



**Clackmannanshire  
Council**

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Comhairle Siorrachd  
Chlach Mhanann

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

# **Partnership and Performance Committee**

**Thursday 11 March 2021 at 9.30 am**

**Venue: Via MS Teams**



## **Partnership and Performance Committee**

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

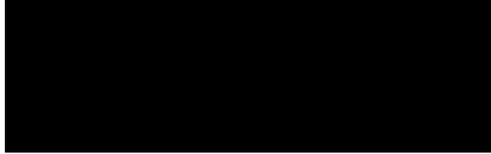
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**3 March 2021**

**A MEETING of the PARTNERSHIP AND PERFORMANCE COMMITTEE will be held Via MS Teams, on THURSDAY 11 MARCH 2021 at 9.30 am.**



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

**B U S I N E S S**

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1. Apologies	--
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
3. Confirm Minute of Meeting of the Partnership and Performance Committee held on 29 October 2020 (Copy herewith)	05
4. Police Performance Report for Clackmannanshire April 2020 to September 2020 – report by the Local Police Commander (Copy herewith)	09
5. Fire Performance Report – Quarter 1 & 2, 2020/21 – report by the Local Senior Officer, Stirling-Clackmannanshire-Fife LSO Area (Copy herewith)	33
6. Financial Performance Report 2020/21 - December Outturn – report by the Chief Finance Officer (Copy herewith)	57
7. Interim Business Plan 2020/21 – report by Strategic Director, Partnership and Performance (Copy herewith)	67
8. HR Policies – report by the Strategic Director, Partnership and Performance (Copy herewith)	91

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

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### Councillors

### Wards

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



**MINUTES OF MEETING of the PARTNERSHIP AND PERFORMANCE COMMITTEE held  
Via MS Teams, on THURSDAY 29 OCTOBER 2020 at 9.30 am.**

**PRESENT**

Councillor Helen Lewis (Convenor)  
Councillor Les Sharp (Vice Convenor)  
Councillor Donald Balsillie  
Councillor Martha Benny  
Councillor Dave Clark  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Mike Watson

**IN ATTENDANCE**

Stuart Crickmar, Strategic Director (Partnership and Performance)  
Chris Alliston, Senior Manager, Human Resources and Workforce Development  
Cherie Jarvie, Senior Manager, Partnership and Transformation  
Elizabeth Hutcheon, Management Accountancy Team Leader  
Alastair Hair, Team Leader – Workforce Development and Learning  
Chief Inspector Audrey Marsh, Police Scotland  
Mandy Paterson, Police Scotland  
PC Alan Imrie, Police Scotland  
Mark Bryce, Scottish Fire and Rescue Service  
Alastair Jupp, Scottish Fire and Rescue Service  
Ewan Murray, Health and Social Care Partnership  
Lindsay Thomson, Senior Manager, Legal and Democracy (Clerk to the Committee)  
Melanie Moore, Committee Services

**PPC(20)54 APOLOGIES**

None.

**PPC(20)55 DECLARATIONS OF INTEREST**

None.

**PPC(20)56 MINUTE OF PARTNERSHIP AND PERFORMANCE COMMITTEE HELD  
ON 12 MARCH 2020**

The minutes of the meeting of the Partnership and Performance Committee held on Thursday 12 March 2020 were submitted for approval.

**Decision**

The minutes of the meeting of the Partnership and Performance Committee held on Thursday 12 March 2020 were agreed as a correct record and by Committee.

**PPC(20)57 POLICE PERFORMANCE REPORT FOR CLACKMANNANSHIRE APRIL 2019 TO MARCH 2020**

A report, submitted by the Local Police Commander, provided Committee with information on the performance of Police Scotland in the Clackmannanshire local authority area for the period of 1 April 2019 to 31 March 2020.

**Motion**

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

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

**Decision**

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

**PPC(20)58 FIRE PERFORMANCE REPORT – FULL YEAR, 2019/20**

A report, submitted by the Local Senior Officer Clackmannanshire and Stirling, provided the Committee with the full year performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire covering the period 1 April 2019 to 31 March 2020. The report was based on performance against objectives and targets set out in the Local Fire and Rescue Plan for Clackmannanshire. Performance indicators were detailed in the summary report at Appendix 1.

**Motion**

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

Moved by Councillor Les Sharp. Seconded by Councillor Ellen Forson.

**Decision**

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

**PPC(20)59 FINANCIAL PERFORMANCE 2019/20 – AUGUST OUTTURN**

The report, submitted by the Chief Finance Officer, provided an update on the financial performance for the Partnership and Performance Division of the Council in respect of revenue spend for the current financial year 2020/21. This was based on forecast information at August 2020. Capital expenditure will be reported to the Audit Committee on 3 December 2020 as part of the overall Council's financial performance report.

**Motion**

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

Moved by Councillor Helen Lewis. Seconded by Councillor Dave Clark.

**Decision**

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

1. the forecast General Fund revenue overspend relating to the Partnership and Performance Division for the year of £0.074m;

2. The forecast centrally held Corporate Services revenues underspend for the year £(0.496)m;
3. The forecast revenue underspend of the Clackmannanshire and Stirling Health and Social Care Partnership (HSCP) for the year of £(0.091)m; and
4. Delivery of planned savings in the year forecasted to achieve 80.5%.

**PPC(20)60      UPDATE ON THE STRATEGIC WORKFORCE PLAN (2019-22)**

The report, submitted by the Team Leader Workforce Development and Learning provided Committee with an update on the Council's Strategic Workforce Plan (2019-22) in light of the ongoing Coronavirus pandemic.

**Motion**

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

Moved by Councillor Ellen Forson. Seconded by Councillor Les Sharp.

**Decision**

The Committee agreed to:-

1. Note the impact of the pandemic on the Strategic Workforce Plan (2019-22); and
2. Note the updated Workforce Development Delivery Plan, the narratives provided and revised timescales where appropriate.

**PPC(20)61      HR POLICIES**

The report, submitted by the Strategic Director Partnership and Performance, sought approval of the revised Homeworking Policy/Procedure.

**Motion**

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

Moved by Councillor Donald Balsillie. Seconded by Councillor Les Sharp.

**Decision**

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

1. Approve, subject to formal approval by Council, the revised Homeworking Policy and Procedure which is attached at Appendix 1;
2. Note that the Policy group met on the 20 July 2020 and extensive discussion took place with both Trade Unions and Management at this meeting in the formation and development of this Policy and procedure;
3. Note that following these discussions, the revisions/amendments made were agreed by those policy group members who had been in attendance;
4. Note that on 16 September 2020 the Tripartite agreed that the Homeworking Policy and Procedure be presented to the Partnership and Performance Committee for approval;

5. Agree to make consequential changes to the Worklife Balance and Flexible Working Policy and Procedure following approval of the revised Homeworking.

**Action**

Strategic Director (Partnership and Performance)

Ends 11:17 hours

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**Report to Partnership & Performance Committee**

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**Date of Meeting: 11<sup>th</sup> March 2021**

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**Subject: Police Performance Report for Clackmannanshire April 2020 to September 2020**

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**Report by: Local Police Commander**

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**1.0 Purpose**

- 1.1. The purpose of this report is to provide the committee with information on the performance of Police Scotland in the Clackmannanshire local authority area for the period 1<sup>st</sup> March 2020 to 30<sup>th</sup> September 2020
- 1.2. The report is aligned with the headings of the [Clackmannanshire Local Policing Plan 2020-2023](#) priorities (i.e. **Responsive to the concerns of our communities, Enhancing our collective resilience to emerging threats, Protecting people most at risk from harm and Promoting confidence through our actions Road Safety and Road Crime**).
- 1.3. The Clackmannanshire Police Performance Report (Appendix 1) contains the current information on performance against selected performance indicators. This report provides complementary information to that in the table to present a summary of performance of policing in Clackmannanshire Council area and also identifies emerging trends, threats and issues.
- 1.4. Data for this report is sourced from Police Databases that are subject to changes as enquiries progress. They can be best regarded as Point in Time figures. 5 year average figures are not available for all measures. The information in the table should be regarded as provisional.

**2.0 Recommendations**

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

**3.0 Considerations**

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

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

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

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

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

**Author(s)**

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

**Approved by**

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

**OFFICIAL**

# CLACKMANNANSHIRE COUNCIL

**PARTNERSHIP & PERFORMANCE COMMITTEE**



APPENDIX 1  
POLICE PERFORMANCE REPORT  
April 2020 – September 2020

ALAN GIBSON  
CHIEF SUPERINTENDENT

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Enhancing our collective resilience to emerging threats pages 15  
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## **BACKGROUND TO THIS REPORT**

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

Performance in relation to the identified policing priorities is monitored and reviewed internally on a weekly basis. Yearly reports are produced to allow scrutiny by Clackmannanshire Council Scrutiny Committee. This report covers the period from 1 April 2020 to the 30th of September 2020.

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

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

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

## **RESPONSIVE TO THE CONCERNS OF OUR COMMUNITIES**

### **Covid Breach (April)**

COVID 19 restrictions have been and continue to be particularly challenging for our communities and for policing in general. However, it is very important that incidents that arise are dealt with robustly if required and in line with the law and Scottish Government guidance.

Information was received that a local public house was hosting a birthday party in breach of the Covid Regulations. Community Policing Team (CPT) Officers attended and found 12 persons within, including the Designated Premises Manager (DPM), all contravening the COVID 19 regulations. They were all issued with Fixed Penalty Tickets and the DPM reported for Culpable and Reckless Conduct for what was a blatant flouting of this legislation, designed to prevent any public health concerns. Engagement with Licensing Departments of both Police Scotland and Clackmannanshire Council followed with subsequent liaison with the public house solicitors and owners. This resulted in positive action being taken against the DPM in what was viewed by all as a serious incident which could have impacted negatively on public health and the local community.

### **Acquisitive Crime Operation**

Officers from Group 2 at Clackmannanshire Area Command carried out a local crime prevention operation during their nightshift week. This was in response to recent crimes being reported in the area. The aim of the operation was to prevent, disrupt and detect any acquisitive crime being committed. During their proactive patrols they traced two well-known males who both had an extensive criminal history. A search of the males recovered property which was believed to have been stolen. The males were subsequently arrested and enquiry over the next day identified numerous vehicles that had been the subject of thefts. This resulted in both males appearing from custody on numerous charges and the recovery of a substantial amount of stolen property.

### **Use of Technology**

CPT Officers have embraced the use of new technology, in particular Microsoft Teams, to ensure a sustainable, efficient and effective response to operational matters within Clackmannanshire Area Command. This allows immediate discussion

and contact with partners despite the COVID restrictions and challenges that comes with this, thereby ensuring continued high levels of service delivery.

### **Community Engagement**

Due to the re-opening of non-essential businesses in the new phase of the Government lockdown, additional work was carried out with key stakeholders in the retail sector in Alloa. These included Clackmannanshire Council, Alloa First and many businesses. This was to ensure that businesses had the confidence to re-open, with police providing support to the Council. Road closures were put in place to enable a safer and more socially distant town centre. Alloa First ensured that the relevant businesses had the confidence that police would educate and enforce (if required) COVID Regulations where necessary and provide guidance to them on what their responsibilities were. This led to a positive response from the community with supportive comments being received about the safe environment the partnership enabled the town centre to provide.

### **Anti-social behaviour**

An adult female moved into a council tenancy alone and, almost immediately after she moved in, there were anti-social behaviour issues involving her due to her verbally abusing the neighbours who were mostly elderly with health issues. This caused them a great deal of alarm and distress. The female had breached the rules of her tenancy several times due to her conduct and she had also been charged by the police on 2 occasions for her behaviour. Inevitably, should her behaviour continue, she faced eviction from her home. It was identified that the female had mental health issues, as well as general health issues, and requires to take a large amount of medication. Her mental health was believed to be a factor in her behaviour towards others which was causing her to come to the attention of various agencies, face criminal charges and potentially could cause her to become homeless through eviction.

In September 2020 the female was the subject of an official Councillor complaint on behalf of numerous residents. Consequently this case was brought to the STRIVE partnership table at which time a multi-agency discussion took place. PC Harman (STRIVE Officer) visited the subject along with a community officer after the meeting and explained the severity of the situation and consequences should her behaviour continue. The female at that point agreed that she needed mental health intervention which the partnership was able to provide alongside her GP, at which point her medication was adjusted. Following these interventions, the female has not come to attention of Police or Housing since and continues to engage with her Housing Officer for support in accessing longer term mental health interventions. As well as providing vital support to the female to address her mental health and behavioural issues, this has also improved the quality of life for her neighbours.

## **Covid 19 - Licensed Premises Checks**

Following the reopening of Licensed Premises in June 2020, our Weekend Poling Plan included the checking of these within the Area Command to ensure they were complying with the latest Government guidelines. This involved close liaison and joint visits with our partners, including the Council Licensing Officer and Environmental Health. Intelligence was shared to ensure any premises identified as a potential risk and were given additional attention. These visits appeared to be welcomed by the owners and public alike and the 4 E's (Engage, Explain, Encourage, Enforce) Police Scotland Strategy in dealing with such incidents was utilised to good effect.

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

### **Vulnerable Children**

During the initial lockdown period our School Based Officers (SBOs) continued to work within the designated education hubs. They adapted their role to build on an existing effective working relationship with education partners, to ensure that the most vulnerable children were still being monitored and their needs met during this challenging time when they can be more at risk being at home. To do this they compiled a list of relevant children and every week, sometimes several times a week, they attended at their houses and spoke to the children and parents/carers in person. This allowed any issues to be addressed, any concerns identified and reported on, and requests could be made for the children to log onto their school IT platforms and engage with the teachers. The parents/carers had the opportunity to feed back any issues they may be facing and practical help was given or relevant advice offered. This proved to be very effective and much appreciated by our education partners. Importantly it assisted with the health and wellbeing of some of the most vulnerable children in our communities.

### **Vulnerable Youth**

The SBOs have been working with a 15 year old male pupil from one of our High Schools who has Autism and learning difficulties. The youth came to their attention for improper use of social media and as a potential victim of bullying by his peers. Due to their quick intervention the SBOs were able to support, educate and give practical advice to the pupil so that he maintained his attendance at school and was not further victimised. This included taking him to relevant and appropriate 'after

school' clubs to improve his inclusion with others. This collective work with the youth has assisted him greatly with social inclusion within the school and out with, whilst also protecting him from online harm and further bullying. This has allowed him to concentrate more on his education and his wellbeing.

### **Sexual Offence**

Following the report of an Indecent Exposure by a young male to a lone female, the local Community Officer immediately took ownership of this enquiry. He liaised with the reporting officer regarding outstanding actions. The Community Officer then further identified extensive CCTV opportunities which subsequently captured the route that the accused had taken before and after the material time. Local enquiries were carried out in surrounding areas where the name of a potential suspect was obtained. He was thereafter traced, interviewed and made full admissions in relation to the incident. Excellent work by the local officer who diligently carried out extensive enquiries to obtain vital evidence, identify the suspect and have him charged accordingly. This swift action has prevented any further similar incidents being reported and provided reassurance to the victim.

### **Online Bullying**

Following a number of bullying incidents involving several pupils, which was highlighted to school staff, our SBOs delivered Internet Safety and Cyber Bullying inputs to three female pupils of Alloa Academy to head off the escalation of abusive Snapchats. To supplement this, education in social media use with the parents enabled them to police their daughter's online activity. Another similar incident resulted in one of the girls responsible being charged with assault. This intervention with all persons involved has helped prevent further issues and improved the quality of life for the victim(s) as a result.

### **Protecting Vulnerable People**

As a result of collaboration between the Police, Clackmannan Development Trust, NHS Mental Health Services, the Samaritans, Fire and Rescue, Amey and Transport Scotland, the Clackmannanshire Bridge has been identified as a location of concern. Mental health crisis signs have been fixed to the bridge parapet signposting the Samaritans.

Lifebuoys and throw ropes are being sourced by Transport Scotland and will be installed by Amey. Further work is ongoing to establish what additional measures may be effective at reducing loss of life at the Bridge. This was a good example of collaborative working with partners to introduce control measures to protect life.

### **Vulnerable Adult**

Subject is a 23 year old female who has been known to Children's Social Work and currently works with the 'Through Care Aftercare' service on a voluntarily basis. She lives alone and abuses both drugs and alcohol and does not have a good support network. There was also dubiety over whether she has mental capacity and the extent of her learning disabilities and mental health. Unfortunately none of this was assessed prior to her reaching adult age and therefore she has been given her own tenancy and full control of her finances. She has struggled to manage these and this makes her vulnerable in the community. This female came to the attention of Police as a result of concerning behaviour whereby she was threatening self-harm and was subsequently referred to the multi-agency STRIVE Pilot. A joint discussion was carried out which led to her being referred to the learning disability team and provided with an allocated a worker, something which her aftercare workers had been requesting for a considerable period of time beforehand. This case now undergoes a core group meeting every 4 weeks and case discussion every three months with STRIVE representation from PC Harman, STRIVE officer. The female was also referred to the Social Inclusion Project (SIP) by Police and she continues to engage with them. Through this multi-agency approach we identified a new relationship the female had entered into with a known domestic violent offender and safety measures were quickly able to be put in place to safe guard her appropriately. She is now receiving this continued support and is not coming to the attention of police at this time.

### **Vulnerable Youth**

Subject is a 17 year old female who was suspected to have learning disabilities and mental health issues though she has never been formally diagnosed. She was recently given her own tenancy and now lives alone with no support network. She was reported to be using high volumes of cannabis and was struggling in her tenancy as well as with personal hygiene and finances. The subject started to regularly come to the attention of police regarding concerns over her deteriorating mental health and erratic behaviour. She was the subject of 12 Concern Forms in September alone, as well as several criminal complaints in this time period. Through the multi-agency STRIVE group, concerns were raised to Adult Services and safe guard workers at the college that she attends. She has now been allocated a learning disability social worker, additional support need nurses and a psychiatrist, all in a very short time period. STRIVE were able to assist with the management of her finances to ensure she had food and essentials. The nurses have contact with her youth daily and the psychiatrist every couple of weeks. A safety plan / coping mechanism strategy has been completed for her and she has not been coming to the attention of police since their engagement began. The longer term

plan for the youth will be discussed at later meetings but this is a complex case and a good example of the effectiveness of joint working, given how quickly support measures were put in place for this vulnerable youth to prevent further escalation.

### **Interventions with Vulnerable male**

Subject is a 25 year old male who lives with his mum and her partner. He has suffered from depression for many years and has often struggled with this. PC Harman from STRIVE first contacted the subject back in August 2020 after he came to the attention of police as a result of poor mental health and suicidal thoughts. She explained the STRIVE process to the male at which time he declined any further help and was honest enough to say that he did not trust the police or authorities and was not in a good place to deal with interventions. The male then came to the attention of police again a short time later for a mental health concern and threats he'd made to harm another person. When he was traced he was arrested on being found in possession of a knife.

The male then contacted PC Harman via telephone and asked to be referred to STRIVE. He explained that he now realised that he needed help and was willing to engage with us. Since coming to STRIVE the male has not come to the attention of police. STRIVE has now assisted him in presenting as homeless and seeking his own tenancy. He has also been referred to SIP for his drug use and assistance in seeking mental health support. He is keen to work and when he is in a more stable position, he will be referred to Clacks Works through STRIVE to help him gain employment. This intervention and multi-agency approach has assisted the male with his vulnerabilities and has hopefully deterred him from any committing further criminality.

### **Sexual Offence**

A pupil at one of our secondary schools made a disclosure to one of the SBOs to the effect that they had received a video of a sexual nature via a social media platform. This was believed to have been sent by another school pupil. A full enquiry was carried out and a sufficiency of evidence was obtained, the suspect was identified and subsequently interviewed in the presence of his father, whereby he fully admitted his actions. Early and Effective Intervention (EEI) educational work began with the suspect and has continued. This early intervention by the SBO has ensured the matter was quickly addressed and has prevented any further reoffending.

## PROMOTING CONFIDENCE THROUGH OUR ACTIONS

### **Threat to females by male**

During the month of April, a number of incidents were reported by lone females using the old railway line (popular walking and cycling path) between Tillicoultry and Dollar. On receipt of the first two incidents, on their own merit these were dealt with by advice. However, local community officers linked these incidents to a male they had dealt with for previous similar offences. Extensive enquiries carried out by these officers led to further incidents being discovered. The relevant statements / evidence were obtained, the male was identified and subsequently arrested. He was released on a police undertaking for a later date with conditions that prevented him being allowed out of his home during the times these offences were committed. These conditions, and the vigorous compliance checks carried out by police in relation to these conditions, have resulted in no new offences being reported and made the area safer for persons to use.

### **Criminal Targeting Vulnerable Adult**

A report was received of males trying to break into a private dwelling house in a remote area. A look out request was passed for a particular type of van with a registered keeper residing in Fife. Officers were tasked to attend at the locus at which time it was identified that a male had advised neighbours that he was there to do some work on the house. However he was then seen to try and open the rear door with a hammer before fleeing the locus. Extensive area searches and excellent work by all the team traced the vehicle on the B913 heading towards Saline. Assistance was provided by other officers, along with Road Policing Unit colleagues. The driver of the offending vehicle was identified as a disqualified driver and the vehicle had no insurance. He matched the description of the main suspect from the aforementioned crime. The male was arrested and conveyed to Falkirk custody on suspicion of Attempted House Breaking with Intent, where he was interviewed under caution and subsequently charged with this crime plus numerous road traffic offences. Enquiry revealed that the accused had been responsible for a similar Theft by House Breaking at the same locus earlier in the year. It was also established that he was released from prison that day and has almost immediately returned to commit a further crime against a vulnerable house owner. The quick actions and effective coordination of resources led to this dangerous male being traced, arrested and appearing at court delivered an excellent service to the public and helped enhance the reputation of Police Scotland's ability to deal with such crimes. This male received a 31 month prison sentence for this crime.

### **Local Knowledge to identify suspects for serious crime**

Following a report of a serious crime in the Stirling area, Clacks Community Policing Team officers viewed CCTV and managed to identify 6 suspects in total as a result of local knowledge. One being a male who they had spotted in Clackmannan whilst carrying out licensed premises checks the previous evening and noticed that he was wearing the same clothing as the CCTV viewed. The Crimefile was fully updated which resulted in all the suspects being arrested and either remanded or released on bail. This resulted in praise from senior officers from our Pro-Active and Reactive CID. An excellent example of working with officers from a neighbouring Area Command and sharing information and intelligence which was pivotal in identifying all suspects and their subsequent arrest.

### **Breach of Curfew bail / Possession of Offensive Weapon**

An Initial call was received to one of our villages regarding an ongoing disturbance in the street involving ten males fighting. On police arrival there was nothing ongoing, officers were pointed in the direction of a suspect's home address and on attendance they traced him within. He refused to engage with police and no complaint was forthcoming. The Officers were not satisfied that this was the end of the matter so they remained in the area. About 20 minutes later they observed the suspect walking down a nearby street in breach of his bail curfew. On being arrested he was also found in possession of an offensive weapon. On being searched further he was also found in possession of a 3ft metal pole down his trouser leg. He was conveyed to custody where he was held to appear at court the next lawful day. The suspect was likely to have been going out to seek retribution for the previous incident and the intervention by police has prevented this from happening.

### **Detection of Theft by Housebreaking to local business premises.**

A number of break-ins to local business premises in Tillicoultry were reported. At one of these a male was arrested by police coming out of one of the buildings. Following this, further enquiries were carried out by local community officers who researched similar crimes reported in the village in recent months. Evidence was gleaned from house to house enquiries, CCTV and forensic evidence which when combined resulted in the male being reported for twelve charges of crimes of dishonesty. The officers displayed great investigation skills and their tenacity and attention to detail ensured sufficient evidence was gained to allow

the male to be charged with these offences. The male was subsequently remanded in custody, therefore preventing this spate of thefts from continuing.

### **Pupil Interaction in School Hubs (Covid)**

The Schools Based Officers (SBOs) provided assistance to school staff on two days where 30 P7 pupils from feeder primary schools attended Alloa Academy for enhanced transition to 1st year. These were pupils with behavioural or learning needs above and beyond the average mainstream pupils. The SBO's provided ice breaking introductions, a description of the School Based Officer role and spoke with the pupils about various issues and delivered an input on water safety, which they created and delivered. This positive interaction helped break down barriers between police, school staff and vulnerable children embarking on the transition from primary to secondary schooling.

### **Partnerships with School Hubs (Covid)**

Between the three Academies in the Area Command, our SBOs assisted in the delivery of laptops to those unable to source educational Google IT platforms. They also engaged in organised conference calls with other partner agencies, concentrating on vulnerable young people and their families. They linked in with the ASD (additional support) provision and staff to look at ways to support those with autism and other learning needs and to allow the Hub to expand to more pupils who were now showing deep signs of anxiety. These actions helped address the needs of vulnerable young people and their families during this difficult period and provided valuable support to them.

### **Partnership Working**

A local family consisting of a single mother and seven children were regularly coming to the adverse attention of the police and other professionals on a daily basis. Criminality, anti-social behaviour and child protection issues were the main causes for concern. This escalated to a point where the community impact was significant and there was a likelihood that some retaliation from the public was imminent due to the perceived lack of parenting and intervention and resident's anger that their property had been damaged. Local Community Officers over a period of time had robustly engaged with the family despite the challenges due to the COVID restrictions, however the family engagement with other professionals was limited and ineffective. Sergeant Sharkey (CPT) identified that a multi-agency case conference was required immediately to discuss and identify ways in which the family could be

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helped to prevent further incident, to minimise the risks to the children and to manage any community tensions.

The case conference took place and identified that rent arrears and financial issues seemed to be of great concern to the mother which seemed to distract her from parenting the children. Agreement was reached that the arrears would be cleared by the landlord and that a deposit for a new rented property would be provided by the council who would also assist with finding a suitable property. A Council support worker was also tasked to assist with looking at her benefits as it was clear her circumstances had changed. Other protective factors were put in place by significant partners, all of which resulted in mother being better placed to address the issues with the children and facilitated a fresh start in a new area. An excellent example of partnership working to ensure effective service delivery.

### **Early and Effective Intervention by Schools Based Officers**

Throughout August, targeted work was conducted in respect of a group of young people who had come together and were causing issues at school and in the local community. This group consisted of six local youths, aged between 12 and 15. By targeting the group in an 'Early and Effective' manner the SBOs were able to disrupt the group meeting together and carried out specific individual work around their offending and their respective position within the group. Further to this they liaised with school staff and allowed for further measures to be put in place at school to help disrupt this group but also to enhance their achievements educationally. This collaborative working helped to reduce offending and unruly behaviour by the group, reduced the impact of their previous behaviour in the local community and assisted the group members in making positive lifestyle changes.

### **Racial Threats**

A local takeaway owner in Tillicoultry was having issues with a young female attending at her restaurant and issuing verbal slurs and threats towards her whilst customers were within. At first the owner was sceptical about reporting these incidents due to a language barrier. Contact was made with the owner by the local Community Policing Team officer who engaged with her accordingly. The owner stressed that this female's behaviour was causing her stress and fear, not to mention having a negative effect on her business. The owner was assured that an interpreter would be arranged so that a full and extensive version of events could be obtained from her. This resulted in two significant incidents being recorded in September which were fully corroborated. Further police enquiry identified the female suspect and she was subsequently arrested and charged with these offences. In order to further protect the victim, the female was thereafter issued relevant undertaking conditions preventing her from entering the restaurant. The owner was fully updated with the police action and she has had no further issues

with this female, allowing her to operate her business safely and without fear of being subject to further racial abuse from the accused.

### **Tackling Youth Disorder**

Following a small rise in reported youth disorder calls, the Community Policing Team (CPT) arranged for plain clothes and unmarked patrols to be carried out over a weekend in September. This mainly focused on the Fishcross and Sauchie areas but also on other villages within the Area Command. The aim was to identify groups of youths causing disorder issues and then engage with them and use police powers when required. A number of youths were subject to statutory searches and a number of drug possession, breach of bail and alcohol related offences were detected. Positive engagement was carried out with a number of youths in relation to how their behaviour was having a negative impact on local residents. As well as the detection of offences, this operation was also successful in disrupting such anti-social behaviour and directing the youths concerned away from criminality.

### **School Talks**

During the month of September, our Schools Based Officers (SBO's) carried out a number of assemblies for the new S1 pupils who were just beginning their High School career following the schools reopening after the extended (Covid) Summer Holidays. Pupils entering into the High School can often feel under pressure and it was important to get early interventions in place in order to try and deter them from making poor lifestyle choices. They discussed a number of topics including weapons, knives, alcohol, drugs and smoking. They also advised the pupils on the role of the SBO and reinforced that they are a point of contact for help, information and disclosures. There was an immediate response to this with numerous youngsters later approaching them with information about young people carrying weapons in the community. This allowed the SBOs to speak with the youths concerned and carry out regular checks to ensure no weapons were being carried by them.

### **ASB within school**

Following a fire alarm activation at one our secondary schools, a full enquiry was undertaken as this was believed to have been deliberately caused. The group responsible were quickly identified by CCTV as having used Aerosols to set the fire alarm off. Each of them were separately interviewed by the Schools Based Officers

and the school Deputy Head and the perpetrator was identified. In the presence of his mother he admitted having sprayed deodorant on the smoke detector.

He was subsequently charged, restorative warning administered and EEI work carried out. In order to try and prevent any further such issues, the pupil later attended Alloa Fire station with the SBO's where he received a further educational input. This combined action ensured the male was aware of the potential consequences of his actions and that he took personal responsibility for his future behaviour.

### **Suspect with an Offensive Weapon outside school**

A report was received that a school pupil had been assaulted by an adult female outside one of the secondary schools, the suspect was said to be in possession of a hammer. This was reported to the School Based Officer who immediately alerted his colleagues, passed details of the suspect and a search was instigated. The suspect was seen nearby by police a short time later and clearly still had the hammer in her hand. On being approached by police, the suspect immediately became aggressive and threatened the officers, brandishing the hammer above her head and lunging towards them. This resulted in numerous Officer Safety Training techniques being utilised to control and restrain the female who was subsequently arrested. She appeared at court the following day and was remanded in custody. The quick actions of the police resulted in the prompt apprehension of a violent individual, negating the risk of further assaults to the general public in the vicinity.

