay cap will end from the next financial year, a range of alternative scenarios have been prepared and are set out in the following tables to provide an indication of the potential impact on the indicative funding gap of above 1% increases in pay. At this stage, there is no indication of whether this policy change will be funded within the LG Budget Settlement. Therefore at this stage, scenarios are shown assuming the Council’s share of the additional £130million (£1.217m) announced after the December Budget in 2016 is a) not baselined (Exhibit 2), and b) is baselined (Exhibit 4).
- 4.4 Exhibit 4 shows the impact of baselining the full amount of the additional funding received from the Scottish Government following the Budget announcement in December 2016. This results in a reduction in the indicative funding gap in 2018/19 to £13m and a cumulative indicative gap of £28.4m over the three years to March 2021.

Exhibit 4: Indicative funding gap baselining share of additional £130m received in December 2016 (based on Median scenario)

Year	2018/19	2019/20	2020/21
	£'000	£'000	£'000
Net expenditure	124,624	129,447	134,286
Net funding	111,615	108,668	105,897
Annual Indicative funding gap	13,009	7,770	7,610
Cumulative Indicative funding gap	13,009	20,779	28,389

- 4.5 Exhibits 5a to 6c detail the impact of a 2%, 2.5% and 3% pay increase on Exhibits 2 and 4 respectively. This range has been selected as broadly indicative of inflation rates over the last six months.
- 4.6 Should the additional funding received in December 2016 not be baselined in councils’ future settlements, this would result in a potential range of indicative funding gaps of between £15.0m and £15.8m in 2018/19 and a range of £32.0m and £34.5m cumulatively to March 2021. Exhibits 5a, 5b and 5c show the impacts of a 2%, 2.5% and 3% increase in pay from April 2018 respectively.

Exhibit 5a: Indicative funding gap using 2% pay inflation on base of Exhibit 2

Year	2018/19	2019/20	2020/21
	£'000	£'000	£'000
Net expenditure	125,394	131,025	136,712
Net funding	110,398	107,451	104,681

Annual Indicative funding gap	14,996	8,578	8,457
Cumulative Indicative funding gap	14,996	23,574	32,031

Exhibit 5b: Indicative funding gap using 2.5% pay inflation on base of Exhibit 2

Year	2018/19	2019/20	2020/21
	£'000	£'000	£'000
Net expenditure	125,779	131,820	137,943
Net funding	110,398	107,451	104,681
Annual Indicative funding gap	15,381	8,988	8,893
Cumulative Indicative funding gap	15,381	24,369	33,262

Exhibit 5c: Indicative funding gap using 3% pay inflation on base of Exhibit 2

Year	2018/19	2019/20	2020/21
	£'000	£'000	£'000
Net expenditure	126,164	132,618	139,186
Net funding	110,398	107,451	104,681
Annual Indicative funding gap	15,766	9,401	9,338
Cumulative Indicative funding gap	15,766	25,167	34,505

- 4.7 Should the additional funding received in December 2016 be baselined in councils' future settlements, this would result in a potential range of indicative funding gaps of between £13.8m and £14.5m in 2018/19 and a range of £30.8m and £33.3m cumulatively to March 2021. Exhibits 6a, 6b and 6c show the impacts of a 2%, 2.5% and 3% increase in pay from April 2018 respectively.

Exhibit 6a: Indicative funding gap using 2% pay inflation on base of Exhibit 4

Year	2018/19	2019/20	2020/21
Net expenditure	125,394	131,025	136,712
Net funding	111,615	108,668	105,897

Annual Indicative funding gap	13,779	8,578	8,458
Cumulative Indicative funding gap	13,779	22,357	30,815

Exhibit 6b: Indicative funding gap using 2.5% pay inflation on base of Exhibit 4

Year	2018/19	2019/20	2020/21
	£'000	£'000	£'000
Net expenditure	125,779	131,820	137,943
Net funding	111,615	108,668	105,897
Annual Indicative funding gap	14,164	8,988	8,894
Cumulative Indicative funding gap	14,164	23,152	32,046

Exhibit 6c: Indicative funding gap using 3% pay inflation on base of Exhibit 4

Year	2018/19	2019/20	2020/21
Net expenditure	126,164	132,618	139,186
Net funding	111,615	108,668	105,897
Annual Indicative funding gap	14,549	9,401	9,339
Cumulative Indicative funding gap	14,549	23,950	33,289

- 4.8 The outcome of this analysis highlights the potentially significant impact of relatively minor changes in the key financial planning variables. To facilitate greater transparency over such potential impacts, the Depute Chief Executive and Chief Accountant are currently trialling a more interactive excel-based model for use with elected members and other key stakeholders in planning and budget briefings.
- 4.9 Clearly there is significant scope for variations in other key financial variables than just pay inflation, with the General Revenue Grant allocation being potentially amongst the most material. These will also be kept under review and further refinements made as new information becomes available.

5.0 Conclusions

- 5.1 This report provides an update on the fiscal outlook with a particular focus on analysis of the local government settlement since 2010/11 and changes in wages and living standards.

