

**A meeting of the Policy & Resources Committee will be held on Tuesday 4 June 2024 at 3pm.**

**Members may attend the meeting in person or via remote online access. Webex joining details will be sent to Members and Officers prior to the meeting. Members are requested to notify Committee Services by 12 noon on Monday 3 June 2024 how they intend to access the meeting.**

**In the event of connectivity issues, Members are asked to use the *join by phone* number in the Webex invitation and as noted above.**

**Please note that this meeting will be live-streamed via YouTube with the exception of any business which is treated as exempt in terms of the Local Government (Scotland) Act 1973 as amended.**

**Further information relating to the recording and live-streaming of meetings can be found at the end of this notice.**

LYNSEY BROWN  
Head of Legal, Democratic, Digital & Customer Services

**BUSINESS**

**\*\* Copy to follow**

1. <b>Apologies, Substitutions and Declarations of Interest</b>	<b>Page</b>
<b>PERFORMANCE MANAGEMENT</b>	
2. <b>2023/24 Policy &amp; Resources Committee and General Fund Revenue Budget Update</b> Report by Chief Financial Officer, Corporate Director Education, Communities & Organisational Development and Chief Executive	<b>p</b>
3. <b>Policy &amp; Resources Capital Budget and Council 2023/28 Capital Programme</b> Report by Chief Financial Officer	<b>p</b>
4. <b>Finance Services Update</b> Report by Chief Financial Officer	<b>p</b>
5. <b>Corporate Policy and Performance Update: April – June 2024</b> Report by Corporate Director Education, Communities & Organisational Development	<b>p</b>
6. <b>Policy and Resources Committee Delivery and Improvement Plan 2023/26 - Annual Refresh and Performance Summary 2023/24</b> Report by Chief Executive	<b>p</b>
7. <b>Local Government Benchmarking Framework 2022/23</b> Report by Head of Organisational Development, Policy & Communications	<b>p</b>

<b>NEW BUSINESS</b>		
8.	<b>Non-Domestic Rates: Mandatory and Discretionary Relief Policy</b> Report by Chief Financial Officer	<b>p</b>
9.	<b>Draft British Sign Language Plan 2024/30</b> Report by Corporate Director Education, Communities & Organisational Development	<b>p</b>
10.	<b>Update on Inverclyde Anti-Poverty Initiatives June 2024</b> Report by Corporate Director Education, Communities & Organisational Development	<b>p</b>
11.	<b>Leadership Development</b> Report by Corporate Director Education, Communities & Organisational Development	<b>p</b>
<b>REMITTS FROM COMMITTEES</b>		
12.	<b>External Condition Surveys – Remit from Environment &amp; Regeneration Committee</b> Report by Head of Legal, Democratic, Digital & Customer Services	<b>p</b>
<b>ROUTINE DECISIONS AND ITEMS FOR NOTING</b>		
13.	<b>Human Resources and Health and Safety Policy Updates</b> Report by Head of Organisational Development, Policy & Communications	<b>p</b>
<p><b>The documentation relative to the following items has been treated as exempt information in terms of the Local Government (Scotland) Act 1973 as amended, the nature of the exempt information being that set out in the paragraphs 6, 8 &amp; 9 of Part I of Schedule 7(A) of the Act.</b></p>		
<b>NEW BUSINESS</b>		
14.	<b>Award of Contract for Inverclyde Community Hub Project</b> Report by Head of Physical Assets seeking to conclude an award of contract for the Inverclyde Community Hub Project.	<b>p</b>

The reports are available publicly on the Council's website and the minute of the meeting will be submitted to the next standing meeting of the Inverclyde Council. The agenda for the meeting of the Inverclyde Council will be available publicly on the Council's website.

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Enquiries to – **Colin MacDonald** – Tel 01475 712113

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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Chief Financial Officer and Corporate Director Education, Communities &amp; Organisational Development and Chief Executive</b>	<b>Report No:</b>	<b>FIN/25/24/AP/AB</b>
<b>Contact Officer:</b>	<b>Angela Edmiston</b>	<b>Contact No:</b>	<b>01475 712143</b>
<b>Subject:</b>	<b>2023/24 Policy &amp; Resources Committee and General Fund Revenue Budget Update</b>		

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## **1.0 PURPOSE AND SUMMARY**

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this report is to advise the Committee of the 2023/24 Policy & Resources Committee Revenue Budget projected position and also note the overall General Fund Revenue Budget projection and the position of the General Fund Reserves.
- 1.3 The revised 2023/24 Revenue Budget for the Policy and Resources Committee is £16,124,000, which excludes Earmarked Reserves. The latest projection is an underspend of £570,000 (3.5%), a decrease in costs of £28,000 since last Committee. This is mainly due a further underspend within the Non Pay Inflation Contingency. More details are provided in section 3.3 and the appendices.
- 1.4 The latest projection for the General Fund Budget is an overspend of £601,000. This is an increase in expenditure of £723,000 since the last report to Committee. The main reason for the movement is an adverse movement within the Education and Communities Committee of £736,000. Minimal movement has occurred across the Policy and Resources Committee and Environment and Regeneration Committee. This overspend includes a £250,000 one off cost to the Council for the 2023/24 Pay Award, which is due to be reimbursed by the Scottish Government in 2024/25. Based on these figures the Council's unallocated Reserves are currently projected to be £0.364 million more than the minimum recommended level of £4.0million by 31 March 2024.

## **2.0 RECOMMENDATIONS**

It is recommended that the Committee:

- 2.1 Note the current projected Committee underspend for 2023/24 of £570,000.
- 2.2 Note the projected overspend of £601,000 for the General Fund and the projected reserve balance of reserves of £4.364million.
- 2.3 Note the projected 2023/24 surplus of £17,110 for the Common Good Budget set out in Appendix 5.
- 2.4 Note the 2024/25 Workstream Savings achieved to date and that progress will be reported each Committee cycle.
- 2.5 Note that the 2023/24 outturn will be reported to Committee after the summer recess

**Alan Puckrin**  
**Chief Financial Officer**

### 3.0 BACKGROUND AND CONTEXT

- 3.1 The revised 2023/24 Revenue Budget for the Policy & Resources Committee is £16,124,000 excluding Earmarked Reserves. This is a decrease of £7,700,000 from the approved budget largely due to allocations from the pay and non-pay inflation contingency and additional 2023/24 pay award funding from the Scottish Government. Appendix 1 gives more details of this budget movement.
- 3.2 Expenditure to date and projections are based on figures available at the date of submission of this report. It should however be noted that the 2023/24 accounts closedown is ongoing and final accruals and adjustments are not necessarily included, although where known they are reflected in the projection. The final outturn will be reported to this Committee in August after the summer recess and may differ from the current projection.
- 3.3 The main variances contributing to the net underspend of £570,000 are as follows -
- (a) £23,000 one-off underspend projected for Legal Expenses, no change since last Committee.
  - (b) £60,000 underspend projected for bad debt provision reduction within Housing Benefits, no movement since last reported to Committee.
  - (c) Statutory Additions £54,000 under-recovery, £14,000 movement since P10.
  - (d) Housing Benefit Recoveries budget is reporting £40,000 under recovery within income, no change since last Committee.
  - (e) One-off £20,000 overspend for unfunded Housing Benefit costs. This has been addressed as a 2024/25 Budget pressure.
  - (f) Combined Events overspend of £23,000, mainly due to increased costs for Highland Games.
  - (g) £27,000 combined underspend within HR Corporate Training Courses and Workforce Development budgets due to a one-off reduced need in 2023/24. Not reported to previous Committees.
  - (h) £79,000 combined one-off underspend within ICT computer hardware and software budgets due to the timing of new corporate contracts.
  - (i) Projected over-recovery of £34,000 within Income for the ICT service for internal maintenance recharges for computer equipment purchased outside of the refresh programme.
  - (j) External Licences fee income is currently projecting; £30,000 over-recovery on the 2023/24 introduction of fees on short term lets and £30,000 under recovery for liquor income.
  - (k) £500,000 underspend within the non-pay inflation contingency budget due to a projected reduced call on this budget, £50,000 further underspend since last Committee.
  - (l) £23,000 over-recovery within Legal Fees External Income, not reported at last Committee.

### 3.4 Earmarked Reserves

Appendix 4 gives an update on the operational Earmarked Reserves, i.e. excluding strategic funding models. Spend to date on these operational Earmarked Reserves is £4,232,000 (72.34%

of projected spend). Appendix 7 gives the overall earmarked reserve position which shows 4.13% spend ahead of the phased budget.

### 3.5 General Fund Budget & Reserves Position

Appendix 6 shows that to date the General Fund is projecting a £601,000 overspend (excluding Social Work) which represents 0.25% of the net Revenue Budget. Policy & Resources Committee are projecting £570,000 underspend which is offset by £169,000 overspend within Environment & Regeneration and an overspend within Education & Communities of £746,000.

3.6 An allowance of £250,000 for the one off cost of the 2023/24 Pay Award has been included with the Scottish Government having included a one off reimbursement within the 2024/25 Grant settlement.

3.7 Appendix 8 shows the latest position in respect of the General Fund Reserves and shows that the projected balance at 31 March, 2024 is £4.364 million which is £0.364 million more than the minimum recommended balance of £4 million. The General Fund Reserve position includes additions to the Reserve beyond 2023/24 that were agreed as part of the 2023/24 Budget approved by the Council on March 2023 and the final audited accounts position. In addition, the figures reflects decisions taken as part of the 2024/26 Budget on 29 February 2024.

### 3.8 Common Good Fund

The Common Good Fund is projecting a surplus fund balance of £17,110 as shown in Appendix 5 and which results in projected surplus fund balance of £140,678 at 31 March 2024.

#### Workstream Savings

3.9

As part of the 2024/26 Budget process, the Council approved workstream savings of £2.880 million over the 2 year budget. The Corporate Management Team increased the target by a further £0.055 million resulting in a final workstream target of £2.935 million, of which £1.320 million is due to be achieved in 2024/25. Whilst the workstream savings are outwith the 2023/24 Revenue Budget, Officers believe it is prudent to update Committee on the 2024/25 saving delivery progress.

It can be seen from appendix 9, £1.206 million has been achieved against a target of £1.32 million for 2024/25. The workstream appendix will be incorporated into each Revenue Monitoring report going forward and will include a lead officer update.

## 4.0 PROPOSALS

4.1 The increase in overspend within the Education and Communities was reported to the 21 May Committee with a commitment for an update to be presented to the Committee after the summer recess.

## 5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendations are agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X

Data Protection		X
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## 5.2 Finance

### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## 5.3 Legal/Risk

There are no legal implications arising from this report.

## 5.4 Human Resources

There are no specific human resources implications arising from this report.

## 5.5 Strategic

There are no specific strategic implications arising from this report.

## 6.0 CONSULTATION

6.1 Consultation with relevant officers has taken place.

## 7.0 BACKGROUND PAPERS

7.1 There are no background papers for this report.

**Policy & Resources Budget Movement - 2023/24**

Service	Approved Budget		Movements			Revised Budget
	2023/24 £000	Inflation £000	Virement £000	Supplementary Budgets £000	Transferred to EMR £000	2023/24 £000
Finance	5,630	225	(15)			5,840
Legal, Democratic Digital & Customer Services	5,389	261	50			5,700
Organisational Development, Policy & Communications	2,219	164	(5)			2,378
Chief Exec	377	22	(28)			371
Miscellaneous	9,514	(13,050)	30	5,454	(113)	1,835
<b>Totals</b>	<b>23,129</b>	<b>(12,378)</b>	<b>32</b>	<b>5,454</b>	<b>(113)</b>	<b>16,124</b>

**Supplementary Budget Detail**

	£000
<b><u>Inflation</u></b>	
Revenue & Benefits - various non pay inflationary uplifts	9
ICT - Inflationary Uplift 23/24	8
HR - Occupational Health contract increase	33
Legal Services Pay Award 23/24	253
Chief Executive Services Pay Award 23/24	22
Finance Services Pay Award 23/24	201
ODHR Pay Award 2023/24	131
Miscellaneous - Pay Inflation Adjustments	(10,929)
Miscellaneous - Various Non Pay Inflation Adjustments	(2,121)
R&B- Discretionary Relief 23/24	15
	<b>(12,378)</b>
<b><u>Virements</u></b>	
Legal - Budget transfer to Property Services for Energy Team	(50)
ICT - Budget Transfer from Physical Assets for New Ways of Working Project	40
Legal - Management Allocation	53
Registrars - Budget Transfer from Revenue & Benefits	7
Revenue & Benefits - Budget Transfer to Registrars	(7)
Revenue & Benefits - Budget transfer to Property Services for Energy Team	(8)
Chief Executive - Management restructure within E&R Directorate	(28)
ODHR - Events reduction in Events Management to Common Good	(5)
Miscellaneous	30
	<b>32</b>
<b><u>Supplementary Budgets</u></b>	
SNCT 2023/24 Pay Award	4,646
LG 2023/24 Pay Award	808
	<b>4,646</b>
<b>Total Inflation &amp; Virements</b>	<b>(7,700)</b>



**POLICY & RESOURCES COMMITTEE**

Appendix 2

**REVENUE BUDGET MONITORING REPORT**

2022/23 Actual £000	SUBJECTIVE ANALYSIS	Approved Budget 2023/24 £000	Revised Budget 2023/24 £000	Projected Out-turn 2023/24 £000	Projected Over/(Under) Spend £000	Percentage Over/(Under)
9,459	Employee Costs	8,864	9,495	9,500	5	0.1%
623	Property Costs	734	734	734	0	-
892	Supplies & Services	900	918	870	(48)	(5.2%)
2	Transport & Plant	5	5	5	0	-
1,248	Administration Costs	1,306	1,315	1,206	(109)	(8.3%)
37,596	Payments to Other Bodies	41,530	34,048	33,515	(533)	(1.6%)
(27,182)	Income	(30,210)	(30,278)	(30,163)	115	(0.4%)
<b>22,638</b>	<b>TOTAL NET EXPENDITURE</b>	<b>23,129</b>	<b>16,237</b>	<b>15,667</b>	<b>(570)</b>	<b>(3.5%)</b>
	Earmarked reserves		(113)	(113)	0	
<b>22,638</b>	<b>Total Net Expenditure excluding Earmarked Reserves</b>	<b>23,129</b>	<b>16,124</b>	<b>15,554</b>	<b>(570)</b>	

2022/23 Actual £000	OBJECTIVE ANALYSIS	Approved Budget 2023/24 £000	Revised Budget 2023/24 £000	Projected Out-turn 2023/24 £000	Projected Over/(Under) Spend £000	Percentage Over/(Under)
12,531	Finance	5,630	5,840	5,843	3	0.1%
5,234	Legal, Democratic Digital & Customer Services	5,389	5,700	5,581	(119)	(2.1%)
2,279	Organisational Development, Policy & Communications	2,219	2,378	2,412	34	1.4%
<b>2,279</b>	<b>Total Net Expenditure Education, Communities &amp; Organisational Development</b>	<b>13,238</b>	<b>13,918</b>	<b>13,836</b>	<b>(82)</b>	<b>(0.6%)</b>
360	Chief Executive	377	371	383	12	3.2%
2,234	Miscellaneous	9,514	1,948	1,448	(500)	(25.7%)
<b>4,873</b>	<b>TOTAL NET EXPENDITURE</b>	<b>23,129</b>	<b>16,237</b>	<b>15,667</b>	<b>(570)</b>	<b>0</b>
	Earmarked reserves		(113)	(113)		
<b>4,873</b>	<b>Total Net Expenditure excluding Earmarked Reserves</b>	<b>23,129</b>	<b>16,124</b>	<b>15,554</b>	<b>(570)</b>	

**POLICY RESOURCES**

**REVENUE BUDGET MONITORING REPORT**

**MATERIAL VARIANCES (EXCLUDING EARMARKED RESERVES)**

Appendix 3

**POLICY & RESOURCES COMMITTEE**

**REVENUE BUDGET MONITORING REPORT**

**MATERIAL VARIANCES**

Outturn 2022/23 £000	Budget Heading	Budget 2023/24 £000	Proportion of Budget £000	Actual to 2023/24 £000	Projection 2023/24 £000	Over/(Under) Budget £000	Percentage Variance %
	<b><u>Finance Services</u></b>						
38	R&B Legal Expenses	29	29	4	6	(23)	(79.3%)
26	R&B Bad Debt Provison	0	0	(11)	(60)	(60)	(100%)
(270)	R&B Stat Adds	(294)	(294)	(250)	(240)	54	(18.4%)
(124)	R&B HB Recoveries	(110)	(110)	(33)	(70)	40	(36.4%)
23,709	R&B Benefits & Allowances	27,768	27,768	27,788	27,788	20	0.1%
	<b><u>Organisational Development, Policy &amp; Communications</u></b>						
68,943	Events	12	12	45	35	23	191.7%
61,138	Training Courses/Workforce Development Fund	66	66	46	39	(27)	(40.9%)
	<b><u>Legal, Democratic Digital &amp; Customer Services</u></b>						
38	ICT - Computer Hardware - Capita	50	50	22	24	(26)	(52.0%)
556	ICT - Computer Software - Capita & Freshdesk	642	642	587	589	(53)	(8.3%)
(55)	ICT Income Recharges (5 Year Computer Refresh)	(25)	(25)	(60)	(57)	(32)	128.0%
(14)	Legal - Income Licences - Other - Short Term Lets	(16)	(16)	(48)	(46)	(30)	187.5%
(106)	Legal -Income Licenses - Stat Charges - Liquor	(122)	(122)	(96)	(92)	30	(24.6%)
(25)	Legal - Legal Fees External	(19)	(19)	(45)	(42)	(23)	121.1%
	<b><u>Miscellaneous Services</u></b>						
1,750	Non Pay Inflation Contingency	3,562	2,253	3,062	3,062	(500)	(14.0%)
<b>155,604</b>	<b>TOTAL MATERIAL VARIANCES</b>	<b>31,543</b>	<b>30,234</b>	<b>31,011</b>	<b>30,936</b>	<b>(607)</b>	

EARMARKED RESERVES POSITION STATEMENT

COMMITTEE: Policy & Resources

C a t e g o r y	Project	Lead Officer/ Responsible Manager	Total Funding	Phased Budget 31/03/2024	Actual Spend 31/03/2024	Projected Spend 31/03/2024	Amount to be Earmarked for 2024/25 & Beyond	Lead Officer Update
			2023/24	2023/24	2023/24	2023/24		
			£000	£000	£000	£000	£000	
B	Early Retiral/Voluntary Severance Reserve	Alan Puckrin	1,995	0	53	53	1,942	Actual spend of £53k within 2023/24.
C	Equal Pay	Morna Rae	100	0	0	0	100	Balance for equal pay which is under review on an annual basis.
C	Digital Modernisation	Lynsey Brown	1,268	182	117	117	1,151	23/24 has saw the purchases of Schools Cashless Catering System replacement 15K and CRM Replacement systems indicative timeline 85K. 5k costs relating to FreshDesk implementation. 12k costs for WorkPro Licenses.
C	Welfare Reform - Operational	Alan Puckrin	52	0	0	0	52	No spend in 2023/24 however expected to be required in future years due to on going employee savings in 2024/25
C	Anti-Poverty Fund	Ruth Binks	2,115	295	350	408	1,707	Decisions taken as part of the 24/26 Budget will use £658k of the balance. Reported elsewhere on the agenda.
B	Loan Charge Funding Model	Alan Puckrin	1,645	0	0	1,048	597	December Finance Strategy allocated a further £3.0million over 2023/27 to the EMR to deliver a recurring saving from 2025/26.
C	GDPR	Lynsey Brown	19	19	12	12	7	Information governance system contract (Workpro) awarded (2yr+1yr+1yr). Spend committed -now £12k per year. Continued corporate training programme being organised. C/fw for Training Commitments
B	2023/26 Budget Funding Reserve	Alan Puckrin	6,000	3,000	3000	3,000	3,000	Projection per March 2023 Budget decision. £2million in 24/25 and £1 million 25/26. Further £6.0m agreed in principle 1/2/24.
C	ICT Technicians To Support Digital School Inclusion/Covid Recovery	Lynsey Brown	70	50	56	56	14	Ongoing Monthly Employee Costs. 1 x Service Desk Operator (until 01/09/24) and 1 x Technical Project Officer (until 01/10/23).
C	Extension of Corporate Policy Post	Morna Rae	35	40	35	35	0	To fund Grade 6 Corp Policy Post until 31st March 2024, £9k agreed write back at February Policy & Resoureces Committee.
C	New Ways of Working	Stuart Jamieson	267	15	9	267	0	Project moving to asset based phase and use of EMR being reviewed.
C	HR Resources	Morna Rae	68	84	68	68	0	This is Monies to fund two HR employees for 2023/24 Grade 5 & Grade 7/8. Grade 7/8 employee no longer in EMR post from 18th September, remainder £24k to be written back.

EARMARKED RESERVES POSITION STATEMENT

COMMITTEE: Policy & Resources

C a t e g o r y	Project	Lead Officer/ Responsible Manager	Total Funding	Phased Budget 31/03/2024	Actual Spend 31/03/2024	Projected Spend 31/03/2024	Amount to be Earmarked for 2024/25 & Beyond	Lead Officer Update
			2023/24	2023/24	2023/24	2023/24		
			£000	£000	£000	£000	£000	
C	Project Resource	Louise Long	135	0	46	46	89	Projects approved to date. HR review (£25k), Co-operative Councils membership, Task Force support and Solace support for difficulty to fill senior Regen posts.
C	Covid Recovery - Marketing Post & Support for Discover Inverclyde	Morna Rae	67	67	23	23	44	£27k funding for marketing post/discover inverclyde, £19k in 23/24, £8k to be carried forward to 24/25 to cover prints early April. For £40k Historic Links to Slavery Funding - £4k spend in 23/24, £36k to be carried forward to 24/25.
C	Scottish Welfare Fund	Alan Puckrin	77	77	77	77	0	All spent in 23/24. Any underspend in 2023/24 will be added to this reserve at 31.3.24
C	Discretionary Housing Payments - Scottish Govt Grant	Alan Puckrin	28	28	28	28	0	Fully Spent in 23/24
C	Smoothing Reserve (Service Concession)	Alan Puckrin	602	0	0	254	348	Sum to smooth difference between approved £1.65m saving and actual saving per the funding model over 2023/28.
B	Budget Delivery Reserve	Alan Puckrin	3,000	0	338	338	2,662	Allowance to address inflation volatility and other Budget delivery pressures over the 2024/26 period. Bulk required in 2024/25
C	Student Training Fees	Morna Rae	100	0	20	20	80	Payment of training fees to aid staff recruitment and retention. Services have confirmed cost for courses overall as £34k, with spend in 23/24 £20k, £14k in future years. Actual spend to date split £18k HR and £1k Finance £1k Building Standards. The remainder £66k is to be carried forward, which will go back out to services again to apply in 24/25.
<b>Total Category B</b>			<b>12,640</b>	<b>3,000</b>	<b>3,391</b>	<b>4,439</b>	<b>8,201</b>	
<b>Total Category C to E</b>			<b>5,003</b>	<b>857</b>	<b>841</b>	<b>1,411</b>	<b>3,592</b>	

**COMMON GOOD FUND****REVENUE BUDGET MONITORING REPORT 2023/24**

	Final Outturn 2022/23	Approved Budget 2023/24	Budget to Date 2023/24	Actual to Date 2023/24	Projected Outturn 2023/24
	£	£	£	£	£
<b><u>PROPERTY COSTS</u></b>	<b>42,400</b>	<b>56,700</b>	<b>50,600</b>	<b>35,800</b>	<b>58,670</b>
Repairs & Maintenance	17,200	11,000	10,100	4,360	11,000
Rates	21,160	21,200	21,200	23,170	23,170
Property Insurance	4,040	3,500	0	0	3,500
Property Costs	0	21,000	19,300	8,270	21,000
<b><u>ADMINISTRATION COSTS</u></b>	<b>7,930</b>	<b>7,700</b>	<b>1,400</b>	<b>0</b>	<b>7,700</b>
Sundries	1,730	1,500	1,400	0	1,500
Commercial Rent Management Recharge	2,200	2,200	0	0	2,200
Recharge for Accountancy	4,000	4,000	0	0	4,000
<b><u>OTHER EXPENDITURE</u></b>	<b>59,300</b>	<b>109,500</b>	<b>109,200</b>	<b>102,670</b>	<b>109,500</b>
Christmas Lights Switch On	10,500	10,500	10,500	10,500	10,500
Christmas Decorations	0	44,000	44,000	38,880	44,000
Gourock Highland Games	29,400	29,400	29,400	29,400	29,400
Armistice Service	8,850	8,300	8,300	6,590	8,300
Comet Festival	13,300	13,300	13,300	13,300	13,300
Events	0	4,000	3,700	4,000	4,000
Bad Debt Provision	(2,750)	0	0	0	0
<b><u>INCOME</u></b>	<b>(127,520)</b>	<b>(177,900)</b>	<b>(162,600)</b>	<b>(186,760)</b>	<b>(192,980)</b>
Property Rental	(159,000)	(228,200)	(209,200)	(209,200)	(228,200)
Void Rents	34,980	50,800	46,600	22,440	38,720
Internal Resources Interest	(3,500)	(500)	0	0	(3,500)
<b><u>NET ANNUAL EXPENDITURE</u></b>	<b>(17,890)</b>	<b>(4,000)</b>	<b>(1,400)</b>	<b>(48,290)</b>	<b>(17,110)</b>
<b><u>EARMARKED FUNDS</u></b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>TOTAL NET EXPENDITURE</u></b>	<b>(17,890)</b>	<b>(4,000)</b>	<b>(1,400)</b>	<b>(48,290)</b>	<b>(17,110)</b>

Fund Balance as at 31st March 2023 123,568

Projected Fund Balance as at 31st March 2024

140,678

## Notes:

**1 Rates (Empty Properties)**

Rates are currently being paid on empty properties, projection reflects current Rates levels however all historic Rates costs are being examined to ensure all appropriate empty property relief has been obtained. Any subsequent credit will be included in future reports.

**2 Current Empty Properties are:**

	<u>Vacant since:</u>
12 Bay St	April 2015, currently being marketed
6 John Wood Street	January 2019, currently being marketed
10 John Wood Street	August 2018
16 John Wood Street	November 2023
17 John Wood Street	June 2023

## Policy &amp; Resources Committee

## Revenue Budget Monitoring Report

Committee	Approved Budget 2023/2024	Revised Budget 2023/2024	Projected Out-turn 2023/2024	Projected Over/(Under) Spend	Percentage Variance
	£,000's	£,000's	£,000's	£,000's	
Policy & Resources	23,129	16,124	15,554	(570)	(3.54%)
Environment & Regeneration	22,505	24,153	24,322	169	0.70%
Education & Communities	100,759	111,088	111,834	746	0.67%
Social Work & Social Care	68,156	70,042	70,752	710	1.01%
2023/24 Pay Award Impact ( <b>Note 1</b> )	0	0	250	250	
<b>Committee Sub-Total</b>	<b>214,549</b>	<b>221,407</b>	<b>222,712</b>	<b>1,305</b>	<b>0.59%</b>
Loan Charges	16,902	16,902	16,902	0	0.00%
Saving Approved yet to be Allocated ( <b>Note 2</b> )	(100)	(100)	(100)	0	<b>0.00%</b>
Additional Turnover Savings unallocated ( <b>Note 3</b> )	0	(133)	(133)	0	0.00%
Service Concession Flexibility	(1,650)	(1,650)	(1,650)	0	0.00%
Transfer to Earmarked Reserves	0	563	563	0	0.00%
<b>Total Expenditure</b>	<b>229,701</b>	<b>236,989</b>	<b>238,294</b>	<b>1,305</b>	<b>0.55%</b>
<b>Financed By:</b>					
General Revenue Grant/Non Domestic Rates	(190,719)	(196,007)	(196,001)	6	(0.00%)
General Revenue Grant - Teachers Hold Back ( <b>Note 4</b> )	(655)	(655)	(655)	0	0.00%
Contribution from General Reserves ( <b>Note 5</b> )	(3,000)	(5,000)	(5,000)	0	100.00%
Council Tax	(35,327)	(35,327)	(35,327)	0	0.00%
Integration Joint Board - Contribution from Reserves	0	0	(710)	(710)	100.00%
<b>Net Expenditure</b>	<b>0</b>	<b>0</b>	<b>601</b>	<b>601</b>	

**Note 1 - Impact of 2023/24 Pay Award, funded in 2025/26**

**Note 2 - Approved savings yet to be allocated**

**Note 3 - Additional Turnover Savings unallocated**

**Note 4 - General Revenue Grant - Teachers Hold Back funding to be received**

**Note 5 - General Revenue Grant - £2m funded from Capital Grant**

**Earmarked Reserves**

DMR	300
FSM Holiday Payments	50
Anti-Poverty	113
Turnover Savings	100
<b>Contribution to General Earmarked Reserves</b>	<b>563</b>

**Redeterminations**

Probationer Teachers	(859) ECOD
Teachers Pay Award 2023/24	(2,238) Misc
LG Pay Deal temp reallocation	(466) Misc
LG Pay Deal temp reallocation	(342) Misc
LG Pay Award 2023/24	(2,408) Misc
Psychologist Probationer	(15) ECOD
Employability Funding	(195) ERR
Ukraine Funding	(453) HSCP
C&F Fostering/Kinship	(237) HSCP
Self Direct Support	(5) HSCP
Summer of Fun	(58) ECOD
Training	(12) ECOD
Transfer to Capital	2,000
	<b>(5,288)</b>

**Earmarked Reserves Position Statement**

Appendix 7

**Summary**

<u>Committee</u>	<u>Total Funding 2023/24</u>	<u>Phased Budget to 31/03/24</u>	<u>Actual Spend 31/03/24</u>	<u>Variance Actual to Phased Budget</u>	<u>Projected Spend 2023/24</u>	<u>Earmarked 2024/25 &amp; Beyond</u>
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>
Education & Communities	1,118	572	641	69	805	313
Social Work & Social Care	6,764	2,338	736	(1,602)	999	5,765
Regeneration & Environment	9,373	817	2,288	1,471	3,909	5,464
Policy & Resources	17,643	3,857	4,232	375	5,850	11,793
	34,898	7,584	7,897	313	11,563	23,335

<u>2023/24 %age Spend Against Projected</u>	<u>2023/24 %age Over/(Under) Spend Against Phased Budget</u>
79.63%	12.06%
73.67%	(68.52%)
58.53%	180.05%
72.34%	9.72%
68.30%	4.13%

**Actual Spend v Phased Budget Ahead of Phasing = £313k 4.13%**

**Last Update (26/03/24) Ahead Phasing = £105k**

**Movement in slippage v Phasing £208k**

Appendix 8

**GENERAL FUND RESERVE POSITION**  
**Position as at 31/03/24**

	<u>£000</u>	<u>£000</u>
Usable Balance 31/3/23 - Post Audit of Accounts		7700
<u>Available Funding:</u>		
Service Concession	14,748	
IRI 2023/26	3,500	
Use of Earmarked Reserve 2022/23	452	
Actuarial Pension Review	9000	
Additional IRI 2023/27	3500	
Loans Charges Review	3750	
Reduced use of reserves 2024/26	<u>384</u>	
		35334
Projected Surplus/(Deficit) 2023/24	<u>(601)</u>	
		(601)
<u>Use of Balances Approved March 2023:</u>		
Support to 2023/26 Budgets	(4,000)	
Net Zero Action Plan	(3,300)	
Anti Poverty Initiatives	(800)	
Employability Smoothing Reserve	(400)	
Digital Modernisation	(1,000)	
Inflation Smoothing Reserve	(3,000)	
2023/26 Capital Programme Funding	(4,000)	
Clune Park Regeneration	(500)	
Voluntary Severance Reserve	<u>(1,700)</u>	
		(18700)
<u>Use of Balances Approved February 2024:</u>		
Additional IRI to Loans Charges	(3000)	
Increased support to the Revenue Budget	(6000)	
Increased support to the 2024/28 Capital Programme	(4400)	
Allocation to VER Reserve for future releases	(1200)	
Allocation for elections 2024/27	(300)	
Allocation towards Historic Child Abuse settlements	(500)	
Allocation to sinking fund related for Asset Review	(3750)	
Anti-Poverty defer saving to 2028/29	(500)	
Employability defer saving 28/29	(300)	
Community Grants	<u>(75)</u>	
		(20025)
<u>Write Backs</u>		
IL Smoothing Reserve - P&R November 2023		400
2024/26 Budget Update Write Backs - P&R February 2024:		
1140 Hours		63
Gourock Ampitheatre		10
Covid Recovery Grants		150
OD & HR Temp Employees		33
Projected Reserve Balance		<u><u>4364</u></u>

**Minimum Reserve required is £4 million**



Policy & Resources Committee

Workstreams Saving Monitoring at 26 April 2024

Saving Title	CMT Lead Officer	Chief Officer Update	Approved Saving	Achieved to Date	Projected Saving	Over achievement/ (Shortfall)
			2024/25 £000's	2024/25 £000's	2024/25 £000's	2024/25 £000's
Income Generation <b>Original Target £700k</b>	A Puckrin	5% increases in fees/charges for both 2024/25 and 2025/26 agreed as part of the 2024/26 Budget. Balance anticipated to come from Inchgreen JV no later than 2025/26	250	245	245	(5)
Procurement <b>Original target £600k, now £805k Note 3</b>	S Jamieson	£671k achieved in 2024/25 from the new Residual Waste contract with £80k achieved from the new SWAN contract. This has been phased 50% 24/25 and 50% 25/26 and requires £350k investment from the Budget Delivery emr. CMT have increased the target by £55k in order to help increase capacity within the Procurement Team.	710	711	711	1
Energy <b>Original Target £500k , now £850k</b>	A Puckrin	£800k reduction in gas/electricity budgets over 2023/26 approved as part of the 2024/26 Budgets. The 2025/26 position will continue to be monitored given the global issues that could impact. A £50k reduction in fuel costs was applied from 2024/25 based on 2023/24 out-turn.	250	250	250	0
Asset Management <b>Original Target £400k</b>	S Jamieson	Initial saving will arise from the demolition of Hector McNeil House as part of the Levelling Up Fund project later in 2024. Officers developing a process for the consideration by members of other proposals.	50	0	50	0
Management Restructure Ph3 <b>Original Target £200k</b>	L Long	Development of proposals to commence early autumn.	0	0	0	0
Digital & Customer Services <b>Original Target £100k</b>	L Long	A number of projects delivering service improvements progressing but no recurring savings identified to-date. Updated via regular reports to Policy & Resources Committee	20	0	20	0
Community Learning & Development- Delivering Differently Review <b>Original Target £180k</b>	R Binks	Working Group set up now CLD inspection is concluded. Report due late 2024.	40	0	40	0
Over achievement Contingency <b>Currently £300k</b>	A Puckrin	This reflects the fact that targets exceed the overall allowance in the 2024/26 Budget. Any use of this will need approval by the Policy & Resources Committee.	0	0	0	0
<b>Totals</b>			<b>1,320</b>	<b>1,206</b>	<b>1,316</b>	<b>(4)</b>

Approved Saving	Achieved to Date	Projected Saving	Total Projected Saving	Over achievement/ (Shortfall)	Est FTE Impact
2025/26 £000's	2025/26 £000's	2025/26 £000's	2024/26 £000's	2024/26 £000's	
450	256	455	700	0	0.0
95	40	94	805	0	(2.0)
600	600	600	850	0	0.0
350	0	350	400	0	Note 1
200	0	200	200	0	3.0
80	0	80	100	0	3.0
140	0	140	180	0	tbc
(300)	0	(300)	(300)	0	0.0
<b>1,615</b>	<b>896</b>	<b>1619</b>	<b>2935</b>	<b>0</b>	<b>4.0</b>

Notes

- 1 - Asset Management Target is net of any reinvestment in either capital or recurring spend in remaining buildings.
- 2- CMT recommend the inclusion of a teachers workstream if reductions are permitted by the Scottish Government. The target would be based on a 29FTE reduction (3.8%) which would save approximately £1.80 million
- 3 - Procurement target increased by £55k as approved by CMT. New target of £805k consists of £670k for residual waste contract, £80k Swan and £55k Procurement.

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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Chief Financial Officer</b>	<b>Report No:</b>	<b>FIN/32/24/AP/MT</b>
<b>Contact Officer:</b>	<b>Matt Thomson</b>	<b>Contact No:</b>	<b>01475 712256</b>
<b>Subject:</b>	<b>Policy &amp; Resources Capital Budget and Council 2023/28 Capital Programme</b>		

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision  For Information/Noting

1.2 The purpose of the report is to provide Committee with the latest position of the Policy & Resources Capital Programme and the 2023/28 Capital Programme as well as reflecting the impact of the 2024/25 Capital Grant settlement confirmed by the Scottish Government on 29 February.

1.3 The Policy & Resources Capital Programme has a capital budget over 2023/28 of £4.584m with total projected spend on budget. The Committee is projecting to spend £0.604m in 2023/24 which is the same as the approved budget.

1.4 The overall 2023/28 Capital Programme budget is £90.058m with projects totalling £93.311m. This represents a £3.253m (3.61%) over allocation. This is within the agreed 5% tolerance. It should be noted that this is based on a 5 year capital resource and the over provision will represent approximately 0.43% of the reduced, 4 year, resources of the 2024/28 programme which remains within acceptable levels. In the current year net advancement of £0.228m, 1.20% is being reported, this is a movement of £1.307 million from a slippage position since the last report. The advancement from the previous period's report has occurred in the programme within the individual Committees as follows; Environment & Regeneration (£0.532m advancement), Education & Communities (£0.772m advancement) as well as a minor advancement in HSCP (£0.003m). A further breakdown of this movement can be seen within the individual breakdown per Committee in paragraph 3.12. Expenditure at 29 February was £16.336m (84.72% of projected spend).

## **2.0 RECOMMENDATIONS**

2.1 It is recommended that the Committee note the current position of the 2023/28 Policy & Resources Capital Budget and the current position of the 2023/28 Capital Programme.

**Alan Puckrin**  
**Chief Financial Officer**

### **3.0 BACKGROUND AND CONTEXT**

3.1 On 29 February 2024 the Council approved the 2024/28 Capital Programme as part of the overall Budget approval factoring in additional funding to fund the shortfall in annual capital grant compared to the annual capital allocations. This report shows the current position of the approved Policy & Resources Capital Programme as well as the position of the overall extended 2023/28 Capital Programme.

#### **2023/28 Policy & Resources Capital Position**

3.2 The Policy & Resources capital budget is £4.584m. The current projection is £4.584m which means total projected spend is on budget.

3.3 The approved budget for 2023/24 is £0.604m and the Committee is projecting to spend £0.604m in 2023/24. The spend at 29 February is £0.590m (97.68%) of the approved budget.

3.4 PC Refresh Programme – The final phase of the this project to replace existing primary classroom desktop PCs with portable trolleys containing laptops is underway. This will provide a more flexible option for schools and will enable some existing dedicated computer suites to be repurposed for other functions. 296 devices have been ordered, once complete no further spend is anticipated. The 2024/25 Refresh programme is currently being evaluated and will focus on a small number of remaining devices not addressed in previous school refresh programmes and returning to the corporate estate to begin the refresh of devices delivered post pandemic.

3.5 Server and Switch Replacement – A range of network and server replacement programmes are being developed. Upgrade of the Telephony Voice/Quality Assurance system will commence early Q2 24/25. A number of device replacements across the network estate to improve service and support the implementation of SWAN2 is planned.

3.6 As part of the 2023/26 budget setting process £4m was added to a small existing contingency to meet potential cost increases, fund unforeseen projects and to protect core service delivery from unexpected fluctuations in costs. This budget will be allocated by this Committee following the receipt of relevant reports. To date £2.349m has been allocated by Committee leaving an unallocated balance of £1.751m.

#### **Overall 2023/28 Capital Programme**

3.7 The overall 2023/28 Capital Programme reflects the 2023/24 capital grant. The total grant for 2023/24 of £10.587m is significantly higher than the £6.0m initially estimated. This includes the second year of the additional funding package for the Local Authority pay award (£1.872m), an increase in the grant for Coastal Protection (£0.150m), an increase in funding for Play Parks (£0.126m), an increase in funding for the community business fund (£0.025m), an increase for Nature Restoration (£0.306m), an increase in funding for flooding (£0.027m) as well as the £2.0m Revenue/Capital Grant swap, leaving a core grant of £6.079m.

3.8 The Capital Programme also reflects the confirmed 2024/25 capital grant. The 2024/25 allocation is £6.022m, however this includes £0.052m allocation for Coastal Change Adaptions which is passported to the Property Assets budget and £0.188m for Play Parks strategy which is passported to the Environmental budget. Therefore, core funding is £5.782m or around £0.3million less in cash terms than 2023/24.

- 3.9 An over provision of projects against estimated resources of up to 5% is considered acceptable to allow for increased resources and/or cost reductions. Currently the Capital Programme is reporting a deficit of £3.253m which represents 3.61% of the 2023/28 Resources. It should be noted that this is based on a 5-year capital resource and the over provision will represent approximately 0.43% of the reduced, 4 year, resources of the 2024/28 programme which remains within acceptable levels.
- 3.10 In terms of the overall Capital Programme, it can be seen from Appendix 2 that at 29 February 2024 expenditure in 2023/24 was 84.72% of projected spend. Phasing and projected spend has been reviewed by the budget holders and the relevant Director. The position in respect of each individual Committee is reported in Appendix 2 and in paragraph 3.12 of this report. Overall Committees are projecting to outturn on budget.
- 3.11 In the current year net advancement of £0.228m, (1.20%) is currently being reported, a movement of £1.307m in comparison to the previous reporting period which was showing a slippage position. This is due to slippage within Health and Social Care (£2.281m), offset with advancement within the Education and Communities Committee (£0.982m) and Environment & Regeneration Committee (£1.524m).
- 3.12 The position in respect of individual Committees for 2023/24 is as follows:

#### Policy & Resources

Expenditure as at 29 February 2024 is £0.590m against an approved budget of £0.604m. There is no net slippage within this committee to date.

#### Environment & Regeneration

Expenditure at 29 February 2024 is £11.904m against an approved budget of £13.091m. Net advancement of £1.524m (11.60%) and is mainly due to slippage in Coastal Change Adaptions (£0.150m), the Watt Institute DDA Works (£0.109m) and Place Based Funding (£0.400m) offset with advancements within the Greenock Town Hall Roofing, Ventilation & Windows project (£0.316m), The Minor Works projects (£0.156m), Sustrans projects (£0.250m), Flooding works (£0.250m), Waterfront Lifecycle Works (£0.140m), New Ways of working (£0.032m), Town & Village Centre projects (£0.251m) the RAMP (£0.627m), the Cremator Replacement (£0.148m) and play Area Strategy (£0.126m) as well as other minor movements across the program.

#### Education & Communities

Expenditure at 29 February 2024 is £3.695m against an approved budget of £2.487m. Net advancement of £0.982m (36.20%) mainly due to slippage within the Port Glasgow New Community hub project (£0.191m) offset with advancements within the Lifecycle Fund (£0.809m), Free School meals (0.095m), Projects complete on site (£0.136m), CO2 Monitors in schools (£0.033m) and the Waterfront Leisure Centre training pool moveable floor (£0.060m) and the Leisure Pitches Lifecycle Fund (£0.040m)

#### Health & Social Care

Expenditure at 29 February 2024 is £0.147m against an approved budget of £2.601m. Net slippage of £2.278m (87.58%), due to slippage within the New Learning Disability Facility project (£2.078m) caused by delays in receiving the full market testing information from contractors which has required a further period of due diligence and the Swift Upgrade (£0.200m).

## 4.0 PROPOSALS

4.1 The continued annual shortfall between the Councils core asset investment requirement and the level of Capital Grant continues to put pressure on the wider finances of the Council and this matter forms part of the Asset Management Workstream due to be progressed in 2024/25.

## 5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

### 5.2 Finance

There are no specific financial implications arising from this report.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

### 5.3 Legal/Risk

The approved Governance documents set out the roles and responsibilities of Committees and officers in ensuring budgets are not overspent and the process to be followed in the event an overspend is unavoidable.

### 5.4 Human Resources

There are no HR matters arising from this report.

## **5.5 Strategic**

The overall Capital programme contains many projects which contribute to the strategic priorities of the Council. As a result, timeous delivery of projects remains a focus for officers.

## **6.0 CONSULTATION**

6.1 This report has been prepared based on updates to the relevant Strategic Committees.

## **7.0 BACKGROUND PAPERS**

7.1 None.

Project Name	1	2	3	4	5	6	7	8	9	10
	<u>Est Total Cost</u>	<u>Actual to 31/3/23</u>	<u>Approved Budget 2023/24</u>	<u>Revised Est 2023/24</u>	<u>Actual to 29/02/2024</u>	<u>Est 2024/25</u>	<u>Est 2025/26</u>	<u>Est 2026/27</u>	<u>Est 2027/28</u>	<u>Future Years</u>
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b><u>Environment, Regeneration &amp; Resources</u></b>										
<b><u>ICT</u></b>										
Storage/Backup Devices/Minor Works and Projects	46	23	2	23	15	0	0	0	0	0
Rolling Replacement of PC's	824	418	24	406	406	0	0	0	0	0
Meeting Room, Videoconferencing & Hybrid Working Equipment	14	9	51	5	3	0	0	0	0	0
Server & Switch Replacement Programme	348	178	17	170	166	0	0	0	0	0
Home Working Allocation	15	15	10	0	0	0	0	0	0	0
Annual Allocation	2,229	-	500	0	0	576	585	534	534	0
<b><u>ICT Total</u></b>	<b>3,476</b>	<b>643</b>	<b>604</b>	<b>604</b>	<b>590</b>	<b>576</b>	<b>585</b>	<b>534</b>	<b>534</b>	<b>0</b>
<b><u>Finance</u></b>										
Medium Term Capital Program Support	1,751	-	0	0	0	300	1,090	361	0	0
<b><u>Finance Total</u></b>	<b>1,751</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>300</b>	<b>1,090</b>	<b>361</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>5,227</b>	<b>643</b>	<b>604</b>	<b>604</b>	<b>590</b>	<b>876</b>	<b>1,675</b>	<b>895</b>	<b>534</b>	<b>0</b>

Capital Programme - 2023/24 - 2027/28

	<u>Available Resources</u>						
	A	B	C	D	E	F	G
	2023/24	2024/25	2025/26	2026/27	2027/28	Future	Total
	£000	£000	£000	£000	£000	£000	£000
Government Capital Support	10,154	5,834	5,750	5,750	5,750	-	33,238
Capital Receipts (Note 1)	279	315	315	315	315	-	1,539
Capital Grants (Note 2)	4,568	1,450	-	-	-	-	6,018
Prudential Funded Projects (Note 3)	3,860	6,354	6,843	2,464	2,464	125	22,110
Balance B/F From 22/23	12,687	-	-	-	-	-	12,687
Capital Funded from Current Revenue	796	5,454	3,344	2,564	2,433	-	14,591
	<u>32,344</u>	<u>19,407</u>	<u>16,252</u>	<u>11,093</u>	<u>10,962</u>	<u>125</u>	<u>90,183</u>

Overall Position 2023/28

Available Resources (Appendix 2a, Column A-E)	<u>£000</u>
Projection (Appendix 2b, Column B-F)	90,058
(Shortfall)/Under Utilisation of Resources	<u>93,311</u>
	<u>(3,253)</u>
(Shortfall)/Under Utilisation of Resources %	<u>(3.61)%</u>



Note 1 (Capital Receipts)

	2023/24	2024/25	2025/26	2026/27	2027/28	Future	Total
	£000	£000	£000	£000	£000	£000	£000
Sales	214	315	315	315	315	-	1,474
Contributions/Recoveries	65	-	-	-	-	-	65
	<u>279</u>	<u>315</u>	<u>315</u>	<u>315</u>	<u>315</u>	<u>-</u>	<u>1,539</u>

Note 2 (Capital Grants)

	2023/24	2024/25	2025/26	2026/27	2027/28	Future	Total
	£000	£000	£000			£000	£000
Government Grant - Place Based Funding	407	-	-				407
Free School Meals	-	107	-				107
Watt Institute LED Lighting	-	41	-				41
Renewal of Play Parks	126	188	-				314
Cycling, Walking & Safer Streets	520	345	-				865
SPT	790	-	-				790
Road Safety Improvement Fund	114	-	-				114
Nature Restoration Fund	306	-	-				306
Peatland Action Trust	-	769	-				769
Sustrans	2,305	-	-			-	2,305
	<u>4,568</u>	<u>1,450</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>6,018</u>

Note 3 (Prudentially Funded Projects)

	2023/24	2024/25	2025/26	2026/27	2027/28	Future	Total
	£000	£000	£000	£000	£000	£000	£000
Vehicle Replacement Programme	481	814	1,464	964	964	-	4,687
Borrowing in lieu of VRP Reduction	-	636	-			-	636
Asset Management Plan - Depots	36	64	274			-	374
Capital Works on Former Tied Houses	8	-	200			125	333
Clune Park Regeneration	112	-	-	-	-	-	112
New Learning Disability Facility	323	3,340	3,405			-	7,068
Additional Prudential Borrowing to Fund Capital Programme	1,500	1,500	1,500	1,500	1,500	-	7,500
Additional Prudential Borrowing to meet anticipated Cost Pressures	1,400	-	-			-	1,400
	<u>3,860</u>	<u>6,354</u>	<u>6,843</u>	<u>2,464</u>	<u>2,464</u>	<u>125</u>	<u>22,110</u>

**Appendix 2b**Capital Programme - 2023/24 - 2027/28Agreed Projects

Committee	A Prior Years £000	B 2023/24 £000	C 2024/25 £000	D 2025/26 £000	E 2026/27 £000	F 2027/28 £000	G Future £000	H Total £000	I Approved Budget £000	J (Under)/ Over £000	K 2023/24 Spend To 29/02/2024 £000
Policy & Resources	643	604	876	1,675	895	534	-	5,227	5,227	-	590
Environment & Regeneration	10,219	14,660	11,606	18,477	7,840	7,840	125	70,767	70,767	-	11,904
School Estate	300	2,410	981	6,921	3,000	3,000	-	16,612	16,612	-	2,410
Education & Communities (Exc School Estate)	509	1,285	404	557	251	120	-	3,126	3,126	-	1,285
HSCP	332	323	5,647	3,405	-	-	-	9,707	9,707	-	147
<b>Total</b>	<b>12,003</b>	<b>19,282</b>	<b>19,514</b>	<b>31,035</b>	<b>11,986</b>	<b>11,494</b>	<b>125</b>	<b>105,439</b>	<b>105,439</b>	<b>-</b>	<b>16,336</b>

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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Chief Financial Officer</b>	<b>Report No:</b>	<b>FIN/30/24/AP/AE</b>
<b>Contact Officer:</b>	<b>Alan Puckrin</b>	<b>Contact No:</b>	<b>01475 712090</b>
<b>Subject:</b>	<b>Finance Services Update</b>		

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is to update Committee on a number of matters pertaining to the Finance Service and to highlight relevant matters.

1.3 The areas covered within this update are:

- Council tax collection
- Council Tax one off credit
- Council Tax Second Home Policy
- Welfare Reform
- Scottish Welfare Fund
- Loans Fund Accounting Changes
- 2023/24 Annual Accounts Closure
- Accounts Commission Briefing- Local Government Budgets 2024/25
- Internal Audit Shared Service

## **2.0 RECOMMENDATIONS**

2.1 It is recommended that the Committee notes the updates provided in this report.

2.2 It is recommended that the Committee agrees that officers continue to develop options for consideration relating to a wider Internal Audit Shared Service and that an update is provided to Committee once options have been developed.