## **ENHANCING OUR COLLECTIVE RESILIENCE TO EMERGING THREATS**

### **Crime Prevention**

During his time as a community officer in Clackmannanshire West, PC Allen has been proactive in providing preventative security advice and has been a cornerstone of community engagement, building trust and reducing crime. Owing to a report of entry having been gained to two Ford Transit vans overnight with what appeared to be a skeleton key, PC Allen spent two days covering the streets of Tullibody, Glenochil, Cambus and Menstrie identifying similar vehicles (in between calls and other tasks). He then informed the owners of these vehicles of the reported thefts and provided security advice to prevent any further offences being committed in his beat area and actively encouraged the owners to spread the story on social media. He also notified his local Community Councils who spread the same security

advice on our behalf. Their reach is often considerably more focused to the local people. The feedback from the community regarding this approach is always excellent and PC Allen feels the proactive method is both very much welcomed and particularly successful at promoting a very real positive engagement between police and local people.

## **ROAD SAFETY AND ROAD CRIME**

### **Road Safety**

Community Officers carried out a Road Traffic operation in response to complaints from members of the public. A plan was devised to target specific areas at specific times to firstly observe if the complaints were justified and thereafter enforce and educate on the subject. This proactive action produced positive results with numerous warnings given to speeding drivers, and several Crimefiles raised for Road Traffic offences. This allowed the community to have increased confidence that the local police would deal with their issues in a prompt and robust manner.



### **Road Safety/Dangerous Parking Issue**

PC Miller (CPT) has been dealing with an ongoing parking complaint in his area whereby one of the residents, who lives close to a food takeaway shop, is continually troubled by customers parking up on the pavement right at their window and door. They believed that the pavement was starting to sink as a result of this and felt vulnerable by the actions of motorists. PC Miller attended and spoke with them and advised them that he would arrange for the double yellow lines to be repainted after

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which the local Community Policing Team (CPT) would carry out enforcement and education. He thereafter engaged with the council resulting in the double yellow lines being visibly repainted. After this was completed, the CPT targeted the area issuing tickets and warnings and providing a high visibility presence. The complainers saw the actions taken and were thankful for our efforts, albeit they understand that police cannot provide the complete solution. This area has been identified as a problematic area and will continue to be monitored and the appropriate action will be carried out.

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire**

**September 2020**

<b>Violence, Disorder &amp; Antisocial Behaviour</b>					
		Apr 2020 - Sep 2020	Apr 2019 - Sep 2019	Victims	% Change
1	Total No Group1: Crimes of Violence	68	57	11 more	19.3%
2	Murder	0	0	None	-
3	Attempted Murder	1	4	3 fewer	-75.0%
4	Culpable Homicide (common law)	0	0	None	-
5	Culpable Homicide (other)	1	0	1 more	-
6	Serious Assault detection rate	57.6%	72.4%		-14.8%
7	Serious Assault	33	29	4 more	13.8%
8	Robbery detection rate	85.7%	71.4%		14.3%
9	Robbery	11	7	4 more	57%
10	Common assault detection rate	78.5%	72.8%		5.7%
11	Common assault	298	349	51 fewer	-14.6%
12	Number of complaints regarding disorder	1,928	1,418	510 more	36.0%

<b>Violence, Disorder &amp; Antisocial Behaviour (continued)</b>					
		Apr 2020 - Sep 2020	Apr 2019 - Sep 2019	Victims	% Change
13	Number of Domestic Abuse Incidents Reported to the Police	410	376		9.0%
14	Total Crimes and offences in domestic abuse incidents	286	265		7.9%
15	Percentage of Domestic Incidents that result in a crime being recorded	45.6%	46.8%		-1.2%
16	Total crimes and offences in domestic abuse incidents detection rate	76.9%	74.3%		2.6%
17	Total Detections for Domestic Bail Offences	21	25		-16.0%
18	Ensure 95% of domestic abuse initial bail checks are conducted within a prescribed timeframe (24hrs)	89.0%	-		-
19	Hate Crime and offences detection rate	95.1%	83.6%		11.5%
<b>Violence, Disorder &amp; Antisocial Behaviour - Stop and Searches</b>					
		Apr 2020 - Sep 2020	Apr 2020 - Sep 2020 Positive	Victims	% Change
20	Number of stop and searches conducted (total)	81	48		
21	Number of statutory stop and searches conducted	81	48		
22	Number of consensual stop and searches conducted	0	0		
23	Number of consensual stop and searches refused	0	-		

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24	Number of seizures made	0	-		
<p>On the 11th May 2017 Police Scotland adopted a new code of practice on the use of stop and search. At this time the use of non-statutory (Consensual) search ceased. The period covered by this report includes searches conducted prior to the introduction of the code. The table above provides information on consensual searches carried out before 11th May. Further information on Police Scotland's use of stop and search and on the code of practice is available on the Police Scotland Website.</p>					

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire**

**September 2020**

<b>Additional Identified Local Priorities</b>					
		Apr 2020 - Sep 2020	Apr 2019 - Sep 2019	Victims	% Change
25	Number of detections for drugs supply, drugs productions, drugs cultivation	16	46		-65.2%
26	Theft by housebreaking (including attempts) detection rate	59.0%	30.0%		29.0%
27	Theft by housebreaking (including attempts)	61	40	21 more	52.5%
28	Theft by shoplifting detection rate	73.7%	76.6%		-2.9%
29	Theft by shoplifting	76	128	52 fewer	-40.6%
30	Vandalism & Malicious Mischief detection rate	35.0%	32.6%		2.4%
31	Vandalism & Malicious Mischief	274	267	7 more	2.6%
32	Number of detections for Consuming Alcohol in a designated place (where appropriate byelaws exist)	7	6		16.7%
<b>Public Protection</b>					
		Apr 2020 - Sep 2020	Apr 2019 - Sep 2019	Victims	% Change
33	Number of Sexual Crimes	58	90	32 fewer	-35.6%

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34	Sexual Crimes detection rate	53.4%	50.0%		3.4%
35	Rape detection rate	83.3%	66.7%		16.6%

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire**  
**September 2020**

<b>Road Traffic Casualty Statistics</b>				
	Apr 2020 - Sep 2020	Apr 2019 - Sep 2019	Victims	% Change
People Killed	0	2	2 fewer	-100.0%
People Seriously injured	1	3	2 fewer	-66.7%
People Slightly Injured	2	14	12 fewer	-85.7%
Children (aged<16) Killed	0	0	None	-
Children (aged<16) Seriously Injured	0	0	None	-

<b>Road Safety &amp; Road Crime</b>					
	Apr 2020 - Sep 2020	Apr 2019 - Sep 2019	Victims	% Change	
36	Dangerous driving	9	20		-55.0%
37	Speeding	54	41		31.7%
38	Disqualified driving	7	14		-50.0%
39	Driving Licence	36	22		63.6%
40	Insurance	82	48		70.8%
41	Seat Belts	9	2		350.0%
42	Mobile Phone	2	3		-33.3%

**LOCAL AUTHORITY SCRUTINY BOARD - Clackmannanshire**

**September 2020**

<b>Public Confidence</b>					
		Apr 2020 - Sep 2020			
		Number of Complaints about the Police		Number of Complaints per 10,000 Police Incidents	
43	Complaints received about the Police	34		40.4	
		On Duty Allegations	Off Duty Allegations	Quality of Service Allegations	Total Number of Allegations
44	Total Allegations Recorded	35	0	13	48
<p>The complaints received are the total Complaints about the Police received and logged on our system. One complaint about the Police can have several allegations contained within, similar to one crime report having several charges contained within. The allegations are similar to individual charges, for example a member of the public can submit a complaint about the Police which is recorded as one complaint, within this complaint they could outline their dissatisfaction in relation to not receiving adequate updates in relation to the crime reported (allegation 1), not being satisfied with the time taken to progress their crime report (allegation 2) and the uncivil manner of the subject Police Officer investigating their crime (allegation 3).</p>					



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**Report to: Partnership & Performance Committee**

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**Date of Meeting: 11<sup>th</sup> March 2021**

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**Subject: Fire Performance Report – Quarter 1 & 2, 2020/21**

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

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## **1.0 Purpose**

- 1.1 The purpose of this report is to provide committee with:
- 1.2 An overview of the half year performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire covering the period 1st April 2020 to 30<sup>th</sup> September 2020. The report is based on performance against objectives and targets set out in the Local Fire and Rescue Plan for Clackmannanshire. Performance indicators are detailed in the summary report at appendix 1.

## **2.0 Recommendations**

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

## **3.0 Considerations**

- 3.1. A number of significant trends are worth highlighting.
- 3.2. There has been one fire related fatality and 10 fire casualties in the reporting period.
- 3.3. A Serious Fire Task Group has been set up within the SFRS. This group will produce a quarterly report providing information on fire fatalities which will assist in local Community Safety Engagement activity.
- 3.4. The SFRS deliver Seasonal Thematic Action Plans from 1st April 2020 to 30<sup>th</sup> March 2021. Targets include reducing accidental dwelling fires, reducing fire fatalities and casualties, reducing deliberate fire setting, reducing the number of outdoor fires, and reducing fire related anti-social behaviour.

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

**Author(s)**

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## PERFORMANCE REPORT

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



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

**Working together  
for a safer Scotland**

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

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

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

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

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## DEFINITIONS

### **Accidental Dwelling Fire**

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

### **Fire Fatality**

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

### **Fire Casualty**

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

### **Deliberate Fire**

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

### **Non-Domestic Fires**

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

### **Primary Fires:**

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

### **Secondary Fires**

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

### **Home Fire Safety Visit**

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

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

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

### **False Alarms**

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

### **Unwanted Fire Alarm Signal**

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

## Introduction

This is the half year 2020-2021 monitoring report covering the SFRS's performance and activities in support of the seven priorities in the Local Fire and Rescue Plan for Clackmannanshire 2018, namely:

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

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

## Annual Performance Summary

The table below provides a summary of activity between **1<sup>st</sup> April 2020 to 30<sup>th</sup> September 2021 compared** to the same activity on the previous years (**Q1 and Q2**), against headline indicators (HI) and annual targets. It aims to provide an at a glance of our direction of travel.

	Headline Indicators	2017-18	2018-19	2019-20	2020-21	Short Trend	Long Trend
	1. Accidental Dwelling Fires (ADF)	22	23	26	27		
	2. ADF Fatal Casualties	0	0	0	1		
	3. ADF Non-Fatal Casualties	2	8	4	10		
	4. Deliberate Primary Fires	20	8	12	9		
	5. Deliberate Secondary Fires	61	41	34	43		
	6. Non-domestic Building Fires	15	7	12	8		
	7. Fatal Casualties in Non-Domestic Building Fires	0	0	0	0		
	8. Non-Fatal Casualties in Non-Domestic Building Fires	1	0	1	0		
	9. Unwanted Fire Alarm Signals	125	110	113	98		
	10. Road Traffic Collision (RTC) Incidents	6	7	3	7		
	11. Fatal RTC Casualties	0	0	0	0		
	12. Non-Fatal RTC Casualties	4	8	3	2		

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

## Annual Performance Highlights

Of the 12 headline indicators, the following performance figures should be noted for the **half year 2020/21 (Q1 & Q2)**:

- There were **twenty-seven** ADF's. This is an increase of **one** compared to the same period last year.
- There was one **ADF Fatal Casualty**. The previous four years there were no ADF Fatal Casualties.
- There were **ten ADF Non-Fatal Casualties**. This is an increase of **six** compared to the same period last year.
- There were **nine Deliberate Primary Fires**. This is a decrease of **three** compared to the same period last year.
- There were **forty-three Deliberate Secondary Fires**. This is an increase of **nine** compared to the same period last year.
- There were **eight Non-Domestic Building Fires**. This is a decrease of **four** compared to the same period last year.
- There were **no Fatal Casualties in Non-Domestic Building Fires**. This is the fifth consecutive year where there were no Fatal Casualties in Non-Domestic Building Fires.
- There were **no Non-Fatal Casualty in Non-Domestic Building Fires**. A decrease of **two** compared to the same period last year.
- The number of **Unwanted Fire Alarm Signals (UFAS) caused by automatic fire alarms (AFAs) in non-domestic buildings** was **ninety-eight**. This is a decrease of **fifteen** compared to the same period last year.
- There were **seven Road Traffic Collisions (RTC)**. This is an increase of **four** compared to the same period last year.
- There were **no Fatal RTC Casualties**. This is the fifth consecutive year where there were no Fatal RTC Casualties.
- There were **two Non-Fatal RTC Casualties**. A reduction of **one** compared to the same period last year.

## Priority 1: Local Risk Management and Operational Preparedness

### Description;

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

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

### Activity;

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

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

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

**Firefighter Training;** During 1 April 2020 - 30 Sept 2020 we delivered our training commitment to operational firefighters, whereby we trained and tested their preparedness to deal with:

Breathing Apparatus  
Fire Behaviour  
Road Traffic Collison  
Trauma training  
Pumps  
Ladders  
Rope  
Water Rescue  
Fire Behaviour  
Tactical Ventilation

## Priority 2: Unintentional Harm and Injury

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

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

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

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

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

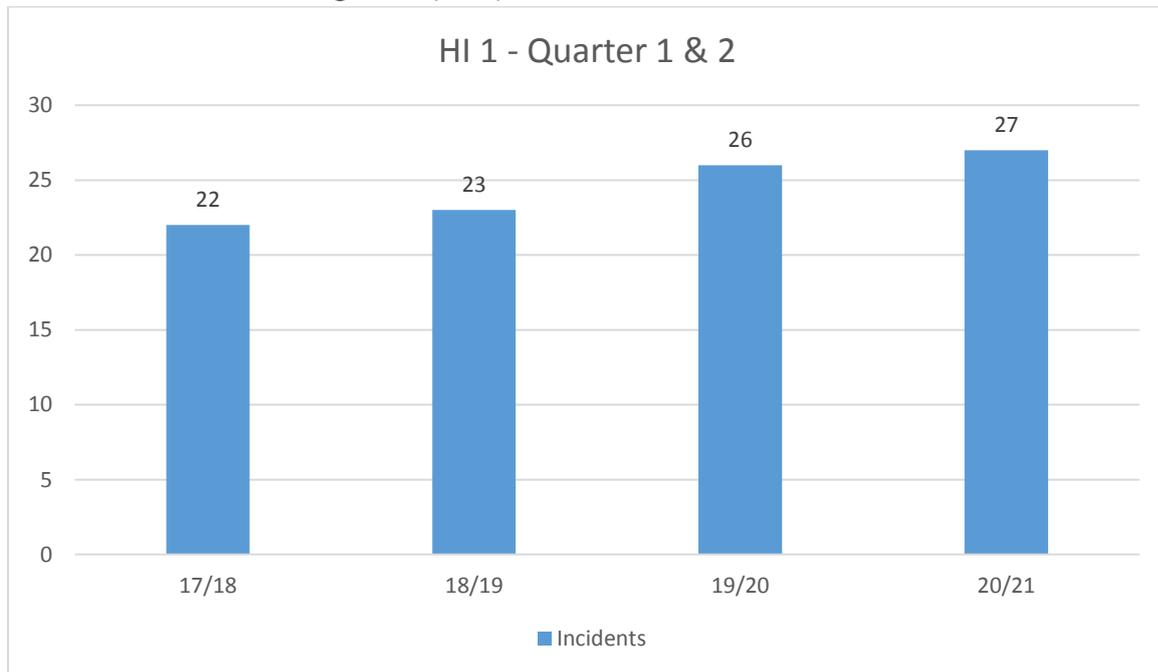
The strategic assessment is complimented by a summary document that captures the main findings and recommends for some next steps to action. Case studies and a short literature review of interventions to prevent and reduce unintentional harm have also been produced.

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

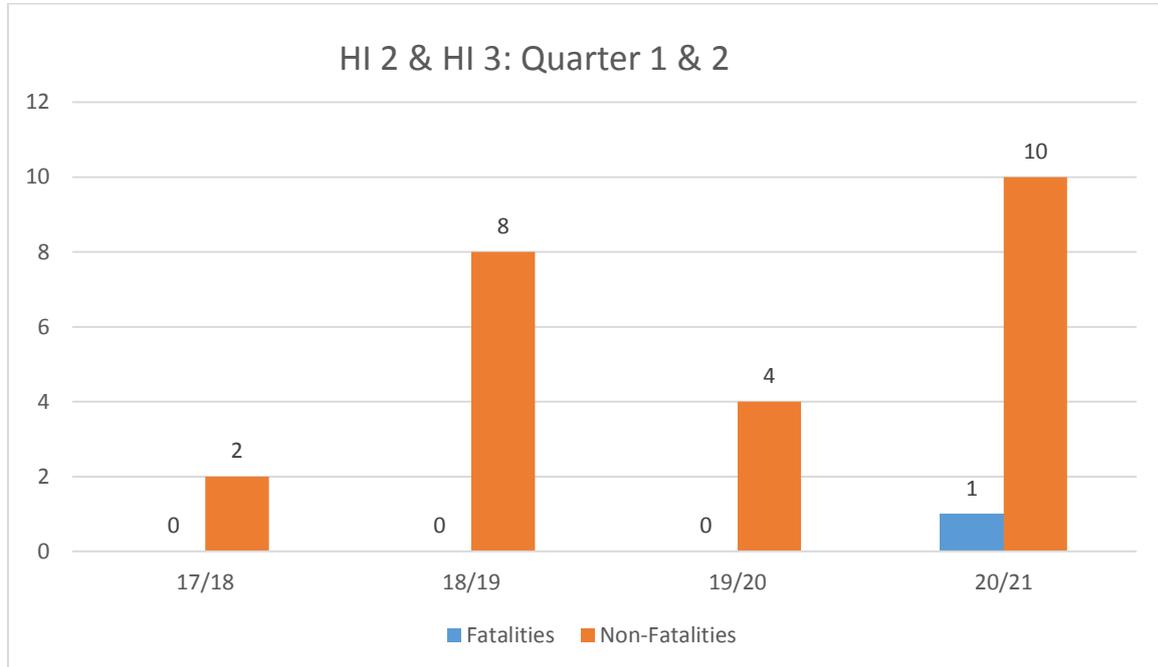
- Children and Young People
- Older People
- Deprivation
- Home Safety
- Road Safety
- Outdoor Safety

## Priority 3: Domestic Fire Safety

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



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



### **Indicator Description;**

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

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

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

#### **HI 2 – ADF Fatal Casualties**

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

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

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

### **Performance Management;**

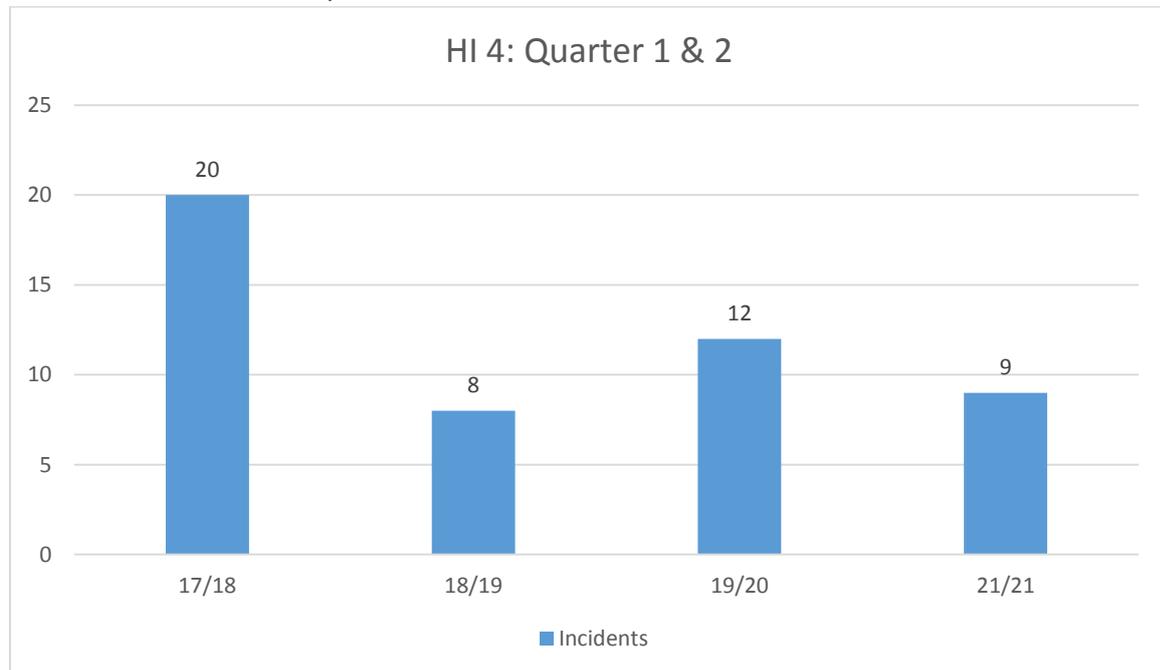
There were **27** ADF's during the reporting period, with **15** of these ADF's cooking related.

There was one ADF Fatal Casualty during the reporting period.

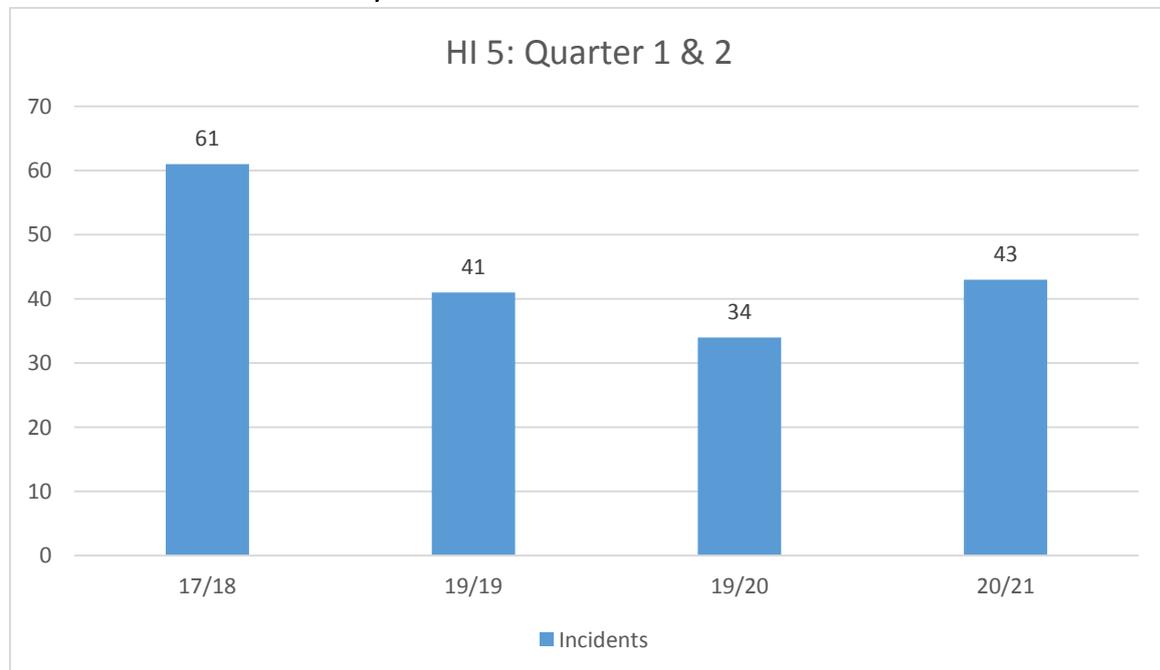
There were **10** ADF Non-Fatal Casualties during the reporting period.

## Priority 4: Deliberate Fire Setting

### HI 4: Deliberate Primary Fires



### HI 5: Deliberate Secondary Fires



## **Indicator Description;**

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

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

These deliberate fires cover the following types:

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

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

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

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

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

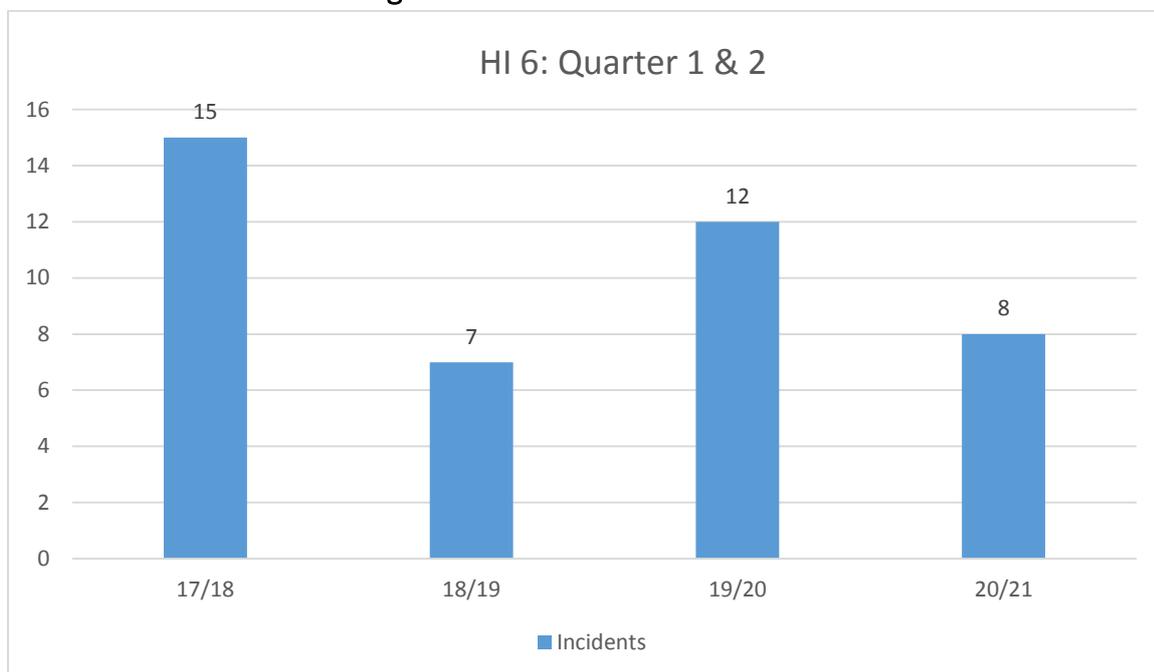
## **Performance Management;**

There were **9** Deliberate Primary Fires during the reporting period. There were **3** fires involving grassland, **2** involving cars, **2** involving outdoor equipment and machinery and **1** each in Education/primary schools and Entertainment and culture. This is a reduction of **3** compared to the same period last year.

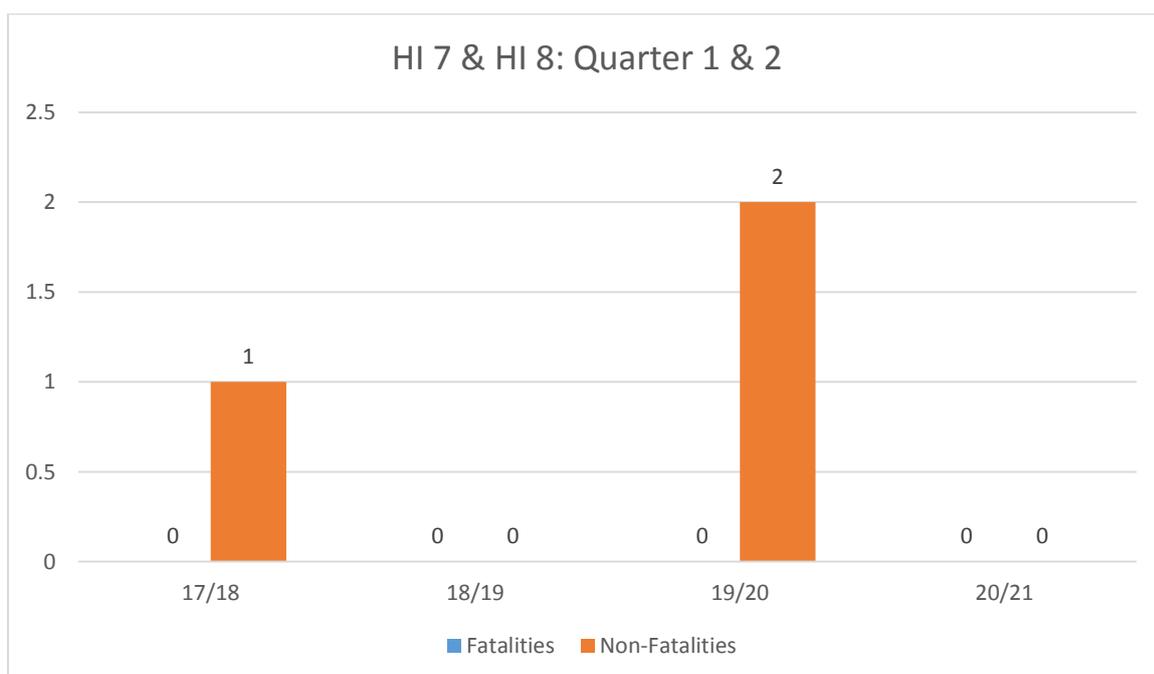
There were **43** Deliberate Secondary Fires reported during the reporting period. There were **21** fires involving outdoor structures/refuse and **10** involving grassland/forestry/crops. This is an increase of **9** compared to the same period last year.

