



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

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

Audit and Scrutiny Committee

Thursday 7 March 2024 at 9.30 am

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



Audit and Scrutiny Committee

The remit of the Audit and Scrutiny Committee is:

Audit & Finance

- a) Receive, review and consider reports on the Council's finance
- b) Receive, review and consider reports on value for money and best value
- c) Consideration and monitoring of the Council's Annual Governance Statement
- d) Consider internal audit reports and results of internal audit investigations
- e) Consider external audit and resultant action plans
- f) Monitor and review actions taken on internal and external audit recommendations
- g) Consider the effectiveness of the Council's risk management procedures and the control environment
- h) Receive and consider reports on countering fraud and corruption.

Scrutiny

- a) Monitor council services, including the Health and Social Care Partnership (HSCP) against agreed outcomes, standards and targets
- b) Monitor the achievement of organisation-wide agreed outcomes, standards and targets
- c) Monitor the achievement of agreed outcomes, standards and targets by the community planning partnership
- d) Monitor Police and Fire performance against Plans approved by the Council
- e) Scrutiny of Council decision-making, with the ability to call in decisions
- f) Initiate or undertake scrutiny reviews
- g) Deal with matters referred by the Council for scrutiny purposes.

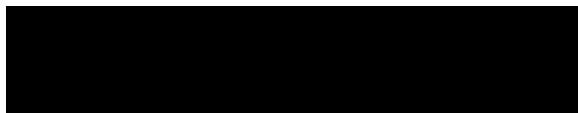
Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

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

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

28 February 2024

A MEETING of the AUDIT AND SCRUTINY COMMITTEE will be held in COUNCIL CHAMBERS, KILNCRAIGS, ALLOA on THURSDAY 7 MARCH 2024 at 9.30 am.



**Stuart Crickmar
Strategic Director (Partnership and Performance)**

B U S I N E S S

Page no.

- | | | |
|----|--|----|
| 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. | -- |

Audit

- | | | |
|----|---|----|
| 3. | Exceptions from the Application of Contract Standing Orders - report by the Strategic Director, Partnership and Performance (Copy herewith) | 05 |
| 4. | Internal Audit Progress Report - report by the Internal Audit Manager (Copy herewith) | 09 |

Scrutiny

- | | | |
|----|---|----|
| 5. | Final Review of 2021-23 Place Business Plan – report by the Strategic Director, Place (Copy herewith) | 19 |
| 6. | Community Empowerment Act Annual Report (Community Asset Transfer and Participation Requests) – report by the Strategic Director, Place (Copy herewith) | 41 |
| 7. | Environmental Health Official Food Control Progress Report – report by the Strategic Director, Place (Copy herewith) | 53 |
| 8. | Local Employability Performance – report by the Strategic Director, Place (Copy herewith) | 75 |

Audit and Scrutiny Committee – Committee Members (Membership 8 - Quorum 4)

Councillors

Wards

Councillor	Janine Rennie (Chair)	3	Clackmannanshire Central	LABOUR
Councillor	Denis Coyne (Vice Chair)	5	Clackmannanshire East	CONSERVATIVE
Councillor	Phil Fairlie	1	Clackmannanshire West	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONSERVATIVE
Councillor	William Keogh	2	Clackmannanshire North	LABOUR
Councillor	Kenneth Earle	4	Clackmannanshire South	LABOUR
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Bryan Quinn	4	Clackmannanshire South	SCOTTISH GREEN

Report to: Audit and Scrutiny Committee

Date of Meeting: 7th March 2024

Subject: Exceptions from the Application of Contract Standing Orders

Report by Strategic Director Partnership & Performance

1.0 Purpose

- 1.1 It is a requirement of Contract Standing Orders that exceptions should be reported to the next available Audit & Scrutiny Committee. The purpose of this paper therefore is to provide detail on any Exceptions to Contract Standing Orders submitted in the previous quarter.

2.0 Recommendations

- 2.1 The Committee is asked to note the report, commenting and challenging as appropriate

3.0 Considerations

- 3.1 Contract Standing Orders (CSO's) apply to all contracts entered into by Council officers. In some circumstances however, exceptions may be granted.
- 3.2 The appropriate senior manager must record their reasons in writing in the form of an exception report for a decision, which must be submitted to the Strategic Director, Partnership and Performance, for consideration.

The Strategic Director is required to consult with the Chief Finance Officer (S95) and Procurement Manager before taking any action that binds the Council. It is a requirement that any such exception shall be reported retrospectively in full to the next Audit & Scrutiny Committee, including the reasons that fully justify the exception. A summary of CSO exemptions will also be provided as part of the Annual Procurement report to the Audit & Scrutiny Committee.

- 3.3 One exception was considered since the last report in February 2024
- 3.3.1 To permit the purchase of vertical farming containers and associated support from Urban Farm to the value of £270,000

The basis of the exception request is that, in terms of Contract Standing Orders section 6 (8) The purchase of goods or materials, the execution of works or supply of services for which the procurement officer considers that no genuine competition can be obtained.

Granted

Based on the information provided and with the need for a price point controlled solution, proven expertise assistance, a time limited result and a model that will fit into the limited space that we have available, Urban Farm met the service exact requirements. It was considered that their model is unique and fits in with the aims and objectives of the Forthbank project. The proposed model is approved by SIEC/Stirling University experts and supported by all members of the partnership and they could not find other potential suppliers for this type of product and are therefore sought to place an order direct with this company.

For note: an exception report was previously considered by the Strategic Director (Partnership & Performance) to permit the purchase of one growing container from a Lettus Grow, (at the time a sole provider in the UK of the specialist container) which was subsequently approved by the strategic director in consultation with the Heads of Finance and Procurement.

This was reported at the last Audit and Scrutiny Committee in February 2024

Following approval, an order was placed with Lettus Grow for the container and discussions held in regard to the supply of the container at the start of January 2024.

On the 19th January 2024, the service were contacted by Lettus Grow and informed that they were now unable to supply the growing container as their investor wished to upscale the business to develop larger scale models which has taken their operational priorities away from the fitting out of containers.

Lettus Grow apologised for the inconvenience that this shift in their priorities created for Clackmannanshire and stated that “We recognise that we were the only company in the UK who provided this service and have been working with a company called Farm Urban with whom we already have a working relationship and who would be prepared to take on this project”. They confirmed in discussions that the gap in market created by their change in direction would now be taken up by Farm Urban.

Conditions

Procurement Form 2 should be completed and authorised

A supplier request form should be sent to Farm Urban in order to be able to raise a purchase order

A Purchase order should be raised to cover value requested

An award notice should be published in Public Contracts Scotland

4.0 Sustainability Implications

4.1 There are no direct sustainability implications arising from the recommendations in this report.

5.0 Resource Implications

- 5.1 Financial Details - there are no direct implications for the Council's budget arising from this report
- 8.2 Staffing - there are no direct implications for the Council's establishment arising from this report

6.0 Exempt Reports

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

7.0 Declarations

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

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

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

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

Contract Standing Orders

Financial Regulations

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?

N/A

9.0 Legality

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

10.0 Appendices

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

none

11.0 Background Papers

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

No (please list the documents below)

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Derek Barr	Procurement Manager	2017

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director Partnership & Performance	

Report to: Audit & Scrutiny Committee

Date of Meeting: 7 March 2024

Subject: Internal Audit Progress Report

Report by: Internal Audit Manager

1.0 Purpose

1.1 This report provides an update on progress with completion of the 2023/24 Internal Audit Plan.

2.0 Recommendations

2.1 It is recommended that the Committee notes the progress being made with completion of the 2023/24 Internal Audit Plan.

3.0 Progress with Completion of the 2023/24 Internal Audit Plan

3.1 The 2023/24 Internal Audit Plan was agreed by Audit Committee on [20 April 2023](#). It set out 16 assignment areas to be completed by the team during the year. This includes 11 audit reports to be issued to Clackmannanshire Council (those 11 audit reports do not include those assignments or reports issued to the Clackmannanshire and Stirling Integration Joint Board, Central Scotland Valuation Joint Board, or the Public Sector Internal Audit Standards: External Assessment). A summary of progress is set out at Appendix 1.

3.2 Of these 11 audit reports:

- 4 audit reports have been finalised;
- 3 reviews are in progress; and
- 4 are yet to be started.

3.3 Details on the scope of, and findings arising, from the 2 reviews finalised since the last Committee in February are at Appendix 2. The assurance is provided in line with the definitions at Appendix 3.

3.4 Over the remainder of 2023/24 Internal Audit will continue to progress the programme of work set out at Appendix 1, however, it is anticipated that some assignments will be deferred into the 2024/25 Internal Audit Plan. As previously advised, our workload is subject to change, and resource will be directed to where it adds most value.

4.0 Conclusions

4.1 The team is making steady progress with 2023/24 Internal Audit work. This will contribute to a balanced and evidenced based year end opinion on arrangements for risk management, governance, and control.

5.0 Sustainability Implications

5.1 None Noted.

6.0 Resource Implications

Financial Details

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

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

Staffing

6.3 No implications other than those set out in the report.

7.0 Exempt Reports

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

8.0 Declarations

8.1 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)

9.0 Equalities Impact

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

Yes No

10.0 Legality

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

11.0 Appendices

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

- Appendix 1: Internal Audit Plan 2023/24 Progress at 27 February 2024
- Appendix 2: Internal Audit Plan 2023/24 Assignment Outcomes Summary of Key Findings from Assignments Complete to Final Report Not Previously Reported to Committee
- Appendix 3: Definition of Internal Audit Assurance Categories

12.0 Background Papers


12.1 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
Isabel Wright	Internal Audit Manager	01324 506342

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director Partnership and Performance	

INTERNAL AUDIT PLAN 2023/24

Progress at 27 February 2024

	Client / Directorate	Assignment	Status
Annually Recurring Assignments			
1.	All Directorates	National Fraud Initiative	Ongoing
2.	All Directorates	Continuous Auditing	Ongoing
3.	Place	Climate Change Act Public Body Duties Audit	Final Report Issued
4.	All Directorates	Consultancy Work	Ongoing
5.	All Directorates	Work on Recommendations Outstanding	Ongoing
6.	Internal Audit	Public Sector Internal Audit Standards: External Assessment	Draft Report Issued
Committed Assignments			
7.	Partnership and Performance / All Directorates	IT and Information Security Governance	Not Started
8.	People / All Directorates	Purchase Order Arrangements at Clackmannanshire for Adult Social Care	Final Report Issued
9.	Partnership and Performance / People	Leisure Income Follow Up Review	Final Report Issued
10.	Partnership and Performance / All Directorates	Freedom of Information Requests	In Progress
11.	All Directorates	Care Home Residents Monies	Final Report Issued
12.	Partnership and Performance / All Directorates	Overtime Arrangements	In Progress

	Client / Directorate	Assignment	Status
13.	Place / Partnership and Performance	Energy Bills Support Scheme (EBSS)	Not Started
14.	People	School Admissions Policy	Not Started
15.	Partnership and Performance / All Directorates	Use of Purchase Cards	In Progress
16.	Partnership and Performance / All Directorates	Community Benefits	Not Started
Other Client Work			
17.	Clackmannanshire and Stirling Integration Joint Board	The Internal Audit Plan for 2023/24 was presented to the IJB Audit and Risk Committee on 28 June 2023.	In Progress
18.	Central Scotland Valuation Joint Board	The Internal Audit Plan for 2023/24 was presented to the Central Scotland Valuation Joint Board on 30 June 2023.	In Progress

INTERNAL AUDIT PLAN 2023/24 ASSIGNMENT OUTCOMES

Summary of Key Findings from Reviews Complete to Final Report
Not Previously Reported to Committee

Review	Directorate	Assurance
Care Home Residents Monies	Partnership and Performance	Limited Assurance
Scope	Final Report Executive Summary	
<p>Residents in Care Homes require access to their personal funds to pay for small items while in residence, for example, haircuts, chiropodist appointments, toiletries, and newspapers. These payments are managed by the Care Home staff on behalf of the residents. Individual bank accounts are not managed by the Council and there are no appointeeships¹ for their residents.</p> <p>The Care Home staff receive money from family or Solicitors to top up the individual resident's suspense account. It is, therefore, important to keep proper and accurate records for each resident detailing income and expenditure.</p> <p>All monies received are deposited in the Council's own bank account. Cash payments on behalf of residents for items they require are paid from the Care Home's £2,000 imprest. The imprest is reimbursed from the Council's bank account as per the Council's Imprest Policy.</p> <p>The main focus of this high level review has been to evaluate and report on the policies and procedures, roles and responsibilities, and security of residents cash and valuables.</p>	<p>There are two Care Homes that are run and maintained by the Council: Menstrie House and Ludgate House. The latter now being for short stays with no monies or valuables held for residents. From a total of 20 residents at Menstrie House, a random sample of 5 was chosen and checked to confirm all income and expenditure was supported by receipts from 1 April to 16 November 2023. We were content that:</p> <ul style="list-style-type: none"> • all residents valuables are securely stored in a safe and individually identifiable; • there is an accurate record held of income and expenditure per resident; • there is documentation to support all expenditure; • there are appropriate written policies in place to cover residents' accounts; and • roles and responsibilities are clearly understood. <p>We did identify areas where there is scope for further improvement. There is no segregation of duties as the Business Support Administrator performs all the tasks (distributing funds, issuing receipts, updating the spreadsheet, and reconciling the spreadsheet) unless the Senior Care Officer is available to distribute funds. There is a risk of monies being misplaced and records not being accurately updated.</p> <p>After examining all 94 receipts, totalling £1,895.69, (from 1 April to 16 November 2023) for the random sample of 5 residents (from a total of 20 residents) we found that 12 (13%) income transactions totalling £500 (26% of the total value) were not issued with a written receipt. The amounts received were written on the envelope and stored in the main safe. This creates a risk of money being misplaced and banking being understated, with relatives having no supporting receipts to confirm transactions and Officers being unable to reconcile transactions. We have made the following recommendations:</p> <ul style="list-style-type: none"> • Location of the imprest tin should not be disclosed in the Procedures; • A written policy be created for withdrawing monies by residents or relatives for personal use; • A different person distributes the cash from that who updates and reconciles the master spreadsheet; • Training should be introduced to cover the banking requirements, and specifically cash / valuable security; • The Business Support Administrator role profile to be reviewed and updated; • Items held in the valuables safe should be witnessed and signed for by a relative or Solicitor; • All income received should be receipted in the receipt book; and • A second independent person should undertake the banking along with ad hoc management checks. 	