**Alan Puckrin**  
**Chief Financial Officer**

### **3.0 BACKGROUND AND CONTEXT**

3.1 Each reporting cycle the Committee receives an update on relevant service delivery matters relating to the Finance Service that are not covered in reports elsewhere on the agenda. This report covers several areas relating to Revenues, a technical guidance update, an update on the 2023/34 Annual Accounts closure plus an update on the Internal Audit Shared Service.

#### **3.2 Council Tax Collection**

Previous updates reported the effect of cost-of-living pressures and changes to Debt Recovery Regulations on Council Tax collection. The level of "in-year" Council Tax collected in 2023/24 was in line with projections, at 94.7%. Performance has been tracked against 2019/20, when collection was 95.4%. Collection in 2022/23 was 95.9%, the highest ever performance when Council Tax payers were assisted by £5m in covid and cost of living one off grants. The Council reduced its estimated ultimate collection target by 0.3% to 96.5% as part of the 2024/25 Budget.

#### **3.3 Council Tax One Off Credit**

The Policy and Resources Committee agreed on 26<sup>th</sup> March 2024 to provide a one-off Council Tax credit funded by the Scottish Government in 2024/25. This was contingent on the Council's share of the £62.7 million, confirmed by the Scottish Government of 7 March, being in line with the estimates provided by the Chief Financial Officer to Committee on 26 March. Following approval of the distribution methodology by Cosla Leaders on 26 April, the Scottish Government confirmed that the Council's share of the £62.7million being £0.973million being £2,000 more than the Chief Financial Officer's estimate in February. The Scottish Government letter confirmed that the £62.7 million will be baselined in future years. The credit was therefore processed.

3.4 The credit, based on a qualifying date of 30 April 2024 equated to the approved Council Tax increase, net of any Council Tax discounts such as the 25% single occupancy discount. It was made to the accounts of the 28,500 Council Tax payers for whom Council Tax payments increased as a result of the approved 8.2% Council Tax increase.

3.5 The provision of the one-off credit required new Council Tax Notices to be issued. These were delivered to households in the middle of May. Payment instalments were adjusted, and the date Direct Debits were collected from some Council Tax payers were altered to allow for the required notice period. The process of re-issuing bills did not affect the timetabled reminder schedule, although an allowance has been made to not issue reminders to those who have arrears equivalent to the 8.2% increase. During this interim period, debt recovery has not proceeded to allow the one-off credit to be made to accounts, enabling Council Tax payers to continue to pay by instalments. Consequentially, the ability to refer debt to the Council's debt recovery partner has been delayed by 8 weeks. The first debt file is due to be dispatched by late July 2024.

3.6 The credit appeared on the Notices as "One-off credit" and an enclosure explained the credit and Direct Debit collection dates. Customer Services are handling enquiries, the website was updated, and telephony and social media have conveyed key messages before and during the period of the revised Notices being issued.

#### **3.7 Council Tax- Second Homes Policy**

The amendment to the Council Tax Long Term Empty and Second Homes Policy to apply a council tax premium of 100% to second homes from 1<sup>st</sup> April 2024 was communicated by letter or email to 100 second home owners. Council Tax notices for 2024/25 issued in March 2024 included the premium. Twenty one enquiries had been received by the end of April with the premium being removed from eleven accounts where evidence has been provided demonstrating the Council Tax payer is not liable for premium.

The premium has been confirmed as being due in eight cases and enquiries to ascertain the position of the others continue. An update presenting the impact of the policy will be provided in early 2025.

### 3.8 Welfare Reforms

The Department for Work and Pensions (DWP) informed a change to the move to Universal Credit (UC) programme following the Prime Minister’s announcements on 19 April 2024 about Employment and Support Allowance (ESA). The DWP’s planning assumptions are to begin notifying this final cohort of legacy benefit claimants, including those who claim Housing Benefit with ESA in September 2024. The DWP’s aim is to notify everyone to make the move to UC by December 2025. The date this group was scheduled to move to UC has changed over time with the previous timeframe being to delay this group for fiscal reasons until 2028.

3.9 The DWP inform that bringing the date forward will provide better opportunities to support claimants and their partners into or closer to the labour market. They estimate that around half would receive over £100 a month more on UC. Claimants who are eligible for UC but have a lower entitlement than they had on legacy benefits will be considered for Transitional Protection (TP). The letter received by the Council from the Director General, Universal Credit Programme is at appendix 1.

3.10 The latest published UC information was the position at November 2023 at which point the rollout was 77% complete; Inverclyde being ranked 9<sup>th</sup> of the 59 Scottish Westminster constituencies. There are 8,862 households in receipt of UC and a further 2,631 households estimated to still be on legacy benefits and tax credits and in scope to move to UC.

The DWP plans to notify the following legacy benefit claimant groups to make the move to UC:

<u>Legacy Benefit</u>	<u>DWP notification letter</u>
Income Support	April–June 2024
Housing Benefit	June- August 2024
Income-related ESA with Child Tax Credits	July–September 2024
Income-based Jobseeker’s Allowance	September 2024
ESA and ESA with (HB)	from September 2024
Pensioners on tax credits*	July or August 2024

\*Pension age Tax Credit claimants will be asked to claim Pension Credit or to move to UC depending on household circumstances,

3.11 The DWP acknowledges some customers require additional support to make the move to UC. From April, DWP will introduce additional contacts to the standard process for all households who are in receipt of ESA. For households receiving Income Support, system checks will be undertaken by DWP to identify where additional support may be needed. Households deemed to require additional support will receive a text 12 weeks after the Move to UC letter is sent to advise that DWP will be contacting them by phone. Three attempts will be made to contact the household to offer support. Where no contact is made, DWP will refer households for a home visit. Should the visit be unsuccessful, further escalations will be considered on a case-by-case basis.

Information produced by DWP to help services support their service users has been circulated to the Financial Inclusion Partnership. The pack includes Frequently asked Questions containing a contact email address for anything not covered.

### 3.12 **Scottish Welfare Fund**

The Scottish Welfare Fund provided 818 Community Care Grants totalling £550,412 and 1,696 Crisis Grants totalling £193,330 during 2023/24 against core Scottish Government allocation of £756,305. The application approval rate was 75% which is comparable to pre-Covid years.

3.13 A projected overspend of 5.5% reported in November 2023, calculated before the second and third of three cost of living payments were made by DWP to households in receipt of means tested benefits, was not realised. Cost of living awards totalling £900 during 2023/24 reduced demand for Crisis Grants during 2023/24 but these are not due to continue into 2024/25. Officers therefore anticipate significantly increased demand on the Scottish Welfare Fund.

3.14 The core allocation for 2024/25 has not changed and does not take account of inflationary increases in the cost of goods to be met by Community Care Grants or the increase in the minimum level for Crisis Grants, aligned with the welfare benefit rate increase in April 2024 of 6.7%. The earmarked underspend of £130,000 together with recurring Anti-Poverty Funding of £40,000 to increase the level of Crisis Grants by 20% and Anti-Poverty Funding of £50,000 for 2024/25 provides a total budget to £976,000. Expenditure will be included in future update reports.

### 3.15 **Loans Fund Accounting**

Where capital expenditure is funded by borrowing (referred to as Loans Fund advances), the debt financing costs are paid from the Revenue Budget as loan charges comprised of the repayment of debt ("principal repayment") and interest and expenses costs on the borrowing.

In November 2023, the Scottish Government issued a consultation paper on proposed changes to the Loans Fund accounting rules. Following responses to that paper, they deferred some of their proposals until 1 April 2027 at the earliest for further consideration but introduced the following with effect from 1 April 2024:

- Where it is proposed to change the period for charging particular capital expenditure on an asset to Revenue, the new period cannot result in repayments for that expenditure exceeding the useful life of the asset or 50 years if the useful life of the asset cannot be determined.
- Any changes to the annual principal repayments for an asset can no longer be applied retrospectively and cannot result in a NIL or negative repayment.

The Scottish Government are also currently proposing some changes to the statutory guidance on Loans Fund accounting which are expected to have little or no impact on the Council.

Any future changes to the Loans Fund accounting rules or the statutory guidance and the expected impact on the Council will be reported to Committee and the Full Council in reports submitted on Treasury Management

### 3.16 **2023/24 Annual Accounts Closure**

The draft annual accounts for 2023/24 are due for completion by the end of June and will be considered by the Audit Committee on 27<sup>th</sup> June.

3.17 Progress against any External Audit Action Plans is reported regularly to the Audit Committee and where appropriate any actions will be reflected in the draft accounts. Specific actions which could impact on the accounts closure include:

- Heritage Asset Valuations – the valuer has been re-appointed for 2023/24 and has completed the valuation of the 2<sup>nd</sup> tranche of the collections. The remaining collections will be valued as part of the 2024/25 Accounts

- Management controls – a number of recommendations were made to tighten up controls around processing of payments, journal entries etc. these have been actioned.
- IFRS16 - changes to reporting of leased assets has been delayed nationally and will be implemented from April 2024
- Infrastructure Assets – changes to reporting of Infrastructure Assets (mainly Road Assets) have also been delayed nationally and will not be reflected in the 2023/24 accounts.

Work is progressing well with the bulk of the internal processing having been completed during April/early May with further accounting work done allowing the accounts to be drafted by mid-June and it is anticipated that the accounts will be complete by the deadline.

3.18 The External Audit Plan was presented to Audit Committee in May and highlights the anticipated audit risks and the audit approach taken to examine those risks as well as the further work to be undertaken around the wider scope and best value. The audit will take place from July with the aim of completion by early September allowing the Annual Report and Audited Accounts to be presented to the Full Council by the end of September.

### 3.19 **Accounts Commission Briefing- Local Government Budgets 2024/25**

In mid-May the Accounts Commission published a briefing highlighting the challenges faced by Scottish Councils in setting and delivering balanced budgets for 2024/25. The report advised that the average “budget gap” amongst the 32 councils was 3.5% (£585million), and that a variety of recurring and one -off methods had been used to address the funding shortfalls.

3.20 The Briefing emphasised the importance of Council’s delivering against approved savings plans and the need to present key financial information clearly and consistently. Exhibits within the Briefing show Inverclyde as being in the bottom quartile in both the value of the budget gap and percentage that gap represented of the Revenue Budget. In terms of the medium-term budget gap (ie 2025/27), the Council’s cumulative gap of £10.2million was around average as a percentage of net Revenue Budget.

3.21 The full briefing is attached as Appendix 2.

### 3.22 **Internal Audit Shared Service**

On 7 December the Council agreed to the continued sharing of Internal Audit services with West Dunbartonshire Council (WDC) in the short to medium term. It was also agreed that wider discussions continue with other local authorities on possible options for a more sustainable delivery model in the longer term.

3.23 Since December informal discussions have been held with the Section 95 Officers of the Council, WDC and Renfrewshire Council (RC) to explore possible options and review a range of existing models across the other Scottish local authorities. Specifically in relation to their internal audit service all three councils have concerns regarding recruiting and retaining staff and ensuring sufficient resilience over service delivery.

3.24 It should be noted that no decisions have been made yet with preliminary discussions focused on considering options with the opportunity to provide:

- improved resilience
- better career progression and staff development
- increased satisfaction and retention of key skills
- knowledge sharing to provide better outcomes for the three councils.

3.25 Before any options can be more formally considered consideration will need to be given to issues such as (but not limited to):

- responsibilities, liabilities, and costs
- ensuring sufficient capacity to deliver internal audit across multiple councils including associated bodies such as IJBs, Valuation Joint Boards and other small bodies
- alignment of roles, salaries, grades and role descriptions and any TUPE implications (if applicable)

3.26 In order to develop any options there is a need to engage with the existing Internal Audit teams as any discussions of this nature can create uncertainty for staff and elected members are therefore asked to consider whether they wish the three S95 Officers to progress these discussions and bring back a paper setting out options at an appropriate time.

#### 4.0 PROPOSALS

4.1 Committee support for continued discussions with West Dunbartonshire Council and Renfrewshire Council regarding a potentially expanded Internal Audit service is sought.

#### 5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		x
Legal/Risk		x
Human Resources	x	
Strategic (Partnership Plan/Council Plan)		x
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		x
Environmental & Sustainability		x
Data Protection		x

#### 5.2 Finance

There are no direct financial implications arising from this report at this time.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					



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### 5.3 **Legal/Risk**

There are no legal/risk matters other than those referred to in the body of the report.

### 5.4 **Human Resources**

The Internal Audit employees and Trades Unions have been updated regarding the current discussions relating to a potential wider sharing of the service.

### 5.5 **Strategic**

There are no strategic matters arising.

## 6.0 **CONSULTATION**

6.1 No consultation was required other than discussions regarding the potential wider Internal Audit Shared Service.

## 7.0 **BACKGROUND PAPERS**

7.1 None.



By email

Neil Couling CB CBE  
Universal Credit SRO  
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Tothill Street  
London  
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19 April 2024

To: Local Authority (LA) Chief Executives

cc: Revenues and Benefits Managers

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**Announcement by the Prime Minister to bring forward the Migration of Employment and Support Allowance (ESA) only and ESA with Housing Benefit (HB) claimants to Universal Credit (UC).**

Dear colleague,

I am sure you may have heard the Prime Minister's speech today, which included the announcement to bring forward the movement of Employment Support Allowance (ESA) and ESA with Housing Benefit customers to Universal Credit.

Bringing forward ESA migrations will move 800,000 claimants and their 50,000 partners off an inactive regime and provide better opportunities to support these groups into or closer to the labour market. We estimate around half of those would also receive over £100 a month more on UC. Claimants who are eligible for UC but have a lower entitlement than they had on legacy benefits will be considered for Transitional Protection (TP).

Migrating these claimants earlier than 2028 ensures the expertise, knowledge, and skills that the UC Programme and DWP Operations have built over the past 10 years will be used to transition this vulnerable group.

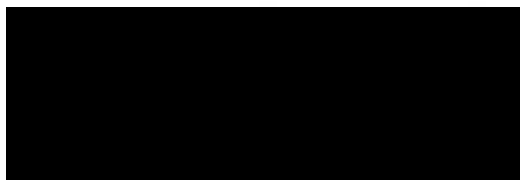
The Move to UC work programme is currently progressing well and we remained on track to deliver our ambition of notifying over 500,000 tax credit only households of the need to claim UC by the end of March 2024. In April we started work to notify households on other benefit combinations of the need to make a claim to UC. Thanks to

the confidence and momentum we have built together with partners like you, we are confident that we are now in a good position to complete the implementation of Move to UC.

We appreciate that this will have an impact for Local Authorities, as the ESA cohort includes a large number of working age Housing Benefit recipients. Our delivery approach and timelines will be informed by detailed planning and engagement with stakeholders. Our current planning assumption however is that we would begin notifying this group in September 2024 with the aim of notifying everyone to make the move to UC by December 2025. We will however work closely with LA partners on the detailed approach and will share more information with you when this work is completed.

Should you wish to discuss this further or have any questions please do not hesitate to contact myself or Darren Baker at [lawelfare.liaisonteam@dp.gov.uk](mailto:lawelfare.liaisonteam@dp.gov.uk). who will be more than happy to help.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Neil Couling

Briefing

Appendix 2

# Local government budgets 2024/25



ACCOUNTS COMMISSION 

Prepared by Audit Scotland  
May 2024



# Contents

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## **Accessibility**

You can find out more and read this report using assistive technology on our [website](#).

For information on our accessibility principles, please visit: [www.audit-scotland.gov.uk/accessibility](http://www.audit-scotland.gov.uk/accessibility).

# Key messages

- 1** In real terms, the 2024/25 Scottish Budget allocation of total revenue funding to local government has increased by 5.7 per cent, however funding remains constrained as most of the increase is directed funding to deliver Scottish Government priorities and agreed pay deals. Most councils were proposing to increase their budgets by raising council tax rates for 2024/25 but in October 2023 the Scottish Government announced a council tax freeze. Although the Scottish Budget included £144 million to 'fully fund' a five per cent increase in council tax, and an additional £63 million was offered in February 2024, 11 councils said the funding provided would not 'fully fund' the freeze.
- 2** At the time of setting budgets, councils identified a difference of at least £585 million between their anticipated expenditure and the funding and income they expect to receive (the 'budget gap') for 2024/25, representing an estimated 3.5 per cent of councils' total revenue budget. Councils agreed a range of actions to close these gaps, most commonly the use of recurring savings and reserves. Councils are also budgeting for an increase in the income generated through fees and charges, although overall this is a below inflationary increase.
- 3** Councils have had to make difficult budget setting decisions for 2024/25, and most worked with their communities to inform or consult on the challenges faced. Some councils changed proposed savings measures in response to public opposition. It will be important for councils to deliver their planned savings in 2024/25 given the significant challenges they face in balancing their budgets in subsequent years. Councils are facing an

estimated cumulative budget gap of £780 million by 2026/27 which represents five per cent of councils' revenue budget.

- 4** Budget setting processes vary across councils, partly reflecting differences in organisational structures and local priorities. However, this makes it difficult to compare information across Scotland. Even within individual councils, the way in which budget papers are presented means that elected members and communities cannot easily determine the impact of budget decisions nor the overall financial position of the council, highlighting a need to improve accessibility and transparency.
-

# Commission's expectations

The Commission recognises that there will continue to be variation in the way that councils present budget information to elected members and the public. This is influenced by political and organisational structure, established custom and practice and the role of decision-making committees and budget scrutiny groups.

However, to enhance accessibility and transparency, the Commission expects councils to present some fundamental information within publicly available budget papers. This will help establish good practice in budget setting, allow for greater comparability between councils and provide auditors with the opportunity to assess the accessibility of the information presented. Information we expect to see set out clearly includes:

- the annual revenue budget, comprising funding and income, prior to savings and other 'bridging' actions
- the associated budget gap, prior to 'bridging' actions such as savings and use of reserves
- the savings plan, clearly setting out the split between recurring and non-recurring actions
- projected revenue budget gaps, both annual and cumulative
- the assumptions used in calculating projected budget gaps.



# Introduction

1. This budget briefing has been prepared by Audit Scotland on behalf of the Accounts Commission to summarise key issues arising from our analysis of the 2024/25 budgets which have recently been agreed by Scotland's 32 councils.
2. Each year councils have a legal duty to set a balanced budget for the coming financial year. This means that a council's funding and income must cover their anticipated expenditure. During the budget setting process, councils may identify a budget gap, ie a difference between their anticipated expenditure for the year and funding and income they expect to receive. Councils will identify and agree bridging actions to allow them to set a balanced budget. This may include an agreement on savings to be made in the course of the year.
3. The briefing brings together data from all 32 councils to provide an indicative national picture of the budgets set for 2024/25 and how Scottish councils are addressing the challenges faced in achieving a balanced budget and longer-term financial sustainability.
4. This is the first year that we have produced this briefing and the first time we have collected some of the data for analysis. **The wide range of approaches councils take to budget setting and the level of information, and the way that it is publicly reported, make it challenging to report a definitive national position.** Some of the variation between councils is likely due to differing budgeting approaches - for example, some have moved to a multi-year budgeting approach - rather than significant differences in cost and service pressures. We have added caveats to the exhibits where caution is required. We intend to develop and refine this dataset in future years.
5. The briefing forms part of the Commission's wider overview reporting programme to provide an independent assessment of the financial health of the local government sector in Scotland, the impact that the challenging operating environment is having on service delivery and performance and the actions councils are taking to address these challenges.

# What the data is telling us

## Revenue budgets

**6.** Each year, councils must set a balanced revenue budget. For 2024/25, councils reported a combined revenue budget of around £16.6 billion. Councils' revenue expenditure is the cost of delivering services each year. Most of the funding to meet this expenditure comes from the Scottish Government. The remaining amount largely comes from council tax as well as other grants, and fees and income raised by councils.

## Scottish Government funding

**7.** The 2024/25 Scottish Budget allocated total revenue funding (including transfers from other portfolios) of £13.25 billion to local government ([Exhibit 1, page 8](#)). Additional revenue funding was also allocated to compensate for the Scottish Government's council tax freeze ([paragraphs 10–11](#)).

**8.** While this revenue settlement is an increase in both cash and real terms from the initial 2023/24 Scottish Budget, a significant number of funding adjustments mean comparison between the two years is not straightforward. The large increase in the general revenue grant in part reflects over £1 billion of funding that was previously ring-fenced or transferred in-year from other portfolios being included ('baselined') into the general revenue grant. This includes:

- £522 million early learning and childcare funding
- £121 million capital into revenue switch to pay for prior year pay awards
- £333 million Living Wage funding
- £42.3 million free personal and nursing care funding
- £42.2 million free school meals funding.

**9.** A move towards reducing ring-fenced funding is welcomed and in line with the commitments of the Verity House Agreement. However, funding remains constrained as the increase in the general revenue grant is largely directed towards the delivery of Scottish Government policies or to support previous pay awards, rather than an increase in available funding for councils to use at their discretion.

## Exhibit 1.

### Scottish Budget local government revenue settlement 2023/24 and 2024/25

Scottish Government revenue funding	Cash terms			Real terms		
	2023/24 £ million	2024/25 £ million	change %	2023/24 £ million	2024/25 £ million	change %
<b>Total revenue</b>	<b>12,405</b>	<b>13,245</b>	<b>6.8%</b>	<b>12,529</b>	<b>13,245</b>	<b>5.7%</b>
General revenue grant	7,134	8,404	17.8%	7,205	8,404	16.6%
Non-domestic rates	3,047	3,068	0.7%	3,077	3,068	-0.3%
Specific resource grants	752	239	-68.2%	760	239	-68.6%
Transfer from other portfolios	1,472	1,534	4.3%	1,487	1,534	3.2%

Note: Additional revenue funding to compensate for the council tax freeze is not included in this table.

Source: Scottish Budget documents 2023/24 and 2024/25. Real terms uses 2024/25 prices, calculated using the most recent GPD deflators (March 2024), (see [Appendix](#) for further information).

#### Council tax

**10.** In October 2023, the Scottish Government announced a council tax freeze for 2024/25. In the 2024/25 Scottish Budget, £144 million was allocated to 'fully fund' the freeze – equivalent to a five per cent increase on 2023/24 levels - which will be baselined into the general revenue grant in future years. COSLA disputed the claim from the Scottish Government that the £144 million would 'fully fund' a council tax freeze.

**11.** An additional £62.7 million was offered to councils following discussions between the Deputy First Minister and COSLA in February 2024. The extra funding comprises £45 million of Barnett consequentials arising from the UK Government providing additional funding for adult social care in England, with the remaining £17.7 million added to councils' general revenue grant by the Scottish Government. The £144 million figure was also uplifted to £147 million.

**12.** With the exception of one (Inverclyde), all councils accepted the Scottish Government's council tax freeze, but 11 of the 31 councils said that the funding provided by the Scottish Government would not fully fund the freeze. Inverclyde did not accept the freeze, instead increasing the council tax rate by 8.2 per cent and accepting Scottish Government funding, which will be passed directly to residents through a one-off rebate.

**13.** The setting of council tax rates is a decision for elected members and is one of the few levers councils have to raise income to support the setting of a balanced budget. Many councils will have had working assumptions on the potential of increasing council tax. Freezing council tax removed this local discretion, and added complexity to the budget setting process, at a time when councils were having to make challenging decisions about the level of savings to make.

### **Budget gaps**

**14.** At the time of setting their 2024/25 budgets, councils identified a total budget gap of around £585 million. This represents a budget gap in the range of 3.5 per cent of councils' total revenue budget for 2024/25.

**15.** At a council level, budget gaps ranged from £3.1 million in Glasgow to £65.6 million in Highland ([Exhibit 2, page 10](#)), which is 0.2 per cent and 8.5 per cent of their respective total revenue budgets.

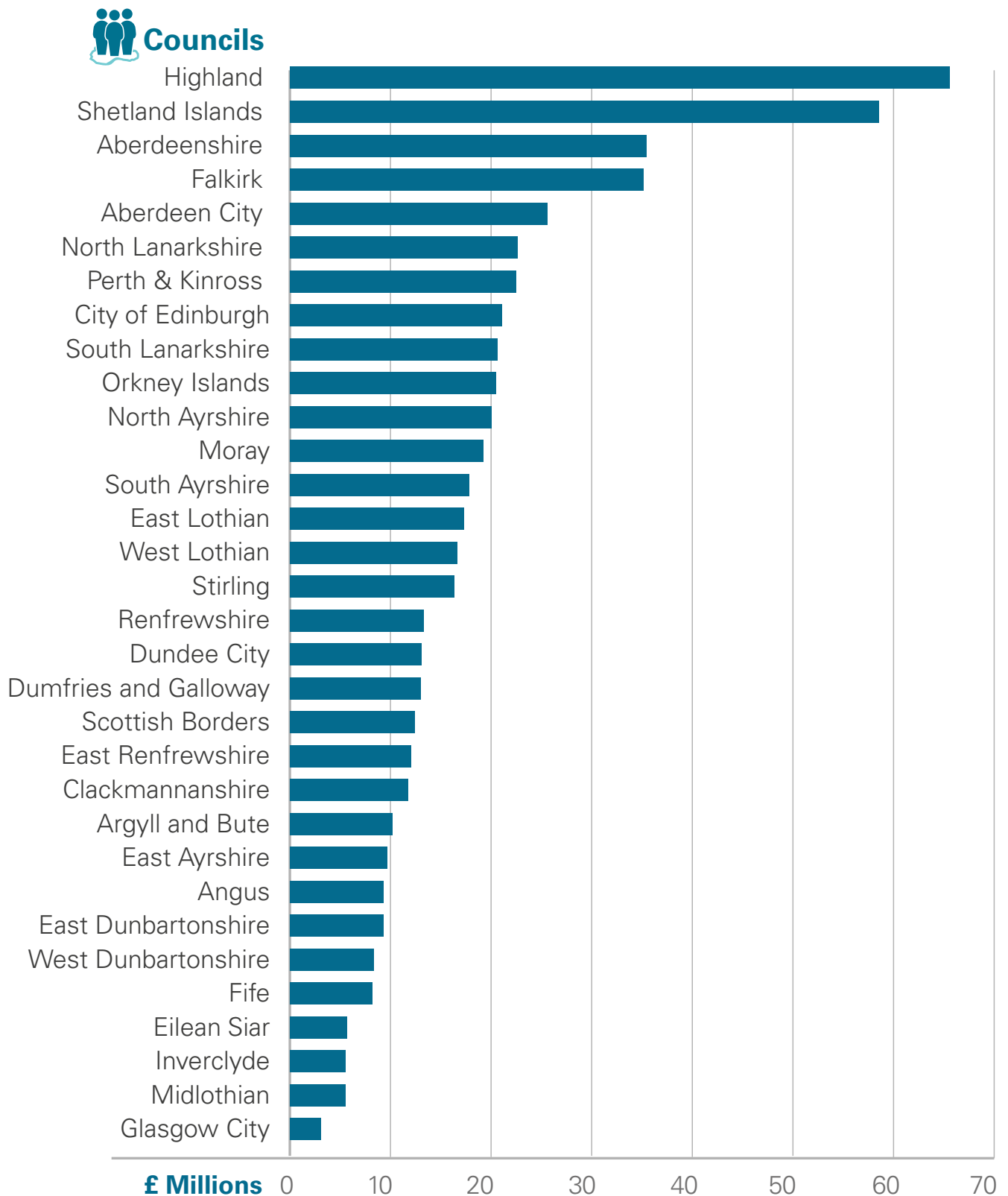
**16.** Analysing the budget gaps as a proportion of councils' revenue budget provides an illustration of the size of the budget gap relative to the council's budget ([Exhibit 3, page 11](#)).

**17.** Highland has the largest budget gap both in terms of value and as a percentage of their revenue budget. Their gap is largely due to pay increase assumptions (£16.9 million), service pressures (£15 million) as well as the need to address the use of £23 million of reserves in 2023/24 in a sustainable way.

**18.** Glasgow's 2024/25 budget gap is an outlier. However, this is due to a multi-year approach to addressing and reporting on their budget gap. The council is focused on addressing their three year cumulative budget gap to 2026/27 and as part of their 2024/25 budget approved savings of £94 million over the three years to 2026-27, of which £34.7 million related to 2024-25 as part this longer-term plan.

## Exhibit 2.

### Council budget gaps 2024/25

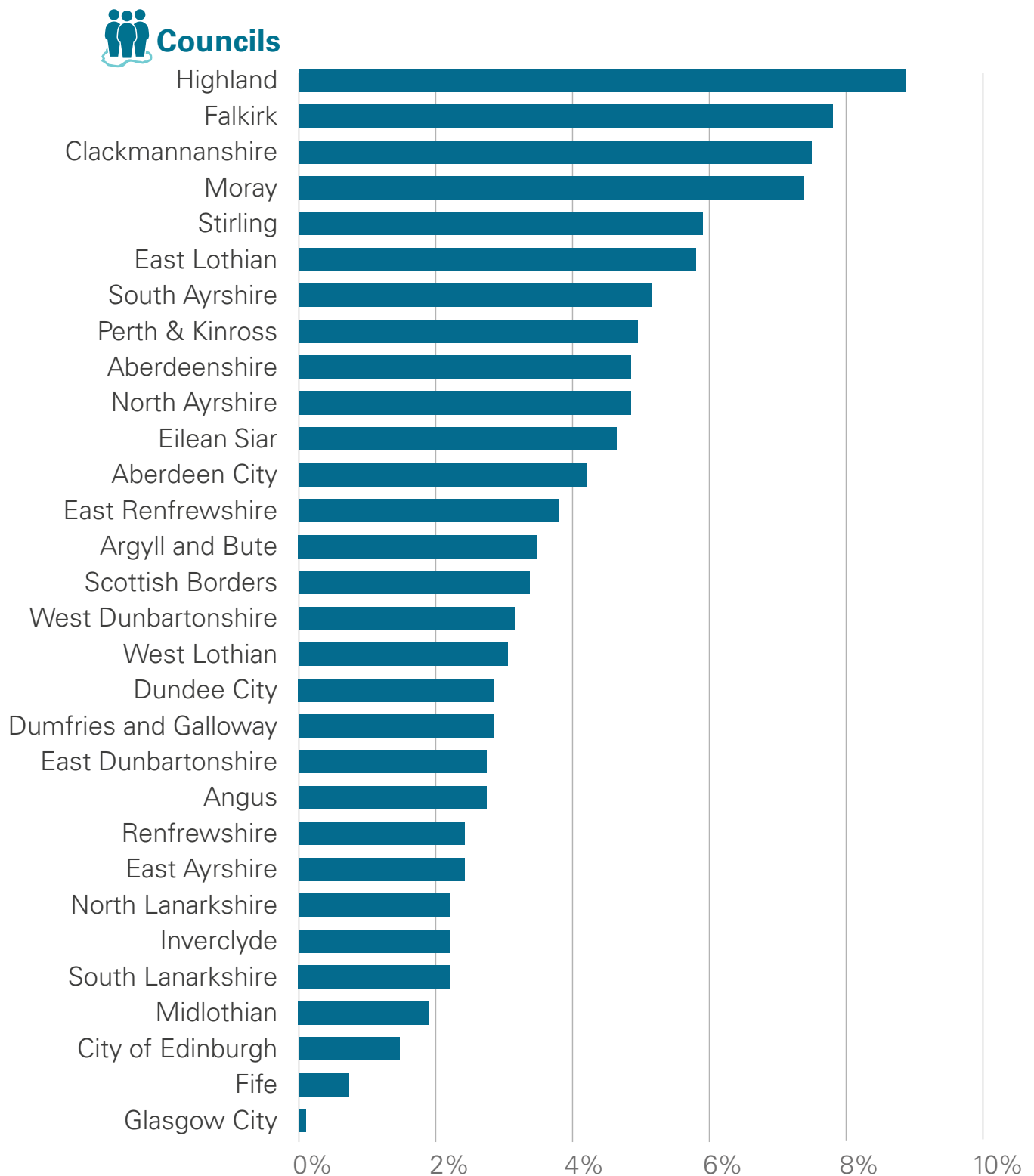


Note: There are differences in the way councils approach and present their budget and identify budget gaps. This means that direct comparison should be taken with caution. Glasgow is a significant outlier due to their approach ([paragraph 18, page 9](#)).

Source: Auditor data return

## Exhibit 3.

### Budget gaps for 2024/25 as a percentage of revenue budget



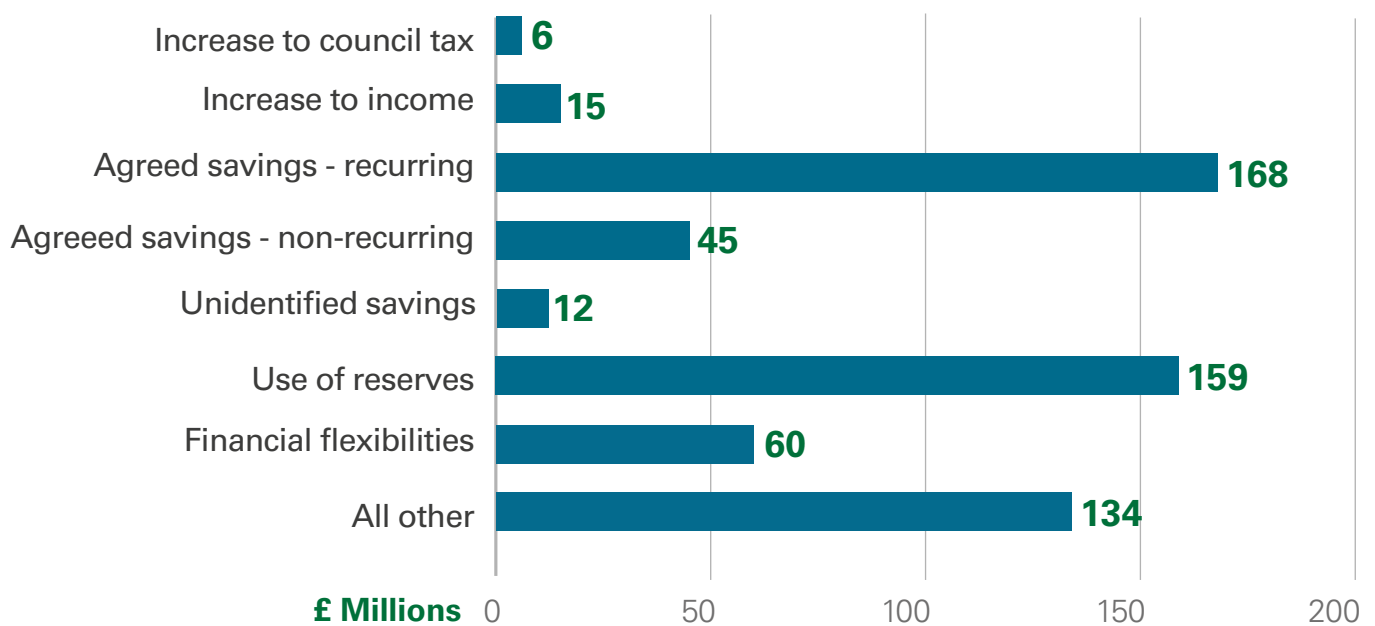
Note: Shetland and Orkney are excluded from this chart as they are outliers due to their planned use of (large) reserves to their balance budgets. Their budget gaps as a percentage of revenue budget are 35 per cent and 18 per cent respectively. Glasgow at 0.2 per cent is a significant outlier due to their approach ([paragraph 18, page 9](#)).

Source: Auditor data return

## Actions to close the budget gap

**19.** Councils used a range of actions to set balanced budgets for 2024/25 ([Exhibit 4](#)). The most common actions taken were to agree recurring savings (28 per cent, £168 million) and the use of reserves (27 per cent, £159 million). This is a similar pattern to previous years.

## Exhibit 4. Councils' bridging actions to set their 2024/25 budget



Note: Highland's savings are included in the All other category as detail was not provided by type of savings (ie, recurring, non-recurring and unidentified). The chart elements add up to £599 million which is higher than the total anticipated budget gap. This is because some councils identified bridging actions of greater value than their budget gap to allow for additional investment in priority areas.

Source: Auditor data return

**20.** Examples of other actions include:

- Funding from the Scottish Government to freeze council tax.
- New council tax levy on second homes.
- A reduction in non-domestic rates relief.
- Savings where these have not been separated by recurring and non-recurring.

**21.** The use of reserves and other non-recurring measures is unsustainable and is only a temporary plug for a budget gap in that one year. The gap will need to be met with the same level of recurring measures such as recurring savings or increases to income in future years.

## Savings

**22.** Councils identified at least £282 million of new savings for 2024/25.

These comprise of:

- £199 million of agreed recurring savings
- £45 million of agreed non-recurring savings
- £26 million of agreed savings where the type of savings was not specified
- £12 million of savings yet to be identified.<sup>1</sup>

**23.** As well as new savings identified for 2024/25, many councils will have previously agreed savings built into their 2024/25 revenue budgets or will be continuing to assess and identify savings proposals to meet longer-term budget gaps. It will be important for councils to deliver their planned savings in 2024/25 given the significant challenges they face in balancing their budgets in subsequent years (see paragraphs 31 to 33).

**24.** Different council structures and financial reporting formats make it difficult to compare across Scotland.

**25.** We know that some councils have experienced significant negative public opposition to some of their proposed savings measures, including in the case of threats of judicial review of Aberdeen City's proposed closure of a number of local swimming pools and libraries. Further examples include the postponement of cuts to library and leisure services in Clackmannanshire and a reversal of plans to close 39 community facilities in North Lanarkshire in response to public opposition.

**26.** The extent of savings across different service areas, and their impact on service delivery and service users is an area of interest for the Accounts Commission and we will continue to develop our monitoring and reporting on this in future outputs.

## Fees and charges

**27.** Twenty-seven councils provided information about how much income they anticipate generating through fees and charges in 2024/25. For these 27 councils, the anticipated income is £1.3 billion.

<sup>1</sup> These savings do not match the savings identified as bridging actions in [Exhibit 4 \(page 12\)](#) due to savings being identified at different time points within the budget setting process.



**28.** Sixteen councils indicated they would introduce new charges in 2024/25 – these include garden waste collection, bulky waste uplift, harbour fees for cruise ships and new charges in relation to short-term lets licensing. Low emission zone charges were reported for Dundee City.

**29.** There has been a cash increase in income generated from fees and charges between 2022/23 and that anticipated in 2024/25. For the 23 councils where comparative data is available, an additional £51 million from fees and charges is anticipated compared to 2022/23. While this represents a five per cent cash increase, this is a below inflationary increase in real terms (two per cent).

**30.** Some auditors reported that the amount of income generated from fees and charges is not collated at a council level but is done within individual service or even directorate area budgets. As such, it is not possible from our analysis to calculate the overall extent and changes to which the public are being asked to contribute towards the cost of council services.

### **Projected budget gaps**


**31.** Based on 30 councils, the total projected revenue budget gap for 2025/26 is £393 million ([Exhibit 5, page 15](#)). The total projected gap for 2026/27 falls to £387 million.

**32.** The cumulative gap over the two years to 2026/27 is £780 million, meaning that councils need to identify and deliver recurring measures such as savings or increased income of five per cent of their overall revenue budget to be financially sustainable.

**33.** The largest cumulative gap is in Glasgow (£110 million), followed by Aberdeenshire (£58 million). However, when looking at the cumulative budget gap as a proportion of councils' revenue budget Shetland (22 per cent) and Clackmannanshire (12 per cent) are highest.

## Exhibit 5.

### Councils' projected budget gaps to 2026/27

 Councils	Budget gap for 2025/26 £ million	Budget gap for 2026/27 £ million	Cumulative gap to 2026/27 £ million	Cumulative gap as % of 2024/25 net revenue budget
Shetland Islands	15.9	19.1	35.0	22%
Clackmannanshire	13.0	5.8	18.8	12%
Midlothian	10.2	14.2	24.4	9%
South Ayrshire	6.7	22.1	28.8	9%
Aberdeenshire	29.8	28.6	58.4	8%
East Ayrshire	17.0	15.0	32.0	8%
East Lothian	17.7	6.1	23.8	8%
Aberdeen City	28.4	17.4	45.8	8%
Highland	25.8	21.6	47.4	7%
West Dunbartonshire	8.3	9.1	17.4	7%
Stirling	9.1	7.8	16.9	6%
Eilean Siar	4.2	3.2	7.4	6%
Glasgow City	35.5	74.7	110.2	6%
South Lanarkshire	21.9	22.5	44.4	5%
Angus	7.2	8.8	16.0	5%
North Ayrshire	10.7	8.7	19.4	5%
Orkney Islands	2.3	2.5	4.8	5%
Dumfries and Galloway	10.0	10.3	20.3	4%
Inverclyde	3.0	7.2	10.2	4%
Argyll and Bute	6.6	5.6	12.1	4%
Falkirk	8.1	8.3	16.4	4%
City of Edinburgh	29.8	18.4	48.2	4%
Fife	16.2	18.2	34.3	4%
East Renfrewshire	8.3	2.2	10.5	3%
Dundee City	9.7	3.0	12.7	3%
North Lanarkshire	14.5	12.9	27.3	3%
West Lothian	7.8	5.1	12.9	2%
Renfrewshire	6.2	5.7	12.0	2%
Moray	4.7	0.6	5.3	2%
Scottish Borders	4.1	2.8	6.9	2%
<b>Total</b>	<b>392.7</b>	<b>387.3</b>	<b>780.0</b>	<b>5%</b>

Note. Perth and Kinross set balanced budgets for 2025/26 and 2026/27 and do not report a budget gap. Their budget papers show the savings they will need to deliver to achieve this. Information is not available in this format for East Dunbartonshire. See [Appendix](#) for details on assumptions that councils made when calculating their projected budget gaps.

Source: Auditor data return

## Capital budgets

**34.** Thirty-one councils provided information on their capital budgets for 2024/25. These councils reported a combined total capital budget for 2024/25 of £3.1 billion, compared to £3.0 billion in 2023/24. This is an overall cash terms increase of £87 million, or 2.9 per cent.

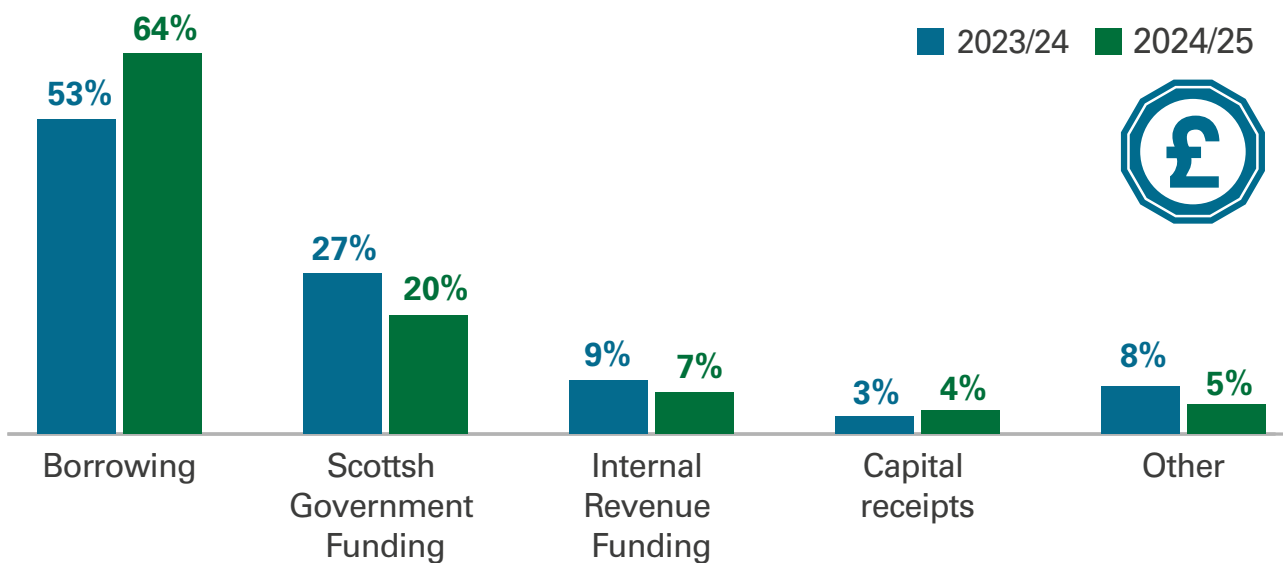
**35.** Capital budgets between 2023/24 and 2024/25 varied significantly, with:

- 18 councils increasing their capital budget, ranging from 1.3 per cent in Renfrewshire to 45.1 per cent in East Ayrshire and 61.9 per cent in Glasgow.
- 13 councils reducing their capital budget, ranging from 10.1 per cent in Fife to 83.9 per cent in South Lanarkshire and 138.4 per cent in Orkney.

**36.** There have been changes to the way in which capital budgets are being met, with more reliance on borrowing and a smaller proportion being met through Scottish Government funding ([Exhibit 6](#)). As we stated in our recent [Financial Bulletin 2022/23](#), greater reliance on borrowing places further pressure on revenue budgets over the longer term, essentially ring-fencing a portion of the revenue budget to pay loan charges.

## Exhibit 6.

### Sources of capital finance, 2024/25 compared to 2023/24



Note: Examples of Other include developer contributions and other external contributions.

Source: Auditor data return

**37.** The 2024/25 Scottish Budget allocated capital funding of £638 million to local government compared to £827 million in 2023/24. This £189 million reduction represents a 22.8 per cent decrease in cash terms and 23.6 per cent in real terms.

**38.** This reduction in capital funding is largely explained by a move of £121 million from the general capital grant to the general revenue grant to fund prior years local government pay awards and a £40 million lower investment in the expansion of free school meals compared to 2023/24.

## Impact and involvement of residents

**39.** The Commission has for many years highlighted the importance of councils consulting communities as part of their budget setting processes, including seeking the views of local citizens on priority areas for investment or disinvestment. Councils are trying hard to engage with local citizens.

**40.** In preparing their 2024/25 budget, 23 of the 32 councils informed or consulted residents about the financial pressures it faces. Of those, 19 consulted all residents and four consulted only specific groups within their communities. Six councils (Midlothian, City of Edinburgh, Dumfries and Galloway, Eilean Siar, East Renfrewshire and Fife) did not consult residents this year and a further three (Highland, East Dunbartonshire and West Lothian) did not provide information within the auditor data return.

**41.** The way in which individual councils approached this process of engaging with citizens and community groups varied significantly. Examples of budget consultation undertaken include public consultation events, online surveys, consultation with tenants on rent increases, direct and targeted engagement with affected groups, employee engagement questionnaires and engagement with trade unions. An assessment of the quality or impact of these exercises has not been undertaken as part of our work.

## Equality impact assessments

**42.** At a time of financial pressure when difficult choices need to be made about budget allocations, and in some cases budget and service reductions, it is all the more important that councils consider what, if any, equality impacts their budget choices will have on different groups and communities, especially those with protected characteristics under the Equality Act 2010.

**43.** Twenty-six councils carried out Equality Impact Assessments (EIAs) as part of their budget setting process. Two councils stated that EIAs were not carried out as proposals did not change existing policies or practices. Four councils (East Lothian, City of Edinburgh, North Lanarkshire, and Renfrewshire) did not carry out EIAs on their budget proposals, although some stated they plan to do so on those savings

proposals passed. Given the significance of council budget choices on local communities and that councils have a statutory duty to undertake EIAs when making policy or service changes under the Public Sector Equality Duty, it is difficult to see a justification for budget EIAs not being prepared in advance.

## Issues

### Budget setting process

**44.** We identified issues relating to the budget setting process that made it difficult, in some cases, to collect and analyse the data upon which this briefing is based. These mostly related to timing.

**45.** For example, some councils set their budget before the relevant financial circular from the Scottish Government was available. As a result, some changes to the budget were required upon receipt of the circular to reflect the updated settlement information. Further to this, it was not always easy to track the changes from budget proposal to sign off and approval at some councils, and the implications of these changes on key spending decisions. The late announcement of the council tax freeze also had a significant impact, with councils having limited time to react and update budget plans and proposals. There are also longer-term implications for councils to consider as future increases to council tax will start from a reduced position, with the freeze effectively suppressing the growth of the council tax base.

### Transparency and clarity of budget papers

**46.** All councils need to meet common standards of accuracy and reliability in their budget figures, but individual councils' approaches to budget setting also need to reflect local political priorities and differences in organisation structures. This makes it very difficult to easily compare one council's budget with another. This variability of budget presentation is entirely understandable and to be expected. However, even taking account of differences in approach, budget papers should present key information in a way that is easily accessible and understandable to the public.

**47.** Some local appointed auditors reported difficulty in easily identifying key aspects of councils' budgets (eg, the scale of budget gaps, likely impacts of budget reductions and/or how any planned savings to balance budgets were to be achieved). This raises important questions about how effectively council budget papers communicate to local elected members and local communities what the impact of different budget choices might mean and the overall financial health of their local council.

**48.** It has long been recognised that there is scope to improve the understandability of council accounts to the public. In many cases the same may be able to be said of council budget proposals.

# Appendix

## Methodology

Council auditors completed a data return in March and April 2024. The data return requested information on councils' revenue and capital budgets; the identified budget gaps and bridging actions; fees and charges; and savings and their anticipated impact.

As part of our data return, we asked auditors to identify the assumptions that councils made when calculating projected revenue budget gaps. As expected, these assumptions varied across the country. For example, councils have assumed pay awards ranging from 2-3 per cent/per year until 2026/27. Council tax increase assumptions also varied, with some councils assuming no change (ie, an extension of the freeze) and others an increase of up to eight per cent in 2025/26. Assumptions were also made in relation to general inflation and the Scottish Government settlement in future years.

When looking at trends, we convert some financial data to real terms using GDP deflators. This adjusts financial information from past or future years to prices for the year under review. This is to take account of inflation so that the trend information is comparable. For this paper, we used March 2024 deflators.

Briefing

# Local government budgets 2024/25



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<b>Report To:</b>	<b>Policy and Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Corporate Director Education, Communities and Organisational Development</b>	<b>Report No:</b>	<b>PR/24/24/RB/MR</b>
<b>Contact Officer:</b>	<b>Morna Rae</b>	<b>Contact No:</b>	<b>01475 712065</b>
<b>Subject:</b>	<b>Corporate Policy and Performance Update: April – June 2024</b>		

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision  For Information/Noting

1.2 This report provides the Committee with an update on Corporate Policy and Performance matters relating to:

- The publication of national reports relating to population;
- Developments relating to Best Value; and
- Equalities.

## **2.0 RECOMMENDATION**

2.1 It is recommended that the Committee notes the latest updates in relation to Corporate Policy and Performance.

**Ruth Binks**  
**Corporate Director**  
**Education, Communities and Organisational Development**



### **3.0 BACKGROUND AND CONTEXT**

3.1 A Corporate Policy and Performance update report is considered at every meeting of the Policy and Resources Committee; the last such report was submitted to the meeting of the Committee on 26 March 2024.

### **3.2 NATIONAL REPORTS RELATING TO POPULATION**

3.3 On 26<sup>th</sup> March 2024, National Records of Scotland (NRS) published 'Mid-2022 Population Estimates, Scotland', providing population estimates for Scotland, its Council areas and NHS boards by sex and age. This is the first set of mid-year population estimates (MYPE) to incorporate the new data from Scotland's Census 2022. On the same day, NRS also published the 'Reconciliation of mid-year population estimates with Scotland's Census 2022'.

#### **Mid-2022 population estimates (30 June 2022)**

3.4 As at 30 June 2022, Inverclyde's population was estimated to be 78,340, a decrease of 60 since 20<sup>th</sup> March 2022 (Census Day). The 2022 MYPE is 1,640 higher than the 2021 MYPE, 76,700.

3.5 Inverclyde is one of 11 Council areas estimated to have a lower population on 30<sup>th</sup> June 2022 compared to Census Day. The Council areas with the largest population decrease are Aberdeenshire (-150), Dumfries and Galloway and West Dunbartonshire (both -130). Areas of estimated population growth include City of Edinburgh (+2,290), Glasgow City (+2,120), Argyll and Bute (+1,920) and Fife (+940).