## Priority 5: Built Environment

### HI 6: Non-Domestic Building Fires



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



### **Indicator Description;**

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

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

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

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

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

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

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

### **Performance Management;**

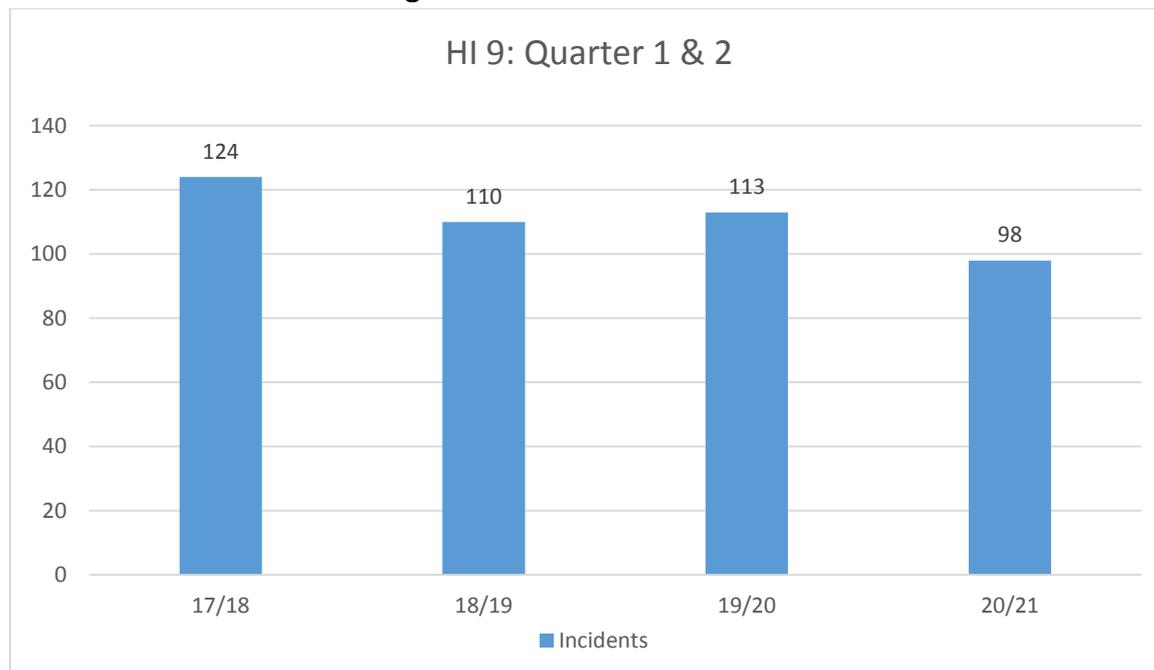
There were **8** Non- Domestic Building Fires during the reporting period. There was **1** fire involving a garden shed, **1** in a prison and the rest of the instances were single occurrences in various property types. This is a decrease of **4** compared to the same period last year.

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

There were also **no** Non-Domestic Non-Fatal Casualties during the reporting period, which occurred within a prison establishment. This is a decrease of **2** compared to the same period last year.

## Priority 6: Unwanted Fire Alarm Signals

### HI 9: Unwanted Fire Alarm Signals



#### **Indicator Description;**

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

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

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

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

## **Performance Management;**

During the reporting period we were called out to 98 Unwanted Fire Alarm Signals (UFAS). This was a decrease of **15** compared to the same period last year.

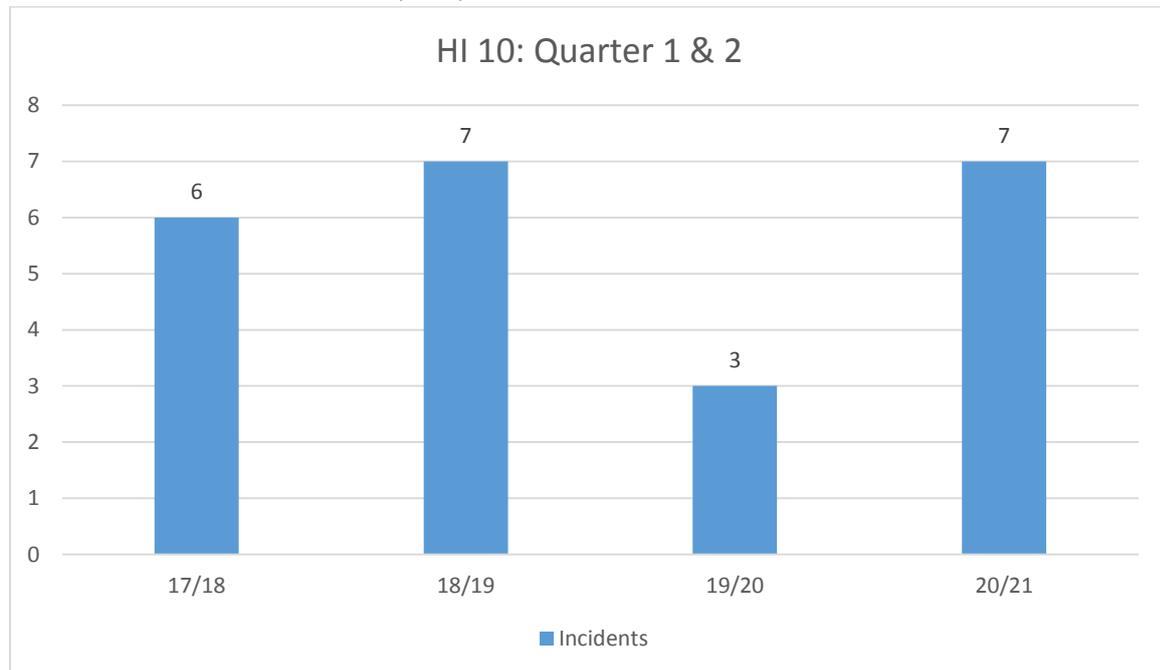
Below are examples of the most common type of UFAS incidents during the reporting period;

- Industrial Premises, warehouses, and bulk storage areas = **21**
- Education Facilities = **13**
- Residential Home, Nursing/Care = **7**

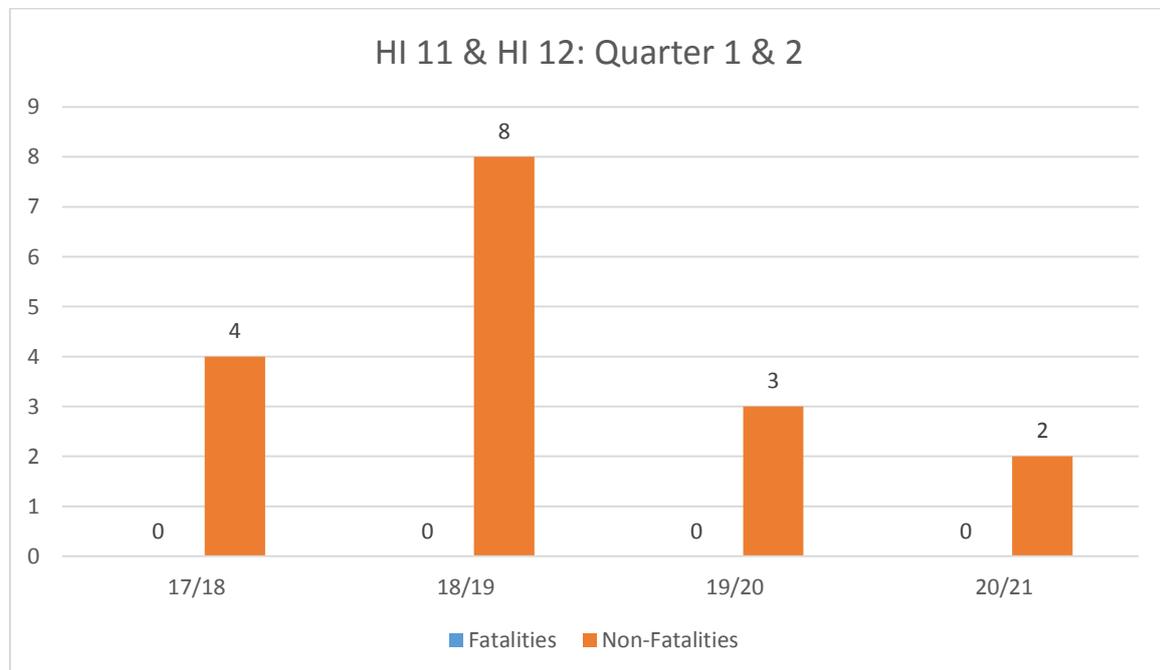
UFAS incidents create a significant number of unnecessary blue light journeys, placing our firefighters and communities at risk, and tying up resources that may be needed at a real emergency elsewhere. To reduce the impact of UFAS, we have introduced a process, that will ensure our weight and speed of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

## Priority 7: Transport and Environment

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



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



## **Indicator Description;**

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

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

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

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

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

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

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

## **Performance Management;**

We attended **1** RTC Incident, to assist in the release/extrication of the occupants of the vehicles during the reporting period. This is a reduction of **1** compared to the same period last year.

There were no Fatal RTC Casualties during the reporting period at RTC Incidents we attended.

There were **2** Non-Fatal casualties during the reporting period at RTC Incidents we attended. This was a reduction of **1** compared to the same period last year.

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

<b>Home Fire Safety Visits (HFSV) – 01/04/20 to 30/09/20</b>	
High Risk	77
Medium Risk	5
Low Risk	25
<b>Total Completed</b>	<b>107</b>

<b>AP1 Referrals</b>	<b>31</b>
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In the absence of being able to complete as many home fire safety visits as we would in normal years, all referrals were called and had extensive phone conversations regarding their home fire safety. An SFRS online home fire safety checker was developed (<https://www.firescotland.gov.uk/your-safety/online-hfsv-checker.aspx>) and where appropriate a link was sent onto the occupant or their family.

<b>Safety Equipment Dispensed – 01/04/20 to 30/09/20</b>	
Fire retardant bedding	7
Fire retardant throws	7
Ashtrays / Bins	6
Letterbox defenders	4

<b>Community Safety Engagement Activities – 01/04/20 to 30/09/20</b>	
Virtual Group Talks	4
Virtual engagements with Corporate Parent Groups	28
Post Domestic Incident Responses	57
Referrals made to Covid-19 support groups	4
Over the phone engagements	Over 350 (exact figure estimated at 500)

### **Other Community Safety Engagement Activities throughout 2020**

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

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

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

## Appendix 2 - Acts of Violence

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

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**Report to: Partnerships & Performance Committee**

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**Date of Meeting: 11 March 2021**

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**Subject: Financial Performance 2020/21 – December Outturn**

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**Report by: Chief Finance Officer**

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## **1.0 Purpose**

- 1.1. This paper provides an update on the financial performance for the Partnerships and Performance Division of the Council in respect of revenue spend for the current financial year 2020/21. This is based on forecast information as at December 2020. Capital expenditure will be reported to the Audit Committee on 29 April 2021 as part of the overall Council's financial performance report.

## **2.0 Recommendations**

- 2.1 The Committee is asked to note the report, commenting and challenging as appropriate on:
- the forecast General Fund revenue underspend relating to the Partnership and Performance Division for the year of £(0.201)m;
  - the forecast centrally held Corporate Services revenue underspend for the year of £(0.911)m;
  - the forecast revenue underspend of the Clackmannanshire element of the Clackmannanshire & Stirling Health & Social Care Partnership (H&SCP) for the year of £(1.045)m, and
  - delivery of planned savings in the year forecasted to achieve 84.8%.

## **3.0 Background**

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

**Table1**

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

*Source: Organisational Redesign: Update June 2019*

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

- 4.1 The Division's net service expenditure forecast before Corporate Services is forecasting an underspend of £(0.201)m. This is a favourable movement of £(0.204)m from the October forecast reported to Audit Committee on 4 February 2021.
- 4.2 Corporate services is forecasting an underspend of £(0.911)m. Within this underspend there remains an overspend relating to the corporate redesign deferred saving due to the delay in implementation of the People Structure, this is offset by centrally held budgets recorded as underspends reported within the Services and additional funding received post budget setting. There is also centrally held income relating to lost income due to Covid\_19, offsetting unachieved income across all services.
- 4.3 **Appendix 1** provides an overview of the financial outturn position within each Service Expenditure area.
- 4.4 **Appendix 2** sets out the main variances and movement since last reported to the Audit Committee on 4 February 2021.
- 4.5 The Covid19 pandemic has had a significant impact on the financial position across the Council. Appendix 2 shows the overspend identified as a result of Covid for each service area within the Partnership and Performance Directorate. Income levels have been particularly affected with the majority of the £0.294m net impact due to loss of income.

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

- 5.1 The Clackmannanshire Locality of the Health and Social Care Partnership is forecast to underspend by £(1.045)m. This is an improved position of £(0.955)m since the last report to Audit Committee on 4 February 2021. Of the £(0.955)m movement, £(0.656)m relates to Care at home with delivery of the service being impacted by Covid 19.

This forecast is subject to a significant degree of uncertainty owing to Covid19. Whilst the forecast is based on current commitments and activity levels, these are subject to change depending on the future course of the pandemic and the future configuration of services.

Relief Payments to Providers as a result of Covid19 are being channelled through the Integrated Joint Board (IJB) and the costs are not included in the above forecast. In addition the forecast does not include support payments to care providers relating to Covid19 that are being managed centrally through the Partnership and charged to the Mobilisation Fund.

The forecast for the Clackmannanshire locality should also be viewed in the context of the overall financial position of the partnership. The latest forecast reported to the Integration Joint Board in January 2021 for the Health & Social Care Partnership as a whole is an overspend of £1.7m including the set aside budget.

A key issue for the Partnership will be to what extent the additional funding provided through the Mobilisation Fund will fully meet all the additional costs associated with Covid19. Clarity on this point continues to be sought from the Scottish Government and as such these costs are excluded from the forecasted Partnership overspend.

5.2 **Appendix 3** sets out the main variances and movement since last reported to Audit Committee on 4 February 2021.

## 6.0 2020/21 Savings Progress

6.1 The 2020/21 budget incorporated approved savings of £3.343m. Of this total, £0.810m is attributable to the Partnership & Performance Division.

6.2 Based on analysis to date, savings of £0.688m (84.8%) are forecast to be achieved with £0.123m (15.2%) being forecast as at risk or unachievable in 2020/21. £0.113m of these unachievable savings are as a result of the pandemic. This is an improved position of 1.2% since last reported to Audit Committee on 4 February 2021.

6.3 **Appendix 4** provides details progress on the budgeted 2020/21 savings and shows details of those savings that have been identified as either Amber or Red. These mainly relate to the timing of savings realisation. Services supported by the accountancy team will continue to work together to look to achieve the approved savings or identify compensatory savings by the end of the financial year.

## 7.0 Conclusions

7.1 The Partnership & Performance Division revenue spend is anticipating an underspend in Performance of £(0.201)m and an underspend in Corporate Services of £(0.911)m.

7.2 The Clackmannanshire locality of the Clackmannanshire & Stirling, Health & Social Care Partnership (H&SCP) is forecasting a revenue underspend for the year of £(1.045)m.

7.3 Of the associated £0.810m approved savings, £0.688m (84.8%) is forecast to be achieved by the year end.

## 8.0 Sustainability Implications

8.1 None

## 9.0 Resource Implications

9.1 *Financial Details*

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

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

9.4 *Staffing*

9.5 None

## 10.0 Exempt Reports

10.1 Is this report exempt? No

## 11.0 Declarations

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

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

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

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

## 12.0 Equalities Impact

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

**13.0 Legality**

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

**14.0 Appendices**

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

Appendix 1- Financial Outturn position at December 2020

Appendix 2- Outturn variance and variance movement at December 2020

Appendix 3- H&SCP Outturn variance and variance movement at December 2020

Appendix 4- 2020/21 Savings progress at December 2020

**15.0 Background Papers**

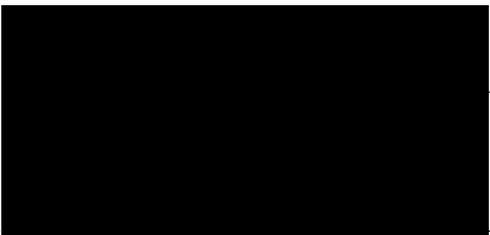
- 15.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Elizabeth Hutcheon	Management Accountancy Team Leader	6214

**Approved by**

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



	<i>Annual Budget 2020/21 £'000</i>	<i>Forecast to March 2021 £'000</i>	<i>Variance Forecast to Budget £'000</i>
Resource & Governance	6,215	6,064	(151)
Strategy & Customer Services	1,627	1,675	48
Executive Team	3,636	3,653	17
Development & Environmental	758	712	(46)
Housing & Community Safety	8,311	8,243	(68)
	<b>20,548</b>	<b>20,347</b>	<b>(201)</b>
Corporate Services	586	(474)	(1,060)
Misc Services - Non Distributed Costs	1,312	1,312	0
	1,898	838	(1,060)
<b>less allocated to non general fund</b>	(1,305)	(1,305)	0
	593	(467)	(1,060)
Add requisitions from joint boards			
Central Scotland Valuation Joint Board	454	454	0
Add/Deduct			
Interest on Revenue Balance	(91)	(10)	81
Loans Fund Contribution	5,770	5,838	68
Contribution to Bad Debt Provision	200	200	0
<b>Total Corporate Services</b>	<b>6,926</b>	<b>6,015</b>	<b>(911)</b>
Health & Social Care Partnership	<b>19,041</b>	<b>17,995</b>	<b>(1,045)</b>

Partnership & Performance	Annual Budget 2020/21 £'000	Forecast to March 2021 £'000	Variance Forecast to Budget at December £'000	Variance due to Covid £'000	Variance due to Non Covid £'000	Variance Forecast to Budget at October £'000	Variance movement October to December £'000	Narrative
Resource & Governance	6,215	6,064	(151)	(41)	(110)	(42)	(109)	<p><b>Accountancy:</b> Underspend of £(0.035)m, movement of £0.007m. £(0.034)m underspend due to staffing, movement of £0.002m. £(0.001)m underspend, movement of £0.005m on various small spend.</p> <p><b>Corporate training:</b> Underspend of £(0.103)m, movement of £(0.033)m due to a delay of courses as a result of Covid lock down restrictions.</p> <p><b>Elections:</b> Underspend of £(0.050)m. Due to only one by-election in November 2020. There are no more planned by-elections.</p> <p><b>IT:</b> Underspend of £(0.008)m, movement of £(0.081)m. £0.059m overspend on telephones / mobiles, underspend of £(0.028)m on software, movement of £(0.078)m on software as a result of delays pushing into 21/22. £0.020m overspend related to delayed MFD contract saving this was delayed due to norovirus and Covid outbreak, cyber security and back up services. £(0.035) underspend in staffing which is partially offset by a unachieved TVR. £(0.024) underspend, movement of £(0.003)m in hardware purchases, due to removal of Goss consultancy that is no longer required this year.</p> <p><b>HR:</b> Overspend of £0.002m, movement of £(0.002)m. The overspend is due to a corporate saving for voluntary contributions which will be realigned throughout the directorates to reflect where the saving is. Movement is various small underspends.</p> <p><b>Legal, Democracy &amp; Audit:</b> Underspend of £(0.003)m due to reductions in supplies and services and a delay in recruitment.</p> <p><b>Head of Service:</b> Overspend of £0.046m relating to a legacy unachievable saving on staffing from 17/18.</p>
Strategy & Customer Services	1,627	1,675	48	132	(84)	58	(10)	The Registrar's service has incurred a loss of income, resulting in an overspend by £0.083m, an increase of £0.008m from October. The £0.100m external funding income budget will not be achieved. Covid has impacted on the ability of the service to achieve the expected levels of income but the shortfall in income is offset by current staffing savings within the contact centre, director and members services offsetting the overspend by £(0.090)m. Additional government funding of £(0.025)m to help prepare for brexit has helped compensate this. In addition to staffing savings an extra £(0.008)m is forecast by recharging members time to other bodies. The Service has curtailed expenditure on supplies & services by (£0.012)m to offset the overspend. This has reduced by £0.006m from October to allow staff to work safely.
Executive Team	3,636	3,653	17	0	17	25	(8)	Period when Strategic Director of Partnership & Performance was Acting Chief Executive.
Development & Environmental	758	712	(46)	56	(102)	(18)	(28)	<p><b>Licensing:</b> Overspend by £0.025m, movement of £(0.012)m. Overspend due to decrease in alcohol and civil licence income as a result of Covid. Movement due to an increase in alcohol licences than was expected.</p> <p><b>Trading Standards:</b> Underspend by £(0.052)m, no movement. Underspend due to a reduction in service cost with Stirling Council.</p> <p><b>Environmental Health:</b> Underspend and movement of £(0.023)m, movement of £(0.003)m due to staffing. Offsetting this is a £0.014m overspend from a reduction in income due to Covid.</p>
Housing & Community Safety	8,311	8,243	(68)	146	(214)	(21)	(47)	<p><b>Revenues:</b> underspend of £(0.099)m due to staffing vacancies, a movement of £0.011m from October due to increased postages. The <b>Scottish Welfare Fund</b> is forecast to underspend by £(0.025)m a movement of £(0.050)m as the most up to date data has been used to forecast. <b>Housing Benefits</b> is forecast to overspend by £0.055m a movement of £(0.010)m. This is as a consequence of lost income from Housing Benefit Overpayments of £0.146m as Covid resulted in this service being suspended. This is offset by a reduction in the net cost of housing benefit for rent rebates of £(0.091)m. The movement is due to a forecasted decrease in the benefit payments made.</p>
<b>Division Total</b>	<b>20,548</b>	<b>20,347</b>	<b>(201)</b>	<b>294</b>	<b>(493)</b>	<b>3</b>	<b>(204)</b>	
Corporate Services	6,926	6,015	(911)	(378)	(451)	(829)	(82)	Underspend due to additional grant funding allocated post budget setting held corporately, offset by organisational restructure saving within People Directorate and other small corporate savings held centrally. There is also funding of £0.378m relating to lost income due to Covid_19 for Q1 & 2, this is being held centrally to offset unachieved income within the services. Loans Fund and interest receivable are forecast to overspend, this is due to a combination of very low interest rates on working balances, investments and the anticipated redemption of investments held.
<b>Corporate Services</b>	<b>6,926</b>	<b>6,015</b>	<b>(911)</b>	<b>(378)</b>	<b>(451)</b>	<b>(829)</b>	<b>(82)</b>	

Annual Budget 2020/21	Annual Budget 2020/21	Forecast to March 2021	Variance Forecast to Budget at December	Variance due to Covid	Variance due to Non Covid	Variance Forecast to Budget at October	Variance movement October to December	Narrative
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Employees</b>	8,501	7,558	(942)	0	(942)	(937)	(6)	Underspend across a range of services: including: Integrated Mental Health £(400k); Disability Day Care £(200k); Assessment & Care Management £(165k) There is a forecast overspend at Menstrie House of £136k and Ludgate Respite £30k The favourable movement represents the impact of staff turnover since October. A proposal to re-align budgets and direct resources to those areas under pressure is being considered
<b>Long Term Care</b>								
<b>Nursing Homes</b>	7,594	7,019	(576)	(576)	0	(545)	(31)	Nursing Home places fell by 55 at the start of the year but have now started to rise and now stand at around 185 as homes have re-opened to admissions. This forecast is potentially subject to significant volatility depending on the future course of the pandemic. Savings will be offset by Relief Payments to Providers through the Mobilisation Fund.
<b>Residential Homes</b>	3,594	3,383	(211)	0	(211)	(265)	54	Overall numbers remain stable at around 60.
<b>Community Based Care</b>								
<b>Care at Home</b>	7,885	8,403	517	300	217	1,173	(656)	The forecast reflects the impact of Covid on the delivery of Care at Home. The revised forecast reflects evidence of service delivery being interrupted by the pandemic with actual expenditure lagging behind the level of commitments. The actual service delivery is subject to significant volatility, savings from reduced service delivery will be offset by Relief Payments to Providers through the Mobilisation Fund.
<b>Day Care</b>	230	187	(43)	(43)	0	25	(68)	Day Care for approximately 42 service users of which 19 have complex needs. The movement in the forecast reflects the reduced level of activity due to Covid. Savings will be matched by support payments to providers through the Mobilisation Fund managed by the IJB.
<b>Direct Payments</b>	953	896	(57)	0	(57)	(51)	(6)	Numbers are stable with 0 service users receiving a direct payment. The forecast has been revised to reflect actual pattern of payments to date.
<b>Housing Aids and Adaptations</b>	159	164	5	0	5	5	0	Demand driven adaptations within private sector homes.
<b>Housing with Care</b>	163	188	24	0	24	11	13	This budget is for Supported Accommodation provided by external organisations. The commitment has continued to fall as a result of service changes within Learning disability and Physical Disability with some care transferring to Care at Home.
<b>Respite</b>	129	65	(64)	0	(64)	14	(78)	Costs for respite continue to increase as Respite plans for the year are confirmed.
<b>Misc. Third Party Payments</b>	910	1,110	201	0	201	209	(8)	This heading covers various payments to other agencies including other local authorities, registration fees and payments to voluntary organisations.
<b>Premises Expenditure</b>	11	22	10		10	13	(3)	The budget covers cleaning materials within operational buildings.
<b>Supplies and Services</b>	403	401	(2)		(2)	22	(24)	Includes equipment, house adaptations, food and insurance, postage, printing and administration. The favourable movement reflects charging of costs to the Covid Mobilisation Fund.
<b>Transport Expenditure</b>	48	25	(23)		(23)	4	(27)	Travel costs are forecast to overspend, with cost having picked up in the second quarter.
<b>Income</b>								
<b>Income</b>	(4,269)	(4,102)	167	300	(133)	221	(54)	Income forecast is less than budget this year as a result of a reduced level of client contributions due to less clients being in long term care (Covid related).
<b>Resource Transfer (Health)</b>	(7,271)	(7,325)	(54)	0	(54)	9	(63)	Includes Income from NHS, integration funding and contributions for complex care.
<b>Total</b>	<b>19,041</b>	<b>17,995</b>	<b>(1,045)</b>	<b>(19)</b>	<b>(1,027)</b>	<b>(90)</b>	<b>(955)</b>	

Management Efficiencies

Service Reference	Division	Description of Saving	2020/21 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service Updates
P&PF&R6	P&P	Move to rolling Asset Valuation	66,000	66,000				Saving achieved
P&PHMHB1	P&P	Rent Rebates Rent Allowances - reduce current budget provision in conjunction with Homeless CASH	266,000	211,000	55,000		55,000	Current data suggests saving partially achievable
P&PHMHB1	P&P	Rent Rebates Rent Allowances - reduce current budget provision in conjunction with Homeless	250,000	250,000			-	Current data suggests saving achievable
P&PHR1	P&P	Reduce Corporate Training Budget	23,800	23,800			-	Saving achieved
P&PHR2	P&P	HR- Supplies and Services budget reduction	4,125	4,125			-	Saving achieved
P&PHR3	P&P	HR- Reduction in Admin Support - Vacancy	27,159	27,159			-	Saving achieved
P&PLE1	P&P	Legal-Supplies and Services budget reduction	498	498			-	Saving achieved
P&PF&R1	P&P	Finance- Reduction in Postages Budget	5,000	5,000			-	Saving achieved
P&PF&R3	P&P	Credit Card Rebate	10,000	2,000		8,000	8,000	Work not able to progress on this due to COVID priorities.
P&PS&P1	P&P	Partnerships-Budget Realignment	10,000	10,000			-	Saving achieved
P&PS&P6	P&P	Newspaper Copyright	1,500	1,500			-	Saving achieved
P&PF&R4	P&P	Treasury Contract price reduction	3,000	3,000			-	Saving achieved
P&PLE2	P&P	Legal & Democracy Efficiencies	6,592	6,592			-	Saving achieved
P&PF&R5	P&P	Finance & Revenues Efficiencies	30,000	30,000			-	Saving achieved
P&PS&P7	P&P	Research & Information Officer Vacancy - CASH for 2 years	37,000	37,000			-	Saving achieved
P&PHR4	P&P	Shared Cost/Salary Sacrifice Additional Voluntary Contribution (SCAVC) Scheme - savings on Tax & NI contributions	20,000	10,000		10,000	-	Transferred to new AVC scheme in August 2020, timing delay
<b>Total</b>		<b>Management Efficiencies</b>	<b>760,674</b>	<b>687,674</b>	<b>55,000</b>	<b>18,000</b>	<b>63,000</b>	

Prior Years

Service Reference	Division	Description of Saving	2020/21 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service Updates
	P&P	Income generation through new Funding Officer post	50,000			50,000	50,000	A small number of funding bids have been submitted to external funding bodies, however progress on these has been delayed due to Covid.
<b>Total</b>		<b>Prior Years</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>50,000</b>	<b>50,000</b>	

Summary By Type	2020/21 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £
Management Efficiencies	760,674	687,674	55,000	18,000	63,000
Policy	-	-	-	-	-
Prior Years	50,000	-	-	50,000	50,000
<b>Total Division</b>	<b>810,674</b>	<b>687,674</b>	<b>55,000</b>	<b>68,000</b>	<b>113,000</b>

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**Report to Partnership & Performance Committee**

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**Date of Meeting: 11 March 2021**

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**Subject: Interim Business Plan 2020/21**

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

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**1.0 Purpose**

- 1.1. The purpose of this report is to present and interim business plan for the Partnership and Performance portfolio for 2020/21.

**2.0 Recommendations**

- 2.1. It is recommend that Committee note, challenge and comment on the report.

**3.0 Considerations**

- 3.1. The Covid-19 response has severely disrupted this year's business planning that had already got underway in January 2020.
- 3.2. The purpose of this abbreviated plan, Appendix 1, is to set out a number of key deliverables for the remainder of the year, to provide a basis for work planning, risk and scrutiny. This abbreviated plan concentrates on core transformation, governance and recovery implementation actions as well as risks for the directorate during a challenging and uncertain period. It also reflects a series of Be the Future reports that have been presented to Council over the course of summer 2020.
- 3.3. The intention is to return to a more familiar business plan format for 2021/22.
- 3.4. There are no direct financial implications arising from the recommendations in this report.

**4.0 Sustainability Implications**

- 4.1. Sustainability is an inherent component of the business planning process.