5.2 The report also summarises some of the key areas within the Scottish Government's programme of government which have the potential to impact the public sector and local government.

5.3 Section 4 of the report further refines financial planning scenarios to reflect potentially different and increased levels of pay inflation for future years, setting out the impact on the Council's indicative funding gap of a 2%, 2.5% and 3% increase in pay.

6.0 Sustainability Implications

6.1. N/A

7.0 Resource Implications

7.1 *Financial Details*

7.2 Accountancy has been consulted and has agreed the financial implications as set out in the report.

8.0 Exempt Reports

8.1 Is this report exempt? No

9.0 Declarations

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

(1) **Council Policies**(Please detail)

Budget Strategy

10.0 Equalities Impact

10.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? N/A

11.0 Legality

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

12.0 Appendices

NONE

13.0 Background Papers

13.1 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)

Fiscal Affairs Scotland
Fiscal Affairs Scotland
Budget Strategy Update
SG programme for change

July briefing
August briefing
June 2017
September 2017

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Sim	Chief Accountant	01259 452078
Nikki Bridle	Depute Chief Executive	01259 452373

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Depute Chief Executive	Signed: N Bridle

Report to Council

Date of Meeting: 28th September

Subject: Council Policy Papers: Disciplinary, Capability, Maximising Attendance and Recruitment & Selection Policies

Report by: Head of Resources and Governance

1.0 Purpose

- 1.1. This paper seeks Council approval of the revised disciplinary, capability, maximising attendance and recruitment and selection policies which have been developed by the management and trade union policy group.
- 1.2. These policies and associated procedures shall apply to all Council staff. In respect of teaching staff, under terms of the national framework such policies and procedures require to be agreed through Local Negotiating Committee for Teachers (LNCT). The EIS teaching representative has been fully involved with the policy group. The capability and disciplinary policies only will require to be formally approved through the LNCT before implementation.

2.0 Recommendations

- 2.1. Council is invited to agree to the revised staff disciplinary, capability, maximising attendance and recruitment and selection policies attached at Appendix 1,2, 3 and 4.

3.0 Considerations

- 3.1. In order to ensure collaborative and partnership working a policy group was created which comprised representatives from management and trade unions.
- 3.2. The policy group provides a forum to enable effective dialogue between management and trade union representatives on the modernisation of HR/OD policies and procedures within Clackmannanshire Council.
- 3.3. The overarching aim of the policy reviews is to ensure that all policies comply with current legislation and good practice. Additionally, the reviews will ensure that the Council's processes are clearly understood by all parties and are applied consistently, equitably and within reasonable timeframes.

- 3.4. The outputs of the policy group are statements of policy and principles in respect of discipline, capability, maximising attendance and recruitment and selection supported by clear procedures and guidance documents.
- 3.5. It should be noted that all four policies have been discussed at tripartite meetings in August and September and been agreed by management and Trade Unions.
- 3.6. A programme of briefings on the operation of the new policies and procedures will be put in place by HR.
- 3.7. The new policies will become effective from the date of formal approval by Council, and LNCT in respect of teaching staff.

4.0 Sustainability Implications

- 4.1. There are no sustainability implications arising from this report.

5.0 Resource Implications

5.1. *Financial Details*

- 5.2. There are no financial implications arising from the recommendations set out in the report.
- 5.3. Staffing
- 5.4. There are no implications of additional staff resource arising from the recommendations set out in 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)

- The area has a positive image and attracts people and businesses
- Our communities are more cohesive and inclusive
- People are better skilled, trained and ready for learning and employment
- Our communities are safer
- Vulnerable people and families are supported
- Substance misuse and its effects are reduced
- Health is improving and health inequalities are reducing
- The environment is protected and enhanced for all

The Council is effective, efficient and recognised for excellence

X

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

8.0 Equalities Impact

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

Yes No

9.0 Legality

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

10.0 Appendices

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

Disciplinary Policy
Capability Policy
Maximising Attendance Policy
Recruitment and Selection Policy

11.0 Background Papers

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

Yes (please list the documents below) No

ACAS Guide Discipline and Grievance at Work
Unison model capability policy
ACAS Guidance Recruitment and Selection

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Chris Alliston	HR Service Manager	2184

Approved by

NAME	DESIGNATION	SIGNATURE
Stephen Coulter	Head of Resources and Governance	Signed: S Coulter
Nikki Bridle	Deputy Chief Executive	Signed: N Bridle



Clackmannanshire
Council

DISCIPLINARY POLICY

Date: September 2017

Version: Final

DISCIPLINARY POLICY

1.0 Introduction

- 1.1. The Council has a responsibility to set the standards for performance, attendance and conduct and reinforce these through rules which are incorporated into the Council's policies. Policies, rules and procedures inform employees of what is expected from them and help the management of issues to be applied in a consistent and fair manner.

- 1.2. The aims of the Disciplinary Policy are to provide a framework within which managers can work with employees to maintain satisfactory standards of conduct and or attendance and to encourage improvement where necessary.