3.6 The decrease in Inverclyde's population is mostly attributable to negative natural change, with 310 deaths recorded compared to 168 births, reducing the population by 142. 'Other changes' account for a population decrease of 20. 'Other changes' may be, for example, additional census data processing since September 2023; changes since Census Day in prisoner and armed forces populations and also rounding effects.

3.7 It is estimated that over the period 20<sup>th</sup> March 2022 - 30<sup>th</sup> June 2022, more people moved into Inverclyde than left, resulting in positive net migration of +100.

3.8 NRS estimate that Scotland's population on 30 June 2022 was 5,477,700, which is an increase of +11,100 from Census Day (5,436,600). This population increase is attributable to positive net migration as there were more deaths than births in Scotland over this period.

#### **NRS Publication of 'Reconciliation of mid-year population estimates with Scotland's Census 2022'**

3.9 Alongside the Mid-2022 Population Estimates, NRS also published the 'Reconciliation of mid-year population estimates with Scotland's Census 2022'. The report provides details of the difference between the Census data and the annual population estimates and the possible reasons for this. This has been done by a direct comparison of the 'rolled forward population estimate' (i.e. the 2021 mid-year population estimate aged-on by 9 months to Census Day) to the actual Census count, to measure the 'drift' between the two.

3.10 It was found that 24 Council areas had a population difference of less than +/-2% between the Census and the rolled forward estimate. The City of Edinburgh had the largest overestimated population, +3.7%. Inverclyde had the largest underestimated population, with the rolled forward estimate -2.5% lower than the Census Day population count.

3.11 NRS suggest the following potential reasons for differences between the Census and rolled forward estimates for Councils in Scotland:

- **Migration within Scotland** - movement between Council areas is estimated using registrations with GP practices. This can lead to issues with people being counted in the correct council area. Failure to register with a GP, or delaying registration, tends to be more pronounced for young people, and males in particular.
- **Missed outward migration from cities** - Population estimates for Scottish cities, particularly Glasgow and Edinburgh, suggest that a proportion of their outward migration is not being captured. This is likely due to an underestimate of outward international migration, and lags in the recording of within Scotland and cross-border moves.
- **International migration** - There is no single system in place to measure all movements of people into and out of the UK, or to determine if they meet the definition of a long-term migrant. Some council areas have far more international migration in and out of the area, so the impact may be higher. This is particularly true for the cities. As of mid-2021, a new methodology has been implemented to estimate international migration which aims to improve the accuracy of these statistics.
- **Special populations** - Some Council areas have large numbers of people classed as 'special populations', which includes military personnel and prisoners. These populations are not distributed evenly across Council areas, and so can have a considerable impact on the difference between the census and rolled-forward estimates in some areas.

3.12 Due to concern around Inverclyde's population being underestimated at the time of the 2011 Census and then again at the 2022 Census, NRS has been asked whether the reconciliation exercise highlighted any particular issues locally that could help explain why Inverclyde's population has been repeatedly understated. An update on this will be provided to the Committee once a response has been received.

3.13 On a related population issue, as part of the Scottish Government's Action Plan to tackle depopulation, the Scottish Government has announced its intention to partner Inverclyde Council to deliver a Community Settlement Officer post, focused on addressing depopulation in Inverclyde. The role, which is for an initial two-year period, will be equally funded by the Scottish Government and Inverclyde Council. The details of the post are currently being finalised.

3.14 A positive meeting was recently held with Tom Arthur MSP to discuss some of the challenges and opportunities in Inverclyde with a visit planned for June.

3.15 There is an outstanding remit on measures to address depopulation. This will be presented to Committee after the summer recess.

### **3.16 DEVELOPMENTS IN RELATION TO BEST VALUE**

3.17 As the Committee will be aware from previous updates, a new approach to auditing Best Value was implemented in 2023. One element of the new approach was the introduction of a programme of Controller of Audit (CoA) reports, to cover all 32 Councils over the period October 2023 - August 2027. The CoA report provides the Accounts Commission with a summary of the findings set out in each Council's Annual Audit Report, including the new Best Value Thematic Inspection Report. The Accounts Commission will consider these reports on a phased basis, focusing on 8 reports per year, over the four-year period.

3.18 Moray, Falkirk, Dundee City, Orkney Islands, South Ayrshire, Dumfries and Galloway, Clackmannanshire, and West Dunbartonshire Councils were the subject of a CoA report in year

1. As at the end of April 2024, Controller of Audit reports have been published for five of these Councils, with three remaining.

- 3.19 Once all the audit reports relating to the first year of the new approach are published, the key messages and recommendations will be reviewed and common areas for improvement identified, with particular attention paid to those Councils with a similar socio-economic profile to Inverclyde. The result of this review will be presented to a future meeting of this Committee. Any areas for improvement will be incorporated into the Council's Best Value planning activity.
- 3.20 It is anticipated that in year two, (October 2024 to August 2025) Controller of Audit reports will be published for Edinburgh, East Lothian, Fife, Argyll and Bute, Highlands, East Renfrewshire, Scottish Borders and Western Isles Councils. This means that a Controller of Audit report on Inverclyde Council will be published somewhere between October 2025 and August 2027, however the exact date is not currently known.

### Assessing Best Value performance

- 3.21 As part of Inverclyde Council's commitment to delivering continuous improvement, the Extended Corporate Management Team, Service Managers and Team Leaders recently carried out a robust self-evaluation of the Council's Best Value performance, focus on the seven Best Value themes. The Corporate Management Team is reviewing the output from this self-evaluation and will agree the key improvement actions for the organisation. A report on the Council's assessment of its performance in delivering Best Value, will be brought to the Committee after the summer recess.

## **3.22 EQUALITIES**

### 3.23 Disability Confident Scheme (DCS) – renewal/assessment 2024

The Council has been a member of the DCS since 2016. Confirmation has been received that the membership will continue until 2027, following a renewal/assessment process which was successfully completed in March 2024.

- 3.24 The DCS aims to challenge attitudes, remove barriers and improve opportunities for disabled people and those with long-term health conditions. By maintaining its involvement with the DCS at 'Leader' level, the Council has been recognised for acting as a champion within the Inverclyde business and local communities.
- 3.25 The fulfilment of our obligations under the DCS also supports the delivery of a Key Theme in the People and Organisational Development Strategy 2024/27: Fairness and equality (Promoting equality, dignity and respect).

## **4.0 PROPOSAL**

- 4.1 It is proposed that the Committee notes the latest updates relating to the area of Corporate Policy and Performance.

## **5.0 IMPLICATIONS**

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>
Financial		X
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental and Sustainability		X
Data Protection		X

## 5.2 Finance

There are no financial implications arising from this report.

One off Costs

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>Budget Years</b>	<b>Proposed Spend this Report</b>	<b>Virement From</b>	<b>Other Comments</b>
N/A					

Annually Recurring Costs/(Savings)

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>With Effect from</b>	<b>Annual Net Impact</b>	<b>Virement From (If Applicable)</b>	<b>Other Comments</b>
N/A					

## 5.3 Legal/Risk

There are no direct legal implications arising from this report.

## 5.4 Human Resources

There are no direct human resources implications arising from this report.

## 5.5 Strategic

The matters referred to in this report are of relevance to the following Council Plan 2023/28 Theme:

### Theme 3: Performance

- High quality and innovative services are provided, giving value for money.

## 6.0 CONSULTATION

6.1 None.

## **7.0 BACKGROUND PAPERS**

7.1 None.

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<b>Report To:</b>	<b>Policy and Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Chief Executive</b>	<b>Report No:</b>	<b>PR/21/24/LL/KM</b>
<b>Contact Officer:</b>	<b>Louise Long</b>	<b>Contact No:</b>	<b>01475 712146</b>
<b>Subject:</b>	<b>Policy and Resources Committee Delivery and Improvement Plan 2023/26 - Annual Refresh and Performance Summary 2023/24</b>		

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is present the Committee with the refreshed Policy and Resources Committee Delivery and Improvement Plan, which contains new or revised improvement actions requiring approval.

1.3 The Committee received a comprehensive report, providing an update on the progress made in delivering the Committee Plan 2023/26, at its last meeting on 26<sup>th</sup> March 2024. For completeness, this report includes a summary of the overall progress that was achieved in delivering the Committee Plan, as at the end of year one (2023/24).

## **2.0 RECOMMENDATIONS**

2.1 It is recommended that the Committee:

- Note the progress that has been made in delivering the Policy and Resources Committee Delivery and Improvement Plan during 2023/24.
- Approve a refreshed Policy and Resources Committee Delivery and Improvement Plan, which will be implemented from 2024/25 onwards.

**Louise Long**  
**Chief Executive**

### 3.0 BACKGROUND AND CONTEXT

- 3.1 Committee Delivery and Improvement Plans 2023/26 (referred to as Committee Plans) are a key component of the Council's refreshed strategic planning and performance management framework. The Committee Plan enables scrutiny of:
- Strategic activity within the Committee remit; and
  - How the Committee is helping to deliver the Council Plan outcomes.
- 3.2 The Policy and Resources Committee Delivery and Improvement Plan 2023/26 was approved on 23<sup>rd</sup> May 2023. Committee Delivery and Improvement Plan has also been approved by the Environment and Regeneration Committee and the Education and Communities Committee.
- 3.3 Now entering the second year of its three-year term, the Committee Plan has been reviewed and refreshed to ensure that actions that continue to be priorities for the Directorate carry forward to the next planning year; actions that have been delivered are closed off and new opportunities, challenges and responsibilities are captured.
- 3.4 **POLICY AND RESOURCES COMMITTEE PLAN 2023/26: PERFORMANCE SUMMARY 2023/24**
- 3.5 The Committee Plan 2023/26 contains 14 high level actions, each underpinned by a number of sub-actions.
- 3.6 This Committee has previously considered two performance reports in relation to the delivery of the Policy and Resources Committee Plan in year one, the most recent of which was presented at the last meeting of the Committee on 26<sup>th</sup> March 2024. Details of the status of each action, i.e. complete, on track or slippage, along with a performance narrative was provided within that report. The latest KPI performance data was also provided.
- 3.7 As the first year of implementation is now complete, a summary of the status of the 14 high level actions at the end of 2023/24 is provided below for the attention of the Committee.

March 2024	Complete	On track / ongoing	Slippage
	9	2	3

#### Complete

Actions that are fully complete i.e. all associated sub-actions were delivered in year one are as follows:

- Local policies in relation to both Non-Domestic Rates Empty Property Relief Scheme and Second homes Council Tax Levy have been introduced.
- The Scheme of Establishment for Community Council has been adopted and the Community Council elections have taken place.
- A new Local Alcohol Licensing Policy Statement has been adopted by the Inverclyde Licensing Board.
- The actions schedule as part of the final year of the People and Organisational Development Strategy (POD) are complete and a new Strategy has been approved by the Committee.
- A two-year budget for the Council has been approved.

- A review of the capacity and resilience within the HR&OD Service and an action plan was implemented.
- The approach to asset accounting has been strengthened. Compliance with IFRS16 will be monitored via the Finance Service Delivery Plan 2025/26.
- A Policy Review Framework has been developed and approved by this Committee.
- The provision of learning and development activity has been reviewed.

These actions will be removed from Delivery and Improvement Plan going forward.

### Ongoing

The following actions were scheduled for delivery beyond 2023/24. As these are ongoing, each has been updated and rolled forward into the refreshed Committee Plan.

- The modernisation of the Council, which includes the refresh of the Digital and ICT strategies will be taken forward in year two as part of a wider Digital and Customer Services Strategy, as well as consideration of options to optimise the use of Council buildings.
- Improvements to the recruitment and appointment processes will be taken forward in year two as part of ongoing process mapping.

### Slippage

The actions where completion by the original due date was not achieved in 2023/24 are as follows:

- The delivery and reporting framework for the Inverclyde Alliance Partnership Plan is still being developed, with ongoing work on developing performance indicator scorecards.
- The review of the new performance management arrangements scheduled for the end of year one will be carried out in year two, to allow a full year of the new arrangements being in place before undertaking a review.
- The implementation of Victoria Forms, which is linked to the review of HR&OD and Payroll IT systems, was not fully delivered by the original timescale, although good progress was achieved.

These actions have been carried forward into year two, with new delivery timescales set.

## 3.8 KPI performance

The most recent performance data for all the Committee Plan KPIs is provided within the refreshed Plan.

Areas where the performance target was achieved in the previous year include:

- The number of corporate training courses attended during the year.
- The Council website accessibility score, as assessed by Socitm.
- The percentage of Freedom of Information and Environmental Information Regulations requests responded to within the statutory timescale.
- The percentage of invoices paid within 30 days.

## 3.9 Performance fell below target, but remained within a 5% tolerance level (amber status), for the following:



- The Council Tax in year collection level was very slightly below target.

3.10 Performance in the year was 5% or more below target (red status) for a number of measures, including:

- The overall total number of FTE days lost due to sickness absence.

Actions taken to more proactively manage absence and support employees include improved report functionality for managers to monitor absences, Occupational Health provision including new contracts for physiotherapy and counselling and introducing increased absence management training.

- The employee turnover level for the year.

Actions taken to support the retention of employees including agreement of a Flexible Working Policy, offers of mentoring and professional qualifications, and employee benefits.

- The percentage of transactions deal with through the Customer Service Centre that are digital.

This continues to be monitored and will be progressed via the new Digital and Customer Services Strategy due for completion this year.

### **3.11 POLICY AND RESOURCES COMMITTEE PLAN ANNUAL REFRESH**

3.12 The Committee Plans are subject to annual review to ensure that the improvement actions remain relevant and reflect any emerging challenges or legislation that will impact on the Directorate during the remaining term of the Plan.

3.13 Appendix 1 contains an 'Action Tracker' to provide the Committee with full oversight of the changes that have been made to the refreshed action plan. The refreshed Policy and Resources Committee Plan is attached as Appendix 2.

3.14 The focus of the Committee Plan continues to be on the areas of strategic importance that support the achievement of Council Plan 2023/28 outcomes. All actions and delivery timescales have been updated to reflect the current position as the Plan enters its second year. Performance in key areas will continue to be monitored and reported to the Committee.

3.15 In particular, the attention of the Committee is drawn to the inclusion of a number of new actions within the Plan, to be implemented in 2024/25:

- Support the development of the newly established Community Councils and review arrangements within the first year.
- Development of a new Budget 2025/26
- Options appraisal for new FMS
- People and Organisational Development Strategy 2024/27
- HR and Payroll System
- HR, OD and Payroll Processes
- Modernisation of the Council
- The delivery of the Communication and Engagement Strategy

- 3.16 The Committee Plan Risk Register has also been reviewed and is included within the refreshed Committee Plan. The Partnership Risk score has been reduced to reflect that a strengthened approach to managing arrangements with external partners has been implemented since the risk was developed last year. Updates against the areas of highest risk will continue to be provided on a six-monthly basis.
- 3.17 The refreshed Plan also includes, for the first time, details of Council policies that fall within the remit of this Committee and the date of the next planned review. This follows a review of the Council's Policy Framework which was approved by the Policy and Resources Committee at its meeting on 26<sup>th</sup> March 2024.
- 3.18 Progress in the delivery of the Committee Plan will continue to be reported to every second meeting of this Committee. The Committee will also continue to receive a number of annual reports on a range of thematic work related to its remit.

#### 4.0 PROPOSALS

- 4.1 The Committee is asked to note the progress that has been achieved in delivering the Policy and Resources Committee Delivery and Improvement Plan 2023/26 in its first year.
- 4.2 The Committee is asked to approve the refreshed Committee Plan, which will be implemented in year 2 (2024/25).

#### 5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

#### 5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>With Effect from</b>	<b>Annual Net Impact</b>	<b>Virement From (If Applicable)</b>	<b>Other Comments</b>
N/A					

### 5.3 **Legal/Risk**

There are no legal implications associated with this report, whilst the key Committee risks are highlighted within the full Committee Plan 2023/26.

### 5.4 **Human Resources**

There are no human resources implications associated with this report.

### 5.5 **Strategic**

The Policy and Resources Committee Delivery and Improvement Plan 2023/26 directly supports the Council Plan 2023/28 and is aligned to the delivery of the Council Plan outcomes.





## 6.0 **CONSULTATION**

6.1 None.





## 7.0 **BACKGROUND PAPERS**

7.1 None.



## APPENDIX 1: POLICY AND RESOURCES DELIVERY AND IMPROVEMENT PLAN ACTION TRACKER 2023/24-2024/25

Ref	Original Action	Overall status 31/03/24	Original key deliverables	Original Due Date	Revised due date	Annual Refresh 2024/25: Key points
CMTE/ PR001	A new Partnership Plan 2023/33 for the Inverclyde Alliance will be implemented, underpinned by an effective governance, delivery and reporting framework.	 Slippage	Development of Partnership Action Plans and PIs.  Further develop the Locality Planning model for Inverclyde, linked to the Community Council review.	31/10/23  Complete	31/10/24  -	Original action amended to “embedding” the Partnership Plan. Slippage reported. Ongoing action. Complete. Action has been removed and new action on implementing the agreed approach added.
CMTE/ PR002	A new Council Plan 2023/28, supported by Committee Delivery Improvement Plans, will be embedded across the Council.	 Slippage	Council Plan submitted to The Inverclyde Council for approval.  Committee Delivery and Improvement Plans are approved by their respective Committee.  Development of Service Plans for each Head of Service to support the Committee Delivery and Improvement Plans.  Review of the new performance management arrangements with Corporate Management Team.	Complete  Complete  31/10/23  31/03/24	-  -  30/06/25 (new plans)  30/09/24	Complete. Original action amended to “embedding” the Council Plan.  Complete. Action has been removed.  Slippage at the end of year 1, however all Service Plans 23/24 are now in place. A new action, relating to development of 2024/25 Plans, has been added for year 2.  Slippage. Ongoing action with a revised delivery timescale.
CMTE/ PR003	Local policies introduced in relation to both non-domestic rates empty property relief scheme and 2 <sup>nd</sup> Homes Council Tax levy.	 Complete	Development of a local Non-Domestic Rate Empty Relief Policy.  Policy implementation from April 2024  Development of a 2nd Homes Council tax levy Policy  Policy Implementation from April 2024	Fully Complete	-  -  -	Complete. Action has been removed.
CMTE/ PR004	The Scheme of Establishment for Community Councils will be updated and adopted, with those Community Councils formed following elections.	 Complete	Drafting of, and engagement on, new Scheme of Establishment for Community Councils, including with residents, Community Councils and Elected Members.	Fully Complete	-	Complete. Action has been removed.  A new Community Council action has been added for year 2.





## APPENDIX 1: POLICY AND RESOURCES DELIVERY AND IMPROVEMENT PLAN ACTION TRACKER 2023/24-2024/25

Ref	Original Action	Overall status 31/03/24	Original key deliverables	Original Due Date	Revised due date	Annual Refresh 2024/25: Key points
			Adoption of new Scheme of Establishment for Community Councils.  Elections held for Community Councils.		-  -	
CMTE / PR005	A new Alcohol Licensing Policy Statement will be adopted by Inverclyde Licensing Board.	 Complete	Drafting of, and engagement on, new Alcohol Licensing Policy Statement, including with residents, Inverclyde Licensing Forum, Inverclyde Licensing Board, Police Scotland and NHS/ADP.  Adoption by Inverclyde Licensing Board of new Alcohol Licensing Policy Statement.	Fully Complete	-  -	Complete. Action has been removed.
CMTE / PR006	The skills required to deliver key corporate initiatives will be supported via the implementation of the final year of the People and Organisational Development (POD) Strategy 2020/23 and development of a new Strategy 2024/26.	 Complete	Implementation of ongoing Action Plan (2023) including: <ul style="list-style-type: none"> <li>• Coaching &amp; Mentoring Scheme</li> <li>• Achievement of Equally Safe Accreditation</li> <li>• Updated performance appraisal process</li> </ul> In consultation with key stakeholders, identify and develop new initiatives for the POD 2024/26.	Fully Complete	-  -	Complete. Action has been removed.  New POD action added for year 2.
CMTE / PR007	A multi-year budget for Inverclyde Council will be approved.	 Complete	Development of the Revenue Budget for the period 2024/26.  Development of the Capital Budget 2024/27.	Fully Complete	-  -	Complete. Action has been removed.  New Budget action added for year 2.
CMTE / PR008	The approach to asset accounting and reporting will be strengthened.	 Complete	Revaluation of Heritage assets in line with Audit Action.	Complete	-	The sub-action, Compliance with IFRS16 will be monitored via the Finance Service Plan 2024/25 going forward. All other sub-actions

## APPENDIX 1: POLICY AND RESOURCES DELIVERY AND IMPROVEMENT PLAN ACTION TRACKER 2023/24-2024/25

Ref	Original Action	Overall status 31/03/24	Original key deliverables	Original Due Date	Revised due date	Annual Refresh 2024/25: Key points
			<p>Compliance with IFRS 16</p> <p>Embedded cyclical revaluations and indexations in line with audit requirements</p>	<p>30/06/25</p> <p>Complete</p>	<p>-</p> <p>-</p>	<p>are complete and have been removed from the Action Plan.</p>
CMTE / PR009	Modernisation of Council.	 Ongoing	<p>Have 4 Digital Modernisation projects approved by the DMPB/P&amp;R and implemented.</p> <p>Continue delivery of the Council's Digital Strategy to deliver better services for customers and citizens, including through Channel Shift.</p> <p>Continue delivery of the Council's ICT Strategy to support the changing face of the Council, including through progression of migration towards a cloud-based service including a hybrid telephony solution.</p> <p>Refresh the Council's Digital Strategy and ICT Strategy, to be adopted by P&amp;R during 2024.</p> <p>Implement New Ways of Working Phase 2, including a review of operational properties to ascertain the potential for further estate rationalisation.</p>	<p>Complete</p> <p>Complete</p> <p>Complete</p> <p>31/10/24</p> <p>31/03/26</p>	<p>-</p> <p>-</p> <p>-</p> <p>-</p> <p>-</p>	<p>Complete. Removed from action plan.</p> <p>This is complete. A review of the progress achieved is planned.</p> <p>This is complete. A review of the progress achieved is planned.</p> <p>This will be taken forward in year 2 as part of a new action on the development of a Digital and Customer Services Strategy. Due date remains the same.</p> <p>Action has been amended to be more focused on consideration of options to optimise the use of Council buildings. Due date remains the same.</p>
CMTE / PR0010	Review the capacity and resilience within the HR&OD Service.	 Complete	Review the management capacity within the HR+OD Team	Fully Complete	-	Complete. Action has been removed.

## APPENDIX 1: POLICY AND RESOURCES DELIVERY AND IMPROVEMENT PLAN ACTION TRACKER 2023/24-2024/25

Ref	Original Action	Overall status 31/03/24	Original key deliverables	Original Due Date	Revised due date	Annual Refresh 2024/25: Key points
			Establishment of key posts / development roles to support service delivery  Review roles, remits and designations within HR+OD Service.		-  -	
CMTE / PR011	Conduct a review of the Human Resources, Organisational Development and Payroll IT systems and transactional processes	 Slippage	Monitor implementation of Victoria Forms and explore other potential processes for review and automation.  Maximise functionality of current CHRIS 21 system and consider further options to support service delivery.  Address contract backlog and implement improved processes and monitoring.	31/12/23  Complete  Complete	31/03/25  -  -	Slippage, with action on monitoring effectiveness on action plan.  Complete. Action has been removed and a new action on implementing upgrade added.  Complete. Action has been removed.
CMTE / PR012	Improve the recruitment and appointment processes.	 Ongoing	Streamline the approach to obtaining references for new employees.  Review the approval process.  Develop onboarding protocols/process.	Complete  30/06/24  Complete	-  30/06/24  -	Complete. Action has been removed.  Ongoing action which is included in year 2 action on process mapping and implement related improvements.  Complete. Action has been removed.
CMTE / PR013	Develop a framework for policy review, update of policies as required and improvement in employee communications on policies.	 Complete	Develop a policy review schedule.  Engage with Services and develop a programme to promote key policies.	Fully Complete  Fully Complete	-  -	Complete. Action has been removed from action plan.
CMTE / PR014	Review of the provision of learning and development activity.	 Complete	Further invest in corporate knowledge and skills development.  Review current learning and development arrangements and update corporate e-learning induction.	Fully Complete		Complete. Employee development activity will be further progress through the People and Organisational Development Strategy 2024/27.

# Policy and Resources

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COMMITTEE DELIVERY AND IMPROVEMENT PLAN 2023/26

ANNUAL REFRESH 2024/25



## Policy and Resources Committee Delivery and Improvement Plan 2023/26

In April 2023, Inverclyde Council committed to the delivery of a new, ambitious Council Plan 2023/28. The Council Plan established a number of priorities for the Council.

### Theme 1: PEOPLE

- Our young people have the best start in life through high quality support and education;
- Gaps in outcomes linked to poverty are reduced;
- People are supported to improve their health and wellbeing;
- More people will be in employment, with fair pay and conditions; and
- Our most vulnerable families and residents are safeguarded and supported.

### Theme 2: PLACE

- Our communities are thriving, growing and sustainable
- Our strategic housing function is robust;
- Our economy and skills base are developed;
- We have a sufficient supply of business premises; and
- Our natural environment is protected.

### Theme 3: PERFORMANCE

- High quality and innovative services are provided, giving value for money; and
- Our employees are supported and developed.

## Annual Refresh 2024/25

This Committee Delivery and Improvement Plan 2023/26 was developed following an assessment of how the Services that report to the Policy and Resources Committee could support the delivery of Council Plan priorities and the achievement of Best Value. Now entering the second year of its three-year term, the Plan has been reviewed and refreshed to ensure that actions that continue to be priorities carry forward to the next planning year; actions that have been delivered are closed off and new opportunities, challenges and responsibilities are captured.

### Overview

This Plan encompasses the Organisational Development, Policy and Communications Service, Finance Service and Legal and Democratic, Digital and Customer Services which deliver the key functions of:

Organisational  
Development, Policy and  
Communications

Organisational Development, Human Resources, Employee Development, Corporate Health and Safety, Payroll, Workforce Planning, Corporate Communications, Corporate Policy, Performance Management, Community Planning, Corporate Equalities

Finance Service

Strategic Finance, Directorate Finance and Accountancy, Budgeting, Statutory Group Accounts, Creditors, Insurance, Treasury Management, Council Tax Services, Revenues, Debt Recovery, Housing Benefits, Discretionary Payments

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**Legal, Democratic, Digital  
and Customer Services**

Legal Service, Administration, Licensing, Litigation, Contracts & Conveyancing, Courts, Members Services and Support, Committee support, Community Council liaison, Election Management, Information Governance, Customer Services, Customer Contact Service, ICT Strategy, Operation and Support, Modernisation, Registration Services, Internal Audit, Risk Management

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The Delivery and Improvement Plan sets out how the Council Plan priorities will be delivered via the implementation of the following workstreams:

Delivery and Improvement Plan

PEOPLE

	What will be delivered?	How will this be delivered?	Due Date	What difference will it make?	Alignment to the Council Plan
1.	<p><u>Partnership Plan</u></p> <p>Embed the Partnership Plan 2023/33 governance, delivery and reporting framework across the Alliance partners.</p>	<p>Development of Partnership Action Plans and PIs.</p> <p>New/refreshed delivery groups established, and regular progress reports provided to the Alliance Board.</p> <p>Publish an annual report on progress made against the Partnership Plan.</p> <p>Implement the new Locality Planning model, with updated local priorities and engagement processes in place.</p> <p><b>Lead Officer:</b> Corporate Policy, Performance and Partnership Manager</p>	<p>31/10/24</p> <p>31/03/25</p> <p>31/10/24</p> <p>31/12/24</p>	<p>Partnership working brings renewed added value and all partners are committed to the delivery of Alliance priorities and improved outcomes.</p>	<p>All outcomes within the Council Plan</p>
2.	<p><u>Strategic Planning</u></p> <p>Further embed the new strategic planning and performance management arrangements to support the delivery of the Council Plan 2023/28.</p>	<p>Development of Service Plans for each Head of Service for reporting year 2024/25.</p> <p>With the Corporate Management Team, conduct a review of the performance management arrangements introduced in 2023/24.</p> <p><b>Lead Officer:</b> Head of OD, Policy and Communications</p>	<p>30/06/24</p> <p>30/09/24</p>	<p>The strategic planning framework is strengthened, with evidence of a strong ‘Golden Thread’, supporting the delivery of the Council’s priorities and improved outcomes.</p>	<p>All outcomes within the Council Plan</p>

PLACE

	What will be delivered?	How will this be delivered?	Due Date	What difference will it make?	Alignment to the Council Plan
3.	<p><b><u>Community Councils (NEW)</u></b></p> <p>Support the development of the newly established Community Councils and monitor arrangements in those areas where no Community Council has been established.</p>	<p>Review developments of Community Council activity, within 12 months of the Community Council Elections.</p> <p>Develop recommendations, and report to full Council.</p> <p><b>Lead Officer:</b> Head of Legal, Democratic and Digital Customer Services / Head of Culture, Communities and Educational Resources</p>	31/03/25	All Inverclyde communities have a platform to have their say and for their views to be represented.	Our communities are thriving, growing and sustainable

## PERFORMANCE

	What will be delivered?	How will this be delivered?	Due Date	What difference will it make?	Alignment to the Council Plan
4.	<p><b><u>Budget (NEW)</u></b></p> <p>A Budget and Council Tax level for 2025/26 will be approved.</p>	<p>Development of a Revenue Budget for 2025/26.</p> <p><b>Lead Officer:</b> Chief Financial Officer</p>	31/03/25	<p>There is greater certainty around Council finances including Council tax income, allowing services to plan more effectively.</p>	<p>High quality and innovative services are provided, giving value for money</p>
5.	<p><b><u>Options appraisal for FMS (NEW)</u></b></p> <p>Report options for the replacement of the current Finance System, due to become unsupported from 31.03.28.</p>	<p>Develop options for Committee to consider including estimated financial implications.</p> <p><b>Lead Officer:</b> Chief Financial Officer</p>	30/09/25	<p>The replacement of the FMS which has been operational since 2002 affords the opportunity to buy a system which reflects current requirements and integrates with other key systems.</p>	<p>High quality and innovative services are provided, giving value for money</p>
6.	<p><b><u>People and Organisational Development Strategy (POD) 2024/27 (NEW)</u></b></p> <p>Delivery of the Year 1 actions within the People and Organisational Development Strategy 2024/27.</p>	<p>Deliver the Pride of Inverclyde Employee Awards.</p> <p>Support the achievement of professional qualifications within the workforce and implement an improved approach to mandatory training courses.</p> <p>Review the new performance appraisal process (Positive Conversations).</p>	<p>30/06/24</p> <p>31/03/25</p> <p>30/09/24</p>	<p>Workforce planning and management of change is facilitated by the effective use of employees.</p> <p>Employees will be supported with improved skills and knowledge to deliver corporate initiatives.</p>	<p>Our employees are supported and developed.</p>

## Appendix 2

	What will be delivered?	How will this be delivered?	Due Date	What difference will it make?	Alignment to the Council Plan
		<p>Support managers to improve use of absence monitoring reporting.</p> <p>Implement the Mentoring Scheme and evaluate its impact.</p> <p>Provide guidance on the implementation of new/updated policies.</p> <p>Commence a review of the Conditions of Service and Pay and Grading Structure.</p> <p><b>Lead Officer:</b> Head of OD, Policy and Communications</p>	<p>30/06/24</p> <p>31/03/25</p> <p>31/03/25</p> <p>31/03/25</p>		
7.	<p><b><u>HR and Payroll System (NEW)</u></b> Implement an upgrade to the Human Resources and Payroll system.</p>	<p>Develop a Project Plan.</p> <p>Implement upgrade and associated testing.</p> <p>Develop training and user guides.</p> <p><b>Lead Officer:</b> Head of OD, Policy and Communications</p>	<p>30/09/24</p> <p>31/12/24</p> <p>31/12/24</p>	<p>More efficient processes that result in improved customer service.</p>	<p>High quality and innovative services are provided, giving value for money</p>
8.	<p><b><u>HR, OD&amp; Payroll Processes (NEW)</u></b> Update and improve Human Resources, Organisational Development and Payroll processes</p>	<p>Monitor the effectiveness of automation of processes through Victoria Forms.</p> <p>Undertake process mapping and identify and implement related improvements.</p>	<p>31/03/25</p> <p>31/03/25</p>	<p>More efficient processes that result in improved customer service.</p>	<p>High quality and innovative services are provided, giving value for money</p>

## Appendix 2

	What will be delivered?	How will this be delivered?	Due Date	What difference will it make?	Alignment to the Council Plan
		<p>Maximise use of Talentlink system in relation to contracts.</p> <p><b>Lead Officer:</b> Head of OD, Policy and Communications</p>	31/12/24		
9.	<p><b><u>Modernisation of the Council (NEW)</u></b></p> <p>Continue to progress projects that support the modernisation of the Council.</p>	<p>Report on the progress against the actions identified in the ICT and Digital strategies.</p> <p>Develop a Digital and Customer Service Strategy.</p> <p>Carry out a Digital Maturity exercise to benchmark the Council's position against peer authorities.</p> <p>Consider options to optimise use of Council buildings.</p> <p><b>Lead Officer:</b> Chief Executive / Head of Legal, Democratic, Digital and Customer Services</p>	<p>31/07/24</p> <p>31/10/24</p> <p>31/03/25</p> <p>31/03/26</p>	<p>Efficiency and effectiveness of the Council's services is improved along with improved customer/citizen experiences.</p>	<p>High quality and innovative services are provided, giving value for money</p>
10.	<p><b><u>Governance Documents (NEW)</u></b></p> <p>Refresh the key Inverclyde Council governance documents.</p>	<p>Renewal of the Financial Regulations</p> <p>Review of Standing Orders for Contracts</p>	<p>31/03/26</p> <p>31/03/26</p>	<p>The Council can demonstrate that it is operating in a transparent and accountable manner.</p>	<p>High quality and innovative services are provided, giving value for money</p>

## Appendix 2

	What will be delivered?	How will this be delivered?	Due Date	What difference will it make?	Alignment to the Council Plan
		Annual review of Standing Orders/Scheme of Administration and Scheme of Delegation  <b>Lead Officer:</b> Chief Financial Officer/ Head of Legal, Democratic, Digital and Customer Services	31/12/24		
11.	<u>Communication and Engagement Strategy (NEW)</u>  Review, prioritise and deliver key actions	Review strategy, identify priority actions for delivery in 2024-25 and progress delivery.  <b>Lead Officer:</b> Corporate Policy, Performance and Partnership Manager	31/03/25	The Strategy is meeting the needs of the organisation.  Council corporate 'brand' is in place.	High quality and innovative services are provided, giving value for money.



## Policy and Resources Annual Report Schedule

The following reports will be submitted to Committee on an annual basis:

- Equalities Mainstreaming Report
- Annual Report & Accounts
- Treasury Annual Report
- Governance of External Organisations
- FOI Annual Report
- Complaints Annual Report
- RIPSAs Annual Report
- Data Protection Annual Report
- Workforce Information Activity Annual Report
- People & Organisation Development Annual Report
- Employee Survey Plan (3 yearly)
- Equality Mainstreaming Report 2023, Equality Outcomes 2021/25 and the Equal Pay Statement 2023 (every two years)

## Policy and Resources: Policy &amp; Strategy Review Register

## 2024

Name of Policy / Strategy	Lead Officer	Service Area	Date of next planned review
People and Organisational Development Strategy	Service Manager	OD&HR	March 2024(combined with H&W Strategy)
Health and Wellbeing Strategy	Service Manager	OD&HR	March 2024(combined with POD)
Treasury Policy Statement	Chief Financial Officer	Finance	March 2024 (full Council April 2024)
Discretionary Non-Domestic Rates Relief	Service Manager	Revenues and Benefits	May 2024
Code of Conduct (Employees)	Service Manager	OD&HR	June 2024
Confidential Reporting Policy (Whistleblowing)	Service Manager	OD&HR	June 2024
Dignity and Respect at Work Policy	Service Manager	OD&HR	June 2024
Grievance Policy	Service Manager	OD&HR	June 2024
Domestic Abuse Policy	Service Manager	OD&HR	June 2024
Equality and Diversity	Service Manager	OD&HR	June 2024
Violence, Managing Aggression and Lone Working in the Workplace	Team Leader	Health & Safety	June 2024
Financial Strategy 2024/34	Chief Financial Officer	Finance	June and December 2024
Policy for the retention and disposal of documents and records, paper and electronic	Legal Services Manager	Legal (Information Governance)	August 2024
Short Term Lets Policy	Legal Services Manager	Legal (Licensing)	June 2024
ICT Strategy	Service Manager	ICT & Customer Services	June 2024
Digital Strategy	Service Manager	ICT & Customer Services	June 2024

## Appendix 2

<b>Name of Policy / Strategy</b>	<b>Lead Officer</b>	<b>Service Area</b>	<b>Date of next planned review</b>
Discipline Policy	Service Manager	OD&HR	September 2024
Overpayment of Wages	Service Manager	OD&HR	September 2024
Recruitment & Selection Policy	Service Manager	OD&HR	September 2024
Redeployment Policy	Service Manager	OD&HR	September 2024
Relocation Policy	Service Manager	OD&HR	September 2024
Supporting Employee Attendance Policy	Service Manager	OD&HR	September 2024
Anti Fraud, Corruption and Irregularity Policy	Chief Internal Auditor	Internal Audit	September 2024
Sexual Entertainment Policy	Legal Services Manager	Legal (Licensing)	October 2024
Unacceptable Actions Policy	Legal Services Manager	Legal (Information Governance)	November 2024
Policy and Procedures for Authorisation of Covert Surveillance and Covert Human Intelligence Services (RIPSA)	Legal Services Manager	Legal (Information Governance)	November 2024
Petitions Criteria	Legal Services Manager	Legal (Committee Services)	December 2024
Licensing Board Gambling Policy Statement	Legal Services Manager	Legal (Licensing)	December 2024
Family Friendly Policy	Service Manager	OD&HR	December 2024
Job Evaluation Maintenance of the Scheme	Service Manager	OD&HR	December 2024
Media and Social Media Protocol	Service Manager	Corporate Policy, Performance and Communications	December 2024
Reservist Policy	Service Manager	OD&HR	December 2024

## Appendix 2

<b>Name of Policy / Strategy</b>	<b>Lead Officer</b>	<b>Service Area</b>	<b>Date of next planned review</b>
Infection Control	Team Leader	Health & Safety	2024
First Aid	Team Leader	Health & Safety	2024
Moving and Handling	Team Leader	Health & Safety	2024
Workplace Transport and Occupational Road Risk	Team Leader	Health & Safety	2024

### 2025

<b>Name of Policy / Strategy</b>	<b>Lead Officer</b>	<b>Service Area</b>	<b>Date of next planned review</b>
Menopause Policy	Service Manager	OD&HR	2025
Pension & Retirement Policy	Service Manager	OD&HR	2025
Voluntary Severance Policy	Service Manager	OD&HR	2025
Construction Design and Management Regulations	Team Leader	Health & Safety	2025
Smoke Free Policy	Team Leader	Health & Safety	2025
Capital Strategy 2025/35, Treasury Management Strategy Statement & Annual Investment Strategy 23/24-26/27	Chief Financial Officer	Finance	March 2025 (full Council April 2025)
Information Classification Policy	Legal Services Manager	Legal (Information Governance)	March 2025
Performance Management Framework	Service Manager	Corporate Policy, Performance and Communications	September 2025
Acceptable Use of Information Systems Policy	Legal Services Manager	Legal (Information Governance)	November 2025






## 2026

<b>Name of Policy / Strategy</b>	<b>Lead Officer</b>	<b>Service Area</b>	<b>Date of next planned review</b>
Non-Domestic Rates – Empty Property Relief	Service Manger	Revenues and Benefits	February 2026
Discretionary Housing Payment	Service Manger	Revenues and Benefits	February 2026
Reserves Policy	Chief Financial Officer	Finance	April 2026
Data Protection Policy	Legal Services Manager	Legal (Information Governance)	May 2026
Records Management Policy	Legal Services Manager	Legal (Information Governance)	August 2026
Flexible Working Policy	Service Manager	OD&HR	September 2026
Risk Management Strategy	Head of Legal, Democratic, Digital and Customer Services	Legal (Information Governance)	November 2026
Corporate Debt Policy	Service Manger	Revenues and Benefits	December 2026









## Policy and Resources Key Performance Indicators

The performance of these key performance indicators will be monitored over the lifetime of the Plan. Depending on the data source, new performance data will be provided to the Committee within the performance reports as it becomes available. In the case of national data, this is likely to be annually, however service performance data will be presented to the Committee more frequently.





The latest performance data for reporting year 2023/24 is provided below where data is available. Where it is not yet available, the 'latest status' icon relates to performance achieved in the previous year.





Key Performance Measures	Performance				Latest Status	Target 2024/25	Comment	Frequency of reporting
	2020/21	2021/22	2022/23	2023/24				
Total useable reserves as a % of Council annual budgeted income (LGBF)	26.9%	23.7%	17%	LGBF data due to be published November		27.0%	2022/23 Scottish average 24.5% Family group average 26.5%  Next LGBF update: Nov '24	Annual
Uncommitted General Fund Balance as a % of annual budgeted net revenue (LGBF)	2.5%	2.3%	3.5%	LGBF data due to be published November		2.0%	2022/23 Scottish average: 3.2% Family group average: 1.8% Next LGBF update: Nov '24	Annual
Ratio of Financing Costs to Net Revenue Stream (LGBF)	12.3%	10.2%	9.7%	LGBF data due to be published November		9.55%	2022/23 Scottish average: 5.4% Family group average: 5.3%  Next LGBF update: Nov '24	Annual
Actual outturn as a % of budgeted expenditure	98.7%	99.4%	98%	LGBF data due to be published November		99.5%	2022/23 Scottish average: 98.6% Family group average: 98.2%  Next LGBF update: Nov '24	Annual
Gender pay gap (LGBF)	7.39%	6.6%	4.4%	Available Aug 2024		4.2%	2022/23	Annual

## Appendix 2

Key Performance Measures	Performance				Latest Status	Target 2024/25	Comment	Frequency of reporting
	2020/21	2021/22	2022/23	2023/24				
							Family Group: 2% Scotland: 2.5% Next LGBF update: Sept '24	
Percentage of the population with an active Community Council	62.95%	62.95%	62.95%	84.72%		100%	Figures to 22/23 based upon 2018 population figures. 23/24 figure is based on 2022 population figure and is position following February 2024 community council elections	Annual
Council Tax in year collection level	94.4%	95.5%	95.9%	94.7%*		95%	* Draft out-turn subject to audit	Quarterly
Percentage of invoices sampled that were paid within 30 days	96.84%	95.5%	96.15%	96.08%		95.5%		Quarterly
Sickness absence (total number of FTE days lost)	6.9 days	8.3 days	11.1 days	11.3 days		9 days		Quarterly
Employee turnover	7.17%	10.09%	11.6%	13.1%		12%		Quarterly
Corporate Training Courses Attended	110	211	549	575		500		Quarterly
Society for Innovation, Technology and Modernisation (Socitm) accessibility score (Council website)	March 2021 87 (good)	March 2022 90 (excellent)	March 2023 94 (excellent)	March 2024 95 (excellent)		95 (excellent)		Quarterly
% of Freedom of Information and Environmental Information Regulations	2020 80%	2021 80%	2022 91%	2023 93.9%		92%	Full year data is reported annually to P&R Committee	Quarterly

## Appendix 2

Key Performance Measures	Performance				Latest Status	Target 2024/25	Comment	Frequency of reporting
	2020/21	2021/22	2022/23	2023/24				
requests that were responded to within statutory timescales								
Number of complaints received per 1,000 population	3.5	4.1	4	3.7		4		Quarterly
The number of data breaches notified to the Information Commissioner's Office (ICO)	2	3	2	1		2	Full year data is reported annually to P&R Committee	Quarterly
Percentage of transactions dealt with through the Council's Customer Service Centre portal that are digital	2020 65%	2021 66%	2022 71%	2023 67%		2024 75%		Quarterly
Number of RIDDOR incidents (Reporting of injuries, diseases and dangerous occurrences regulations 2013) per 100,000 employees	651	281	290	422		240	* While a target of zero RIDDOR incidents is the aim, this can encourage nonreporting of incidents which can result in failure to meet our legal requirement to report	Quarterly

PI Status	
	Performance is adrift of target by 5% or more
	Performance is below target, but is within a set tolerance level (between 0%-5%)
	Performance is at target level or higher
	Performance is being monitored but no target has been set (data only PI)



## Policy and Resources Risk Management

Risk management is an integral part of corporate governance and sound management. The effective identification, assessment and management of risk is key to helping Inverclyde Council be successful in delivering its objectives, whilst protecting the interests of their stakeholders.

The highest risks to the Committee were reviewed in April 2024 and are presented below:

Risk No	*Description of RISK Concern (x,y,z)	IMPACT Rating (A)	L'HOOD Rating (B)	Quartile	Risk Score (A*B)	Change in Score	Current Controls	Who is Responsible? (name or title)	Additional Controls/Mitigating Actions & Time Frames with End Dates	Review Date
<b>Corporate Finance Service (incorporating cross service risks)</b>										
1	<p><b>Financial Risk</b></p> <p>Due to a combination of inflationary pressures, reduction in turnover and the use of windfall savings in prior years, it is anticipated that in 2024/25 it will be challenging for the Committee to remain within its Revenue Budget. In the event an overspend is projected then, in line with the Council's Governance requirements, the Committee will need to take action to reduce the overspend in -year and this would likely impact on service levels, delays in filling vacancies and delivery of aspects of the Committee and Service Plans</p>	4	4	1	16	No Change	<ul style="list-style-type: none"> <li>- Detailed budget exercise with a process for identifying future pressures.</li> <li>- Inflation contingency which can be accessed to fund some non-pay Inflation pressures</li> <li>- Monthly budget monitoring attended by Heads of Service and key budget Holders.</li> <li>- Bi-Monthly reporting and review of employee costs and key budget lines by CMT and regular review by DMTs</li> <li>- Opportunities for virement and reprioritisation of spend</li> </ul>	Chief Executive / Heads of Service	Early identification and consideration by DMT of how any overspends could be addressed with timely consideration at CMT, Committee and Trades Unions.	Oct-24

## Appendix 2

Risk No	*Description of RISK Concern (x,y,z)	IMPACT Rating (A)	L'HOOD Rating (B)	Quartile	Risk Score (A*B)	Change in Score	Current Controls	Who is Responsible? (name or title)	Additional Controls/Mitigating Actions & Time Frames with End Dates	Review Date
2	<b>People Risk</b> Recruitment and retention of suitably qualified and experienced staff	4	4	1	16	No change	<p>Attractive working practices such as Flexible Working Policy</p> <p>Supporting employees to undertake professional qualifications</p> <p>Availability of employee benefits such as additional voluntary contributions</p> <p>Supportive working practices including Positive Conversations and Mentoring Scheme</p> <p>Implementation of health and wellbeing initiatives and Occupational Health provision</p> <p>Use of modern apprenticeship training schemes.</p>	Director / Heads of Service	<ul style="list-style-type: none"> <li>- Refreshed recruitment process</li> <li>- High quality support to staff through HR policies and line management support outlined in the People and Organisational Development Strategy 2024-27</li> <li>- Reductions in the use of temporary posts</li> <li>- Review of the Conditions of Service and Pay and Grading Structure</li> </ul>	Oct-24
3	<b>Partnership Risk</b> The risk that we do not get the assurance from our partners that is required or that a major partner "fails" (Partnership/Access)	3	3	3	9	-3* (was 12)	<p>Regular Financial governance reviews and report on its effectiveness.</p> <p>Major partnership board presence.</p> <p>Regular meetings formal and informal; Papers; Briefings Annual reports to relevant Strategic Committee Annual Review reported to Committee</p>	Chief Financial Officer/CMT	<ul style="list-style-type: none"> <li>- Highlight concerns at an early stage to CMT and relevant Directors.</li> <li>- Support Directors at Governance meeting.</li> </ul>	Oct-24

## Appendix 2

Risk No	*Description of RISK Concern (x,y,z)	IMPACT Rating (A)	L'HOOD Rating (B)	Quartile	Risk Score (A*B)	Change in Score	Current Controls	Who is Responsible? (name or title)	Additional Controls/Mitigating Actions & Time Frames with End Dates	Review Date
							Financial checks reviewed as part of review of Governance review.			

\* Change in risk score reflects that a strengthened approach to managing arrangements with external partners has been implemented.

### Legend

- Red - Very High Risk, score between 16-25: Requires Active Management**  
 High impact/high likelihood: risk requires active management to manage down and maintain exposure at an acceptable level.
- Amber - High Risk score between 10-15: Contingency Plans**  
 A robust contingency plan may suffice together with early warning mechanisms to detect any deviation from plan.
- Yellow – Medium Risk, score between 5 – 9: Good Housekeeping**  
 May require some risk mitigation to reduce likelihood if this can be done cost effectively, but good housekeeping to ensure the impact remains low should be adequate. Reassess frequently to ensure conditions remain the same.
- Green – Low Risk, score between 1-4: Review Periodically**  
 Risks are unlikely to require mitigating actions, but status should be reviewed frequently to ensure conditions have not changed.

### Monitoring and Reporting

Inverclyde Council is committed to ensuring that accountability, transparency and openness is embedded throughout the organisation and in our public performance reporting.

Progress on the delivery of this Plan is monitored using the Council's performance management system, Pentana, which monitors Actions, KPIs and Risks. Progress reports will continue to be presented to every second Committee meeting for scrutiny and published on the Council's website.

These reports and a range of other performance information is published here:  
<https://www.inverclyde.gov.uk/council-and-government/performance>

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<b>Report To:</b>	<b>Policy and Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Head of OD, Policy and Communications</b>	<b>Report No:</b>	<b>PR/20/24/LL/KM</b>
<b>Contact Officer:</b>	<b>Rhoda Braddick</b>	<b>Contact No:</b>	<b>01475 712146</b>
<b>Subject:</b>	<b>Local Government Benchmarking Framework 2022/23</b>		

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## **1.0 PURPOSE AND SUMMARY**

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this report is to provide the Committee with details of Inverclyde Council's Local Government Benchmarking Framework (LGBF) performance in 2022/23. The key messages from the LGBF National Benchmarking Overview Report are also summarised for the information of the Committee.
- 1.3 Performance data for 2022/23 is provided for a total of 95 measures (excluding housing). Three new indicators have been added to the Climate Change section of the framework, reflecting the Improvement Service's strategic priorities. Appendix 1 presents information on Inverclyde Council's performance by LGBF theme, whilst Appendix 2 presents the data grouped by quartile position.
- 1.4 A dedicated Elected Member LGBF briefing will take place on 26<sup>th</sup> June 2024 to provide an additional opportunity for discussion and scrutiny.

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the Committee:
- Note the publication of LGBF data for 2022/23; and
  - Review Inverclyde Council's LGBF performance, as set out in the appendix.

**Morna Rae**  
**Head of OD, Policy and Communications**

### **3.0 BACKGROUND AND CONTEXT**

3.1 The Society of Local Authority Chief Executives (SOLACE) *Improving Local Government* initiative was developed to:

- support SOLACE to drive improvement in local government benchmarking;
- develop a comparative performance support framework for Scottish local authorities;
- support Councils to target transformational change in areas of greatest impact: efficiency, costs, productivity and outcomes; and
- focus on the big ticket areas of spend, plus corporate services.

3.2 This led to the creation of the Local Government Benchmarking Framework (LGBF), which brings together a wide range of information about how all Scottish Councils perform in delivering services to local communities.