**5.0 Resource Implications**

- 5.1. *Financial Details*

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

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

5.4. *Staffing*

## 6.0 Exempt Reports

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

## 7.0 Declarations

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

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

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

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

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

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

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

Not applicable.

## 8.0 Equalities Impact

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

Yes  No

## 9.0 Legality

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

## 10.0 Appendices

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

Appendix 1 – Partnership & Performance Interim Business Plan 2020/21.

## 11.0 Background Papers

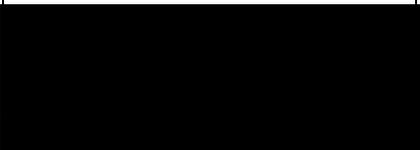
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart Crickmar	Strategic Director Partnership & Performance	2127

### Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director Partnership & Performance	





# Partnership & Performance

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## Abbreviated Business Plan 2020-21

## **1 SERVICE OVERVIEW**

### **1.1 DIRECTORATE PURPOSE & OBJECTIVES**

#### **Introduction**

The Covid-19 response has severely disrupted this year's business planning that had already got underway in January 2020.

The purpose of this abbreviated plan, is to set out a number of key deliverables for the remainder of the year, to provide a basis for work planning, risk and scrutiny. This abbreviated plan concentrates on core transformation, governance and recovery implementation actions as well as risks for the directorate during a challenging and uncertain period. It reflects a series of Be the Future reports that have been presented to Council over the course of summer 2020. The intention is to return to a more familiar business plan format for 2021/22.

Our vision, outcomes, priorities and values reflect those of the Council as described in the Corporate Plan.

#### **Our Vision**

We will be a valued, responsive, creative organisation, through collaboration, inclusive growth and innovation, to improve the quality of life for every person in Clackmannanshire.

#### **Our Outcomes**

- Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all.
- Our communities will be resilient and empowered so that they can thrive and flourish.
- 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 Priorities**

- Inclusive Growth, Jobs & Employability
- Reducing Child Poverty

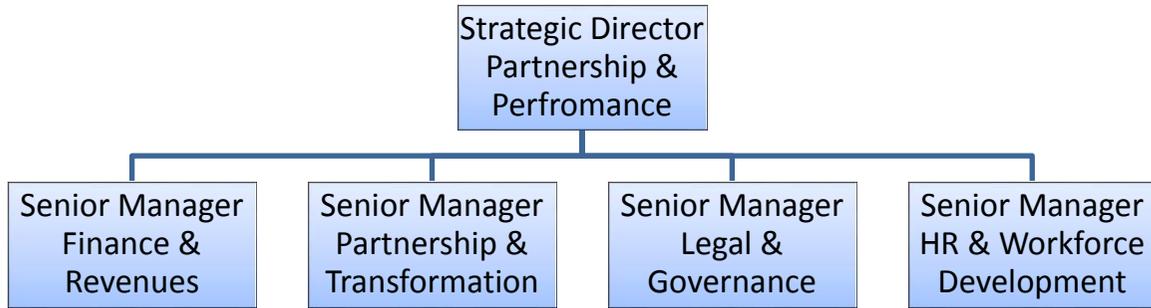
- Raising Attainment
- Sustainable Health & Social Care
- Empower Families & Communities
- Organisational Transformation

### **Our Values**

- **Be the customer** - Listen to our customers; communicate honestly and with respect and integrity.
- **Be the team** - Respect each other and work collectively for the common good.
- **Be the leader** - Make things happen, focusing always on our vision and outcomes, and deliver high standards of people leadership and corporate governance.
- **Be the collaborator** - Work collaboratively with our partners and communities to deliver our vision and outcomes.
- **Be the innovator** - Look outwardly, be proactive about improvement and strive always for innovation and inclusive growth.
- **Be the future** - Work always towards ensuring that we deliver our vision and live our values, so that we become a valued, responsive Council with a reputation for innovation and creativity.

## **1.2 SERVICE STRUCTURE**

Partnership and Performance Directorate incorporates a broad range of functions contained within the following structure:



**1.4 KEY SERVICE STRATEGIES & POLICIES REVIEW SCHEDULE**

<b>Strategy or Policy</b>	<b>Approved/ last reviewed</b>	<b>Date for review</b>
Local Outcome Improvement Plan 2017/27	2017	2021
Be the Future Plan	2018	2021
Budget Strategy	2020	2021
Strategic Workforce Plan	2019	2022
Community Justice Outcomes Plan	2018	2023
Gaelic Language Plan for Clackmannanshire	2019	2023
Mainstreaming Equalities Report and Outcomes	2019	2021
Procurement Strategy	2018	2022
Digital Transformation Strategy	2019	2022
Corporate Communications and Marketing Strategy	2013	2021
Corporate Risk Management Guidance	2015	2021
Major emergencies operational procedures Civil Contingencies Guidance	2018	2021
Business Planning Guidance and Performance Management Framework	2020	2021
Consultation Guidance and Toolkit	2014	2021
Customer Charter	2011	2021
Council Complaints Handling Procedure	2017	2021
Unacceptable Behaviour Policy	2015	2021

Standing Orders	2019	2021
Scheme of Delegation	2014	2021
Financial Regulations	2019	2021
Contract Standing Orders	2018	2021

## Partnership & Performance Interim Business Plan 2020-21

### Key Organisational Performance Results

Code	KPI	2020-21	Lead
		Target	
RAP CTA 002	Cost of collecting Council Tax (per dwelling)	NA	Finance & Revenues
RAP CTA 01a	Council tax collected within year (excluding reliefs & rebates)	96.2%	Finance & Revenues
GOV PRC 003	The percentage of procurement spend on local small to medium size enterprises	16.5%	Finance & Revenues
RAG CRD 003	Invoice Payment Within 30 Days	91%	Finance & Revenues
RAG FIN 001	The cost of support services (definition as per Local Financial Return) as a percentage of gross general fund expenditure	6.5%	Finance & Revenues
GOV EQO 02b	The percentage of the highest paid 5% of earners among council employees that are women	NA	Partnership & Transformation
GOV EQO 03a	The gap between the average hourly rate of pay for male and female Council employees	0%	Partnership & Transformation
NEW	Number of organisational data breaches reportable to the Information Commissioner	N/A	Legal & Governance
NEW	Instances of Fraud detected	N/A	Legal & Governance
NEW	Percentage of 2019/20 targets met for implementation of Strategic Workforce Plan	80%	HR & Workforce Development
NEW	Percentage of 2019/20 targets met for implementation of Digital Transformation Plan	80%	Partnership & Transformation
-	Average FTE Days Sickness Absence (Council)	12	HR & Workforce Development
NEW	Staff Engagement Index: I am given the opportunity to make decisions relating to my role	57%	HR & Workforce Development

Code	KPI	2020-21	Lead
		Target	
NEW	Staff Engagement Index: I feel valued for the work I do	36%	HR & Workforce Development
NEW	Staff Engagement Index: I feel a sense of achievement for the work I do	58%	HR & Workforce Development
NEW	Staff Engagement Index; I feel that I am treated with dignity and respect within my team	70%	HR & Workforce Development
NEW	Staff Engagement Index: I am clear about how I contribute to the organisation's goals	58%	HR & Workforce Development
NEW	Number of risk assessments reviewed and completed against the number expected	70%	HR & Workforce Development
NEW	Number of employees received a toolbox talk on new H&S policies expressed as a % of those who should have received	90%	HR & Workforce Development
NEW	Number of employees completing core H&S Training expressed as a % of the total number of employees	90%	HR & Workforce Development
NEW	Number of violent incidents to employees expressed as a % of the overall number of employees	5%	HR & Workforce Development
NEW	Number of incidents reported within 5 working days expressed as a % of incidents reported	90%	HR & Workforce Development
NEW	Number of Health Surveillance appointments attended expressed as a % of the total number appointments offered by OH	90%	HR & Workforce Development

**Partnership & Performance: Financial Results**

Code	KPI	2020-21	Lead
		Target	
NEW	Percentage of savings agreed in 2020/21 budget achieved	85%%	Strategic Director
	Outturn variance based on budget	<0%	Strategic Director

## Partnership & Performance: Customer Results

Code	KPI	2020-21	Lead
		Target	
P&P FOI GOV	% FOI enquiries responded to within timescale - Partnership & Performance	95%	Legal and Governance
GOV AUD 001	Percentage of Internal Audit plan completed	100%	Internal Audit
ICT ICT 002	Percentage of available hours lost on ICT systems due to unplanned incidents	0.250%	Partnership & Transformation
CUS CTC 003	Satisfaction with overall experience of the Contact Centre	96.5%	Partnership & Transformation
CUS REG 001	Customer satisfaction with overall experience of the Registrars Service	100.0%	Legal & Governance
SCS C03 CUS	% formal complaints dealt with by Partnership and Performance that were upheld/partially upheld	N/A	Strategic Director
SCS C10 CUS	Percentage of formal complaints closed within timescale during period Partnership and Performance	100%	Strategic Director
SCS CNQ BUS	% of Councillor Enquiries dealt with by Partnership and Performance within timescale	100%	Strategic Director
SCS MPQ BUS	Percentage of MP/MSP enquiries dealt with Partnership and Performance within timescale	100%	Legal & Governance

**Partnership & Performance: People Results**

Code	KPI	2020-21	Lead
		Target	
PRP AB1 GOV	Average FTE Days Sickness Absence (Partnership & Performance)	7.5	Strategic Director
NEW	Percentage of employees* who have regular supervisory meetings with their manager	100%	Strategic Director
NEW	Percentage of staff that have completed mandatory training by the due date*	100%	Strategic Director
NEW	Staff Engagement: I am given the opportunity to make decisions relating to my role	65%	Strategic Director
NEW	Staff Engagement: I feel valued for the work I do	55%	Strategic Director
NEW	Staff Engagement: I feel a sense of achievement for the work I do	67%	Strategic Director
NEW	Staff Engagement: I feel that I am treated with dignity and respect within my team	80%	Strategic Director
NEW	Staff Engagement: I am clear about how I contribute to the organisation's goals	75%	Strategic Director

\* Not including those staff on maternity leave, long term illness, secondment or career break

## Improvement Actions

Code	ACTION	Impact	By When	Lead
<b>1</b>	<b>Risks/Opportunities: PP001</b>			
	Co-ordinate major incident response/recovery and ensure as time permits that statutory plans for resilience are in place, updated and tested as part of a scheduled programme of work.	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Strategic Director
<b>2</b>	<b>Risks/Opportunities: PP02</b>			
	Working under the guidance of the Scottish Resilience Partnership, ensure appropriate plans and preparations are in place to manage and respond to EU Withdrawal and to ensure business continuity	A valued, responsive Council with a reputation for innovation and creativity.	31-Dec-20	Partnership & Transformation
<b>3</b>	<b>Risks/Opportunities: PP03</b>			
	Support consultation and engagement activities (budget and corporate strategies).	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Develop and publish key corporate and partnership strategies and annual reports as part of an agreed programme.	Corporate Priorities: Inclusive Growth, Jobs & Employability; Reducing Child Poverty; Empowering Families & Communities; organisational transformation.	31-Mar-21	Partnership & Transformation
	Put in place preparations for Census 2021 as part of the requirements set out in the national programme.	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Develop and publish a new Corporate Communications Strategy aligned with the Councils Corporate Plan.	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Implement approved Mainstreaming Equalities and Diversity Report 2017/22.	Corporate Priorities: Inclusive Growth, Jobs & Employability; Reducing Child Poverty; Empowering Families & Communities; organisational transformation.	31-Mar-21	Partnership & Transformation

Code	ACTION	Impact	By When	Lead
	Commence a review of Local Outcomes Improvement Plan and Be the Future Plan in light of developing transformational objectives, and the impact of Brexit and the global pandemic.	Corporate Priorities: Inclusive Growth, Jobs & Employability; Reducing Child Poverty; Empowering Families & Communities; organisational transformation.	31-Mar-21	Partnership & Transformation
	Lead on Community Planning in Clackmannanshire ensuring that effective partnership structures and planning and performance management approaches are in place.	Corporate Priorities: Inclusive Growth, Jobs & Employability; Reducing Child Poverty; Empowering Families & Communities; organisational transformation.	31-Mar-21	Partnership & Transformation
<b>4</b>	<b>Risks/Opportunities: PP04</b>			
	Maintain Health Working Lives (Silver Level)	Organisational Transformation	31-March-2021	HR & Workforce Development
	Undertake Staff Survey	Organisational Transformation	31-Dec-20	HR & Workforce Development
	Develop & Implement A Leadership and Management Development programme that support our vision and values	Organisational Transformation	30-Apr-21	HR & Workforce Development
	Implementation of the Health & safety Management System	Organisational Transformation	31-Mar-21	HR & Workforce Development
	Substantially conclude and Implement P&P Redesign	Organisational Transformation	31-Mar-21	Strategic Director
	Develop further the principles of the Fair Work Convention	Organisational Transformation	31-Mar-21	Strategic Director
<b>5</b>	<b>Risks/Opportunities: PP05</b>			
	Maximise Income from Other Sources to support corporate priorities	Corporate Priorities: Inclusive Growth, Jobs & Employability; Reducing Child Poverty; Empowering Families & Communities; organisational transformation.	31-Mar-21	Partnership & Transformation
	Commence DWP Revenues Review	Organisational Transformation	31-Mar-21	

Code	ACTION	Impact	By When	Lead
	Submit COSLA Income Loss Submission	Organisational Sustainability	31-Dec-2020	Finance & Revenues
<b>6</b>	<b>Risks/Opportunities:PP06</b>			
	Lead on the approach to enable improved governance through the Annual Governance Statement	A valued, responsive Council with a reputation for innovation and creativity	28-Feb-21	Legal & Governance
	Lead on the approach to deliver approved Annual Accounts	A valued, responsive Council with a reputation for innovation and creativity	28-Feb-21	Finance & Revenues
	Review of Audit Committee agenda in light of COVID pandemic Re-establishment of Council and Committee scrutiny	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Strategic Director
	Over see a successful by-election in Clackmannanshire East	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Legal & Governance
	Commence review Standing Orders & Scheme of Delegation	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Legal & Governance
<b>7</b>	<b>Risks/Opportunities: PP07</b>			
	Lead on the approach to deliver an approved balanced budget	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Finance & Revenues
	Maximise Procurement savings and local procurement spend	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Finance & Revenues
	Secure agreement on a BtF change programme plan to support organisational sustainability	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Transformation Manager

Code	ACTION	Impact	By When	Lead
	Instigate dashboard arrangement for monitoring 4 Covid harms in balance	A valued, responsive Council with a reputation for innovation and creativity	31-Jan -21	Strategic Director
<b>8</b>	<b>Risks/Opportunities: PP08</b>			
	Define Digital Roadmap based on Digital Maturity Assessment	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Define and implement ICT infrastructure Improvement Plan.	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Implement Scottish Cyber Security Resilience Framework	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Develop ICT asset strategy	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Consolidate corporate support Information management approaches and develop an action plan to address gaps	A valued, responsive Council with a reputation for innovation and creativity	31-Mar-21	Legal & Governance
	Procure, develop a project plan, and commence implementation of Microsoft 365	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation
	Develop a forward programme to update IT policies	A valued, responsive Council with a reputation for innovation and creativity.	31-Mar-21	Partnership & Transformation

## Risk Register

<b>ID &amp; Title</b>	PP 001	Business continuity or resilience failure	<b>Status</b>		<b>Managed By</b>	Strategic Director	<b>Current Rating</b>	15	<b>Target Rating</b>	6
<b>Potential Effect</b>	Breakdown or significant interruption in service provision for internal and or external customers as a result of catastrophic systems or knowledge loss or major incident.									
<b>Related Actions</b>	Co-ordinate major incident response and ensure statutory plans for resilience are in place, updated and tested as part of a scheduled programme of work.		<b>Internal Controls</b>	Corporate and Service Business Continuity Plans						
<b>Latest Note</b>	Scotland remains in civil contingencies arrangements that have been in place since March 2020; it is anticipated that this will remain the case to some extent until such times as a critical mass has been achieved (possibly summer or even early autumn 2021) with the COVID-19 vaccine roll out programme which commenced on 8 December 2020. Staffing resources continue to be stretched in dealing with the impacts of the global pandemic, and therefore concurrent risks from Brexit (see below), adverse weather, or major outage continue to pose an ongoing and substantial risk to business continuity. IMTs continue to be convened as necessary and a substantial review of business continuity plans will be required as soon as resources allow.									
<b>ID &amp; Title</b>	PP 002	Lack of preparedness for Brexit 'No Deal'	<b>Status</b>		<b>Managed By</b>	Partnership & Transformation	<b>Current Rating</b>	15	<b>Target Rating</b>	12
<b>Potential Effect</b>	Inability to assess, mitigate, prepare for impact across UK and Scottish planning assumptions linked to migration, trade, regulation, security or wider impacts across sectors. Potential additional impacts for Clacks around economic resilience, workforce and costs/value and funding of goods and services.									
<b>Related Actions</b>	Working under the guidance of the Scottish Resilience Partnership, ensure appropriate plans and preparations are in place to manage and respond to EU Withdrawal and to ensure business continuity		<b>Internal Controls</b>	Brexit reports to Council Brexit risk assessment undertaken						
<b>Latest Note</b>	Work is ongoing to monitor the potential impacts of ED withdrawal based on the Scottish and UK planning assumptions. Information has been shared with employees, elected members and with communities on the potential impacts and to plan mitigations, though this is difficult within a context of unknown factors such as the trading basis between the UK and the EU, which may or may not impacts costs and supply chain. This has included planning work with partners. Information on EU withdrawal has been shared on the Council website. Work in partnerships with resilience partners (LRP), COSLA and SOLACE is ongoing. At the time of writing, no deal has been negotiated; therefore this unknown quantity continues to pose a significant risk.									

<b>ID &amp; Title</b>	PP 003	Ineffective communication and engagement with our communities	<b>Status</b>		<b>Managed By</b>	Partnership & Transformation	<b>Current Rating</b>	12	<b>Target Rating</b>	9
<b>Potential Effect</b>	Sub optimisation of community empowerment opportunities and the risk that we will not be able to achieve our corporate priority to empower families and communities. Ineffective communication and engagement with communities may result in poor relationships, breakdown of trust and loss of confidence which impacts on the Councils reputation.									
<b>Related Actions</b>	Develop and publish a new Corporate Communications Strategy aligned with the Councils Corporate Plan. Further develop Participatory Budgeting approaches Provide support for major consultation and engagement activities (budget and corporate strategies). Develop options with partners to consider community research and surveys to inform strategic planning and performance (replace Clacks 1000). Ensure that community planning structures are effective and enable the integrated delivery of the Local Outcomes Improvement Plan 2017/27.		<b>Internal Controls</b>	Corporate Communications Strategy Consultation and Engagement Toolkit/Citizen Space Asset Transfer Guidance Community Learning and Development Strategy Mainstreaming Equality and Diversity						
<b>Latest Note</b>	Work has been significantly disrupted by the Covid response. The main focus has been ensuring community awareness of response and recovery initiatives, including community supports, disease prevalence, testing and vaccinations information. As we move towards the end of 2020/21 the emphasis will need to shift back towards more mainstream community engagement, particularly in light of recovering from the economic impacts and other harms created by the pandemic.									

<b>ID &amp; Title</b>	PP 004	Ineffective engagement with Workforce/Sub optimisation of Workforce	<b>Status</b>		<b>Managed By</b>	HR & Workforce Development	<b>Current Rating</b>	12	<b>Target Rating</b>	9
<b>Potential Effect</b>	Ineffective or poor engagement with staff resulting in poor relations and an inability to be unable to embed our values and achieve our vision.									
<b>Related Actions</b>	Develop and publish a new Corporate Communications Strategy aligned with the Councils Corporate Plan and Strategic Workforce Plan Undertake staff survey Develop further the principles of the Fair Work Convention		<b>Internal Controls</b>	Strategic Workforce Plan Staff Survey						
<b>Latest Note</b>	Substantial progress has continued on this area of work as part of the pandemic response. This has included a staff wellbeing survey in May and a further staff survey during November and December 2020. A number of workforce policies have been developed an implemented, in-year and an updated on the strategic workforce plan has been presented to Committee.									

<b>ID &amp; Title</b>	PP 005	Significant Loss of Revenue due to Covid 19	<b>Status</b>		<b>Managed By</b>	Finance & Revenues	<b>Current Rating</b>	20	<b>Target Rating</b>	9
<b>Potential Effect</b>	Covid 19 has had a significant disruptive impact on service delivery, with a consequential impact on revenue and current budget sustainability for some service areas. Its impacts also create a degree of uncertainty in terms of future budget planning.									
<b>Related Actions</b>	Regular outturn monitoring and analyses Submit COSLA return on revenue loss due to Covid Use of reserves Maximise Income from Other Sources to support corporate priorities Implement revenues improvement actions		<b>Internal Controls</b>	Outturn monitoring and reporting Revenues Monitoring						
<b>Latest Note</b>	In year revenue loss is currently assessed at circa £1.4M. A return has been submitted to COSLA on that basis however at this time, it is not known at the time of writing what proportion of that loss will be compensated for out of the Scottish Government's total fund of £90m.									

<b>ID &amp; Title</b>	PP 006	Significant Organisational Governance Failure	<b>Status</b>		<b>Managed By</b>		<b>Current Rating</b>	12	<b>Target Rating</b>	9
<b>Potential Effect</b>	There is a risk that the current pandemic environment amplifies the risk of a significant governance failure that could lead to a potential for serious financial, reputational or workforce harms.									
<b>Related Actions</b>	Review of Audit Committee agenda in light of COVID pandemic Re-establishment of Council and Committee scrutiny		<b>Internal Controls</b>	Annual governance statement Internal & External Audit programme						
<b>Latest Note</b>	The current pandemic and concurrent risks profile, pausing of audit and scrutiny activity combined with a fatigued and stretched workforce has created unprecedented risks that could result in failures of governance. Work is well underway to ensure the resumption of audit and scrutiny programmes, however this still not back up to pre-Covid levels at this time, and work is ongoing									

<b>ID &amp; Title</b>	PP 007	Increased Services Demands/Demand Pressures Arising from Covid/Deteriorating Economic Outlook	<b>Status</b>		<b>Managed By</b>		<b>Current Rating</b>	15	<b>Target Rating</b>	9
<b>Potential Effect</b>	Risk that current resource base cannot meet rising demand resulting from Covid pandemic									
<b>Related Actions</b>	Instigation of monitoring of 4 Covid harms		<b>Internal Controls</b>	Budget Strategy BtF Transformation Outturn Monitoring Procurement strategy						
<b>Latest Note</b>	Initial demand pressure exercises are indicating a high degree of uncertainty in regard of short term budget planning, particularly in terms of whether increased pandemic costs will return to pre-covid levels or whether demand will be sustained in the post Covid operating environment. At this stage, most emphasis is on monitoring the harms from disease prevalence, however, it is likely the other 3 harms will have medium to longer term impacts on demand pressures and budget planning.									

<b>ID &amp; Title</b>	PP 008	Failure to Keep Pace with Digital Agenda	<b>Status</b>		<b>Managed By</b>		<b>Current Rating</b>	12	<b>Target Rating</b>	9
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<b>Potential Effect</b>	Covid biosecurity requirements have driven accelerated demand and expectation for increased digital service provision. There is a risk that the Council will not be able to meet these changes.			
<b>Related Actions</b>	Digital Scotland Maturity Assessment IT Asset Planning Audit Scotland Digital Audit Action Planning Procurement and rollout of M365 Digital programme rollout	<b>Internal Controls</b>		
<b>Latest Note</b>	The Council has made significant investment in digital infrastructure during the Covid pandemic, including M365 and digital telephone payments. This work will need to continue at pace to meet citizen demand and to sufficiently realise benefits.			



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**Report to Partnership and Performance Committee**

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**Date of Meeting: 11 March 2021**

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**Subject: HR Policies**

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

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**1.0 Purpose**

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

- Equality, Diversity & Inclusion
- Casual Workers
- Organisational Change
- Recruitment
- Severance

**Recommendations:**

Committee is asked to:

- 1.2. **Challenge** and **comment** on the paper as appropriate.
- 1.3. **Approve**, subject to formal approval by Council, the revised policies which are attached at Appendix 1.
- 1.4. **Note** that the Policy group met on 11 August, 8 September and 29 September 2020 where extensive discussions took place with both Trade Unions and Management in the review and/or development of these policies.
- 1.5. **Note** that on 9 December 2020 the Tripartite agreed that these policies be presented to the Partnership and Performance Committee for its consideration.

**2.0 Considerations**

- 2.1. HR and Workforce Development continues, as part of its rolling programme, to review, update existing policies as well as developing new policies and procedures related to HR, H&S, OD and Payroll.

- 2.2. In order to ensure collaborative and partnership working the Council's policy group meet regularly to review and agree new/revised policies and procedures.
- 2.3. Our new Equality, Diversity & Inclusion Policy outlines the responsibilities on all employees to ensure every Council member of staff and every Council user will be treated fairly and without prejudice and no one will receive less favourable treatment or be discriminated against.
- 2.4. The Casual Workers policy provides information to managers, staff and workers on the use of casual workers and when it is appropriate to recruit on this basis. This policy has been reviewed and updated as part of the HR review cycle.
- 2.5. The Organisational Change policy sets out the Council's approach to managing the impacts on staff arising from organisational change, for example service redesigns, and has been updated to ensure continued compliance with employment legislation. This policy has been reviewed as part of the HR review cycle.
- 2.6. The Recruitment & Selection policy aims to provide a clear framework for all employees involved in the recruitment and selection of staff to follow, and which will ensure that those recruited to the Council embody the vision and values of the organisation. This policy has been reviewed and updated as part of the HR review cycle.
- 2.7. The Severance policy sets out the mechanisms which will be used should there be a requirement to reduce the Council establishment. This policy has been reviewed and updated as part of the HR review cycle.

### **3 Sustainability Implications**

3.1 None

### **4 Resource Implications**

#### *Financial Details*

4.1 N/A

#### *Staffing*

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

### **5 Exempt Reports**

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

### **6.0 Declarations**

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

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

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

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

**7.0 Equalities Impact**

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

**8.0 Legality**

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

**9.0 Appendices**

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

Appendix 1 – following procedures

- Equality, Diversity & Inclusion
- Casual Workers
- Organisational Change
- Recruitment
- Severance

Appendix 2 -

EQIAs

**10.0 Background Papers**

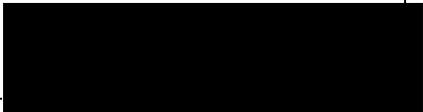
- 10.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Sarah Farmer	HR Team Leader – Policy and Operations	01259 452172

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Stuart Crickmar	Strategic Director Partnership & Performance	



**Clackmannanshire  
Council**

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Comhairle Siorrachd  
Chlach Mhanann

# **Equality, Diversity and Inclusion Policy**

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**2020**

## DOCUMENT CONTROL SHEET:

### Key Information:

<b>Title:</b>	Equality, Diversity and Inclusion Policy
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<b>Date Effective From:</b>	
<b>Version Number:</b>	3.0
<b>Document Type:</b>	Policy
<b>Document Status:</b>	Draft
<b>Author:</b>	Dawn Goodwin
<b>Owner:</b>	Human Resources
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	
<b>Contact:</b>	HR Department

### Revision History:

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>
1.0		Draft	D Goodwin
2.0		Incorporating HR comments	D Goodwin
3.0	Sept 2020	Incorporating Policy Group comments	D Goodwin

**Distribution:** This document has been distributed to

<b>Name:</b>	<b>Date of issue:</b>	<b>Version:</b>
Policy Group		
Tripartite		
P&P		

# EQUALITY, DIVERSITY AND INCLUSION POLICY

## 1 Introduction

- 1.1 Clackmannanshire Council is committed to Equality, Diversity and Inclusion. It is the Council's policy that there should be no unlawful discrimination against employees or any job applicant because of 'protected characteristics', as outlined in the Equality Act 2010. These characteristics are age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.
- 1.2 As an employer the Council has a duty of care to protect and support all staff and is legally responsible for acts of discrimination, harassment and victimisation carried out by employees in the course of their employment.
- 1.3 The Council commits to creating an environment free of bullying, harassment, victimisation and discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all employees are recognised and valued.

## 2 Scope

- 2.1 This policy applies to all Council users both internally and externally (i.e. staff, casual workers, contractors, agency workers, Elected Members and visitors).
- 2.2 It applies to all terms and conditions of employment, including rates of pay. See **Appendix 1** for further information.

## 3 Policy Statement

All Council staff and Council users will be treated fairly and without prejudice and no one will receive less favourable treatment or be discriminated against.

It is the Council's policy to provide equality to all, irrespective of the protected characteristics outlined within the Equality Act 2010.

See **Appendix 2** for further information on the protected characteristics.

See **Appendix 3** for definitions of discrimination.

## **4 Legislation**

- 4.1 The Council's policy on Equality, Diversity and Inclusion is informed by its Statutory Duties as a Public Body and relevant legislation including the Equality Act 2010, the Human Rights Act 1998, Protection from Harassment Act 1997, Scotland Act 1998 and relevant Scottish Hate Crime Legislation. **Appendix 2** provides further detail on this.

## **5 Responsibility of all Employees:**

- 5.1 To help create and maintain an environment free from bullying, harassment, victimisation or discrimination and to behave professionally towards others.
- 5.2 Promote positive non-discriminatory behaviour.
- 5.3 To behave appropriately and treat others with respect and dignity at all times. This also applies to work related trips or events, including social events.
- 5.4 Must not use social media to harass, bully or unlawfully discriminate against staff or third parties, both inside and outside of the workplace.
- 5.5 Should be aware of the potential impact of their behaviour on other people.
- 5.6 Be aware that a breach of this policy will be investigated under the Council's Disciplinary Policy and Procedure.
- 5.7 Make their manager aware of any suspected discriminatory acts or practices.

- 5.8 Have the option to raise concerns through the Dignity at Work Procedure, available on Connect.
- 5.9 Should advise their line manager (or another manager if the issue relates to their line manager) if someone's behaviour towards them or another person or people causes concern.