¹ Appointeeship is when a relative or the Council take full responsibility for managing the making and maintaining any benefit claim, and managing the spending of the benefit.

Review	Directorate	Assurance
Adult Social Care Purchase Order Arrangements	Partnership and Performance	No Assurance
Scope	Final Report Executive Summary	
<p>The review focussed on the Purchase Order and contract arrangements for older people and physical disability assessment and care management payments processed through Techone in 2022/23.</p> <p>This audit assessed the robustness of the Adult Social Care payments internal control framework (in relation to Clackmannanshire Council's Policies and Procedures. It considered the extent to which the Financial Regulations are being consistently applied in practice. A sample of 50 Adult Social Care payments with a total value of c£183k were chosen. Testing was to ensure that the following key requirements from the Financial Regulations and Contract Standing Orders are being consistently applied:</p> <ul style="list-style-type: none"> • Official authorised Purchase Orders in line with delegated authorities must be issued and raised on Techone; • The authorising officer must be satisfied that there is sufficient budget and best value has been achieved; and • Purchase Order values can be reconciled to a contract / written agreement. <p>The focus of this review was to ensure payments had appropriately authorised Purchase Orders and related Adult Social Care providers had</p>	<p>The Clackmannanshire and Stirling Health and Social Care Partnership (HSCP) brings together integrated health and social care services; it is the delivery vehicle for the delegated functions from across Clackmannanshire Council, Stirling Council, and NHS Forth Valley. The Clackmannanshire element of the HSCP Partnership annual budget for 2022/23 was c£25.1m and for 2023/24 it is c£26.2m.</p> <p>The Council's Financial Regulations aim to ensure the highest standards of probity in dealing with public money and to assist and protect staff in such dealings, and are reviewed by the Chief Finance Officer (Section 95 Officer) on an annual basis. The most recent version was updated in June 2023, and includes:</p> <ul style="list-style-type: none"> • Section 11 (Purchasing of Goods and Services) to reflect the electronic Purchase Order process operated within Techone; and • Section 12 (Payments for Goods and Services) to set out the process for goods receipting and checking of invoices in line with procedures and controls within Techone. <p>The Contract Standing Orders set out the rules for the procurement of works, goods, or services for the Council. The Contract Standing Orders ensure that the Council is fair and accountable in its dealings with contractors and suppliers and ensure that value for money is obtained.</p> <p>We found significant weaknesses in relation to the Adult Social Care Payments internal control framework in relation to Purchase Orders not being raised in advance of payments and non-contract expenditure. We reviewed a sample of 50 Adult Social Care transactions (with a value of £182,646), and concluded that for 6 (12%) of these, with a value of £30,665, Purchase Order and invoice matching arrangements were appropriate (and in compliance with the Financial Regulations and Contract Standing Orders). We, therefore, found non compliance with Financial Regulations and Contract Standing Orders in the remaining 44 transactions (88%) with a value of £151,981 where there was not a Purchase Order raised on Techone or an invoice received.</p> <p>The Adult Social Care Team in conjunction with the Health and Social Care Partnership Business Support Team arrange for adult care provision out with the Techone system. The Social Care System holds care provision information and related costs. This involves an approval process where individual care plans are compiled by the Social Worker and approved by an Adult Care Manager, before being uploaded onto Techone for approval and payment. This applied to 42 transactions in the sample where a care plan was found to be in place with a projected total yearly value of c£1.4m. We found a number of weaknesses in the care plan approval and payment process including:</p> <ul style="list-style-type: none"> • 1 transaction where no care plan was available; • 7 care plans did not include details of specific manager approval; • 2 care plans were approved by a manager who did not have sufficient delegated authority for the projected annual cost of care; and • Care plans include a projected annual cost to assist with effective budget monitoring. They can be in place for an undetermined length of time, however, we were advised by the Adult Care Team Manager that although care provision is reviewed there was no 	

<p>contracts in place (with the rates paid matching contract rates).</p>	<p>evidence of further financial approval of the ongoing care costs.</p> <p>We were content that there was sufficient Adult Social Care monitoring of actual spend against budget and this consisted of: detailed monthly management budget reports detailing costs and related care provision, monthly management budget meetings, and quarterly projected budget outturn reports. We found no evidence, however, that budgets are being monitored to ensure they are sufficient prior to individual care financial commitments being approved.</p> <p>The sample was also checked to ensure that where care provider expenditure thresholds were met in line with the Contract Standing Orders that contracts were in place and the rates charged reconciled to agreed contract rates. We were content that 32 transactions (64%) had contracts in place, 3 related to direct payments to client and had related agreements in place, 1 was for emergency short term care that was approved by care management, but for the remaining 14 (28%) transactions there was no evidence provided that they were part of a current contract.</p> <p>From our review of the Care and Support Contract Standing Orders Exception Report (agreed by the Council in February 2021) we found no evidence of monitoring of compliance with the exception report conditions. We have made recommendations that contracts are agreed for care providers that meet Contract Standing Order expenditure thresholds, and that a review should be undertaken to ensure compliance with the Contract Standing Orders exception report.</p> <p>For the 32 transactions that had a contract in place. We found that 10 care rates charged reconciled to contracted rates. For the remaining 22 of the 32 we found that rates being paid were less than the contracted rates.</p>
--	--

DEFINITION OF INTERNAL AUDIT ASSURANCE CATEGORIES

Level of Assurance	Definition
Substantial assurance	Largely satisfactory risk, control, and governance systems are in place. There is, however, some scope for improvement as current arrangements could undermine the achievement of objectives or leave them vulnerable to error or abuse.
Limited assurance	Risk, control, and governance systems have some satisfactory aspects. There are, however, some significant weaknesses likely to undermine the achievement of objectives and leave them vulnerable to an unacceptable risk of error or abuse.
No assurance	The systems for risk, control, and governance are ineffectively designed and operated. Objectives are not being achieved and the risk of serious error or abuse is unacceptable. Significant improvements are required.

Report to: Audit and Scrutiny Committee

Date of Meeting: 7 March 2024

Subject: Final Review of 2021/23 Place Business Plan

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. Council approved the current business plan for Place on 30 November 2023. This report provides the Committee with a final review of the previous Place Business Plan which covered the period 2021-23 and which was agreed in September 2021.
- 1.2. Appendix B provides detailed updates on performance and improvement actions. Appendix C covers Risk
- 1.3. A number of key areas are also highlighted with the Considerations section of this report.

2.0 Recommendations

- 2.1. Committee is asked to note, comment on and challenge the report.

3.0 Considerations

- 3.1. **Policy and Strategy Development.**
- 3.2. Strategies and policies which have been developed in line with the schedule set out in the Business Plan are:
 - Community Wealth Building Action Plan
 - Economic Recovery Strategy
 - Local Employability Delivery Plan
 - Waste Treatment Procurement Strategy
 - Household waste and recycling collection policy
 - Connecting Clackmannanshire
 - Winter Service Policy
- 3.3. Progress has also been made on the following:
 - Net Zero Strategy and Action Plan
 - Local Biodiversity Action Plan
 - Learning Estate Strategy

- Regional Energy Masterplan
- 3.4. Policies and strategies which have not progressed to date are:
- Sustainable Food Growing Strategy
 - Local Development Plan
 - Local Transport Strategy
- 3.5. **Key Issues and Priorities**
- 3.6. Place services strive to deliver quality front-line services to the citizens of Clackmannanshire. Roads and Transportation, Land services, Waste and Recycling, Housing and Public Protection are all highly valued aspects of what people expect from a Council and have a major influence on people's quality of life. Also, Housing, Property and Facilities Management Services provide vital support to other Council Services, such as Education and Health and Social Care
- 3.7. Place services also have a major influence on shaping the future prosperity of Clackmannanshire, through spacial planning and development management, economic development and employability services; together with the delivery of capital projects in support of the Council's vision and outcomes. Many of the levers that can promote and accelerate a Wellbeing Economy lie within the Place Directorate.
- 3.8. During the lifetime of this Business Plan, the impact of the global pandemic on our citizens, communities, partners, suppliers and our staff presented many challenges for the service. Taken together with the economic outlook and Cost of Living Crisis, there has been a consequential impact on the operations of the Council and Place services. We experienced increased demand in a range of service areas, not least those involved in supporting vulnerable people. Some of our capital programme activities have been adversely affected, either by restrictions to working practices or increases in supply chain costs. Many of these challenges and impacts continue to be an issue for the service.
- 3.9. As reported in December 2022, there has been increased focus on the importance of health and safety at work. We have worked jointly with colleagues from the corporate health and safety team to raise staff awareness of safety issues via a programme of toolbox talks and site audits. There has been a real drive to improve our safety culture and staff are encouraged to report incidents and accidents so that we can prevent similar issues arising again. It is pleasing to see that health and safety related performance measures demonstrated real improvement over the last 12 months in comparison to the previous period, with increased reporting of incidents and a reduction in reportable accidents. Good progress has been made on managing Hand Arm Vibration Syndrome (HAVS) in response to an intervention by HSE in 2022.
- 3.10. Financial sustainability remains a key consideration and tight budgetary controls remain a high priority.
- 3.11. Climate change and net zero considerations are also becoming more and more part of 'business as usual' when designing operations, as well as

shaping our policies and capital projects. A climate change strategy and action plan is at an advanced stage of development with a final version due to be reported to Council in 2024.

3.12. Transformation, Innovation and Collaboration

3.13. Place services are contributing to taking forward the key 'Be The Future' transformation themes of: Sustainable, Inclusive Growth; Empowering Families and Communities; and Health and Wellbeing. Examples include:

- Key partner in the Family Wellbeing Partnership and STRIVE, working with others to find creative solutions to support local people whilst helping to shape the future of public service delivery.
- Developing the principle of the Alloa Transformation Zones to maximise the benefits of a range of interrelated investment opportunities and to position Clackmannanshire as a world recognised centre of innovation.
- Delivering the 'Living Alloa' townscape improvements, in collaboration with Alloa First and CTSI to improve connectivity, safety and sense of pride of place.
- Delivering Primrose Place dementia friendly housing, in collaboration with Kingdom Housing Association.

3.14. We continue to work closely with colleagues in the Transformation Team and are taking forward a number of initiatives including:

- Internet of things pilot on remote monitoring of CO2 in classrooms
- Customer service portal
- Innovations In-cab technology in waste vehicles
- Roads Digital Initiatives – Transformation to paperless documentation – Site Inspection Reports, Power Automate Software that sends daily updates to interested parties on road works and emergencies to Stirling and Clacks Contact centre and Police Scotland live information to improve awareness and safety.
- Health & Safety Accessibility – Use of ipads to disseminate H&S information such as Risk Assessments, Near Miss Reporting and COSHH information, again moving to paperless working.

3.15. Working with the University of Stirling and Forth Valley College, significant progress is being made on the early stage planning for phase 2 of Scotland's International Environment Centre (SIEC) and the Inter-generational Living Innovation Hub (which feature as part of the Alloa Transformation Zone). On 23 March, Council endorsed combining these two projects into a single innovation centre, located in the heart of Alloa. Three potential sites have been shortlisted and the results of feasibility work will be brought to a future meeting of Council.

3.16. We collaborate with Stirling Council colleagues on other CRD programmes, including Culture, Heritage and Tourism; Active Travel; Regional Digital Hubs, Regional Energy Masterplan; and Flexible/Inclusive Skills programmes.

3.17. In partnership with CTSI and Forth Environment Link, we were successful in securing £500,000 from the Vacant Derelict Land Improvement Fund to support a small scale pilot net zero community food growing project at Forthbank. Colleagues at SIEC are also proving support and advice and early stage planning and design activity is underway.

3.18. **Stakeholder Engagement**

Stakeholder engagement is an essential part of our approach to designing and delivering services and projects. Over the recent period we have carried out the following engagements:

- Renewed engagement with the Tenants Federation.
- Housing tenant satisfaction feedback sought for all for capital, repairs and maintenance works.
- Meetings with local community groups occupying our properties on leases in particular where shared repair and maintenance liabilities occur.
- Public engagement on improvements to West End Park, especially with younger children and girls.
- Business engagement conducted through the Clackmannanshire Business Support Partnership including fortnightly mailing to over 1,600 recipients and Business Survey.
- Supported a number of community based Climate Change Fora in each of our Ward areas.

3.19. **Service Performance**

3.20. Appendix B sets out our performance across the Local Government Benchmarking Framework. In addition, across the directorate there are a range of embedded practices for managing and monitoring service performance. The service provides a number of statutory/national performance reports, as follows:

- Planning Performance Framework
- Building Standards Verification – Annual Performance Report
- Food Control Service Plan
- Public Bodies' Climate Change Duties
- Scottish Housing Regulator – Annual Return of the Charter (ARC)
- Scottish Housing Regulator – Self Assurance Statement
- Scottish Housing Regulator – Landlord Report to Tenants
- Core Facts Return to Scottish Government
- Scottish Housing Regulator – Annual Return of the Charter (ARC) & Assurance Statement
- Annual Core Facts Building Condition Return to Education for their Submission to Scottish Government
- LEAMS Keep Scotland Beautiful Local Environmental Audit & Management System

3.21. **Workforce Planning**

- 3.22. Remote and/or hybrid working is the norm for many colleagues. Whilst hybrid working presents real opportunities, this work will require new policies, processes, systems; assets and ways of working that represent a fundamental change, and as such require careful engagement with staff, members and trade union colleagues. A survey has recently been carried out to identify how staff may engage in a number of different work-styles. The output from these interactions will inform our public buildings asset strategy going forward.
- 3.23. At the same time, many of our staff continue to operate traditional patterns of work, in physical proximity on sites and within buildings. Some physical improvements to depots are being planned to improve safety and wellbeing of colleagues.
- 3.24. The Council's workforce is aging, and this is particularly acute within Place. More than a third of the workforce is at an age where retirement is a potential option, with over half moving into this category within the next 5 years. At the same time, the number of younger employees in the service is distinctly imbalanced, with around 10% of employees under the age of 30. The scale and pace of staff turnover is likely to increase significantly in the next 5 years, emphasising a requirement to secure and develop skills required to fulfil statutory and essential support functions as a matter of priority. Due to our size, there are people covering multiple roles and this creates risks of single points of failure. There are also skills and capacity gaps in some business-as-usual activities and in meeting our Capital Plan and transformation aspirations.
- 3.25. A number of voluntary severance/early retirements were agreed as part of the 2023-24 budget process. We have met the initial staff reduction targets and are working to identify ways to enable further severances for those staff who have indicated a wish to leave the organisation on these terms. The development of a Target Operating Model across a range of services presents opportunities to facilitate this process.