3.3 A new approach to reporting the LGBF was introduced in spring 2023, with a move to an online interactive dashboard which provides access to data and analysis at an indicator, service, family group and Council level. One significant advantage of the dashboard is that new data is now added throughout the year as it becomes available, providing Councils with benchmarking information in a timelier manner.

3.4 The Committee previously considered a report on Inverclyde's LGBF performance 2022/23 at its meeting on 21 November 2023. At that time, new data had been published for 38 measures within the framework and details of performance were included within the Inverclyde Council Annual Performance Report 2022/23.

### **3.5 LGBF 2022/23 NATIONAL OVERVIEW**

3.6 The most recent LGBF refresh was carried out at the end of April 2024. New benchmarking data is now available for a total of 95 of the 102 measures within the framework (excluding housing).

3.7 To provide a better understanding of what is affecting performance across Councils, an 'LGBF National Overview Report' is published by the Improvement Service annually. The 2022/23 report contains the following key messages:

- Council funding levels have not kept pace with increased demand, growing need and rising cost pressures. This has coincided with new burdens and additional policy commitments, with the funding for these being ring fenced and eroded by inflation.
- The financial gap between Councils' income and expenditure has increased by over a third in 2022/23. A solution is urgently required to the long-term issues of sustainable funding for Councils and greater local financial flexibility.
- Councils are facing increasingly difficult decisions in relation to their spending priorities and coping with multi-faceted workforce capacity pressures, at the same time as communities are experiencing increased poverty and hardship. These pressures pose real risks to the future sustainability of vital services.
- The data provides clear evidence of current system pressures in social care nationally, with significant capacity issues resulting in the delivery of fewer hours of care at home, fewer people receiving personal care at home and increasing delayed discharges. This adds to growing concerns about the levels of unmet need.
- A sustained commitment to the 'whole system' of population health is required, including investment in vital preventative and early intervention services Councils provide.
- The cost-of-living crisis is adding pressures that will exacerbate the impact of the pandemic on children. Areas such as pupil attendance and development of pre-school

children remain lower than pre-Covid levels and show signs of decline. Mental health issues in children and young people have accelerated in the last three years.

- In 2022/23, for the first time, the rate of decline has overtaken the rate of improvement in terms of LGBF performance across the whole framework (45% and 43% respectively). There is a danger that improvement and progress achieved so far could be lost.

### **INVERCLYDE COUNCIL'S LGBF PERFORMANCE 2022/23**

3.8 Inverclyde Council's LGBF performance data is presented by LGBF theme in Appendix 1. Benchmarking data for the family group and Scottish averages is also provided along with the national ranking. Appendix 2 presents the performance data for each measure by quartile grouping. It is important to monitor performance over time as a measure can rank in a lower quartile, yet performance can be improving and vice versa.

3.9 Inverclyde's LGBF performance should be understood in the context of local pressures which mirror those at a national level such as reduced financial resources to meet the needs of an ageing population; the cost-of-living crisis disproportionately affecting those in our communities already experiencing high levels of poverty and deprivation and health outcomes that were already poorer than the Scottish average prior to the pandemic.

3.10 Of the 95 measures presented within this report:

- 29 (31%) measures have a ranking that falls in quartile one (1-8).
- 28 (29%) measures have a ranking that falls in quartile two (9-16).
- 19 (20%) measures have a ranking that falls in quartile three (17-24).
- 19 (20%) measures have a ranking that falls in quartile four (25-32).

In 2022/23, 60% of all measures ranked in quartiles one and two combined, in comparison to 64% in 2021/22 (n.b. this followed the Spring 2023 refresh, where performance data was available for 99 measures).

3.11 Performance changes between 2021/22 and 2022/23 - Quartiles one and two (rank 1-16)

When comparing performance in 2022/23 with the previous year, of the 57 measures that rank in quartile one and two:

- 27 (47%) measures have improved in performance compared to the previous year.
- 27 (47%) measures have declined in performance compared to the previous year.
- 3 (5%) measures have remained the same.

Performance changes between 2021/22 and 2022/23 - Quartiles three and four (rank 17-32)

When comparing performance in 2022/23 with the previous year, of the 38 measures that rank in quartile three and four:

- 13 (34%) measures have improved in performance compared to the previous year.
- 25 (66%) measures have declined in performance compared to the previous year.

3.12 Paragraphs 3.14 to 3.17 highlight performance changes of note, with a focus on those PIs that have not previously been reported to the Committee. It is worth noting that when considering changes in levels of public satisfaction, the Improvement Service states in its National Overview Report 2022/23, that a decline in satisfaction levels is evident for almost all Councils in Scotland and that this is true for all service areas, with the exception of parks and open spaces. A further important consideration is that these trends, which are taken from the Scottish Household Survey,

relate to satisfaction for the public at large, rather than for service users. Satisfaction rates for service users tend to be consistently higher than those reported by the general population.

3.13 It should also be noted that a number of the measures relate to service costs. These should be understood in the context of policy decisions on the quality of service provision.

### 3.14 **Children's Services**

The percentage of P1, P4 and P7 (combined) achieving expected Curriculum for Excellence levels in both literacy and numeracy improved in 2022/23, with performance in both higher than the Scottish and family group average.

The percentage of funded early years which is graded good or better also improved, rising from 83.3% in 2021/22 to 93.5% in 2022/23, moving Inverclyde's ranking from 31 to 9.

The cost per primary and secondary school pupil decreased compared to the previous year, which improved the ranking for both, whilst the cost per per-school education place increased, moving the Council's ranking from 25 to 28.

The average tariff scores decreased across SIMD quintiles 1 to 5 in 2022/23. The literacy attainment gap widened between 2021/22 and 2022/23, from 20.6pp to 24.9pp which resulted in Inverclyde's national ranking moving from 9 to 23, however there was a slight narrowing of the numeracy attainment gap, falling from 17.3pp to 16.3pp, the national ranking remained unchanged at 11.

Satisfaction data for the percentage of adults satisfied with schools (2020/23) shows a decrease in local satisfaction levels, falling from 76.7% (2019/22) to 73.7% (2020/23), which is the same as the national average, but slightly higher than the family group average.

Reflecting a downward national trend, school attendance rates (per 100 pupils) in 2022/23 in Inverclyde decreased slightly from 92.3% to 91%. Attendance levels however were higher than the Scottish and family group average, ranking Inverclyde in the top quartile. There was a small increase in the school exclusion rate, rising from 13.3 to 15.7, however the exclusion rate in Inverclyde in 2022/23 was lower than the Scottish and family group average.

### 3.15 **Corporate Services and Corporate Assets**

Details of Inverclyde's performance for the vast majority of Corporate Services and Corporate Asset measures was considered by the Committee at its meeting on 21 November 2023. Data for one measure, 'Support services as a percentage of total gross expenditure' was not available at that point. New data shows a very small increase in the percentage of total gross expenditure spent on support services, increasing from 3.2% to 3.3%, which is lower than both the national and family group average.

### 3.16 **Adult Social Work**

Home care costs per hour for people aged 65 and over in Inverclyde increased from £43.28 in 2021/22 to £48.08 in 2022/23. Despite the cost increase, Inverclyde's national ranking rose from 30 to 27.

There was an increase in SDS spend on adults as a percentage of the total adult social work spend, rising from 7.8% to 11.8%. SDS spend in 2022/23 reached its highest ever level, moving Inverclyde's ranking into the top quartile for the first time.



Residential costs per week, per resident, increased from £622 in 2021/22 to £733 in 2022/23. In comparison, the national and family group average costs both decreased over the same period. This increase in costs resulted in Inverclyde moving from the second quartile to the fourth quartile.

### 3.17 Culture and Leisure

Satisfaction levels with parks and open spaces and museums and galleries increased between 2019/22 and 2020/23, whilst satisfaction with libraries and leisure facilities fell, however satisfaction levels for both were higher than the family group average.

The cost of attendance at sport facilities and the cost per visit to the museum both decreased in 2022/23, however the cost per library visit and the cost of parks and open spaces, per 1,000 population both increased. The cost of parks and open spaces in Inverclyde continued to be higher than the national and family group average and were the fifth highest in Scotland in 2022/23.

### 3.18 Environmental Services and Climate Change

Three new indicators have been added to the Climate Change section of the LGBF7:

- CO<sub>2</sub> emissions from transport per capita
- CO<sub>2</sub> emissions from electricity per capita
- CO<sub>2</sub> emissions from natural gas per capita

As with the original LGBF climate change measures, there is a two-year lag in the publication of this data at a national level, which means that 2021/22 data is the most recently published. The data for these measures is obtained from Sustainable Scotland Network Annual Reports.

There was an increase in Inverclyde's emissions between 2020/21 and 2021/22 across all three areas of transport, electricity and natural gas. The highest increase was in emissions from transport which increased from 24.56t to 38.56t, the third highest level in Scotland.

The net cost of waste collection in Inverclyde continued to be one of the lowest in Scotland in 2022/23, ranking in fourth place. Waste collection costs decreased between 2021/22 and 2022/23, from £58.34 to £54.11. The cost of waste disposal however increased slightly from £108.02 to £111.25 over the same period, moving Inverclyde's ranking from 16 to 22.

The net cost of street cleaning also fell, from £23,177 in 2021/22 to £18,044 in 2022/23, but was higher than the national and family group average for the fifth year in a row.

Satisfaction levels with refuse collection in Inverclyde remained amongst the highest in Scotland, with a national ranking of 2. 91.3% of residents were satisfied with refuse collection services in 2020/23. Inverclyde has ranked in the top 3 Councils for this measure over the last three reporting periods. Satisfaction with street cleaning increased slightly from 67% in 2019/22 to 67.7% in 2020/23, placing Inverclyde in fifth position.

Satisfaction levels in Inverclyde were significantly higher than the family group average for both refuse collection (Inverclyde, 91.3% and FG 82.7%) and street cleaning (Inverclyde 67.7% and FG 56.1%).

There was a small decrease in the percentage of total household waste that was recycled in 2022/23, 47% compared to 48.5% in the previous year, which moved Inverclyde's ranking from 12 to 15.

### 3.19 Economic Development

The percentage of unemployed people assisted into work from Council operated/funded employability programmes reached its highest level in 2022/23, 35.9%, with Inverclyde ranking as the top performing Council in Scotland.

There was a significant increase in the level of investment in economic development and tourism per 1,000 population, rising from £147,109 to £244,185 - more than twice the national and family group averages. This increase in investment resulted in Inverclyde's ranking rising from 10 to 3 in 2022/23.

Although there was a decrease in 'immediately available land as a percentage of the total land allocated for employment purposes', falling from 80% in 2021/22 to 67.7% in 2022/23, Inverclyde's performance still places it in the top quartile, in fifth position.

## 4.0 PROPOSALS

- 4.1 The Committee is asked to review Inverclyde Council's LGBF performance 2022/23 and note the areas of high performance and also identify any performance concerns arising from the latest data.
- 4.2 The Committee is also asked to note that a dedicated LGBF performance briefing will be held on 26<sup>th</sup> June 2024.

## 5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

### 5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>With Effect from</b>	<b>Annual Net Impact</b>	<b>Virement From (If Applicable)</b>	<b>Other Comments</b>
N/A					

### 5.3 **Legal/Risk**

There are no legal implications associated with this report.

### 5.4 **Human Resources**

There are no human resources implications associated with this report.

### 5.5 **Strategic**

This latest benchmarking data demonstrates that Inverclyde Council continues to be a high performing Council. This supports the delivery of the following Council Plan Theme of Performance: 'High quality, innovative services are provided, giving value for money'.

## 6.0 **CONSULTATION**


6.1 None.

## 7.0 **BACKGROUND PAPERS**


7.1 None.

## APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>CHILDREN'S SERVICES</b>									
Ref	Title								
<b>CHN1</b>	Cost per primary school	£6,699	£7,321	£6,757	£6,841	£6,795	25	26	14
<b>CHN2</b>	Cost per secondary school pupil	£8,310	£8,895	£8,763	£8,495	£8,355	17	23	20
<b>CHN3</b>	Cost per pre-school education place	£12,157	£12,598	£14,104	£11,002	£12,683	27	25	28
<b>CHN4</b>	Percentage of pupils gaining 5+ awards at level 5	70%	69%	67%	66%	61%	16	12	11
<b>CHN5</b>	Percentage of pupils gaining 5+ awards at level 6	38%	40%	35%	38%	32%	20	10	14
<b>CNH6</b>	Percentage of pupils from deprived areas gaining 5+ awards at level 5	58%	58%	58%	50%	51%	7	5	4
<b>CNH7</b>	Percentage of pupils from deprived areas gaining 5+ awards at level 6	24%	26%	22%	22%	22%	9	4	8
<b>CHN 8a</b>	Gross cost of children looked after in residential based services per child, per week	£5,486	£3,912	£3,452	£4,804	£4,436	25	14	13
<b>CHN 8b</b>	Gross cost of children looked after in a community setting per child, per week	£265	£235	£342	£422	£359	3	3	9
<b>CHN9</b>	Proportion of children being looked after in the community	84%	86.3%	81.2%	89.2%	87.9%	25	21	26
<b>CHN10</b>	Percentage of adults satisfied with Schools	(2018/21) 78.7%	(2019/22) 76.7%	(2020/23) 73.7%	(2020/23) 73.7%	(2020/23) 72.8%	(2018/21) 11	(2019/22) 16	2020/23 21
<b>CHN11</b>	Proportion of pupils entering a positive destination	95.4%	94%	96.4%	95.9%	96.2%	18	29	9
<b>CHN12a</b>	Overall average total tariff	925	1022	855	915	848	19	8	22
<b>CHN12b</b>	Average total tariff SIMD quintile 1	737	810	688	658	669	6	3	8
<b>CHN12c</b>	Average total tariff SIMD quintile 2	909	970	715	781	808	7	5	20
<b>CHN12d</b>	Average total tariff SIMD quintile 3	941	1224	958	905	937	20	2	11


 Rank 1-16 (Q1 & Q2)


 Rank 17-24 (Q3)


 Rank 25 – 32 (Q4)

## APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>CHN12e</b>	Average total tariff SIMD quintile 4	1211	1249	1181	1051	1080	6	5	4
<b>CHN12f</b>	Average total tariff SIMD quintile 5	1268	1335	1210	1264	1198	17	10	15
<b>CNH13a</b>	% of P1, P4 and P7 achieving expected CFE level in literacy	67.9%	73.7%	76.4%	72.7%	72.8%	14	9	9
<b>CNH13b</b>	% of P1,P4 and P7 achieving expected CFE level in numeracy	74.5%	80.2%	83.3%	76.6%	79.4%	15	10	6
<b>CHN14a</b>	Literacy attainment gap (P1,P4,P7 combined) pp gap between most and least deprived	27.5pp	20.6pp	24.9pp	20.5pp	19.3pp	19	9	23
<b>CNH14b</b>	Numeracy attainment gap (P1,P4,P7 combined) pp gap between most and least deprived	28.6pp	17.3pp	16.3pp	17.0pp	16.3pp	25	11	11
<b>CHN17</b>	Proportion of children meeting developmental milestones	76.8%	74.3%	75.1%	82.1%	77.3%	32	31	29
<b>CHN18</b>	Percentage of funded early years provision which is graded good/better	93.3%	83.3%	93.5%	90.1%	90.1%	14	31	9
<b>CNH19a</b>	School attendance rates (per 100 pupils)	92.3%	-	91%	90.2%	89.5%	16	-	8
<b>CHN20</b>	School Exclusion rate (per 1,000 pupils)	13.3	-	15.7	16.6	17.9	19	-	15
<b>CHN21</b>	% of Participation Rate 16–19-year-olds	93.3%	93.8%	94.0%	94.3%	93.6%	12	8	22
<b>CHN22</b>	Proportion of child protection re-registrations within 18 months	3.4%	10.4%	0%	5.6%	6.5%	14	23	1
<b>CHN23</b>	Proportion of Looked After Children with more than one placement in the last year	16%	10%	14%	17.2%	15.2%	10	5	11
<b>CHN24</b>	% of Children Living in Poverty	18.2%	24.4%	dna	<b>(2020/21)</b> 22.6%	<b>(2021/22)</b> 26.7%	8	21	dna
<b>CULTURE AND LEISURE SERVICES</b>									
<b>C&amp;L1</b>	Cost per attendance at sports facilities	£10.61	£2.95	£2.62	£4.89	£5.65	3	6	6
<b>C&amp;L2</b>	Cost per library visit	£2.90	£2.66	£2.93	£2.81	£3.03	9	10	14


 Rank 1-16 (Q1 & Q2)

 Rank 17-24 (Q3)


 Rank 25 – 32 (Q4)

## APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>C&amp;L3</b>	Cost of museums per visit	£6.31	£4.35	£4.30	£3.07	£5.50	11	14	15
<b>C&amp;L4</b>	Cost of parks & open spaces per 1,000 population	£26,478	£29,319	£33,325	£23,417	£23,868	23	25	28
<b>C&amp;L05a</b>	Percentage of adults satisfied with Libraries	(2018/21) 76.5%	(2019/22) 74.3%	<b>(2022/23)</b> 70%	<b>(2022/23)</b> 71%	<b>(2022/23)</b> 64.5%	(2018/21) 15	(2019/22) 17	<b>(2020/23)</b> 20
<b>C&amp;L05b</b>	Percentage of adults satisfied with Parks and Open Spaces	(2018/21) 86.0%	(2019/22) 87.0%	<b>(2022/23)</b> 88.3%	<b>(2020/23)</b> 87.3%	<b>(2020/23)</b> 87.6%	(2018/21) 17	(2019/22) 19	<b>(2020/23)</b> 11
<b>C&amp;L05c</b>	Percentage of adults satisfied with Museums and Galleries	(2018/21) 59.6%	(2019/22) 59.7%	<b>(2020/23)</b> 63%	<b>(2020/23)</b> 71.3%	<b>(2020/23)</b> 58.9%	(2018/21) 22	(2019/22) 25	<b>(2020/23)</b> 20
<b>C&amp;L05d</b>	Percentage of adults satisfied with Leisure Facilities	(2018/21) 78.7%	(2019/22) 77.0%	<b>(2020/23)</b> 75.7%	<b>(2020/23)</b> 71%	<b>(2020/23)</b> 65.3%	(2018/21) 4	(2019/22) 7	<b>(2020/23)</b> 9
<b>ECONOMIC DEVELOPMENT</b>									
<b>ECON1</b>	Percentage of unemployed people assisted into work from council operated/ funded employability programmes	12.9%	35.3%	35.9%	12.9%	21.5%	4	7	1
<b>ECON2</b>	Cost per planning application	£8,817	£6,970	£7,973	£5,573	£5,524	30	29	28
<b>ECON3</b>	Time per business & industry planning application (weeks)	11	13.6	13.8	12	13.9	19	23	22
<b>ECON 4</b>	Proportion of procurement spent on local enterprises	25%	21.4%	24%	29.6%	21%	16	22	21
<b>ECON5</b>	Number of business gateway start ups	26.9	29.5	25.4	14.3	16.7	4	3	4
<b>ECON6</b>	Investment in Economic Development and Tourism per 1,000 population	£92,297	£147,109	£244,185	£114,160	£94,043	12	10	3
<b>ECON8</b>	Proportion of properties receiving Superfast Broadband	96.8%	97.1%	97.4%	95.5%	96.9%	9	11	17
<b>ECON9</b>	Town Centre Vacancy Rates	22%	9.2%	8.0%	12%	12.3%	32	13	9


 Rank 1-16 (Q1 & Q2)


 Rank 17-24 (Q3)


 Rank 25 – 32 (Q4)

## APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>ECON10</b>	Immediately available employment land as a % of total land allocated for employment purposes	80.1%	80.1%	67.1%	22.8%	37.5%	8	6	5
<b>ECON 11</b>	Gross Value Added (per capita)	£12,263	£13,820	£13,703	£27,039	£19,552	30	30	30
<b>ECON12a</b>	Claimant count as % of working age population	6.4%	5.3%	3.9%	3.2%	4%	22	26	27
<b>ECON12b</b>	Claimant count as % of 16-24 year old population	8.2%	6.4%	4.8%	3.5%	4.5%	23	28	29
<b>ENVIRONMENTAL SERVICES</b>									
<b>ENV1a</b>	Net cost of waste collection per premise	£53.65	£58.34	£54.11	£75.51	£72.09	6	8	4
<b>ENV2a</b>	Net cost of waste disposal per premise	£113.70	£108.02	£111.25	£95.21	£89.15	16	16	22
<b>ENV3a</b>	Net cost of street cleaning per 1,000 population	£22,261	£23,177	£18,044	£14,255	£14,150	30	30	25
<b>ENV3C</b>	Street Cleanliness Score	89.9%	85.1%	83.9%	90.6%	86.4%	22	29	31
<b>ENV 4a</b>	Cost of roads per kilometre	£17,066	£23,842	£24,824	£12,940	£16,941	24	29	29
<b>ENV04b</b>	% A Class Roads which should be considered for treatment	(2019/21) 20.8%	(2020/22) 16.7%	<b>(2021/23)</b> 16.0%	<b>(2021/23)</b> 27.4%	<b>(2021/23)</b> 22.4%	(2019/21) 7	(2020/22) 2	<b>(2021/23)</b> 4
<b>ENV04c</b>	% B Class Roads which should be considered for treatment	(2019/21) 34.7%	(2020/22) 30.4%	<b>(2021/23)</b> 26.9%	<b>(2021/23)</b> 31.5%	<b>(2021/23)</b> 26.8%	(2019/21) 21	(2020/22) 20	<b>(2021/23)</b> 14
<b>ENV04d</b>	% C Class Roads which should be considered for treatment	(2019/21) 38.9%	(2020/22) 36.4%	<b>(2021/23)</b> 36.7%	<b>(2021/23)</b> 32.7%	<b>(2021/23)</b> 32.0%	(2019/21) 25	(2020/22) 24	<b>(2021/23)</b> 24
<b>ENV04e</b>	% U Class Roads which should be considered for treatment	(2017/21) 35.9%	(2018/22) 33.5%	<b>(2019/23)</b> 31.7%	<b>(2019/23)</b> 36.4%	<b>(2019/23)</b> 34.9%	(2017/21) 17	(2018/22) 14	<b>(2019/23)</b> 12
<b>ENV 5</b>	Cost of Trading Standards and Environmental Health	£26,308	£120,750	£26,675	£22,682	£20,425	26	32	25
<b>ENV5a</b>	Cost of Trading Standards, Money Advice & Citizen Advice per 1000	£3,882	£3,666	£3,860	£7,340	£6,353	8	7	6


 Rank 1-16 (Q1 & Q2)

 Rank 17-24 (Q3)


 Rank 25 – 32 (Q4)

## APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>ENV5b</b>	Cost of environmental health per 1,000 population.	£22,430	£117,081	£22,816	£15,340	£14,073	28	32	27
<b>ENV6</b>	Percentage of total household waste arising that is recycled	37.1%	48.5%	47.0%	43.3%	49.3%	22	12	15
<b>ENV07a</b>	Satisfaction with Refuse Collection	(2018/21) 88.4%	(2019/22) 92.3%	<b>(2020/23)</b> 91.3%	<b>(2020/23)</b> 78%	<b>(2020/23)</b> 82.7%	(2018/21) 3	(2019/22) 1	<b>(2020/23)</b> 2
<b>ENV07b</b>	Satisfaction with Street Cleaning	(2018/21) 66.9%	(2019/22) 67.0%	<b>(2020/23)</b> 67.7%	<b>(2020/23)</b> 58.3%	<b>(2020/23)</b> 56.1%	(2018/21) 11	(2019/22) 9	<b>(2020/23)</b> 5
<b>FINANCIAL SUSTAINABILITY SERVICES</b>									
<b>FINSUS1</b>	Total useable reserves as a % of council annual budgeted revenue	26.9%	23.7%	17.0%	24.5%	26.6%	10	16	27
<b>FINSUS2</b>	Uncommitted General Fund Balance as a % of council annual budgeted net revenue	2.5%	2.3%	3.5%	3.2%	1.8%	20	21	7
<b>FINSUS3</b>	Ratio of financing costs to net revenue stream- General Fund	12.3%	10.2%	9.7%	5.4%	5.3%	32	31	32
<b>FINSUS5</b>	Actual outturn as a % of budgeted expenditure	98.7%	99.4%	98.0%	98.6%	98.2%	17	14	18
<b>CORPORATE SERVICES</b>									
<b>CORP1</b>	Support services as a % of total gross expenditure	3.4%	3.2%	3.3%	4.0%	4.2%	9	8	9
<b>CORP03b</b>	% of highest paid 5% of employees who are women	62.4%	60%	60%	58.9%	59.6%	3	11	14
<b>CORP03c</b>	Gender pay gap	7.4%	6.6%	4.4%	2.5%	2.0%	30	29	23
<b>CORP04</b>	Cost per dwelling of collecting Council Tax	£10.02	£9.54	£11.62	£6.84	£8.47	26	27	29
<b>CORP06a</b>	Sickness absence days (teacher)	3.5	4.4	6.8	6.8	6.4	8	2	16
<b>CORP06a</b>	Sickness absence days (non-teacher)	8.0	8.8	11.3	13.2	14.0	5	2	6

 Rank 1-16 (Q1 & Q2)


 Rank 17-24 (Q3)

 Rank 25 – 32 (Q4)




## APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>CORP07</b>	% of Income due from Council Tax Received by end of the year	94.4%	95.7%	95.9%	96.2%	95.2%	22	20	21
<b>CORP08</b>	% Invoices Sampled that were paid within 30 days	95.5%	94.2%	95.1%	90.6%	90.3%	7	10	4
<b>CORP 09</b>	Proportion of SWF crisis grant decisions within 1 day	100%	99.8%	100%	91.8%	94.6%	1	2	1
<b>CORP 10</b>	Proportion of SWF Community Care Grant decisions within 15 days	100%	99.5%	99.5%	87.3%	88%	1	4	3
<b>CORP 11</b>	Proportion of SWF budget spent	85.7%	112.9%	108.6%	130%	106%	13	13	21
<b>CORP 12</b>	Proportion of DHP funding spent	96.3%	89.2%	97.6%	94.4%	95%	14	16	10
<b>CORPORATE ASSET</b>									
<b>CORP ASSET1</b>	% of operational buildings suitable for current use	92.4%	92.4%	94.1%	86.1%	89.2%	7	7	7
<b>CORP ASSET2</b>	% of operational buildings in satisfactory condition	87.8%	92.6%	93.3%	89.7%	91.8%	21	14	10
<b>ADULT SOCIAL WORK</b>									
<b>SW01</b>	Home care costs per hour for people aged 65 or over	£37.39	£43.28	£48.08	£30.45	£42.92	24	30	27
<b>SW02</b>	SDS spend: Direct Payments + Managed Personalised Budgets spend on adults 18+ as a percentage of total social work spend	4.8%	7.8%	11.8%	8.7%	7.2%	17	10	4
<b>SW03a</b>	% of people aged 65 or over with long-term care needs receiving personal care at home	66.1%	67.3%	65.0%	61.5%	64.4%	11	8	8
<b>SW05</b>	Residential costs per week per resident for people aged 65 or over	£559	£622	£733	£684	£688	9	10	27
<b>SW06</b>	Rate of Readmission to hospital within 28 days per 1,000 discharges	96.7	90.6	78.4	101.7	104.1	5	8	5


 Rank 1-16 (Q1 & Q2)

 Rank 17-24 (Q3)


 Rank 25 – 32 (Q4)

**APPENDIX 1 – PERFORMANCE PRESENTED BY LGBF THEME**

		Performance			Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23			2020/21	2021/22	2022/23
<b>SW07</b>	% of adult care services graded good or better	87%	85.1%	80%	75%	78.6%	13	6	11
<b>SW08</b>	Number of days people spend in hospital when they are ready to be discharged per 1,000 population	151	291	460	919	946	5	7	7
<b>TACKLING CLIMATE CHANGE</b>									
<b>CLIM01</b>	CO2 Emissions per Capita	3.67t	3.95t	dna	<b>(2021/22)</b> 5.1t	<b>(2021/22)</b> 5.5t	9	7	dna
<b>CLIM02</b>	CO2 Emissions per Capita (within scope of LA)	3.76t	4.04t	dna	<b>(2021/22)</b> 4.57t	<b>(2021/22)</b> 4.36t	11	11	dna
<b>CLIM03</b>	CO2 emissions from transport per capita	24.56t	38.56t	dna	26.81	21.4	22	30	dna
<b>CLIM04</b>	CO2 emissions from electricity per capita	35.91t	38.09t	dna	46.05	41.54	7	6	dna
<b>CLIM05</b>	CO2 emissions from natural gas per capita	62.8t	69.4t	dna	57.2	58.7	20	22	dna

 Rank 1-16 (Q1 & Q2)

 Rank 17-24 (Q3)

 Rank 25 – 32 (Q4)

## APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP

## Quartile 1

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
<b>CHN6</b>	% of pupils from deprived areas gaining 5+ awards at level 5	58%	58%	58%	-	50%	51%	7	5	4
<b>CHN7</b>	% of pupils from deprived areas gaining 5+ awards at level 5	24%	26%	22%	↓	22%	22%	9	4	8
<b>CHN12b</b>	Average total tariff SIMD quintile 1	737	810	688	↓	658	669	6	3	8
<b>CHN12e</b>	Average total tariff SIMD quintile 4	1211	1249	1181	↓	1051	1080	6	5	4
<b>CHN13b</b>	% of P1,P4 and P7 achieving expected CFE level in numeracy	74.5%	80.2%	83.3%	↑	76.6%	79.4%	15	10	6
<b>CHN19a</b>	School attendance rates (per 100 pupils)	92.3%	-	91%	↓	90.2%	89.5%	16	-	8
<b>CHN22</b>	Proportion of child protection re-registrations within 18 months	3.4%	10.4%	0%	↑	5.6%	6.5%	14	23	1
<b>C&amp;L1</b>	Cost per attendance at sports facilities	£10.61	£2.95	£2.62	↑	£4.89	£5.65	3	6	6
<b>ECON1</b>	Percentage of unemployed people assisted into work from council operated/ funded employability programmes	12.9%	35.3%	35.9%	↑	12.9%	21.5%	4	7	1
<b>ECON5</b>	Number of business gateway start ups	26.9	29.5	25.4	↓	14.3	16.7	4	3	4
<b>ECON6</b>	Investment in Economic Development and Tourism per 1,000 population	£92,297	£147,109	£244,185	↑	£114,160	£94,043	12	10	3
<b>ECON10</b>	Immediately available employment land as a % of total land allocated for employment purposes	80.1%	80.1%	67.1%	↓	22.8%	37.5%	8	6	5

## APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP

## Quartile 1

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
ENV1a	Net cost of waste collection per premise	£53.65	£58.34	£54.11	↑	£75.51	£72.09	6	8	4
ENV04b	% A Class Roads which should be considered for treatment	(2019/21) 20.8%	(2020/22) 16.7%	(2021/23) 16.0%	↑	(2021/23) 27.4%	(2021/23) 22.4%	(2019/21) 7	(2020/22) 2	(2021/23) 4
ENV5a	Cost of Trading Standards, Money Advice & Citizen Advice per 1000	£3,882	£3,666	£3,860	↓	£7,340	£6,353	8	7	6
ENV07a	Satisfaction with Refuse Collection	(2018/21) 88.4%	(2019/22) 92.3%	(2020/23) 91.3%	↓	(2020/23) 78%	(2020/23) 82.7%	(2018/21) 3	(2019/22) 1	(2020/23) 2
ENV07b	Satisfaction with Street Cleaning	(2018/21) 66.9%	(2019/22) 67.0%	(2020/23) 67.7%	↑	(2020/23) 58.3%	(2020/23) 56.1%	(2018/21) 11	(2019/22) 9	(2020/23) 5
FINSUS2	Uncommitted General Fund Balance as a % of council annual budgeted net revenue	2.5%	2.3%	3.5%	↑	3.2%	1.8%	20	21	7
CORP06a	Sickness absence days (non-teacher)	8.0d	8.8d	11.3d	↓	13.2d	14d	5	2	6
CORP08	% Invoices Sampled that were paid within 30 days	95.5%	94.2%	95.1%	↑	90.6%	90.3%	7	10	4
CORP 09	Proportion of SWF crisis grant decisions within 1 day	100%	99.8%	100%	↑	91.8%	94.6%	1	2	1
CORP 10	Proportion of SWF Community Care Grant decisions within 15 days	100%	99.5%	99.5%	-	87.3%	88%	1	4	3
CORP ASSET1	% of operational buildings suitable for current use	92.4%	92.4%	94.1%	↑	86.1%	89.2%	7	7	7

**APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP**

**Quartile 1**

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
<b>SW02</b>	SDS spend: Direct Payments + Managed Personalised Budgets spend on adults 18+ as a percentage of total social work spend	4.8%	7.8%	11.8%	↑	8.7%	7.2%	17	10	<b>4</b>
<b>SW03a</b>	% of people aged 65 or over with long-term care needs receiving personal care at home	66.1%	67.3%	65.0%	↓	61.5%	64.4%	11	8	<b>8</b>
<b>SW06</b>	Rate of Readmission to hospital within 28 days, per 1,000 discharges	96.7	90.6	78.4	↑	101.7	104.1	5	8	<b>5</b>
<b>SW08</b>	Number of days people spend in hospital when they are ready to be discharged per 1,000 population	151	291	460	↓	919	946	5	7	<b>7</b>
<b>CLIM01</b>	CO2 Emissions per Capita	3.67t	3.95t	dna	↓	<b>(2021/22)</b> 5.1t	<b>(2021/22)</b> 5.5t	9	<b>7</b>	dna
<b>CLIM04 (NEW)</b>	CO2 emissions from electricity per capita	35.91t	38.09t	dna	↓	46.05	41.54	7	<b>6</b>	dna

Annual Change	
↑	Performance improved / costs have decreased
—	No Change
↓	Performance declined / costs have increased

## APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP

## Quartile 2

Ref	Title	Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
CHN1	Cost per primary school pupils	£6,699	£7,321	£6,757	↑	£6,841	£6,795	25	26	14
CHN4	% of pupils gaining 5+awards and Level 5	70%	69%	67%	↓	66%	61%	16	12	11
CHN5	% of pupils gaining 5+awards and Level 6	38%	40%	35%	↓	38%	32%	20	10	14
CHN8a	Gross cost of children looked after in residential based services, per child, per week	£5,486	£3,912	£3,452	↑	£4,804	£4,336	25	14	13
CHN8b	Gross cost of children looked after in a community setting per child, per week	£265	£235	£342	↓	£422	£359	3	3	9
CHN11	Proportion of pupils entering a positive destination	95.4%	94%	96.4%	↑	95.9%	96.2%	18	29	9
CHN12d	Average total tariff SIMD quintile 3	941	1224	958	↓	905	937	20	2	11
CHN12f	Average total tariff SIMD quintile 5	1268	1335	1210	↓	1264	1198	17	10	15
CHN13a	% of P1, P4 and P7 achieving expected CFE level in literacy	67.9%	73.7%	76.4%	↑	72.7%	72.8%	14	9	9
CHN14b	Numeracy attainment gap (P1,P4,P7 combined) pp gap between most and least deprived	28.6pp	17.3pp	16.3pp	↑	17.0pp	16.3pp	25	11	11
CHN18	Percentage of funded early years provision which is graded good/better	93.3%	83.3%	93.5%	↑	90.1%	90.1%	14	31	9
CHN20a	School exclusion rates (per 1,000) pupils	13.3	-	15.7	↓	16.6	17.9	19	-	15

## APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP

## Quartile 2

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
CHN23	Proportion of looked after children with more than 1 placement in the last year	16%	10%	14%	↓	17.2%	15.2%	10	5	11
C&L2	Cost per library visit	£2.90	£2.66	£2.93	↓	£2.81	£3.03	9	10	14
C&L3	Cost per visit to museum	£6.31	£4.35	£4.30	↑	£3.07	£5.50	11	14	15
C&L05d	Percentage of adults satisfied with Leisure Facilities	(2018/21) 78.7%	(2019/22) 77.0%	(2020/23) 75.7%	↓	(2020/23) 71%	(2020/23) 65.3%	(2018/21) 4	(2019/22) 7	(2020/23) 9
C&L05b	Percentage of adults satisfied with Parks and Open Spaces	(2018/21) 86.0%	(2019/22) 87.0%	(2022/23) 88.3%	↑	(2020/23) 87.3%	(2020/23) 87.6%	(2018/21) 17	(2019/22) 19	(2020/23) 11
ENV04c	% B Class Roads which should be considered for treatment	(2019/21) 34.7%	(2020/22) 30.4%	(2021/23) 26.9%	↑	(2021/23) 31.5%	(2021/23) 26.8%	(2019/21) 21	(2020/22) 20	(2021/23) 14
ENV04e	% U Class Roads which should be considered for treatment	(2017/21) 35.9%	(2018/22) 33.5%	(2019/23) 31.7%	↑	(2019/23) 36.4%	(2019/23) 34.9%	(2017/21) 17	(2018/22) 14	(2019/23) 12
ENV6	Percentage of total household waste arising that is recycled	37.1%	48.5%	47.0%	↓	43.3%	49.3%	22	12	15
CORP1	Support services as a % of total gross expenditure	3.4%	3.2%	3.3%	↓	4.0%	4.2%	9	8	9
CORP0 3b	% of highest paid 5% of employees who are women	62.4%	60%	60%	-	58.9%	59.6%	3	11	14
CORP0 6a	Sickness absence days (teacher)	3.5d	4.4d	6.8d	↓	6.8d	6.4d	8	2	16
CORP 12	Proportion of DHP funding spent	96.3%	89.2%	97.6%	↑	94.4%	95%	14	16	10

**APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP**

**Quartile 2**

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
<b>ECON9</b>	Town Centre Vacancy Rates	22%	9.2%	8.0%	↑	12%	12.3%	32	13	<b>9</b>
<b>CORP ASSET2</b>	% of operational buildings in satisfactory condition	87.8%	92.6%	93.3%	↑	89.7%	91.8%	21	14	<b>10</b>
<b>SW07</b>	% of adult care services graded good or better	87%	85.1%	80%	↓	75%	78.6%	13	6	<b>11</b>
<b>CLIM02</b>	CO2 Emissions per Capita (within scope of LA)	3.76t	4.04t	dna	↓	<b>(2021/22)</b> 4.57t	<b>(2021/22)</b> 4.36t	11	<b>11</b>	dna

Annual Change	
↑	Performance improved / costs have decreased
—	No Change
↓	Performance declined / costs have increased



## APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP

## Quartile 3

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
CHN2	Cost per secondary school pupil	£8,310	£8,895	£8,763	↑	£8,495	£8,355	17	23	20
CHN10	Percentage of adults satisfied with Schools	(2018/21) 78.7%	(2019/22) 76.7%	(2020/23) 73.7%	↓	(2020/23) 73.7%	(2020/23) 72.8%	(2018/21) 11	(2019/22) 16	(2020/23) 21
CHN12a	Overall average total tariff	925	1022	855	↓	915	848	19	8	22
CHN12c	Average total tariff SIMD quintile 2	909	970	715	↓	781	808	7	5	20
CHN14a	Literacy attainment gap (P1,P4,P7 combined) pp gap between most and least deprived	27.5pp	20.6pp	24.9pp	↓	20.5pp	19.3pp	19	9	23
CHN21	% of Participation Rate 16–19-year-olds	93.3%	93.8%	94.0%	↑	94.3%	93.6%	12	8	22
CHN24	% of Children Living in Poverty	18.2%	24.4%	dna	↓	(2021/22) 22.6%	(2021/22) 26.7%	8	21	dna
C&L05a	Percentage of adults satisfied with Libraries	(2018/21) 76.5%	(2019/22) 74.3%	(2022/23) 70%	↓	(2022/23) 71%	(2022/23) 64.5%	(2018/21) 15	(2019/22) 17	(2020/23) 20
C&L05c	Percentage of adults satisfied with Museums and Galleries	(2018/21) 59.6%	(2019/22) 59.7%	(2020/23) 63%	↑	(2020/23) 71.3%	(2020/23) 58.9%	(2018/21) 22	(2019/22) 25	(2020/23) 20
ECON3	Time per business & industry planning application (weeks)	11	13.6	13.8	↓	12	13.9	19	23	22
ECON 4	Proportion of procurement spent on local enterprises	25%	21.4%	24%	↑	29.6%	21%	16	22	21
ECON8	Proportion of properties receiving Superfast Broadband	96.8%	97.1%	97.4%	↑	95.5%	96.9%	9	11	17

**APPENDIX 2 – PERFORMANCE PRESENTED BY QUARTILE GROUP**

**Quartile 3**

		Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
Ref	Title									
<b>ENV2a</b>	Net cost of waste disposal per premise	£113.70	£108.02	£111.25	↓	£95.21	£89.15	16	16	<b>22</b>
<b>ENV04d</b>	% C Class Roads which should be considered for treatment	(2019/21) 38.9%	(2020/22) 36.4%	<b>(2021/23)</b> 36.7%	↓	<b>(2021/23)</b> 32.7%	<b>(2021/23)</b> 32.0%	(2019/21) 25	(2020/22) 24	<b>(2021/23)</b> 24
<b>FINSUS5</b>	Actual outturn as a % of budgeted expenditure	98.7%	99.4%	98.0%	↓	98.6%	98.2%	17	14	<b>18</b>
<b>CORP03c</b>	Gender pay gap	7.4%	6.6%	4.4%	↑	2.5%	2.0%	30	29	<b>23</b>
<b>CORP07</b>	% of Income due from Council Tax Received by end of the year	94.4%	95.7%	95.9%	↑	96.2%	95.2%	22	20	<b>21</b>
<b>CORP 11</b>	Proportion of SWF budget spent	85.7%	112.9%	108.6%	↓	130%	106%	13	13	<b>21</b>
<b>CLIM05 (NEW)</b>	CO2 emissions from natural gas per capita	62.8	69.4	dna	↓	57.2	58.7	20	<b>22</b>	dna

Annual Change

↑	Performance improved / costs have decreased
▬	No Change
↓	Performance declined / costs have increased

## APPENDIX 2 – PERFORMANCE BY QUARTILE RANKING

## Quartile 4

Ref	Title	Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
<b>CHN3</b>	Cost per pre-school education place	£12,157	£12,598	£14,104	↓	£11,002	£12,683	27	25	<b>28</b>
<b>CHN9</b>	Proportion of children being looked after in the community	84%	86.3%	81.2%	↓	89.2%	87.9%	25	21	<b>26</b>
<b>CHN17</b>	% of children meeting development milestones	76.8%	74.3%	75.1%	↑	82.1%	77.3%	32	31	<b>29</b>
<b>C&amp;L4</b>	Cost of parks & open spaces per 1,000 population	£26,478	£29,319	£33,325	↓	£23,417	£23,868	23	25	<b>28</b>
<b>ECON2</b>	Cost of planning & building standards per planning application	£8,817	£6,970	£7,973	↓	£5,573	£5,524	30	29	<b>28</b>
<b>ECON1 2a</b>	Claimant count as % of working age population	6.4%	5.3%	3.9%	↑	3.2%	4%	22	26	<b>27</b>
<b>ECON1 2b</b>	Claimant count as % of 16-24 year old population	8.2%	6.4%	4.8%	↑	3.5%	4.5%	23	28	<b>29</b>
<b>ECON 11</b>	Gross Value Added per capita	£12,263	£13,820	£13,703	↓	£27,039	£19,552	30	30	<b>30</b>
<b>ENV3a</b>	Net cost of street cleaning per 1,000 population	£22,261	£23,177	£18,044	↑	£16,068	£14,746	30	30	<b>25</b>
<b>ENV3C</b>	Street Cleanliness Score	89.9%	85.1%	83.9%	↓	90.6%	86.4%	22	29	<b>31</b>
<b>ENV 4a</b>	Cost of roads per kilometre	£17,066	£23,842	£24,824	↓	£12,940	£16,914	24	29	<b>29</b>
<b>ENV 5</b>	Cost of Trading Standards and Environ. Health per 1,000 pop	£26,308	£120,750	£26,675	↑	£22,682	£20,425	26	32	<b>25</b>
<b>ENV5b</b>	Cost of environmental health per 1,000 population.	£22,430	£117,081	£22,816	↑	£15,340	£14,073	28	32	<b>27</b>

## APPENDIX 2 – PERFORMANCE BY QUARTILE RANKING

## Quartile 4

Ref	Title	Performance			Annual Change	Scotland	Family Group	Rank		
		2020/21	2021/22	2022/23				2020/21	2021/22	2022/23
<b>FINSUS 1</b>	Total useable reserves as a % of council annual budgeted revenue	26.9%	23.7%	17.0%	↓	24.5%	26.6%	10	16	27
<b>FINSUS 3</b>	Ratio of financing costs to net revenue stream- General Fund	12.3%	10.2%	9.7%	↓	5.4%	5.3%	32	31	32
<b>CORPO 4</b>	Cost per dwelling of collecting Council Tax	£10.02	£9.54	£11.62	↓	£6.84	£8.47	26	27	29
<b>SW01</b>	Home care costs per hour for people aged 65 or over	£37.39	£43.28	£48.08	↓	£30.45	£42.92	24	30	27
<b>SW05</b>	Residential costs per week per resident for people aged 65 or over	£559	£622	£733	↓	£684	£688	9	10	27
<b>CLIM03 (NEW)</b>	CO2 emissions from transport per capita	24.56	38.56	dna	↓	26.81	21.4	22	30	dna

## Annual Change

↑	Performance improved / costs have decreased
-	No Change
↓	Performance declined / costs have increased

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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Chief Financial Officer</b>	<b>Report No:</b>	<b>FIN/31/24/TB/LA</b>
<b>Contact Officer:</b>	<b>Alan Puckrin</b>	<b>Contact No:</b>	<b>01475 712090</b>
<b>Subject:</b>	<b>Non-Domestic Rates: Mandatory and Discretionary Relief Policy</b>		

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## **1.0 PURPOSE AND SUMMARY**

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this report is for the Committee to review and approve the updated Non-Domestic Rates Relief Policy to reflect the fact that new legislation and amendments to existing legislation have been introduced since the Non-Domestic Rates Relief Policy was last reported in February 2018.
- 1.3 The proposed Non-Domestic Rates Relief Policy has been updated with legislative changes and incorporates the Council's Non-Domestic Rates Empty Property Relief Policy (NDR EPR), agreed in January 2023 and amended in February 2024.

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that Committee note the large number of legislative amendments made to Non-Domestic Rates Relief by the Scottish Government since the policy was last reviewed.
- 2.2 It is recommended that Committee review the proposed Non-Domestic Rates Mandatory and Discretionary Relief Policy, attached at appendix 1 noting that amendments are recorded on the Policy Change template attached at appendix 2.
- 2.3 It is recommended that the Committee thereafter approve the proposed Non-Domestic Rates Mandatory and Discretionary Relief Policy.

**Alan Puckrin**  
**Chief Financial Officer**

### **3.0 BACKGROUND AND CONTEXT**

- 3.1 Non-Domestic Rates reliefs can be awarded under two categories where specific criteria must be met: Mandatory Relief where the criteria are set in legislation and there is no cost to the Council; and Discretionary Relief where the Council has discretion within legislation to determine criteria and limits to the relief. Mandatory relief can be provided at the rate of 100% or at rate up to 100% of the rates charged. The level of Discretionary relief granted and met by Government ranges from 0%, 75% and in limited circumstances, 100%. The balance of Discretionary relief expenditure is met by the Council. In certain circumstances where Mandatory Relief is awarded at less than 100% of the rates charged, Discretionary Relief may be awarded where criteria are met.
- 3.2 Discretionary Relief can support rates due on properties occupied by charities, sports clubs and community amateur sports clubs. Empty property, hardship and rural rates reliefs are also within the Discretionary category.
- 3.3 The Non-Domestic Rates Relief Policy was last reviewed by Committee in February 2018 when aspects of the Council's Discretionary relief policies were changed, taking effect from April 2018.

#### **Main Changes Since the 2018 Review**

- 3.4 The policy has been reviewed and updated to include new Mandatory reliefs and several legislative amendments which are generally changes to rateable value thresholds, levels of relief and qualifying periods. The Non-Domestic Rates Empty Property Relief Policy, agreed in January 2023 and amended in February 2024 has also been incorporated. The New Start Relief scheme ended on 31 March 2020 and has been removed. The proposed draft Non-Domestic Rates Mandatory and Discretionary Relief Policy is attached at appendix 1 and proposed amendments are recorded on the Policy Change template attached at appendix 2.
- 3.5 New and amended Mandatory Reliefs introduced since the last policy review:
- Renewable Energy Relief
  - District Heating Relief
  - Business Growth Accelerator Relief
  - Day Nursery Relief
  - Mobile Mast Relief
  - New Fibre Relief
  - General Revaluation Transitional Relief
  - Small Business Transitional Relief
  - Parks Transitional Relief
- 3.6 New and amended Mandatory reliefs of note are Business Growth Accelerator Relief and changes to Fresh Start Relief. Both relief support business development. The Business Growth Accelerator Relief supports new and improved properties for a year after occupation. Certain types of business properties will be eligible for 100% relief until a year after first occupation. The relief ensures that no increase in non-domestic rates is payable for a year in respect of certain property improvements. Fresh Start Relief, intended to support the occupation of most types of vacant properties was increased from 50% to 100% from 1 April 2018 and over time the rateable value upper threshold to qualify for the relief has increased from £45,000 in 2013 to £100,000 since 2023.
- 3.7 Transitional reliefs were introduced in 2023/24 to ease the impact of the Non-Domestic Rates revaluation of 2023. It is provided through General Revaluation Transitional Relief awarded without application from businesses from 1 April 2023 until 31 March 2026 and Small Business

Transitional Relief is available to applicants from 1 April 2023 until 31 March 2026. Transitional relief is available to support premises in parks, included for the first time on the NDR roll from 1 April 2023. The relief is available to applicants from 1 April 2023 until 31 March 2025.

- 3.8 Rates relief can be backdated to the start of the financial year in which the application is made or in certain circumstances and subject to the provision of robust supporting evidence, over several years. The proposed draft policy contains the criteria and conditions for each relief during 2024/25 and prior years for this reason.
- 3.9 Temporary provision of rates relief in response to the impact of Covid for businesses in the retail, hospitality and leisure sector in 2021/22 and during the first three months of 2022/23 are not included in the proposed policy.
- 3.10 Non-Domestic Rates legislation is extensive and complex and while the Policy provides key criteria and conditions of relief, more detail is found in the respective legislation.
- 3.11 Empty Property Relief was provided as a Mandatory Relief until 31 March 2023. The Non-Domestic Rates Empty Property Relief Policy which took effect from 1 April 2023 was agreed in January 2023 and amended in February 2024 is a Discretionary relief has been incorporated into the Discretionary Relief section of the proposed draft Non-Domestic Rates Relief Policy.

**4.0 PROPOSALS**

- 4.1 The proposed Non-Domestic Rates Relief Policy is attached as Appendix 1 and a summary of the changes from the current Policy is attached as Appendix 2. A helpful executive summary provided by the Scottish Government is attached at Appendix 3.

**5.0 IMPLICATIONS**

- 5.1 The table below shows whether risks and implications apply if the recommendations are agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

**5.2 Finance**

The cost to the Council of the proposals in the proposed policy, excluding Empty Property Relief was £76,000 in 2020/21; £74,500 in 2021/22; £77,800 in 2022/23; and £99,500 in 2023/24. The increased cost in 2023/24 was due to a change in the relief category of a group of properties attract. These costs are expected to continue. The latest position of the cost of the Empty Property Relief aspect of the proposed draft policy in 2022/23 was £338,000 and £308,500 in 2023/24. The Council's budget from the share of the Government allocation for Empty Property Relief is £500k for each of the three years of the settlement. The balance of this budget has been retained to smooth the variable demand and to be reinvested to support local businesses to occupy commercial properties which have been vacant for a period.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
Finance	Discretionary Relief	2024/25	Up to £596k		Contained in existing Budgets

5.3 **Legal/Risk**

Legal Services assisted with the development of the changes to the Non-Domestic Rates Empty Property Relief Policy (NDR EPR) agreed in February 2024, now incorporated into the proposed draft Non-Domestic Rates Mandatory and Discretionary Relief Policy.