## **6 Line Managers:**

In addition to the above, have particular responsibilities for:

- 6.1 Familiarising themselves with, and understanding this policy, and associated Dignity at Work Policy and Procedures, and ensure that their staff have read and understood this policy.
- 6.2 Being a role model for others and ensuring they treat people with dignity and respect.
- 6.3 Being prepared to challenge and deal promptly with those who act in breach of the standards set in this policy.
- 6.4 Taking appropriate action to protect employees from harassment and intimidation by members of the public.
- 6.5 Ensuring that employees in their teams receive and undertake appropriate training.
- 6.6 Treating allegations sensitively and, as far as possible, maintaining confidentiality when concerns are raised with them.
- 6.7 Promoting objective decision making in all areas based on merit and performance
- 6.8 Where providing information is involved, take steps to make sure that the information is provided in an accessible format. For example, a manual worker asks for the health and safety rules to be recorded

onto an audio CD and given to them because they cannot read. This is likely to be a reasonable adjustment to make.

## 7 Human Resources:

- 7.1 Will undertake Equality Impact Assessments for all staff policies and procedures to ensure that they are free from bias and discrimination.
- 7.2 Remove barriers in order to maximise recruitment, selection, participation and retention of staff.
- 7.3 Provide equality and diversity training for staff and managers.
- 7.4 Provide advice on the application and implementation of policies and procedures.
- 7.5 Will monitor the effectiveness of the policy on an ongoing basis. Revisions and updates will be implemented by the Council following, if appropriate, consultation with recognised Trade Unions.



## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Equality & Diversity
<b>Service:</b>	Partnership & Performance
<b>Team:</b>	HR

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

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

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

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### APPROVAL

NAME	DESIGNATION	DATE

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

## Equality and Fairer Scotland Impact Assessment - Scoping

<p><b>Purpose of the proposed policy or changes to established policy</b></p>
<p>To develop an Equality &amp; Diversity Policy to ensure that staff are aware of the standards required for ensuring a fair and consistent approach in line with legislation and good practice and provide information on how to deal with related issues in the workplace.</p>
<p><b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b></p>
<p><b>General Equality Duty -</b></p>
<p>➤ <b>Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b></p>
<p>The provision of the Equality &amp; Diversity Policy should assist with the elimination of discrimination for protected characteristics, as individuals who have a protected characteristic have a mechanism to support them. On application forms we don't ask for information in relation to all the protected characteristics, unless the candidates wish to disclose a disability which would allow any necessary supports to be put in place at interview, or for them to be considered for interview, if they meet the essential criteria. We would only ask for gender /ethnicity to be disclosed is where it is an occupational requirement for the post.</p>
<p>➤ <b>Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b></p>
<p>Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to protected characteristics. The policy sets out guidance which will enable individuals to raise concerns, should they feel they or others have been/are being disadvantaged. It ensures all employees, whether within a protected group or not, have a mechanism to raise concerns.</p>
<p>➤ <b>Fostering good relations between people who share a protected characteristic and those who do not.</b></p>
<p>This element of the Duty is more relevant to the Council's role as service provider, and there is relatively limited direct relevance to this particular procedure.</p>
<p><b>Fairer Scotland Duty -</b></p>
<p>➤ <b>Reducing inequalities of outcome caused by socioeconomic disadvantage</b></p>
<p>This procedure could assist with the retention of staff, given that they can see that the organisation aims to ensure employees are treated in a fair and consistent way.</p> <p>Levels of socioeconomic disadvantage are also more frequent for other protected groups including lone parents who are predominantly female and Black, Asian and Minority Ethnic (BAME) groups.</p>

To which of the equality groups is the policy relevant?		
Protected Characteristic	Yes/No*	Explanation
Age	Yes	Application forms no longer ask candidates age unless the vacancy is for an apprentice, where the date of birth is relevant. Profiles are written in such a way that years of experience are not specified and qualifications include equivalents to ensure recruitment doesn't exclude people who obtained qualifications at different times.
Disability	Yes	Staff data shows a relatively high "Prefer Not to Say" response in relation to disclosure of a disability <b>(36.8%)</b> . At a national level, it is estimated that <u>1 in 10 people who are economically active have a disability or long term health condition</u> . *  It is hoped that the policy would encourage disclosure by staff if they have a disability, in order that appropriate supports can be put in place. The Council is compliant with the Disability Confident Scheme.
Gender Reassignment	Yes	This characteristic is as relevant as the others , ie individuals could raise any concerns through their manager or the Dignity at Work Procedure.
Marriage and civil partnership	Yes	This characteristic is as relevant as the others, ie individuals could raise any concerns through their manager or the Dignity at Work Procedure.
Pregnancy and Maternity	Yes	Family Friendly Procedures will be kept up to date and in line with legislation.
Race	Yes	It can be noted that 0.8% of staff have indicated that they are BAME. This characteristic is as relevant as the others in that individuals will be included in shortlisting if they meet the essential criteria Shortlisting managers do not have access to this information.
Religion and Belief	Yes	It can be noted that 3.46% of staff indicated that they affiliate with a minority religion. This characteristic is as relevant as the others in that individuals will be included in shortlisting if they meet the essential criteria. Shortlisting managers do not have access to this information.
Sex	Yes	This characteristic is as relevant as others but other elements could impact from a gender perspective, such as individuals working part-time for example, as in Scotland 86.9% of men in employment are in full time employment compared to 57.5% of women.

Sexual Orientation	Yes	This characteristic is as relevant as the others in that individuals could raise any concerns through the Dignity at Work Procedure.
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\* Delete as required

<p><b>What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?</b></p>
<p>Reference has been made to staff equality data from itrent (as at 31.12.2019).</p> <p>In line with the Retention Schedule equal opportunity information on recruitment is only held for a period of 6 months.</p>
<p><b>Which equality groups and communities might it be helpful to involve in the development of the policy?</b></p>
<p>Trade Unions will be involved in the review of the draft policy at policy group. Discussion will take place at policy group on the content or the policy procedure and suggested amendments/additions will be agreed collectively.</p>
<p><b>Next steps</b></p>
<p>The Council will take steps to ensure that this policy is managed appropriately by managers. Advice and support will be provided to managers from HR Business Partners on the application of the procedure.</p> <p>Enabling managers to be confident and comfortable in managing some of the concerns that can be raised in relation to equality and diversity, ensuring that staff are trained.</p>

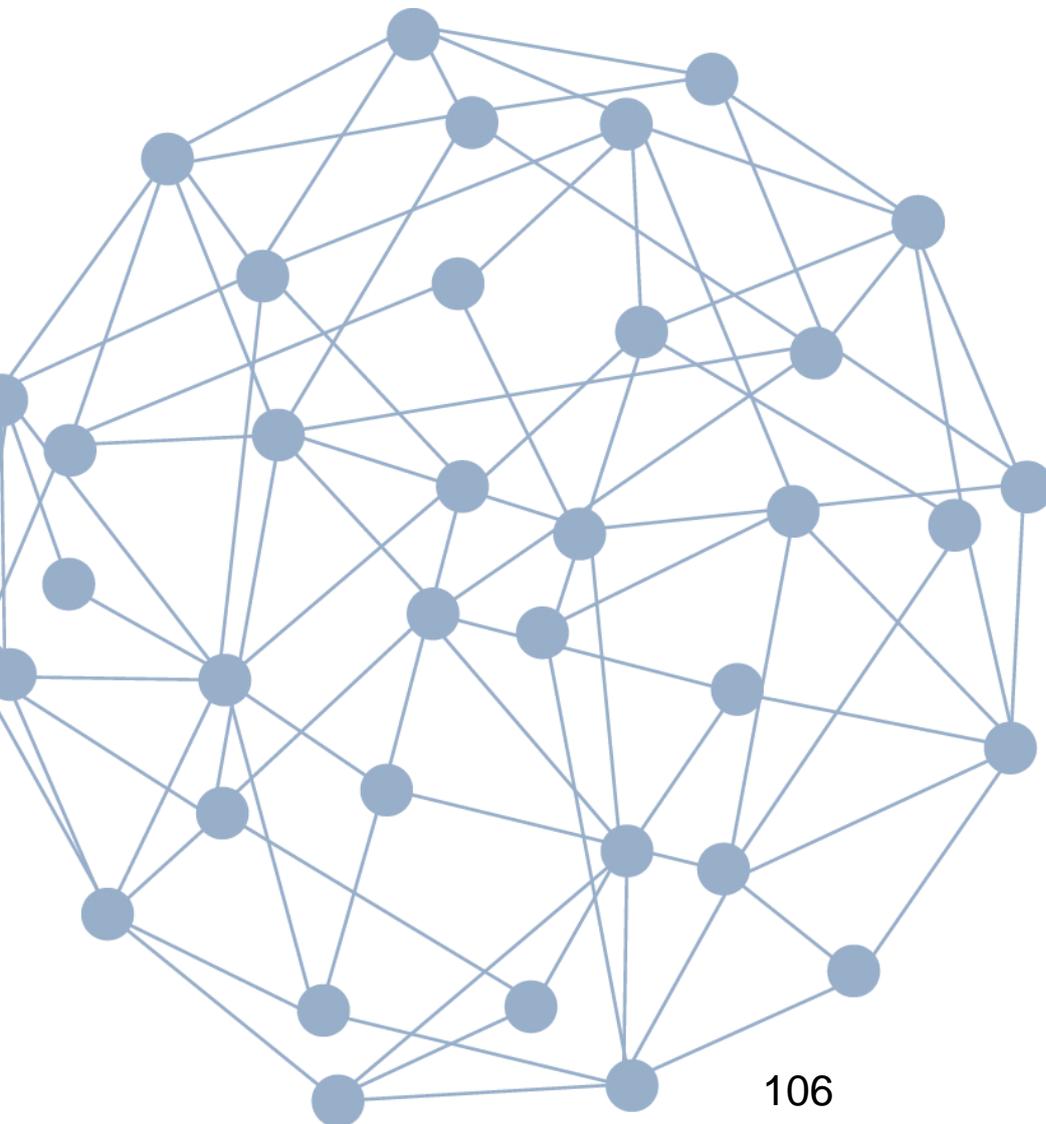
## Equality and Fairer Scotland Impact Assessment - Decision

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



## Casual Workers

**September 2020**



## DOCUMENT CONTROL SHEET:

### Key Information:

<b>Title:</b>	Casual Workers Policy & Procedure
<b>Date Issued:</b>	December 2017
<b>Date Effective From:</b>	May 2018
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<b>Document Type:</b>	Policy/Procedure
<b>Document Status:</b>	Final
<b>Author:</b>	Claire McHardy
<b>Owner:</b>	Human Resources
<b>Approver:</b>	Council
<b>Approved by and Date:</b>	Council May 2018
<b>Contact</b>	Human Resources

### Revision History:

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>
0.1	December 2017	Draft	CMcH
0.2	May 2018	Council approval sought and received.	DK
0.3	May 2018	Addition regarding processing of personal data.	DK
0.4	July 2020	Review	CMcH
0.5	September 2020	Policy Group review	CMcH

**Approvals:** This document requires the following signed approvals.

<b>Name:</b>	<b>Signature:</b>	<b>Title:</b>	<b>Date:</b>	<b>Version:</b>

**Distribution:** This document has been distributed to

<b>Name:</b>	<b>Date of issue:</b>	<b>Version:</b>
Policy Group	29 September 2020	5.0
Tripartite	9 December 2020	5.0
P&P		

# CASUAL WORKERS

## 1. Policy Statement

- 1.1. Casual workers are recruited to meet the specific needs of the organisation and are required to support and maintain effective service provision. The Council recognises the need to use casual workers to provide an element of flexibility within the workforce enabling a smooth delivery of services.

## 2. Introduction

- 2.1. This policy provides information to managers, staff and workers on the use of casual workers and when it is appropriate to recruit on this basis.
- 2.2. Line managers are responsible for the recruitment of casual workers providing prior approval has been given in line with the recruitment and selection policy.

## 3. Principles and Definitions

- 3.1. This policy provides guidance for management on the appropriate use of casual workers.
- 3.2. A casual worker is defined as an individual who **works occasional and irregular hours** on an **as-required basis**.
- 3.3. A casual worker does not have a contract of employment and there is no obligation on the Council to offer work and no obligation on the casual worker to accept any work offered.
- 3.4. The casual worker must not work regular shift patterns. If a casual worker is used regularly or can demonstrate he/she can rely on the availability of work or can demonstrate the Council expects him/her to be available for work there is a risk an employment contract will develop by default.
- 3.5. Line managers must ensure the use of casual workers is carefully monitored. Each time work is offered and accepted this is a new period of casual work. The worker will not be entitled to a written statement or any period of notice.
- 3.6. Casual workers must not be expected to work in an unfamiliar or hazardous environment unless they have received sufficient information, instruction or

training to enable them to carry out their duties without risk to their own health and safety or that of their colleagues and others.

#### **4. Scope**

4.1. This policy applies to the engagement and use of all casual workers within the Council. For supply teaching, the Council will refer to the SNCT guidance.

#### **5. Recruitment Process**

- 5.1. Casual workers will be appointed in accordance with the Council's recruitment and selection process (please refer to the recruitment and selection procedure for further guidance).
- 5.2. They are recruited into a pool of casual workers and are required to go through all necessary checks including proof of eligibility; medical check; references; copy of qualifications if relevant; Disclosure/PVG if appropriate to the role and registration with a professional body if required. Once all checks have been verified, a new start form must be completed.
- 5.3. On the first day of the assignment the line manager responsible for the casual worker should ensure the relevant induction is completed and must ensure relevant training for the post is planned and carried out effectively. Any periods of work will be paid through the submission of a time sheet to Payroll.
- 5.4. Casual workers will be eligible to apply for internal vacancies. If appropriate the necessary employment checks may need to be undertaken again, (your relevant service HR Business Partner will advise accordingly).

#### **6. Appointing a Casual Worker**

- 6.1. Casual workers covering salaried posts will be placed on the first spinal column point (SCP) for the grade of the post being covered. Casual workers covering hourly paid posts will be paid the basic rate for the position. Increments will be paid where appropriate.

6.2. Once the recruitment process is complete, a letter detailing working arrangements will be sent to the casual worker to confirm the relevant conditions associated with being offered casual work.

## **7. Casual Worker Responsibility**

7.1. The casual worker is responsible for the completion of their timesheet and submitting this to their line manager for authorisation in time to meet payroll deadlines. All workers regardless of status are required to comply with all policies and procedures and undertake the necessary training required to perform their duties.

7.2. Workers are responsible for complying with the Working Time Regulations including work undertaken with other employers.

## **8. Casual Workers List**

8.1. The line manager will be responsible for ensuring they hold an up-to-date list of the casual workers within their service area.

8.2. This will record:

- the casual workers' name and contact details;
- recruitment checks undertaken prior to commencement of post;
- type of work the worker was recruited to undertake;
- specific skills, knowledge and training required;
- location(s) where the casual worker is willing to undertake work;
- availability for work;
- periods of casual work undertaken;
- paperwork/documentation completed in relation to appointment;
- offers of casual work rejected and reasons for rejection;
- registration/qualification checks where appropriate.

8.3. In services where casual cover is required at short notice, it is recommended that appropriate managers are able to access the casual worker list directly in order to arrange cover out with normal working hours. The list must be kept up-to-date with relevant details. If a casual worker agrees to do short term work but is unable to fulfil this obligation on a particular day they must not be treated less favourably because of this and will still be considered for future casual work. It is acceptable for casual work to be arranged verbally over the

phone or at a face-to-face meeting. Allocation of shifts/available hours should be made, where appropriate, on a rotational basis. Continuous periods of casual work must not last longer than 8 weeks.

- 8.4. Casual workers should only be used when cover cannot be provided utilising existing resources to maintain service provision. Managers must ensure sufficient budget provisions are available to pay for casual workers before arranging cover. The list of casual workers within each service area will be reviewed by managers on an annual basis as well as establishing casual worker availability for the next 12 months.

## **9. Monitoring and Reporting**

- 9.1. The hours of work and frequency of use of casuals must be closely monitored by managers on an 8-week basis to ensure work is undertaken on an ad-hoc basis. Regular patterns or continuous work must not occur.
- 9.2. Where a casual worker has been used continuously for more than 8 weeks an evaluation of the service needs to be made by the manager to determine whether the work is truly casual. Reports will be generated from the iTrent to highlight the over use of casual workers.
- 9.3. If there is an ongoing recruitment requirement or if the placement is expected to be on a long-term basis, a temporary, fixed term or permanent contract may be offered providing prior completion of a business case and approval by SLG.
- 9.4. A change form must be completed confirming the period of temporary appointment, in line with the fixed term and temporary workers policy. When the need for the temporary appointment ceases, a change form must be completed confirming the worker has transferred back to casual status. Continuous service must be broken by a break in service of at least one week (which must include at least two Sundays).
- 9.5. Casual Workers are expected to conduct themselves appropriately when undertaking work for the Council.
- 9.6. Casual workers should also be monitored in relation to their conduct and performance whilst working with the organisation.

9.7. Casual workers will have access to and must comply with the Council's policies and procedures. Further advice can be sought from your service HR Business Partner if required.

## **10. Sickness**

10.1. Casual workers may if the qualifying conditions governing the payment of statutory sick pay (SSP) are met, be paid SSP, if they have earned enough.

## **11. Annual Leave**

11.1. Casual workers will be entitled to annual leave based on hours worked. Annual leave will be calculated by Payroll using the payroll excel formulae and paid on a quarterly basis.

## **12. Pension**

12.1. Where an individual becomes a qualifying worker they will be automatically enrolled into the relevant pension scheme and deductions taken from salary.

## **13. Continuous Service**

13.1. Casual work does not count towards continuous service. Some casual workers accept work frequently however this does not make an individual an employee and this does not count towards service.

13.2. Ex-employees engaged as casual workers should have a break in service of at least one week (which must include at least 2 Sundays) to ensure there is no continuity of service and the employment rights and service related benefits do not carry over into the casual work period.

## **14. Financial Control**

14.1. Services must identify in conjunction with finance services at the start of the financial year the estimated cost of casual workers over the coming year.

## **15. Termination of Casual Workers**

- 15.1. Any individual no longer wishing to be considered for casual work should notify their line manager of this in writing. Termination may be considered when a casual worker has not been available for a 12 month period however before terminating a casual worker, advice must be sought from the relevant Business Partner. Casual workers are not subject to notice. Leaver details must be completed on iTrent by the line manager.
- 15.2. Where the short term requirement ceases, the casual worker will be informed they are no longer needed, notice is not required. They will be asked to confirm whether or not they wish to remain on the casual list in order to be contacted for future work should it arise.

## **16. Processing of Personal Data**

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

## **17. Monitoring and Review**

- 17.1 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.

Policy Name	Casual Workers
Department	HR
Policy Lead	HR
Equality Impact Assessment	
Stage 1 EQIA completed	
Stage 2 EQIA completed	
<p>* In no please provide rationale</p> <p>Policy applies equally to all casual workers and does not negatively impact on any group which falls within any of the 9 protected characteristics.</p>	
Date Approved	
Review Date	

DRAFT

## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Casual Workers Procedure
<b>Service:</b>	Partnership & Performance
<b>Team:</b>	Human Resources & Workforce Development

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

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

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

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### **APPROVAL**

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

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

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

<b>Purpose of the proposed policy or changes to established policy</b>
The Casual Workers Procedure has been reviewed in line with the policy schedule. No amendments were made to the established procedure.
<b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b>
<b>General Equality Duty -</b>
➤ <b>Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b>
Casual workers are recruited to meet the specific needs of the organisation and are required to support and maintain effective service provision.  This policy applies to the engagement and use of all casual workers within the Council. For supply teaching, the Council will refer to the SNCT guidance.
➤ <b>Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b>
Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics. The Council's casual procedure will assist with minimising disadvantages for employees who share protected characteristics.
➤ <b>Fostering good relations between people who share a protected characteristic and those who do not.</b>
This element of the Duty is more relevant to the Council's role as service provider, and there is relatively limited direct relevance to this particular procedure.
<b>Fairer Scotland Duty -</b>
➤ <b>Reducing inequalities of outcome caused by socioeconomic disadvantage</b>

<b>To which of the equality groups is the policy relevant?</b>		
<b>Protected Characteristic</b>	<b>Yes/No*</b>	<b>Explanation</b>
Age	Yes/No	
Disability	Yes/No	
Gender Reassignment	Yes/No	
Marriage and civil partnership	Yes/No	
Pregnancy and Maternity	Yes/No	
Race	Yes/No	
Religion and Belief	Yes/No	
Sex	Yes/No	
Sexual Orientation	Yes/No	

\* Delete as required



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

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.

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

A policy group comprising union representatives, management and HR considers all new policies or updates to existing policies. Discussions will take place at policy group on the content of the policy / procedure and suggested amendments / additions will be agreed collectively. HR will have ownership of the policy but managers will be responsible for delivering and ensuring consistency of approach in partnership with the HR Business Partner.

**Next steps**

The Council will take steps to ensure that this Procedure is applied fairly. These steps will include:

- Raising awareness with managers through policy briefings / communication in line with procedure
- In addition, ongoing advice, guidance and support will be provided from Service HR Business Partners on the application of the procedure.
- Monitoring data relating to the implementation of this procedure

## Equality and Fairer Scotland Impact Assessment - Decision

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



**Clackmannanshire  
Council**

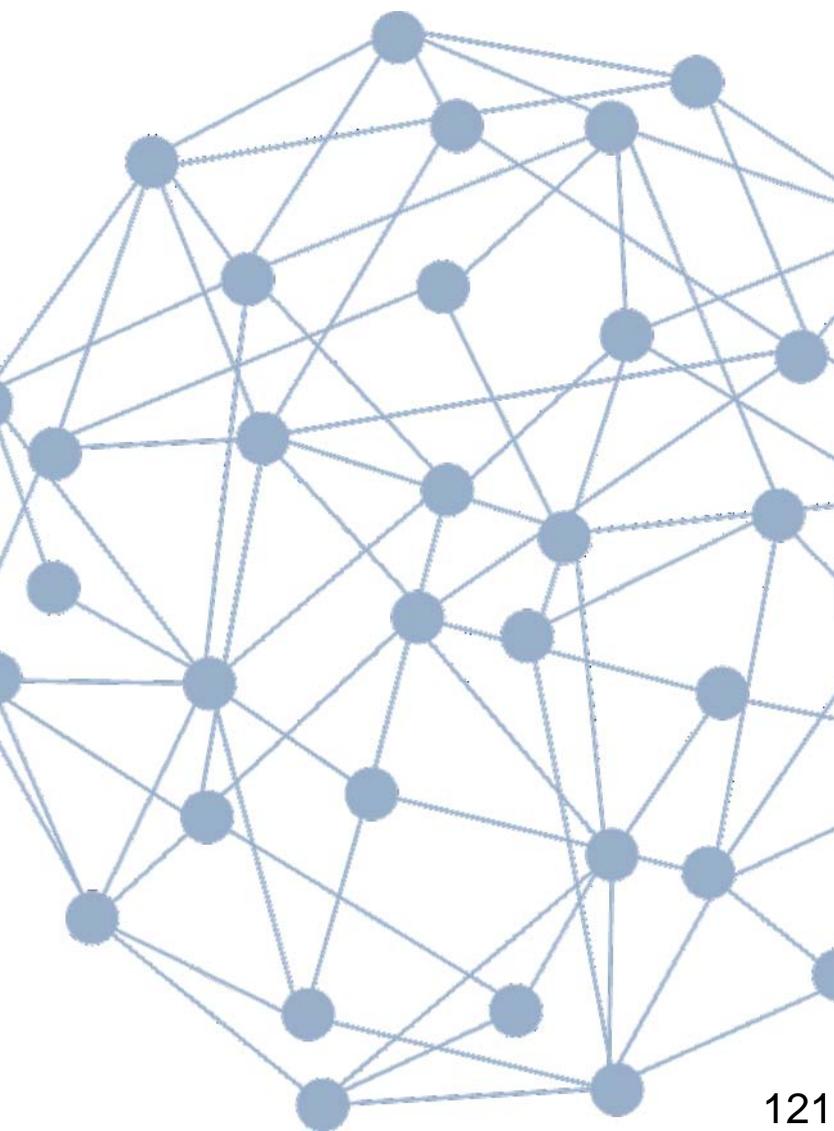
[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

# Organisational Change

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## 2020



# **ORGANISATIONAL CHANGE**

## **1. Introduction**

- 1.1. This procedure is one of the key tools that supports the Council's strategic workforce plan and should be read in conjunction with it.
- 1.2. The Council recognises the importance to its staff of security of employment and seeks wherever possible to minimise the impact of organisational change, including redundancies, on its employees by following fair and open procedures to implement change.
- 1.3. This procedure sets out the Council's approach to managing the impacts on staff arising from organisation change.
- 1.4. The Council will consult, at the earliest opportunity, with recognised trade unions in line with the agreed consultation process.
- 1.5. Individual consultation will be held with employees on changes to their job description/role and/or changes to workplace or working methods which are needed to achieve organisational change.
- 1.6. This procedure should be read in conjunction with the Council's procedures on:
  - Redeployment;
  - Severance
- 1.7. This procedure does not apply where the change involves the transfer of staff under TUPE regulations.

## **2. Consultation Process**

- 2.1. Managers must consult fully at the earliest opportunity with recognised trade unions when organisational change is being considered. This includes a restructure of a service and/or team, reducing or stopping a service, or provision through a different model.

- 2.2. "At the earliest opportunity" means starting full and meaningful consultation whilst proposals are still in the formative stages. It may be that some of the detailed information is not available at the outset when consultation begins, however, the information must be issued to the trade unions when it does become available.
- 2.3. Consultation must comply with any statutory requirements placed on the Council in circumstances where there may be potential redundancies or TUPE transfers.
- 2.4. The Council's Severance Policy outlines the timeframes and requirements for consultation.
- 2.5. The Trade Union and Management Meeting is part of the Council's consultative framework and provides opportunity to enable effective discussions between Trade Union colleagues and Council Management on employment issues. This meeting enables managers to formally present their initial service redesign proposals for consultation. Following on from that meeting, managers will then engage in detailed discussions with the relevant Trade Union representatives and staff.
- 2.6. The length of the consultation process period will vary depending on the particular circumstances, but must be reasonable given the nature of the changes being considered and should include:
  - Information on the rationale that prompts the change being proposed;
  - Identification of the number of possible posts 'at risk' of redundancy; if any.
  - Provide recognised trade unions with sufficient time to consider the proposals and consult members;
  - Trade unions and affected employees must have meaningful consultation;
  - Trade unions and employees must have reasonable time to put forward any alternative proposals.
  - Consider fully any formal responses received from trade unions.
- 2.7. A formal record of the discussion and manager responses to all representations must be retained and shared with the trade unions. Parties must be mindful of the roles and responsibilities which they have within this

process. There must be mutual respect for the views and opinions expressed and all information shared must be dealt with sensitively and confidentiality maintained at all times.

- 2.8. On conclusion of the consultation process a final paper will be tabled at the Trade Union and Management Meeting.

### **3. Supporting Staff**

- 3.1. Managers should keep employees informed throughout the process. Uncertainty can increase levels of anxiety and staff will be provided with information to access counselling/support services.
- 3.2. Strategic Directors and Senior Managers should liaise with their HR Business Partner and TU representatives at the earliest opportunity and at the discussion stage when considering any organisation changes, to ensure that that they are advised as to potential staff implications, how these may be able to be minimised or managed appropriately, and ensure they adhere to employment law at all times as they are supported through the restructuring process.

### **4. Consultation on changes to job role**

- 4.1. Job roles naturally evolve over time and job profiles are not intended to be static in nature. However, at times employee's jobs may change because the job has evolved or there has been a change within the service structure to act as a driver for change, as a result of new technology or to meet new service needs.
- 4.2. In these circumstances managers should:
  - Discuss with the employee any proposed change to the job description;
  - Invite the employee to give their views either in writing or at a meeting;
  - Ensure that evaluation is undertaken by the Council's trained analysts where changes are made that impact on one or more of the job factors  
Provide support and training if it is necessary to help the employee deal with the changes to the post;

- Provide, once consultation is concluded, a copy of the revised job description and write to the employee confirming the date when the revised duties will take place;
- Take account of Equalities legislation during the process of job redesign.

## 5. Appointment to a new staffing structure

- 5.1. Where changes to staffing structures are required as a result of organisational change, the movement of staff from the old to the new structure should be achieved as effectively as possible through the identification of job matches, slotting in and ring fenced recruitment.
- 5.2. All new jobs created, and any existing jobs where the job description has been revised as a part of the restructure must be evaluated under the Council's job evaluation process.
- 5.3. Employees at risk of redundancy must be placed onto the Council's redeployment register. The Council's procedure on redeployment provides guidance on this process.
- 5.4. Where an employee's existing role covers all or a significant portion of the new post, then the holder of the existing post shall have the contractual right to be matched into the new post subject to the following.

Whether a job is a suitable match depends on:

- Whether the functions, and responsibilities of the posts are **significantly** similar. Consideration must also be given to the following factors when comparing the new post to current substantive post:
- Status and organisational relationships, principal purpose, main duties, communications, demands of the job, knowledge, skills and experience required and working environment, the terms of the job being offered, the employee's skills, abilities, knowledge and experience in relation to the job, the pay (which should not be lower or higher), the hours of work (these must be unchanged) and the location and working environment.