3.26. **Delivery Plan and Key Achievements**

- 3.27. Appendix B sets out details of the delivery plan and provides information on service performance and progress against agreed improvement actions.
- 3.28. A summary of Improvement Plan activities that have or are being delivered to schedule is:

- PLC-213-01 Deliver Community Wealth Building Action Plan
- PLC-213-106 Deliver Alloa town centre improvement projects
- PLC-213-107 Deliver roads and transportation capital projects
- PLC-213-305 Develop Active travel projects (non CRD)
- PLC-213-110 Produce an economic recovery strategy and action plan
- PLC-213-404 Review service delivery model for Trading Standards service
- PLC-213-111 Deliver CRD projects in line with financial profile
- PLC-213-203 Deliver Learning Estate capital projects
- PLC-213-204 Deliver village and small towns capital projects

- PLC-213-306 Deliver improvements to West End Park and other play areas and open spaces
- PLC-213-207 Deliver improvements to Westhaugh Gypsy/Travellers site
- PLC-213-303 Deliver social services adaptations programme
- PLC-213-203 Deliver Learning Estate capital projects
- PLC-213-301 Support the development of the Wellbeing Hub
- PLC-213-403 Complete Police Integration Project
- PLC-213-102 Undertake a viability assessment and review of the current commercial property portfolio
 - PLC-213-407 Review health and safety and compliance performance and culture and embed improvement in line with the Corporate Health and Safety Improvement Plan

3.29. Progress has also been made on the following, meaning that whilst the original delivery targets have not been met, activity has taken place toward achievement of the particular objective.:

- PLC-213-201 Undertake condition survey & option appraisal of Learning Estates Primary School property assets
- PLC-213-202 Develop the next iteration of the learning estate strategy
- PLC-213-108 Develop rapid scoping assessment for Transformation Zones
- PLC-213-109 Develop project proposals, masterplan and engagement strategy for Transformation Zones
- PLC-213-101 Develop Climate Change/Net Zero strategy and action plan
- PLC-213-302 Deliver Housing capital programme
- PLC-213-405 Deliver non-housing compliance/operational resilience capital programme
- PLC-213-307 Comprehensive review of the use of homeless temporary accommodation
- PLC-213-208 Tenant Participation improvement plan
- PLC-213-402 Implement new Housing/Property IT system
- PLC-213-205 Route-map and options appraisals for compliance with SG rollout of free school meals to all primary age pupils
- PLC-213-206 Implement the new school food menu in compliance with nutritional guidance/standards
- PLC-213-401 Implement service redesign and associated workforce development plan

3.30. Improvement actions which have not progressed to date are:

- PLC-213-104 Develop route-map to compliance with Energy Efficiency in Scottish Social Housing 2 (EESH2)

3.31. Risks

3.32. Key risks that apply to Place services are:

- Insufficient financial resilience
- Inadequate workforce planning/resource capacity
- Health and Safety Breach
- Failure to prepare for severe weather events.

3.33. Appendix C includes the service risk register which identifies how these risks are to be mitigated.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. *Financial Details*

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

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

5.4. *Staffing*

6.0 Exempt Reports

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

7.0 Declarations

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

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

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

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

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

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

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

8.0 Equalities Impact

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

Yes No

9.0 Legality

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

10.0 Appendices

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

Appendix A – Place Business Plan 2021/23 - LGBF Performance Data

Appendix B – Place Business Plan 2021/23 - Performance Indicators & Improvement Actions

Appendix C – Place Business Plan 2021/23 - Risk Register

Appendix D – Place Business Plan 2021/22 - Service Achievements

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
Pete Leonard	Strategic Director (Place)	Extension : 2533

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	





Place Directorate Business Plan 2021-23


Key to Symbols

Performance Indicators		Actions		Risks	
	Meeting target or within 5%		Already complete		Score of 16 or above
	5-15% outwith target		Will complete within target date		Score of 10 to 15
	More than 15% outwith target		Will complete outwith target date		Score of 9 or below



1. Performance Indicators

1.1 Housing Service


Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
HMO ALL 035	Rent loss due to empty (void) properties	0.45%	0.94%	0.66%	0.90%		1.63%	The average time to re-let our properties decreased in 2021/22 which meant we lost less rent due than the previous year. We are also performing well against the Scottish average. We expect to continue to perform well in void management meaning we keep rent loss low.
HMO HPI 005	Council housing meeting all Scottish Housing Quality Standard (SHQS) criteria	96.12%	79.19%	59.87%	100.00%		69.70%	Performance in SHQS dipped due largely to a change in SHQS guidance and the reporting requirement within this area. We were also unable to access properties to carry out Energy Performance Certificate assessments during the Covid pandemic. A planned programme of EPC assessment to renew out of date EPCs has commenced, this will see a marked improvement in SHQS compliance and future SHQS reporting.
HMO HPI 157	Council houses meeting the Energy Efficiency Standard for Social Housing (ESSH)	84.16%	85.26%	62.28%	100.00%		82.80%	ESSH performance has dropped in level due to a combination of a change to the way in which we are required to report on performance as well as a large percentage of our overall Energy Performance Certificates requiring to be renewed (having expired) and properties re-assessed. We have a planned programme of assessment currently underway to provide the new EPC's required, this coupled with recent improvement works to some of our last remaining "hard to treat" homes will see our reported performance figure increase significantly in the coming months.
HMO PRO 006	Average working days to complete non-emergency repairs	7.16	4.24	4.90	7.28		9.19	Non emergency repair response times have increased slightly in comparison to the previous year, this can be attributed to catch up of non emergency repair works backlogged during the Covid pandemic. Performance is good in comparison to the Scottish average.

Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
HMO TEM 011	Rent arrears as a % of rent due in the year	10.11%	9.56%	10.66%	9.56%		8.67%	Housing Officers continue to take a supportive approach with tenants struggling to pay their rent with a focus on avoiding evictions. The service implemented an assistance scheme to help those affected by the pandemic. How much monetary assistance they got was dependant on their circumstances. Those who were made redundant, furloughed and self employed were eligible for the scheme. To date we have applied just over £51K to accounts and each account received on average £188. In the face of a cost of living crisis and the need to show a degree of forbearance in the aftermath of the pandemic some increase in arrears is to be expected.

1.2 Property Service




Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
ASM FAC 02a	Operational buildings suitable for current use	80.0%	80.0%	91.4%	85.0%		85.3%	We continue to improve our overall estate with an emphasis on legal compliance. Asbestos management continues to be a prominent aspect with continual monitoring and removals undertaken when convenient and necessary. Improvements and upgrades across all properties in respect of fire management and recent audits by Scottish Fire & Rescue continue to be extremely positive with only minor items being identified during audits. The sale of the old ABC nursery in Grant street appears to be almost finalised. Pre Planned Maintenance and reactive repairs continue to be the mainstay of the teams daily activity.
ASM FAC 03a	Council buildings in satisfactory condition (by floor area)	97.7%	97.7%	97.5%	95.0%		90.1%	Learning estate colleagues engaged with Hub East and Hollis Global, Independent real estate consultants who undertook and prepared condition reports for all primary schools & nurseries (ELC's) producing a priority list of all works requiring attention as well as estimated costings for each. These reports were then used to report conditions under the core facts to the Scottish Gov.

1.3 Development Service






Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
DEV DMA 01b	Cost per local planning application	£2,818	£3,575	£3,362	£4,986		£4,341	Lower than average and variable depending on number of applications received by small planning team. Staff undertake additional functions beyond assessment of planning applications (eg. capital project management, bid preparation, Place making , City Region Deal, Local Development Plan assistance and environmental improvement work).

Appendix B




Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
DEV DMA 01c	Average weeks to process commercial planning applications	6.3	6.5	7.2	11.1		11.7	Over 10% increase due to higher more complex case load in this year and a greater proportion of time spent on non planning application activity. Remain both lower than national average and in the top quartile for 4th year running.
DEV DMA 11a	Immediately available employment land (as % of land allocated for employment in Local Development Plan)	68.5%	68.5%	68.0%	38.9%		27.2%	Higher than average but related to market conditions. The Local Development Plan has identified sufficient land availability however this has not always been effective as planning permission has not been granted to result in immediately available land. This is outwith Council control as it cannot apply for planning permission for private land and is therefore subject to market forces. However planning permission has been granted for significant employment sites (such as Kilbagie) and further permissions are expected to be granted for other sites (such as Carsebridge) in the coming year. These permissions were expected last year but have been delayed for reasons outwith Planning authority control.
DEV LFR 026	Cost of Economic Development & Tourism per 1,000 population	£34,459	£37,707	£71,187	£88,582		£119,486	Further investigation into the detailed inclusions and exclusions in this calculation will be conducted in order to set future targets, as investment in essential employability and business support services is critical for inclusive growth.
EDE EMP 005	Unemployed people assisted into work via Council employability programmes	14.6%	9.0%	39.3%	6.0%		20.2%	Significant increase due in the main to increase in employability funding which has supported a number of job creation initiatives eg. Kickstart, Long Term Unemployed Scheme, Fair Work Incentive.
EDE LGB B1b	Business gateway startups per 10,000 population	20.4	18.3	16.1	11.2		14.4	Number of start ups has decreased slightly from 2020/21. However Clackmannanshire still remains above the Scottish average. Our ranking has dropped from 10th to 18th but this could be explained due to a small variance within the population size of Clackmannanshire.
EDE LGB B2a	Residents earning less than the Real Living Wage	22.9%	N/A	N/A	15.2%		14.4%	Clackmannanshire Anchor Partnership is close to endorsing a Good Employment Charter for the area. We anticipate this will assist in raising the number of employees locally paid at least the Scottish Real Living Wage and raising employer awareness of the importance of good terms and conditions for employees. No Clacks value reported by the Office for National Statistics for the last 2 years, possibly due to low sample size – the Improvement Service hope to address with ONS on behalf of 5 affected authorities.
EDE LGB B3a	Properties with Superfast Broadband	94.8%	95.8%	98.2%	93.8%		94.1%	There is a small increase this year and the figure remains above the Scottish figure of 94.1%.
EDE SLD 19a	Town vacancy rate (vacant retail units as % of total units) - Alloa town centre only	7.5%	13.6%	18.6%	13.1%		11.4%	<i>Increase of 14 vacant units compared to previous year.</i>
RGY EHE 014	Cost of Environmental Health per 1,000 population	£11,253	£13,648	£11,001	£13,070		£15,032	After the service cost being skewed by grant funding from the Scottish Government to deal with the Coronavirus Pandemic, the funding model favouring smaller Councils, the costs are nearer to pre pandemic levels. The service is now concentrating on re-establishing work streams and service provision that was suspended during the pandemic. This “recovery” phase will

Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
								take several years, particularly for food regulation, and follows an approved plan.
RGY SCC 005	CO ₂ emissions area wide per capita - all emissions	10.2 tonnes	9.4 tonnes	9.2 tonnes	6.2 tonnes		5.1 tonnes	Very slight reduction since last reporting period. However, larger reductions envisaged in coming years as business, industry and transportation implement more carbon reduction measures in order to meet national and local targets. Historical values were recently revised nationally so figures may differ from those previously reported.
RGY SCC 006	CO ₂ emissions area wide per capita - emissions within scope of local authority	6.9 tonnes	6.2 tonnes	6.4 tonnes	5.4 tonnes		4.6 tonnes	The rationalisation of the Council's building portfolio has been a significant factor as has the national decarbonisation of the gas and electricity network. Inroads are also being made into electrifying our fleet transport and ongoing energy efficiency projects are contributing towards reductions. As the Council implements its Climate Change Strategy and Action Plan and its Regional Energy masterplan, greater reductions are expected.
RGY TST 004	Cost of Trading Standards per 1,000 population	£2,600	£1,891	£1,281	£4,144		£5,932	Savings have been made in recent years due to unfilled vacancies but this has put significant strain on service delivery. Stirling Council is actively seeking to address the shortfall in staffing in order to ensure that service provision is maintained at the required level. This is proving challenging, however.

1.4. Environment Service

Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
ENV LAN 01a	Cost of parks & open spaces per 1,000 population	£19,325	£14,272	£18,374	£14,272		£20,315	Value has increased from previous year and aligns with general trend of increased investment in playparks.
ENV SHS POS	Satisfaction with parks & open spaces (3 year average)	84.0%	87.4%	88.0%	85.5%		87.3%	Methodological changes to the Scottish Household Survey mean 20/21 data was not comparable to previous - we have not been advised of national plans for future reporting.
ENV SHS STR	Satisfaction with street cleaning (3 year average)	55.0%	63.3%	65.0%	60.0%		58.7%	Methodological changes to the Scottish Household Survey mean 20/21 data was not comparable to previous - we have not been advised of national plans for future reporting.
ENV SHS WMA	Satisfaction with refuse collection (3 year average)	64.0%	64.3%	65.0%	75.3%		76.0%	Methodological changes to the Scottish Household Survey mean 20/21 data was not comparable to previous - we have not been advised of national plans for future reporting.
ENV STR 02e	Street cleanliness score (% 'acceptable')	95.1%	89.6%	90.4%	90.1%		89.7%	Despite challenges associated with Covid-19 cleanliness scores remain consistently high due to the routine cleanliness programmes and regimes in place.