As the devolution of NDR EPR to councils is for an initial 3 year period there is the risk that this Policy could revert to a Scotland wide basis in the medium term.

5.4 **Human Resources**

There are no HR implications arising from this report.

5.5 **Strategic**

There are no strategic matters arising.

5.6 **Equalities, Fairer Scotland Duty & Children/Young People**

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required in relation to the proposed change to the Non Domestic Rates Empty Property Relief Policy.
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. The proposed draft policy is updated with Scottish Government legislative changes and incorporates Inverclyde Council’s Empty Property Relief Policy which was subject to an Equalities Impact Assessment when the policy was agreed in February 2024.



## **7.0 CONSULTATION**

7.1 No consultation was required.

## **8.0 BACKGROUND PAPERS**

8.1 None.

# **Non-Domestic Rates**

## **Relief Policy**

**DRAFT**

# Inverclyde Council – Finance Services Revenues and Benefits

## Document Control

Prepared by:  
Approved by:

Liz Brown  
Policy & Resources Committee

October 2013  
November 2013

## Change Control Table

Version	Version Date	Revised By	Reason for Change
2.0	February 2018	L. Brown	Policy & Resources Committee. Section 11
3.0	June 2024	T. Bunton	Policy & Resources Committee. Sections 1, 4, 6, 9, 10, 11, 12, 13, 15, 16, 17, 25,27, 28.

# Inverclyde Council – Finance Services Revenues and Benefits

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## Inverclyde Council – Finance Services Revenues and Benefits

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## **Introduction**

There are a number of types of reliefs that can be claimed by Non Domestic (Business Rates) payers and they fall into two main categories. **Mandatory Relief** where the criteria are set nationally and there is no cost to the authority; and **Discretionary Relief** that can also only be awarded where certain criteria are met but the Council has the discretion to determine additional criteria and limits to the relief.

The level of discretionary relief granted and met by Government ranges from 0%, 75% and in limited circumstances, 100%. The balance of discretionary relief expenditure is met by the Council.

This document sets out the criteria for awarding all relief and the policy of Inverclyde Council with regards to discretionary reliefs.

DRAFT

**Mandatory Relief**

DRAFT

## 1. Charitable Relief

### 1.1 Background

Registered Charities or Trustees for a charity that uses its business premises wholly or mainly for the purposes of the charity may be eligible for an 80% reduction in their Rates bill. This is generally referred to as **Mandatory Relief** and is awarded in accordance with Section 4(2) and (8) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962

The Council is obliged to grant relief to premises which fall within the mandatory category and is subsequently recompensed for any amounts granted.

### 1.2 Council Policy

The Council is obliged to grant relief to premises which fall within the mandatory category and is subsequently recompensed for any amounts granted. 80% Mandatory Relief will be awarded in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### 1.3 Eligibility

The following conditions must be met before the Council can consider an application:

- (a) The Property must be occupied by a charity or a trustee of a charity listed on the register maintained by the Office of the Scottish Charity Regulator (OSCR)
- (d) The organisation must use the premises for charitable purposes, i.e. (i) the relief of poverty, (ii) the advancement of religion, (iii) the advancement of education, (iv) other purposes beneficial to the community.
- (c) The application must provide sufficient information to allow officers of the Council to determine whether the organisation is of a quasi-charitable nature in terms of Section 4 (5) of the Local Government (Financial Provisions Etc) (Scotland) Act, 1962.
- (d) Entitlement is reviewed periodically, and on any change of occupation and/or use relief may be curtailed
- (e) Charity shops can also receive 80% Mandatory Relief in terms of the *Rating (Charity Shops) Act 1976*.

Charity shops will be treated as being wholly or mainly used for charitable purposes if the following criteria are met:

- (i) Wholly/mainly used for the sale of goods donated to the charity AND
- (ii) Proceeds of the sale of goods are used for purposes of the charity.

It should be noted that not all goods sold in charity shops are donated. When assessing entitlement to this type of relief, officers should be satisfied that goods which are not donated are less than 50% of the stock sold in the shops.



## **1.4 Application Process**

In order to make an application for Mandatory Relief an application form must be fully completed and submitted with supporting evidence:

- A copy of the organisation's constitution.
- The last 2 years financial statements in respect of the property for which relief is being applied. If the organisation has not started to occupy the property, a statement of the anticipated income and expenditure in respect of the first 12 months.
- A copy of the letter from the Inland Revenue stating acceptance as a charity for tax purposes, if applicable.
- The Council may also require ratepayers to provide any other information it sees as reasonable when considering an application for relief.

All applications will be authorised by the Revenues & Recovery Team Leader prior to processing relief.

## **1.5 Backdating**

Where an application for relief is received in the first 6 months of the financial year, then relief can be backdated to the start of the previous financial year provided the organisation satisfied the requirements at that time.

Where an application is made after the first 6 months of the financial year then relief can only be granted from the start of that year except in exceptional circumstances such as the original application being made timeously but not able to be traced.

## **1.6 Cancellation**

Where a decision is made to cancel a mandatory relief the ratepayer must be given 12 months' notice in writing.

## **2. Rural Rates Relief**

### **2.1 Background**

The Local Government and Rating Act 1997 made provision that certain types of businesses located within a rural settlement with a population below 3,000, and in an area designated as rural by Scottish Ministers, may be eligible for mandatory relief of rates.

Eligible premises listed at (2.3) are entitled to mandatory 50% rate relief, with Councils having discretionary powers to top up this relief to 100%. From 1 April 2017 the eligible premises are entitled to 100% mandatory relief.

Councils also have discretionary powers to grant up to 100% rate relief to properties within a rural settlement with a rateable value of £17,000 or less, used for purposes that are beneficial to the local community.

Local Authorities are required to compile and maintain a Rural Settlement List, which must include areas where:

- i) Population is not more than 3,000, AND
- ii) Within an area designated by the Scottish Government as a rural area.

### **2.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the mandatory category and is subsequently recompensed for any amounts granted. 50% Rural Rates Relief up to 31 March 2017 and 100% from 1 April 2017 will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **2.3 Eligibility**

Business that may qualify for this relief, together with the rateable value thresholds, are:

- the only general store or post office with a rateable value of £8,500 or less;
- a food shop with a rateable value of £8,500 or less;
- the only public house/small hotel (with appropriate license), with a rateable value of £12,750 or less;
- a petrol filling station with a rateable value of £12,750 or less.

Where a property is located in a rural settlement and its rateable value does not exceed the statutory maximum for rural rates relief, the Council may make an award of discretionary rural rates relief, provided that the property in question is being used for purposes which benefit the local community and the award of relief will generally serve the interests of council tax payers

The Subsidy Control Act 2022 (“the Act”) is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

## **2.4 Application Process**

In order to make an application for Rural Rates Relief an application form must be fully completed and submitted with supporting evidence:

All applications will be authorised by the Revenues & Recovery Team Leader prior to processing relief.

## **2.5 Backdating**

An application for relief can be backdated to the start of the financial year in which the application is made provided the organisation satisfied the requirements at that time.

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### **3. Disabled Persons Relief**

#### **3.1 Background**

Relief of up to 100% is available to establishments where nursing care is provided within the terms of the Rating (Disabled Persons) Act 1978.

#### **3.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the Disabled Persons Relief category and is subsequently recompensed for any amounts granted. Disabled Persons Relief will be awarded in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

#### **3.3 Eligibility**

Local Authorities can grant relief where half or more of the floor area is used exclusively for one or more of the following purposes:

- Provision of residential accommodation for the care (\* see below) of persons suffering from illness or for the aftercare of persons who have suffered from an illness
- Provision of facilities for the training or keeping suitably occupied persons suffering from illness or who have been ill
- Provisions of welfare services for the disabled
- Provision of facilities under *Section 15 of the Disabled Persons (Employment) Act 1944*
- Provision of workshop or other facility under the *Disabled Persons (Employment) Act 1958*

\*“Care” in this context does not include medical, surgical or dental treatment.

The applicant must be registered with the Council HSCP or Care Commission.

#### **3.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination. This would include details of the type and number of residents and a floor plan.

The amount of relief granted is normally 100% of the normal rates payable in respect of the part of the premises used under the scope of the qualifying criteria. The Assessor will be required to certify the Value of this part

Premises should be reviewed each year, with a view to establishing change of use of qualifying/non-qualifying areas.

#### **3.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## 4. Small Business Bonus Scheme

### 4.1 Background

The Small Business Bonus Scheme was introduced on 1 April 2008 and replaced the Small Business Rates Relief Scheme.

The Small Business Bonus Scheme provides a discount of up to 100 percent on bills for eligible business properties with a cumulative rateable value of £35,000 or less, (£25,000 or less up to 31 March 2017), subject to eligibility.

<b>Combined Rateable Value of all business properties in Scotland</b>	<b>From 1 April 2017</b>
Up to £15,000	100%
£15,001 to £18,000	25%
Upper limit for cumulative RV* £35,000	25%

\*25% on each individual property with a rateable value of £18,000 or less

\* Small Business Bonus cannot be awarded to unoccupied properties with effect from 1 April 2020

### **From 1 April 2023 the thresholds for the Small Business Bonus Scheme were changed**

For ratepayers with only one non-domestic property with a rateable value:

- up to and including £12,000 - 100% relief (no rates payable)
- from £12,001 to £15,000 – tapers from 100% to 25% relief
- from £15,001 to £20,000 – tapers from 25% to 0% relief

For ratepayers with more than one property and where the total (cumulative) rateable value of all non-domestic properties is £12,000 or less, the relief is 100% (no rates payable).

For ratepayers with more than one property and where the total rateable value of all non-domestic properties is between £12,001 and £35,000, then relief:

- is 25% on each individual property with a rateable value of £15,000 or less
- tapers from 25% to 0% for individual properties with rateable values from £15,001 to £20,000

The Small Business Bonus Scheme is not available to advertisements, car parks, betting shops or payday lending businesses.

### 4.2 Council Policy

The Council is obliged to grant relief to premises which fall within the Small Business Bonus Scheme Relief category and is subsequently recompensed for any amounts granted. Small Business Bonus Scheme Relief will be awarded in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### 4.3 Eligibility

The level of relief under the Scheme for each individual ratepayer will depend on:

- the **cumulative** rateable value of **all** properties in Scotland of which the business is in rateable occupation or (if vacant) which the business is entitled to occupy.
- whether or not each property is eligible for one of the existing rates relief schemes
- the level of other public sector assistance received by the business.

### 4.4 Application Process

The Small Business Bonus is an application-based scheme; businesses require to apply to each local authority area in which the business has a property. All business premises which the business occupies or is entitled to occupy must be declared on the application form and will be taken into account when determining the level of relief to be applied.

### 4.5 Backdating

Applications can be backdated to the start of the Small Business Bonus Scheme if applicable.

## **5. Community Amateur Sports Clubs**

### **5.1 Background**

Section 98 of the Charities and Trustee Investment (Scotland) Act 2005 provides for 80% mandatory relief from rates for registered Community Amateur Sports Clubs (CASCS). The Council also has discretion under section 4(5) of the Act to top up the relief to 100%.

Sports clubs play a valuable role in their communities. The CASC scheme recognises this important role by distinguishing between clubs and businesses for rates and tax purposes, ensuring money is kept in sports clubs. Both property and non-property owning clubs can significantly benefit from the scheme. The key benefits of CASC registration include:

- 80% mandatory business rate relief. Local authorities can offer up to 100% relief to clubs at their discretion.
- The ability to raise funds from individuals under Gift Aid. A registered CASC can reclaim up to £25 in tax for every £100 donated, though this does not apply to all types of donations.
- CASCS are exempt from Corporation Tax on profits derived from trading activities if their trading income is under £50,000 pa.
- Profits derived from property income are also exempt for CASCS if gross property income is under £30,000 pa, of particular relevance following the abolition of the nil rate band.
- CASCS whose income does not exceed these thresholds will no longer be required to complete an annual Corporation Tax return.

### **5.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the Community Amateur Sports Club Relief category and is subsequently recompensed for any amounts granted. 80% Community Amateur Sports Club Relief will be awarded in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **5.3 Eligibility**

The club requires to be registered with H.M Revenue & Customs as a Community Amateur Sports Club and relief can only be awarded from the date the club was first registered.

CASCS are entitled to relief from rates on any non-domestic property that is wholly or mainly used for the purposes of that club, or of that club and of other such registered clubs.

### **5.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required to make a determination.

### **5.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## 6. Renewable Energy Relief

### 6.1 Background

The Renewable Energy Generation Relief Scheme will provide non-domestic rates relief from 1 April 2010, to renewable energy producers who are solely concerned with the production of heat or power (or both) from the following sources:

- a. biomass;
- b. biofuels;
- c. fuel cells;
- d. photovoltaics;
- e. water (including waves and tides, but excluding production from the pumped storage of water);
- f. wind;
- g. solar power;
- h. geothermal sources;

**Note:** heat or power produced by Combined Heat and Power (CHP) systems is not classed as renewable, unless that system uses only sources of energy described in sub-paragraphs (a) to (h) and has an electrical capacity of 50 kilowatts or less.

There are two separate reliefs from 2018, one relating to community benefit and one relating to hydro schemes. Both relate to property used solely for the generation of renewable heat or power (or both).

From 1 April 2018, hydro schemes with a rateable value of no more than £5m, used for the generation of renewable heat and/or power (but excluding production from the pumped storage of water), may be eligible for 60% relief. This relief is available until 31 March 2032.

Eligibility for the renewables relief relating to community benefit requires arrangements which give at least 15% of the annual profit to a community organisation, in return for investment (or, failing that, so much of the annual profit as is attributable to 0.5 megawatt (1 megawatt up to 31 March 2017) of the total installed capacity). The table below shows the sliding scale of applicable relief against total rateable value of all the qualifying properties in Scotland that the applicant occupies or (if vacant) is entitled to occupy.



## Inverclyde Council – Finance Services Revenues and Benefits

## Appendix 1

A reduction of the rates payable will be applied as specified in the table below:

Rateable Value	% of Rates relief
£145,000 or less	100%
More than £145,000 but not exceeding £430,000	50%
More than £430,000 but not exceeding £860,000	25%
More than £860,000 but not exceeding £4,000,000	10%
More than £4,000,000	2.5%

Hydro schemes with a rateable value of no more than £5 million are also eligible for 60% relief. The Non Domestic Rates (Renewable Energy Generation Relief) (Scotland) Amendment Regulations 2018 grants relief until 31 March 2032.

### 6.2 Council Policy

The Council is obliged to grant relief to premises which fall within the Renewable Energy Relief category and is subsequently recompensed for any amounts granted. Renewable Energy Relief will be awarded in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### 6.3 Eligibility

When assessing eligibility for Renewable Energy Generation relief, four criteria need to be considered for each business:

- whether the business is solely concerned with the generation of heat or power by the means listed above;
- whether the property is in receipt of any other relief;
- the level of other public sector assistance received by the business (see Minimal Financial Assistance below); and
- the combined rateable value of all properties in Scotland of which the business is in rateable occupation or (if vacant) which the business is entitled to occupy.

**Note:** Where there are multiple entries on the valuation roll for the same ratepayer it is the combined rateable value of properties used for renewable energy production which should be considered for the award of this relief.

The Subsidy Control Act 2022 (“the Act”) is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

#### **6.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

#### **6.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

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## **7. Fresh Start Relief**

### **7.1 Background**

With effect from 1 April 2013, Fresh Start Relief is available where previously unoccupied shops, offices, hotels, pubs or restaurants are newly occupied. Relief of up to 50% is available for a period of 12 months.

From 1 April 2018 Fresh Start Relief was expanded offering 100% relief for 12 months and may be applied if all of the following circumstances are met for the property:

- must be occupied by a new owner, tenant or sub tenant.
- the property has previously been in receipt of Empty Property Relief for a continuous period of at least six months.
- the property has a Rateable Value of under £65k.
- prior to the 1 April 2018 the property had to be used for either a shop, office, restaurant, pub or hotel (regardless of what your intended use is) or, where there was no previous use, you intended to use it as a shop, office, restaurant, pub or hotel.

From 1 April 2021 the upper threshold for eligibility has been increased from £65,000 to £95,000

From 1 April 2023 the upper threshold for eligibility has been increased from £95,000 to £100,000

From 1 April 2024 ratepayers occupying certain long-term empty properties may be entitled to 100% relief for up to 12 months. These conditions relate to 2024-25 only.

**\* Properties in receipt of Fresh Start Relief on 31 March 2023 will continue to receive relief for the remaining duration of the relief, regardless of whether the new rateable value is above the qualifying threshold**

### **7.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the Fresh Start Relief category and is subsequently recompensed for any amounts granted. Fresh Start Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **7.3 Eligibility**

Prior to 1<sup>st</sup> April 2018 the property must have been in receipt of Empty Property Relief for a continuous period of 6 months during the period immediately prior to the award of Fresh Start Relief and have a rateable value of £65,000 or less. When last occupied, the property must have been used as a shop, office, pub, hotel or restaurant, the 'fresh' use of the property when occupied can be for any purpose. Payday lenders are excluded from the scheme.

Where there has been no previous use of the property, the use of the property when occupied, must be as a shop, office, pub, hotel or restaurant.

From 1<sup>st</sup> April 2018 there is no restriction on the usage of the previous use.

From 1 April 2024 ratepayers occupying certain long-term empty properties may be entitled to 100% relief for up to 12 months where the property had previously been unoccupied for at least 6 months and was occupied on or after 1 April 2018. These conditions relate to 2024-25 only.

Any period(s) of occupation lasting less than 6 weeks during the preceding 6 months will be ignored for the purpose of granting Fresh Start relief.

Where there is a change of occupier during the qualifying period for this relief, the new occupier may still receive the remaining balance of this relief as long as the property was not considered unoccupied during this period.

There can be no interaction with any other form of relief, e.g. SBBS etc.

Local authorities will have to consider whether this must be awarded as MFA or whether the subsidy control requirements are met. As no sectoral restrictions apply and this relief is available for a particular circumstance (newly reoccupied long-term empty property), it is unlikely to confer a selective advantage however.

#### **7.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

#### **7.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## **8. District Heating Relief**

### **8.1 Background**

With effect from 1 April 2017, The Non-Domestic Rates (District Heating Relief) (Scotland) Regulations 2017 make provision to reduce the amount payable as non-domestic rates in respect of subjects in Scotland used wholly or mainly for the purposes of a district heating network. Premises being used wholly or mainly for a district heating network may be eligible for 50% relief until 31 March 2032.

From 1<sup>st</sup> April 2021, properties used wholly or mainly for the purposes of a district heating network which is powered wholly or mainly by renewable generation may receive 90% relief. This relief is available until 31<sup>st</sup> March 2024.

From 1 April 2024, Where district heating networks are powered by renewables, 90% relief is available where at least 80% of the thermal energy generated derives from renewable sources. This relief is available until 31 March 2027.

### **8.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the District Heating Relief category and is subsequently recompensed for any amounts granted. District Heating Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **8.3 Eligibility**

In order to qualify, the premises must be used wholly or mainly used as a district heating network. Regulation 4 provides for a reduction in relief if the enactments listed already provide for a reduction.

The Subsidy Control Act 2022 (“the Act”) is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

### **8.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **8.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## **9. Business Growth Accelerator Relief**

### **9.1 Background**

With effect from 01 April 2018, The Non Domestic Rates (New and Improved Properties) (Scotland) Regulations 2018 and subsequently The Non-Domestic Rates (Relief for New and Improved Properties) (Scotland) Regulations 2022, make provision to reduce the amount payable as non-domestic rates in respect of certain subjects in Scotland. Certain types of business properties will be eligible for 100% relief until a year after first occupation. The relief ensures that no increase in non-domestic rates is payable for a year in respect of certain property improvements.

### **9.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the Business Growth Accelerator relief category and is subsequently recompensed for any amounts granted. Business Growth Accelerator Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **9.3 Eligibility**

In order to qualify, the property must meet the following criteria:

- The property is entered onto the valuation roll after 1 April 2018.
- The new entry is not as a result of a combination or division of existing entries on the valuation roll or due to the refurbishment or change of an existing entry, including conversion of a domestic property or a property previously exempt from rating.
- From 1 April 2022 the period where a property can claim Business Growth Accelerator has been capped at a maximum of four years. To allow for the transition, if the relief has been awarded prior to 1 April 2021, it will continue until 31 March 2025 if the property remains unoccupied, or for a period of 12 months if the premises should become occupied, whichever date is sooner.
- From 1 April 2023, properties in receipt of Business Growth Accelerator on 31 March 2023 will continue to be eligible for an equivalent percentage of relief on the new rateable value for the remaining duration of the relief.
- Certain conditions apply in relation to properties which are divided, split, merged or re-organised.

### **9.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **9.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## **10. Day Nursery Relief**

### **10.1 Background**

With effect from 1 April 2018, The Non Domestic Rates (Day Nursery Relief) (Scotland) Regulations 2018 make provision to reduce the amount payable as non-domestic rates in respect of certain subjects in Scotland. 100% rates relief can be granted to occupiers of non-domestic properties where day nursery provision is made. This relief was extended to 30<sup>th</sup> June 2023 and further extended indefinitely.

### **10.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the Day Nursery Relief category and is subsequently recompensed for any amounts granted. Day Nursery Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **10.3 Eligibility**

In order to qualify, the property must meet the following criteria:

To qualify, the property must be used wholly or mainly as a nursery as defined in Section 135 of the Education (Scotland) Act 1980 and which also provides day care as defined in paragraph 13 of Schedule 12 of the Public Services reform (Scotland) Act 2010.

The Subsidy Control Act 2022 (“the Act”) is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

### **10.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **10.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## **11 Mobile Mast Relief**

### **11.1 Background**

The key legislation is The Non-Domestic Rates (Telecommunication Installations) (Scotland) Regulations 2016. Relief is awarded to mobile masts or towers in three

Relief is awarded to mobile masts or towers in three “Mobile Masts Pilot areas” or located in a number of specific different grid references.

(two in Arran and one in Cairngorm) entered in Valuation Roll on or after 1 April 2016; or located in a number of specific different grid references:

<https://www.gov.scot/publications/4g-infill-programme-non-domestic-rates-relief-mobile-masts/>

Relief can be awarded between 1 April 2016 and 31 March 2029.

### **11.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the Mobile Mast Relief category and is subsequently recompensed for any amounts granted. Mobile Mast Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **11.3 Eligibility**

Relief is awarded to mobile masts or towers in three “Mobile Masts Pilot areas” (two in Arran and one in Cairngorm) entered in Valuation Roll on or after 1 April 2016; or located in a number of specific different grid references: <https://www.gov.scot/publications/4g-infill-programme-non-domestic-rates-relief-mobile-masts/>

The Subsidy Control Act 2022 (“the Act”) is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

### **11.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **11.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

This relief is mandatory and 100% funded by the Scottish Government



## **12 New Fibre Relief**

### **12.1 Background**

Telecommunications new fibre infrastructure is eligible for 100% relief between 01<sup>st</sup> April 2019 and 31<sup>st</sup> March 2034. The Non Domestic Rating (Telecommunications New Fibre Infrastructure) (Scotland) Order 2019 provides that new fibre infrastructure installed after 1<sup>st</sup> April 2019 receives separate entries in the valuation roll.

### **12.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the relief category and is subsequently recompensed for any amounts granted Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process

### **12.3 Eligibility**

In order to qualify, the property must meet the following criteria:

New fibre used for the purposes of facilitating the transmission of communications by any means involving the use of electrical or electromagnetic energy.

A proportion of any poles, posts, towers, masts, mast radiators, pipes, ducts and conduits and any associated supports and foundations on the lands and heritages, used in connection with new fibre, apportioned using the proportion that notional rateable value bears to the rateable value.

Any parts of the lands and heritages which are exclusively occupied by new fibre.

The fibre of that infrastructure is:-

- New if it was not laid, flown, blown, affixed or attached before 1<sup>st</sup> April 2019
- Not New if it replaces existing fibre, unless it upgrades what was previously provided.

Local authorities will have to consider whether this must be awarded as a subsidy, particularly with regard to confluence with the rest of the UK. Public authorities should consider whether this relief is awarded as MFA, or whether it meets the other subsidy control requirements of the Act.

### **12.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **12.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

This relief is mandatory and 100% funded by the Scottish Government

## **13 Reverse Vending Machine Relief**

### **13.1 Background**

From 1st April 2020 until 31<sup>st</sup> March 2023 -100% relief is available to sites of a Reverse Vending Machine where a property is wholly or mainly for the purpose of the provision of a reverse vending machine. With effect from 1 April 2023, no account is to be taken of any part of a property, which is only used in connection with the provision or use of a reverse vending machine.

### **13.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the relief category and is subsequently recompensed for any amounts granted Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **13.3 Eligibility**

In order to qualify, the property must meet the following criteria:

- A reverse vending machine is a mechanical device that:
  - is designed to receive, identify and process used relevant containers; and
  - provides a means for refund of the deposit paid on a used relevant container received by the device and where a device is provided partly to process used relevant containers and partly for other purposes

### **13.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **13.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

This relief is mandatory and 100% funded by the Scottish Government.

## 14 General Revaluation Transitional Relief

### 14.1 Background

The General Revaluation Transitional Relief caps annual gross bill increases caused by the 2023 revaluation at a specified percentage increase. These caps apply to all property types. The relief is applicable between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2026. The key legislation is The Non-Domestic Rates (Transitional Relief) (Scotland) Regulations 2024, as amended. The level of relief has been announced for 2023/24 and 2024/25:

Rateable Value (per property)	2023-24	2024-25
Up to £20,000	12.5%	25%
£20,001 to £100,000	25%	50%
Over £100,000	37.5%	75%

### 14.2 Council Policy

The Council is obliged to grant relief to premises which fall within the relief category and is subsequently recompensed for any amounts granted Relief will be awarded in respect of premises that meet the eligibility criteria specified below.

### 14.3 Eligibility

In order to be eligible for this relief, the property had to be shown in an entry on the valuation roll on both 31 March 2023 and 1 April 2023. Properties with a nil rateable value on 1 April 2023, or which had a nil rateable value on 31 March 2023 are not eligible. Eligibility for the relief also ceases if there is a merger, split or reorganisation of the valuation roll entry for the property occurring after 1 April 2023.

If the property is shown in a split or reorganised entry taking effect on 1 April 2023, a reduction is applied to the gross bill and then uplifted by the relevant factor noted in the table above to calculate the transitional limit. The reduction to be applied is:

- 1.2 for properties with a rateable value up to and including £20,000
- 1.25 for properties with a rateable value from £20,001 up to and including £100,000
- 1.4 for properties with a rateable over £100,000

A property can continue to be eligible for this relief upon a change of ratepayer.

### 14.4 Application Process and Backdating

An application is not required for this relief and it will be awarded automatically subject to meeting the eligibility criteria.

This relief is mandatory and 100% funded by the Scottish Government

## **15 Small Business Transitional Relief**

### **15.1 Background**

This relief caps the maximum increase in the net rates liability relative to 31 March 2023 at £600 in 2023-24, £1,200 in 2024-25, £1,800 in 2025-26, with no Small Business Transitional Relief cap in place from 2026-27. The cap applies after any relief is applied (including the General Revaluation Transitional Relief) and is available for properties:

- entitled to Small Business Bonus Scheme (SBBS) relief, and/or
- entitled to mandatory or discretionary Rural Relief on 31 March 2023 and no longer entitled on 1 April 2023 due to their rateable value increasing at the 2023 revaluation beyond the qualifying threshold(s) set out in the Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005, as amended.

### **15.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the relief category and is subsequently recompensed for any amounts granted Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **15.3 Eligibility**

To qualify, the property must meet the following criteria:

The property requires to have been shown in an entry on the valuation roll on both 31 March 2023 and 1 April 2023. Properties with a nil rateable value on 1 April 2023 or which had a nil rateable value on 31 March 2023 are not eligible. Eligibility ceases if there is a merger, split or reorganisation of the valuation roll entry for the property occurring after 1 April 2023.

Any increases in rateable value after revaluation are not subject to the cap, and any decrease in rates caused by a decrease in rateable value after revaluation would also be taken into proportionate account.

### **15.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required to make a determination.

### **15.5 Backdating**

Relief will be granted from 1 April 2023 subject to the eligibility criteria being met.

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This relief is mandatory and 100% funded by the Scottish Government

## **16 Parks Transitional Relief**

### **16.1 Background**

Properties in parks liable for rates for the first time on 1 April 2023 are eligible for 67% relief in 2023-24 and 33% relief in 2024-25. No Parks Transitional Relief will be in place from 2025-26.

### **16.2 Council Policy**

The Council is obliged to grant relief to premises which fall within the relief category and is subsequently recompensed for any amounts granted. Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process

### **16.3 Eligibility**

In order to qualify, the property must meet the following criteria:

Properties in parks, or parts of parks, that existed but were not rateable on 31 March 2023, and which became rateable on 1 April 2023 following the coming into force of section 5 of the Non-Domestic Rates (Scotland) Act 2020, which amends section 19 of the Local Government (Financial Provisions) (Scotland) Act 1963.

### **16.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **16.5 Backdating**

Relief will be granted from 1 April 2023 subject to the eligibility criteria being met.

This relief is mandatory and 100% funded by the Scottish Government

**Discretionary Relief**

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## 17. Charitable/Non Profit Making Organisations

### 17.1 Background

Registered Charities or Trustees for a charity that uses its business premises wholly or mainly for the purposes of the charity may be eligible for an 80% reduction in their Rates bill. This is generally referred to as **Mandatory Relief** and is awarded in accordance with Section 4(2) and (8) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962

Whilst the Council is obliged to grant relief to premises which fall within the mandatory category (and the Council is subsequently recompensed for any amounts granted), the Council also has powers to grant **Discretionary Relief** to ratepayers subject to certain criteria being met.

The primary purpose of discretionary relief is to provide assistance where the property does not qualify for mandatory relief, although discretionary relief can also be given to 'top' up cases where ratepayers already receive mandatory relief.

**Where no mandatory relief is given then discretionary relief of up to 100 percent of the total rates liability can be granted to qualifying non profit making organisations.**

The range of organisations which are eligible for discretionary rate relief is wide and not all of the criteria laid down by the legislation will be applicable in each case.

It should be noted that the Council incurs 25% of the cost of any discretionary relief granted and it is therefore borne by the council tax payer.

### 17.2 Council Policy:

A policy for granting discretionary relief to charities and non-profit making organisations was approved by the Policy & Resources Committee on 18<sup>th</sup> September 2012. The policy was amended on 6<sup>th</sup> February 2018 by the Policy & Resources Committee.

It was also remitted to the Director, Environment and Regeneration to consult with the local business community on specific proposals with regards to the withdrawal of relief for charity shops where there is no direct benefit to the local community or area, or where the density of charity shops in a parade creates an imbalance in the shopping on offer.

The amount of relief granted will largely be dependent on the following key factors:

- a. is the organisation entitled / or could be entitled to mandatory relief?
- b. are the premises of benefit to residents of the area?
- c. does the use of the premises relieve the Council from providing similar facilities?
- d. does the organisation provide special facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups?
- e. what is the percentage level of funding for the organisation available by commercial means e.g. bar profits, sales of merchandise etc;

- f. in the case of clubs etc, is the organisation available and open to all members of the public within the Council area? (No relief is granted to organisations where membership is restricted because of characteristics that are protected by the Equality Act 2010.)
- g. discretionary relief for charity shops will be considered only in cases where the charity is a local charity that wholly or mainly benefits the local residents of Inverclyde; national charity shops will not be eligible for discretionary relief.
- h. factors such as the contribution the organisation makes to the local area and a balanced mix of shop types will be taken into consideration when making a decision on what relief is appropriate.
- i. from 1<sup>st</sup> April 2018 the organisation's annual turnover is taken into account when determining eligibility.

In considering whether the interests of council taxpayers are being best served, other Services may be consulted as appropriate.

### **17.3 Who may apply:**

#### **Mandatory relief recipients**

The ratepayer is an OSCR registered charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes.

#### **Non profit making organisations**

The property is one where all or part of it is occupied for the purposes of one or more institutions or other organisations, none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.

### **17.4 Eligibility Conditions**

The following conditions must be met before the Council can consider an application:

- (a) The premises must not hold liquor or gaming licences.
- (b) The premises must not be used to carry out an operation of a commercial nature where proceeds from the operation represent a significant proportion of the organisation's total turnover from the premises.
- (c) The organisation must not fall within a class of applicants which the Council wishes to exclude from discretionary award.
- (d) The organisation must use the premises for charitable purposes, i.e. (i) the relief of poverty, (ii) the advancement of religion, (iii) the advancement of education, (iv) other purposes beneficial to the community.



(e) The application must provide sufficient information to allow officers of the Council to determine whether the organisation is of a quasi-charitable nature in terms of Section 4 (5) of the Local Government (Financial Provisions Etc) (Scotland) Act, 1962.

(f) Entitlement is reviewed periodically, and on any change of occupation and/or use, relief may be curtailed

(g) Organisations with an annual turnover in excess of £10 million are excluded.

## **17.5 Application Process**

In order to make an application for Discretionary Relief an application form must be fully completed and submitted with supporting evidence:

- A copy of the organisation's constitution.
- The last 2 years financial statements in respect of the property for which relief is being applied. If the organisation has not started to occupy the property, a statement of the anticipated income and expenditure in respect of the first 12 months.
- A copy of the letter from the Inland Revenue stating acceptance as a charity for tax purposes, if applicable.
- A statement outlining how an award of discretionary rates relief would serve the interests of Council Tax payers in the Inverclyde Council area
- The Council may also require ratepayers to provide any other information it sees as reasonable when considering an application for relief.

All discretionary reliefs awarded will be checked for compliance with the Council's policy and all applications will be authorised by the Revenues & Recovery Team Leader prior to processing relief.

Under Section 4 (6) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, any reduction may, at the discretion of the rating authority, be granted –

- (a) for the year in which, or the next year following that in which the determination to grant is made; or
- (b) for a specified term of years, not exceeding five, beginning not earlier than the year in which the determination is made nor more than twenty-four months after the date of the determination; or
- (c) for an indefinite period beginning not earlier than the preceding year, subject to the exercise by the rating authority of their powers under subsection 7.

## **17.6 Backdating**

Where a charity, sports club or similar body makes an application for relief in the first 6 months of the financial year, then relief can be backdated to the start of the previous financial year provided the organisation satisfied the requirements at that time.

Where an application is made after the first 6 months of the financial year then relief can only be granted from the start of that year except in exceptional circumstances such as the original application being made timeously but not able to be traced.

### **17.7 Cancellation**

Under Section 4 (7) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, where any such reduction is granted for an indefinite period, the rating authority may, by not less than twelve months' notice in writing given to the occupiers of the lands and heritages, terminate or modify the reduction as from the end of a year specified in the notice.

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## **18. Sports Clubs**

### **18.1 Background**

Section 4 (5) (c) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962 provides Councils with discretionary powers to award relief where a property is wholly or mainly used for purposes of recreation, and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

Sports clubs may be awarded 100% relief except where the organisation occupies licensed premises – in these cases a formula is applied to apportion the activities between the bar and the sporting activity. This typically applies to golf clubs, bowling clubs etc. The higher the bar takings, the less relief available and in some cases bar takings can be at such a level that no relief is awarded.

### **18.2 Council Policy.**

Under this policy the Council will grant relief to premises which fall within the Sports Relief category and will subsequently be recompensed for any amounts granted. 100% Sports Relief will be awarded in respect of applications from unlicensed sports clubs that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

Relief will also be awarded to licensed sport clubs that meet the eligibility criteria specified below and fulfil all the requirements of the application process; however the level of relief afforded to licensed clubs will vary for each club depending on their turnover from bar, food and gaming.

### **18.3 Eligibility**

Where sports clubs do not meet the CASC requirement, and are not registered charities, discretionary relief can be granted where the property is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit. The following criteria must also be met.

Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the field covered by the organisation, or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.

No relief will be granted to organisations where membership is restricted because of characteristics that are protected by the Equality Act 2010. This will be apparent from the constitution and most commonly applies to clubs where women are not allowed to be full members with voting rights. The only exception to this is where the women state in writing or provide a minute of a decision that they do not wish to be full members. A letter from the Lady Captain/President on club notepaper is required in support of any application.

Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In general, the club or organisation must be prepared to

show that the criteria by which it considers applications for membership are consistent with the principle of open access.

Consideration should also be given to whether the facilities provided relieve the council of the need to do so or enhance and supplement those that it does provide.

#### **18.4 Application Process**

##### **Recreational/Sports Clubs - Unlicensed**

100% Discretionary Relief is available to Recreational/Sports clubs not licensed to sell alcohol. Applicants should submit a completed application form along with copies of their constitution and latest audited accounts. These are examined to establish that the applicant is a bona fide sports or recreational Club, and that no income from the sale of alcohol, tobacco, etc, appears in the accounts.

##### **Recreational/Sports Clubs - Licensed**

Available to Recreational/Sports clubs licensed to sell alcohol and/or income from the sale of alcohol, tobacco, food, gaming etc appears in the accounts.

Copies of accounts and constitution are required. Accounts should relate to the base year for revaluation. If these are not available, accounts for subsequent years can be index-linked to the base year. The gross turnover figures for bar, food, gaming and tobacco should be entered. The Council will then calculate the non-licensed element of Rateable Value. This is the figure on which relief may be awarded.

#### **18.5 Backdating**

Relief is granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## **19. Community Amateur Sports Clubs**

### **19.1 Background**

Section 4 (5) of the Charities and Trustee Investment (Scotland) Act 2005 provides for 20% discretionary relief from rates for registered Community Amateur Sports Clubs (CASCS).

Sports clubs play a valuable role in their communities. The CASC scheme recognises this important role by distinguishing between clubs and businesses for rates and tax purposes, ensuring money is kept in sports clubs.

Both property and non-property owning clubs can significantly benefit from the scheme. The key benefits of CASC registration include:

- 80% mandatory business rate relief. Local authorities can offer up to 100% relief to clubs at their discretion.
- The ability to raise funds from individuals under Gift Aid. A registered CASC can reclaim up to £25 in tax for every £100 donated, though this does not apply to all types of donations.
- CASCs are exempt from Corporation Tax on profits derived from trading activities if their trading income is under £50,000 pa.
- Profits derived from property income are also exempt for CASCs if gross property income is under £30,000 pa, of particular relevance following the abolition of the nil rate band.
- CASCs whose income does not exceed these thresholds will no longer be required to complete an annual Corporation Tax return.

### **19.2 Council Policy**

Under this policy the Council will grant discretionary relief to premises which fall within the Community Amateur Sports Club Relief category, 25% of any award will be met by the Council. Community Amateur Sports Club Relief will be awarded in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

The policy of the Council is to award this discretionary rates relief top up to unlicensed sports clubs only. The club's main purpose must be to provide facilities for eligible sports, to encourage people to take part in them and the promotion of a healthy lifestyle.

Although the existence of a bar may not in itself seem to be a reason for not granting relief, it helps to determine the main purpose of the organisation. In sports clubs the balance between playing and non-playing members might provide a useful guide as to whether the main purpose of the club is sporting or social activities

25% of the cost of the discretionary relief must be met by the Council.

### **19.3 Eligibility**

The club requires to be registered with H.M Revenue & Customs as a Community Amateur Sports Club and relief can only be awarded from the date the club was first registered.

CASCS are entitled to relief from rates on any non-domestic property that is wholly or mainly used for the purposes of that club, or of that club and of other such registered clubs.

#### **19.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

#### **19.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

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**20. Short Term Part Empty Relief****20.1 Background**

Section 24A of the Local Government (Scotland) Act 1966 (as amended by section 155 of the Local Government etc. (Scotland) Act 1994) states:

(1) if it appears to the rating authority that part of any lands and heritages included in the valuation roll is unoccupied but will remain so for a short time only, the authority may request the assessor to apportion the rateable value between the occupied and unoccupied parts and on being thus requested the assessor shall apportion the rateable value accordingly.

(2) As from whichever is the later of the following:

- (a) The date on which lands and heritages the rateable value of which has been apportioned under subsection (1) above became partly occupied;
- (b) The commencement of the financial year in which the request under that subsection relating to those lands and heritages was made,

Until whichever of the events specified in subsection (3) below first occurs, the value apportioned to the occupied part of the lands and heritages shall, subject to subsection (4) below, be treated for rating purposes as if it were the rateable value ascribed to the lands and heritages in the valuation roll.

(3) The events mentioned in subsection (2) above are—

- (a) The reoccupation of any of the unoccupied part;
- (b) The end of the financial year in which the request was made;
- (c) A further apportionment of the value of the lands and heritages taking effect under subsection (1) above;
- (d) The lands and heritages to which the apportionment relates becoming completely unoccupied.

(4) Where any lands and heritages fall within such class or classes of lands and heritages as may be prescribed by the Secretary of State by regulations, the value to be treated for rating purposes as if it were the rateable value ascribed to the lands and heritages in the valuation roll shall be the sum of—

- (a) The value apportioned to the occupied part of the lands and heritages; and
- (b) One half of the value apportioned to the unoccupied part of the lands and heritages.

(5) Notwithstanding paragraph (b) of subsection (3) above, if it appears to the rating authority that the part of the lands and heritages which was unoccupied at the date of an apportionment of the rateable value thereof under subsection (1) above has continued after the end of the financial year referred to in that paragraph to be unoccupied but will remain so for a short time only, the authority may direct that the apportionment shall continue to have effect for the next financial year; and subsections (2), (3)(a), (c) and (d) and (4) above shall have effect in relation to that year accordingly. “

## **20.2 Council Policy**

A policy for granting Short Term Part Empty Relief was approved by the Policy & Resources Committee on 13<sup>th</sup> August 2013.

Under this policy the Council will grant relief to premises which fall within the Short Term Part Empty Relief category and will subsequently be recompensed for any amounts granted. Short Term Part Empty Relief will be awarded in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

## **20.3 Eligibility**

Legislation does not define what constitutes a short time and it is therefore the responsibility of the Council to determine what constitutes a short period of time. For the purposes of this policy “a short time” is defined as a period not less than 1 month but not exceeding 24 months.

- Applications will be considered where the ratepayer advises that part occupation of the property is to last for a minimum period of 1 month and a maximum period of 24 months. If a ratepayer indicates that their part occupation is long term, i.e. likely to continue for more than 24 months then no rateable value apportionment will be considered beyond the maximum period.
- Applications will be considered in respect of industrial properties only.
- Any relief from rates due to part occupation cannot exceed 24 months in any 5 years. This may consist of a number of separate claims over a maximum of 3 different financial years in a 5 year period. This is to prevent a ratepayer from continuously keeping a part of their property empty to avoid full rates
- If a part empty period is likely to extend beyond 12 months a maximum of 12 months relief can be awarded initially. A review will be carried out at the end of the 12 months which will require a revised business plan to be submitted and an inspection of the premises. If the Council are satisfied up to a further 12 months relief can be awarded.
- A fresh application must be made whenever there is a change to the part occupation of the property so that the correct apportioned rateable value is used in the relief calculation.
- Once a period of part occupation has ended the property must be occupied for a period of 42 days (6 weeks) before a ratepayer can apply for a further relief period.

In the event that arrears of Non Domestic Rates exist it will be a condition of any relief award that a repayment plan is agreed with Finance Services and adhered to. If the repayment plan is defaulted the relief may be withdrawn.

- In exceptional circumstance a case which merits special consideration may be considered under this policy even if some elements of the policy criteria are not satisfied, providing the relevant legislation is complied with.



- Applications will be considered jointly by Finance Services and Economic Regeneration.
- The Chief Financial Officer and Director, Environment and Regeneration may consult with other Services as appropriate and will assess the extent to which an award safeguards employment and promotes local economic regeneration.

#### **20.4 Application Process**

In order to make an application for Part Empty Short Term Relief an application must be submitted with supporting evidence.

- Application to be made by the ratepayer (or their representative) liable to pay Non Domestic Rates on the property.
- Applicants will be required to complete an application form and provide a plan showing the unoccupied area(s).. The unoccupied area must be satisfactorily sectioned off.
- In order for the application to be fully considered audited accounts and a business plan must also be submitted along with any other supporting information and evidence to support their claim.
- Applications must be submitted immediately the property becomes unoccupied and no relief will be granted for any period prior to the application receipt date.
- Applications will not be considered retrospectively.
- All applications to be submitted to Finance Services for consideration by Finance Services and Economic Regeneration. Any case with exceptional circumstances and outside the normal criteria will be considered by the Chief Financial Officer and Director, Environment and Regeneration.
- Prior to requesting an apportionment of the rateable value, an inspection visit may be made to the property to establish eligibility.
- If an application meets the qualifying criteria then a request will be made to the Assessor to provide an apportioned rateable value for the unoccupied part of the property.
- The apportioned rateable value must be equal to or greater than 5% of the subject's total rateable value.
- All applications will be processed within 21 days once all information is received.
- The rates payable will be charged in accordance with legislation. The occupied part of a property will be charged at 100%. The unoccupied part of a property will be charged in accordance with legislation for the duration of the short-term empty period unless the property is industrial, in which case there is no charge. .

### **20.5 Monitoring Process**

Applications will be subject to periodic reviews and the property will be visited up to 4 times per year by Economic Regeneration.

In the case of empty periods extending beyond 12 months, a review will be carried out at the end of 12 months which will require audited accounts and a revised business plan to be submitted, an inspection of the premises will also be carried out.

Any applicant subsequently found to have deliberately misled the Council as to their intentions in relation to this policy may have any relief previously awarded withdrawn.

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## **21. Hardship Relief**

### **21.1 Background**

Section 25A of the Local Government (Scotland) Act 1966 (as amended by section 156 of the Local Government etc. (Scotland) Act 1994) allows rating authorities to abate, in full or in part, a ratepayer's liability where they are satisfied that:

- The person would sustain hardship if the authority did not do so; and
- It is reasonable for the authority to do so, having regard to the interests of persons liable to pay council tax set by them.

### **21.2 Council Policy**

Under this policy the Council may grant relief to premises which fall within the Hardship Relief category, 25% of any award will be met by the Council. Hardship Relief will be considered in respect of applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **21.3 Eligibility**

On application by a ratepayer, the Chief Financial Officer may award hardship relief where he is satisfied that the ratepayer would otherwise suffer hardship and that the interests of council tax payers in the Inverclyde Council area would be best served by awarding relief.

In considering whether the interests of council taxpayers are being best served, the Chief Financial Officer may consult with other Services as appropriate, and will assess the extent to which an award safeguards employment, alleviates poverty and promotes local economic development.

As an alternative to the award of Hardship Relief, the Chief Financial Officer may, where it is considered appropriate, first offer to put in place a payment arrangement in respect of any Non Domestic Rates arrears. This would allow the business to spread the repayment over a longer period of time. Any arrangement would require future rating liability to be paid concurrently with the arrears repayments.

The Subsidy Control Act 2022 ("the Act") is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

### **21.4 Application Process**

In order to make an application for Hardship Relief a letter must be submitted with supporting evidence, such as:

- Documentary evidence that hardship has occurred in the business, e.g. a drop in sales has occurred or perhaps where a major customer has recently folded leaving a significant debt that is legally non-collectable
- Details of any cash-flow / liquidity problems that have occurred providing documentary evidence of such

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- A copy of the business's most recent Financial Accounts
- A copy of the business's Monthly Management Accounts for the current financial year
- A copy of the business's most up to date business plan
- A statement explaining what action has been taken to avoid hardship
- Details of any other assistance the business may have received, or has currently applied for, and in particular assistance to overcome business difficulties
- A statement outlining how an award of rates relief would serve the interests of Council Tax payers in the Inverclyde Council area
- A statement outlining the impact on the business should rates relief not be awarded

Hardship Relief will only be considered for the period the application relates to and will not be applied without limit of time. A new application will be required if the applicant feels that relief should be awarded in subsequent years.

## **22. Stud Farms**

### **22.1 Background**

The rateable value of lands and heritages which comprise or include buildings used for the breeding and/or rearing of horses and occupied with agricultural land or agricultural buildings should be ascertained by making a deduction from what would otherwise be the rateable value. The deduction is made from the value of the whole property by the local assessor to reflect how much of the property is used as a stud farm. The maximum amount of the deduction the assessor can make is determined by the Scottish Ministers by order and currently stands at **£3,500**.

Additionally, stud farms newly established on or after 1 April 2003 are eligible for discretionary rates relief if the rateable value amounts to **£7,000** or less.

Paragraph 4 (discretionary relief) of Schedule 2 to the Local Government and Rating Act 1997 (“the 1997 Act”), as amended by section 28(4)(c) of the Local Government in Scotland Act 2003, makes provision for discretionary rate relief to be granted to eligible stud farms

### **22.2 Council Policy**

Under this policy the Council may grant relief to premises which fall within the Stud Farm Relief category, 25% of any award will be met by the Council. 100% Stud Farm Relief will be considered in respect of all applications that meet the eligibility criteria specified below and fulfil all the requirements of the application process.

### **22.3 Eligibility**

In order to qualify the stud farm must have a rateable value under £7000 and be newly set up on former agricultural property.

This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as MFA, or whether it meets the other subsidy control requirements of the Act.

### **22.4 Application Process**

An application must be made in writing and the applicant must submit all relevant information required in order to make a determination.

### **22.5 Backdating**

Relief can be granted from the start of the financial year in which the application is made and can only be backdated in exceptional circumstances.

## **23. Rural Rates Relief**

### **23.1 Background**

The Local Government and Rating Act 1997 made provision that certain types of businesses located within a rural settlement with a population below 3,000, and in an area designated as rural by Scottish Ministers, may be eligible for mandatory relief of rates, Section (2).

Councils also have discretionary powers to grant up to 100% rate relief to properties within a rural settlement with a rateable value of £17,000 or less, used for purposes that are beneficial to the local community.

The property must be located within a settlement recorded on the council's Rural Settlement List, which must include areas where:

- I. Population is not more than 3,000, AND
- II. Within an area designated by the Scottish Government as a rural area.

### **23.2 Council Policy**

Under this policy the Council may grant up to 100% discretionary relief in respect of properties included in the Council's Rural Settlement List with an RV up to £17,000 which provide a service which is of benefit to the community where they consider it would be in the interest of council tax payers to do so.

### **23.3 Eligibility**

Where a property is located in a rural settlement and its rateable value does not exceed £17,000, the Council may make an award of discretionary rural rates relief, provided that the property in question is being used for purposes which benefit the local community, and the award of relief will serve the interests of council tax payers.

The Subsidy Control Act 2022 ("the Act") is applicable from 4 January 2023. This relief is likely to be considered a subsidy under the Act. Public authorities should consider whether this relief is awarded as Minimal Financial Assistance (MFA), or whether it meets the other subsidy control requirements of the Act. This relief is listed in the Non-Domestic Rates (Restriction of Relief) (Scotland) Regulations 2023.

### **23.4 Application Process**

In order to make an application for Rural Rates Relief an application form must be fully completed and submitted with supporting evidence:

All applications will be authorised by the Revenues & Recovery Team Leader prior to processing relief.

### **23.5 Backdating**

An application for relief can be backdated to the start of the financial year in which the application is made provided the organisation satisfied the requirements at that time.

## **24 Empty Property Relief**

### **24.1 Background**

24.1.1 With effect from 1 April 2023 local authorities were required to set their own policy for the rating and reliefs of unoccupied properties. Empty property rating and relief is no longer a mandatory relief of rates as existing regulations do not apply from that date.