- 1.3. Clear policies, rules and procedures will inform employees of what is expected from them and assist the organisation to operate effectively.

- 1.4. The policy sets out in detail the general standards expected from all employees, as well as highlight the support which may be available to improve an employee's conduct and or attendance, and the processes to be followed when dealing with failures to meet the required standards.

2.0 Policy Statement

- 2.1 The Disciplinary Policy and Procedure conforms to the SNCT Disciplinary Framework for Scottish Teachers and Associated Professionals, and Scottish Social Services Council (SSSC) codes of conduct, and complies with the ACAS Statutory Code of Practice on discipline and grievance.
- 2.2 The Council has a separate Capability Policy and Procedure for dealing with performance and health related issues.
- 2.3 The Council expects staff to be aware of and conduct themselves within the law, any code of practice, competence, or ethics associated with their profession or trade, any rules specifically relating to their professional responsibilities or activities and within generally accepted standards of social and moral behaviour.
- 2.4 The Council will assist employees, so far as practicable, in achieving acceptable standards by ensuring that all staff are aware of what is expected of them. The Council will ensure it brings to the attention of staff relevant policies and procedures, provide the necessary training as required to assist them in undertaking their work effectively and safely.
- 2.5 Problems involving minor misconduct and poor performance should be dealt with, at least in the early stages and where appropriate, through the use of informal advice, guidance and counselling between the member of staff and their line manager.
- 2.6 Apart from gross misconduct, no employee will be dismissed for the first breach of discipline.

3.0 Scope and Responsibility

- 3.1 All staff of Clackmannanshire Council have responsibility for ensuring that employees are aware of what is expected of them and for ensuring that the policy is implemented in a fair and consistent manner in all situations.

- 3.2 Representatives from HR are available to provide advice to managers at all stages of the disciplinary process. Where appropriate HR will seek employment law advice.
- 3.3 Trade Union representatives will provide their members with support as detailed in the Policy and will be afforded time off to do so in accordance with protocols agreed with management for facility time.
- 3.4 To ensure fairness and consistency, the disciplinary policy encompasses all employees employed by Clackmannanshire Council. Minor modifications will apply to Chief Executive, Chief Officers and Teachers. The principles will however remain the same.
- 3.5 All individuals involved in administering or managing the disciplinary process must ensure that they are aware of the disciplinary policy, understand what their roles and responsibilities are and follow the process set out in the disciplinary policy, procedures and the supporting checklists.
- 3.6 Employees shall not become the subject of disciplinary procedures solely as a result of being the subject of a criminal investigation, charged with or convicted of a criminal offence. Each case will be considered on an individual basis. Please refer to the procedures for further guidance.
- 3.7 No disciplinary action will be taken against an employee until the case has been thoroughly investigated and the employee has been given the opportunity to present their case at a disciplinary hearing , other than in exceptional circumstances or where there is an unambiguous admission of misconduct from the employee.
- 3.8 Employees have a right to be accompanied by a trade union representative or work colleague at every stage in the process.

3.9 Where allegations relate to a Trade Union Representative, discussion will take place with a Branch Secretary prior to disciplinary action being taken. This will not delay the instigation of a disciplinary investigation or appropriate action being taken.

4.0 Monitoring and Review

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

Equality Impact Assessment

Policy Name	Disciplinary Policy
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQIA complete	N/A
Date Approved	
Review Date	



**Clackmannanshire
Council**

CAPABILITY POLICY

SUPPORTING PEOPLE TO WORK

Date: September 2017

Version: Final

CAPABILITY POLICY

1.0 Policy Statement

- 1.1 The Council is committed to developing and assisting employees to reach their performance and attendance potential thereby enhancing the services it provides to the residents of Clackmannanshire. To this end the Council will ensure that standards are established, performance and attendance levels monitored and employees given training and support to meet such standards.
- 1.2 Equally all employees will have a responsibility to achieve and maintain a satisfactory standard of performance and attendance to carry out the required duties to the standard required.
- 1.3 All employees will be made aware of the performance and attendance standards that they are expected to deliver through a number of mechanisms including the job description, PRD meetings and employee/line manager meetings.

2.0 Scope

- 2.1 This policy applies to all employees of Clackmannanshire Council in relation to the management of capability whether performance or health related.
- 2.2 Where a capability matter is raised in relation to Teachers Performance, managers should instead follow the GTCS Framework on Teacher Competence.

2.3 Where unsatisfactory performance results from undue attention or neglect by employees, or failure to follow reasonable instructions, managers may consider the case as one of unsatisfactory conduct under the Disciplinary Policy

3.0 Principles of the Policy

3.1 Ensure that all employees are treated in a fair, consistent and understanding manner in relation to capability issues.

3.2 Ensure employees understand their roles and responsibilities and are aware of the standards expected of them.

3.3 Assist employees to improve their performance and reach an acceptable standard where possible through support and training.

3.4 Support managers in carrying out their responsibilities for the maintenance of high standards of work performance by all employees.