Appendix B












Code	Performance Indicator	2019/20	2020/21	2021/22			Scotland - Average	Latest Note
		Value	Value	Value	Target	Status		
ENV STR 04a	Cost of street cleaning per 1,000 population	£10,613	£12,283	£16,046	£14,492		£14,860	Increased due to backlog of work due to Covid-19, illicit dumping and house land clearances also impacted street cleaning teams.
ENV WMA 02c	Cost of refuse collection per premise	£59	£45	£51	£45		£70	Cost per household remains below national average which highlights how efficient the waste service delivery model currently is. Continued low costs of operating will be achieved via ongoing work towards Councils Net Zero targets, new target operating model and structural changes.
ENV WMA 02d	Cost of refuse disposal per premise	£105	£110	£112	£110		£100	Costs held steady through increase in new build properties and significant drop in residual waste tonnage collected / deposited at Forthbank Recycling Centre of 690 tonnes, resulting in reduction in landfill tax of around £69,000. Net Zero targets, landfill ban and planned changes to collections next year should result in reduced tonnages to landfill.
ENV WMA 04c	Household waste composted or recycled	55.4%	48.6%	50.0%	48.6%		42.7%	Council has exceeded the target and achieved 50% recycling rate. This places Clacks above the Scottish Authorities average of 42.7%. Improvements to the HWRC has led to an upturn in recycling tonnage, despite traffic returning towards pre-COVID levels.
RAT RCI 001	A class roads that should be considered for treatment	24.8%	26.5%	26.9%	25.0%		27.6%	The increase in the road condition indicator is due to the lack of schemes done in the previous 2 years due to the COVID impact on services. This is now evidenced in the deterioration of the road network slippage in overall rankings.
RAT RCI 002	B class roads that should be considered for treatment	18.0%	18.5%	19.0%	20.0%		33.6%	The increase in the road condition indicator is due to the lack of schemes done in the previous 2 years due to the COVID impact on services. This is now evidenced in the deterioration of the road network.
RAT RCI 003	C class roads that should be considered for treatment	29.0%	27.4%	27.0%	30.0%		33.2%	Due to having such a small network, and the way the survey is carried out any variance can be attributed to rolling average for the survey results. Priority for surfacing schemes remains with our A and B roads, unclassified are treated as required within remaining budgetary constraints.
RAT RCI 004	Unclassified roads that should be considered for treatment	43.0%	43.2%	40.8%	42.0%		36.7%	Due to having such a small network, and the way the survey is carried out any variance can be attributed to rolling 4 year average for the survey results, based on a 10 year survey cycle excluding cul-de-sacs. Priority for surfacing schemes remains with our A and B roads, unclassified are treated as required within remaining budgetary constraints.
RAT RDS 024	Cost of maintenance per kilometre of road	£17,066	£12,968	£9,573	£9,379		£10,955	Increase in wholesale costs for materials and availability has reduced the number of schemes that could be delivered. This has had a significant impact on our road condition indicator performance and will only continue with the increased inflation. There are still concerns regarding the accuracy and consistency of authorities' reporting for this measure. The current level of investment will not keep the road network in a 'steady state'.

1.5 Place Directorate









Code	Performance Indicator	2020/21	2021/22		2022/23	Lead
		Value	Value	Scotland	Value	
PLC CNQ BUS	% Councillor enquiries responded to within timescale - Place	91.57%	86.67%		86.2%	Strategic Director - Place
PLC FOI GOV	% Freedom of Information requests responded to within timescale - Place	88.57%	92.87%		94.24%	Strategic Director - Place
PLC MPQ BUS	% MP/MSP enquiries responded to within timescale - Place	72.0%				Strategic Director - Place
PLC C01 CUS	Number of formal complaints received - Place	144	280		150	Strategic Director - Place
PLC C02 CUS	% formal complaints closed within timescale - Place	84.8%	41.8%		DIV/0	Strategic Director - Place
PLC C04 CUS	% formal complaints dealt with that were upheld/partially upheld - Place	41.6%	33.3%		49.2%	Strategic Director - Place

2. Actions

2.1 Sustainable Inclusive Growth

Code	Action	Lead	Due Date	Expected Outcome	Latest Note
PLC 213 101	Develop Net Zero strategy and action plan	Senior Manager - Development	31-Mar-2023		Final report including Action Plan scheduled to go to Council 21 March 2024. As per Council decision, this will incorporate our Biodiversity strategy.
PLC 213 102	Undertake a viability assessment and review of the current commercial property portfolio.	Senior Manager - Property	31-Mar-2023		Phase 1 Asset strategy review agreed at Council 30 November and is being taken forward as part of the 2024/25 budget process. Phase 2 strategy being developed during 2024, with estimated reporting in October 2024.
PLC 213 103	Deliver Community Wealth Building Action Plan	Senior Manager - Development	31-Mar-2023		Action Plan approved by Council December 2020.
PLC 213 104	Develop routemap to compliance with EESSH2 for all Council Housing stock.	Senior Manager - Housing	31-Mar-2023		Limited progress due to lack of Scottish Government guidance. Regional Energy Masterplan may identify a housing related project.
PLC 213 105	Review of the Local Development Plan and the preparation of a Proposed Plan, in line with NPF4 and the Regional Spatial Strategy for the Forth Valley area.	Senior Manager - Development	31-Mar-2023		Scottish Government's LDP Guidance was published in May 2023 and a programme of activity is in place to produce a new Local Development Plan by May 2028, as reported to Council on 5 October
PLC 213 106	Deliver the Town Centre improvement projects in accordance with Scottish Government's Town Centre Grant Fund	Senior Manager - Development	31-Mar-2023		'Living Alloa' secured the SURF Award for Best Practice in Community Regeneration. Primrose Place development is now open and fully let.
PLC 213 107	Deliver roads and transportation capital projects	Senior Manager - Environment	31-Mar-2023		2022/23 programme was delivered to budget.
PLC 213 108	Develop Rapid Scoping Assessments for Alloa Transformation Zones	Senior Manager - Development	30-Nov-2021		This work is being incorporated into the town centre masterplanning process
PLC 213 109	Develop project proposals and engagement/masterplan and implementation of Transformation Zone initiatives.	Senior Manager - Development	31-Mar-2023		Town centre masterplanning activity is being planned for this year. Good progress is being made on specific site/project development opportunities.
PLC 213 110	Produce an Economic Recovery strategy and action plan	Senior Manager - Development	31-Oct-2021		Economic Development Action Plan approved by Council October 2021
PLC 213 111	Deliver CRD programme in line with delivery plan/financial profile	Strategic Director - Place	31-Mar-2023		Spend on Clacks projects is largely in line with profile.








2.2 Empowering Families & Communities

Code	Action	Lead	Due Date	Expected Outcome	Latest Note
PLC 213 201	Undertake condition survey & option appraisal of Learning Estates Primary School property assets.	Senior Manager - Property	31-Mar-2023		All condition surveys and capacity analysis work has been done and a first batch of appraisals. Have been produced. Staff resources are now in place and the optional appraisal process will continue into 2024, with expected completion in July/August 2024.
PLC 213 202	Develop the next iteration of the Learning Estate Strategy	Senior Manager - Property	31-Mar-2023		Council decision re Lochies 6 October. LEIPS bid completed and ready for submission by 31 October. Further strategy development/decision points are dependent on remaining options appraisals being completed. Next phase: <ul style="list-style-type: none"> • Craigbank Primary and Nursery School • Sauchie Nursery • Tullibody North Campus – Banchory Primary and Nursery and St Serfs Primary and Nursery • Park Primary School
PLC 213 203	Deliver Learning Estate capital projects	Senior Manager - Property	31-Mar-2023		Park ELC - Onsite on 20th September 2021 and final snagging is complete. Menstrie ELC and Primary – complete Craigbank ELC – complete Redwell Primary Outdoor Learning Environment – complete Alva Primary flood defences – complete Tullibody South Campus snagging issues - complete.
PLC 213 204	Deliver village and small towns capital projects	Senior Manager - Development; Senior Manager - Environment	31-Mar-2023		Alva Streetscape project is complete.
PLC 213 205	Routemap and option appraisals for compliance with Scottish Government Policy to feed all primary school children with free school meals by August 2022.	Senior Manager - Property	31-Mar-2023		There has been a successful roll out to all P1-P5 pupils and further roll out to P6-7 is expected to begin in the new school term August 2024. This is first phase linked to SCP benefit which is circa 225 additional children. Universal provision is currently proposed nationally by 2026-2027.
PLC 213 206	Implement the new school food menu to ensure compliance with the new requirements of the Nutritional Act to ensure food meets the new standards.	Senior Manager - Property	31-Mar-2023		Full new menu was launched in August 2023 in line with new school term. New design and new meals added after full review. This new menu is fully compliant with all government guidelines and has been passed through our Saffron system to measure compliance.
PLC 213 207	Improvements to Westhaugh Gypsy/Traveller site	Senior Manager - Housing	31-Mar-2023		The site has been decanted and demolition is complete. Governance for additional funding requirement was secured at Council 18 May 2023. Project due for completion October 2024.
PLC 213 208	Tenant Participation Improvement Plan	Senior Manager - Housing	31-Mar-2022		New Tenant Participation Officer is in post and a strategy and improvement plan is being developed in 2024-25.


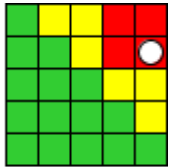
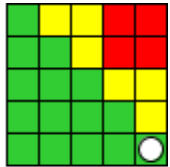

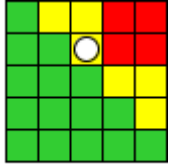
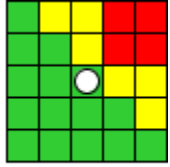

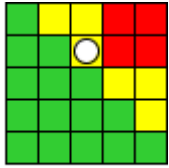
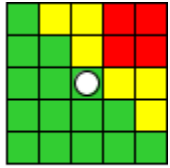
2.3 Health & Wellbeing

Code	Action	Lead	Due Date	Expected Outcome	Latest Note
PLC 213 301	Support the development of the Wellbeing hub	Senior Manager - Property	31-Mar-2023		Place officers are members of the strategic and operational management boards.
PLC 213 302	Deliver Housing Capital plan	Senior Manager - Housing	31-Mar-2023		The housing capital plan continues to deliver quality improvements to housing. However, the impact of COVID on the programme and also the supply chain has led to underspends in the predicted budget in several improvement areas.
PLC 213 303	Deliver social services adaptations programme	Senior Manager - Property	31-Mar-2023		This provision has been outsourced to a contractor with the backlog now down to manageable levels. Consideration as part of value engineering that this may stay with the contractor.
PLC 213 304	Deliver Strategic Housing Investment Plan (SHIP)	Senior Manager - Housing	31-Mar-2023		External resource has being procured to assist in taking this forward, to be complete in August 2024.
PLC 213 305	Develop active travel projects and associated funding bids (non CRD)	Senior Manager - Environment	31-Mar-2023		Phase 1 of the Alloa-Alva-Stirling University active travel is underway and will be complete by the end of March 2024.
PLC 213 306	Deliver improvements to West End Park and other play areas and open spaces	Senior Manager - Property	31-Mar-2022		West End Park: New and improved footpaths installed together with new play equipment, including accessible equipment.
PLC 213 307	Comprehensive review of the council use of homeless temporary accommodation (HRA stock, RSL and Private)	Senior Manager - Housing	31-Mar-2023		Good progress has been made with the purchase of off-the-shelf units and this will have a positive impact on provision of Temp accommodation. A specific report on our homelessness performance will come before Audit and Scrutiny committee in the spring of 2024. (Thomas – change to green)


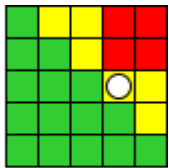
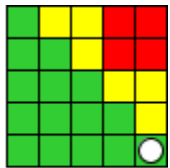

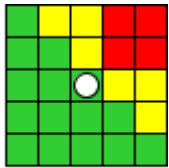
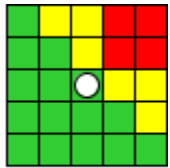
2.4 Compliance & Operational Resilience

Code	Action	Lead	Due Date	Expected Outcome	Latest Note
PLC 213 401	Implement service redesign and associated workforce development plan	Strategic Director - Place	31-Mar-2022		Waste services redesign is completed. Proposals for Property service are due to SLG early 2024.
PLC 213 402	Implement Housing/Property IT system	Senior Manager - Property; Senior Manager - Housing	31-Mar-2023		Existing systems in housing and repairs continue to be supported and functional, however are aged and are in need to renewal. With the added need for incumbent systems to be PSN compliant before 31st March 2023, interim measures are being explored while implementation of a new system is realised. A procurement pathway has been identified, with progression to advertise a tender to be complete in Q4 of 2023/24. Recruitment of a project manager has been successful, with a hopeful start date in Q4 of 2023/24 to make extensive progress with this project.
PLC 213 403	Complete Police Integration Project	Strategic Director - Place	30-Nov-2021		Formal opening by Chief Constable 22 September 2022.
PLC 213 404	Review service delivery model for Trading Standards service	Senior Manager - Development	31-Dec-2021		Following engagement with Stirling Council, good progress is being made on a number of agreed improvement actions. A further review will take place in Marck 2024.
PLC 213 405	Deliver property Compliance and Operational Resilience capital projects	Senior Manager - Property	31-Mar-2023		Capital expenditure has significantly improved the external fabric condition and appearance at Clackmannan Town Hall with these works completed in Q4 of 2022-23. Ongoing servicing, maintenance and repairs to commercial heating systems across our public buildings and schools estate continues to be challenging with aged systems at risk of critical failure and scarcity/ increased cost of available repairs parts an issue. Contracts are now in place and funding secured via the Capital Plan.
PLC 213 406	Deliver roads and transportation Compliance and Operational Resilience capital projects	Senior Manager - Environment	31-Mar-2023		2022/23 programme was delivered to budget.
PLC 213 407	Review health and safety and compliance performance and culture and embed improvement in line with the Corporate Health and Safety Improvement Plan	Strategic Director - Place	31-Mar-2023		The improvement in H&S performance outcomes reported last year have been sustained, although the reduction in accident numbers has levelled off.