24.1.2 Section 19 of the Non-Domestic Rates (Scotland) Act 2020 repealed Section 24 of the Local Government (Scotland) Act 1966. The default position with effect from 1<sup>st</sup> April 2023 is that non-domestic rates are now payable in respect of unoccupied lands and heritages.

24.1.3 Section 140 of the Community Empowerment (Scotland) Act 2015 added Section 3A to the Local Government (Financial Provisions etc.) (Scotland) Act 1962, permitting local authorities to introduce a scheme to reduce or remit any rate leviable by it.

24.1.4 Council policy replicates the previous legislative arrangements from 1st April 2023 with amendments to this Non-Domestic Rates Empty Property Relief (NDR EPR) Policy taking effect from 1st October 2024.

24.1.5 Amendments to this policy will be subject to review should funding arrangements change or if other local arrangements require to be taken into account.

### **24.2 Council Policy**

24.2.1 Councils can provide relief of up to 100% of the rates due.

24.2.2 Under this policy the Empty Property Reliefs applied by Inverclyde Council are:

24.2.3 Unoccupied property is eligible for 50% relief while so unoccupied for the first three months of such unoccupation reducing to 10% relief thereafter for the period that the property remains empty. Where such a three month period of unoccupancy commenced prior to the coming into force of this policy (the policy date) then relief under this paragraph 3.2.1 will only apply for the balance of that three month period that is on or after the policy date, unless earlier brought to an end by the property ceasing to be unoccupied.

24.2.4 Unoccupied industrial property is eligible for 100% relief while so unoccupied for] the first six months of such unoccupation where such a period of unoccupancy commenced prior to 1<sup>st</sup> October 2024, relief under this paragraph 3.2.2 will only apply for the balance of that six month period that is on or after the coming into force of this policy (the policy date) or the policy amendment date, unless earlier brought to an end by the property ceasing to be unoccupied, and 10% relief thereafter, until occupied.

24.2.4 Unoccupied listed building property is eligible for 100% relief while so unoccupied for] the first twelve months of such unoccupation, 50% relief for a further twelve months after which the level of relief reduces to 0%. Where a period of unoccupancy commenced prior to the coming into force of this policy amendment then 100% relief under this paragraph 3.2.3 will apply until 30<sup>th</sup> September 2025, followed by 50% for a further twelve months after which the level of relief reduces to 0%, unless earlier brought to an end by the property ceasing to be unoccupied.

24.2.5 100% relief is awarded indefinitely for unoccupied properties where the property is empty and:

- subject of a building preservation order; or
- the rateable value is under £1,700; or
- where the person entitled to possession of the property is so entitled by virtue only of being:
  - the Trustee under a Trust Deed for creditors or under an award of Sequestration; or
  - the Executor of a Deceased person; or
  - a liquidator by virtue of an order made under section 112 or section 145 of the 1986 Act;
- kept vacant by reason of action taken by or on behalf of the Crown or any local or public authority with a view to prohibiting the occupation of the lands and heritages or to acquiring them; or
- the owner of the property is prohibited by law from occupying them or allowing them to be occupied; or
- has no buildings (i.e. ground or land that contain no buildings); or
- the owner is a company or limited liability partnership, which on or after 1st April 2008 (i) remains subject to an administration order made under Part II of the 1986 Act, or (ii) is in administration within the meaning of paragraph 1 of schedule B1 of that Act; or the owner is a company or limited liability partnership which is subject to a winding-up order made under the 1986 Act or which is being wound up voluntarily under that Act.

24.2.6 In this policy, and with particular reference to paragraphs 3.2.1 to 3.2.5:

- “1986 Act” means the Insolvency Act 1986;
- “building preservation order” means a building preservation notice within the meaning of section 3(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997;
- “industrial property” means lands and heritages (other than retail property) comprising one or more buildings which is, or all of which are—
  - (a) constructed or adapted for use in the course of a trade or business; and
  - (b) constructed or adapted for use for one or more of the following purposes, or one or more such purposes and one or more purposes ancillary thereto:—
    - (i) the manufacture, repair or adaptation of goods or materials;
    - (ii) the subjection of goods or materials to any process;
    - (iii) storage (including the storage or handling of goods in the course of their distribution);
    - (iv) the working or processing of minerals;
    - (v) the generation of electricity;
- “listed building” means lands and heritages included in a list compiled under section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997;
- “retail property” means any lands and heritages where any building or part of a building comprised in them is constructed or adapted for the purpose of the retail provision of—
  - (a) goods; or
  - (b) services (other than storage for distribution services) on or from the lands and heritages.



**24.3 Eligibility**

24.3.1 Eligibility for Empty Property Relief shall be determined in accordance with this policy.

24.3.2 A decision will be made on whether the property is eligible following receipt of an Applicant's application form.

24.3.3 Any additional information or evidence required will be requested from the owner.

24.3.4 Visiting officers may also be utilised to follow up on individual properties.

24.3.5 Officers will carry out checks to verify applications and any decision made is final subject to review.

**24.4 Subsidy Control**

24.4.1 The Council must consider and comply with the Subsidy Control Act 2022 (the "Act") in relation to the local reliefs and reductions it provides under this policy. Where a recipient or as the case may be prospective recipient (referred to in either case here as the "Applicant") of empty property rates relief is involved in commercial activity, the Council will have to consider whether an award of relief would result in the level of financial assistance received by that Applicant in the applicable period as set out in Section 36 of the Act exceeding the permitted level of minimal financial assistance ("MFA") as set out in the Act, and may reduce the amount of relief awarded in terms of this policy if the MFA limit would be exceeded. The Council's use of application forms to request information from Applicants shall assist the Council in determining the subsidy position.

**24.5 Application Process**

24.5.1 Applications for Empty Property Relief are made by completing the relevant application form accompanied by relevant supporting evidence. Application forms are available on the Council's website: [Reductions on your Rates bill - Inverclyde Council](#).

**24.6 Backdating**

24.6.1 An application for relief can be backdated to the start of the financial year in which the application is made provided the organisation satisfied the requirements at that time. Any applications for the previous financial year can be considered provided sufficient evidence is submitted in support of the application. Consideration may also be given where an organisation has been rated retrospectively either through the actions of the Council or the Assessor

## **25. Appeals Process**

In respect of all Mandatory Reliefs, once an application has been processed, the ratepayer will be notified in writing of the decision. If the ratepayer disagrees with the decision, they can appeal in the first instance by writing to the Revenues & Benefits Manager.

Once an application for a Discretionary Relief has been processed, the ratepayer will be notified in writing of the decision. As this is a discretionary power there is no formal appeal process against the Council's decision. However the decision can be re-considered in the light of any additional points that the ratepayer wishes to make.

Applicants who disagree with any decisions in relation to the Short Term Part Empty Relief policy and Hardship Relief policy have a right of appeal to the Chief Financial Officer

Appeals must be made within 28 days of the decision being notified.

DRAFT

## Inverclyde Council – Finance Services Revenues and Benefits

### 26. Financial Implications

In respect of Mandatory Reliefs, Sports Club Relief and Short Term Part Empty Relief there are no financial implications for the Council, under the National Rates pooling arrangements all costs are met by the Scottish Government.

Under the National Rates pooling arrangements, 25% of the cost of all other Discretionary Relief and Hardship Relief must be met by the Local Authority. The cost of Empty Property Relief is met in full by the Local Authority.

The table below details the percentage of discretionary relief allowed by legislation, the percentage awarded under this policy and the financial implications to the council of any award.

Discretionary Relief Type	% Discretionary Relief Allowed by legislation	% Discretionary Relief Awarded by Council policy	% cost of Discretionary Relief to be borne by NDR Pool (if relief awarded)	% cost of Discretionary Relief to be borne by the Council (if relief awarded)
Charitable Relief (i)	20%	20%	75%	25%
Non Profit Making Organisations	100%	100%	75%	25%
Rural Rates Relief	50%	50%	75%	25%
Stud Farm Relief	100%	100%	75%	25%
Short Term Part Empty Relief	100% (of empty part)	100% (of empty part)	100%	0%
Hardship Relief	Up to 100%	Up to 100%	75%	25%
Sports Relief (Unlicensed)	100%	100%	100%	0%
Sports Relief (Licensed)	Up to 100%	Up to 100%	100%	0%
CASC (Unlicensed)	20%	20%	75%	25%
CASC (Licensed)	20%	0%	75%	25%
Empty Property Relief (i)	Not applicable	Up to 100%	0%	100%

(i) Restrictions apply – see policy detail.

### 27. Review of Policy

This Policy will be reviewed a minimum of once every four years with the next review due June 2028. Amendments to The Empty Property Relief policy will be subject to review should funding arrangements change or if other local arrangements require to be taken into account.

## SUMMARY OF PROPOSED REVISIONS TO NON DOMESTIC RATES RELIEF POLICY – JUNE 2024

PAGE	TITLE	SECTION	PROPOSED CHANGE
2/3	Document Control Page	N/A	Minor amendment to text
4	Table of Contents	N/A	Minor amendment to page numbers
5	Introduction	N/A	Minor amendment to text to include the inclusion of the discretionary nature of the Empty Property Relief Policy
multiple	Various mandatory reliefs	multiple	Legislative changes to thresholds, levels of relief and qualifying periods are incorporated throughout the policy
multiple	Subsidy control	multiple	Reference to state aid is replaced with the Subsidy Control Act 2022
multiple	Reference to minority groups	multiple	Reference to minority groups replaced with groups with protected characteristics under the Equalities Act 2010
multiple	Directorate, Service and Job Titles	multiple	Minor amendments to text
12-13	Small Business Bonus Scheme (SBBS)	4	Exclusion of unoccupied property from 1 April 2020. Exclusion of advertisements, car parks, betting shops and payday lending businesses from 1 April 2023.
15-17	Renewable Energy	6	Introduction of relief for lands and heritages used solely as hydro schemes for the generation of renewable heat and/or power.
20	District Heating Relief	8	Introduction of relief for lands and heritages used wholly or mainly for the purposes of a district heating network
21	Business Growth Accelerator Relief	9	Introduction of relief for certain types of new or improved business properties.
22	Day Nursery Relief	10	Introduction of relief for occupiers of properties where day nursery provision is made.
23	Mobile Mast Relief	11	Introduction of relief for mobile masts or towers located in specific grid references.
24	New Fibre Relief	12	Introduction of relief for new fibre used for the purposes of facilitating the transmission of communications.
26	General Revaluation Transitional Relief	14	New mandatory relief introduced from 1 April 2023 for a period until 31 <sup>st</sup> March 2025
27	Small Business Transitional Relief	15	New mandatory relief introduced from 1 April 2023 for a period until 31 <sup>st</sup> March 2026

28	Parks Transitional Relief	16	New mandatory relief introduced from 1 April 2023 for a period until 31 <sup>st</sup> March 2025
46-48	Empty Property Relief	24	Inclusion of Council policy and the removal of the mandatory relief it replaced.
50	Financial Implications	26	Minor additional text
50	Review of Policy	27	Minor amendment to text

## A Short Guide to Non-Domestic Rates and Reliefs 2024-25

If you pay non-domestic rates (NDR), your property may be eligible for non-domestic rates relief. A number of reliefs are available for certain types of property.

Below is a summary of the property rates and main reliefs for 2024-25 (note these are set out in legislation and are subject to Scottish parliament scrutiny). Rates and reliefs for the next financial year (which runs from 1 April to 31 March) are announced annually in the Scottish Budget, usually published in December.

Most reliefs are application-based and ratepayers who think they may be eligible for an NDR relief on their property should check their council website for further information and the process for application.

### Non-Domestic Rates 2024-25

Basic Property Rate ('poundage') (properties with a rateable value up to and including £51,000)	49.8p
Intermediate Property Rate (properties with a rateable value between £51,001 and £100,000)	54.5p
Higher Property Rate (properties with a rateable value above £100,000)	55.9p

### Small Business Bonus Scheme (SBBS)

Up to 100% relief is available through the Small Business Bonus Scheme where:

- the combined rateable value of all the ratepayer's properties in Scotland is £35,000 or less;
- the rateable value of the individual property relief is sought on is £20,000 or less; and
- the property is actively occupied.

For ratepayers with only one non-domestic property, the relief available is:

Rateable Value	Relief
Up to and including £12,000	100%
from £12,001 to £15,000	tapers from 100% to 25%
from £15,001 to £20,000	tapers from 25% to 0%

For ratepayers with more than one property, the relief available is:

Cumulative Rateable Value	Relief
Up to £12,000	100%
from £12,001 to £15,000	25% on each individual property with a rateable value of £15,000 or less
from £15,001 to £35,000	Tapers from 25% to 0% for individual properties with rateable values from £15,001 to £20,000

SBBS is not available to advertisements, car parks, betting shops or payday lending businesses.

### **Islands and Remote Areas Hospitality Relief**

100% relief in 2024-25 for properties in the hospitality sector located on islands as defined by the Islands (Scotland) Act 2018, as well as in specified areas of Knoydart, Scoraig and Cape Wrath, capped at £110,000 per business.

### **General Revaluation Transitional Relief**

The General Revaluation Transitional Relief caps annual gross bill increases caused by the 2023 revaluation at a specified percentage increase. These caps apply to all property types.

### **General Revaluation Transitional Relief 2024-25 (year-on-year caps)**

<b>Rateable Value (per property)</b>	<b>2024-25</b>
Up to £20,000	25%
£20,001 to £100,000	50%
Over £100,000	75%

Additional conditions apply if the property is split or re-organised with effect from 1 April 2023.

### **Small Business Transitional Relief (SBTR)**

Where, due to the 2023 revaluation, a property is no longer eligible for the SBBS, or Rural Rate Relief, or the amount of SBBS relief the property is eligible for has reduced, the maximum increase in the NDR bill for each qualifying property, compared to the amount payable as at 31 March 2023, is capped at £1,200 in 2024-25. This will rise to £1,800 in 2025-26 with no SBTR cap in place from 2026-27.

### **Parks Transitional Relief**

Properties in parks liable for rates for the first time on 1 April 2023 are eligible for 33% relief in 2024-25. No Parks Transitional Relief will be in place from 2025-26.

### **Fresh Start Relief – for newly re-occupied properties**

Ratepayers occupying certain long-term empty properties may be entitled to 100% relief for up to 12 months where:

- the property had previously been empty for at least 6 months and was occupied on or after 1 April 2018;
- the property has a rateable value up to and including £100,000; and
- the property is actively occupied.

### **Business Growth Accelerator Relief (BGA) – for new build properties, or property improvements or expansions**

Ratepayers investing in new build property or property improvements may be entitled to 100% relief on the property for a specified period of time.

### New build

Where a newly built property has been entered in the valuation roll within the last 12 months, 100% relief is available until 12 months after the property becomes occupied, or four years after the date on which the entry in the valuation roll took effect, whichever is sooner.

Where the new build has been entered into the valuation roll more than 12 months previously, 100% relief is available until 12 months after the property becomes occupied or the latter of the following dates: 31 March 2025 or four years after the date that the entry in the valuation roll took effect.

### Property Improvements

Where a property is expanded or improved, the property may be eligible for BGA relief which would mean the non-domestics rates charged on the property would not increase (to reflect the improvement or expansion) for 12 months.

Where a property in receipt of new-build relief is further improved during the period for which BGA relief for a new build has been granted, relief available is the amount of non-domestic rates payable that has resulted from the increase in rateable value.

Where an existing entry on the valuation roll comprises a building which has had a property improvement, 100% relief is available for 12 months on the *increase* in rateable value due to that improvement.

Certain conditions apply in relation to properties which are divided, split, merged or re-organised. See the Annex for examples.

### **District Heating Relief**

Premises being used wholly or mainly for a district heating network may be eligible for 50% relief until 31 March 2032.

Where district heating networks are powered by renewables, 90% relief is available where at least 80% of the thermal energy generated derives from renewable sources (see below for eligible renewables). This relief is available until 31 March 2027.

### **Renewable Energy Generation Relief**

Up to 100% relief is available for renewable energy generation schemes which give one or more community organisations at least 15% of their annual profit, or an amount equal to the annual profit equivalent to 0.5 megawatt of the total installed capacity of the project.

### **Renewable Energy Relief thresholds**

Rateable Value	Relief (%)
up to £145,000	100
over £145,000 and up to £430,000	50
over £430,000 and up to £860,000	25
over £860,000 and up to £4 million	10
over £4 million	2.5



To be eligible the generation activity should both take place at the eligible property itself, be the main use of the property, and the heat or power must use from renewable sources (see below).

Hydro schemes with a rateable value of no more than £5 million are eligible for 60% relief until 31 March 2032.

**Renewables** means producing heat or power from any of the following sources:

- biomass
- biofuels
- fuel cells
- photovoltaics
- water (including waves and tides, but excluding production from the pumped storage of water)
- wind
- solar power
- geothermal sources.

### Rural Relief

Certain properties in a designated rural area (with a population below 3,000) may be eligible for up to 100% relief. Those properties must be on the council's rural settlement list and be:

- a small food shop, general store or post office with a rateable value below £8,500
- a small hotel, public house or petrol filling station with a rateable value of up to £12,750
- any other business providing a benefit to the community with a rateable value of up to £17,000.

### Enterprise Areas Relief

For businesses in receipt of Enterprise Areas relief in 2023-24, the following levels will be available for 2024-25, and 2025-26. This relief will end on 31 March 2026.

### Enterprise Areas Relief and Thresholds

Rateable Value	Relief Available	
	2024-25	2025-26
£120,000 or less	66.7%	33.3%
£120,001 to £240,000	33.3%	16.7%
£240,001 to £480,000	16.7%	8.3%
£480,001 to £1,200,000	6.7%	3.3%
£1,200,001 to £2,400,000	3.3%	1.7%
Over £2,400,000	1.7%	0.8%

### Sports Club Relief

Properties occupied by a Community Amateur Sports Club (CASC) registered with HM Revenue and Customs, may be entitled to 80% relief. Councils have discretion to offer a further 20% relief.

Properties occupied by certain other sports clubs that are not CASCs or registered charities may be eligible to receive up to 100% relief at the discretion of the local authority, and in accordance with the sports club relief statutory guidance (Local Government Finance Circular 03/2021).

### **Charity Relief**

Registered charities may be eligible for 80% rates relief if their property is mostly used for charitable purposes. Councils have discretion to offer a further 20% relief. Councils also have discretion to offer up to 100% relief on properties used by other not-for-profit organisations:

- who carry out work for charitable, philanthropic or religious purposes, or
- who are concerned with education, social welfare, science, literature or the fine arts
- who are mainly used for recreation such as sports clubs.

### **Other Reliefs**

The following other reliefs also continue to be available:

Day Nursery Relief  
 Disabled Persons Relief  
 Hardship Relief  
 Telecommunications Relief  
 New Fibre Infrastructure Relief  
 Stud Farms Relief

**Empty Property Relief** was devolved to local authorities on 1 April 2023. Please check individual council websites for information on any local relief they may offer for unoccupied properties in 2024-25.

### Further information

An overview of all the national non-domestic rates reliefs in Scotland can be found at: <https://www.mygov.scot/non-domestic-rates-relief>.

Further detail can also be found in [Local Government Finance Circular 05/2024: non-domestic rates relief guidance](#).

The [Non-Domestic Rates calculator](#) gives an estimate of your non-domestic rates bill for the tax year. The calculator also shows whether a property may be eligible for Small Business Bonus Scheme, and which council is responsible for the rates including determining eligibility for any reliefs.

Some reliefs might be affected by subsidy control rules.

Further information on non-domestic valuation can be found at: [Non Domestic Valuation – Scottish Assessors \(saa.gov.uk\)](#)

## **Business Growth Accelerator (BGA) Relief Examples**

### **Scenario 1: A warehouse is built on bare ground and added to the valuation roll as a new entry with effect from 1 April 2023.**

100% relief for 12 months from the date of first occupation, or four years from date of entry on valuation roll (i.e. 1 April 2027) where it has been continuously unoccupied, whichever is sooner.

Where the building is occupied at different stages, with different entries on the valuation roll, for instance if different businesses set up separate units in the warehouse, the relief will be available for each separate eligible entry on the roll.

### **Scenario 2: A newly built warehouse is later divided resulting in separate entries on the valuation roll.**

Where a warehouse was previously granted BGA relief and is then divided with separate entries added to the valuation roll, the relief will continue to be available if the property has not been occupied since the relief was granted.

Relief will continue to be available for the separate entries - the period of relief will depend on whether the building, or part building, in any of the separate entries have been occupied since the relief was first granted for the warehouse.

### **Scenario 3: An existing warehouse is divided, resulting in separate entries on the valuation roll.**

Relief is not available if the buildings, any part of the buildings, were previously shown as an entry on the valuation roll.

### **Scenario 3: An existing property is altered and now includes new buildings or parts of buildings that were not previously on the valuation roll.**

100% relief for 12 months is available, provided the property was unoccupied on the day before the alteration took effect.

### **Scenario 4: A warehouse benefiting from BGA relief is improved by way of refurbishment, expansion or construction.**

100% relief on the new increase in rateable value for 12 months. The improvement must not involve any lands and heritages which were included within a different entry in the valuation roll immediately prior to the day the valuation roll amendment takes effect.

### **Scenario 5: A shop is extended, refurbished or improved e.g. with air conditioning, resulting in an increase in rateable value.**

100% relief for 12 months on the increase in value which is due to the extension or improvement. This does not apply if the extension or improvement arises from a

combination, division or reorganisation of lands and heritages which were previously shown, in whole or in part, in different entries in the roll.

Where the rateable value is reduced during the improvement work, the comparable value is the rateable value of the property before the works commenced.

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<b>Report To:</b>	<b>Policy and Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Corporate Director Education, Communities and Organisational Development</b>	<b>Report No:</b>	<b>PR/18/24/RB/KB</b>
<b>Contact Officer:</b>	<b>Morna Rae</b>	<b>Contact No:</b>	<b>01475 712065</b>
<b>Subject:</b>	<b>Draft British Sign Language Plan 2024/30</b>		

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is to seek approval of the Council's draft British Sign Language (BSL) Plan 2024/30 which is attached as Appendix 1. Appendix  
1

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the Committee notes that the Council was required to develop and publish a BSL Plan 2024/30 by 6 May 2024.
- 2.2 It is recommended that the Committee approves the draft BSL Plan 2024/30 which has been published on the Council's website.
- 2.3 It is recommended that the Committee notes that the Council will contribute, as appropriate, to the Scottish Government's National Progress Report on its BSL Plan 2023/29 at the mid-point of its delivery.

**Ruth Binks**  
**Corporate Director - Education, Communities and Organisational Development**

### **3.0 BACKGROUND AND CONTEXT**

- 3.1 The results from Scotland's 2011 Census indicated that there are 212 people aged three years or over who use BSL in the local area. (The 2022 Census statistics for language are expected in Summer 2024.)
- 3.2 The BSL National Plan 2023/29 sets out Scotland's ambition to be the best place in the world for BSL signers to live, work, visit and learn. The document includes 45 actions that the Scottish Government will deliver by 2029 to help it make progress towards that goal.
- 3.3 The Scottish Government has made a commitment to produce a National Progress Report on its BSL Plan 2023/29 at the mid-point of its delivery and the Council will contribute to that document, as appropriate.

#### **3.4 Legislative setting**

The BSL (Scotland) Act 2015 requires the Council to develop and publish a BSL Plan 2024/30. The deadline for publication of the Plan 2024/30 is six months after the publication of the BSL National Plan 2023/29 i.e. 6 May 2024. In light of that timescale, the draft BSL Plan 2024/30 has been published on the Council's website, pending approval by the Committee.

- 3.5 The Council's BSL Plan 2024/30 comprises around 30 improvement actions, grouped under the following nine priority areas of the BSL National Plan 2023/29:

- BSL Accessibility
- Children, Young People and their Families
- Access to Employment
- Health and Wellbeing
- Celebrating BSL Culture
- BSL Data
- Transport
- Access to Justice
- Democratic Participation.

#### **3.6 Staff training**

In partnership with the West College Scotland, Council staff have the opportunity to attend a *BSL for Customer Service* training course. The aims of the course are to build learners' confidence when communicating in BSL and outline strategies to understand and provide straightforward information to customers and service users who use BSL. Since 2020, a total of 75 employees have attended the training and feedback has been very positive. Further courses are planned for delivery in 2024/25.

### **4.0 PROPOSAL**

- 4.1 It is proposed that the Committee notes that the draft BSL Plan 2024/30 was published on the Council's website by the deadline of 6 May 2024.
- 4.2 It is proposed that the Committee approves the draft BSL Plan 2024/30.
- 4.3 It is proposed that the Committee notes the requirement for the Council to contribute to the Scottish Government's National Progress Report on its BSL Plan 2023/29.

## 5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk	X	
Human Resources		X
Strategic (Inverclyde Alliance Partnership Plan 2023/33/Council Plan 2023/28)	X	
Equalities, Fairer Scotland Duty and Children/Young People's Rights and Wellbeing	X	
Environmental and Sustainability		X
Data Protection		X

## 5.2 Finance

There are no direct financial implications arising from this report. The following financial implications are outlined for information only.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/(Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
02400 000 61002	Corporate Policy	2024/25	£2,000	n/a	Recurring budget

## 5.3 Legal/Risk

The delivery of the BSL Plan 2024/30 will support the fulfilment of the Council's obligations under The BSL (Scotland) Act 2015.

## 5.4 Strategic

The matters referred to in this report are of relevance to the following Inverclyde Alliance Partnership Plan 2023/33 Theme:

### Theme 5: A thriving place

- Easy access to attractive and safe public spaces, and high-quality arts and cultural opportunities.

The matters referred to in this report are of relevance to the following Council Plan 2023/28 Themes:

**Theme 1: People**

- Our young people have the best start in life through high quality support and education.

**Theme 3: Performance**

- High quality and innovative services are provided, giving value for money.

**5.5 Equalities**

This report has been considered under the Corporate EIA process with the following outcome:

X	Yes – Assessed as relevant and an EIA is required and will be made available through the following link:  <a href="https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments">https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments</a>
	No – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EIA is required. Provide any other relevant reasons why an EIA is not necessary/screening statement.

**6.0 CONSULTATION**

- 6.1 With support from the British Deaf Association Scotland, a consultation event was held on 29 January 2024 to gather views on the Council’s proposed BSL Plan 2024/30. Attendees received an update on the BSL National Plan 2023/29 and were advised that the Council wanted to devise a BSL Plan for the period 2024/30. A facilitated discussion then followed between attendees, Council staff and staff from NHS Greater Glasgow and Clyde.
- 6.2 In addition to the engagement event on 29 January 2024, stakeholders were invited to provide their views via email, letter or by sending a BSL video to the Council.
- 6.3 The appropriate Council Services were involved in the devising of the draft BSL Plan 2024/30, following which a further engagement event was held on 26 April 2024 with representatives of local BSL users.
- 6.4 The draft BSL Plan 2024/30 was later circulated for consideration to the Council’s Elected Members, as well as the Corporate Equalities Group and the Staff Disability Forum. The feedback received has been reflected in the document attached as Appendix 1.

**7.0 BACKGROUND PAPERS**

- 7.1 The Scottish Government’s BSL National Plan 2023/29 is available to view here:

<https://www.gov.scot/publications/bsl-national-plan-2023-2029/>



**Inverclyde Council**  
**British Sign Language Plan 2024/30**

Appendix 1

**Inverclyde Council**

**Draft British Sign Language (BSL) Plan 2024/30**

Draft

**Inverclyde Council**  
**British Sign Language Plan 2024/30**

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## Inverclyde Council

### British Sign Language Plan 2024/30

#### Introduction

Inverclyde is located on the West coast of Scotland and is one of the most attractive places in Scotland to live, work and visit, with breath-taking scenery, excellent transport links to Glasgow and Edinburgh, some of the best walking and sporting activities in Europe and an impressive school estate.

The main towns of Greenock, Gourock and Port Glasgow sit on the Firth of the Clyde. The towns provide a marked contrast to the coastal settlements of Inverkip and Wemyss Bay, which lie to the South West of the area, and the picturesque villages of Kilmacolm and Quarrier's Village, which are located further inland and offer a further dimension to Inverclyde's diversity, particularly in social, economic and physical terms.

A strong sense of community identity exists in Inverclyde and in local neighbourhoods in particular. Local citizens are rightly proud of Inverclyde and its history which is steeped in centuries of maritime and industrial endeavour.

Inverclyde's population in 2022 was estimated to be 78,400 while the results from Scotland's 2011 Census indicated that there are 212 people aged 3 years or over who use BSL<sup>1</sup> in the local area.

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<sup>1</sup> Whenever we refer to BSL users, we mean D/deaf and/or Deafblind people (those who receive the language in a tactile form due to sight loss) whose first or preferred language is BSL.

## Inverclyde Council

### British Sign Language Plan 2024/30

#### Background to Inverclyde Council's BSL Plan 2024/30

The BSL (Scotland) Act 2015 promotes the use of BSL in Scotland and requires Inverclyde Council to develop a BSL Plan for the period 2024/30 which will outline how it will promote and raise awareness of the language.

Inverclyde Council's first BSL Plan covered the period 2018/24. The Council's second BSL Plan sets out improvement actions that we will deliver between now and 2030.

This document broadly follows the BSL National Plan 2023/29<sup>2</sup> which was published on 6 November 2023 and developed in consultation with the BSL community and representative organisations for the BSL community. The National Plan 2023/29 includes 45 actions that the Scottish Government will deliver by 2029 to help it make progress towards its ambition of making Scotland the best place in the world for BSL users to live, work and visit.

The improvement actions in our BSL Plan 2024/30 are framed around the same long-term goals as the National Plan 2023/26 and are therefore grouped under the following themes:

- BSL Accessibility
- Children, Young People and their Families
- Access to Employment
- Health and Wellbeing
- Celebrating BSL Culture
- BSL Data
- Transport
- Access to Justice
- Democratic Participation.

The Scottish Government has made a commitment to produce a National Progress Report on its Plan 2023/29 at the mid-point of its delivery and the Council will make a contribution to that document, as appropriate.

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<sup>2</sup> [BSL National Plan 2023/29](#)

## Inverclyde Council

### British Sign Language Plan 2024/30

#### Section 1: BSL Accessibility

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***To remove accessibility as a barrier for BSL users in all aspects of life, recognising the importance of having accessible information in the right format at the right time, utilising technology and increasing people's awareness of communication tools.***

Between now and 2030, Inverclyde Council will:

- Improve access to our information and services for BSL users, including making our website more accessible to BSL users.
- Promote the use of the Scottish Government's nationally-funded BSL online interpreting video relay services *contactSCOTLAND-BSL* to staff and local BSL users.
- Look at offering BSL and deaf awareness training more widely to Council employees, including Education Services' staff.
- Explore the provision of formal, certified BSL training for front-line Inverclyde Health and Social Care Partnership (HSCP) staff who could come into contact with BSL users. Training would start at the basic level, followed by Levels 1 and 2, with the aim of upskilling staff to communicate with BSL users in their first language.

## Inverclyde Council

### British Sign Language Plan 2024/30

#### Section 2: Children, Young People and their Families

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***the Getting it right for every child approach will be fully embedded, with a Deaf or Deafblind child and their family offered the right information and support at the right time to engage with BSL. We will strengthen partnerships between relevant organisations to overcome barriers for BSL users and Deaf/Deafblind children to ensure they have the support they need at all stages of their learning, so that they can reach their full potential.***

Between now and 2030, Inverclyde Council will:

- |  |
|--|
| <ul style="list-style-type: none"> <li>• Improve access to early years' services for parents whose child is diagnosed as D/deaf or Deafblind by developing information about BSL and deaf culture for service providers who support parents, such as health visitors.</li> </ul>               |
| <ul style="list-style-type: none"> <li>• Assist families of D/deaf and Deafblind children by ensuring that they have access to BSL resources as early as possible in their child's life.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Develop BSL resources and advice within key programmes such as <i>Bookbug</i> so that parents can be supported to interact with their child during this critical developmental phase.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• In conjunction with partners, make the annual <i>Celebration of Sign</i> event a bigger and more widely publicised initiative across the Council.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Work with the Scottish Qualifications Authority to promote the suite of Awards in BSL and work towards the development in Inverclyde of BSL qualifications up to Level 6 of the Scottish Credit and Qualifications Network.</li> </ul>                |
| <ul style="list-style-type: none"> <li>• Include BSL video links for school information on the Moorfoot Primary School/Garvel Deaf Centre and Clydeview Academy's websites, and explore how we can include information in BSL on the information screens in school reception areas.</li> </ul> |
| <ul style="list-style-type: none"> <li>• Publicise the <i>contactSCOTLAND-BSL</i> website to enable parents to make contact with their child's school.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Raise awareness of and access existing resources in Inverclyde primary schools of BSL as an option in the 1+2 languages programme and offer taster sessions in other local schools.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Consider the promotion of on-line BSL tutorials that all local schools could access.</li> </ul>   |

**Inverclyde Council**

**British Sign Language Plan 2024/30**

**Section 3: Access to Employment**

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***BSL users will receive person-centred support to develop their skills, consider what route to employment is right for them and enter into the workforce so that they can fulfil their potential, and improve Scotland's economic performance. They will be provided with support to enable them to progress in their chosen career.***

Between now and 2030, Inverclyde Council will:

- Work with partners who deliver employment services, and with employer groups already supporting employability, to help signpost them to specific advice on the needs of BSL users.
- Raise awareness locally of the UK Government's *Access to Work* scheme with employers and with BSL users (including those on Modern Apprenticeships) so that they can benefit from the support it provides.
- Encourage and support BSL users to consider a career in culture and the arts.

**Inverclyde Council**

**British Sign Language Plan 2024/30**

**Section 4: Health and Wellbeing**

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- |   |
|---|
| <ul style="list-style-type: none"><li>• <b><i>BSL users will have access to the information and services they need to live active, healthy lives, and to make informed choices at every stage of their lives.</i></b></li></ul> |
|---|

Between now and 2030, the Inverclyde HSCP will:

- |  |
|--|
| <ul style="list-style-type: none"><li>• Develop complementary information in BSL about local provision, as appropriate.</li></ul>  |
| <ul style="list-style-type: none"><li>• Make arrangements for an information event for both BSL users and hearing staff on the use of <i>contactSCOTLAND-BSL</i>.</li></ul>  |
| <ul style="list-style-type: none"><li>• Work in partnership with NHS Greater Glasgow and Clyde to raise awareness of NHS support for BSL users to ensure they can access services to support their health and wellbeing.</li></ul> |

Between now and 2030, Inverclyde Council will:

- |  |
|--|
| <ul style="list-style-type: none"><li>• Take steps to improve access to information about sport, and to local sports facilities and sporting opportunities.</li></ul>                                  |
| <ul style="list-style-type: none"><li>• Work closely with organisations for deaf people at both a local and national level to direct BSL users to sporting opportunities in our communities.</li></ul> |



## Inverclyde Council

### British Sign Language Plan 2024/30

#### Section 5: Celebrating BSL Culture

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***BSL users will have full access to the cultural life of Scotland, and equal opportunities to enjoy and contribute to culture and the arts, and are encouraged to share BSL and deaf culture with the people of Scotland.***

Between now and 2030, Inverclyde Council will:

- |   |
|---|
| <ul style="list-style-type: none"><li>• Enable BSL users to take part in culture and the arts as participants, audience members and professionals.</li></ul>  |
| <ul style="list-style-type: none"><li>• Increase information in BSL about culture and the arts on relevant websites and at venues by:<ul style="list-style-type: none"><li>▪ working in partnership with providers of cultural events and activities across Inverclyde to increase the availability of information in BSL about culture and the arts to help promote opportunities and information to the deaf community; and</li><li>▪ exploring the use of technology to enhance the experience of BSL users when visiting exhibitions or accessing museum collections.</li></ul></li></ul> |
| <ul style="list-style-type: none"><li>• Improve access to the historical environment, culture events and performing arts and film for BSL users.</li></ul>  |

**Inverclyde Council**

**British Sign Language Plan 2024/30**

**Section 6: BSL Data**

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***to strengthen the evidence and data on the BSL community in Scotland to better inform decision making in public policy and service design.***

Between now and 2030, Inverclyde Council will:

- Work in partnership with local and national agencies to analyse existing evidence about BSL users to identify and fill key information gaps and strengthen our knowledge base.

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## Inverclyde Council

### British Sign Language Plan 2024/30

#### Section 7: Transport

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***BSL users will have safe, fair and inclusive access to public transport and the systems that support all transport use in Scotland.***

Between now and 2030, Inverclyde Council will:

- Provide information in BSL about the Council's home to school transport provision.
- Publicise the Young Person's National Entitlement Cards for people aged 11-25 years in BSL with the aim of promoting engagement with the initiative and the uptake of free travel for all under 22 years olds.

## Inverclyde Council

### British Sign Language Plan 2024/30

#### Section 8: Access to Justice

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***BSL users will have fair and equal access to the civil, criminal and juvenile justice systems in Scotland.***

Between now and 2030, Inverclyde Council will:

- Take steps to deliver Theme 4: *A supportive place* in the Inverclyde Alliance Partnership Plan 2023/33 which includes the outcome *Public protection and community safety are improved through targeting our resources to reduce the risk of offending and harm.*
- Take steps to deliver Theme 1: *People* in the Inverclyde Council Plan 2023/28 which includes the outcomes *Our young people have the best start in life through high quality support and education;* and *Our most vulnerable families and residents are safeguarded and supported.*
- Provide support to *the Developing the Young Workforce* programme whose impact is measured by progression to positive destinations.
- Provide administrative support to the Inverclyde Children's Panel Members - and the Area Support Team - who make legal decisions about the care and protection of children and young people in the local area.
- Ensure the availability of appropriately trained Interpreters to support communication when members of the BSL community are involved with Inverclyde Justice Services.

## Inverclyde Council

### British Sign Language Plan 2024/30

#### Section 9: Democratic Participation

The Council acknowledges the following long-term goal in the BSL National Plan 2023/29:

- ***BSL users will be fully involved in democratic and public life in Scotland, as active and informed citizens, as voters, as elected politicians and as board members of our public bodies.***

Between now and 2030, Inverclyde Council will:

Take opportunities to promote the *Access to Elected Office Fund* locally, which can meet the additional costs of BSL users wishing to stand for selection or election in local or Scottish Parliament elections by:

- providing information on, and signposting to, the *Access to Elected Office Fund*, which is run by Inclusion Scotland and funded by the Scottish Government, through the Council's website at [Democracy and Elections - Inverclyde Council](#);
- including information on the *Access to Elected Office Fund* in Nomination Packs; and
- taking steps to raise awareness among Elected Members of *contactSCOTLAND-BSL*.

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<b>Report To:</b>	<b>Policy and Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Corporate Director Education, Communities and Organisational Development</b>	<b>Report No:</b>	<b>PR/22/24/LL/TM</b>
<b>Contact Officer:</b>	<b>Tony McEwan</b>	<b>Contact No:</b>	<b>01475 712828</b>
<b>Subject:</b>	<b>Update on Inverclyde Anti-Poverty Initiatives June 2024</b>		

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## **1.0 PURPOSE AND SUMMARY**

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this report is to provide Committee with progress and development on the Anti-Poverty Initiatives funded by the Inverclyde Council Anti-Poverty recurring budget to date.
- 1.3 Inverclyde Council and the HSCP allocated a total budget of £1.08 million per year for financial year 2021/22 and 2022/23 to fund a range of time-limited local initiatives to mitigate poverty and deprivation. The Council contributed £830k and HSCP £250k. This report provides progress against the initiatives relevant to the Council-funded projects.
- 1.4 The report also recommends the Committee notes the progress and development of actions to alleviate food poverty which were agreed through delegated authority to the Corporate Director of Education, Communities and Organisational Development.

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the Policy and Resources Committee:
- notes the content and progress of the projects of this report;
  - notes the financial information in Appendix 1; and
  - notes the outcome of the food insecurity funding in Winter 2023/24.

**Ruth Binks**  
**Corporate Director**  
**Education, Communities and Organisational Development**

### **3.0 BACKGROUND AND CONTEXT**

- 3.1 In 2021 Inverclyde Council and HSCP agreed to create a £1.08 million budget to fund a range of local initiatives to mitigate the impact of poverty and deprivation levels that were reported in the Scottish Indices of Multiple Deprivation (SIMD) 2020.
- 3.2 These initiatives are targeted towards communities and people most likely to be affected by deprivation, poverty, and inequalities, including males affected by drug and alcohol use, early intervention for families living in poverty and encouraging new businesses to start up in areas with the greatest deprivation levels.
- 3.3 Since the initial initiatives were agreed, some changes were made to better reflect the changing needs of communities, to improve outcomes and to continue/ discontinue funding depending on impact and outcomes.
- 3.4 Progress on initiatives and against spend have been reported regularly to the Policy and Resources Committee, with a specific full evaluation report being submitted on 21 November 2023.
- 3.5 The Full Council in December 2022 agreed a £600k saving from the Council's portion of the recurring anti-poverty budget of £830k, leaving £230k. It also agreed to add in existing Education funding for various education initiatives relating to anti-poverty, totalling £259k. The total recurring anti-poverty budget available for 2023/24 being £489k. As part of the 2024/26 budget process Members agreed to allocate £35k of the unallocated recurring budget to assist with the cost of making playschemes free. The remaining £17k unallocated balance was agreed as a saving.
- 3.6 In addition to this recurring budget there is an earmarked reserve made up of the carry forward from previous year's anti-poverty funding of £1,202m together with £800k additional funding from reserves, agreed by Members as part of the 2023/24 budget process. A portion of this funding is required in 2023/24 for completion of some of the original anti-poverty projects. The provisional outturn position for 2023/24 is spend of £363k against these projects, with a projected carry forward to 2024/25 of £1.748m. In addition to this, Members agreed a further £500k allocation from reserves in February 2024. A detailed breakdown of this information is contained in Appendix 1, which also details the commitments against the overall 2024/25 funding. There is currently £774k unallocated.
- 3.7 The initiatives and interventions developed with the Anti-Poverty Funding are just one part of the Council's approach to alleviating poverty in Inverclyde and are, together with the anti-poverty fund, aligned with the actions and outcomes of the Local Child Poverty Action Report which is reported to the Alliance Board annually in line with the Child Poverty (Scotland) Act 2017.

### **4.0 PROGRESS ON INITIATIVES**

- 4.1 In November 2023, Committee approved the continuation of dedicated time of a team leader within CLD which has been funded from the anti-poverty budget to provide support to each of the project leads to ensure the outcomes achieved remained in line with the Inverclyde anti-poverty agenda. An officer group remains in place while the anti-poverty funding remains.
- 4.2 Overall, positive progress has been made in the continued review and development of the various initiatives, which are demonstrably creating new opportunities and improving the quality of life for those who have engaged in the services and who are struggling financially.

#### 4.3 **IRISE (Inverclyde Routes in to Supported Employment) PROJECT**

Project Timescale November 2021 – Extended to December 2024

This project aimed to provide individualised support to young men aged 20-40 residing in the most deprived areas of Inverclyde, with the aim of moving them into employment. Clients have a range of complex issues such as being in recovery, offending or homelessness and receive support from an Occupational Therapist and Support Workers to improve their skills and reduce the barriers to employment, education, or training. The IRISE project had initially faced multiple challenges to become established within the Inverclyde community and focused work needed to be undertaken to improve the referral pathway from partner agencies.

The HSCP project team has developed a more sustainable model of delivery beyond December 2024. The development of this project has allowed services to share these challenges, improve learning and celebrate successes. The project is currently engaging with 9 men with a total of 38 men being engaged in the work of the project since it began. All are at different stages in their recovery journey with some actively working, some seeking work, or attending further education.

#### 4.4 **Food Insecurity**

Project Timescale - December 2021- December 2024

This funding committed Inverclyde Council to implement and develop the first Zero Waste Food Pantry in Grieve Road in December 2021. The funding was used to commission the Inverclyde Community Development Trust (ICDT) to deliver the Pantry; to support the local community with volunteering opportunities; and engage with a wide range of service users to access the service and ensure it meets their needs. The ICDT used the allocated funding as with leverage to receive match funding opportunities and to apply to the National Lottery to establish a second pantry in Port Glasgow. Committee agreed in November to continue to fund the Pantry Service until December 2024.

The funding has enabled the Pantries to further develop of local collaborations and partnerships, including the Food Network and the Inverclyde Food Growing Network. Adaptation of the service will provide sustainability by continuing, to attract new members to both pantries, including younger households and those not in employment. The combined Pantry membership is now 2,027: 1190 members for Grieve Road and 837 for Port Glasgow. Since November 2023, 81 new members have joined the Port Glasgow Pantry and 143 new members have joined Grieve Road. 60% of members are in receipt of benefits including Universal Credit or Pensions.

The Pantries have created a Pay It Forward scheme, to support people when they do not have the £2.50 to purchase their shopping. The Pay It Forward scheme accounts for 10% of the Pantry sales and supports people are facing food insecurity, for some people this is used fortnightly or weekly depending on their household financial circumstances. The Pantry also works closely with the library which has community fridges, and any excess foodstuff is delivered to the community fridge and given to the community free of charge.

The Pantry has distributed 186 tonnes of with the support of 39 volunteers at various times, there have been 8 volunteers moved onto employment and 4 volunteers have moved onto further education. Currently there are 18 volunteers working between the 2 Pantries.

#### 4.5 **Glasgow Fare Share Membership**

Project Timescale - December 2021 – December 2024

Inverclyde Council has continued to purchase 2 Super Memberships from Fare Share Scotland until December 2024 at a cost of £10,281 each per year. The two memberships provide weekly food to the two Community Pantries which alleviates the pressure on the pantry as the Fare Share memberships guarantees weekly stock that is subsidised with local surplus contributions.



This charity is based in Glasgow and is the 4<sup>th</sup> largest Fareshare depot in the UK with more than 100 members. From 1 November until 30 April 2024 Inverclyde's Fareshare memberships have provided 124,876 kilograms of surplus food to Inverclyde, this includes more than 18,000kg of fresh fruit and vegetables. The food mainly consists of vegetables, dairy, fruit, bread and meat, tins, and occasional ready meals.

#### **4.6 Inverclyde Food Banks – 2023 Winter Food Insecurity Payment**

The local foodbanks were invited to come together to share good practice, discuss sustainability around the provision of free food, identify who is accessing the foodbanks and identify service support which will support the community and reduce the need for foodbanks. The Salvation Army in Port Glasgow, the Port Glasgow Church Angels, the I58 Trussel Trust, and Branchton Community Centre received funding in December 2023 and attended several meetings to discuss how they can support each other to meet the needs of the community.

The peer support group recognised that apart from the food provision there was little commonality between the foodbank organisations. The two foodbanks in Port Glasgow are working together with the Port Glasgow Pantry when possible, however, there is still a reluctance to request and record the family demographics, to implement a referral system or put processes in place that may result in people not receiving food. However, there is an understanding that the processes that are currently in place and the reliance on public sector funding to purchase food is not sustainable. More than 314 individual households requested a food bag from Port Glasgow Church Angels, many of the households are returning on a weekly basis and most of the households are PA15 postcode area.

Branchton Community Centre provided a food share service and incorporated the Warm Hand of Friendship funding to offer meals, food vouchers, discounted shopping, winter clothing and blankets, hot water bottles, gloves, scarves, and Christmas toy packages to families who had been referred. The food share shop in Branchton provided support to more than 2000 people between December 2023 and March 2024.

The i58 Trussell Trust food bank continues to support vulnerable people who have been referred by local services and agencies, there were 1809 referrals between January – March 2024. The biggest referring agency is Alcohol and Drug Services, followed by Advice Services and Homelessness services. The user demographics include 95 lone parent families, and 18 families with 3 or more children, the most common reason for requesting food from the food bank is because of the rising cost of essentials.

#### **4.7 Support for Credit Union Movement**

Both Tail O' the Bank Credit Union and Port Glasgow Credit Union remain financially sound and committed to serving their local communities, however they face significant challenges including increased regulatory burden, which is resource intensive and adds to the volunteer strain to comply with the governance and compliance tasks, and both credit unions require significant investments in ICT. Both credit unions independently explored a "transfer of engagements" as the best way to ensure continued service to their communities. This has led to a merger with Rightway Credit Union, a larger and more established credit union based in Paisley. Both local branches will retain their existing locations and offer in-person services for the foreseeable future. The benefits of the local merger will enable expanded lending capacity, enhanced product range, and sustainable financial inclusion. The merger will also safeguard the continued availability of credit union services within the Inverclyde area.

This situation reflects a broader trend affecting credit unions across the UK. It is not a reflection of the performance of these specific credit unions or the dedication of their volunteers. The

volunteers will continue to play a valuable role in the deployment and delivery of financial services within their respective communities. The partnership with Rightway presents a positive outcome for the future of credit unions in Inverclyde. This merger will ensure continued access to financial services and potentially improve the overall service offerings available to the community. There are no financial implications from the Anti-Poverty Initiatives budget to support the two local credit unions currently.

#### 4.8 **Warm Hands of Friendship 2023/24** December 2023 – March 2024

Committee approved a further £100,000 to be allocated to the Warm Hands of Friendship initiative from December 2023 until March 2024, to enable Community Learning and Development, Community Safety & Resilience and Sport, Educational and Communities to support local community organisations to deliver a range of grass root services that would meet the needs of their community. This project provides new ways to engage with local people and provided the opportunity for local organisations to understand the needs of the communities.

The Warm Hand of Friendship initiative successfully supported 58 local community organisations to deliver essential community services during the winter period. These services ranged from safe warm spaces and clothing distribution to meals provision, and community activities. Over 9,000 individuals benefitted, from the Warm Hand of Friendship initiative, there was a focus on prioritising vulnerable groups including lone parent families, families with multiple children, and older adults. Data collection revealed that the initiative helped address the difficult choice between food and heating, fostered social connections, and even led to the formation of lasting friendships and establishing support networks within the community.

#### 4.9 **Fully funded Summer Playschemes**

As part of the Council's budget in 2024/26, it was agreed to fully fund the provision of playschemes across Inverclyde. This means that playschemes, including the playscheme provided by Play4all, can now be accessed for free. £35,000 from the recurring anti-poverty budget has been added to the £30,000 already set aside from the Council's community grants fund to ensure free access to playschemes over the summer holidays.

#### 4.10 **Pension Credit Uptake**

The Policy and Resources committee remitted to officers to report back to a future meeting on measures taken locally to identify people who are eligible and owed Pension Credit.

Pension Credit is a reserved means-tested benefit delivered by the Department for Work and Pensions (DWP) for people over State Pension age with a low income. Receiving Pension Credit, even a small award, can provide access to other benefits, such as help with housing costs, council tax and heating. Welfare benefit advice and income maximisation services for older people are provided by partners represented on the Inverclyde Financial Inclusion Partnership (FIP).

The DWP runs national Pension Credit promotional campaigns and where required, help is available in Jobcentre Plus and visiting officers meet people in their homes to help with the completion of claim. Social Security Scotland provides advice and signposts those who seek their help with reserved benefits to the DWP and to local services.

HSCP Advice Services, Financial Fitness and River Clyde Homes Financial Wellbeing Team deliver a range of proactive and reactive services from their offices, by phone and at venues across the community. In addition to supporting clients through the claim process, advocacy services to challenge decisions are provided where appropriate. Services are promoted using a

variety of methods including newsletters, new tenancy packs, social media and at outreach events organised themselves, and by various groups and bodies.

The HSCP Advice Service has arrangements with other services including assisting the Centre for Independent Living where clients are offered a benefit check as part of the financial assessment for Care and Support at Home Services with the Advice Service supporting partners who remain in the family home. The Macmillan Cancer Support section of the service has a well-established pathway with the Inverclyde Improving the Cancer Journey (ICJ), ensuring clients receive financial wellbeing advice and guidance and the wider ICJ support. The Advice Service also meet with groups, such as those with addictions and the homeless, albeit not specifically older people.