3.5 Provide a fair and consistent procedure for dealing with capability problems.

4.0 Representation

4.1 Employees have the right to be represented by a Trade Union representative or work colleague at any meetings held under Capability.

5.0 Monitoring & Review

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

Equality Impact Assessment

Policy Name	CAPABILITY POLICY
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input checked="" type="checkbox"/> No* <input type="checkbox"/>
Date Full EQAI complete	
Date Approved	
Review Date	



Clackmannanshire
Council

MAXIMISING ATTENDANCE POLICY

Date: September 2017

Version: Final

MAXIMISING ATTENDANCE

1. Introduction

- 1.1. Clackmannanshire Council values all its employees and is committed to providing support and assistance to staff in the management of ill health and incapacity.
- 1.2. The Council recognises the importance of maintaining the health and well being of employees and undertakes to provide systems of management, which actively promote and encourage mental and physical well being at work.
- 1.3. The Council acknowledges that the causes of absence are often far broader than simple ill health, the Maximising Attendance and Employee Wellbeing Procedures will reflect the need for an holistic approach to absence management.
- 1.4. High levels of attendance contribute positively to the provision of quality services. Absence is costly, it affects service provision, efficiency and can impact on morale and motivation amongst other staff. Employees are contracted and paid to come to work therefore regular attendance from all employees is the expected norm. It is critical for the effective and efficient operation of the Council's services.
- 1.5. The Council, in conjunction with the Trade Unions, is committed to implementing a fair and consistent means of monitoring absence, to ensure that Managers are aware of when they should and how they can properly support staff to maintain or improve attendance. Managers need to be responsive to the needs of employees by identifying health or other problems at an early stage.

- 1.6. The Council undertakes to ensure that employees are aware of their responsibilities under the Maximising Attendance Policy and Procedure.
- 1.7. The Council is aware of the implications of and its responsibilities under the Equality Act 2010 (as amended) and will fully comply with them.

2. Scope

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

3. Principles

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

- 3.2. The Council will:

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

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

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

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

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

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

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

4. Monitoring and Review

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

Policy Name	Maximising Attendance
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input type="checkbox"/>
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQIA complete	N/A
Date Approved	
Review Date	



Clackmannanshire
Council

RECRUITMENT AND SELECTION POLICY

Date: September 2017

Version: Final

RECRUITMENT AND SELECTION POLICY

1.0 Introduction

- 1.1 Successful recruitment depends upon attracting applicants with appropriate levels of skill and qualifications, who will identify with the goals and values of the Council, and see themselves as making a positive contribution towards them.
- 1.2 The Council's recruitment and selection process must attract sufficient suitable applicants in a cost effective way, while ensuring potential applicants are not discriminated against.
- 1.3 Under the Data Protection Act 1998, an individual has the right to request access to any personal information held about them in a manual or computer-based file. Thus a job applicant (whether successful or unsuccessful) may submit a request to the Council for access to interview notes, references, etc.
- 1.4 Where an applicant wishes to raise a complaint regarding the recruitment and selection process within Clackmannanshire Council, they should be issued with the Recruitment and Selection Complaints Procedure.
- 1.5 The Council is committed to ensuring that all employees involved in the recruitment and selection process are appropriately trained in order that the objectives of the policy are met, and as such no employee should be a member of a recruitment and selection panel without having undergone appropriate training.

2.0 Policy Statement

- 2.1 Clackmannanshire Council is committed to providing a quality service whilst safeguarding and promoting the welfare of vulnerable people. The Council therefore recognises that effective recruitment, selection and retention of high calibre employees are central to this process.
- 2.2 The Council is committed to applying its Equal Opportunities Statement at all stages of the recruitment and selection process. Shortlisting, interviewing and selection will always be carried out without regard to age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, marital or civil partnership status, political opinion or trade union membership.
- 2.3 Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of their disability.
- 2.4 All disabled applicants and candidates who have previously been in the care of Clackmannanshire Council who meet the essential requirements of the job as set out in the job description and person specification will be guaranteed an interview.

3.0 Scope and Responsibility

- 3.1 This policy applies to all potential and existing employees and those individuals employed to deliver services on behalf of Clackmannanshire Council either directly or indirectly.
- 3.2 Those individuals involved in the recruitment, selection and employment of employees, agency workers or consultants, have a responsibility to ensure that they adhere to all of the procedures which support this policy.

4.0 Monitoring and Review

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

Equality Impact Assessment

Policy Name	Recruitment and Selection Policy
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Full EQIA required	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
* In no please provide rationale Policy applies equally to all Council employees and does not negatively impact on any group which falls within any of the 9 protected characteristics	
Date Full EQIA complete	N/A
Date Approved	
Review Date	

CLACKMANNANSHIRE COUNCIL

Report to: Council

Date of Meeting: 28th September 2017

Subject: Mixed Ownership and Common Repairs

Report by: Head of Housing & Community Safety

1.0 Purpose

- 1.1. This report sets out three recommendations to deal with repairs to common property in mixed ownership.
- 1.2. The proposals are to work alongside current practices to maintain the Council's statutory obligations to tenants and owners.