3. Risks

ID & Title	Health & Safety Breach	Approach	Treat	Status		Lead	Strategic Director - Place	Current Rating	20	Target Rating	5	
PLC DRR 008												
Description	Incident or statutory breach results in injury or death of staff member or customer due to lack of awareness or non-compliance with policies and procedures. Incidents may also arise from third parties actions, outwith Council control.							Likelihood		Impact	Likelihood	
Potential Effect	The effects on individuals and their families, financial penalties (including Health & Safety Executive intervention fees), criminal proceedings, adverse publicity, increased insurance or damage to Council assets.											
Related Actions	PLC 213 407	Review health and safety and compliance performance and culture and embed improvement in line with the Corporate Health and Safety Improvement Plan	Internal Controls	Health & Safety Management System								
				Health & Safety Handbook for Managers								
Latest Note	H&S performance measures indicate significant improvement over the last 12 months compared to the previous period, with improved reporting and a reduction in reportable accidents. Good progress has been made on managing Hand Arm Vibration Syndrome (HAVS) in response to HSE intervention in 2022.											
ID & Title	Loss of Staff Knowledge, Skills and/or Goodwill	Approach	Treat	Status		Lead	Strategic Director - Place	Current Rating	12	Target Rating	9	
PLC DRR 002												
Description	The lack of a corporate approach to knowledge management leads to the loss of tacit information, knowledge and experience held by staff members as the workforce contracts due to reducing budgets, which also reduces ability to appropriately train and develop staff.							Likelihood		Impact	Likelihood	
Potential Effect	Neglect of key or statutory duties if remaining staff are unaware of requirements or unequipped to fulfil them, increased pressure on staff, reduced satisfaction, morale and willingness to add value or contribute to improvement activities, complacency, lowered standards, increased absence and future recruitment difficulties.											
Related Actions			Internal Controls	Attendance & Wellbeing Policy								
				Information Management Strategy								
				Learning & Development Strategy								
Latest Note	This risk is being managed through the related actions. In addition, a system of recorded handover notes is in place as part of the exit process. Property, Housing and Waste services redesign proposals are due to SLG in coming weeks to improve operational resilience and to support service priorities in the medium term.											
ID & Title	Strategies Do Not Provide Clear, Deliverable Direction	Approach	Treat	Status		Lead	Strategic Director - Place	Current Rating	12	Target Rating	9	
PLC DRR 003												
Description	Policies and strategies do not clearly set out realistic actions to achieve the required outcomes within appropriate timescales with available resource.							Likelihood		Impact	Likelihood	
Potential Effect	Unfulfilled objectives, loss of balance between project work and core service delivery, resulting in backlog of unmet demand, or negative reports from regulatory bodies and closer future scrutiny, all with additional reputational damage.											
Related Actions			Internal Controls	Business Planning Process								
				Committee Approval Process								
Latest Note	This risk is being managed through the related actions. Some significant policies have been brought through governance and are now approved, whilst others are in the process of being developed. A number have seen little progress due mainly to resource issues.											

Appendix C

ID & Title	Resources Reduce Below Manageable Levels	Approach	Treat	Status		Lead	Strategic Director - Place	Current Rating	12	Target Rating	5
PLC DRR 001		Description	Financial pressures worsen to a point where buildings, physical assets, technologies and supplier contracts can no longer be maintained, used or improved and staff numbers reduce to levels below the service's functional requirements.							<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Likelihood</p> <p>Impact</p> </div> <div style="text-align: center;">  <p>Likelihood</p> <p>Impact</p> </div> </div>	
Potential Effect	Inability to complete required redesign and project work, disturbance to core service delivery and failure to fulfil fundamental goals and duties, with associated financial, legal and reputational implications, particularly if resource reductions coincide with increased demand.										
Related Actions			Internal Controls	Budget Strategy & Monitoring							
				Corporate Asset Management Strategy							
				Interim Workforce Strategy							
Latest Note	Most teams have a full complement of team leaders, although there is some turn over anticipated due to retirements and people leaving for other opportunities. Property team is experiencing the greatest resource pressures and service design proposals are being developed.										
ID & Title	Focus on Transformation Rather Than Need	Approach	Tolerate	Status		Lead	Strategic Director - Place	Current Rating	9	Target Rating	9
PLC DRR 004		Description	Transformation itself becomes the goal, rather than addressing the reasons for which transformation is required, such as modernising working practices, exploiting emerging technologies, responding to changing demand, demographics, customer need and preferences etc.							<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Likelihood</p> <p>Impact</p> </div> <div style="text-align: center;">  <p>Likelihood</p> <p>Impact</p> </div> </div>	
Potential Effect	Significant wasted resources and potential impact on productivity and service delivery, while new services and processes may not address the required issues with efficiency and effectiveness declining, rather than improving, and resulting failure to make savings or increase income.										
Related Actions	CRR P&P TP1	Refocussing of Corporate Transformation Programme on current priorities	Internal Controls	Customer Consultation & Engagement							
	CRR P&P TP2	Refinement of Corporate Transformation processes and governance mechanisms		Tenant Participation Strategy							
				Vanguard Principles & Techniques							
Latest Note	Transformation business cases are being developed in line with the emerging corporate approach. These will ensure that key outcomes are identified and benefits realisation is achieved. A corporate prioritisation tool has been created which will assist in identifying which transformation business cases will be resourced, via Strategic Operations Group.										

Appendix C

ID & Title	Missed Improvement Opportunities	Approach	Tolerate	Status		Lead	Strategic Director - Place	Current Rating	9	Target Rating	9	
PLC DRR 005												
Description	Opportunities for improving efficiency are not taken due to a risk averse culture, delays in senior management or elected member decision-making or a lack of long-term planning and vision to identify actions required now to ensure robust and sustainable services are in place to meet future needs.							Likelihood		Impact	Likelihood	
Potential Effect	Systems Thinking principles not rolled out to remaining teams leading to disjointed approaches and continuing inefficiency in areas where working practices require improvement, lack of action contributes to worsening resource pressures and standards fall below those in other authorities, and those expected by regulatory bodies.											
Related Actions	CRR P&P TP1	Refocussing of Corporate Transformation Programme on current priorities	Internal Controls	Invest to Save Principles & Processes								
	CRR P&P TP2	Refinement of Corporate Transformation processes and governance mechanisms		Corporate Transformation Programme								
				Vanguard Principles & Techniques								
Latest Note	Transformation business cases are being developed in line with the emerging corporate approach. These will ensure that key outcomes are identified and benefits realisation is achieved. A corporate prioritisation tool has been created which will assist in identifying which transformation business cases will be resourced, via the Strategic Operating Group.											
ID & Title	Lack of Appropriate Governance or Scrutiny	Approach	Tolerate	Status		Lead	Strategic Director - Place	Current Rating	6	Target Rating	6	
PLC DRR 006												
Description	Failure to effectively manage performance or comply with corporate governance requirements during transitional periods of service redesign, or a lack of scrutiny from senior management or elected members during periods of political instability results in a governance failure.							Likelihood		Impact	Likelihood	
Potential Effect	Potential for harm to individuals and / or financial penalties from insurance claims or breaches of statutory duties, negative publicity and/or attention from audit/regulatory bodies.											
Related Actions			Internal Controls	Pentana Performance Management System								
				Governance & Audit Processes								
				Committee Approval Process								
Latest Note	The Director has put in place a process and timetable for review, challenge and authorisation to ensure that the appropriate governance processes are followed.											
ID & Title	Strategies Do Not Meet Local/Corporate/National Needs	Approach	Tolerate	Status		Lead	Strategic Director - Place	Current Rating	5	Target Rating	5	
PLC DRR 007												
Description	Policies and strategies are not fit for purpose due to decisions not taking into account appropriate data, evidence or consultation information, or not being aligned to corporate, community planning or national goals and plans.							Likelihood		Impact	Likelihood	
Potential Effect	Focus on the wrong actions and / or outcomes, wasted time and money, duplication or contradiction of actions by other services or partners, failure to meet customer or statutory requirements, associated reputational and legal implications.											
Related Actions			Internal Controls	Customer Consultation & Engagement								
				Alignment with BTF and LOIP								

		Committee Approval Process		
Latest Note	This risk is being managed through the related actions. A review of outstanding policies and strategies will feature as part of the work to prepare a new business plan to ensure alignment with Administration Group manifesto commitments, Be The Future and Local Outcome Improvement Plans. Prioritisation will need to factor in resource considerations.			

Report to: Audit and Scrutiny

Date of Meeting: 7 March 2024

Subject: Community Empowerment Act Annual Report (Community Asset Transfer & Participation Requests)

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. The Council is required under the terms of the Community Empowerment Act (Scotland) 2015 to produce an annual report on Community Asset Transfer Requests and Participation Requests. This report details the activities for the Council for the reporting year 1 April 2022 - 31 March 2023.

2.0 Recommendations

- 2.1. That Committee notes the report and accompanying appendices, commenting and challenging as appropriate.

3.0 Considerations

- 3.1. Clackmannanshire Council has a duty to promote, process and report annually on Community Asset Transfer Requests and Participation Requests. This duty is set out in the Community Empowerment (Scotland) Act 2015 which aims to help empower community bodies through the ownership of land and buildings, and by strengthening their voices in the decisions that matter to them.
- 3.2. Community Asset Transfer (CAT) involves the transfer of responsibility for land or buildings from the Council to a community body. Participation Requests (PR) are a mechanism for community bodies to contribute to how local services are planned and delivered.
- 3.3. Clackmannanshire Council submitted its annual reports for the reporting year 2022-23 to Scottish Government by the 30 June 2023 deadline. The Annual Reports (attached in the Appendix) are also published on the Council's website.

CAT Request Summary

- 3.4. The Council promotes Community Asset Transfer through its website and through local community and voluntary networks. The Council has drawn up

written guidance, and invites informal enquiries and dialogue in order to make the process as accessible as possible to potential community transfer bodies.

- 3.5. The Council received informal enquiries by phone and email about Community Asset Transfer on a recurring basis throughout the reporting year. In general, only a small proportion of CAT enquiries become CAT Requests which would then become the subject of the annual report. There is no requirement to report the number of informal enquiries.
- 3.6. In the reporting year 2022-23, Clackmannanshire Council received CAT enquiries but no CAT Requests. No CAT Request decision appeals were received. No CAT Requests submitted in previous years were determined or waiting for a decision.

Participation Request Summary

- 3.7. The Council promotes Participation Requests through its website and through its community partners. As with CAT, the Council has written guidance available for community groups and actively encourages potential applicants to discuss their Participation Requests with the appropriate officer if possible ahead of formal submission in order to enhance its effectiveness.
- 3.8. In the reporting year 2022-23, Clackmannanshire Council received no Participation Requests. No Participation Requests submitted in previous years were determined or awaiting determination.

4.0 Sustainability Implications

- 4.1. There are no direct sustainability impacts in the recommendations in this Report.

5.0 Resource Implications

- 5.1. *Financial Details* There are no direct financial implications in the recommendations set out in the report.
- 5.2. *Staffing* There are no direct staffing implications in the recommendations.

6.0 Exempt Reports

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

7.0 Declarations

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

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

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
Our families; children and young people will have the best possible

- start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

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

8.0 Equalities Impact

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

Yes No

9.0 Legality

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

10.0 Appendices

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

Appendix 1 - 2022-23 CAT Requests Annual Report

Appendix 2 - 2022-23 Participation Request Annual Report

11.0 Background Papers

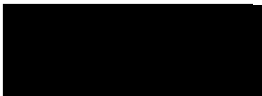
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lesley Baillie	Strategy & Performance Adviser	Ext 2012

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director, Place	

**Asset Transfer Request
Reporting Template 2022/23 for Relevant Authorities**

Section 95 of the Community Empowerment (Scotland) Act 2015 requires relevant authorities to produce an annual report on Asset Transfer Request activity and publish this no later than 30 June each year.

Following stakeholder feedback and in response to asset transfer evaluations, this template has been created to help gather asset transfer data for the period 1 April 2022 to 31 March 2023. Information provided will help inform policy and practice at local and national level as the data will be collated and shared by the Scottish Government's Community Empowerment Team. However, it will be for each relevant authority to make their own annual report publicly available by 30 June 2023, whether using this template or not.

Please provide information in sections below and email completed template by 30 June 2023 to community.empowerment@gov.scot

Section One – Relevant Authority Information

Organisation: Clackmannanshire Council

Address: Kilncraigs, Greenfield Street Alloa FK10 1EB

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: lbaillie@clacks.gov.uk

Telephone: 01259 452012

Date of completion: 27/6/23

Are you the Asset Transfer Lead Contact for the organisation: yes

If not please provide the name, job title and email address for the lead contact for any queries:

Section 2: Asset Transfer Data in 2022/23

2.1 Please complete the following table for the 2022/23 reporting period :

Total Applications Received	Number of successful applications determined	Number of unsuccessful applications determined	Number received and yet to be determined	Number received prior to 2022/23 and yet to be determined
0	0	0	0	0

2.2 Please provide details of Asset Transfer Requests received which resulted in transfer of ownership, lease, or rights from your relevant authority to a community transfer body in 2022/23:

None

2.3 Please provide details of Asset Transfer Requests that went to a relevant authority appeal or review which were concluded in 2022/23:

Name of Community Transfer Body	Was the Asset Transfer Appeal/Review accepted? (Y/N)	Why was the Appeal/Review accepted/refused? <i>Please provide details of the asset transfer request and reasons for your decision.</i>
none		

2.4 Please use this space to provide any further comments relating to the above data:

We also receive Expressions of Interest and enquiries which are handled without having to come under the terms of the Act.

Section Three – Promotion and Equality

3.1 Please provide information on any action you have taken to promote the benefits of asset transfer or any support provided for communities to engage with the Asset Transfer Request process.

Information about the process is publicly available on our website.

We actively encourage dialogue between the enquirer and officers at an early stage in order to provide tailored support.

We have liaised with the umbrella organisation of local groups to promote asset transfer and provide advice and information.

3.2 In particular what action has been taken to support disadvantaged communities to engage with the asset transfer process?

Support to engage with the process is available by phone, by digital meeting or by email, as necessary and appropriate.

Section Four – Additional Information

4.1 Please use this space to provide any further feedback not covered in the above sections.



Participation Requests Reporting Template 2022/23 for Public Service Authorities

Section 32 of the Community Empowerment (Scotland) Act 2015 requires public service authorities to produce an annual report on Participation Request activity and publish this no later than 30 June each year. This template has been created to gather participation request data for the period 1 April 2022 to 31 March 2023. Information provided will help inform policy and practice at local and national level as the data will be collated and shared by the Scottish Government's Community Empowerment Team. However, it is for each public service authority to make their own annual report publicly available by 30 June each year, whether using this template or not.