River Clyde Homes' Financial Wellbeing Service offers all tenants and occupants of pension age a benefit health check. The team attended each of the association's sheltered complexes and high flats in 2023 with more visits planned this year. Wardens and housing officers are trained to identify and refer those potentially eligible for Pension Age benefits to the service.

Financial Fitness' services are available to all Inverclyde residents and have a contractual arrangement to provide services to the tenants of Oak Tree, Cloch and Link Housing Associations. Joint targeted campaigns for particular social groups, including older people have been run and they provide a weekly surgery at the Carers Centre where they engage with many older people and their carers. Older people account for approximately 32% of Financial Fitness' service users.

Partners who carry out income maximisation services share the view that there is good uptake of Pension Credit in Inverclyde because benefit checks infrequently identify unclaimed entitlements. However, more in depth assessment of service users' circumstances, highlighting entitlement to Attendance Allowance, a non means tested benefit for personal support needs, can be a trigger for Pension Credit entitlement.

Pension Age Disability Payment replaces Attendance Allowance and will be delivered by Social Security Scotland, becoming available across Scotland by 22 April 2025. The new benefit will be supported by Social Security Scotland Local Delivery providing person-to-person support with applications and questions about the application process.

While there is no local Pension Credit local data available, social policy software and analytics company, Policy In Practice estimated in February 2022 that there were 122 older people in Inverclyde who claimed Housing Benefit who may have been eligible but were not receiving Pension Credit. Housing Benefit decision letters inform benefit recipients when they may be eligible for Pension Credit and to seek advice.

The Financial Inclusion Partnership has re-focused efforts and plans are being developed to raise the profile of pension age welfare benefits to increase uptake across Inverclyde.

#### 4.11 **Scottish Welfare Fund**

Anti-Poverty Funding of £40,000 allocated on a recurring basis allows Crisis Grants to be enhanced by 20% above the government minimum level. A total of 1,696 Crisis Grants were awarded during 2023/24, totalling £193,330, compared with 2,328 grants totalling £271,475 in 2022/23. Reduced demand for Crisis Grants during 2023/24 can be explained by cost-of-living awards made by the Department for Work and Pensions in three instalments totalling £900 to people on means tested benefits. The DWP payments are not due to continue into 2024/25 so Scottish Welfare Fund applications are expected to revert to more normal levels as a result the absence of these extra funds reaching people on low incomes. The core allocation will be supported in 2024/25 by one-off Anti-Poverty Funding of £50,000 agreed by Committee in

November 2023. More detail on Scottish Welfare Fund is found in the Finance Service Update found elsewhere on the agenda.

**4.12 Update on Scottish Government funding for Early Adopter and Pilot Projects**

Inverclyde Council secured funding of £218k from the Scottish Government in financial year 2023/24 for the Early Adopter Childcare project in Port Glasgow. This initiative targets specific groups within the local community. The Council is currently awaiting confirmation of its share of the £16m announced by the First Minister on 22 May 2024 to continue and/or expand the project in Inverclyde. However, an interim allocation of £146k has been granted to extend the existing project until August 2024.

A successful bid was also put in for Child Poverty Accelerator Fund bid to codesign with families living with children under 5years, a service to increase their employability opportunities. This complements the early adopter community and the IRISE projects. Funding of £34,000 was secured for the 2023/24 financial year, with the potential for an additional £54,000 to be allocated in 2024/25 contingent on project success.

A recent bid was submitted for funding of £271,198 for 2023/24 and £312,508 for 2024/25 to establish an anti-poverty pathfinder hub in the Boglestone Area of Port Glasgow (upper Port Glasgow). serving as a central point for multi-agency collaboration to not only support employment and person-centred support for families experiencing or at risk of poverty. This initiative directly aligns with the Tackling Child Poverty Delivery Plan by targeting specific family groups:

- Lone parents/carers;
- Ethnic minority families;
- Families with a disabled adult or child;
- Families with a young mother (under 25);
- Families with a child under 1;
- Larger families (3+ children); and
- Families with Kinship Care.

In addition, the Pathfinder Project will look at the wider community of Port Glasgow and offer support to individuals who are living in poverty, experiencing inequalities, and who are economically inactive.

**5.0 IMPLICATIONS**

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>
Financial	X	
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

## 5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
Anti-Poverty EMR		2024/25-2027/28	£1.474m		Unallocated balance £774,000

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments

## 5.3 Legal/Risk

None.

## 5.4 Human Resources

None.

## 5.5 Strategic

Tackling the causes of poverty and deprivation to reduce inequalities in Inverclyde is a key priority for Inverclyde Council and HSCP. This report provides recommendations which are in line with this priority.

## 5.6 Equalities, Fairer Scotland Duty & Children/Young People

N/A

### (a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

### (b) Fairer Scotland Duty

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report’s recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty.

(c) Children and Young People

Has a Children’s Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children’s rights.

**5.7 Environmental/Sustainability**

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

**5.8 Data Protection**

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

**6.0 CONSULTATION**

6.1 None.

**7.0 BACKGROUND PAPERS**

7.1 None.

**Anti Poverty Earmarked Reserve****Total EMR Budget 2023/24**

EMR C/F	£1,202,000
Additional funding from Reserves (agreed 2 March 2023)	£800,000
Underspends in FSM	£46,000
Underspend Fair Share Membership	£11,000
Core Anti Poverty budget unallocated balance 23/24	£52,000
	<u>£2,111,000</u>

Less Expenditure 2023/24	(£363,124)
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Carry Forward to 2024/25	<u>£1,747,876</u>
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Add Additional Funding from reserves (agreed 29 February 2024)	£500,000
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<b>Available Funding 2024/25</b>	<b>£2,247,876</b>
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**Commitments:**

Employment IRISE	£641,282
Additional Food Insecurity Funding	£36,424
Dedicated Team Leader Funding	£12,943
Scottish Welfare Fund	£125,000

3 Year Clothing Grant	£300,000
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3 Year Clothing Grant Primary	£126,000
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4 Year Free School Meals	£232,000
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<b>Total Commitments</b>	<b><u>£1,473,649</u></b>
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<b>EMR Balance Unallocated</b>	<b>£774,227</b>
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<b>Report To:</b>	<b>Policy &amp; Resources Committee</b>	<b>Date:</b>	<b>4 June 2024</b>
<b>Report By:</b>	<b>Corporate Director Education, Communities &amp; Organisational Development</b>	<b>Report No:</b>	<b>PR/19/24/LL/RB</b>
<b>Contact Officer:</b>	<b>Ruth Binks</b>	<b>Contact No:</b>	<b>01475 712748</b>
<b>Subject:</b>	<b>Leadership Development</b>		

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## 1.0 PURPOSE AND SUMMARY

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this paper is to update the Policy and Resources Committee on outcomes of staff leadership training initiatives.
- 1.3 In house and external leadership opportunities are accessed by employees of Inverclyde Council. Opportunities for leadership training are important, not only to strengthen leadership capacity at all levels but also to help with the Council's recruitment and retention. This report gives an overview of initiatives and evaluations over the past years.
- 1.4 The report also gives an overview of the intended next steps for leadership development across the council.

## 2.0 RECOMMENDATIONS

- 2.1 Members of Policy and Resources Committee are asked to note the contents of this report.

**Ruth Binks**  
**Corporate Director**  
**Education, Communities & Organisational Development**



### **3.0 LEADERSHIP DEVELOPMENT FOR TEACHING AND EARLY YEARS STAFF**

- 3.1 The Inverclyde Leadership Pathways, created in 2017, identify training and opportunities that are available to teachers and early years' practitioners. The pathway for teachers was created initially, then due to the success of this we developed the same model for early years. These are ever-changing and require regular updating. The role of the local authority is to direct teachers and practitioners towards these pathways and provided further opportunities for collaborative working between those who have identified themselves on a pathway. Leadership pathway networks form a key part of professional development where teachers have regular opportunities to share practice and further develop their leadership skills.

We work in partnership with other councils and organisations to provide cognitive learning opportunities along with our own Inverclyde leadership programmes. A number of Head Teachers, Heads of Centres, DHTs and Education Officers support the delivery of these programmes. An important focus of the pathways is also the development of experiential collaborative opportunities whereby the teachers and practitioners are encouraged to create their own experiences.

#### **3.2 Joining a Pathway**

Teachers and practitioners are encouraged to join a pathway at any point in their career. Members of school and early years' management teams, through the ongoing Professional Review and Development process (PRD), Positive Conversations and the Quality Improvement Team (QIT), play an active role in encouraging teachers and practitioners to join a pathway. There is no limit to the numbers who join. At present we have approximately 150 teachers and 30 early years' practitioners. Participation in a pathway promotes the development of the participant's leadership skills and provides excellent opportunities for networking.

Should a teacher or practitioner decide not to join a pathway this does not exclude them from applying for a promoted post nor does it hinder their advancement. The pathways are there to support them in their professional learning journey, should they wish such support, and to increase the number of suitably qualified candidates applying for promoted posts.

- 3.3 Over the last two years, Inverclyde has not experienced the same difficulties that some other authorities have faced with recruitment into head teacher posts. The leets for head teachers have tended to be strong, with only one post having been readvertised. In the last 2 years we have advertised for 9 head teacher posts of which two thirds were internal appointments.

### **4.0 WHOLE COUNCIL LEADERSHIP DEVELOPMENT**

#### **4.1 Leadership Course 2018-19**

The first uplifting Leadership Courses were initially delivered to teaching staff, and having been highlighted as sector leading practice during an inspection it was suggested that the course was piloted across the whole council. The first council wide course comprised of 6 sessions from November 2018 to April 2019 and were based on the book by Hargreaves, Boyle and Harris about how organisations, teams and communities raise performance. The course was delivered by the Corporate Director of Education, Communities and Organisational Development and the then Head of OD, Policy & Communications with a total of 19 staff completing the course.

- 4.2 A recall date was held in June 2019. The purpose of this was for those who completed the course to deliver a short presentation to the chief executive on an improvement area within their own service and to receive a certificate to recognise the completion of the course. The course received a very positive evaluation
- 4.3 The aim of the Uplifting Leadership course was to develop leadership skills at all levels and not everyone on the course sought promotion, however of those who undertook the course 11 have been promoted (either temporarily or permanently) to internal and external posts. In addition, one

of the improvement areas developed as part of the course was to deliver in-house training for technicians. This resulted in Inverclyde Council becoming one of the first to achieve SSERC Accredited status and be approved as a training centre. This has meant that the council has saved 70% of the potential cost in training and associated travel costs.

#### 4.4 Leadership Course 2023

Uplifting Leadership was scheduled to run again during 2020 but the COVID pandemic meant that this was not possible. A revised Leadership programme was held during 2023. The aim of this programme was to give a pragmatic hands-on approach to leadership development and reconnect teams across the council after the COVID pandemic. Topics covered were: Leading in a hybrid world, managing people, getting the culture of leadership right, leading in a political and public service environment, managing change and using self-evaluation to bring about improvement. The course was again evaluated highly with participants welcoming the opportunity to network as well as finding the content useful. Because of the size of the council the intention is to run this type of programme once every 2/3 years.

4.5 Feedback from those who attended the 2023 course asked for some bespoke practical sessions on specific aspects of council life e.g. report writing, equalities assessments and to further develop mentoring programmes.

#### 4.6 Ongoing developments and next steps

The 2024 Mentoring Programme was launched in January 2024. It involves mentees (Middle Managers, Operational Managers, Line Managers, Supervisors) being matched with mentors (Directors, Heads of Service, Service Managers). Over the course of 12 months mentees develop their knowledge, skills and mind-set, gain practical insights and constructive challenge. Mentors benefit from passing on their knowledge, expertise, experience and develop their own leadership skills. Both mentors and mentees gain broader perspectives, as well as build new business relationships via the networking opportunities available. For the Council, the aim is to benefit from increased satisfaction for employees, leading to better staff retention in management positions as well as improved leadership skills.

4.7 Equality Impact Assessment training was provided by Clyde & Co in February 2024 to 56 Council officers. This provided an overview of the statutory framework for assessments, the factors to be taken into account and case studies from other public sector organisations. Over 2024-25 the process for assessments will be reviewed and streamlined and related guidance and training will be provided for employees.

4.8 The annual Positive Conversations discussions between line managers and employees include training and development needs. These are collated by Organisational Development and following analysis in April these will inform the development of a programme for specific training for 2024/25.

4.9 The People and Organisational Development Strategy 2024-27 was recently approved. It includes four key themes:

- Organisational Development (Planning for the Future)
- Employee Skills Development, Leadership, Succession Planning (Employees our most Valuable Resource)
- Employer of Choice (Continuous Improvement)
- Fairness & Equality (Promoting Equality, Dignity & Respect)

A related action plan is being developed and will include the following areas with particular relevance to leadership development:

- Supporting delivery of service workforce delivery plans
- Strengthening succession planning
- Developing appraisal approaches
- Developing learning and development programmes

- Implementing approaches to improve the physical, mental and financial wellbeing of our employees
- Improving communication and engagement channels with employees

## 5.0 IMPLICATIONS

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial		X
Legal/Risk		X
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

## 5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
N/A					

## 5.3 Legal/Risk

N/A.

## 5.4 Human Resources

N/A.

## 5.5 Strategic

N/A.

## 5.6 Equalities, Fairer Scotland Duty & Children/Young People

### (a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
✓	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required.

(b) Fairer Scotland Duty

Has there been active consideration of how this report’s recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report’s recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
✓	NO – Assessed as not relevant under the Fairer Scotland Duty.

(c) Children and Young People

Has a Children’s Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
✓	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children’s rights.

**5.7 Environmental/Sustainability**

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
✓	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

**5.8 Data Protection**

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
✓	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

**6.0 CONSULTATION**

6.1 N/A.

## **7.0 BACKGROUND PAPERS**

7.1 N/A.

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**Report To:** Policy & Resources Committee      **Date:** 4 June 2024  
**Report By:** Head of Legal, Democratic, Digital & Customer Services      **Report No:** LS/035/24  
**Contact Officer:** Colin MacDonald      **Contact No:** 01475 712113  
**Subject:** External Condition Surveys – Remit from Environment & Regeneration Committee

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision                                       For Information/Noting

1.2 The purpose of this report is to request the Committee consider a remit from the Environment & Regeneration Committee relative to external condition surveys of all Council property assets.

1.3 The Environment & Regeneration Committee at its meeting of 16 May 2024 considered a report by the Director, Environment & Regeneration.

1.4 A copy of the report to the Environment & Regeneration Committee is attached as Appendix 1.

1.5 The Environment & Regeneration Committee decided:

- (1) that the 2024-2028 Corporate Asset Management Strategy be approved;
- (2) that the proposal to review and refresh the individual asset sub-groups to develop longer term costed asset plans be noted; and
- (3) that (a) the progression of the refresh of the 5 year external condition surveys of all property assets be approved, and (b) that it be agreed to remit the report to the Policy & Resources Committee seeking approval of £0.200m from the 2023/26 Capital Programme contingency.

## **2.0 RECOMMENDATIONS**

2.1 The Committee is asked to consider the remit from the Environment & Regeneration Committee, which seeks approval of £0.200m from the 2023/26 Capital Programme contingency in order to carry out external condition surveys for Council property assets.

**Lynsey Brown**  
**Head of Legal, Democratic, Digital & Customer Services**

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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>16 May 2024</b>
<b>Report By:</b>	<b>Director, Environment and Regeneration</b>	<b>Report No:</b>	<b>ENV040/24/EM</b>
<b>Contact Officer:</b>	<b>Eddie Montgomery</b>	<b>Contact No:</b>	<b>01475 714800</b>
<b>Subject:</b>	<b>Corporate Asset Management Strategy 2024 – 2028</b>		

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## 1.0 PURPOSE AND SUMMARY

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is to update the Committee on the progress in respect of the refresh of the Council's Corporate Asset Management Strategy.

1.3 The Council implemented Asset Management Planning and published its first Corporate Asset Management Strategy in March 2009 which set out the Council's Strategy for managing and modernising its Assets. The fourth Corporate Asset Management Strategy (appended) is intended for the period 2024 to 2028.

## 2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- approve the 2024-2028 Corporate Asset Management Strategy;
- note the proposal to review and refresh the individual asset sub-groups to develop longer term costed asset plans;
- approve the progression of the refresh of the 5 year external condition surveys of all property assets and agree that it be remitted to the Policy and Resources Committee seeking approval of £0.200m from the 2023/26 Capital Programme contingency.

**Eddie Montgomery**  
**Head of Physical Assets**

### **3.0 BACKGROUND**

- 3.1 The Council implemented Asset Management Planning and published its first Corporate Asset Management Strategy in March 2009 which focused mainly on land and buildings and set out the Council's Strategy for managing and modernising its Property Assets. The second Corporate Asset Management Strategy, as approved by the September 2016 Environment & Regeneration Committee, covered the period 2016 to 2018 and provided an updated position on all asset strands including the Asset Management planning framework addressing the various asset sub-groups beyond land and buildings. The strategy was further refreshed and reported to the October 2020 Environment & Regeneration Committee to cover the period 2019 – 2022.
- 3.2 The current Environment and Regeneration Committee Delivery Improvement Plan 2023/26 includes an Action to refresh the 2019/22 Corporate Asset Management Strategy to reflect the current position and the progression of the supporting Asset Management plans across the various asset sub-groups.

#### **Proposed Corporate Asset Management Strategy 2024 - 2028**

- 3.3 Since the original 2009 Corporate Asset Management Strategy there has been significant change and improvement in terms of Council structure, service delivery and the advancement / completion of strategic asset management plans. The previous editions of the Corporate Asset Strategy reflected the following key developments:
- The phased Modernisation/Transformation programme and changes to the Corporate Structure.
  - The framework of Corporate Planning strategic documents.
  - The formulation of Asset Management Plans for key corporate asset sub-groups and the financial strategies that underpinned them.
  - The establishment of Improvement Plans and utilisation for self-evaluation through the Strategic Planning and Performance Management Framework.
- 3.4 The fourth edition of the Corporate Asset Management Strategy reviews and updates all of the elements above and links with the best value elements of performance management and demonstrating continuous improvement in the delivery of services. The format of the document remains broadly as in the previous editions which reinforced/demonstrated the approach to achievement of corporate objectives through a strategic approach to Asset Management and the links with the Council's strategic outcomes.

#### **Action Plan and Asset Plan Review**

- 3.5 The significant programmes of work and change taken forward across the majority of asset categories over the last 15 years were supported by costed Asset Plans and involved the allocation of accompanying resources. The improvements across the asset base were achieved by significant increases in resource allocation, asset rationalisation, investing in new assets, delivering new facilities or comprehensively refurbishing existing facilities. The current available resources as outlined in the approved 2024/28 Capital Programme mean that the focus of the 2024-2028 Corporate Asset Management Strategy will predominantly be on rationalising and reducing the number of operational assets that the council holds. The individual asset plans covering the same period will also require to identify the priorities for investment of the available limited capital resources to ensure as far as possible that the overall asset performance indicators are maintained at or near the current levels.



- 3.6 In the medium term all asset plans will require to be refreshed and as far as possible include fully costed 5-10 year plans to support the asset infrastructure elected members wish to maintain. This will require investment in both external and internal resources and thereafter the strong likelihood a significant increase in capital investment levels with the resultant prioritisation within the overall Council Budget.
- 3.7 As a starting point for this activity there is a need to refresh the 5 yearly externally procured Property Asset condition surveys which were last completed in 4<sup>th</sup> Quarter 2019. The assessment of asset condition is fundamental to assessing risks / liabilities to the Council and establishing investment needs and priorities. Externally procured elemental condition surveys for property (based on Scottish Government Guidance) are undertaken on a 5-year rolling programme with an annual review carried out by Property Services. The surveys also provide an indication of the backlog maintenance and priorities for investment over a ten-year projection.

#### 4.0 PROPOSALS

- 4.1 Subject to Committee approval of the strategy Officers will progress the associated Action Plan.
- 4.2 The Committee is requested to note that a review and refresh of all asset sub-groups is required in the medium term to reflect as far as possible a 5-10 year costed plan for asset / infrastructure investment and that an assessment of the resources required for this will be required with a report to be brought back to a future meeting of the Committee.
- 4.3 The Committee is requested to approve the progression of the refresh of the 5 yearly property asset condition surveys to support and inform this activity with funding sought from the Capital Programme Contingency held by the Policy and Resources Committee.

#### 5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendations are agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>
Financial	x	
Legal/Risk	x	
Human Resources	x	
Strategic (Partnership Plan/Council Plan)	x	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		x
Environmental & Sustainability	x	
Data Protection		x

## 5.2 Finance

### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Capital Programme	Contingency	2024/25	200		External Condition Surveys - Capital contingency, requires P&R Committee approval.

### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
n/a	-	-	-	-	-

## 5.3 Legal/Risk

Current investment levels across many of the asset sub-groups do not fully address the risk of asset failure that could lead to a loss of service.

## 5.4 Human Resources

The asset sub-group review and refresh will require investment in external and internal resources as there is limited internal officer capacity at present linked to previous downsizing and the reducing capital programme.

## 5.5 Strategic

The activity within the various asset plans contributes to and aligns with the Council Plan and strategic objectives.

## 5.6 Equalities and Fairer Scotland Duty

### (a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

Report will be prepared after the detailed design is completed.

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

(c) Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.7 **Environmental/Sustainability**

Summarise any environmental / climate change impacts which relate to this report.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.

5.8 **Data Protection**

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

## **6.0 CONSULTATION**

- 6.1 The Corporate Management Team has been consulted.
- 6.2 All relevant officers connected with delivery of the asset management plan sub-groups within the Strategy have also been consulted.

## **7.0 BACKGROUND PAPERS**

- 7.1 None.

# Corporate Asset Management Strategy 2024–2028

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<b>Rev</b>	<b>Status</b>	<b>Originator</b>	<b>Approved</b>	<b>Date</b>
2.0	Draft	E. Montgomery	S. Jamieson / CMT	25 April 2024

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## 1 Foreword

Clearly defined strategies are vital to effective Asset Management and the performance of Inverclyde Council.

The vision is that the Corporate Asset Management Strategy will provide a modern, efficient and sustainable asset portfolio that fully meets the needs of existing and future service users and employees.

The Corporate Asset Management Strategy:

- Delivers a corporate and coordinated approach to asset management;
- Provides clear arrangements for the management of assets;
- Regularly measures the performance of assets;
- Comments on the deliverability of Asset Management Plans within the context of projected capital and revenue resources; and
- Ensures a fully documented process for the prioritisation of capital investment.

The 2024/28 Corporate Asset Management Strategy reflects the capital investment levels over the same period approved by the Council on 29 February 2024. The Strategy outlines the Council's approach to Asset Management and how this supports and contributes to the delivery of the strategic priorities in the Inverclyde Alliance Partnership Plan 2023/33 and the Inverclyde Council Plan 2023/28, as well as the delivery of the shared wellbeing outcomes to ensure that all our residents are Safe, Healthy, Achieving, Nurtured, Active, Respected and Responsible and Included.

Over the last fifteen years the Council has undertaken a significant amount of work on Asset Management Planning. The first Asset Management Plan related to the School Estate (SEMP) which resulted in an ambitious and comprehensive new build and upgrade programme for the full School Estate. Thereafter asset plans were created in respect of the main leisure facilities, the roads assets, office and depot assets, ICT assets, and open space assets. Most of the increased levels of investment has now come to an end and officers recognise the need to refresh many of the Asset Management Plans over the next year or two which will require one-off funding. All Asset Management Plans are linked to The Council's Vision and Priorities via the Committee Delivery and Improvement Plans (CDIPs) with delivery reported throughout the year both as part of the CDIPs but also via cyclical Capital Programme updates.

One of the most significant challenges for the Council over the life of the plan will be the continued delivery of high quality services with a reduced budget. The Council is also committed to working collaboratively with other Councils, public bodies, and partners to achieve more effective use of combined assets.

The Corporate Asset Management Strategy is a live document, subject to continuous challenge and review, which provides a framework for the efficient management of the Councils core assets.

## 2 Executive Summary

The effective use of Council assets is a key priority for Inverclyde and the Council aims to deliver on the following actions in its implementation of the Corporate Asset Management Strategy:

- Corporate Asset Management Strategy reviewed through the Corporate Management Team;
- the continuing development of a corporate approach to the use, management and procurement of assets;
- ensuring a strong organisational framework for future asset management plans with clear links to the Council's Committee Delivery and Improvement Plan process;
- use of relevant data to monitor and report in performance in support of continuous improvement and to challenge the existing use of, need for, and performance of assets;
- identification of efficiency gains through the strategic management of assets;
- ensuring that relevant information is communicated effectively to all stakeholders;
- promoting new ways of working and incentives for the more efficient use of assets and energy including aligning with local and National Net Zero targets.

During the recent Budget process, the Corporate Management Team frequently highlighted that the reduced availability of resources, combined with the current inflationary price pressures, will present significant challenges in maintaining and developing all assets. Asset planning across the majority of the asset categories will require to be refreshed during the lifespan of this strategy and this is expected to require a step change in the level of investment in the medium/longer term whilst also encompassing a fundamental review of many of the assets held by the Council. The current financial constraints limit what can be achieved in terms of improving or sustaining the existing asset base with the associated increasing risk of asset failures that could lead to loss of service. The CMT recognise this is not a desirable or sustainable approach.

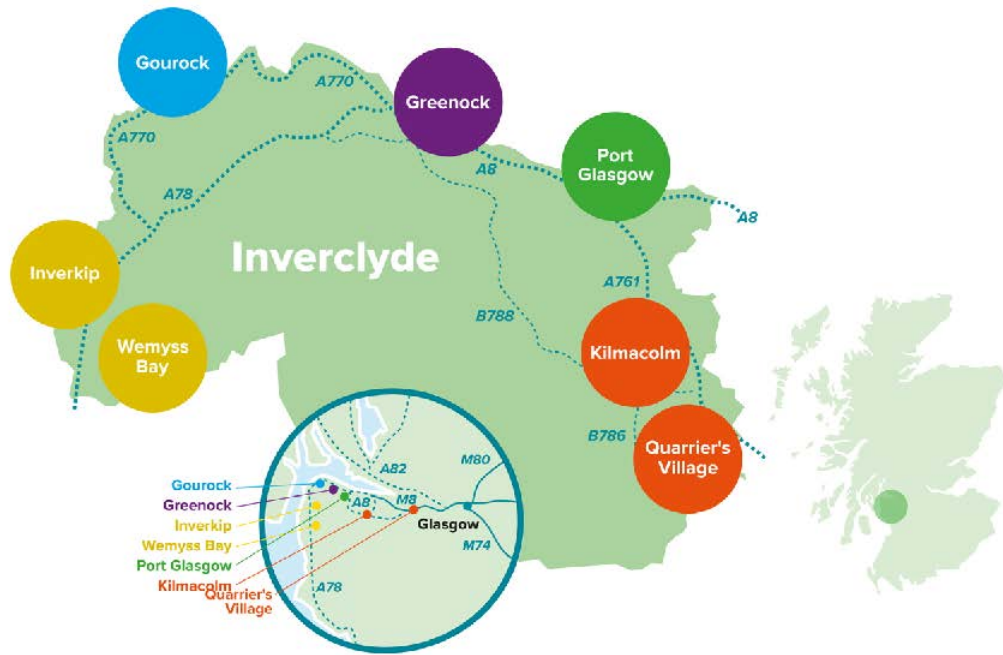
The significant programmes of work and change taken forward across the majority of asset categories over the last 15 years were supported by costed Asset Plans and involved the allocation of accompanying resources. The improvements across the asset base were achieved by significant increases in resource allocation, asset rationalisation, investing in new assets, delivering new facilities or comprehensively refurbishing existing facilities. The current available resources as outlined in the approved 2024/28 Capital Programme mean that the focus of the 2024-2028 Corporate Asset Management Strategy will predominantly be on rationalising and reducing the number of operational assets that the council holds. The individual asset plans covering the same period will also require to identify the priorities for investment of the available limited capital resources to ensure as far as possible that the overall asset performance indicators are maintained at or near the current levels.

In the medium term all asset plans will require to be refreshed and include fully costed plans to support the asset infrastructure elected members wish to maintain. This will require upfront investment in both external and internal resources and thereafter the strong likelihood a significant increase in capital investment levels with the resultant prioritisation within the overall Council Budget.



### 3 Corporate Planning

Corporate planning in Inverclyde is conducted under the overarching framework of the Inverclyde Alliance Partnership Plan 2023/33<sup>1</sup> and the Inverclyde Council Plan 2023/28<sup>2</sup>, which set out the vision, themes and high-level outcomes of the Council and its partners for the area.



#### 3.1 Committee Delivery and Improvement Plans

The Council has adopted a model with three Delivery and Improvement Plans aligned to Committees along with Service Delivery and Improvement Plans. The current Committee Delivery and Improvement Plans<sup>3</sup> cover the period 2023/26 and capture:

- Actions derived from the Council Plan strategic priorities, cascaded to individual Directorates / services;
- Corporate self-evaluation improvement actions;
- Priorities relating to areas of strategic service delivery;
- Improvement actions from External Audit Reports;
- Improvement actions arising from Service Review; and
- Key Performance Indicators linked to the delivery of the actions.

<sup>1</sup> Inverclyde Alliance Partnership Plan ([link](#))

<sup>2</sup> Inverclyde Council Plan ([link](#))

<sup>3</sup> Education and Communities Committee Delivery and Improvement Plan ([link](#)); Environment and Regeneration Committee Delivery and Improvement Plan ([link](#)); Policy and Resources Committee Delivery and Improvement Plan ([link](#))

Although on a 3-year rolling plan, the delivery and improvement actions are refreshed on an annual basis with performance reports to the Corporate Management Team prior to every second Committee meeting.

### **3.2 Asset Management Planning**

The Council has implemented Asset Management Planning and published its first Corporate Asset Management Strategy in March 2009 which set out the Council's Strategy for managing and modernising its Assets. This is the fourth revision of the Strategy and is intended for the period 2024 to 2028.

Over the last 15 years the Council has undertaken a significant amount of work on Asset Management Planning (AMP) and has used a combination of internal expertise and external peer review in the development of several AMPs. Once created, the AMPs are embedded within the Council's Committee Delivery and Improvement Plans (CDIPs) and ensure the Capital Programme formulation process has a strong alignment between the Council Plan priorities and capital investment decisions.

### **3.3 Capital Strategy**

The production of a Capital Strategy<sup>4</sup> which is reviewed annually is a requirement of the CIPFA Prudential Code. The document requires to be considered along with the Treasury Strategy and thereafter approved by the Inverclyde Council. It is viewed as being one of the key strategic financial documents along with the Council's Financial Strategy<sup>5</sup> which help govern the strategic direction for the Council's financial planning.

The Council traditionally approves a rolling three-year Capital Programme each budget cycle. The February 2024 budget saw the approval of a 4-year Capital Programme covering 2024/28 which takes the programme to the end of the current Council. Annual capital budget allocations are provided for investment in the core assets identified via the Asset Management Plans with these allocations intended to maintain the existing assets to acceptable standards.

The Capital Strategy emphasises the need for the Council to take a long-term view when taking decisions around Capital investment and specifically to ensure that investment plans are appropriate and financially sustainable in the longer term.

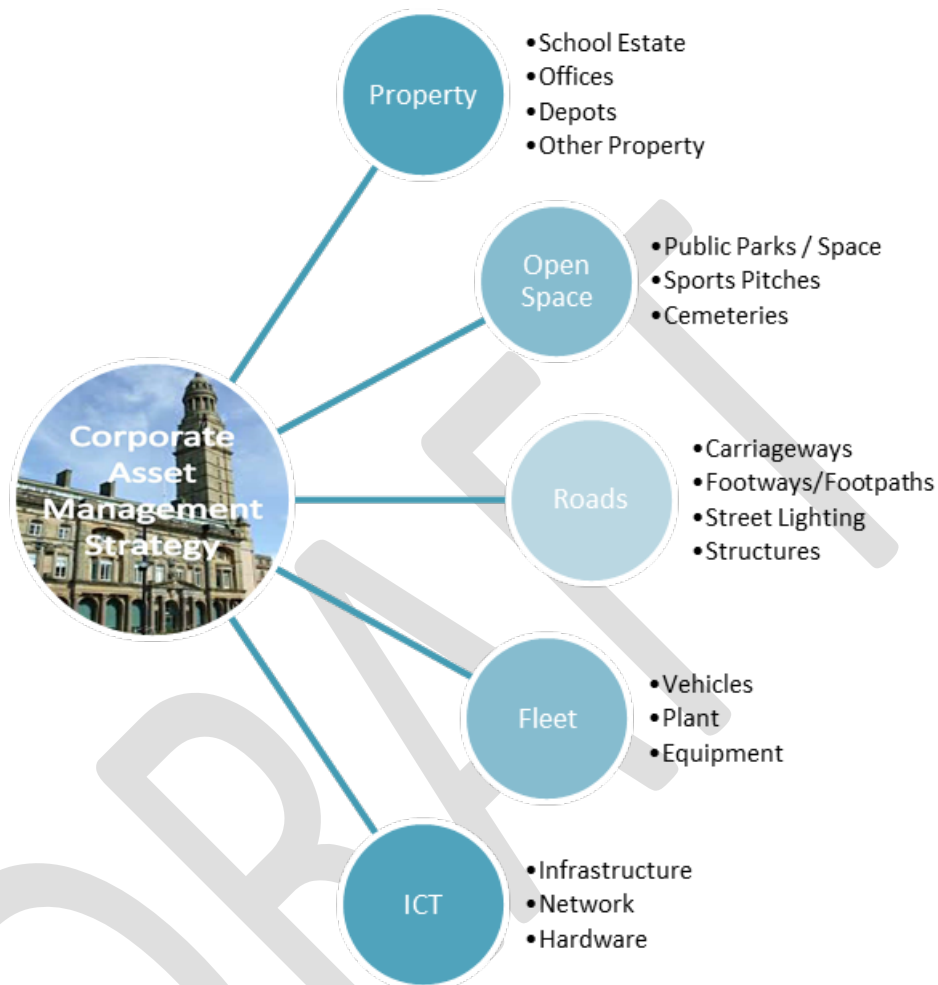
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<sup>4</sup> Capital Strategy 2024-2034 and Treasury Management Strategy Statement & Annual Investment Strategy 2024/25-2027/28 ([link](#))

<sup>5</sup> Financial Strategy 2023-2033 ([link](#))

## 4 Introduction to Asset Management Planning

In accordance with the CIPFA “Guide to Asset Management and Capital Planning in Local Authorities” the Council has prepared asset plans under five main sub-groups:



### 4.1 Governance and Leadership

The Director Environment and Regeneration has overall responsibility for the on-going development and implementation of the Corporate Asset Management Strategy. Support is provided by the Lead Officers from the Services responsible for the implementation of the individual asset plans for each asset category.

The need to manage assets as a corporate resource is key to ensure that decisions to rationalise, invest in, and/or acquire assets to achieve high-level outcomes are considered corporately. This will also ensure that resources are targeted to support effective and efficient service delivery.

## 4.2 Operational Asset Management

**Compliance:** Statutory compliance and regulatory codes of practice are an area of priority for the Council in terms of management of its core assets. This area is supported by a number of Council Policies designed to address the safety and wellbeing of Council staff, service users and visitors / customers:

Compliance	
Asset Category	Activity
Property	Management of Asbestos <sup>6</sup> ; Water Safety & Hygiene <sup>7</sup> ; Fire Risk and Procedures <sup>8</sup> ; Electrical & Portable Appliance Testing (PAT); Gas Safety; Accessibility (Equality Act/DDA compliance).
Open Space	Assets maintained as 'fit for purpose' and comply with health & safety / environmental regulations.
Roads	Roads and recorded assets will be inspected and maintained to ensure compliance with the Roads (Scotland) Act 1984 and to provide a safe public road network.
Fleet	Fleet assets maintained to Driver Vehicle Standards Agency (DVSA) standard. Comply with terms of Council's Operator License.
ICT	ICT assets maintained to comply with Public Sector Network (PSN) regulations, the Scottish Government Public Sector Action Plan on Cyber Resilience, and the requirements of the Scottish Wide Area Network. Although each has a unique accreditation process there are areas where the audit requirement is mirrored across each organisation. The Council has also completed the Audit process for 2023/24.

<sup>6</sup> Fire Risk Assessment and Fire Safety Policy ([link](#))

<sup>7</sup> Water Quality Management Policy ([link](#))

<sup>8</sup> Control of Asbestos Policy ([link](#))

### 4.3 Asset Data

**Performance Data:** The management of data and its accuracy/availability is crucial to effective Asset Management allowing informed decisions to be made based on asset performance. The main indicators used in Asset Management are outlined below:

Performance	
Asset Category	Activity
Property	<p><b>Condition:</b> fundamental to assessing risks / liabilities to the Council and establishing investment needs and priorities. Externally procured elemental condition surveys for property (based on Scottish Government Guidance<sup>9</sup>) are undertaken on a 5-year rolling programme with an annual review carried out by Property Services. The surveys also provide an indication of the backlog maintenance and priorities for investment over a ten-year projection.</p> <p><b>Suitability:</b> refers to how well the asset supports Service delivery and is suited to its current use. Surveys completed for all properties (taking into account the views of service users) and are reviewed annually. Format varies, detailed guidance<sup>10</sup> is available for the School Estate.</p> <p><b>Sufficiency:</b> utilisation or capacity, concerns the demand for / sustainability of an asset and its use now and in the future in terms of supporting Service delivery. Critical in identifying under-utilised assets for alternative proposals / potential disposal. Also highlights where there may be a risk of over-utilising assets and assists in forward planning.</p> <p><b>Running Costs:</b> cost of operating a given asset and relates to rates, energy/utility, and maintenance costs. Can also be extended to include soft facilities management costs such as cleaning, caretaking/janitorial etc.</p> <p><b>Value:</b> recorded for statutory accounting requirements and insurance purposes (i.e. market value of assets / replacement costs).</p>
Open Space	<p><b>Condition:</b> open space assets will be maintained to a satisfactory or better condition to fulfil the needs of local communities.</p> <p><b>LGBF:</b> Percentage of adults satisfied with parks and open spaces.</p>
Roads	<p><b>Road Condition Indicator (RCI):</b> relates to the maintenance categorisation of roads and the percentages of roads that should be considered for maintenance treatment.</p>

<sup>9</sup> The Condition Core Fact ([link](#))

<sup>10</sup> The Suitability Core Fact ([link](#))

Fleet	<p><b>Operator Compliance Risk Score (OCRS):</b> system based on data collected by the Driver and Vehicle Standards Agency (DVSA) over a 3-year rolling period including: MOTs; roadside inspections; desk-based ('remote') assessments; site visits from DVSA. Inverclyde is currently rated in Band Green (low risk).</p>
ICT	<p><b>Refresh Programme:</b> ICT assets are of a good standard and work efficiently and effectively. All desktop assets and server assets are supported and maintained to a high standard.</p> <p><b>Service Desk:</b> Service level attainment target reporting. Society For Innovation Technology and Modernisation (SOCITM) benchmarking.</p>

**Performance Management:** Performance management and reporting is integral to the delivery of Best Value and forms the cornerstone of all proposed service activity. The Council's Performance Management Framework<sup>11</sup> (PMF) core purpose is to drive continuous improvement and deliver improved outcomes. The Committee Delivery and Improvement Plans include a core set of performance indicators (PIs) that are focused on Directorate improvement actions. Statutory and Key Performance indicators already exist for the majority of service areas such as those submitted for the Council's properties reflecting core condition and suitability and as part of the School Estate Core Facts collection. In addition, the council produces an annual report on the progress it is making on the delivery of its Council Plan organisational priorities.

The Council also utilises the Local Government Benchmarking Framework (LGBF)<sup>12</sup> indicators which have been adopted by all 32 of Scotland's local authorities to assist in focusing on efficiency, effectiveness and outcomes allowing authorities to benchmark performance across a range of indicators. A dashboard refresh was carried out in February 2024, and benchmarking data for Inverclyde Council is now available for a total of 82 of the 102 measures within the framework.

<sup>11</sup> Inverclyde Council Performance Management Framework ([link](#))

<sup>12</sup> LGBF Inverclyde Performance Data and links ([link](#))

## 5 Approach to Asset Management

The overarching Corporate Asset Management Strategy incorporates a variety of asset categories, each of which are supported by individual asset management plans. All Asset Management Plans are linked to the Committee Delivery and Improvement Plans (CDIPs) with delivery regularly reported throughout the year as part of cyclical Capital Programme updates.

Asset Management Plans take into account the number, type and condition of the assets to which the plan relates and thereafter looks ahead to future investment needs with associated financial implications to be factored into future years Capital Programmes. Delivery of an Asset Management Plan may require decisions from elected Members regarding a whole estate investment approach which will potentially identify assets which the Council should no longer retain. This will lead to investment in fewer assets but to a higher quality. This has certainly been the case in respect of schools, offices, and depots where the Council's property footprint has reduced considerably over the last 15 years, with the sums saved from assets no longer in existence reinvested in the remaining assets resulting in a significantly improved estate.

### 5.1 Property

Inverclyde Council owns a diverse property portfolio which supports a wide range of services containing approximately 492 assets covering both land and buildings. The portfolio is divided into:

- **Operational property** – properties which are used directly to support delivery of services;
- **Non-Operational property** – properties which are retained to support economic development and to aid in generating revenue income.

The total fair value of the Council's freehold/heritable interests as at 31st March 2023 is £485.5m. Once Public Private Partnership (PPP) Assets and managed Properties are included, the value increases to £580.5m. This figure assumes (in many cases) that the Council will continue to use the individual property for its own purposes; it does not necessarily represent the overall market value of the Council's asset base. As at 31st March 2024 the Council owned 148 operational property assets which are represented in the table attached as Appendix 1.

#### 5.1.1 Learning Estate

The Council has invested in excess of £270m on its school estate over the life of the School Estate Management Plan. The rationalisation of the estate was completed by the end of 2013. Over the period of the programme there has been a net reduction of 12 primary schools (from 32 to 20) and a net reduction of 2 secondary schools (from 8 to 6) with 2 of the remaining 6 secondary schools co-located within a shared community campus.

Significant progress has been made since 2004 in addressing the number of Condition category C (Poor) and D (Bad) rated schools from 7 Secondary Schools and 21 Primary Schools at the start of the programme to all schools across all sectors rated A (Good) or B (Satisfactory) by 2016. In terms of Suitability there has also been significant progress made in ratings through the programme of comprehensive refurbishment and new build.

The plan prior to the COVID-19 lockdown would have seen all major projects completed in 2020 reflecting the approval of the acceleration of the School Estate Management Plan agreed as part of the budget setting process in March 2016. The St Mary's Primary School project was completed in October 2020 with completion of the final project at Gourrock Primary School in December 2022 delayed due to the impact of a combination of the insolvency of the main contractor and COVID-19. The demolition of the last remaining decant facility, the former Sacred Heart Primary School, was completed in June 2022.

Additional expenditure was approved in March 2016 to address works required to improve asset condition and suitability across the stand-alone facilities within the Early Years estate. The Council funded elements of the Early Years estate plan were completed with the final project to refurbish Hillend Children's Centre operational as of October 2021.

The increase in entitlement to early learning and childcare from 600 hours to 1140 hours required substantial levels of investment in workforce and infrastructure to support the expansion. All core 1140 hours expansion projects were completed and operational as of November 2021.

The Scottish Government has previously confirmed capital funding allocations to support the phased expansion of free school meals to primary school children to be used to support initial investment in school infrastructure, including school catering and dining. The Education & Communities Committee approved the early adoption of Universal Free School Meals in Primary Schools across Inverclyde from August 2023. A programme of works across fourteen primary schools was delivered during June 2023 and over the summer holiday period to support the implementation.

The Education Capital programme includes a lifecycle fund designed to address maintaining the condition and suitability of the revitalised estate. The fund allocation is currently £3m per annum. The lifecycle works address the on-going requirement for investment in the estate to maintain the overall condition of the assets at a good/satisfactory level. The allocation of this funding is based on annual review of the externally procured condition surveys and physical inspection of the various properties by the Council's Property Service. The most recent external condition surveys were undertaken via Aecom during 4th Quarter 2019 and are due for renewal in 2024. These surveys and Property Services assessment inform the allocation of future lifecycle funding across the estate and this is becoming increasingly important, particularly for the properties that were included early in the original programme.

The Council also has a Public Private Partnership contract covering four schools (2 secondary and 2 primary) which is operated through a Special Purpose Vehicle (SPV) and Facilities Management Provider. The regular maintenance and lifecycle requirement of those assets are addressed through the contract which extends to 2040 when the assets will be handed back to the Council.

A wider Learning Estate Review and strategy is now required to address the next 10+ years and future of the Learning Estate. Work has commenced on this in respect of roll projection analysis and assessment of the possible impacts of the new Local Development Plan and potential new housing provision. The strategy will require to consider the Condition of the estate from external surveys and Property Services reviews. A full review of all suitability surveys was completed in conjunction with Education Services and Heads of each establishment and this information was reflected in the 2021 Core Facts return. The strategy will also consider the 2021/28 Education Services Digital Learning Strategy. Energy efficiency and the implications of the Inverclyde Net Zero Strategy and associated 2022/27 Action Plan including the continued focus on adoption of a Net Zero Public Sector Buildings Standard and imminent legislation such as the Heat in Buildings Bill, will all have to be considered as far as practicable in future asset strategies.

The Council has undertaken a comprehensive assessment of its estate to identify the presence of Reinforced Aerated Autoclaved Concrete (RAAC). It has been confirmed that one school (St Michael's Primary School in Port Glasgow) has RAAC present and in line with industry guidance, a management strategy has been implemented. Options for permanent remediation are currently being investigated and will represent a funding pressure in the context of the available limited capital funding resources available for estate lifecycle investment.



### 5.1.2 Offices

The Council's Office rationalisation proposals included the development of a Customer Service Centre within Greenock Municipal Buildings designed to transform the way the Council communicates with its customers. The programme was part of a wider programme to modernise the Council's operations and working practices which included initiatives such as mobile and flexible working, electronic document management (EDRMS) and greater use of technology. The Offices Asset Management Plan (AMP) was taken forward on the premise that fewer desks than employees would be provided with the final projects within the Offices AMP completed in Autumn/Winter 2017. The Office Rationalisation programme resulted in a reduction of circa 40% of occupied floor space and circa 28% in terms of desk numbers with an increased potential desk space ratio through more efficient use of space across the same number of retained properties.

With the completion of the Office rationalisation programme, the majority of the Council's Operational Office space is now contained within the Greenock Municipal Buildings Campus. This is comprised of the main Municipal Buildings (including the refurbished/renovated former District Court offices), the Wallace Place Building, the James Watt Building and Hector McNeil House. Property Services had undertaken studies across the Campus at the end of 2019, both internally and through external specialist space planning consultants, with a view to identifying where possibilities exist for more efficient use of space and to address improvements where existing space is less suitable for current use and/or in poorer condition. The challenges posed by COVID-19 necessitated a shift to different agile working delivery models including increased flexible, mobile and homeworking arrangements. As part of the COVID-19 Organisational Recovery Plan the Council reviewed its agile working and other key policies resulting in the development of a Hybrid Working Strategy which has now been embedded within a new Flexible Working Policy following the completion of a 12 month pilot. As part of the Council's Delivering Differently Programme, a New Ways of Working project has also been established to examine the changes to the ways offices are being used within and out with the Campus including changes in the use of technology and the potential for increased use of Electronic Document Management processes. The previously completed space studies are being revisited as part of this work stream to assess the potential property / ICT investment implications connected with new ways of working. This workstream has involved the mothballing of the James Watt building from early 2023/24 facilitated through minor works undertaken across various assets to enable the relocation of staff. The potential reduction in employees from savings exercises plus the announcement of the successful Levelling-up Funding bid which will result in the demolition of the Hector McNeil House building are also key considerations in the New Ways of Working Project.

The future maintenance and lifecycle requirements of this element of the Council's estate strategy are contained / addressed within the Operational Properties portfolio and the allowances for statutory and planned maintenance / lifecycle works funded from the annual £2.4m General Property Service capital allocation monitored through the Environment & Regeneration Committee.

### 5.1.3 Depots

The Council's Depot rationalisation has involved the centralisation of Grounds, Waste and Transport at Pottery Street in Greenock with a Gourrock Civic Amenity site and the Building Service Unit (BSU) workshop at Devol in Port Glasgow. The original Depot Asset Management Plan budget of £13m was reduced by £2.8m through a review of phasing and scope with the development of the masterplan and a refinement of the strategy / proposals. The majority of projects were completed by mid-2019 incorporating the phased works at Pottery Street including the salt barn, civic amenity site, vehicle maintenance facility / offices, fuel and vehicle wash facilities, and the refurbishment of the corner depot building / offices. The fleet maintenance facility opened in 2017 incorporates a Class IV, V and VII MOT test facility allowing more maintenance and testing to be carried out in-house. The site also incorporates a fully automated under chassis vehicle wash which became operational in 2019 ensuring the fleet assets are maintained to a high standard whilst complying with the latest Health and Safety requirements. A new bunkered fuel facility with integrated fuel management system has also been incorporated into the Fleet Maintenance Facility providing real time fuel usage information and increasing the Council's contingency in times of fuel shortages with generator back-up project completed in 2022 to support civil contingency planning and service resilience.

The final element of the Depot AMP involving the Gourrock Civic Amenity facility has been partially completed with the existing Kirn Drive Civic Amenity facility closed at the end of January 2022 and temporarily relocated to Craigmuschat Quarry. The demolition of the existing Kirn Drive Depot building and removal of fuel tanks was completed in June 2022. The future provision in Gourrock has been considered as part of recent budget setting processes and has not taken forward as a saving, with a requirement to now review the temporary provision at Craigmuschat.

### 5.1.4 Leisure Estate

The Council undertook a review of its key Leisure Sites prior to 2009 which included reports covering a review of strategic sites and a pitches strategy, with a view to modernisation and reconfiguration of leisure provision within Inverclyde. Consultation was also undertaken with sportscotland who allocated £1m in facilities grants, part funding specific projects at Parklea and Ravenscraig. A planned investment profile was presented to Committee in September 2009 with an initial implementation timescale of August 2012. Following the implementation of the original Leisure Strategy above, a number of further projects were taken forward (Ravenscraig Activity Centre / Inverclyde Indoor Bowling / Lady Octavia Sports Centre / Boglestone Community Centre) through joint Council / Inverclyde Leisure funded projects.

In 2018 the Council agreed to allocate £0.12m annually to supplement the funding in the Leisure Repairs and Renewals Fund to meet the life cycle costs associated with the large 3G Pitch estate. The on-going requirements for major maintenance and lifecycle replacement of sports pitches across the Leisure Estate are addressed through the Leisure Pitches Strategy Asset Management Plan<sup>13</sup> and capital allocations monitored through the Education & Communities Committee. Condition surveys were undertaken via external specialists in late 2019 across the Leisure and School Estate pitches to inform a review of the Asset Management Plans and lifecycle replacement allowances. This information together with data on individual pitches hours of use from Inverclyde Leisure formed the basis of a revised asset plan which was approved by the September 2020 Education & Communities Committee. A programme of rejuvenation and carpet replacement works commenced in 4th Quarter 2020 with 5 full size leisure pitch and 5 school estate pitch/MUGA carpet replacements completed to date including minor rejuvenation works at Inverkip Community Hub and carpet replacement of 5-a-side carpets at Lady Octavia Sports Centre.

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<sup>13</sup> Artificial Sports Pitches Lifecycle Plan ([link](#))

The major maintenance and lifecycle replacement requirements of the buildings for the Leisure Estate remains with the Council and this element of the Council's estate strategy is addressed within the Operational Properties portfolio and the allowances for statutory and planned maintenance / lifecycle works funded from the annual £2.4m General Property Service capital allocation monitored through the Environment & Regeneration Committee. Minor day to day maintenance and 'consumables' are the responsibility of Inverclyde Leisure in accordance with the Service Level Agreement which regulates access, standards of maintenance and division of responsibilities. The allocations through this fund will be vital in the coming years to address significant elemental renewal of ageing assets.