2.0 Recommendations

- 2.1. It is recommended that the Council agrees:
 - 2.1.1. To set aside a budget of 500K from Housing Revenue Account (HRA) surpluses to fund the establishment of a self-financing loan scheme for private owners. The loan scheme would be used by private owners subject to specific criteria as set down in the Housing (Scotland) Act 2006 (the details of which are contained in Appendix 3);
 - 2.1.2. the acquisition of properties within mixed ownership tenements where major common repairs are required, subject to grant and budget availability and suitability of property;
 - 2.1.3. to declare as surplus for disposal on the open market, property where the Council (i) is the minority owner in a tenement block of mixed ownership; and (ii) has agreed with the Council's tenant to transfer his/her or their tenancy to another Council owned property to allow the such property to be sold with vacant possession.
- 2.2. And to note the remainder of the report, commenting and challenging as appropriate.

3.0 Background

- 3.1. Local authorities can have difficulties implementing obligations to maintain properties located in tenements where there is mixed ownership. Despite the legal position (see below and appendices) some private owners refuse to agree to have the common repair works carried out; and/or do not have the finances to pay their relevant share of such works.
- 3.2. Many council properties have now reached an age where major works are needed, for example re-roofing. These projects will require significant financial contributions by the owners of the properties. There will be difficulty in arranging such work without a clear policy position on funding.
- 3.3. Were common areas to deteriorate to a condition where council properties could not be let this would clearly have a detrimental impact not only on the asset value, but on the business model. The income ensures that housing management services are provided, outstanding loan debt is serviced, and obligations to current and future tenants met.
- 3.4. The Council must therefore maintain all its tenanted properties regardless of mixed ownership issues. It is unacceptable, for example, for the Council to allow a tenanted property to suffer from penetrating dampness because it cannot reach agreement with an owner on meeting the costs of shared roof repairs.

4.0 Legal Obligations

- 4.1. The Council's statutory repairing obligations to secure tenants are set out in schedule 4 of the Housing Scotland Act 2001¹ (Appendix 1). In summary the landlord is expected to keep a property in good condition throughout a tenancy, and to carry out in a reasonable time the repairs necessary to achieve this.
- 4.2. The Scottish Housing Quality Standard ("SHQS") is the Scottish Government's principal measure of housing quality in Scotland. The SHQS is a set of five broad housing criteria which must be met by the Council if the property is to pass SHQS.
- 4.3. The Scottish Housing Regulator, an independent executive agency of the Scottish Government, monitors landlord performance to protect the interests of tenants, ensuring compliance with statutory duties.
- 4.4. The Council also has a duty as a registered factor to owners of former council housing. The Act provides for a Code of Conduct which sets out a minimum standard of registered property factors as well as providing a statement of services to owners. The statement of services

¹ <https://www.legislation.gov.uk/asp/2001/10/schedule/4>

must set out in a simple and transparent way the terms and service delivery standards of the arrangement in place between the Council and the homeowner.

- 4.5. The Council's Statement of Services² therefore is the primary policy document for arranging repairs in mixed tenure blocks. That policy however does not deal with the funding of repairs where owners are unwilling or unable to contribute to common works. In such circumstances the Council will require to have the available funding to ensure that its responsibilities to tenants are met.

5.0 Current Legal Framework

- 5.1. By way of background the legal position is dictated firstly by the title deeds for all the properties within a tenement.
- 5.2. The majority of ex-council houses contain conditions relating the common parts in the title deeds (common parts being defined as roofs, outside walls, common hall and stairs etc.) which includes amongst others (1) an obligation to maintain, repair and renew such common parts and for the owner's to pay their share of such costs; (2) decision making powers; and (3) provisions where the Council remains owner of one or more properties within a tenement/block to carry out any works necessary to maintain, repair and renew such common parts.
- 5.3. Where the title deeds are silent or there are gaps relating to maintenance and repair of the common parts the Tenement (Scotland) Act 2004 ("Tenement Act") (Appendix 2) would take effect to deal with such obligations or fill in the gaps of the title deeds
- 5.4. The Tenement Act sets out procedures which should be followed by the owners of the properties within the tenement when looking to carry out works to common parts (known as Tenement Management Scheme ("TMS")). Provided the relevant procedures are followed the decisions under the TMS will be binding on the owners (including paying the owner's relevant share of the costs of such common repairs etc.).
- 5.5. While the legal position is clear the main issue is getting the owner to pay for their relevant share of such common repairs where they are unwilling or unable to fund the cost.
- 5.6. There are a number of current options available to the Council in recovering the relevant owner's share which are noted in Appendix 4. However, the final remedy for the Council would be to pursue the debt in the courts which can be time consuming and costly. Therefore the proposals in this paper offer additional options to consider before resorting to court.