Please provide information in the sections below and email the completed template by 30 June 2023 to community.empowerment@gov.scot .

Section One – Public Service Authority Information

Organisation: Clackmannanshire Council

Completed by: Lesley Baillie

Role: Strategy & Performance Adviser

Email: lbaille@clacks.gov.uk

Telephone: 01259 452012

Date of completion: 27 June 2023

Are you the Participation Request Lead Contact for the organisation: Yes

If not please provide the name, job title and email address for the lead contact for any queries:

Section 2: Participation Request Data for 2022/23

Please complete following overview table:

Total new applications received in 2022/23	Total applications received prior to 1 April 2022 which were still to be determined at 31 March 2023	Number of accepted applications in 2022/23	Number of applications agreed in 2022/23	Number of applications refused in 2022/23
0	0	0	0	0

Where you were unable to accept a participation request, was an alternative process put in place to discuss the group's issue and work with them or support offered to help them consider how to address their identified need? Please provide details: n/a

2.1 Please provide details of Participation Requests received using the legislation and outwith the legislation in the reporting year which resulted in changes to public services provided by or on behalf of your public service authority and tell us about those changes. Please also include details of requests received prior to 2022/23, which resulted in changes to the way of working being implemented in 2022/23.

Name of Community Participation Body	Was the Participation Request successful? (Y/N)	Previous way of working	Way of working following changes	What difference did those changes make for the users of the service? Did they improve service user experiences or outcomes?	Details of any participation requests considered outwith the formal process e.g. agreements reached that resulted in changes to services.
n/a					

2.2 Please use this space to provide any further comments relating to the above data, such as:

- **describing the outcome improvement process (whether or not it resulted from a formal participation request)**
- **how the community participation body was involved in designing the outcome improvement process**
- **how the community participation body participated in the outcome improvement process including taking part in decisions and delivering actions**
- **details of any wider benefits, such as improved community engagement and ongoing participation.**

n/a

Section Three – Partnership Working & Promotion of Participation Requests

3.1a Please provide details of any engagement with support organisations such as local Third Sector Interfaces and public sector Community Learning and Development staff or national organisations such as the Scottish Community Development Centre.

For example has any new practices to support Participation Requests been developed from working with other bodies, or any learning gained?

Clackmannanshire Council officers from different Services participated in the recent review of Participation Requests with SCDC.

3.1b Please tell us about any challenges you have had in accessing support. n/a

3.2 Please provide details of action taken to promote the use of Participation Requests or support Community Participation Bodies in making a Participation Request.

For example this could include: Support before making a request, such as to determine whether a participation request is the most appropriate route; Support to make the request such as assist groups to complete forms, or identify appropriate outcomes; and/or Support to take part effectively in outcome improvement processes (whether or not they resulted from a formal participation request).

No new action / resources in the reporting year.

3.3 Please let us know what actions you have been taking to ensure that your processes are inclusive.

For example, this could include accessible information and other support, which enable wider use of participation requests by all population groups including those with protected characteristics. We are particularly interested in any ways you have targeted those with protected characteristics to raise awareness of the PR process or support request submissions.

Clackmannanshire Council has accepted feedback from community groups on their experiences of it. Most action relates to the need to clarify the purpose and scope of Participation Requests.

3.4 Please outline any plans you have to continue involving local people and local groups in outcome improvement processes as a result of your Participation Request policies (and also outwith formal participation requests). n/a

3.5 Please provide details about any work undertaken to consider wider reviews of participation practice, and any such methods used to engage with communities.

Clackmannanshire Council's wider approach to participation is set out in the corporate plan. Services continue to engage with service users on service delivery and design through traditional methods.

Section Four – Additional Information

4.1 Please use this space to provide any further feedback not covered in the above sections.

For example, we are interested in your reflections about what has gone well and what has gone less well in relation to Participation Requests over the past year?

During informal conversations, we notice that community groups continue to have unrealistic expectations of Participation Requests if they have taken advice externally or if they have not taken advice at all in advance of submitting a PR.

Is there any aspect of the process that you intend to adapt or change in the year ahead?

We continue to urge community groups to enquire with us about the process and to refer to the official guidance.

Have you identified any needs for guidance or support that would support the process? As above

If you have developed any case study material or published new information about Participation Requests please share links to those with us here.

No new material since last year.

Any other information:

n/a

Report to Audit & Scrutiny Committee

Date of Meeting: 7 March 2024

**Subject: Environmental Health
Official Food Control Progress Report**

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. To present an overview of the progress the Council's Official Food Control Service Plan, April 2023 to March 2024 (appendix 1), submitted to Food Standards Scotland for review in June 2023.

2.0 Recommendations

- 2.1. That the Committee note, comment on and challenge the performance of the Council's food law regulation service.

3.0 Considerations

3.1. Background

- 3.1.1. The Council, as the food law enforcing authority in Clackmannanshire, has a statutory duty to provide a food law regulation service that meets the requirements of Assimilated Regulation (EU) 2017/625, the Food Law Code of Practice (Scotland) 2019 and the Food Law Interventions Code of Practice (Scotland) 2019.
- 3.1.2. Food must be manufactured, prepared, distributed and handled by food businesses in accordance with relevant food safety laws. This ensures that food businesses do not pose a risk to public health. Where food businesses contravene food law in Clackmannanshire, the Council's Environmental Health Service must take appropriate regulatory action to remedy the situation in accordance with the Council's Food Law Enforcement Policy.
- 3.1.3. Clackmannanshire Council implemented a recovery program for the restart of Food Law inspections as the delivery of routine interventions ceased during Covid. This work followed direction provided by Food Standards Scotland (FSS) on local authority recovery. It is based on a phased approach to ensure that resources are focussed on businesses which present the greatest risk. The team is midway through this program of work which is due to be completed by March 2025.

3.2. **Review Process**

3.2.1. The review process focuses on examining evidence to verify whether the Council complies with the planned arrangements for food law enforcement and whether planned arrangements are being applied effectively. Checks are carried out to verify and validate that the Codes of Practice are being implemented correctly by the Council.

3.2.2. Analysis of electronic evidence held by the Council and verification of documentation is carried out, to ensure that policies, procedures and codes of practice have been correctly followed during the inspection process.

3.3. **Review Findings**

3.3.1. Progress with the plan is set out in the table below. For background, full details of group/banding categories and compliance matrix can be found via the following link <https://www.foodstandards.gov.scot/publications-and-research/publications/interventions-food-law-code-of-practice-scotland-2019>. In general terms, Group 1 are higher risk food manufacturers with Group 3 being lower risk in relative terms.

Group / Band	Number Due in 2023/24	Achieved (%) by end Dec 23
1A	1	0%
1B	7	86%
1C	2	100%
1D	0	N/A
1E	0	N/A
Group1 Unrated	1	100%
2A	0	N/A
2B	135	23%
2C	85	68%
2D	6	100%
2E	0	N/A
Group2 Unrated	3	100%
3A	0	N/A
3B	59	9%
3C	21	67%
3D	1	100%
3E	0	N/A
Group3 Unrated	8	43%
Approved Establishments	1	100%
Primary Production	1	100%

3.3.2 The Environmental Health Team is on target to complete the inspection program in all categories except for three. These are highlighted as bold in the table above.

3.3.3 Work has been prioritised following FSS recovery guidance. The team is on target to deliver official controls at all higher risk premises. This includes the Approved Establishment; all Group 1s; intensive interventions within all Groups; and Band Cs in Groups 2 and 3. In addition, the team have been

inspecting new businesses. This includes those registered prior to the inspection plan and also those registered during this reporting year.

- 3.3.4 There has been slippage in the inspection programme for compliant businesses in Band 2B and 3B. Both bands contain the largest number of businesses within the inspection program. Although rated as compliant, it has been some time since they were inspected and there is a risk that standards could slip. Given the level of resources available, the team will need to continue to prioritise higher risk premises. However, these Band 2B and 3B businesses will always be visited if any complaints regarding food safety/hygiene issues are received.
- 3.3.5 The team continues to manage the ongoing turnover of businesses. During the 9 month period, 34 businesses have closed or changed ownership, and 35 new businesses have started to trade. This turnover requires significant resources as the majority of new businesses require significant input from the Environmental Health Team to help them understand and achieve compliance.

4.0 Sustainability Implications

- 4.1. NIL

5.0 Resource Implications

- 5.1. *Staffing*
- 5.2. Staff have been working on a hybrid basis between the office and their home. All Officers have full remote access to the IT systems.
- 5.3. There have been vacancies within the team this financial year. There was a vacancy created within the team due to an internal promotion in June 2023 following retirement of the Team Leader. This post has been advertised but the Council was unsuccessful in recruiting a suitable individual and it remains vacant. In addition, there has been one officer on maternity leave over the past year. This reduction in available resources has impacted on the team's ability to deliver the full inspection program. Food safety work also has to be balanced with the Public Health work which is mainly reactive and unplanned.
- 5.4. Food Standards Scotland audited Clackmannanshire's Environmental Health Service in 2022 and even though at that time the Team was fully staffed it was identified through the resource calculation process for food law enforcement that there is a 1.2 FTE resource deficit of Environmental Health Officers identified through the resource calculation process for food law enforcement. As has previously been reported to this Committee, it is contended that a recent change in the rating of food businesses, introduced by Food Standards Scotland, has increased our inspection liability. It is therefore considered that central government should provide funding for this deficit or revise the new rating system so as to be resource neutral. This was fed back to Food Standards Scotland and is under consideration. Other local authorities are anecdotally of the same view as this service. Food Standards Scotland is still reviewing the rating scheme to ensure that it is "resource neutral" as originally intended.

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)

Development Services Food Law Enforcement Policy 2022

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: Official Food Control Service Plan 23/24

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
Dawn Brisbane	Team Leader Environmental Health	2579

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	



Place

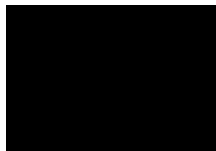
Development Services

Official Food Control Service Plan

1 April 2023 to 31 March 2024

Approved by Strategic Director of Place

Signed



(Pete Leonard)

Date

15 June 2023

Section 1 - Service Aims and Objectives

1. Aims & Objectives

- 1.1. Safe food and drink is something that is taken for granted by the majority of the population. The safety of this fundamental human need relies on a competent, trustworthy and managed supply chain. Regulation of this process is undertaken by Environmental Health professionals working in local authorities. The consequence of failure can be costly in terms of human health, and also public confidence in the food industry and government.
- 1.2. Clackmannanshire Council recognises the importance of ensuring that all food produced and sold within the county is safe. Providing a service capable of carrying out the statutory duties placed upon the Council is fully recognised. This Official Food Control Service Plan underlines the Council's commitment to fulfilling those duties and it covers the key areas of food law regulation for the period 1 April 2023 to 31 March 2024. The Council remains committed to:
 - provide the resources needed to meet the statutory obligations and duties placed upon it to maintain a safe food supply in Clackmannanshire
 - ensure officers are trained and meet the requirements of Continual Professional Development to carry out food control duties
 - ensure officers have sufficient equipment, adequately maintained, to carry out their statutory duties in relation to food control
- 1.3. Clackmannanshire Council's food law service is provided by the Environmental Health team. The team's objectives are to ensure that:
 - Food is safe and authentic
 - Responsible food businesses are enabled to thrive
 - Consumers are empowered to make positive choices about food

These objectives support those contained within Food Standards Scotland's Corporate Plan 2021-24¹.

- 1.4. This Service Plan supports the priorities of Clackmannanshire Council's Place Directorate Business Plan². That Business Plan sets out the main priorities to be pursued and outcomes to be achieved taking account of the Corporate Plan. The Official Food Control Service Plan contributes to the following Corporate Outcomes:
 - Sustainable, inclusive growth
 - Empowering individuals, families and communities
 - Health and wellbeing

Section 2 – Background

¹ Food Standards Scotland - Healthy, Safe, Sustainable: Driving Scotland's Food Future Corporate Plan 2021-24

² Clackmannanshire Council Place Directorate Business Plane 2021-23

2. Profile of Clackmannanshire Council

- 2.1. Clackmannanshire Council is the smallest mainland Scottish Council. The county covers an area of 61 square miles and has a population of 51,450³. It's bounded by the Ochil Hills in the North and the River Forth in the South. Neighbouring authorities are Fife, Perth & Kinross, Stirling and, south of the River Forth, Falkirk. Clackmannanshire is a mix of rural and urban areas with Alloa as the main town. The district is primarily residential in nature with no large industrial sites.
- 2.2. The 2011 census contains details of Clackmannanshire's population statistics and can be found at - <http://www.scotlandscensus.gov.uk/ods-web/area.html>