- The grade of the new post is the same as the redundant post ;
  - No other employee can be identified as undertaking a directly comparable post; and
  - Where there is a group of similar employees, the number of posts is equal to the number of comparable individuals.
  - It must be considered that a suitable alternative post does not always have to be in the same portfolio area within the Council and consideration must be given to all employees across the Council at risk who may be a potential match for a post. HR advice should be sought in these circumstances.
- 5.5. Where matching is not possible, due to the fact that new posts are identified as being significantly different or there is more than one person who may be identified as being a suitable match for the post, then competitive ring fenced recruitment will apply. Consideration will be given to both function and grade at this stage and will normally include all affected individuals at the same tier. Exceptions to this would be for staff on maternity leave or shared parental leave and in this instance this must be discussed with the relevant HR Business Partner/Senior HR Business Partner..
- 5.6. Employees who have not been matched to a role within a new structure will be given the opportunity to appeal against the job match outcomes, whereby they will be required to demonstrate that their current post is a match to the post in the new structure using the criteria as outlined.
- 5.7. Appeals with respect to job matching must be submitted within 5 working days of receipt of the decision so that they can be dealt with prior to any ring fenced recruitment commencing.
- 5.8. Candidates eligible for competitive ring fenced recruitment will be invited to indicate interest by completing a supporting statement for each role of interest. All candidates meeting the essential criteria (or who would with a short period of support or training), would be invited to a competency based selection interview. At this interview a panel comprising of the line manager as well as HR would consider skills and experience, qualifications, and supporting validation statements, as well as the information obtained via the interview process itself specific to the job role.

- 5.9. The interview itself will be competency based. Prior to the interviews staff will be provided with advice and support to ensure that all candidates have an equal understanding of the process.
- 5.10. Employees who have not been appointed to a particular post in the new structure as a result of job matching or ring fenced recruitment will be placed onto the redeployment register and the Council's Redeployment/Redundancy procedures would then apply.

## 6. Monitoring and Review

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

Policy Name	Organisational Change
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment completed	Yes
Date Approved	
Review Date	

## Appendix 1 - Organisational Change - Service re-structure and redesign Checklist for consultation

	YES	NO	COMMENT ( include relevant dates / timescales / actions etc
Is the Service restructure or re-design likely to lead to a reduction in post?			
Have you advised and taken the appropriate advice from HR?			
<p>Can redundancies be avoided by any of the following means:-</p> <ul style="list-style-type: none"> <li>• natural wastage</li> <li>• redeployment</li> <li>• early retirement</li> <li>• voluntary severance</li> <li>• flexible working</li> <li>• reducing agency / temporary posts</li> <li>• achieving savings by any other means</li> </ul>			
<p>Have you prepared a written plan stating :</p> <ul style="list-style-type: none"> <li>• reason for reduction in posts</li> <li>• number, type and location of posts affected</li> <li>• selection criteria for identifying pool of employees potentially affected</li> <li>• timescales for reduction in posts</li> <li>• arrangements for making redundancies</li> <li>• arrangements for calculating redundancy pay</li> <li>• options for avoiding compulsory redundancies</li> </ul>			

	YES	NO	COMMENT ( include relevant dates / timescales / actions etc
<ul style="list-style-type: none"> <li>redeployment opportunities</li> </ul>			
Have you shared this plan with the Union at the Consultative Forum?			
Have you had consultation?  If so what?			
Have you set up meetings with the relevant TU rep(s) for more detailed consultative discussions?			
Have you had feedback ?			
Have you consulted with staff?			
Have you had feedback from staff?  If so, what?			
Has the selection criteria for redundancy been agreed?			
Have you formally concluded the consultation process and notified staff and TUs in writing?			

	YES	NO	COMMENT ( include relevant dates / timescales / actions etc
Have you notified Staff and TUs of the next steps?			
Have you provided HR with a list of employees for to be placed on the redeployment register?			
Have you issued redundancy notices where appropriate?			
Have you completed paperwork for any who have taken voluntary severance ?			
Have any of the staff in the affected posts agreed to voluntary redundancy?			
Have you advised HR and completed relevant paperwork?			
Have you notified payroll as regards changes?			

## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Organisational Change Procedure
<b>Service:</b>	Human Resources
<b>Team:</b>	Human Resources

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

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

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

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### APPROVAL

NAME	DESIGNATION	DATE

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

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

<b>Purpose of the proposed policy or changes to established policy</b>
The purpose of the policy is to enhance redeployment opportunities and ensure fair processes are in place throughout the Council.
<b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b>
<b>General Equality Duty -</b>
<b>➤ Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b>
The procedure aims to treat all employees fairly and consistently and should assist with removing potential indirect discrimination, harassment or victimisation by providing clear guidelines and transparency to processes.
<b>➤ Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b>
Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics. The Council's redeployment procedures allow for priority access for any post to be considered for those with a disability who are on redeployment for this reason over and above even those on the register for reason of their substantive post being removed from the structure. This shows the commitment to retaining employees with disabilities wherever possible and supporting them to continue to work.
<b>➤ Fostering good relations between people who share a protected characteristic and those who do not.</b>
This element of the Duty is more relevant to the Council's role as a service provider, and there is relatively limited direct relevance to this particular procedure.
<b>Fairer Scotland Duty -</b>
<b>➤ Reducing inequalities of outcome caused by socioeconomic disadvantage</b>

This Procedure should assist with the retention of staff, and maintaining employment can be extremely important for protected groups who have a higher level of poverty. For example, poverty rates are higher for households with a disabled adult, and the employment rate for people with a disability is significantly lower than the employment rate for people who do not have a disability. Levels of socioeconomic disadvantage are also more frequent for other protected groups including lone parents who are predominantly female, and Black, Asian or Minority Ethnic (BAME) groups.

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

Protected Characteristic	Yes/No*	Explanation
Age	Yes	The Redeployment procedure covers employees being redeployed for reason of redundancy as well as ill health capability. Those on capability for health issues may be of any age but it is likely that there are a number of age related conditions due to the ageing workforce of the Council and a number of restrictions needed in the more manual roles in particular.
Disability	Yes	Staff data shows a relatively high “Prefer Not to Say” response in relation to disclosure of a disability (39.5%). At a national level, it is estimated that 1 in 10 people who are economically active have a disability or long term health condition.  The approach which is outlined includes the Council’s commitment to being a caring and supportive employer, which should remove or minimise disadvantages. The procedure in particular allows for those with a disability to be redeployed into a role which may be more suitable for them and be able to remain in employment.
Gender Reassignment	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of gender reassignment.
Marriage and civil partnership	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds that they are married or in a civil partnership.
Pregnancy and Maternity	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds that they are pregnant or on maternity leave.
Race	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of race.
Religion and Belief	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of religion and belief.
Sex	Yes	There are more women than men who are employed by the Council (71.3% of staff excluding teachers are female compared to 28.7% of men).  Lone parents are more frequently female and face a higher level of poverty, and this Procedure could assist with their retention, rather

		than the risk of being made redundant and having to leave the Council.
Sexual Orientation	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of sexual orientation.

\* Delete as required

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

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

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

There is a high rate of staff who responded "Prefer Not to Say" in relation to whether they have a disability.

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

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

**Next steps**

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

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

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

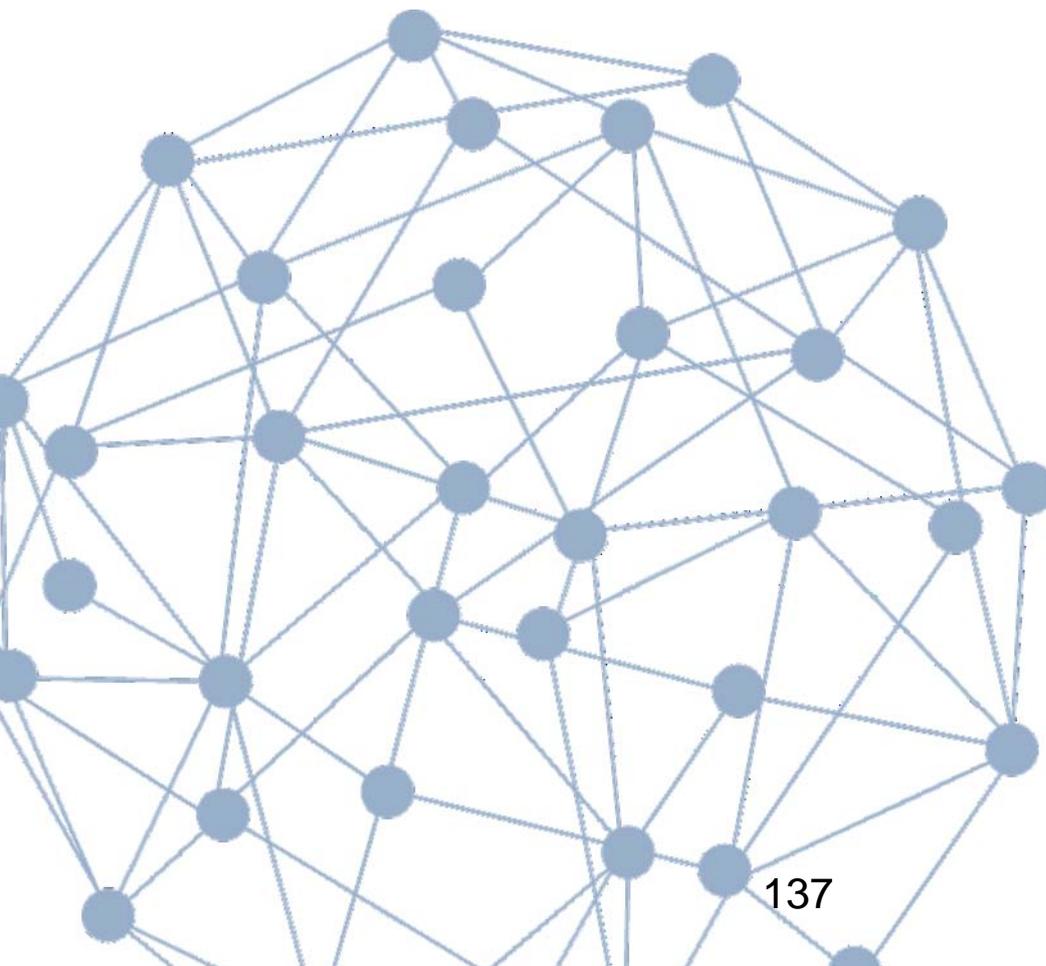
<b>Evidence findings</b>		
<p>he evidence highlights that the introduction of this policy/procedure will have a positive impact on protected groups. The overall commitment to support employees should assist the Council in demonstrating that it has paid due regard to the General Equality Duty. The Procedure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



# Recruitment and Selection Policy

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**2020**



## Version Control

### Key Information:

### Key Information:

<b>Title:</b>	Recruitment and Selection
<b>Date Issued:</b>	
<b>Date Effective From:</b>	
<b>Version Number:</b>	0.3
<b>Document Type:</b>	Policy
<b>Document Status:</b>	Draft
<b>Author:</b>	Dawn Goodwin and Alyssa Jones
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0.1	September 2019	Updated tracks on 2017 version	AJ/DG	N/A
0.2	February 2020	Incorporate HR Comments	AJ/DG	
0.3	Sept 2020	Incorporate Policy Group comments	AJ/DG	30.9.2020

**Approvals:** This document requires the following signed approvals.

Name:	Signature:	Title:	Date:	Version:

**Distribution:** This document has been distributed to

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

# 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 General Data Protection Regulation (GDPR) as it applies in the UK, tailored by the Data Protection Act 2018, an individual has the right to request access to any personal information held about them in a manual or computer-based file. As such a job applicant (whether successful or unsuccessful) may submit a request to the Council for access to interview notes, references, etc. All interviewers must keep all notes so these can be provided on request.
- 1.4 Where an applicant wishes to raise a complaint regarding the recruitment and selection process within Clackmannanshire Council, These should be raised initially with the Senior Manager (HR and Workforce Development).
- 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, someone who is on the panel must have undergone recruitment and selection training provided by HR.

## 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 ensuring equality 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, candidates who have previously been in the care of Clackmannanshire Council or who are Armed Forces Veterans who meet the essential requirements of the job as set out in the job profile 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.

## 5.0 Equality Impact Assessment

Policy Name	Recruitment and Selection
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes
Date Approved	
Review Date	

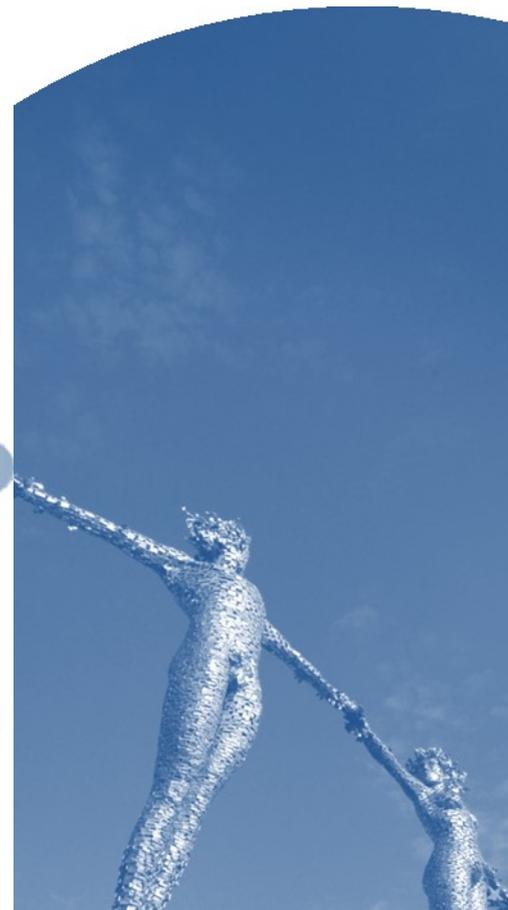
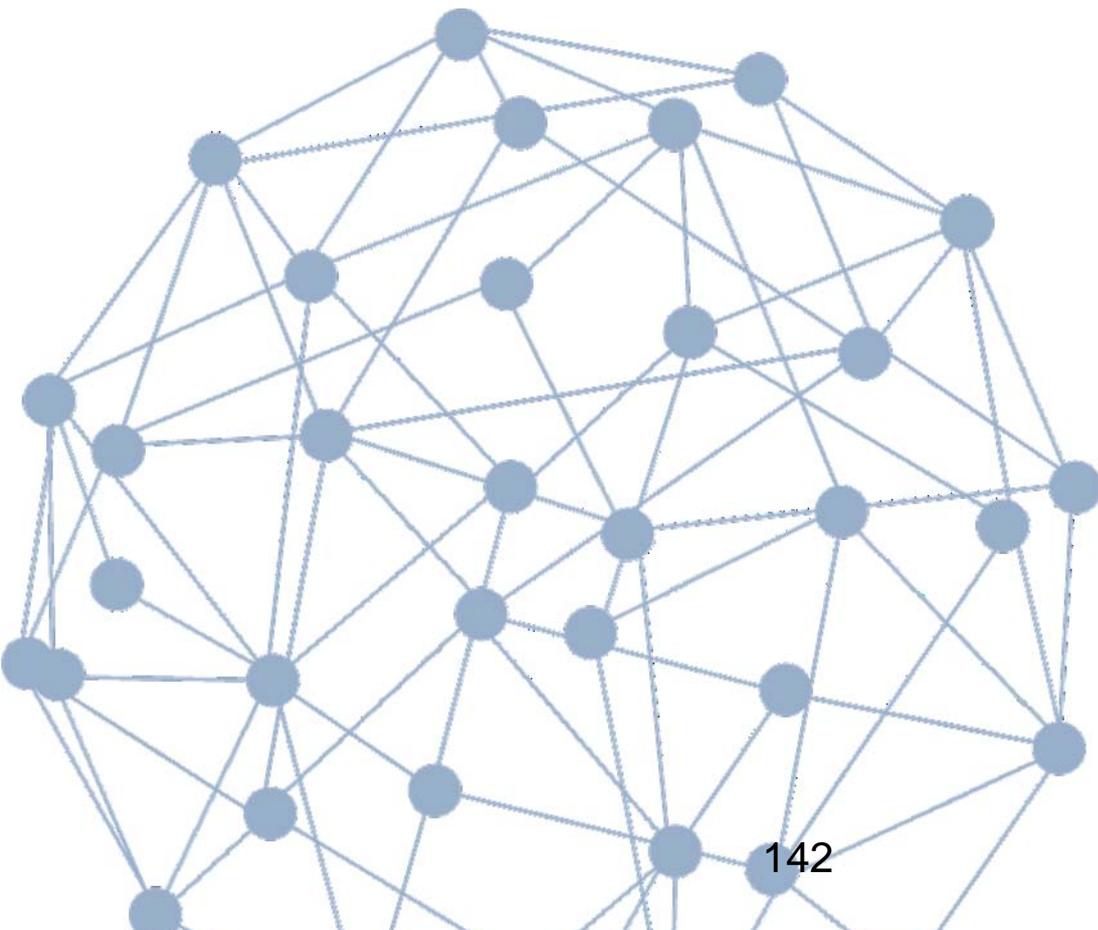




# Recruitment and Selection Procedure

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**2020**



**Key Information:**

<b>Title:</b>	Recruitment and Selection
<b>Date Issued:</b>	
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<u>0.2</u>	<u>February 2020</u>	<u>Following HR comments</u>	<u>AJ/DG</u>	
<u>0.3</u>	<u>Sept 2020</u>	<u>Inc Policy Group updates</u>	<u>AJ/DG</u>	<u>Sept 2020</u>

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## RECRUITMENT AND SELECTION

### 1.0 Introduction

- 1.1 This procedure sets out a clear and consistent approach to recruitment and selection in line with the Equality Act 2010 and other relevant employment legislation.
- 1.2 This procedure aims to provide a clear framework for employees involved in the recruitment and selection of staff to follow, and which will ensure that those recruited to the Council embody the vision and values of the organisation
- 1.3 All those taking part in the recruitment and selection of staff should ensure they have been trained in recruitment and selection. Chairs must have had appropriate training.

### 2.0 Scope

- 2.1 This procedure applies to all potential and existing employees and those individuals employed to deliver services on behalf of Clackmannanshire Council either directly or indirectly.
- 2.2 Those individuals involved in the recruitment, selection and employment of employees, agency workers or consultants, have a responsibility to ensure that they adhere to this procedure.
- 2.3 Teacher recruitment – recruiting Chairs should also refer to the LNCT document entitled Recruitment and Selection - Heads and Depute Head Teachers (**Appendix 1**) and JS/19/76 Part 2, Appendix 2.20 (Code of Practice on Head teacher responsibility in recruitment and selection of staff) of the SNCT Handbook, as applicable (**Appendix 2**).

### **3.0 Types of Post**

3.1 The recruitment and selection procedure applies to all types of positions within the Council.

#### ***Fixed Term Employment***

3.2 The Council's policy on Fixed Term and Temporary workers is available on Connect.

3.3 Normally positions will only be offered on a fixed term basis where there is clear business justification for doing so, for example, to cover maternity leave, long term absence, where the post is subject to funding, or where a project has a specific lifespan or where service redesign considerations are being explored.

3.4 All employees on a fixed term contract are entitled to the same terms and conditions as a comparable colleague with a permanent contract doing the same or broadly similar work.

3.5 Any employee on a fixed term contract, or successive fixed term contracts, who has already been employed continuously with Clackmannanshire Council for a period of 4 years, will be deemed permanent at the point where their contract is renewed unless it can be objectively justified.

3.6 Employees who are on fixed term contracts will have the right to apply for any vacancies during the term of their employment, and will be made aware how to access such vacancies on appointment. Vacancies are all available for viewing on Connect.

#### ***Casual Workers***

3.7 The Council's policy on Casual work is available on Connect.

3.8 The Council will, to meet a fluctuating demand for work, recruit individuals to a casual/supply list.

***Agency Workers***

- 3.9 The Council will normally only use agency workers in circumstances where immediate cover is critical to service delivery, for example, to cover for absences or where there are difficulties in filling the post on a permanent basis or where there is a business case for using agency workers e.g. seasonal work.
- 3.10 The use of agency workers will normally be for minimal duration.
- 3.11 There must be a justifiable organisational reason to engage the use of external consultants to carry out work on behalf of the Council, e.g. when the Council does not have the internal capacity to release staff, where the skills or experience required are specific and not available internally, or where it is deemed necessary to have an external perspective to challenge existing Council practices.
- 3.12 Agency appointments must be made from approved agencies. Please refer to the Interim Staff Services Frameworks guidance when considering agency appointments. For further details, please contact the Procurement Manager.

***Secondments***

- 3.13 A secondment is where an employee temporarily transfers to another section/service or organisation for a defined period of time, specific purpose and with the agreement of all parties.
- 3.14 The use of secondments is encouraged both within the Council and externally with partners, as it is recognised as a means of strengthening partner relationships, knowledge sharing and continuous professional development.
- 3.15 Staff wishing to consider a secondment should review the Council's Secondment Procedure available on Connect.

- 3.16 Managers should evaluate the rationale behind the appointment of a secondee prior to making any decisions.

#### **4.0 The Vacancy and Advertising**

The process to be followed will depend on whether the post is an existing or new post as detailed below.

##### ***Existing Posts – Vacancy Management***

- 4.1 Currently all posts, with the exception of Teaching positions and other statutory posts such as Social Workers as agreed by SLG, require to be supported by a Business Case (**Appendix 3**) and Establishment Changes form (PT69) (**Appendix 4**) and for consideration by the Chief Executive, or nominated Chief Officer, and Senior Manager HR and Workforce Development.
- 4.2 Services will need to complete a business case in the circumstances detailed in **Appendix 5**.
- 4.3 The aim of business cases is to ensure Services consider fully their requirements prior to progressing to recruitment or to extend or amend existing appointments.
- 4.4 Primarily services are asked to consider risk to life, statutory duty and financial legal implications before progressing with any requests for approval.
- 4.5 Prior to completing and submitting a business case consideration should always be given to existing staff members for the purpose of career development which may result in an efficiency saving for the Service including the following areas:
- **Reviewing existing jobs** – this is an opportunity for managers to review the existing establishment and make any changes to meet Service demands.

- Job Profiles should be reviewed and updated by the Recruiting Manager at the stage of submitting the Business Case, so that if approval is given the profile is available to move to the next stage of the process without delay.

***New/Redesigned Posts – Approval Process***

- 4.6 Where there is a need for a new post, the following steps should be taken:
- The Council's Finance section should confirm available budget;
  - A new job profile should be created;
  - The completed profile, grading request form (**Appendix 6**) and Grading Business Case (**Appendix 7**) should be submitted to HR for grading. Please note that the completion of this part of the process could take up to 6 weeks;
  - Consult with relevant Trade Unions throughout the process in line with the Council Organisational Change protocols.
- 4.7 When a post has been evaluated HR will advise the relevant manager of the outcome of the evaluation. Managers should thereafter submit an Establishment Changes form (PT69) (**Appendix 4**) and Business Case (**Appendix 3**) if applicable (see 4.2) for SLG approval.
- 4.8 The recruitment process cannot progress until the new grade has been authorised by the Chief Executive.
- 4.9 In considering long term workforce planning issues within a Service, the manager may wish to consider advertising the post on a temporary basis to allow flexibility or consider whether the working hours or patterns could be adjusted. Other situations may occur where temporary appointments arise rather than permanent. This should be discussed with HR and Trade Union representatives.
- **Redeployment of employees** – Consideration should wherever possible, be given, in the first instance, to employees on the

Council redeployment register before advertising or interviewing other applicants. Further information should be sought from HR.

- **Only in exceptional circumstances will redeployees not be afforded opportunity to apply for posts.** Such circumstances may be that based on submitted matching profiles those on the redeployment register don't have the skills, qualifications or experience, and would not do so with training.
- Once approval has been given to fill an existing post (in accordance with the above checks) the following documents will be required to allow the recruitment to proceed:

**Job Profile** - This is a broad statement of the purpose, scope, duties and responsibilities of a post and is used throughout the recruitment process. The job profile template can be found at **Appendix 8**. The Person Specification is now incorporated into the Job Profile. This outlines the essential and desirable criteria required for the post. Essential criteria are those attributes that are absolutely necessary to carry out the duties of the post. The manager should ensure that the criteria is up to date and meets the relevant professional requirement for example SSSC – condition to acquire qualification within 3 years OR must be SSSC registered or e.g. the post no longer has a requirement to drive. Candidates applying for jobs should be asked to demonstrate their ability to meet certain competencies as a way of showing both their ability to satisfy the needs of the role, and as a way of demonstrating their willingness to embrace the Council's corporate culture and values. These competencies should be detailed in the essential criteria. The Competency Framework can be found in **Appendix 9**. Desirable attributes are those which would help the applicant to perform the job more effectively, but are not fundamental requirements of the post. Criteria should be non-discriminatory in line with the Equality Diversity and Inclusion Policy. Applicants who do not meet ALL the essential criteria will be unsuccessful and will not be invited for interview.

### ***Advertising and Application Process***

- 4.10 The recruitment process below is generic to all posts; however there are exceptions for the recruitment of Head and Depute Head teachers for which Appendix 1 must be followed.
- 4.11 All posts should, where ever possible, be offered to redeployees (1 week duration), thereafter to internal employees and finally externally if no suitable candidates are found.
- 4.12 In exceptional circumstances and with the agreement of the Senior Manager - HR and Workforce Development this may be modified. However applications which are received from redeployees or internally will be considered as priority.
- 4.13 Clackmannanshire Council manages and advertises all vacancies on “myjobscotland” which is a national shared recruitment portal for Scotland’s local authorities.

#### ***Recruitment Advertising Process***

- 4.14 The following documents and information are required before a post can be advertised:
- Authorised Establishment Changes Form (PT69) (Appendix 4)
  - Authorised Business Case (if applicable) (Appendix 3)
  - Authorised Job Profile(Appendix 5)
  - Planned dates for shortlisting and interview (if available)

#### ***Advertising***

- 4.15 HR will be responsible for placing the post details (as provided by the Recruiting Manager) on the recruitment portal and sending out information to employees on the Redeployment register
- 4.16 There are a number of different options for advertising vacancies depending on the nature of the post:
- Internal only vacancies will be advertised on Connect and placed onto the internal “myjobscotland” microsite;

- All other posts will be advertised on the external “myjobscotland” portal. This is a cost effective way of advertising vacancies and consideration should be given to using this advertising source alone to minimise recruitment costs;
- Professional/Managerial/Teaching – as above but also national press, professional journals and additional websites can be considered if appropriate, but only after an unsuccessful attempt using “myjobscotland”.

4.17 Depending on the vacancy and associated costs, appropriate advertising sources should be selected in consultation with HR and within service budget constraints. The use of recruitment agencies should only be considered in very exceptional circumstances and only after consultation with HR and appropriate approvals being sought. All appropriate procurement and HR paperwork must be completed if an agency appointment is being made.

4.18 Once the application period has closed submitted applications will be forwarded to the recruiting manager for shortlisting via Talent link.

### ***Application Process***

4.19 Applicants should apply online via “myjobscotland”. This ensures that all applicants provide consistent information enabling the panel to shortlist against the essential and desirable criteria. Applicants can access information about the vacancy and the Council on the website. The advert can be viewed online and the application pack can be downloaded. CVs are not accepted for any post and if submitted, applicants will be informed of this by HR.

4.20 Applicants can register on the website and submit job applications online, including equal opportunities monitoring information, which will prompt an electronic acknowledgement. Services may wish to submit additional information about the post and/or services which can also be made available to applicants on the website.

- 4.21 Application forms can be made available in alternative formats; on request. Completed applications must be submitted online by the advertised closing date. Late applications will not be considered. Where an applicant has applied online they will receive an automatic email confirming receipt of their application.

## **5.0 SELECTION**

- 5.1 Shortlisting should be carried out as soon as possible after the closing date of the job advert, normally within two weeks by the Recruiting Panel. Correspondence with candidates should be carried out via “myjobscotland”. Should there be a delay in short listing, the Service must advise HR who will notify all applicants.

### ***Selection of Interview Panel***

- 5.2 To ensure that fair recruitment takes place it is recommended that three panel members are appointed, however a minimum of two people may interview for lower graded posts or where extenuating circumstances arise. As far as reasonably practicable the panel should be balanced in terms of gender and include line management. All panel members should wherever possible be trained in Recruitment and Selection before participating in any part of the process, including how to utilise competency based questioning Use of competency based questioning will ensure that the Council’s vision and values are considered as part of the recruitment and selection process. It is essential that at least 1 panel member is appropriately trained if the chairperson isn’t.
- 5.3 A panel Chairperson must be appointed to take responsibility for the whole recruitment process and panel members should normally stay the same throughout the process. If a panel member has a personal relationship with an applicant, for example a relative or friend, they should declare this interest and a decision should be taken as to their ability to remain impartial. A replacement panel member may be

appointed if there is any dubiety. This also applies to Elected Members involved in the recruitment of Chief Officers and Senior Managers.

- 5.4 A checklist for organising and arranging interviews can be found in **Appendix 10.**
- 5.5 Where a post is Single Status grade 9 or above an HR Business Partner will form part of the recruitment panel. Chairs should check availability of panel members before arranging dates.
- 5.6 Where multi-agency panels (i.e. including panel members from organisations external to the Council) are used, all panel members will be appropriately trained from the relevant organisation.
- 5.7 In some instances it may be appropriate to include service users or Parent Councils in the interview process. Any third parties must have an understanding of the principles of recruitment and comply with the policy and procedure. Services, in conjunction with HR, will develop specific guidance as required to meet the needs of their service users, which will be discussed with Trade Unions as required.
- 5.8 The Recruitment Procedure for Head/Depute Head teachers includes guidance in relation to Parent Council involvement in the recruitment process (Appendix 1)
- 5.9 In the case of interviews for Head/ Depute Head teachers, the interview panel should be appointed in accordance with Scottish Schools (Parental Involvement) Act 2006, Appointments (Scotland) Regulations 2007.
- 5.10 Any attempt to influence the decision of the interview panel in favour of a particular applicant will be considered as canvassing. Any such incidents should be immediately referred to the HR Workforce and Development Senior Manager.