² <http://www.clacks.gov.uk/document/4253.pdf>

6.0 Loan Scheme

- 6.1. It is recommended that an initial budget of £500K is set aside from the HRA surplus to support the funding of works to private properties in mixed ownership tenement/blocks. The HRA cannot maintain its assets without this work being carried out. The expenditure will be made in the form of a loan.
- 6.2. Where an owner can show (through a means tested criteria, as set out in the scheme of assistance) he/she does not have the funds to be able to pay for his/her share the Council would allow such owners to obtain a loan from the budget for part or the whole of that owner's share of the common repair works.
- 6.3. Any such agreement will require (i) a minimum loan amount (ie where such owner's share of the common repairs exceed £1,000) (ii) provide for interest, legal costs and expenses to be added to the loan amount to ensure there are sufficient monies cover the Council's costs in administering such a scheme.
- 6.4. The authority to offer such loans is the Housing Act 2006, Scheme of Assistance (appendix 3). The loan would be offered at the Council's Public Works Loan Board (PWLB) pool rate. This is calculated at the end of each financial year. It is currently 4.852%. That rate would vary over the lifetime of the loan, adjusted each year by the pool rate. It should be noted that a 10 year PWLB is currently offered at 1.2%, but this additional borrowing would be added to the overall borrowing, which determines the pool rate.
- 6.5. Administration costs, and debt recovery procedures, are as set out in the statement of services. It should be noted that there is the potential of bad debts as a result of the loan scheme but a provision for this will be made in the accounts. Subject to discussions with Legal Services it may be cost effective to outsource the legal and debt collection work relating specifically to this proposal. In any case debt recovery costs could be recovered from the debtor through the relevant legal process.
- 6.6. It is intended that the budget will be self financing but may require to be added to in future years, either as a result of bad debts or the programme increasing. At the end of March 2017 there was £1.973m of HRA Reserves. The minimum balance of 4% of the Rental Income is equal to £0.740m leaving an excess of £1.233m. In terms of impact for the HRA Revenue any cost would be offset by a debtor liability for the income due and therefore have no immediate impact on the Reserve. After all appropriate remedies to recover the debt due the Council have been exhausted any bad debts deemed unrecoverable would be written off as part of the annual debt write off report.
- 6.7. Failure by the owner to make timeous payments would result in court action for payment. Further, to protect the Council in respect of the debt due in the event of a sale of the property a NOPL or Charging

Order would be registered against the property with Registers of Scotland.

- 6.8. In determining whether it is appropriate for the budget to come from the HRA consideration was given to the provisions of the Housing (Scotland) Act 1987 and the guidance in the Scottish Public Finance Manual. The provisions of schedule 15 of the Housing (Scotland) Act 1987 contain the detail of allowable expenditure. The allowable expenditure includes managing, maintaining, repairing and improving the council housing stock and this would be the section we would be looking to rely on. Expenditure which cannot be debited from HRA is any expenditure which exceeds the expenditure required for the provision of the service to tenants.
- 6.9. Previous legal advice in relation to procurement litigation was also reviewed. The difference with this proposal is that the loan is to be used to fund the proportion of the cost of common repairs due by non Council tenants. These repairs are necessary to maintain the HRA stock. It is the common repair element which brings this scheme within the HRA. The expenditure could be seen as benefitting private owners but the loan is only given to assist the private owner to meet their liabilities for the benefit of the whole property, part of which is owned in common with the Council. In contrast, the expenditure on the procurement litigation would not have in any way benefitted the tenants or the housing stock in any way. The litigation costs did not have any element of service provision, whereas the proposed loan expenditure clearly does as it allows any necessary common repair work to be carried out as quickly as possible.

7.0 Buy Backs

- 7.1. The “off the shelf” purchase programme has successfully added over 80 units to the affordable housing stock in recent years. Many of these units have been brought back into the social sector after properties were purchased through the Right to Buy legislation. The right to buy ended on 1 August 2016. To date only properties advertised on the open market have been purchased.
- 7.2. It is recommended that, subject to grant and budget availability, the off the shelf purchase policy be widened to allow offers to be made to owners in mixed tenure blocks where it is considered this would provide an effective resolution to dealing with common repairs issues for the benefit of Council tenants in that block (perhaps where the Council is the majority owner). This would only be where the private owner can show clear evidence that they do not have sufficient resources to meet both the costs of the common repair works and their ongoing repairs costs.

- 7.3. The acquisition price would be set following survey and valuation carried out by an independent surveyor, whose appointment would be agreed by the owner and the Council.
- 7.4. The budget required for this would be contained within the budget provision made for off the shelf purchase in any year.
- 7.5. The carry forward budget from 2016-17 for Off the Shelf purchases was £820,000. There have been four purchases this year at a cost of £287,500 with grant funding of £145,000. This would leave a balance left this year of approximately £677,000 to support future purchases. However, the availability of Scottish Government grant cannot be guaranteed

8.0 Disposal of Property

- 8.1. There are some tenements where the Council is in minority ownership due to the other properties having been sold through the right to buy scheme.
- 8.2. In such circumstances, where (a) an agreement cannot be reached with owners of the tenement to the common repair works required; (b) the Council's tenant is in agreement to transferring his/her tenancy to another Council property - such Council property would be designated as surplus for disposal on the open market with vacant possession. This ensures that the Council can meet its statutory obligations to its tenants and would in turn allow the Council to use other statutory powers to allow the tenement to be repaired (i.e. Works Notice).
- 8.3. Disposals of all HRA assets are made in full compliance with both the Council's statutory obligations and Scottish Ministers' requirements.³
- 8.4. In these rare situations, under the Council's allocation policy,⁴ tenants would be made a direct offer of rehousing through powers delegated to the Head of Service in consultation with the Governance Manager.