Organisational Structure

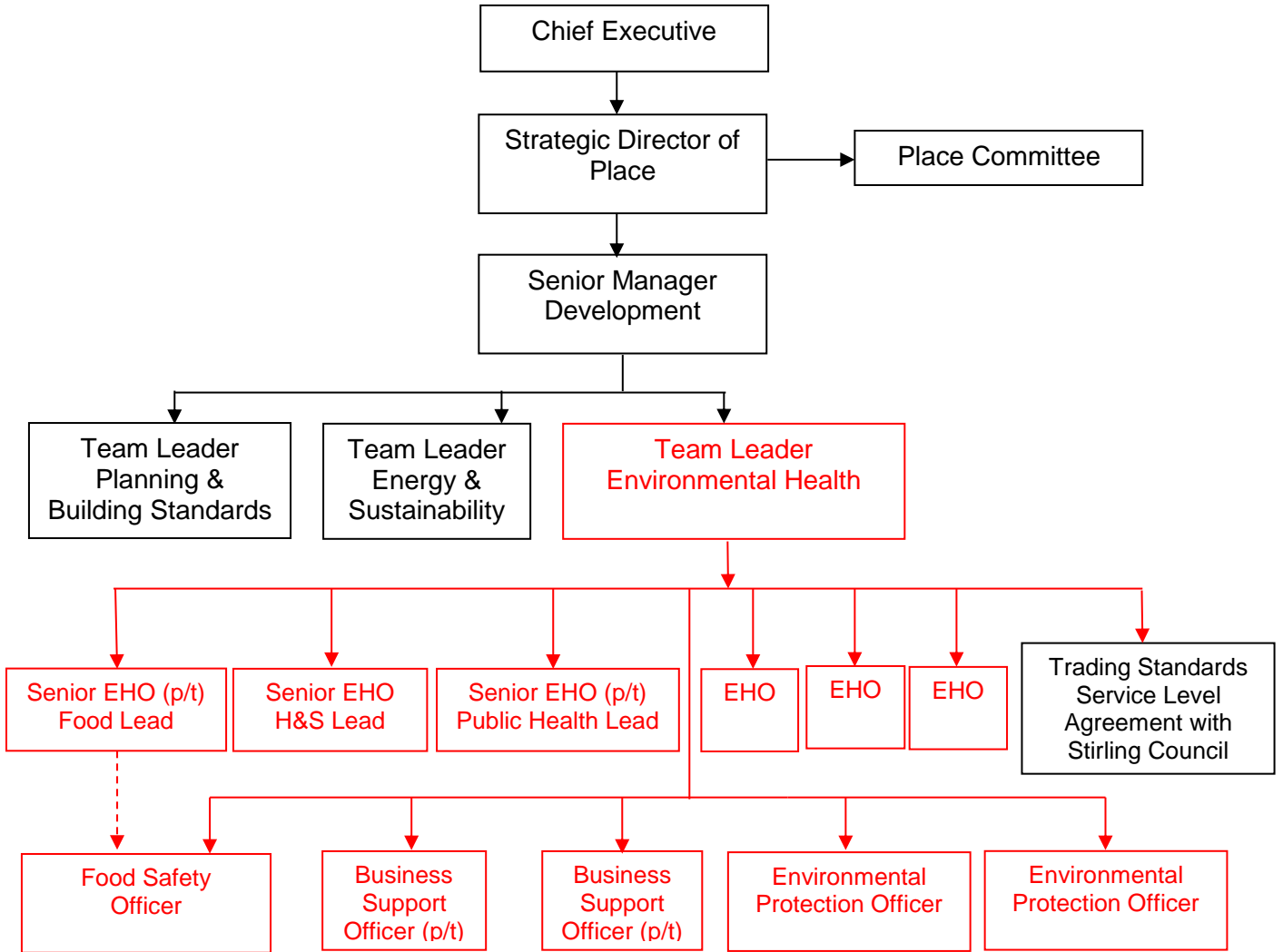
- 2.3. Clackmannanshire Council has three directorates, each managed by a Strategic Director. They are:
- People
 - Place
 - Performance and Partnerships

The Place Directorate covers Housing, Property, Development and Environment. Environmental Health is situated within Development Services. This service includes predominantly statutory, front-line services that support community health & safety, well being and economic prosperity. This includes:

- Planning
 - Building Standards
 - Trading Standards
 - Environmental Health
 - City Deal / Regional Economic Partnership
 - Regeneration
 - Climate Change
- 2.4. The Council's Environmental Health Officers and Environmental Health Technical Officer are responsible for the entire range of Environmental Health work, in addition to the delivery of the food control service. They are supported in non-food Environmental Health work by two Environmental Protection Officers. Environmental Health is managed by the Environmental Health Team Leader. The Team Leader is the Council's Lead Officer responsible for delivery of Official Food Controls for food law. A Senior Environmental Health Officer, with specialist food knowledge, has responsibility for routine food control service activities. The Team Leader also manages the service level agreement for the provision of the Trading Standards service within Clackmannanshire which is provided by Stirling Council.
- 2.5. The Structure of Environmental Health within Development Services is detailed in the diagram below. Red writing and red lines denote the Environmental Health staff:

³ National Records of Scotland 2021

Official Food Control Plan 2023-24



Dashed lines denote supervisory duties, solid line denotes management duties.

Scope of the Food Service

- 2.6. The scope of the food law work undertaken by Environmental Health includes:
- Programmed food law inspections of food businesses.
 - Assisting businesses to meet their legal obligations in terms of food law by providing appropriate advice and information
 - Enforcement of the legal requirements in respect of food law through formal regulation, e.g. Hygiene Improvement Notices, Hygiene Emergency Prohibition Notices, Remedial Action Notices, Reports to the Procurator Fiscal, etc.
 - Issue of Food Hygiene Information Scheme ratings
 - Investigation of cases of food poisoning
 - Investigation of food complaints and complaints about food premises
 - Approval of premises in terms of EU Hygiene Regulations
 - Sampling of foods for analysis by Glasgow Council Scientific Services
 - Consultation to the Licensing Board and other Council Services
 - Consultation advice on Civic Government (Scotland) Act 1982
 - Advice on all food law matters to the general public and others
 - Responding to Food Alerts issued by Food Standards Scotland (FSS)
 - Issue Export Health Certificates for exports to third countries.
- 2.7. As the EHOs are generic officers, they also undertake all other statutory functions required by the service which includes public health, health and safety and statutory nuisance. Officers are also involved with supporting businesses and Forth Valley Health Board with compliance and reacting to complaints and incidents.
- 2.8. The Environmental Health service is located at Kilncraigs, Greenside Street, Alloa, FK10 1EB. Normally, the offices are open from 9:00am to 5:00pm for access by the public. At this time, there is no public access except by prior appointment. Officers are currently working on a hybrid basis between the office and their home. All staff have full remote access to IT systems for home working. Officers work flexible hours between 8:00am and 6:00pm. Out of hours services are provided when necessary by arrangement with officers although there is no formal system of out of hours cover.

Demands on Food Service

2.9. Clackmannanshire has 557 Registered Food Premises. The current profile of these businesses are as follows:

Business Type	Number of Businesses
Approved Establishment	1
Primary Producers	3
Manufacturers and Packers	26
Importers / Exporters	0
Distributors / Transporters	10
Supermarket / Hypermarket	16
Small Retailer	90
Retailers Other	12
Restaurant / Café / Canteen	75
Hotel / Guest House	9
Pub / Club	48
Take-away	57
Caring Premises	86
School / College	27
Mobile Food Unit	13
Restaurants & Other Caterers	85

FLRS Group/Band	A	B	C	D	E	Unrated
1	2	7	2	0	0	1
2	0	183	85	6	0	3
3	81	137	37	1	0	8

Annex 5 Risk Rating	No. Establishments	Risk Rating (FH)
Approved establishments	1	B
Primary Production	3	1D / 2E

2.10. Performance for the service, in terms of food control delivery, is measured by:

- Completion of the annual food law inspection programme within timescales specified in the Code of Practice. Clackmannanshire's target for performance on this standard is detailed in the table below:

	1	2	3
FLRS Band A	100%	80%	0%
FLRS Band B			50%
FLRS Band C	100%	100%	100%
FLRS Band D			
FLRS Band E			
Approved Est	100%		
Primary Production	50%		

- Officers achieving the required 10 hours Continuing Professional Development
- Response times to service requests
- Internal monitoring of officers delivering the food control service by the Senior EHO for food, including accompanied inspections.
- The completion of an annual food sampling programme that is focussed on the safety and quality of food locally produced and sold.

Enforcement Policy

2.11. The Council has produced a Food Law Enforcement Policy which is agreed by the Place Committee. This document sets out what businesses can expect from the enforcement officers whilst undertaking food law work. Enforcement will be applied in a graduated, risk-based manner and resources shall be targeted at those businesses which pose the greatest risk to health.

3. Section 3 - Service Delivery

Inspections at Food Establishments

3.1. In September 2021, Clackmannanshire Council implemented a recovery program for the restart of food law inspections as the delivery of routine interventions ceased during the Covid pandemic. This work was prepared following direction provided by FSS on local authority recovery⁴. It is based on a phased approach and ensures that resources are focussed on businesses which present the greatest risk. The team is midway through this program of work which is due to be completed by March 2025. Details of the full recovery strategy are in Annex 1.

3.2. The table below details the planned program of food interventions for 2023-24:

⁴ Food Standards Scotland – Local Authority Recovery Project Recovery Process Guidance (Dec 2020)

FLRS Group/Band	A	B	C	D	E	Unrated
1	1	7	2	0	0	1
2	0	135	85	6	0	3
3	0	59	21	1	0	8

Annex 5 Risk Rating	No. Establishments	Risk Rating (FH)
Approved Establishments	1	B
Primary Production	1	1D

- 3.3. This program contains the backlog of inspections not completed during the previous year. This includes 32 Group 2Bs and 2 Group 3 Unrated new businesses.
- 3.4. All programmed interventions are by way of inspection, including new unrated businesses. Officers undertake inspections in accordance with Clackmannanshire Council’s Enforcement Policy and Inspection Procedure which incorporates the provisions of the Food Law Code of Practice Scotland, Practice Guidance and other centrally issued guidance.
- 3.5. It is estimated that officers will be required to undertake at least 170 revisits to follow up on significant contraventions raised during routine inspections. This number is an estimate based on previous history as the need to revisit can only be determined once the initial inspection has been undertaken.
- 3.6. New businesses that register with Environmental Health are entered onto the team’s database. The target for all new businesses to be inspected is within 3 months of opening and they shall be allocated on a risk basis.

Food Complaints

- 3.7. The investigation of food complaints is in accordance with the Council's written procedure and all complaints are reviewed and investigated. Action taken shall be proportionate to risk. Based on data from previous years, an estimate of 46 complaints relating to problems with food items or poor practices at a business is predicted. However, this type of work is reactive and can not be planned.

Home Authority Principle

- 3.8. The Council supports the Home Authority Principle and Primary Authority Scheme. It does not act as Home or Primary Authority for any business. Where an officer is considering taking enforcement action which they believe may be contrary to any

advice issued by the relevant Home/Originating or Primary Authority, they will discuss the facts with the relevant Authority before action is instigated.

Advice to Business

- 3.9. Clackmannanshire Council provides advice for businesses either on request or in the course of normal service operation. The Council is committed to providing quality and comprehensive advice to local food businesses and this is reflected in the Enforcement Policy and written procedures.

Food Sampling

- 3.10. A sampling programme is prepared each year which incorporates local producers, exported food, SFELC/FSS national sampling priorities and local issues. Sampling is carried out by the Environmental Health Officers and the Environmental Health Technical Officer in accordance with written procedures. The Council has appointed Glasgow City Council Scientific Services as Food Examiner and Public Analyst and all food samples for examination and analysis are submitted to them.

Control and Investigation of Outbreaks and Food Bourne Infectious Disease

- 3.11. The Council, in partnership with, and led by, Forth Valley Health Board, investigates all reported cases of outbreaks and food related infections. This is in accordance with procedures agreed with Forth Valley Health Board. The Team Leader Environmental Health attends meetings with the Consultant in Public Health Medicine as called.

Food Law Incidents

- 3.12. All food law incidents reported to the Council by local food businesses will be dealt with in accordance with the Council's procedures. These procedures follow the requirements of the Food Law Code of Practice Scotland. The Council's procedures extend to reports of food safety incidents through the alert system operated by Food Standards Scotland. All alerts "for action" are acted upon if relevant to businesses in Clackmannanshire. A record of all alerts is kept electronically.

Liaison with other Organisations

- 3.13. The Environmental Health team maintains positive liaison with many organisations. The food law code of practice requires local authorities to work together with national bodies to contribute to consistency of enforcement. The team works with other local authorities through attendance of the East of Scotland Liaison Group (ESFLG) and the Scottish Food Enforcement Liaison Committee (SFELC). The Senior Environmental Health Officer for Food Safety is the Chair of the ESFLG and is a representative on the SFELC. The service is audited by Food Standards Scotland and there is a strong commitment to attend any events organised by this agency. The Council also provides full commitment to supporting working groups.

Food Crime and Fraudulent Activities

3.14. The Environmental Health team will work with the Food Crime and Incidents Unit at Food Standards Scotland in support of work undertaken on food fraud and food crime. During routine inspections and sampling, Officers are looking for evidence of any attempts to mislead consumers or provide food which is dangerous. The team shall share intelligence with this agency and assist with any investigation as required.

Section 4 – Finance and Staffing

Financial Allocation

4.1. The following financial resources are available to the service for **all** Environmental Health Work, including food control delivery and it is not possible to break this figure down any further:

Staff	£470,045
Transport	£2,326
Equipment Maintenance	£4,424
Equipment Purchase	£1,000
Staff Clothing	£570
Materials	£1,500
Training (Centrally Held)	£2,000

4.2. The staffing budget has dropped slightly from the previous financial year. This decrease is due to pay rises which included backdated pay in the previous year and staff numbers remain stable. The training budget has also been reduced by 28%. This reduction will not affect food CPD for authorised officers and results from an adjustment based on underspend in previous years.

4.3. Clackmannanshire Council must ensure that services are prioritised on meeting targets and fulfilling statutory obligations to protect people’s health, safety and welfare. Recent years have seen slight reductions in budget but for the period of this service plan the position remains stable. The Council must ensure that it maintains a food control service that meets statutory obligations.

4.4. The Council continues to face challenging times and further budget cuts but, at this current time, it is not planned for further reductions in Environmental Health’s staffing levels or budget allocation. The Council is fully committed to meeting statutory duties and any future changes will not impact on its ability to deliver services at that level.

Staffing Allocation

4.5. The Environmental Health team at Clackmannanshire Council are generalist officers that adapt and react to the multiple functions that the profession covers. This includes public health, statutory nuisance, health and safety and food control. All posts are currently filled. The team’s current staffing levels and the proportion of officer time historically dedicated to food controls are listed in the table below:

Position	All EH Work (FTE)	Food Control Work (FTE)
Team Leader Environmental Health	1	0.3
Senior / Environmental Health Officer	5	2.8
Environmental Health Technical Officer	1	0.6
Environmental Protection Officer	2	0
Total	9	3.7

4.6. The resources required for delivery of the 2023-24 food control program has been calculated to require 3.7 full time equivalent (FTE). This is compatible with the available resources within the team. Full details of the resource calculation are available in Schedule 2. The levels of competency and authorisation of staff is as outlined in the Inspection Procedure and Enforcement Policy. The Business Support and Environmental Protection Officers are not authorised in any capacity for food control work.