***Shortlisting***

- 5.11 Using the online system Talent Link (My Job Scotland) the interview panel should shortlist the applications using the essential criteria established in the job profile (**Appendix 8**) and desirable criteria if necessary.
- 5.12 Should a high volume of applications be received for a post, the Council reserves the right to consider desirable criteria to facilitate shortlisting.
- 5.13 Applicants will be shortlisted, provided all the essential criteria are met, regardless of 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.
- 5.14 Where an employee has received a benefit under the Severance Policy, they cannot be re-employed by the Council. For more details refer to the Councils Severance Policy.
- 5.15 The shortlisting outcome must be recorded in Talent Link showing how each candidate has scored in terms of meeting the criteria as set. This will be used for circumstances where applicants request feedback. The Chair will be responsible for providing this feedback.
- 5.16 Once the short list has been finalised and agreed, the panel chairperson should make arrangements to inform HR of the outcome via Talent Link. HR will then advise candidates as to whether they have been unsuccessful or successful in being progressed to interview.

***GUARANTEED INTERVIEW SCHEME***

- 6.0 The Council has a guaranteed interview scheme for the following categories where the essential minimum criteria is outlined and met in the application form:

**Disability** - Applicants who indicate on their application form that they are disabled.

***Looked after Children, those in continuing care and care leavers*** -

Applicants who indicate on their application form that they are a looked after child, are in continuing care or are a care leaver (up to age 26). This is in line with Clackmannanshire Council's Corporate Parenting Responsibility.

**Armed Forces Veterans** - Applicants who indicate on the application form that they are Armed Force Veterans.

## **7.0 RECRUITMENT CHECKS**

7.1 There are a number of checks which must be satisfactorily met before any formal offer of employment is made.

7.2 The Chairperson of the panel has overall responsibility for:

- Ensuring that all checks have been conducted;
- Ensuring visual checks at interview are undertaken to ensure the document(s) and dates of birth against the appearance and apparent age of the applicant correlate;
- Ensuring HR check for obvious discrepancies e.g. ensuring that any United Kingdom Government endorsement (stamps, vignettes etc.) entitle the potential employee to do the type of work on offer and that any expiry date has not passed.

***Eligibility to work in the UK***

7.3 Under the Immigration, Asylum and Nationality Act 2006, specified documents must be checked and copied to establish that an individual has the right to work in the UK.

- 7.4 All applicants invited for interview should be asked to provide proof that they are entitled to live and work in the UK. To avoid a civil penalty, original documents must be presented and checked.
- 7.5 All the required documents are listed on the Interview Panel Checklist at **Appendix 11**
- 7.6 If applicants are not from the UK further information regarding pre-employment checks should be obtained from HR and reference should be made to the Overseas Criminal Records Checks Policy on Connect if the post requires a Disclosure Scotland check.
- 7.7 Where the appropriate evidence has not been provided or if there is any doubt with regard to validity of documentation, a recommendation for and/or offer of employment should not be made. Advice should be sought from HR before progressing the application.
- 7.8 Where an individual is contracted initially via an employment agency it will remain the responsibility of said agency to undertake their own checks prior to the individual commencing work for us. The recruiting manager should check with the agency to get confirmation these checks have been undertaken by the Agency. Where an agency worker is subsequently employed directly by the Council then full pre-employment checks will be required to be undertaken by the Recruiting Manager/HR.

#### ***Personnel Security Checks***

- 7.9 There are a number of security checks which may be required depending on the nature of the post. This should be clearly stated in the job profile (Appendix 5). There is more detail on the nature of these checks in the PVG Policy on Connect

#### ***References***

- 7.10 Information regarding attendance, ill health or disability must not be requested from previous employers prior to interview. HR will take up

two appropriate and satisfactory employment references on behalf of Services for external candidates and one from internal candidates prior to confirming any offer of employment, and the recommendation letter will advise the candidate that references will now be taken up. Where possible a reference should be from a current or most recent employer. A Teaching Report will be sought for Teachers from the current or most recent Head Teacher.

- 7.11 The purpose of seeking references is to obtain objective and factual information about an applicant's suitability for a post and should inform and support appointment decisions. References should be requested via Talent link. HR must ensure that references are received and scrutinised, and any concerns are resolved satisfactorily, before the offer of employment is confirmed. If there are any issues with references then these will be discussed between HR and the Chair.

***Baseline Health Questionnaire***

- 7.12 All applicants invited for interview must be advised that, if successful at interview, they will be expected to complete a Health questionnaire.
- 7.13 Once the preferred candidate has been selected they will be asked to complete a Baseline Health Questionnaire via the Occupational Health online system as part of the pre-employment checks.
- 7.14 If the Occupational Health Adviser has any queries regarding the questionnaire, they may invite the candidate for a medical interview or a medical examination. If the candidate refuses to complete the questionnaire, or attend an Occupational Health interview or examination, this would mean that the conditions for appointment had not been satisfied, and the manager must obtain advice from HR.
- 7.15 Further details will be required for driving posts and/or posts that may require Occupational Health Surveillance e.g. HAVS.

***Qualifications and Driver's Licence Checks***

- 7.16 Where a specific qualification, membership of a registered body or equivalent alternative is required as a criterion for the job, including the requirement to drive to perform duties, evidence of this must be checked prior to the job offer being made. The original documents must be checked and a copy of the original certificate(s) and/or licence should be taken and retained on file by HR. No formal offer of employment can be made whilst a professional registration document remains out of date i.e. SSSC registration certificate has expired as there could be consequences for the Council. All professional registration websites including SSSC and GTC will be referred to for confirmation of active registration. Any issues will be raised with the Recruiting Manager i.e. conditions of registration.
- 7.17 It is the employee's responsibilities to maintain their registration, meeting qualification /post registration training and learning (PRTL) requirements or revalidation requirements. Further information is available on the Professional Registration Procedure on Connect.
- 7.18 If appointing to a post which requires registration with the SSSC, Individuals will only have 6 months to become registered if they are new to the post. In these circumstances the recruiting manager must ensure this is followed up, as it is an offence to employ an unregistered worker beyond the mandatory registration date. Further information can be sought from the SSSC website. If an applicant discloses that they are subject to investigation by their registered professional body or employer disciplinary enquiries or investigation, the recruiting manager should be prepared to explore the issues.

***Criminal Records Check***

- 7.19 The government has enacted legislation for regulated work with children and adults through establishing lists of adults disqualified from engaging in this type of work. It is a criminal offence for individuals who have been disqualified from regulated work with children and/or adults

to apply for a position working with these groups or for the Council to employ an individual on either of the lists in that type of regulated work.

- 7.20 Human Resources, in consultation with Services, maintain a list of posts requiring Disclosure/Protection of Vulnerable Groups (PVG) checks.
- 7.21 The requirement for a Disclosure/PVG check should be made clear on the advert. All checks required will be carried out through Disclosure Scotland via HR.

***Disclosure/PVG Check***

- 7.22 Some posts require a Disclosure Check. In these cases the individual will apply for this on line and produce the original certification for verification to HR when this is received. The candidate can then claim the cost of this through expenses when they commence employment if the grade of the post is below grade 8. Anyone whose grade is above grade 8 should meet the cost of this check.
- 7.23 Should an individual have a check undertaken and choose not to start employment with the Council, then they will be responsible for the cost of the check. HR will be responsible for advising the recoveries section to action.
- 7.24 Further information relating to Disclosure checks and PVG Membership can be found in the PVG Policy.

***Positive Action***

- 7.25 Positive action provisions of the Equality Act in relation to recruitment and selection came into force on 6th April 2011. This means that if the recruiting manager believes that a particular protected characteristic (i.e. age, disability, sex, gender reassignment, pregnancy, maternity, race, sexual orientation, religion or belief, marital or civil partnership status) suffers a disadvantage or is under-represented in the post in question, and where two candidates have scored equally in their

interviews, the candidate with the protected characteristic can be selected. Taking the positive action must be a proportionate means of enabling or encouraging people to overcome the disadvantage or to address the under-representation.

- 7.26 For example, if an employer that is recruiting for a management role considers that two candidates, one male and one female, are as qualified as each other for the role, it could decide to offer the job to the female candidate because women are under-represented at management level.
- 7.27 Positive action is entirely voluntary and there is no requirement to use this as part of recruitment and selection processes. Advice must be sought from HR if positive action is being considered.

***Offer of Employment***

- 7.28 On no account should any job offer be made during or at the end of an interview. Offers of employment must only be made on condition that all recruitment checks have been received and are satisfactory.

***Salary Placement***

- 7.29 Placement within grades, including on promotion, will normally be on the first point on the grade. Chief Officers do however have the discretion to appoint individuals at any point within the appropriate grade in specific circumstances. Consideration should, in the first instance, be given to ability and skills of the successful applicant and the impact on other jobholders to ensure equality. Where a Chief Officer has agreed to a placing which is an alternative to the first point on the scale an e mail authorising this must be kept in the employee's personal file.

Where an employee is appointed to a post which is the same grade they were on, they will remain on this point.

***Pre Employment Checks***

- 7.30 HR will ensure pre employment checks are undertaken. The Chair has access to talent link and can check the progress of employment checks being undertaken at any time. Once all pre employment checks are completed and deemed satisfactory the Chairperson will be advised to arrange an agreed start date.
- 7.31 Where pre employment checks are deemed unacceptable HR will liaise with the Chairperson to discuss whether to withdraw any conditional offer.

***New Start Forms/Returned Acceptance Offers***

- 7.32 Once an agreed start date is identified the Chairperson should ensure the New Start details form and working pattern is completed via Talent link. HR requires 7 days notice prior to the new employee commencing to allow time for Statements of Particulars to be issued.
- 7.33 Once the New Start details form is received HR will issue a formal offer of appointment together with a copy of the Statement of Particulars ("Contract of Employment").
- 7.34 The Service must ensure that all appropriate administration is completed to facilitate the set up of the new employee e.g. security pass, email, network access, shared drive etc.

**8.0 NEW START PROCESS AND DOCUMENTATION**

***Induction***

- 8.1 On the first day of employment, a further identity check must be undertaken to ensure that the person interviewed is the same person starting employment. This should include checking the person's appearance against the photographic identification provided on the day of interview.

- 8.2 All employees should be inducted into Clackmannanshire Council from the first day of employment.

Details of the Council's induction process can be found on

Connect.<http://connect/working-for-us/elearning/corporate-induction.html>

## 9.0 IMPLEMENTATION

### *Responsibilities*

- 9.1 **The Chief Executive and Chief Officers** - The Chief Executive and the Chief Officers of the Council are responsible for the effective operation of the procedure and policy across the Council as a whole and within the various Services respectively.
- 9.2 **Managers** - Managers involved in the recruitment and selection of individuals on behalf of the Council have the responsibility to ensure that the principles and practices of the policy are applied and adhered to at all time.
- 9.3 **Employees** - Employees are responsible for ensuring that where they are applying for further employment opportunities within the Council they adhere to the same requirements, as would an external applicant and do not canvas those involved in the process in any way.
- 9.4 **Human Resources** - The HR and Workforce Development Section will provide advice, assistance and support to individual employees, managers and Senior Officers in interpreting and applying the Council's Recruitment and Selection Procedure and Policy. HR has Interview Skills training which is run throughout the year. Enquiries should be made by emailing [training@clacks.gov.uk](mailto:training@clacks.gov.uk).

**10.0 Monitoring and Review**

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

Policy Name	Recruitment and Selection
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes
Date Approved	
Review Date	



## Equality and Fairer Scotland Impact Assessment - Screening

<b>Title of Policy:</b>	Recruitment & Selection Procedure
<b>Service:</b>	Partnership & Performance
<b>Team:</b>	HR

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

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

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

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### APPROVAL

NAME	DESIGNATION	DATE

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

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

<p><b>Purpose of the proposed policy or changes to established policy</b></p>
<p>To update the current procedure for Recruitment &amp; Selection to ensure that everyone is aware of the standards required for recruiting employees, ensuring a fair and consistent approach in line with legislation and good practice.. The updated procedure aims to clarify recruiting managers responsibilities. It has also been updated in line with digital transformation practices, which includes on line shortlisting and reductions in paper processing. This enhances the security of the information.</p>
<p><b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b></p>
<p><b>General Equality Duty -</b></p>
<p>➤ <b>Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b></p>
<p>The provision of the updated Recruitment &amp; Selection Procedure should assist with the elimination of discrimination for protected characteristics as individuals who have a protected characteristic have a mechanism to support them On application forms we don't ask for information in relation to all the protected characteristics, unless the candidates wish to disclose a disability which would allow any necessary supports to be put in place at interview. The only times we would ask for gender /ethnicity to be disclosed is where it is an occupational requirement for the post.</p>
<p>➤ <b>Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b></p>
<p>Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to protected characteristics. The procedure sets out a clear process to ensure that individuals can raise concerns should they feel disadvantaged. It ensures all employees whether within a protected groups or not have a mechanism to raise concerns although it is recognised that such a policy could minimise disadvantage for staff members in a protected group.</p>
<p>➤ <b>Fostering good relations between people who share a protected characteristic and those who do not.</b></p>
<p>This element of the Duty is more relevant to the Council's role as service provider, and there is relatively limited direct relevance to this particular procedure.</p>
<p><b>Fairer Scotland Duty -</b></p>
<p>➤ <b>Reducing inequalities of outcome caused by socioeconomic disadvantage</b></p>
<p>This procedure could assist with the retention of staff given that they can see that the organisation ensures potential employees are recruited in a fair and consistent way It encourages applications from people who have been in Care in the Council and asks recruiting managers to consider and implement any reasonable adjustments for those being called for interview where candidates have a disability..</p> <p>It should be noted that poverty rates are higher for households with a disabled adult, and the employment rate for people with a disability is significantly lower than the employment rate for people who do not have a disability.</p> <p>Levels of socioeconomic disadvantage are also more frequent for other protected groups including lone parents who are predominantly female, and Black, Asian and Minority Ethnic (BAME) groups.</p>

<b>To which of the equality groups is the policy relevant?</b>		
<b>Protected Characteristic</b>	<b>Yes/No*</b>	<b>Explanation</b>
Age	Yes	The application forms no longer ask candidates age unless the vacancy is for an apprentice, where the date of birth is relevant. Profiles are written in such a way that years of experience are not specified and qualifications include equivalents to ensure this doesn't exclude people who obtained qualifications at different times.
Disability	Yes	Staff data shows a relatively high "Prefer Not to Say" response in relation to disclosure of a disability (39.5%). At a national level, it is estimated that 1 in 10 people who are economically active have a disability or long term health condition.  It is hoped that the policy would encourage disclosure of potential staff to advise whether or not they have a disability. If the essential minimum criteria is met, an interview will be guaranteed for those applicants who indicate on the application form that they are disabled.
Gender Reassignment	Yes	This characteristic is as relevant as the others in that individuals will be included in listing if they meet the essential criteria which does not stipulate gender unless there are reasonable exemptions. Shortlisting managers do not have access to this information.
Marriage and civil partnership	Yes	This characteristic is as relevant as the others, in that individuals will be included in listing if they meet the essential criteria. Shortlisting managers do not have access to this information.
Pregnancy and Maternity	Yes	This characteristic is as relevant as the others in that individuals will be included in listing if they meet the essential criteria. Shortlisting managers do not have access to this information.
Race	Yes	. It can be noted that 4% of staff have indicated that they are BAME. This characteristic is as relevant as the others in that individuals will be included in listing if they meet the essential criteria
Religion and Belief	Yes	. It can be noted that 1.2% of staff indicated that they affiliate with a minority religion. This characteristic is as relevant as the others in that individuals will be included in listing if they meet the essential criteria Shortlisting managers do not have access to this information.
Sex	Yes	This characteristic is as relevant as others but other elements could impact from a gender perspective such as individuals working part-time for example, as in Scotland 86.9% of men in employment are in full time employment compared to 57.5% of women..
Sexual Orientation	No	This characteristic is as relevant as the others in terms of individuals could raise any concerns through the dignity at work procedure.

\* Delete as required

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

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

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

In line with the retention schedule equal opportunity information is only held for a period of 6 months.

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

Union involvement along with elected manager representatives will be involved in the review of the draft policy and procedure at policy group. Discussion will take place at policy group on the content of the policy procedure and suggested amendments/additions will be agreed collectively.

**Next steps**

The council will take steps to ensure that this procedure is managed appropriately by managers. Advice and support will be provided to managers from HR Business Partners on the application of the procedure.

Encouragement of managers to be confident and comfortable in managing some of the concerns that can be raised in relation to recruitment and selection

## Equality and Fairer Scotland Impact Assessment - Decision

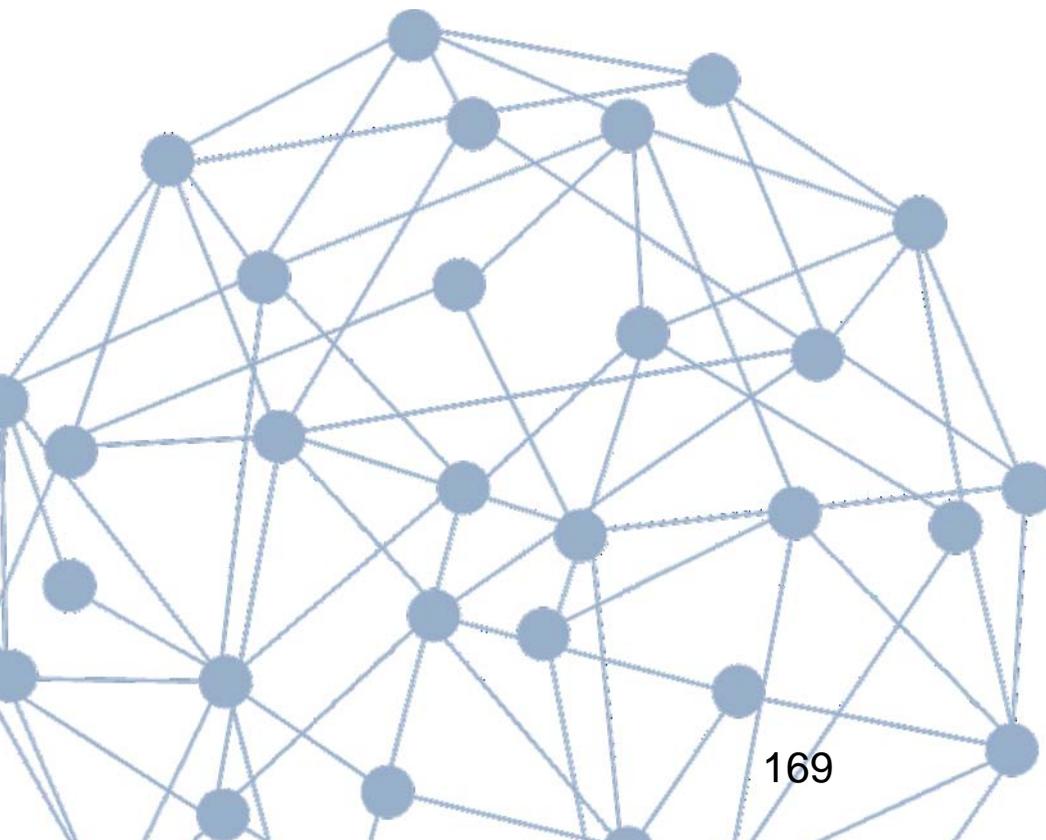
Evidence findings		
<p>The evidence highlights that the introduction of this policy/procedure may have a positive impact on protected groups</p> <p>There are no evidence findings to suggest that any of the protected characteristics more than others is the reason for Dignity at Works being raised.</p>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



# Severance Policy and Procedure

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**2020**



## SEVERANCE POLICY AND PROCEDURE

This policy is one of the key tools that support the Council's strategic workforce plan and should be read in conjunction with it.

Should there be a requirement to reduce the Council establishment this policy sets out the mechanisms which will be used to suit a variety of circumstances

### 1. Policy Statement

- 1.1. Clackmannanshire Council is committed to maintaining, as far as possible, the security of employment for its employees and the avoidance of compulsory redundancies.
- 1.2. The aim of this Policy is to ensure that all employees will be treated fairly and that the process applied is transparent and objective. This Policy will be applied to all severance situations.

### 2. Introduction

- 2.1. The Severance Policy covers all employees of the Council who cease employment where:
  - on the grounds of business efficiency, it is in the interest of the Council that an employee should leave the Council's employment; or
  - an employee is dismissed by reason of redundancy.
- 2.2. For the purposes of this Policy, the key definitions are as follows:
  - **Severance** – where an employee leaves the Council's service on a voluntary basis and is awarded compensation for loss of future employment. Any termination is by mutual agreement and may be in response to a operational changes or to an individual expression of interest.

- **Voluntary Redundancy** - voluntary redundancy can be requested and considered where a pool or individual post has been identified as part of an organisational change process. Where a compulsory redundancy exercise occurs, voluntary redundancy will, where appropriate, be requested and considered in the first instance from within the identified pool.
- **Compulsory Redundancy** - the Employment Rights Act 1996 defines a redundancy situation (see section 6.1). This will arise where the employee is dismissed on the grounds of compulsory redundancy in accordance with the agreed criteria noted within this Policy.

2.3. This document constitutes the statement of published policy required by Regulation 51A of the Local Government (Discretionary Payments and Injury Benefits)(Scotland) Regulations 1998.

### 3. Scope

3.1. This policy covers all employees of the Council. The policy may be implemented in whole or part in response to different circumstances facing the Council.

### 4. Procedure General Principles and Considerations

4.1. Nothing in this Policy can take precedence over the statutory provisions that authorise the Council to pay pension scheme benefits, statutory redundancy benefits or compensatory benefits. The final decision regarding any discretionary payment lies with Clackmannanshire Council.

4.2. Where an employee has received a benefit under the Severance Policy, they cannot be re-employed by the Council, including as a casual worker or on a consultancy basis. In specific exceptional circumstances, and to meet critical service requirements, the relevant Strategic Director in discussion with the

Senior Manager – HR and Workforce Development and Section 95 officer may authorise a short term arrangement which must be time limited.

- 4.3. If an employee holds a casual post at the time of accepting severance they must also resign from this post.
- 4.4. Where a employee, with more than 1 permanent post, is successful in their application for Voluntary Severance for a singular post, they are unable to remain in any additional post and their employment with the Council will be concluded.
- 4.5. Where an employee, with more than 1 post, is made Redundant from a particular post they may remain in an additional post but they cannot, from the date of redundancy, accept an increase in hours in their current post, an offer of employment for any additional post or accept casual work in any capacity.

## **5. Voluntary Severance**

- 5.1. From time to time, the Council may seek expressions of interest in voluntary severance. Alternatively, employees may request that they be considered for voluntary severance at any time in their employment. In these situations if this application is successful, the termination date will be by mutual agreement. As the reason for the termination itself is by mutual agreement, no notice period nor notice pay need be given as the termination date itself will be agreed by both parties. Voluntary Severance requests should be submitted using the VS Application Form (Appendix 1).
- 5.2. Voluntary severance must not be used to target any individual members of staff, including poor performers or those absent on ill health grounds, to leave the employment of the Council. Such cases should be dealt with by using the appropriate training and development and support measures identified to improve the employee's performance, or ultimately, by using the Council's Capability Policy & Procedure or Disciplinary Policy. Similarly employees with ill health should be managed in accordance with the Maximising Attendance Policy and where appropriate the Redeployment Policy & Procedure/Capability Policy & Procedure.

### **Assessing Applications for Voluntary Severance**

5.3. When considering an application for severance under the scheme, the appropriate Chief Officer must:

- Prepare a comprehensive assessment of service delivery implications, including the replacement strategy and financial implications of any offer being considered;
- Consult with the Service Accountant regarding the financial implications of the severance package.

5.4. There is no guarantee that any request for voluntary severance will be approved or agreed.

5.5. If an application is rejected the member of staff will be invited to attend a meeting with their line manager and provided with full feedback regarding the reason(s) why the application was not approved.

### **Replacement Strategy/Financial Implications**

5.6. If an employee is to be granted severance, the appropriate Senior Manager must clearly identify the savings and any operational improvements that will ensue. Generally any proposal should include the deletion or redesign of the employee's or a related post. This could include techniques such as job re-design and/or alternative service delivery methods. The list below is not exhaustive but provides an indication of the type of situations that could be considered to achieve the necessary savings:

- The employee will not be replaced and the post will be deleted;
- The employee will be replaced, but an alternative vacant post in the structure will be deleted;
- Work will be re-designed and the post filled at a lower grade;
- The vacant post will be filled on a part time basis;

- 5.7. A voluntary severance proposal can normally only be approved where financial savings of 100% of the employment costs can be recovered over a period of up to 2 years.
- 5.8. Where a financial saving cannot be made over 2 years the cost will be reviewed and a determination made whether costs can be recovered over 3,4 or 5 years. Only with the approval of the Section 95 Officer will any proposal be agreed in these circumstances.

### **Approval Process**

- 5.9. The Clearing House (Comprising the Chief Executive and S95 Officer supported by the Senior Manager – HR and Workforce Development) will consider each application including the costs and savings to the Council and the impact on the existing team.
- 5.10. Whilst decisions on severance should be based on financial benefit, consideration must also be given to operational improvements and on-going service delivery.
- 5.11. Only where it can be demonstrated that financial savings of normally 100% of the employment costs will be recovered over a period of no more than 2 years and that the proposal is in the interests of the Council will an offer be approved.
- 5.12. Where a severance request is approved on the basis of the post being deleted or amended, the Service Accountant will ensure the necessary changes are made to the Service's budget and establishment.
- 5.13. There is no right of appeal against a refusal to grant a voluntary severance request. If an employee considers that their request has not followed policy or has been dealt with unfairly, the matter will be dealt with as part of the normal grievance process.
- 5.14. All documentation relating to severance applications (whether granted or not) will be retained by Human Resources for future audit purposes.

## 6. Redundancy (to include Voluntary and Compulsory)

### Definition of Redundancy

6.1. The Employment Rights Act 1996 outlines that a redundancy situation arises where a dismissal is wholly or mainly because the Council:

- Has ceased, or intends to cease, to carry on a particular function or role of its business for the purposes of which the employee was so employed or;
- Has ceased, or intends to cease, to carry on a particular function or role of its business in the place where the employee was so employed or;
- Requirements for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish or;
- Requirements for the employees to carry out work of a particular kind, in the place where they were so employed, has ceased or diminished or are expected to cease or diminish.

6.2. Employees who have less than 2 years service and who are on a temporary contract will be managed in line with their contract of employment.

### Consultation

6.3. The Trade Union & Labour Relations (Consolidation) Act 1992 (TULR(C)A & (Amendment Order 2013) requires the Council to formally consult "in good time" with recognised Trade Unions.

6.4. The aim of collective consultation is to avoid the termination of employment contracts, minimise the number of workers affected and mitigate the consequences of any proposed redundancies. This consultation process will enable Trade Unions to formulate constructive proposals for consideration and work with the Council to achieve the above objectives. Collective consultation will be undertaken with a view to reaching an agreement.

6.5. Although as much time as practical will be provided, the Council will abide by the statutory minimum timelines for consultation which are as follows:

- Where it is proposed that 19 or fewer employees could potentially be made redundant from one establishment no collective consultation is required, however in accordance with good practice, the Council will consult with relevant Trade Unions at least 30 days prior to notification of the first dismissal. The requirement for individual consultation with those affected will still apply. This will not include the end of a temporary project or on individual contract which necessitates a redundancy payment, due to the length of the contract.
- Where it is proposed that between 20-99 employees could potentially be made redundant from one establishment within a 90 day period, collective consultation will commence at least 30 days before the date of implementing any dismissals;
- Where it is proposed that 100 or more employees could potentially be made redundant from one establishment within a 90 day period, collective consultation will commence at least 45 days before the date of implementing any dismissals.

6.6. Whilst the above indicates the minimum collective consultation period, the Council will endeavour to provide earlier notice where possible. The collective consultation process may end before the expiry of these periods. Consultation will be meaningful and allow time for considered responses to be received.

6.7. In accordance with legislation, the Council will initially provide the following information to the main Trade Union contacts of the recognised Trade Unions:

- The reason/s for potential redundancy;
- The number and descriptions of employees proposed for redundancy;
- The total number of employees of any such description employed at the establishment in question or where more appropriate, by the Council in general;
- The proposed method of selection for redundancy;
- How the redundancy dismissals are to be carried out including the time period;

- The method of calculating the amount of redundancy payments to be made to those who are dismissed.
- 6.8. Information will also be provided to relevant Trade Unions where there are implications for employees not directly affected by the redundancies, for example, those employees whose roles or working arrangements may differ substantially as a result of the redundancies being made. Employees who are absent from the workplace during the consultation process such as on a career break, long term sick or maternity/adoption leave will be provided with the relevant notification and information.
- 6.9. The Council will also notify the relevant Government Department when there is a proposal to make 20 or more employees redundant at one establishment over a period of 90 days, as is the statutory requirement.
- 6.10. The Council recognises certain Trade Unions for collective bargaining purposes and will fully consult with these Trade Unions on potential redundancies. Information will also be provided directly to affected employees where necessary and appropriate. Following the commencement of the formal consultation process with Trade Unions, information will be provided to affected employees as quickly as possible thereafter.

### **Alternative Measure to Redundancy**

- 6.11. Where the need for redundancies has been identified, attempts in the first instance will be made to avoid compulsory redundancies by considering a number of options including;
- Restrictions on Recruitment/vacancy management;
  - Voluntarily reduced hours;
  - Reduction in overtime;
  - Redeployment, including retraining of employees;
  - Career breaks
  - Discontinuing temporary employees;
  - Natural turnover;
  - Voluntary Severance;
  - Any other cost/saving initiative which may be available.

6.12. Once a pool of employees has been identified, no vacancy will be automatically advertised for recruitment. Where possible, each post will be considered for redeployment against the pool of employees, with the aim of reducing the numbers that may require to be made redundant.