9.0 Consultation

- 9.1. The Clackmannanshire Tenants' and Residents' Federation has been consulted on the proposal.
- 9.2. A formal procedure is already in place for the Council to engage with owners as soon as such works are identified. The aim is to reach a prior agreement with owners on the works to be carried out and payment of their relevant share within a specified timeframe. The

³ <http://www.gov.scot/Topics/Built-Environment/Housing/16342/HRAconsentguidance>

⁴ <http://www.clacks.gov.uk/document/3782.pdf>

statement of services asks for payment within 14 days, but it is considered 30 days after invoice is issued is more reasonable.

10.0 Sustainability Implications

10.1. The policy will assist secure the long term maintenance and upgrade of public sector stock, meeting Scottish Housing Quality Standard (SHQS) and The Energy Efficiency Standard for Social Housing (EESH).

11.0 Resource Implications

11.1. Financial Details

The full financial implications of the recommendations are set out in the report Yes ✓

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

11.2. Staffing

There are no additional staffing implications associated with this report.

12.0 Exempt Reports

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

13.0 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)

The area has a positive image and attracts people and businesses	✓
Our communities are more cohesive and inclusive	✓
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	✓
Vulnerable people and families are supported	✓
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	✓
The Council is effective, efficient and recognised for excellence	✓

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

14.0 Equalities Impact

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

15.0 Legality

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

16.0 Appendices

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

Appendix 1 : Housing (Scotland) Act 2001 – Schedule 4 Repairing Standard

Appendix 2 : The Tenement (Scotland) Act 2004 – Tenement Management Scheme

Appendix 3 : Housing (Scotland) 2006 Scheme of Assistance – Grants and Loans

Appendix 4 : Recovery Options for Common Repairs

17.0 Background Papers

- 17.1 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)
As referenced in the report.

No

Author(s)

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Ahsan Khan	Head of Service	Extension : 2473
Lee Robertson	Solicitor	Extension : 2087

Approved by

NAME	DESIGNATION	SIGNATURE
Ahsan Khan	Head of Housing & Community Safety	Signed: A Khan
Nikki Bridle	Depute Chief Executive	Signed: N Bridle

Housing (Scotland) Act 2001 – Schedule 4

SCOTTISH SECURE TENANCY: LANDLORD'S REPAIRING OBLIGATIONS

The landlord in a Scottish secure tenancy must—

- (a) ensure that the house is, at the commencement of the tenancy, wind and watertight and in all other respects reasonably fit for human habitation, and
- (b) keep the house in such condition throughout the tenancy.

2. The landlord must, before the commencement of the tenancy—

- (a) inspect the house and identify any work necessary to comply with the duty in paragraph 1(a), and
- (b) notify the tenant of any such work.

3. The landlord must—

- (a) ensure that any work necessary to comply with the duty in paragraph 1(b) is carried out within a reasonable time of the tenant notifying the landlord, or the landlord otherwise becoming aware, that it is required, and
- (b) make good any damage caused by the carrying out of the work.

4. The landlord, or any person authorised by it in writing, may at any reasonable time, on giving 24 hours' notice in writing to the tenant or occupier, enter the house for the purpose of—

- (a) viewing its state and condition,
- (b) carrying out any work necessary to comply with the duty in paragraph 1(b) or 3.

5(1) In determining for the purposes of paragraph 1 whether a house is fit for human habitation, regard is to be had to the extent, if any, to which by reason of disrepair or sanitary defects the house falls short of the provisions of any building regulations in force in the area.

(2) For the purposes of sub-paragraph (1), "building regulations" has the same meaning as in section 338(1) of the 1987 Act.

6. In paragraph 5, "sanitary defects" includes lack of air space or of ventilation, lack of lighting, dampness, absence of adequate and readily accessible water supply or of sanitary arrangements or of other conveniences, and inadequate paving or drainage of courts, yards or passages.

The Tenement (Scotland) Act 2004 – Tenement Management Scheme

Making decisions using the tenement management scheme

The tenement management scheme (TMS) sets out procedures flat owners need to follow when making 'scheme decisions' about maintaining and repairing common parts. These rules can be used if your title deeds don't specify how decisions should be made, or if different owners' title deeds say conflicting things.

What decisions can be made under the tenement management scheme?