Staff Development Plan

4.7. Clackmannanshire Council is committed to staff development and during the Performance, Review and Development process training needs are identified and where possible these needs are fulfilled. Internal training is also carried out which includes all aspects of Environmental Health. All Officers authorised to undertake food law work shall complete at least 10 hours training as part of their continuing professional development (CPD) to maintain competency.

Section 5 - Monitoring

Quality Assessment and Internal Monitoring

- 5.1. The Council is committed to providing quality services and has in place a system of internal monitoring. This covers:
- review of files to check that inspection procedures etc. have been carried out;
 - review of all reports submitted to the Procurator Fiscal prior to submission
 - checks on all formal enforcement notices issued;
 - checks on informal reports issued;
 - accompanied inspections and visits to check quality and practices;
- 5.2. The performance of this Authority against the Service Plan will be monitored by:
- comparison of annual inspections against the inspection programme
 - annual review of food sampling;
 - annual review of procedural guidance
 - annual training assessment.

Section 6 – Review

Review against the service plan

- 6.1. The Service Delivery Plan will be reviewed on an annual basis by the Team Leader Environmental Health to assess its relevance to current operations and targets and will be amended where there are significant changes. The Official Food Control Service Plan will be submitted annually to the Head of Service for approval.
- 6.2. An end of year report will be submitted to the Strategic Director identifying where the service has varied from the Service Plan, the reasons for this and the actions taken as a consequence.
- 6.3. Any areas of improvement of service delivery identified will be set out within the review with proposals for their implementation.

Areas for Improvement / Challenges

- 6.4. The recovery of the food law inspection program is a significant undertaking for the team and shall take until 2025 before the full plan will have sufficiently recovered. It is important that Officers are supported throughout this transition so that they deliver a competent service. Over the past few years, the operational and economic pressures have been extremely challenging for the food industry and have resulted in a changing landscape within the food industry which will have an impact on the inspection program. Many businesses have started trading online for the first time, some have introduced higher risk processes and cut backs often affect the general standard of compliance.
- 6.5. The recovery is made more complex by the transition to the new food law rating scheme. This new scheme has changed the inspection profile of the businesses due

to the different priorities built into the scheme, resulting in many businesses requiring inspection on a more frequent basis. Large or complex businesses are to be inspected more frequently due to their inherent risk. The introduction of intense interventions is effective at securing improvement at poorly performing businesses. However, this involves significant officer time. A significant number of lower risk premises are being risk rated at higher inspection frequencies due to the increased priority placed on food standards. Also, the option to extend the inspection frequency to two years for highly compliant businesses has changed. A business will need to demonstrate over a period of three inspections that they have sustained a high level of compliance before they can be placed on this lower inspection frequency which will take at least five years. All these factors contribute towards a heavier inspection program moving forward.

- 6.6. The Interventions Food Law Code of Practice (Scotland) does not apply to Approved Establishments. This type of businesses will be addressed in a future Code of Practice which will include the introduction of the Official Control and Verification manual. Implementation of this new inspection regime requires to be fully introduced now at Approved Establishments. Officers will require support with this change in working practices.
- 6.7. An officer is on maternity leave. This commenced in September 2022 and is expected to be for a full year. The post has been vacant although part time officers have been working some additional hours since February 2023 to assist with covering this post.

Official Food Control Service Plan prepared by the Senior Environmental Health Officer for Food

Signed: _____  (Helen Henderson)

Date: 01/06/23

Official Food Control Service Plan confirmed by the Team Leader Environmental Health

Signed: _____  (Andrew Crawford)

Date: 01/06/23

Annex 1 – Food Law Recovery Inspection Plan (September 2021 to March 2025)

Inspection Type		Insp Freq CoP (Months)	Permitted Time Scale for recovery (months)	Total No. business	Year 21/22	Year 22/23	Year 23/24	Year 24/25
Group 1	A	18	18	0	0	As per CoP		
	B	12	12	7	7	As per CoP		
	C	6	6	2	2	As per CoP		
	D	3	3	1	1	As per CoP		
	E	1	1	0	0	As per CoP		
	Unr'd		-	1	1	As per CoP		
Group 2	A	24	48	0	0	0	As per CoP	
	B	18	24	164	41	123	As per CoP	
	C	12	18	101	60	41	As per CoP	
	D	3	6	21	21	As per CoP		
	E	1	1	0	0	As per CoP		
	Unr'd		-	42	42	As per CoP		
Group 3	A	60 / No proactive visit	60	81	0	0	0	Asses s if Req'd
	B	36	48	116	0	0	58	58
	C	24	36	43	0	22	21	As per CoP
	D	3	6	3	3	As per CoP		
	E	1	1	0	0	As per CoP		
	Unr'd		-	27	27	As per CoP		
Approved Establishments		12	12	1	1	As per CoP		
Primary Production		24	-	2	0	2	As per CoP	

Annex 2: Resource Calculation Information

Table 1: Interventions

Inspection Type		Estimate time per intervention (Hrs)	Factor for Witness / Officer Support	No Inspections Planned in 2023/24	Total time to implement plan
Group 1	A	13.5	2	1	27
	B	13.5	2	7	189
	C	19.25	2	2	77
	D	21.75	2	0	0
	E	26.75	2	0	0
	Unrated	21.75	2	1	43.5
Group 2	A	4.75	1	0	0
	B	4.75	1	135	641.25
	C	8.5	1.2	85	867
	D	11.75	1.5	6	105.75
	E	13.9	2	0	0
	Unrated	11.75	1	3	35.25
Group 3	A	3.5	1	0	0
	B	3.5	1	59	206.5
	C	6.25	1	21	131.25
	D	8	1.2	1	9.6
	E	9.75	2	0	0
	Unrated	8	1	8	64
Approved Establishment		30	2	1	60
Primary Production		5	1	1	5
Total				469	2,462.1
FTE Officers for Insp					2.2

Table 2: Other Food Law Work out with Inspection Program

Other Intervention Activities	No	Time per activity (hrs)	Total Time (Hrs)
Food Complaints	20	4	80
Complaints re premises	17	4	68
Food Alerts for Action	1	7.5	7.5
Food Alerts for Information	114	1.2	136.8
Food Poisonings	12	3	36
Food Incidents	1	10	10
Sampling: Micro & Chem Formal Satisfactory	2	5.8	11.6
Sampling: Micro & Chen Formal Unsatisfactory	0	15.25	0
Sampling: Micro & Chem Informal Satisfactory	101	3	303
Sampling: Micro & Chen Informal Unsatisfactory	7	5	35
Implementation of new allergen regs October		20	20
Planning Applications re food premises	21	2.5 (+2hr 50%)	105
Licensing S50	4	5	20
Licensing Variation	4	2.5 (+2hr 50%)	20
Public Entertainment	32	5	160
Late Hours Catering Licence	5	0.25	1.25
Market Operators Licence	1	5	5
Advice to business/public/agencies	45	1 (+2hr 50%)	90
CPD/Training Activity		120	120
Total			1229.15
Officer FTE			1.1

Table 3: Food Law Management Activities

Management Activities	No.	Time per activity (Hr)	Total Time (Hrs)
Management of MIS & SND Data		60	60
Internal monitoring		60	60
Complaints against service	1	5	5
Create & manage sampling plan		7.5	7.5
Service Plan, Service Review, Policies,		50	50
Provision of data to FSS Audit Team		12.5	12.5
Attendance at Liaison Groups & Working Groups		30	30
Management of FHS	1.5Hr/month	18	18
Management of Export Certificates	2 Hrs/month	24	24
Production Export Health Certificates	647	0.25	161.75
FOIs & CIIr/MSP/MP enquiries	11	2.5	27.5
Total			456.25
Officer FTE			0.4

Report to Audit & Scrutiny Committee

Date of Meeting: March 2024

Subject: Local Employability Performance

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. To present an overview of the work of the Economic Development team within the Council in terms of in-house delivery, commissioning and performance of local employability support, and the on-going role of the Local Employability partnership which is chaired by Clackmannanshire Council (Economic Development team) for the year 2023/24.

2.0 Recommendations

- 2.1. That the Committee note and comment on the performance of the Council's Economic Development team in the delivery and performance of local employability services.

3.0 Considerations
3.1. Funding 2023/24

Funding amounts for employability programmes in Clackmannanshire for 2023/24 from both Scottish Government and UK Government is as follows:

Funding Source	Programme	Amount
Scottish Government	Fair Start Scotland	£150,000
Scottish Government	No One Left Behind	£262,000
Scottish Government	Child Poverty Funding (parental employability support)	£441,000 + £178,000 through GRG for staffing = £619,000
UK Government	UK Shared Prosperity (People and Skills)	£338,911

Scottish Government	Residual Modern Apprenticeship contract with Skills Development Scotland	£7,323
Total		£1,377,234

3.2. Employability Programmes (2023/24)

3.2.1 Fair Start Scotland

This is a commercial contract with Scottish Government delivered in partnership with Falkirk (lead partner) and Stirling Councils, providing person-centred employability support to unemployed people including those with long-term health conditions and disabilities. This contract is now in its sixth and final year of delivery (completing in March 2024). Over the period from April 2018 to end of November 2023, our Clackmannanshire Works in-house delivery team have supported 626 participants through Fair Start Scotland.

3.2.2 Positive Moves

This is a voluntary programme offering assistance to local people who are seeking work or thinking about taking the first steps towards employment. Delivered through a partnership of Clackmannanshire Economic Regeneration Trust (CERT) who are providing support to the 'economically inactive' group of clients, and Clackmannanshire Works providing support for unemployed residents to remove barriers and help into employment. The programme was launched in April 2023 and is funded through the UK Shared Prosperity Fund up to March 2025. Positive Moves is the successor programme to our previous successful ESF funded employability programme which ran from April 2015 to end March 2023 and during its lifetime supported 1,040 people, of which 427 entered employment, 41 entered Further or Higher Education, and 331 achieved a qualification. Clackmannanshire Works are currently working with over 120 participants on the new Positive Moves programme.

3.2.3 Parental Employability Support

This programme provides employability support for parents who are either out of work or in work. Support is tailored to individual needs and helps parents increase their income either through supporting them into work or increasing their wages and/or hours. Funded through Tackling Child Poverty Funding from Scottish Government. Clackmannanshire Works team are currently supporting 84 parents.

3.2.4 School Key Worker

This is a new post this year that has been created to support young people with multiple barriers who are summer and winter leavers from the three secondary schools to help them transition towards and into a positive destination. The post is funded through NOLB and UK Shared Prosperity

funding up to 31st March 2025. Currently 19 young people are being supported via this post.

3.2.5 Fair Work Incentive

This is an employer recruitment incentive of up to £8,000 which is used as a tool to help move unemployed people into work. The incentive is a contribution to the additional costs of an employer recruiting and sustaining an eligible recruit during their first 52 weeks of employment. We are currently supporting 32 people with local employers. Funded through a mixture of NOLB, Tackling Child Poverty and Council funding.

3.2.6 Modern Apprenticeships

We continue to support services to recruit and train Modern Apprentices (MAs) across the Council. There are currently 13 MAs in post - 1 Mechanic, 3 Plumbers, 2 Joiners, 5 Electricians, 1 Road and 1 Business & Administration.

3.3 Commissioned Programmes and Other Funded Projects

The Council's Economic Development service is responsible for the governance of the No One Left Behind and Tackling Child Poverty funding which is allocated annually by Scottish Government. Use of the funding is agreed through the Local Employability Partnership (LEP) to address identified gaps and complement existing provision locally.

3.3.1 No One Left Behind (NOLB)

Three programmes for young people aged 16 - 19 have been commissioned with external providers using NOLB funding. Programmes are being delivered in two cohorts with late summer 2023 and January 2024 intakes:

- 20 week programme for young people with multiple barriers or Additional Support Needs to help build their confidence and skills to enable them to progress towards employment. 12 young people supported to date out of 22 places available. Delivered by Enable.
- 13 week Construction Sector Skills programme delivered by Stirling Community Enterprise. Programme provides a mixture of certificated training and work experience for 20 young people. 11 starts to date.
- 16 week Customer Facing Sector Skills programme delivered by Positive Qualities using the Inglewood House & Spa as the training venue. 10 places filled to date out of 20 available spaces.

All young people on these programmes are paid a weekly training allowance of £55.

3.3.2 Tackling Child Poverty Funding

There is a significant amount of Tackling Child Poverty funding for delivery costs this year (£441k). A range of interventions are currently in place:

- 6 x paid work placements for parents in Council nurseries
- 7 x paid work placements for parents with local employers including NHS Forth Valley
- Parental Welfare Grant : 25 x £1,000 payment for parents to support their transition into employment
- Employability Grant Scheme - funding 11 projects across 11 mainly third sector organisations to deliver a range of activities/services for parents
- Contribution to a Childcare Project Executive post with CERT
- Childminding recruitment project with the Scottish Child Minding Association
- Contribution to Money Advice, Digital Skills and Mental Health Services for Clacks Works participants
- Contribution to the THRIVE to Keep Well programme
- Barrier Free Fund – discretionary fund for Clacks Works Key Workers to access for their clients to pay for travel expenses, certificated training, child care costs, clothes for interviews/starting work, etc

3.4 In total, Clackmannanshire Council's employability service supports around 700 Clackmannanshire residents each year providing them with the confidence and skills to progress towards and into work. This is through in-house provision and commissioned services. The in-house Clackmannanshire Works key worker team support around 400 people annually and last year over 200 of those were supported into work, and over 100 into training (mainly vocational training). In addition, the team is on track to spend the £1.38m allocation in full.

4.0 Sustainability Implications

4.1. NIL

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 X
Our families; children and young people will have the best possible start in life X
Women and girls will be confident and aspirational, and achieve their full potential X
Our communities will be resilient and empowered so that they can thrive and flourish

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

8.0 Equalities Impact

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

Yes No

9.0 Legality

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

10.0 Appendices

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

None

11.0 Background Papers

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

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
------	-------------	--------------------

Ali Davidson / Jane Adamson	Team Leader, Economic Development Policy Officer, Economic Development	
-----------------------------	---	--

Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	