### **Identifying potential pools for redundancy**

- 6.13. The Council will in the first instance determine the pool of employees from which the compulsory redundancies will be made. For consultation purposes, each site is usually a separate “establishment”, however it may be more appropriate in some cases to identify an organised group of staff across different sites, e.g. by a particular job role. The pool will be determined by the service or function reducing or ceasing.
- 6.14. The selection pool will be discussed with Trade Unions and where possible agreed in line with legislative requirements. Employees across more than one location or Service can be classed as ‘one pool’ for the purpose of calculating the minimum periods of collective consultation.
- 6.15. If a unique post is identified for redundancy affecting a single employee, depending on the tasks of the role there may not be a need to identify a pool.
- 6.16. Where necessary, support will be provided by Human Resources to identify the suitable pool of employees.

## **Voluntary Redundancy**

6.17. Before a situation arises where there is a potential for a compulsory redundancy exercise a voluntary redundancy option will be considered to enable all employees with over 2 years service, within the specific pool identified (See 6.14 - 6.17), to apply to be considered for voluntary redundancy.

6.18. There is no right to voluntary redundancy and the Council's Clearing House will make the final decision on which volunteers to accept based on the selection principles outlined below.

## **Assessing Applications for Voluntary Redundancy**

6.19. When considering an application for voluntary redundancy, the Senior Manager/Strategic Director must:

- Prepare a comprehensive assessment of service delivery implications, including the operational and financial implications of any offer being considered;
- Consult with SLG on the proposal and proposed service delivery;
- Consult with the Section 95 Officer on the financial implications of the severance package. This must include discussions with the relevant Service Accountant.
- Where more than one employee from the same pool/unit requests voluntary redundancy, and where necessary, the selection process will be used to determine the employees who may be further considered. Whilst this will provisionally determine the selection process, consideration must also be given to the financial cost of any offer(s) being assessed before any final determination is made.

## **Replacement Strategy/Financial Implications for Voluntary Redundancy**

- 6.20. If an employee is to be granted voluntary redundancy, the Senior Manager/Strategic Director must clearly identify efficiency savings and/or operational improvements that will be implemented. Generally any proposal will be expected to delete the employee's or a related post. However where more than one employee is involved, in some circumstances this may require the team to be redesigned resulting in the creation of a post at a lower level.
- 6.21. Taking this into account, a voluntary redundancy proposal will only be approved where financial savings of normally 100% of employment costs will be recovered over a period of no more than 2 years and it is in the interests of the Council.
- 6.22. Where a financial saving can not be made over 2 years the cost will be reviewed and a determination made whether costs can be recovered over 3,4 or 5 years. Only with the approval of the Section 95 Officer will any proposal be agreed in these circumstances.

## **Approval Process for Voluntary Redundancy**

- 6.23. SLG will consider all relevant factors, including the cost and savings to the Council and the operational implications.
- 6.24. Whilst decisions on voluntary redundancy should be based on the financial benefit, consideration must also be given to on-going service delivery to ensure it is in the interests of the Council.
- 6.25. Only where it can be demonstrated that financial savings of normally 100% of the employment costs will be recovered over a period of no more than 2 years and that the proposal is in the interests of the Council, will the offer be approved.
- 6.26. Where a financial saving can not be made over 2 years the cost will be reviewed and a determination made whether costs can be recovered over 3,4 or 5 years. Only with the approval of the Section 95 Officer will any proposal be agreed in these circumstances.
- 6.27. Once approved, the Service Accountant will ensure the necessary changes are made to the Service's budget and establishment.

- 6.28. There is no right of appeal against any refusal to grant a voluntary redundancy request. However, where an employee considers that their request has not followed policy or has been dealt with unfairly, the matter will be dealt with as part of the normal grievance process.
- 6.29. All documentation relating to voluntary redundancy applications (whether granted or not) will be retained by Human Resources for future audit purposes.

### **Compulsory Redundancy**

- 6.30. Where all alternatives have been explored and a situation arises where a compulsory redundancy exercise is required the undernoted processes will apply.

### **Selection Criteria - Compulsory Redundancy**

- 6.31. Where there remain more employees than jobs in the identified pool (see 6.14 - 6.17), selection criteria will have to be applied in order to select the required number of employees for redundancy. Selection criteria must be as objective as possible, measurable and justifiable in order to ensure the fair and transparent selection of employees for redundancy. As part of this process a skills audit will be undertaken.
- 6.32. The redundancy selection criteria should be objective, precisely defined and capable of being applied in an independent and consistent manner to all employees. This is to ensure that the process is conducted fairly. The criteria that will be used can include:

- Qualifications;
- Essential skills, experience, knowledge and competencies to undertake the post;
- Disciplinary Record;
  - performance
  - relevant experience
  - disciplinary records

- future potential
- length of service

6.33. The scoring for each criteria will be as per Appendix 2. Weighting may be applied to the criteria which will be developed at the time of each redundancy exercise to meet the prevailing needs of the Council. This information will not be available to managers making the assessments to ensure objectivity.

Those employees with the lowest scores will be selected for redundancy.

6.34. The blend or matrix of criteria used may differ between each selection exercise undertaken by the Council and this will be discussed with Trade Unions as part of the consultation process.

## **Implementation Process**

### **Stage 1 – Information Meeting**

6.35. A brief meeting will be held with all affected employee/s and the relevant manager with a representative from Human Resources. The purpose of the meeting will be to advise the employee/s that they are at risk of redundancy. At this meeting the manager will provide brief reasons for the redundancy and the process to be followed along with the appropriate timescales. This meeting should be a consultative meeting only and is an opportunity to provide information on the reasons and process to be used along with exploring options to reduce the need for redundancies. It should be made clear to the employees that no decision has been made at this stage as to whether they will be made redundant. Employees can be asked to consider their position with regards to suitable alternative employment at this stage.

6.36. The manager will also write to all employees within the pool to confirm that they are at risk of redundancy and outline the selection process and timescales to be applied.

6.37. Before Stage 2 the affected employees should have the opportunity to comment on the proposed selection criteria.

### **Stage 2 – Scoring**

6.38. The employees contained in the established 'pool' will be scored using the agreed criteria by the relevant manager. The manager must consult Human Resources for assistance in completing this. Once all scoring is completed the scoring sheet will be issued to the relevant employee for their consideration. No weighting will be applied at this stage.

### **Stage 3 – Individual Meetings.**

6.39. A meeting will be arranged with each employee, providing at least 5 working days notice, to discuss and assess the scoring. This is an opportunity for employees to challenge the scoring, raise concerns or any specific matter that arises from their own assessment. The Senior Manager and a representative from Human Resources will be present and each employee will have the right to representation of their choice at this meeting.

6.40. Employees should be allowed enough time to reasonably consider their individual scoring and the redundancy proposal in general, for example alternative actions that could be considered to avoid the redundancy. Management should give consideration to any reasonable representations the employee makes.

### **Stage 4 – At Risk – Redeployment & Re-Training**

6.41. Those at risk of redundancy will have an opportunity to meet with a representative(s) from Human Resources, or other advisers where appropriate. This will help facilitate the redeployment process and will also provide an opportunity to discuss and consider any possible re-training opportunities.

### **Stage 5 - Notice of redundancy**

6.42. After consideration of any representations and where there is no alternative to redundancy, a meeting should be convened with each employee to advise them of the outcome of the scoring process. The relevant Senior Manager

and a representative from Human Resources should be present to confirm the decision in relation to whether the employee has been selected for redundancy. The employee will have the right to representation at this meeting.

- 6.43. An employee who is made redundant is entitled to written notice. Where the employee has been selected, they will be issued with written notice of redundancy and will be placed on the redeployment register for the purposes of seeking suitable alternative employment. Employees who are given notice must be paid during the notice period even if they are unable to work eg through sickness. The minimum periods of notice employees are entitled to is based on their length of continuous service and will be as per the contract of employment.
- 6.44. Information will also be provided in relation to the proposed termination date and entitlement to payments including outstanding annual leave, all of which will be confirmed in writing. Generally, employees will be required to work their full notice period, although in specific circumstances, pay in lieu of notice may be more appropriate. During the notice period, employees are entitled to reasonable time off to assist in the search for other employment.
- 6.45. The Senior Manager will write out within 5 working days confirming their decision and provide information on the appeal process.

### **Stage 5: Appeal Process**

- 6.46. Any employee who has been selected for redundancy and who is dissatisfied with the way in which the Council has applied the redundancy selection criteria, or who believes that he/she has been unfairly disadvantaged by the selection criteria or not given a fair opportunity to put forward representations, can request a formal review of his/her selection for redundancy.
- 6.47. The review should be lodged within 5 working days of the formal notification of redundancy being given. The request for a review should be submitted to the Senior Manager – HR and Workforce Development, who will arrange for a review hearing to be heard within 5 working days of receipt of the request, or as soon as possible thereafter. The review hearing will be chaired by an

independent Strategic Director The same Strategic Director will consider all review cases received from the same pool, unless this is impractical.

- 6.48. The outcome of the review process will be communicated to the employee in writing within five working days of the review hearing. The decision of the review hearing will be final.
- 6.49. The process to be adopted at the review hearing is outlined in Appendix 3.

### **Alternative Employment**

- 6.50. In compulsory redundancy situations employees will be added to the redeployment register and considered for posts in accordance with this Policy.
- 6.51. Trial periods will be offered in accordance with the Redeployment Policy.
- 6.52. Employees will be made aware of the consequences of accepting or refusing an offer of suitable alternative employment. For example, should the employee unreasonably refuse an offer of suitable alternative employment, the employee may lose the right to a redundancy payment. Suitable alternative employment will be a post at a similar level, grade and status.
- 6.53. Consideration will also be given to reasonable adjustments that can be made to posts in line with the Disability Provisions of the Equality Act 2010.
- 6.54. Employees selected for redundancy will also be afforded reasonable time off to look for work or to arrange training. The employee should submit their request in writing to their Line Manager, outlining the reason for the time they require, within a reasonable time frame for the manager to consider the request.
- 6.55. If an employee finds alternative employment external to the Council and wishes to leave before the end of their notice period they will lose the right to any outstanding period of notice. If the employee wishes to leave prior to their termination date they must submit their request in writing to their Senior Manager and consideration will be given to this.
- 6.56. If a redundant member of staff is offered alternative employment with another local authority or organisation detailed within The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order , whether in writing or not, before the date of the

redundancy and the termination of his/her contract, and the new job starts within 4 weeks of the date of redundancy payment, no redundancy payment is due and continuity of service for statutory redundancy purposes is preserved

### **Employee Support**

6.57. The Council will offer appropriate support to employees at risk of redundancy which may include;

- Class for dealing with Stress;
- Financial/welfare benefits advice;
- Job Search techniques – Self marketing skills, C.V. writing, networking skills & opportunities, Interview skills & techniques;
- Computer and internet access skills.

## **7. Compensatory Payments**

7.1. Where eligible and approved, the package may consist of a combination of components. Some elements are mandatory and some discretionary. Levels of compensation vary depending on whether the termination of employment is voluntary or the employee has been dismissed on the grounds of redundancy.

7.2. In redundancy situations a compensatory lump sum is payable. The compensatory lump sum payment made under these arrangements by the Council includes any entitlement to the statutory redundancy payment as per the Employment Rights Act 1996. An employee made redundant, with 2 or more years' continuous service is entitled to a redundancy payment. The Council operates the Statutory Redundancy Payment scheme which is:

- Employees aged 22 and under – 0.5 weeks pay for each year of continuous service;
- Employees aged between 23 and 40 – 1 weeks pay for each year of continuous service;
- Employees aged 41 and over – 1.5 weeks pay for each year of continuous service;

7.3. Subject to 8.3 a week's pay is the amount an employee would normally receive under his/her contract on the date of the cessation. If a week's pay varies for any employee an average pay over the previous 12 weeks will be used.

7.4. The reference period will only relate to elements paid for in the normal course of employment. It will for example not include any payments received for arrears of pay.

7.5. For the purpose of this policy continuous service is service with employers listed in The Redundancy Payments (Continuity of Employment in Local Government, etc (Modification) (Amendment) Order 2001, where there has been a break of seven days or less between employments. Employees with less than 2 years continuous service are not eligible for a redundancy payment.

7.6. The compensatory lump sum payment will be calculated as at the termination date or where appropriate, the date when the notice period has expired.

## **8. Compensatory Payments on grounds of efficiency**

### **Voluntary Severance**

- 8.1. In order to compensate employees for the loss of future employment, in situations where the employee voluntarily requests severance, a maximum payment of up to 52 weeks salary may be available if the employee is unable to access their pension.
- 8.2. Where applicable, and in line with pension regulations, employees who can access their pension may be eligible for up to 5 Compensatory Added Years.

### **Voluntary Redundancy**

- 8.3. If an employee accepts an offer of voluntary redundancy and qualifies for immediate access to their pension benefits they will also be entitled to a payment based on the statutory provisions
- 8.4. If an employee accepts an offer of voluntary redundancy and does not qualify for access to their pension benefits a maximum payment of up to 52 weeks salary, dependant on age and length of service, may be available.

### **Compulsory Redundancy**

- 8.5. In the event that the Council does not operate a no compulsory redundancy policy and compulsory redundancy is unavoidable, once all other options have been exhausted including voluntary severance and voluntary redundancy, the Council may opt to make compulsory redundancy available at terms no less favourable than those offered for voluntary redundancy.
- 8.6. As a minimum, the Council is obliged to make payment based on the Statutory Provisions. There will be no entitlement to Compensatory Added Years in compulsory redundancy situations. The compulsory redundancy package will be developed when all other options have been exhausted based on the prevailing financial circumstances and policy direction of the Council.
- 8.7. A table setting out a summary of entitlements and eligibility is included at Appendix 5.

## **9. Compensatory Added Years (CAY)**

- 9.1. Compensatory added years can be awarded, in Voluntary Severance or Voluntary Redundancy situations to those who are or could be members of the pension scheme provided they have completed at least 5 year's service and would qualify for immediate access to scheme benefits on redundancy or efficiency grounds.
- 9.2. The benefits arising from compensatory added years are a lump sum and a pension based on the compensatory period awarded and the employee's final pensionable pay. Compensatory added years compensation is paid for the duration of the employee's lifetime, or where appropriate, payable to the spouse or civil partner, which means it is not uncommon for a compensatory added years payment to be paid over a significant period of time.
- 9.3. In all cases, the maximum number of compensatory added years that can be awarded is the shortest of the following:
- The number of years needed to make up the employee's pension scheme membership to 40 years;
  - The period equivalent to the employee's service;
  - The period between the date of cessation and the employee's 65th birthday; and
  - Up to 5 years.

## **10. Pension Scheme Members - Mandatory pension scheme benefits**

### **Local Government Pension Scheme**

- 10.1. Accrued pension benefits must be released if the employee retires on redundancy or efficiency grounds and:
- has attained age 50, having been an active member of the Scottish LGPS on 5<sup>th</sup> April 2006, or
  - has attained age 55, and

- has at least 2 years' scheme membership, or
- has completed less than 2 years' membership but has transferred in previous pension rights from outwith the Scottish LGPS.

10.2. Members of the scheme, who neither qualify for retirement benefits nor a refund, can leave their rights deferred in the pension fund for payment at retirement age. Alternatively, they can elect to transfer them to a new pension arrangement.

10.3. Employees are encouraged to contact the Pensions Section at Falkirk Council for further information where appropriate.

10.4. Retirement benefits are inflation-proofed provided employees have attained age 55. A spouse, civil partner or child's pension benefits are inflation-proofed irrespective of the age of the beneficiary.

#### **Scottish Public Pensions Agency (Teachers Pension Scheme)**

10.5. Where a member of staff is retired prematurely because of redundancy or in the interests of organisational efficiency, they may be granted retirement benefits if they are aged 55 or over and under 60 and contributing to the pension scheme.

10.6. Employees are encouraged to contact SPPA for further information where appropriate.

## **11. Payment in Lieu of Notice and Outstanding Annual Leave**

- 11.1. In general, in cases where severance is granted by reason of efficiency or voluntary redundancy the employee will be considered to be leaving the employment of the Council by mutual consent so no notice will be payable. Termination dates will, in most cases, be by agreement, however the Council reserves the right to withdraw an offer if the termination date proposed by an employee is not suitable.
- 11.2. In compulsory redundancy situations, employees will generally be required to work their notice period. Where this is not the case and subject to the exigencies of the Service the compensatory lump sum, as detailed above, will include any contractual or legal entitlement to pay in lieu of notice. No additional payment will therefore be payable in this respect.
- 11.3. Services should ensure that employees take any unused annual leave entitlement prior to the agreed termination date, including those on term time contracts. In exceptional circumstances a payment in lieu of outstanding annual leave may be authorised in advance of the agreed termination date.

## **12. Tax and Deductions**

- 12.1. A compensatory lump sum may be subject to the deduction of income tax depending on the level of the termination package. In voluntary redundancy or compulsory redundancy situations where an employee with more than 1 post remains in a secondary post, their compensatory lump sum will be subject to tax and national insurance deductions.
- 12.2. It is a condition of this Policy and a term of the employee's contract of employment that any outstanding payments due to the Council will be deducted from the final salary and/or compensatory package.

## **13. Impact of re-employment**

- 13.1. In the limited circumstances referred to in section 2.3 above, where an individual is in receipt of a compensatory added years benefit and is re-employed, the benefit can be affected by the re-employment.

13.2. In addition, re-employment may affect the payment of the Scottish LGPS or STSS benefit. The individual should discuss these aspects with the Pensions Section or SPPA if appropriate.

## 14. Monitoring and Review

14.1. The Senior Manager (HR and Workforce Development) and Trade Union Representatives shall monitor the effectiveness of these procedures on an ongoing basis. Amendments will be made as and when deemed necessary and, where appropriate, after consultation with recognised trade unions.

Policy Name	Severance Policy and Procedure
Department	Human Resources
Policy Lead	Human Resources
Equality and Fairer Scotland Impact Assessment	
Full Assessment Completed	Yes
Date Approved	
Review Date	



**SECTION 2 : HR USE**

VS Received from Service	<input type="text"/>	S22 required	Yes <input type="checkbox"/> No <input type="checkbox"/>
Date severance figures requested	<input type="text"/>	Date severance returned	<input type="text"/>
S22 sent to payroll	<input type="text"/>	S22 returned from payroll	<input type="text"/>
S22 sent to pensions	<input type="text"/>	Figures received from Pension	<input type="text"/>
Figures sent to Finance	<input type="text"/>	Figures returned from Finance	<input type="text"/>
Sent to Service	<input type="text"/>	Returned from Service	<input type="text"/>

**SECTION 3: FINANCE USE**

	£	Saving Type (Tick as appropriate)	
Annual Saving Value	<input type="text"/>	Post Deleted	<input type="checkbox"/>
		Other staffing reconfiguration	<input type="checkbox"/> See attached Appendix A Form
		Other saving	<input type="checkbox"/> See attached Appendix A Form
Section 95 Officer: .....			

**SECTION 4: HEAD OF SERVICE**

<p><b>Strategic Director</b></p> <p>Comments:-</p>	<p>On the basis of the figures provided by Falkirk Pensions, costs will be recovered within 2 years.</p> <p><u>TICK BOX</u></p> <p>By the following (tick box)</p> <p style="padding-left: 40px;"><input type="checkbox"/> Post is to be deleted</p> <p style="padding-left: 40px;"><input type="checkbox"/> Post reconfigured (how) - full details attached</p> <p style="padding-left: 40px;"><input type="checkbox"/> Budget Savings Identified elsewhere - full details attached</p>	<p>I am unable to recover costs within the 2 years. Request is declined and I will inform the individual.</p> <p style="text-align: right;">TICK BOX <input type="checkbox"/></p> <p>There are exceptional circumstances to warrant payback over 3,4 or 5 years and a case has been put to the S95 Officer.</p> <p style="text-align: right;"><input type="checkbox"/></p>	
<p><b>Strategic Director</b></p>	<p>.....(Signed)</p> <p>Forward to Human Resources</p>	<p>Date:</p>	

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**SECTION 5: CLEARING HOUSE APPROVAL**

\*Approved / Not Approved (\*delete as required)

(Subject to finalised figures from Falkirk Pensions (if current Pensions figures in excess of 3 months old))

SIGNED ..... DATED: .....

## APPENDIX 2 - REDUNDANCY MATRIX

### QUALIFICATIONS

No qualification for post	Part qualified/part completed qualification	Obtained qualification
0	3	5

### SKILLS & EXPERIENCE, KNOWLEDGE & COMPETENCIES

Essential skills, experience and competencies to undertake the post linked to the job description and personal specification for the post; These need to be specific, measurable and linked to the post. A skills audit of those staff affected would be undertaken as part of this process, this may be informed by 1-1, PRDS, supervision notes and TNA processes should help determine these levels, eg a Very high level of skills, experience etc would be evidenced by no gaps in the TNA process.

Lack of skills experience, knowledge & not meeting competencies /in formal capability process (performance related)	Acceptable level in some areas, with high level of gaps in all criteria	Acceptable level across all areas, with some gaps showing in most criteria	A very high level for one or more of the criteria and small gaps in all remaining areas	Very high level across all areas
0	2	3	4	5

### STANDARDS OF WORK AND PERFORMANCE

Non-acceptable standard or work and performance and fails to meet objectives	Low level of standard of work and performance which has raised concern in the last 12 months	Acceptable level of work and performance and sometimes meets objectives	Usually a very high level of work and performance and usually meets objectives	High standard of work and performance and always meets objectives
0	2	3	4	5

**DISCIPLINARY RECORD**

Live Final Written Warning on file	Live Written warning on file	No disciplinary record
0	3	5

**SICKNESS/ATTENDANCE\***

More than X days absence in the previous 2 years **	Upto X days absence in previous 2 years	No absences in previous 2 years
0	3	5

\* in cases where there has been disability-related absence or an Industrial Injury, the number of triggers above will be divided by 2, for example, a disabled employee who has reached 2 triggers in the previous 2 years will score 3 points and where they have reached 3 or more triggers, they will score 0.

\*\* Pro rata for part time staff

## APPENDIX 3 - APPEAL PROCESS

### Notification of Appeal

Any employee who has been selected for redundancy can ask for the situation to be reviewed on the following grounds:

- the application of the redundancy selection criteria;
- the selection criteria have unfairly disadvantaged the employee;
- the employee was not given a fair opportunity to put forward representations;
- the policy has not been applied properly.

Employees must confirm their intention to apply for a review/appeal in writing to the Senior Manager – HR and Workforce Development within 5 working days of notification of selection for redundancy. This should set out the reasons to their case to be reviewed eg the grounds of their appeal and provide any evidence/documentation to demonstrate their case. This information will be available to all parties of the review hearing.

On receipt of a letter of review/appeal, Human Resources will arrange a suitable hearing, providing a minimum of 3 days' notice in writing. The line manager will be asked to submit any relevant papers that may be referred to during their submission, copies of which will be provided to the appellant in advance of the hearing taking place.

### The Review Hearing

The hearing will be chaired by an independent Strategic Director. Representatives from Human Resources, Legal and a Trade Union representative will attend to provide support and advice to the chair.

The staff member may be accompanied at the hearing by a colleague or their Trade Union representative. A representative from the appropriate Service will also be invited to attend the hearing to present management's case.

The Chair will introduce those present and ensure those attending understand the procedure which is to be followed during the hearing.

The staff member , or their Trade Union representative will present their case, after which they may be questioned by the Chair and the relevant Advisers.

Management's case will be presented by the relevant line manager. The opportunity for questioning from the panel will be available. Each party will have the opportunity to ask questions.

Management's representative, followed by the staff member or their representative, will then be provided with an opportunity to briefly summarise the key points of their case. No new evidence should be introduced at this time. The parties will then be asked to withdraw to allow the Chair to decide whether the appellants case is upheld or not. The staff member and managers will be advised in writing whether their case has been upheld or not within 5 days of the date of the review hearing.

Before closing the hearing, the Chair will:

- Ascertain whether or not the staff member considers that they have had a fair hearing.
- Advise the staff member that the panel's decision will be notified in writing at the conclusion of all appeals.

## **APPENDIX 4 - STATUTORY REDUNDANCY PAY TABLE**

To calculate how much statutory redundancy you can get please visit  
<https://www.gov.uk/calculate-your-redundancy-pay>.

Statutory Redundancy is based on age, weekly pay and number of years in the job.

You only qualify for statutory redundancy pay if you've worked for your employer for at least 2 years.

## Appendix 5

### VOLUNTARY REDUNDANCY/COMPULSORY REDUNDANCY

Severance Situation	Less than 2 years service	At least 2 years service but less than 5 years	More than 5 Years
Unable to Access Pension based on age and pension rules*	<p><b>No Pension benefits payable</b></p> <p>Refund of pension contributions, or a Transfer Value</p> <p><b>No Redundancy entitlement</b></p>	<p><b>No Pension benefits payable</b></p> <p>Accrued pension benefits retained in the Fund or Transfer Value for another pension fund.</p> <p>If a <b>Voluntary redundancy situation compensation payable based payable up to 52 Weeks pay</b>, determined by age and length of service.</p> <p>The maximum redundancy payment not subject to Tax and NI is £30,000</p>	<p><b>No Pension benefits payable</b></p> <p>Accrued pension benefits retained in the Fund or Transfer Value for another pension fund.</p> <p>If a <b>Voluntary redundancy situation compensation payable based payable upto 52 Weeks pay</b>, determined by age and length of service.</p> <p>The maximum redundancy payment not subject to Tax and NI is £30,000</p>
Able to Access Pension based on age and pension rules	<p><b>No Pension benefits payable</b></p> <p>Refund of pension contributions, or a Transfer Value</p> <p><b>No Redundancy entitlement</b></p>	<p>Eligible to immediate access to pension benefits but <b>NOT</b> entitled to CAY.</p> <p>If a <b>Voluntary redundancy situation compensation payable based on Statutory entitlement determined by age and length of service</b></p>	<p>Eligible to immediate access to pension benefits and up to 5 CAY</p> <p>If a <b>Voluntary redundancy situation compensation payable based on Statutory provisions.</b></p>

\* Unable to access if under aged 55 although if a scheme member on 05/04/2006 (and still in the Scheme) protected age of 50.

VOLUNTARY SEVERANCE

Severance Situation	Less than 2 years service	At least 2 years service but less than 5 years	More than 5 Years
Unable to Access Pension based on age and pension rules*	<p><b>No Pension benefits payable</b></p> <p>Refund of pension contributions, or a Transfer Value</p> <p><b>No Redundancy entitlement</b></p>	<p><b>No Pension benefits payable</b></p> <p>Accrued pension benefits retained in the Fund or Transfer Value for another pension fund.</p> <p>If a <b>Voluntary severance situation compensation payable based payable up to 52 Weeks pay</b>, determined by age and length of service.</p> <p>The maximum redundancy payment not subject to Tax and NI is £30,000</p>	<p><b>No Pension benefits payable</b></p> <p>Accrued pension benefits retained in the Fund or Transfer Value for another pension fund.</p> <p>If a <b>Voluntary redundancy situation compensation payable based payable upto 52 Weeks pay</b>, determined by age and length of service.</p> <p>The maximum redundancy payment not subject to Tax and NI is £30,000</p>
Able to Access Pension based on age and pension rules	<p><b>No Pension benefits payable</b></p> <p>Refund of pension contributions, or a Transfer Value</p> <p><b>No Redundancy entitlement</b></p>	<p>Eligible to immediate access to pension benefits but <b>NOT</b> entitled to CAY.</p>	<p>Eligible to immediate access to pension benefits and up to 5 CAY</p>

\* Unable to access if under aged 55 although if a scheme member on 05/04/2006 (and still in the Scheme) protected age of 50.

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

<b>Title of Policy:</b>	Severance Procedure
<b>Service:</b>	Human Resources
<b>Team:</b>	Human Resources

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

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

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

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

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

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

<b>Purpose of the proposed policy or changes to established policy</b>
The purpose of the policy is to ensure fair processes are in place throughout the Council when considering criteria and applications for staff who wish to apply for severance.
<b>Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?</b>
<b>General Equality Duty -</b>
<b>➤ Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct</b>
The procedure aims to treat all employees fairly and consistently and should assist with removing potential indirect discrimination, harassment or victimisation by providing clear guidelines and transparency to VS processes.
<b>➤ Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not</b>
Having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics. Severance can be requested by all employees and this could include for personal reasons, which could be covered by a protected characteristic (for example wishing to leave employment or retire early due to caring needs or health needs which would not be covered by ill health retirement).
<b>➤ Fostering good relations between people who share a protected characteristic and those who do not.</b>
This element of the Duty is more relevant to the Council's role as a service provider, and there is relatively limited direct relevance to this particular procedure.
<b>Fairer Scotland Duty -</b>
<b>➤ Reducing inequalities of outcome caused by socioeconomic disadvantage</b>

To which of the equality groups is the policy relevant?		
Protected Characteristic	Yes/No*	Explanation
Age	Yes	Older staff are more likely to receive a higher redundancy payment than younger staff. For the avoidance of doubt, it is not anticipated that this amounts to less favourable treatment for younger staff. The Equality Act 2010 contains an exemption for employers who wish to make more generous payments to employees who are older or their length of service with their employer is greater. This exemption is justified under EU law where labour market evidence shows that older workers are more likely to be made redundant and have a harder time getting a new job than younger workers.
Disability	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of disability
Gender Reassignment	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of gender reassignment.
Marriage and civil partnership	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds that they are married or in a civil partnership.
Pregnancy and Maternity	Yes	Return from maternity, this could be positive for this group of staff who may not wish to return to workplace and have opportunity to apply for VS.
Race	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of race.
Religion and Belief	No	It is submitted that this protected characteristic is not directly relevant to this Procedure and it is not anticipated that there could be any differential impact on people on the grounds of religion and belief.
Sex	Yes	There are more women than men who are employed by the Council (71.3% of staff excluding teachers are female compared to 28.7% of men).  Lone parents are more frequently female and face a higher level of poverty, and this the Council. However, in terms of redundancy, the Council would always seek to utilise voluntary measures first to minimise the impact of redundancies on the workforce.

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

\* Delete as required

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

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

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

There is a high rate of staff who responded "Prefer Not to Say" in relation to whether they have a disability.

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

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

**Next steps**

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

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

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

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