Any decisions made under the TMS are known as 'scheme decisions'. Unless the building's title deeds say otherwise, flat owners can use the rules set out in the TMS to make scheme decisions about:

- carrying out maintenance work, including repairs and replacements, cleaning, painting, gardening and other day-to-day tasks
- appointing or dismissing a property manager or factor to run your building
- delegating power to a manager to inspect the building or make decisions to carry out maintenance
- arranging inspections of the building to decide whether maintenance work is required
- arranging insurance for the common areas
- authorising any maintenance of scheme property already carried out by an owner
- installing a new door entry system
- excusing an owner from paying a share in maintenance costs
- changing or taking back any previous scheme decisions.

How are decisions made?

Decisions are made through majority voting, which means that over 50 per cent of the votes need to be in favour of a decision in order for it to be confirmed. Any decisions you make are binding, and can be enforced through the courts.

How does the voting system work?

The voting system works as follows:

- Each flat has one vote, even if it has more than one owner.
- If you're making decision about repairs or maintenance to structural parts, each flat in the building will have a vote.
- If you're making decisions about repairs or maintenance to common property, only the flats that use that common property will have a vote.

If any of the owners didn't vote, you won't be able to start the work for at least 28 days, in order to give the absent owners a chance to appeal if they're not happy with the decision (see 'can I appeal a decision' below).

Emergency Repairs

In an emergency situation, any owner can carry out repairs to scheme property without having to go through the voting process first. However, you can only do this if the repairs are needed to prevent the building from damage or in the interests of health and safety. For example, this could be the case if a water pipe has burst or gas is leaking into the building.

Housing (Scotland) 2006

Scheme of Assistance – Grants and Loans

Terms and Conditions of the Loan

1. Loan can only be made on application to the Council;
2. The application must contain specific particulars as laid out in the Act
3. There are requirements the Council must go through before determining an application which includes approved expense and applicants contribution to the works, if agreed.
4. On approving an application the following conditions must be met:
 - (a) that the owners of the property have consented in writing to the application and to being bound by the conditions
 - (b) Where the work has begun, that there were good reasons for beginning it before application as approved,
 - (c) That the property which the loan relates will provide suitable living accommodation for such period
5. If the property to which the loan relates form part of any premises containing more than one house the work being carried out will prevent the improvement of any other house in the premises
6. The Council will give consideration In determining the application for a loan, on whether the applicant is unable to obtain a sufficient loan on fair terms from a commercial lender – fair terms means terms in the opinion of the local authority are reasonable affordable having regard to the circumstances of the application and the prevailing interest rates
7. The Council may as a condition of paying the grant or loan impose a requirement that the work to which the loan relates is completed in a specified time scale (not less than 12 months)

Terms of the Loan

A loan may be made on such terms as the Council thinks fit which may include:

- Terms of interest and other charges
- Requirement that the loan and any such interest and charge be secured by a standard security over the property which the loan relates
- Repayment of the loan in such instalments or such amounts as determined by the Council
- Conditions for completion of the works
- There are other provisions within the legislation which deal with breach of loan conditions, limitation on further grants and loan applications and providing false statements in application

Appendix 4

Recovery options for Common Repairs

Where the Council has carried out the works, invoices issued and owners have refused or unable to pay then Council has a number of options in its powers in recovering the sums due for such repairs:

- pursuing the debt in the Courts. This can be successful with potential for recovery of the debt due in full. This avenue can also involve time and money with the potential having a debt being paid over a lengthier period of time than had the Council offered a payment plan to the owner.
- Notice of Potential Liability (the “NOPL”) – this is a notice which is registered in the Registers of Scotland against the title to the property and flags to any future purchaser that there is a debt due. Notice needs to be renewed every 3 years. The Council would still continue down the route of recovery of the debt through the Courts. It does not stop the property being sold by the owner but it is unlikely a purchaser would buy the property unless provisions were put in place to repay the debt to the Council prior to purchasing the property.
- Inhibition – where a payment decree is obtained against an owner, an inhibition would be used to prevent sale, transfer or disposal of the property. It would also prevent the owner from securing new loans against the house. In order to safeguard the Council interests it may be required to use inhibitions before an action for payment has been decided by the Court, to secure the debtor’s fixed property, pending the outcome of the Court action. Requires to be renewed every 5 years.
- Charging Orders – this would be under the Housing (Scotland) Acts.

The above methods, in some form, require the recovery of the debt, where the Council has already paid for that owner’s share of the common repair works

Councillor Craig Holden

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Cl
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www.clacks.gov.uk

**THIS PAPER RELATES TO
ITEM 13
ON THE AGENDA**

chd

Contact: Maggie Herd
Business Support Administrator
Telephone: 01259 452005
Email: mherd@clacks.gov.uk
Our ref:
Date: Rec'd 18/09/17 1600 MS

Motion to Meeting of Clackmannanshire Council Thursday 28th September 2017

"Council agrees to name the changing facilities at the West End Park, Alloa in memory of Conor Brown."

A handwritten signature in black ink, appearing to be 'CH', is written over a solid black rectangular redaction box. A horizontal line extends from the right side of the redaction box.

Councillor Craig Holden
Ward 4, Clackmannanshire South