As part of the Council's Delivering Differently Programme, the Council and Inverclyde Leisure completed a strategic review<sup>14</sup> of all indoor, outdoor and community leisure facilities in Inverclyde. This activity was aligned with the 2023/25 Budget recognising the Inverclyde Leisure business model pressures such as shortfalls in income, increases in utilities, and other inflationary pressures such as pay. A report was submitted to the November 2022 Education and Communities Committee outlining proposals to reduce the funding pressure addressing a potential major reduction in the Inverclyde Leisure managed estate. The proposals were subject to public consultation and were considered as part of the previous budget setting process, however, no decisions in respect of a reduction in Leisure estate assets have been taken at this time.

### 5.1.5 Health & Social Care Partnership

In addition to the regular review of HSCP properties to identify opportunities for reconfiguration of services that support co-location, work has been undertaken across the NHS Greater Glasgow & Clyde area to develop a Primary Care Property Strategy which seeks to better understand the current utilisation of property and its suitability for existing and future service provision. This strategy will assist with future business cases and inform board infrastructure investment decisions.

A number of shared service offices were addressed as part of the Offices Asset Management plan and consolidation within the Hector McNeil House building completed in 2014. Two further major HSCP projects were delivered with Scottish Government funding support, the Adult and Older People Complex Care Beds facility (Orchard View) opened in summer 2017, and the Greenock Health and Care Centre became operational in March 2021.

Further asset areas were addressed via the phased re-provisioning of Inverclyde's Children's Residential Services with one unit (Kylemore) completed in March 2013, a further unit (Cardross 'the View') completed in January 2018, and the final unit (Crosshill) completed in October 2022 following delays experienced through a combination of the insolvency of the original main contractor and COVID-19.

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<sup>14</sup> Inverclyde Leisure Strategic Asset Review ([link](#))

The Strategic Review of Services for Adults with Learning Disabilities in Inverclyde was signed off by the Integration Joint Board in December 2016. As part of the Service redesign, a number of properties historically used by the service were decommissioned and flats at Lynedoch Street and Hope Street vacated and released back to the relevant Registered Social Landlords. Golf Road was vacated in June 2018 and the McPherson Centre decommissioned in September 2018 with full integration into the Fitzgerald Centre following work within the Fitzgerald Centre to upgrade personal care facilities, storage and sensory areas undertaken over summer 2018. The longer-term plan remains for a new Inverclyde Community Hub with business case approved in February 2020. The progression of the project has been delayed through COVID and has also involved the approval of additional funding and a fundamental review of the design proposals to address the overall affordability of the project including the adoption of a low carbon design approach with the support of external grant funding through the Low Carbon Fund / Vacant and Derelict Land Investment Programme (VDLIP). The final re-tender exercise is due to be completed at the end of 1st Quarter 2024.

The homelessness service has implemented a change programme to drive forward a full-service redesign in response to recommendations made by The Homelessness and Rough Sleeping Action Group which includes the development of a Rapid Rehousing Transition Plan (RRTP). The rebranding of the service as a Housing Options and Homelessness Advice Service was a major milestone with the cross-sector partnership and early intervention involved in this approach fundamental to reducing the need for temporary accommodation by preventing homelessness. A review of the estate and accommodation requirements are an integral part of the ongoing change programme / service redesign.

Other specific property issues remain for Health & Social Care around the future of the Centre for Independent Living store, the continued lease of the Unpaid Work Unit at Kingston Industrial Estate and there is a need to review provision at the Wellpark Centre and the Hillend Centre.

Day to day investment in the HSCP buildings is funded from the general Property AMP but the funding for transformational change in service delivery requires to be funded elsewhere. For the Children's Units, funding came from a combination of prudential borrowing funded by service savings, reserves and core capital grant. The new Inverclyde Community Hub will also be funded largely by prudential borrowing.

### **5.1.6 Commercial & Industrial Portfolio**

The Councils own commercial and industrial property portfolio is an acknowledged Corporate Asset generating significant rental income and is managed by the Regeneration, Planning and Public Protection Service. The portfolio contains one hundred and twenty-two properties with a small number of industrial units within an estate located in Southwest Greenock, and the remainder comprising small retail units across the Authority area.

The Councils Environment & Regeneration Committee approved a number of business support initiatives within Inverclyde Town & Village centres including funding of up to £2,000 for business start-ups moving into commercial premises. The grant will contribute towards the set-up costs for a business and will compliment other property related grant funding in tandem with the existing property grant scheme.

The Council will continue, within current budgetary constraints, to develop a proactive maintenance regime for all of its empty commercial properties based on identified repair and maintenance liabilities to ensure that the portfolio provides accessible, attractive, and fit for purpose commercial and industrial premises.

### 5.1.7 Farms

Inverclyde has previously undertaken a review of its farming assets and considered several reports on these holdings. The Council decided to retain these assets and continues to manage the holdings in relation to its detailed rights and obligations in terms of the Agricultural Holdings legislation and relevant leases.

### 5.1.8 Coastal Assets

Provision was made in the 2020/21 budget to address the progression of surveys and mapping of Council coastal assets i.e. sea walls and other coastal defence installations/structures to establish condition and any current/future capital project works required. A number of surveys have been undertaken through external specialist consultants with priority marine side remedial works at the Greenock Waterfront area programmed for summer 2024. Surveys of the Newark to Kelburn walkway were undertaken in first quarter 2023 with a condition report completed which identified a need for periodic reinspection, and that significant remedial works are likely to be required in the medium term to ensure the existing coastal walkway protection measures remain effective. A survey of the sea wall and defences at Gourock Outdoor Pool was completed in October 2023 with condition report received and recommendations to follow. The work in this area will continue as part of the wider Corporate Asset Management strategy and activity and will be aligned with - Coastal Change Adaptation workstream. Coastal assets condition and effectiveness represent a funding pressure in the context of the available limited capital funding resources available for asset lifecycle investment.

## 5.2 Open Space

The Open Space Asset Management Plan (OSAMP) logs all assets owned or occupied by Inverclyde Council in the areas of remit concerned which includes Parks and Cemeteries. A large proportion of the assets that require to be maintained on a regular and cyclic basis e.g. grass plots, flower / rose / shrub beds, sports pitches, golf course, etc. are recorded and the day-to-day cost of maintaining these items is addressed from existing revenue budgets.

The OSAMP primary purpose is to identify assets which require investment in terms of significant repair, refurbishment, renewal, or replacement either immediately or over the medium to longer term. Investment required within open space includes for new and/or expansion to existing burial grounds. Provision is also required for continued investment in the upgrade of existing public parks and play areas to ensure facilities are of acceptable condition and suitability. The wide range and nature of the assets, including legacy works required in some areas, makes the preparation of a systematic and cyclical detailed AMP challenging. Focus has predominantly been on the maintenance of existing infrastructure.

Based on the information to date an annual capital sum of £0.2m is allocated for general lifecycle maintenance. In addition, the Council has invested over £3m to expand burial grounds provision and replacement of the Council's cremators with those projects completed over 2023/24. Development work will be required in 2 to 3 years for further cemetery expansion with associated capital investment consideration.

In 2023/24 funding from the Nature Restoration Fund (NRF) has allowed the development of future "shovel ready" projects. Additional funding streams through the NRF will assist in developing larger schemes. A focus on naturalisation, tree growing, and biodiversity rich projects will support the Council's Net Zero ambitions. Additional ongoing maintenance however will become a consideration in later years with revenue pressures on facilities as they age.

### 5.3 Roads

The Council approved a comprehensive Roads Asset Management Strategy (RAMS) which was then utilised to develop the Roads Asset Management Plan (RAMP) and funding model in August 2012. The Roads Asset Management Plan sets out the Council's strategy for maintaining the road network and its associated assets. A total of £29m was identified for the period April 2013 to March 2018 to improve the roads infrastructure – carriageways, footways, lighting columns and structures, this included road and pavement resurfacing works, an extensive road patching and pothole repairs programme, street lighting replacement works and improvements to bridges and roads structures. Further to this investment, a second phase of RAMP<sup>15</sup> funding was allocated to the value of £15m for the period April 2018 to March 2023. The most recent RAMS is currently being finalised with an annual budget allocation of £2.75m currently available to continue the prioritised capital programme across the network. The programme is also supplemented through specific Scottish Government grant aided funding in connection with initiatives such as the Cycling, Walking & Safer Streets programme.

The RAMP has resulted in a reduction in the number of Inverclyde's roads, footways, streetlights, and road structures which require costly ongoing defect repair treatments while providing increased future lifespan. Over 97% of the Council's streetlights have now been upgraded to low energy LED types which has halved electrical power consumption, reduced energy and maintenance costs to the Council and has reduced the carbon footprint.

In addition to the above the Council has also taken forward a significant programme for the investigation, design and construction of various flood prevention schemes within Inverclyde both as part of the Central Greenock Flood Prevention Project, and through a number of schemes out with the Central Greenock area.

From the implementation of the RAMP in 2013 to present, the Road Condition Indicator (RCI – see table below) has significantly reduced, demonstrating that the planned investment is resulting in a significant improvement to the condition of Inverclyde's road network. During this time Inverclyde Council has also received awards from The Association for Public Service Excellence (APSE) for the most improved performer in 2016 for Roads, Highways and Winter Maintenance and for Street Lighting in 2017 and again in 2019.

Scottish Road Maintenance Condition Survey (SRMCS) Results				
Year	Red	Amber	Green	RCI
2011/13	13.55	35.42	51.0	<b>49.0</b>
2012/14	12.69	36.55	50.8	<b>49.2</b>
2013/15	10.80	35.47	53.7	<b>46.3</b>
2014/16	10.11	33.18	56.7	<b>43.1</b>
2015/17	8.57	31.96	59.5	<b>40.5</b>
2016/18	7.09	30.80	62.1	<b>37.9</b>
2017/19	7.44	30.02	62.5	<b>37.5</b>
2018/20	7.41	29.88	62.7	<b>37.3</b>
2019/21	5.73	29.57	64.7	<b>35.3</b>
2020/22	4.51	28.19	67.3	<b>32.7</b>
2021/23	3.39	27.77	68.8	<b>31.2</b>
2022/24	4.41	28.77	66.8	<b>33.2</b>

<sup>15</sup> Roads Asset Management Strategy 2018-23 ([link](#))

## 5.4 Fleet

The Council approved a comprehensive Vehicle, Plant & Equipment Strategy in 2009 to provide the Council with an efficient, flexible method of procuring and operating fleet items that reflects good fleet management practice plus a cyclical replacement of fleet assets. The purpose of the Vehicle AMP is to provide the Council with an efficient, flexible method of procuring and operating fleet items that reflects good fleet management practice plus a cyclical replacement of fleet assets over a 7-year cycle taking advantage of public sector collaborative procurement frameworks. A review of the replacement policy was undertaken in summer 2023 to reflect the budgetary position taking cognisance of the increased costs of vehicles, and requirement to move towards Ultra Low Emission Vehicles (ULEVs).

In addition, the Vehicle AMP has led to the introduction of a dedicated Fleet Management System and Fleet Tracking System. Without a fleet asset management plan the Council would experience a return to inefficient practices including increased fleet downtime, an increase in expensive 'spot' hire vehicles, a requirement to increase workshop staff levels and an increase in both material and sub-contractor costs. Looking to the future the Vehicle AMP will continue taking advantage of the latest technological advances both in terms of vehicle and management/telematics systems driving forward efficiencies within the fleet asset management plan.

The Scottish Government Programme for 2019-20 states that 'public sector fleets should remove petrol and diesel cars by 2025, procure zero emission light commercial vehicles from 2025 onwards and procure zero emission vehicles for all vehicle types (including HGVs) from 2030 onwards'. Scottish Government have categorised light commercial vehicles as commercial vehicles up to 3500kg gross vehicle mass (GVM)

The Council have previously taken advantage of bridge funding from Transport Scotland and technological advances allowing greater battery range has allowed a significant increase in the number of ULEVs on the Council fleet. In 2017/18 there were 4 pure electric ULEVs accounting for 8% of fleet vehicles within the car/people carrier and light van categories, increasing to 38 (76%) by 2020/21. Funding from the Councils Net Zero Capital allocation has contributed to the replacement of four ULEVs. The Council now have 34% of its fleet under 3500kg GVM as ULEV with plans to have 100% ULEV within this category by 2030, where operationally viable. The Council will require to identify funding for replacement ULEVs to continue to comply with the Scottish Government target of ending the sale of new petrol or diesel vehicles.

Currently the Council is on target to meet the first of the Scottish Government's targets 'remove petrol and diesel cars by 2025' with the exception of one car. This vehicle covers a relatively low mileage and has high ULEV replacements costs, it is therefore not financially prudent to replace it at this time. The second target of 'procure zero emission light commercial vehicles from 2025 onwards' is being progressed with all fleet within this category being replaced with ULEV equivalents where an available ULEV meets operational requirements. Funding from the Councils Net Zero Capital allocation is contributing to this transition.

As technology develops consideration will be given to the introduction of ULEVs into the commercial vehicle fleet above 3500kg GVM. Continued funding of the Vehicle, Plant & Equipment Strategy in tandem with the Net Zero Strategy will allow the Council to take advantage of these new technologies. In conjunction with this, consideration will require to be given to significant infrastructure requirements given the power requirements to charge large commercial vehicles, particularly when being charged at the same time in one central hub such as the Pottery Street depot. Alternatively, a different type of fuel such as Hydrogen may require to be bunkered.

## 5.5 Information and Communication Technology

The Council has invested significantly in its ICT & Network Infrastructure and has a well-established rolling refresh programme for Desktops and Laptops. The Council is refreshing its Digital Strategy to drive the direction of the ICT Asset Management Strategy and reflects the changing landscape of the way technology is delivered and consumed.

As the market around Cloud based Services continues to develop, it is recognised that there will be a change in the way that ICT Assets are managed and replaced. There is likely to be a continued shift from physical infrastructure to more hosted and virtual services. A challenge for the Council will be the transitions from capital spending on physical hardware, to the revenue-based models of Software and Systems as services. The Council is completing a programme of decommissioning unused areas of its existing Data Centre to reflect the changes in technology and reduction in physical infrastructure.

The importance of network reliability, capacity and security will require careful management to ensure the core network equipment and services remain supported and the asset management strategy reflects that requirement.

The introduction of Microsoft 365 is changing the way that staff use technologies. A far wider range of services are now available on mobile devices. The Council undertook to replace the majority of desktop devices with laptops following lessons learned during the COVID 19 Pandemic. A flexible and mobile workforce, requiring access to home and remote working necessitated a shift from the traditional desktop model. All equipment is refreshed on 4/5 year lifecycle and although this is challenging in terms of support and maintenance, the Refresh Programme is grounded in the availability of financial resources.

In schools it is recognised that the way children and young people learn is changing significantly and it is imperative that way ICT is delivered changes to reflect that new approach. Education Services implemented a Digital Strategy<sup>16</sup> for Schools and has altered the balance between classroom desktop PCs and laptops and tablets. In Primary schools there is a shift away from tradition ICT Suites and the use of laptops sets and charging trolleys are now the preferred approach, allowing equipment to be brought to the student rather than the pupils leaving their classrooms.

Network infrastructure has been reviewed and revised to support an expansion of the BYOD Network and wireless technologies are now a key focus of the school estate.

ICT provides extensive support to the schools network and equipment within. However it is clear that to carry forward the curricular objectives of Educational Services while maintaining a compliant and supportable ICT infrastructure, a specialised approach has to be undertaken and innovative solutions may need to be devised.

Active Panels and screens remain a key tool for learning and teaching and a 7-year refresh strategy has been established to replace equipment across the Learning Estate. Infrastructure changes to allow the boards to be attached directly to the internet is being trialled and will be rolled out as appropriate across the estate.

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<sup>16</sup> Education Services Digital Learning Strategy 2021-2028 ([link](#))



The Council also recognises its responsibility to its citizens to provide safe, secure access to online services and is implementing a number of projects to enable and enhance public access across the area. Improved access in libraries and museums, Wi-Fi and internet access in community centres are projects that require investment to implement, expand and maintain.

The Council is also working with partners to examine the viability of Internet of Things (IoT) technologies to enhance the services we provide, automate monitoring of buildings and systems.

The ICT Asset Management Programme intends to provide a modern ICT infrastructure providing the most appropriate level of equipment, at best value to the Council across all of Inverclyde Council's Offices and Schools. It aims to allow staff to undertake their roles and responsibilities in as efficient and flexible a manner as possible and provide teachers and pupils with modern and sustainable learning technologies. The ICT AMP has an annual budget of £0.534m, a reduction from £0.594k due to budget savings.

In line with the best practices for ICT Asset Management, the physical lifecycle of an ICT Asset has two distinct phases:

- Planning & Procurement
- Lifecycle & Disposal

The Council has adopted a policy of deploying laptops as the default device for officers and students unless there is a technological or configuration requirement that would require a desktop. ICT had implemented a four-year desktop and laptop refresh strategy and in 2023/24 completed the School device refresh programme, following the corporate refresh completed in 2020/21 completed across the corporate estate to allow for the introduction of Hybrid working.

In 2023/24 phase 2 of the refresh programme refreshed the remaining ICT/Business Studies suites in each high school. Phase 3 replaced devices in administration, libraries and other classroom environments. Phase 4 replaced primary school classroom and computer suite desktop PCs with laptops and trollies, a further 450 devices are scheduled to be purchased and deployed.

Corporate devices are scheduled for a refresh in late 2024. The projected budget savings will reduce the number of devices to be replaced by approximately 115 devices and extend the refresh programme beyond the current 4/5-year cycle. The total number of devices in the programme is included in the asset summary contained in Appendix 1.

The programme also includes provision for replacement of core ICT equipment such as network storage, servers and infrastructure and the procurement and implementation of other services to support Hybrid working such as videoconferencing equipment.

## 6 Strategic Drivers

A range of strategic factors are considered in preparing, reviewing and updating the council's Corporate Asset Management Strategy. Examples include changes in council and national policies in respect of service delivery, changing demographics and new areas of legislation.

A key area for consideration at present is the current financial challenges that face the council, its partners and local stakeholders. This has raised issues relating to the priorities for service delivery and has also provided a focus on driving increased efficiencies in all areas of asset management. Asset management has also been seen as a key area where savings can be identified to protect frontline services and meet council objectives.

The Corporate Asset Management Strategy assists in the management of these changes by encouraging Resources to consider service requirements in the short, medium and long term and the likely implications for the council's assets.

### 6.1 Council Policy

**Delivering Differently:** The Delivery Differently Programme was approved in 2017 and represents the Council's key change projects. The 3 Directorate Change Boards meet monthly to monitor progress in the delivery of savings and projects which involve approved or potential changes in service delivery. Every 2 months the CMT reviews progress using a RAG status approach. The areas where there is the greatest potential change in service delivery are collated into a Delivering Differently programme which is reported annually to the Policy & Resources Committee. The projects within this programme form part of the continuous challenge and review of the Corporate Asset Management Strategy.

**Procurement Strategy:** Inverclyde Council's Procurement Strategy<sup>17</sup> has allowed the Council to modernise its approach to procurement and achieve substantial benefits in the cost and quality of the goods and services purchased. It has also embedded the policy of maximising the achievement of a range of Community Benefits through its Social Value Policy. The Procurement strategy is aligned with the achievement of Council strategic priorities and supports the investment activity through the various strands of the Corporate Asset Management Strategy.

**Local Development Plan:** Inverclyde Council is currently preparing a new Local Development Plan (LDP) to replace the existing 2019 version. That new plan will guide future development within Inverclyde for a ten-year period starting from when it is adopted, notionally in March 2026. The regular review of the Council's Corporate Asset Management Strategy will take cognisance of the key issues that emerge from the new LDP.

**Risk Management:** Inverclyde Council has developed an updated Risk Management Strategy<sup>18</sup> with the aim to deliver a consistent, effective framework and approach for managing risks across the organisation at all levels and support the delivery of the Council Plan. Risk registers have been developed at committee, directorate, service and project level. To enable a complete assessment of the overall risks across the Council, these risks have been reviewed by the Corporate Risk Management Group and a Corporate Risk Register<sup>19</sup> developed. The Corporate Risk Register highlights the most significant corporate risks facing the Council, and the key actions being taken by the Council in response to them.

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<sup>17</sup> Procurement Strategy 2022-25 ([link](#))

<sup>18</sup> Risk Management Strategy ([link](#))

<sup>19</sup> Corporate Risk Register 2024-1 ([link](#))

## 6.2 National Policy

**National Care Service:** National Care Service (NCS) Bill was published in June 2022 and sought the establishment of NCS, under the responsibility of Scottish Ministers. The Bill provided for the transfer of listed social care and social work local authority function, staff and assets to Scottish Ministers or local care board. In June 2023, Cosla Leaders and Scottish Ministers reached an agreement that local authorities retain social care and social work functions, as well as retaining staff and assets. With the position now clarified there is a need to review the asset base in this area of activity to establish a longer term strategy.

**Net Zero:** In alignment with National targets, the Council approved the Net Zero Strategy 2021-2045<sup>20</sup> in 2021 which sets out Inverclyde Council's route map to achieving net zero greenhouse gas emissions by 2045. The Net Zero Action Plan 2022-2027<sup>21</sup> was approved in 2022 and this sought to capture and collate current activities that are funded from existing budgets and to also identify new actions which will require additional funding and/or resources. An allocation of £3.3m for 2023/26 was approved as part of the 2023/24 budget setting process to allow a focus on the following areas of activity:

- Reducing energy use in buildings through improved data collection, controls and targeted energy audits;
- Reducing energy demand in buildings through increased building based renewable generation;
- Introduction of low/zero carbon heating within smaller scale assets e.g. Early Years Establishments;
- Offsetting (insetting) via local peatland restoration projects;
- Fleet decarbonisation through car and light commercial vehicle transition to ULEV including expansion of charge point provision.

The Council has been successful in securing external funding support for a number of Net Zero related projects including £0.873m for two peatland restoration projects, work at Dowries farm has recently been completed with phase 1 of the 3-year Hardridge Farm project nearing completion. Funding support has also been secured from Museums Galleries Scotland and the Scottish Football Association for LED lighting projects at the Watt Institute and for floodlighting upgrades across pitches in Inverclyde.

In terms of the impact on existing assets, it is recognised that the 2045 targets for Net Zero will involve circa 80% of the buildings currently in use. Retrofitting the existing building stock is a colossal challenge in transitioning the built environment to net zero. The sheer scale of the task has been expressed in UK wide studies which indicate that it would require one building being retrofitted every 35 seconds between 2020 and 2050 in the UK.

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<sup>20</sup> Net Zero Strategy 2021-2045 ([link](#))

<sup>21</sup> Net Zero Strategy Action Plan 2022-2027 ([link](#))

The current Net Zero Action Plan noted that actions towards the end of the initial five-year period include low / zero carbon heating for larger facilities such as primary schools with the current market and available technology limiting the options for heat decarbonisation. It also noted that any heat decarbonisation projects require to be considered in tandem with the action plan item dealing with feasibility studies on deep retrofit which will address the core building fabric performance and associated heat demand beyond the basic decarbonisation of the heating systems. Costs associated with retrofit and fabric upgrades are currently not included in the action plan and will be subject to further detailed feasibility studies and reports. To date there have been retrofit studies undertaken on two primary school buildings, two office buildings and one leisure estate asset with work in this area also being undertaken through a Net Zero Collaboration Group in partnership with hub West Scotland and Built Environment Smarter Transformation (BE-ST) to maximise knowledge sharing and pooling of resources in areas such as the retrofit challenge.

The Council has recently published its draft Local Heat and Energy Efficiency Strategy<sup>22</sup> and associated Delivery Plan<sup>23</sup> with public consultation in March 2024. The evolving legislation in the area of Net Zero including the Scottish Government proposed Heat in Buildings Bill will affect the approach to achieving minimum energy efficiency standards and way we heat our homes, workplaces and other buildings.

There are significant technical, financial and operational considerations / barriers involved in the transition to net zero emissions for each and every retained building / asset. The significant investment the Council has made across the vast majority of the estate over the last 15 years means that the performance gap is likely to be less when assessing what would be required in terms of retrofit, particularly for recently constructed / comprehensively refurbished assets. However, it is also recognised that the 'in use' performance of assets compared to the designed performance has been an industry wide issue with a current renewed focus on construction quality initiatives and development of Net Zero Public Building Standard guidance including a move towards passivhaus construction. Heat networks are also likely to play a significant part in the overall approach to Net Zero however it remains to be seen how these can be progressed at the scale and pace required to align with National targets.

### 6.3 Funding

One objective of the Capital Strategy is to demonstrate the sustainability and affordability of its capital expenditure and investment plans. Annual capital budget allocations are provided for investment in the core assets identified via the Asset Management Plans with these allocations intended to maintain the existing assets to acceptable standards. The allowances do not generally allow for expansion or replacement of existing assets which would normally be addressed through specific investment proposals.

**Capital Grant:** The Scottish Government spending review in 2021 confirmed the General Capital Grant will remain at the current level until at least 2025/26 and the latest projections from the Scottish Fiscal Commission indicate that in the medium-term capital resources are expected to become even tighter. The current Capital Strategy assumes a continuation of the current level of Capital Grant £5.75m to 2027/28. The General Capital Grant in 2024/25 is approximately £3.8m short of the current allocations which in turn have been frozen at 2023/24 levels resulting in real terms funding reductions. The current Financial Strategy assumes that the Council will prudentially fund £1.5m of capital investment annually to 2030/31 which will partially address the pressure for the next 6 years. The remaining shortfall of approximately £2.3m per year will require to be funded from either capital receipts, revenue reserves and prudential borrowing or reductions in the asset base.

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<sup>22</sup> Local Heat and Energy Efficiency Strategy ([link](#))

<sup>23</sup> Local Heat and Energy Efficiency Delivery Plan ([link](#))

**Loan Fund Debt:** Inverclyde Council is coming to the end of a period of ambitious investment in the School Estate, Leisure Estate, Roads Assets plus the rationalisation of the Office and Depot Estate. This has seen a significant increase in the Council's Loan Fund Debt over the last 15 years and projections indicate that the Loan debt will peak in 2026/27. Given the current shortfall between Government Grant and annual capital requirements, it is likely that Prudential Borrowing and hence debt will need to substantially increase in future years with the resultant increase in pressure on the Council's Revenue Budget.

**Longer Term Investment Constraints:** The Council's Capital Strategy highlights the following pressures in respect of the ability to maintain and move forward with Corporate Asset Management planning:

- It is unlikely that Government Grant and estimated Capital receipts will be sufficient to meet the required investment levels for the Council to maintain its current asset base;
- Any prudential borrowing will need to be funded from savings delivered by the investment or revenue savings. This will require the Council to make decisions to disinvest in certain assets, reduce the number of assets it holds or cut day to day services;
- The current annual allocations make no allowance for the transition to Net Zero. Retrofitting of the public sector estate as outlined in 6.2 will be technically and operationally challenging and will involve significant additional capital investment in the period to 2045, funding will require to be identified to address this.
- Current levels of investment take no account of inflation or any one-off Capital investment requirements not included in the core life cycle maintenance allocations. Any such investment requirements will require to be identified through the relevant Asset Management Plans and following consideration as part of the normal governance processes would be factored into future Capital Strategy reports;
- The unprecedented pressures on the Council's capital investment resources are being contained at present via the use of one-off reserves and maintenance requirements being suppressed by the high levels of capital investment over the last 15 years. As assets created/refurbished at that time get older and investment requirements increase then the current asset base/ funding approach is simply unsustainable.

**Asset Management Workstream Saving:** The Council has approved the creation of an Asset Management savings workstream to be progressed during 2024/25. Whilst this has a net revenue savings target, a secondary and potentially larger saving will be in future capital investment requirements. To achieve recurring savings will require clear prioritisation and a longer-term view from Elected Members informed by the Asset Management Plans developed to support this Strategy.

PROPERTY ASSET SUMMARY (Table 1)

Appendix 1.1

Service	Total Assets	Number of Operational Buildings	Vacant /Undergoing Refurbishment	Gross Internal Floor Area (m2)
Corporate Services				
<ul style="list-style-type: none"> <li>▪ Offices</li> </ul>	8	7	1	15,855
Education & Culture				
<ul style="list-style-type: none"> <li>▪ Schools</li> <li>▪ Early Learning</li> <li>▪ Libraries</li> <li>▪ Museums</li> </ul>	47	45	2	157,080
Health & Social Care				
<ul style="list-style-type: none"> <li>▪ Residential Homes</li> <li>▪ Resource Centres</li> <li>▪ Shared Facilities</li> </ul>	18	17	1	12,521
Leisure & Communities				
<ul style="list-style-type: none"> <li>▪ Gyms; Pools; Cinema</li> <li>▪ Community Halls</li> <li>▪ Bowling Clubs</li> <li>▪ Golf Club</li> </ul>	34	40	0	35,712
Depots & Industrial				
<ul style="list-style-type: none"> <li>▪ Depots</li> <li>▪ Industrial Units</li> </ul>	7	16	0	14,984
Environment				
<ul style="list-style-type: none"> <li>▪ Cemetery Buildings</li> <li>▪ Parks Buildings</li> <li>▪ Public Conveniences</li> </ul>	36	38	0	4,829
<b>Totals</b>	<b>150</b>	<b>163</b>	<b>4</b>	<b>240,981</b>

**PROPERTY ASSET SUMMARY (Table 2)**

**Appendix 1.2**

Interest	Number	Comments
Farms	3	Leased Out (2 farms merged under one tenancy) plus grazing lets & shootings
Council Dwellings (former school & park keepers houses)	8	Leased out (6 under SST agreements)
Land Holdings	46	Held for various reasons
Commercial Property	118	103 leased out, 8 being marketed, 8 vacant requiring investment prior to marketing (fig includes common good shops)
Car Parks	35	Maintained by Council
Surplus Assets	13	6 currently being marketed

**OPEN SPACE ASSET SUMMARY**

Interest	Number	Comments
Open Space	1,629,161sqm	Maintained by Council
Play Areas & MUGAs	57	Maintained by Council

**ROADS ASSET SUMMARY**

**Appendix 1.3**

Asset Type	Number	Comments
Carriageways	233.3 miles (375.4 km)	Roads comprising of a mixture of busy classified roads, link roads and residential streets
Footways	295 miles (475 km)	Pavements comprising of a mixture of high amenity, cycleways, footpaths, and other footways
Structures	202	Council structures asset is comprised of 64 road bridges, 6 footbridges, 87 culverts, 16 slipways and 25 Sea Walls and 4 subways / underpasses
Street Lighting	Various	Council street lighting asset is comprised of approximately 11,060 lighting columns, 12,870 lanterns (luminaires) and 274 km of buried cable
Other Assets	Not quantified	Other assets include drainage, traffic signals, verge, road markings, trees, safety barriers, pedestrian guard rail, traffic signs, kerbing

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**FLEET ASSET SUMMARY**

**Appendix 1.4**

<b>APSE Vehicle Group</b>	<b>Description</b>	<b>Number of Assets</b>
1	Cars and car derived vans up to 1700kg GVM	53
2	Vans between 1701 and 3500kg GVM	14
3	Trucks and Tippers up to 3500kg GVM	27
4	Vans, Trucks and Tippers between 3501 and 7500kg GVM	12
5	Vans, Trucks and Tippers between 7501 and 18000kg GVM	4
6	Standard Manufacture Minibuses up to 17 seats including Driver	12
7	Medium Coaches incl. Welfare/Accessible Buses	9
11	Refuse Collection Vehicles - 3 axle and above with bin-lifter	12
14	Large Coaches incl. Welfare/Accessible Buses	2
16	Sweepers up to 12000kg GVM	4
17	Jettors and Cesspool Emptiers	1
18	Skip Loaders	1
23	Bulk Loaders	1
24	Tractors, Shovels and Light Loaders	10
25	Miscellaneous including Light Plant, Heavy Plant, Ride-Ons, Motorcycles, Trailers and De-mountable Gritters	101
<b>Total Number of Assets</b>		<b>263</b>

**ICT ASSET SUMMARY**

**Appendix 1.5**

<b>Service Area</b>	<b>Desktop PC's</b>	<b>Notebook PC's</b>	<b>Tablet PC's</b>	<b>Total PC's</b>	<b>Active Panels</b>
Schools	1,972	2,458	45	4,475	659
Corporate	256	1,442	46	1,744	12
<b>Totals</b>	<b>2,228</b>	<b>3,900</b>	<b>91</b>	<b>6,219</b>	<b>671</b>

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**ACTION PLAN**

**Appendix 2**

Asset Category	Sub-category	Action	By Whom	Date	Status
Property	All Operational Property	Refresh of 5 yearly external condition surveys for all property assets (subject to identification of budget)	HPA	3 <sup>rd</sup> Quarter 2024	Planned
	Management	Improve ratio of planned v reactive maintenance and expand number and type of term contracts	HPA	2024/26	On-going
	Learning Estate	Develop Asset Management Plan (including review of Port Glasgow denominational primary provision and retrofit approach for Net Zero)	HPA / ECOD	2024/26	On-going
	Offices	Review provision and scope for rationalisation (including revisiting space study of GMB Campus)	HPA / DER	2024/26	On-going
	Depots	Review civic amenity operation at Craigmuschat.	HPA / DER	2 <sup>nd</sup> Quarter 2024	On-going
		Review provision at Ingelston Park.	HPA / DER	3 <sup>rd</sup> Quarter 2024	Planned
	Leisure	Refresh of 3G/artificial pitches asset plan	HPA / ECOD	2 <sup>nd</sup> Quarter 2024	Planned
	Coastal Assets	Continue asset mapping and condition surveys of sea walls / defences / slipways.	HPA / DER	2024/26	On-going
Open Space	Cemeteries	Review of expansion options and identification of capital funding requirements.	HPA / DER	2026/27	Planned
Roads	Strategy	Complete RAMS refresh and report to E&R Committee.	HPA / DER	2 <sup>nd</sup> Quarter 2024	On-going
ICT	Strategy	Refresh Council Digital Strategy 2021-2024	HLDDCS	2024/25	On-going

ECOD - Corporate Director Education, Communities and Organisational Development

HLDDCS – Head of Legal, Democratic, Digital & Customer Services

DER – Director Environment and Regeneration

HPA – Head of Physical Assets

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**Report To:** Policy and Resources Committee      **Date:** 4 June 2024  
**Report By:** Head of Organisational Development, Policy & Communications      **Report No:** PR/23/24/RB/MR  
**Contact Officer:** Morna Rae      **Contact No:** 01475 711160  
**Subject:** Human Resources and Health and Safety Policy Updates

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision       For Information/Noting

1.2 The purpose of this report is to seek approval of a number of updated and amended policies:

- Whistleblowing (Confidential Reporting),
- Code of Conduct (Employees),
- Grievance, Dignity and Respect at Work,
- Violence Against Women,
- Equality and Diversity,
- Sexual Harassment, and
- Violence, Managing Aggression and Lone Working in the Workplace

1.3 As part of the wider work in developing a policy framework a number of Human Resources and Health and Safety policies were identified for review and update. The Equally Safe at Work accreditation process also required changes to our policies. This work has been undertaken, alongside trade union consultation.

## **2.0 RECOMMENDATIONS**

2.1 The Policy & Resources Committee is recommended to approve the policies.

**Morna Rae**  
**Head of Organisational Development, Policy and Communications**

### **3.0 BACKGROUND AND CONTEXT**

3.1 The *Review of Council Policy Framework* report to the 26 March 2024 Policy and Resources Committee included a review schedule for Organisational Development, Policy and Communications policies. Those noted for update and presentation to the June 2024 Committee are:

- Whistleblowing (Confidential Reporting),
- Code of Conduct (Employees),
- Grievance, Dignity and Respect at Work,
- Violence Against Women,
- Equality and Diversity,
- Sexual Harassment, and
- Violence, Managing Aggression and Lone Working in the Workplace

3.2 These updated seven policies are provided in the appendices. Appendix 1 provides an overview of the key changes.

#### **Whistleblowing (Confidential Reporting)**

3.3 The following changes have been made to the existing policy:

- Change to using the word “detriment” instead of victimisation/harassment which is wider and ties in more closely with the legislation,
- Updates to designations and contact information,
- Explaining the criteria used to decide whether the complaint can remain anonymous, and
- Noting that a written statement may be disclosed to a third party.

#### **Code of Conduct (Employees)**

3.4 Updates from the previous policy include:

- Updates to terminology
- Additional section on personal conduct
- Additional section on benefiting from a will or bequest
- More detail added in relation to employee responsibilities to report relevant medical conditions to the DVLA
- New section on social media
- Additional section on sponsorship
- New section on hybrid working

#### **Grievance, Dignity and Respect at Work Policy**

3.5 These were previously two separate policies which have now been combined. In addition the changes are:

- Representation at grievances restricted to trade union representative or colleague to match other policies
- Increased list of exclusions regarding what can be dealt with under grievance procedures
- Additional section on competence to cover grievances
- More emphasis on informal processes being used initially where appropriate

**Violence Against Women Policy, Sexual Harassment Policy and Equality and Diversity Policy**

- 3.6 Equally Safe at Work is a world leading employer accreditation programme that supports local authorities to develop gender sensitive employment practice. Starting in August 2022 and over the next 18 months the Council took part in a range of activities and developed policies and practices towards becoming an Equally Safe at Work accredited employer. The accreditation required that there be a standalone Violence Against Women Policy and Sexual Harassment Policy, which was extracted from the Dignity & Respect Policy. In addition the award required that the Equality and Diversity Policy and Code of Conduct included additional information on:-
- The link between women’s labour market inequality, violence against women, and wider gender inequalities;
  - Sexism;
  - Misogyny;
  - Sexual harassment;
  - Intersectionality.

These changes have been incorporated.

**Violence, Managing Aggression and Lone Working in the Workplace Policy**

- 3.7 The changes within the substantive policy are minimal with language and designations updated. There are a number of appendices which provide more detailed procedural guidance to employees.

**Next Steps**

- 3.8 Following Committee approval the policies will be put into the new policy format, in line with the finalisation of the policy template guidance. There will be promotion of the policies to employees, with related training and briefings. They will also form part of the website hosted information on corporate policies.

**4.0 PROPOSALS**

- 4.1 It is proposed that Committee approve the following updated and amended policies:

- Whistleblowing (Confidential Reporting),
- Code of Conduct (Employees),
- Grievance, Dignity and Respect at Work,
- Violence Against Women,
- Equality and Diversity,
- Sexual Harassment, and
- Violence, Managing Aggression and Lone Working in the Workplace

**5.0 IMPLICATIONS**

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>
Financial		X
Legal/Risk	X	
Human Resources		X

Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing	X	
Environmental & Sustainability		X
Data Protection		X

## 5.2 Finance

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## 5.3 Legal/Risk

There are risks in the failure to have updated and relevant policies.

## 5.4 Human Resources

There are no Human Resources implications in terms of posts.

## 5.5 Strategic

This report supports the delivery of the following outcomes within the Council Plan 2023-2028:

- High quality and innovative services are provided giving value for money
- Our employees are supported and developed

## 5.6 Equalities, Fairer Scotland Duty & Children/Young People

### Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

X	YES – Assessed as relevant and an EqIA is required and will be made available on the Council website:  <a href="https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments">https://www.inverclyde.gov.uk/council-and-government/equality-impact-assessments</a>
	NO – will be completed as required for specific topics.

### Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty.

### Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights

## **6.0 CONSULTATION**

6.1 There has been engagement with trade union colleagues, the Health and Safety Committee, Internal Audit, Workforce Development Group and Trauma Informed Group.

## **7.0 BACKGROUND PAPERS**

7.1 None.



<b>Whistleblowing (Confidential Reporting)</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
Throughout		Updates to designations
5	Introduction	Change to using the word “detriment” instead of victimisation/harassment
7	Safeguards from harassment or victimisation	Change to using the word “detriment” instead of victimisation/harassment
8	How the complaint will be handled	Explaining the criteria used to decide whether the complaint can remain anonymous
8	How the complaint will be handled	Noting that a written statement may be disclosed to a third party.
9	Untrue allegations	Change to using the word “detriment” instead of victimisation/harassment which is wider and ties in more closely with the legislation
9	How to raise a concern	Updates to contact information
10	How the complaint will be handled	Change to using the word “detriment” instead of victimisation/harassment which is wider and ties in more closely with the legislation
<b>Code of Conduct (Employees)</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
Throughout		Updates to designations
12	Driving Medical Conditions	More detail added in relation to employee responsibilities to report relevant medical conditions to the DVLA
15	Relationships – Personal Conduct	Additional section on personal conduct
19	Hybrid Working Etiquette	New section on hybrid working
19	Employees/Colleagues	Increased content on sexism, misogyny
21	Benefitting from a Will or Bequest	Additional section on benefiting from a will or bequest
24	Sponsorship	Additional section on sponsorship
27	Social Media	New section on social media
<b>Grievance, Dignity and Respect at Work Policy</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
5	Bullying, Discrimination, Harassment & Victimisation	Acknowledgement that complaints can be made by any employee regardless of protected characteristics
9	Exclusion	Increased list
9	Competency	Additional section added
10	Right to be represented	Representation at grievances restricted to trade union representative or colleague to match other policies

12	Grievance procedure	More emphasis on informal processes being used initially where appropriate
23	Procedure for dealing with referrals that the Dignity and Respect at Work Policy has been breached by an Elected Member	Reference added to Ethical Standards Commissioner
<b>Violence Against Women Policy</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
Throughout		Separate policy developed drawing from existing policies, with designations and language updated
<b>Equality and Diversity Policy</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
5	Legal Framework	Content added in relation to sexism, misogyny, sexual harassment and intersectionality
<b>Sexual Harassment Policy</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
Throughout		Content extracted from Dignity and Respect policy, designations and language updated
<b>Violence, Managing Aggression and Lone Working in the Workplace</b>		
<b>PAGE</b>	<b>TITLE</b>	<b>PROPOSED CHANGE</b>
Throughout		Designations and language updated

*Organisational Development, Human Resources and Performance*

# ***Whistleblowing Policy (Confidential Reporting)***

Version 3

Produced by:  
*Policy Development Unit, OD & HR & Performance*  
Inverclyde Council  
Municipal Buildings  
GREENOCK  
PA15 1LX

2024

**INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER**

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AUDIOTAPE, OR CD.**

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## DOCUMENT CONTROL

<b>Document Responsibility</b>		
<b>Name</b>	<b>Title</b>	<b>Service</b>
	Service Manager (HR Operations and Health and Safety)	Organisational Development, Policy and Communications

<b>Change History</b>		
<b>Version</b>	<b>Date</b>	<b>Comments</b>
0.1	May 2000	Approved as part of the Employee Code of Conduct which went to Corporate Business Committee
0.2	March 2008	Reflect the change to new layout. No change to content.
0.3	February 2012	Update required as part of Risk Management Toolkit for Audit Scotland.
0.4	April 2024	Policy review carried out. Designations and contact details updated. Reference to media added.

<b>Distribution</b>		
<b>Name/ Title</b>	<b>Date</b>	<b>Comments</b>
Trade Unions	September 2011	
Trade Unions	April 2024	
Internal Audit and Corporate Fraud	April 2024	

*Distribution may be made to others on request*

<b>Policy Review</b>		
<b>Review Date</b>	<b>Person Responsible</b>	<b>Service</b>
2029	Service Manager (HR Operations and Health and Safety)	Organisational Development, Policy and Communications

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## 1 INTRODUCTION

It is in the interests of all concerned that disclosures of wrongdoing or irregularity are dealt with properly, quickly and discreetly. This includes the interests of Inverclyde Council, its employees, any person(s) who is/are the subject of such disclosures, and the person making the disclosure.

Confidential Reporting, also known as Whistleblowing, is the disclosure or communication of information about possible malpractice by individuals, services, government bodies, corporations or public and private organisations (including contractors, etc.), either internally or externally to an outside authority. The term malpractice has equal validity in relation to breaches of civil and criminal law.

This policy takes into account the requirements of the Public Interest Disclosure Act 1998. The Act, which introduces specific rights into the Employment Rights Act 1996, provides an employee or worker with potential protection from detriment and dismissal for making a 'qualifying disclosure'. However, the Act encourages workers to raise matters internally with their employers initially and disclosures will only be protected if they meet strict legal requirements (See Annex A for further details).

This policy is complementary to and forms part of the Council's ***Code of Conduct for Employees***.

The Council has made it clear to employees through the ***Code of Conduct***, the standards of propriety and good practice expected of them.

This policy is wider in scope than the 'qualifying disclosures' of the Public Interest Disclosure Act, and an employee's concern about malpractice, may in this context include a reasonable belief that one or more of the following has occurred or is likely to occur:

- conduct which is a criminal offence or breach of law
- disclosures related to miscarriage of justice
- dangers relating to Health and Safety, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- fraud and corruption
- sexual or physical abuse of clients, or
- other unethical conduct (e.g. obligations under Code of Conduct, Standing Orders, financial and procurement regulations).

Employees are often the first to realise that there may be something seriously wrong within their Service or the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, their managers or to the Council. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

Inverclyde Council is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, it expects employees and others with whom it deals, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy compliments the Council's Anti-Fraud, Corruption and Irregularity Policy and makes it clear that any employee can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. This confidential reporting policy is intended to encourage and enable employees to raise serious concerns within their Service/Council rather than ignoring a problem or 'blowing the whistle' outside to the media or external bodies.

This policy applies to all employees and those contractors working for the Council on Council premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, residential care homes.

These procedures are in addition to the Council's **Complaints Procedure** and other statutory reporting procedures operating in certain Services.

Managers are responsible for making service users aware of the existence of these procedures.



## 2 AIMS AND SCOPE OF THE POLICY

This policy aims to:

- Encourage an employee to feel confident in raising serious concerns and to question and act upon concerns about malpractice
- Provide avenues for employees to raise those concerns and receive feedback on any action taken
- Ensure that an employee receives a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure the employee that they will be protected from possible detriment or dismissal or victimisation if they have a reasonable belief that they have made any disclosure in good faith

There are existing procedures in place to enable an employee to lodge a grievance relating to their own employment. This Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other Council **Grievance Policy & Procedures**. These include:-

- conduct which is an offence or a breach of civil law
- disclosures related to miscarriages of justice
- Health and Safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of clients; or
- other unethical conduct.

Thus, any serious concerns that an employee has about any aspect of service provision or the conduct of elected members or officers of the Council or others acting on behalf of the Council can be reported under this **Confidential Reporting Policy**. This may be about something that:

- makes an employee feel uncomfortable in terms of known standards, their experience or the standards the employee believes the Council subscribes to; or
- is outwith the scope of the Council's Standing Orders, or other policies or procedural arrangements
- falls below the established standard of practice; or
- amounts to improper conduct

This policy does **not** replace the Council's **Complaints Procedure**.

## 3 SAFEGUARDS FROM HARASSMENT OR VICTIMISATION

The Public Interest Disclosure Act 1998 provides an employee or worker with potential protection from detriment and dismissal for making a 'qualifying disclosure'. Detriment

means someone experiences one or both of the following because they made a disclosure:

- being treated worse than before, or
- having their situation made worse.

The Council is committed to good practice and high standards and wants to be supportive of all its employees.

The Council recognises that a decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice.

The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect employees when they raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect an employee. This does not mean that these procedures will be halted as a result of an employee's disclosures.

## **4 CONFIDENTIALITY**

All concerns will be treated in confidence and every effort will be made not to reveal the identity of an employee if they so desire. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence. Further, at an appropriate time, an employee may need to come forward as a witness.

## **5 ANONYMOUS ALLEGATIONS**

This policy encourages employees to put their names to allegations whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council.

In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

## **6 UNTRUE ALLEGATIONS**

In the event that no conclusion can be drawn, and the employee making the report acted in good faith and not maliciously or for the purposes of personal gain, the senior officer will advise the employee of the outcome of the investigation, highlighting the

discrepancy between the initial report and the findings. The employee will not suffer any detriment as a result of the allegation made.

Where it is proved that false allegations are made deliberately or maliciously, this will be viewed seriously and the complainant may be liable to appropriate action.

## 7 HOW TO RAISE A CONCERN

For minor issues already covered by the Council's **Code of Conduct for Employees** (e.g., personal use of Council equipment, abuse of flexi-time), employees should raise concerns with their immediate supervisor.

If an employee wishes to report a matter which falls into one of the categories outlined in Section 2, the employee should contact their Head of Service, Corporate Director, or, the Chief Executive. Where this is not appropriate contact should be made with the Council's Monitoring Officer. The initial contact can be made either in writing or in person.

Alternatively, an employee may utilise the phone number, email address or online form operated by Internal Audit and Corporate Fraud as follows:

**01475 712184**

**Email:** [corporatefraud@inverclyde.gov.uk](mailto:corporatefraud@inverclyde.gov.uk)

**Online:** [www.inverclyde.gov.uk/reportingfraud](http://www.inverclyde.gov.uk/reportingfraud)

The employee may not wish to make any further contact or divulge their identity following an initial report. However providing personal details can be beneficial for the following reasons:

- If Internal Audit can advise management that the name of the Whistleblower is known, then they are likely to take the report more seriously
- Further information may be needed from the caller to assist with conducting a proper investigation

The earlier the concern is expressed, the easier it is to take action.

Although an employee is not expected to prove beyond doubt the truth of an allegation, the employee will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

Advice and guidance on how matters of concern may be pursued can be obtained from the Head of Organisational Development, Policy and Communications.

An employee may consider discussing their concerns with a colleague first, on the grounds that they may find it easier to raise the matter if there are two (or more) employees who have had the same experience or concerns.

Employees may invite their Trade Union representative or an appropriate member from their professional organisation to be present at any meetings or interviews in connection with the concerns they have raised.

## 8 HOW THE COMPLAINT WILL BE HANDLED

The manager receiving the report will then arrange an initial interview to make an assessment of the issues. The interview will be conducted either by the manager to whom the report was made, or a nominated senior officer, and will be confidential. Where reporting is via Internal Audit and Corporate Fraud, that team will deal directly with the matter, where it is clear that it is not related to fraud or irregularity, the Head of Service will be contacted directly to look into what is more likely to be an operational matter and HR should be involved if there is the potential for the disciplinary process to be invoked.

At this stage the employee will be given an undertaking about confidentiality. In the event that anonymity cannot be guaranteed, the employee will be given assurances about protection from detriment or dismissal as a result of having made this disclosure. Support will be available at all times from Organisational Development, Policy and Communications.

The following criteria will be used to decide whether the complainant can remain anonymous:

- (a) The seriousness and nature of the issues raised
- (b) The likelihood of confirming any allegation from other attributable sources
- (c) The need for evidential statements as part of any investigation
- (d) The credibility of the allegation, and, in all the circumstances, the need to allow a person against whom an allegation is made to test the veracity and substance of it, and
- (e) The likelihood, in all the circumstances, of unwarranted reprisals being directed against a person who makes a disclosure.

The employee may also be asked to make a written statement if this has not already been done. This may be disclosed to a third party. For example:

- where an offence may have been committed and there is considered to be an obligation to report the matter to the Police or Procurator Fiscal, or to co-operate with enquiries instituted by the Police or the Fiscal.
- otherwise where there would be any failure on the part of the Council to comply with any legal obligation on them, or
- to a professional body.

The employee will also be advised of the name of the nominated officer who will conduct the investigation into the information received.

Within 10 working days of the interview, the investigating officer will submit a report to the manager/senior officer who will advise the employee what further action will be taken. If no further action is to be taken, the employee will be notified and given reasons in writing for this decision. A copy of the initial report and recommendations will be given to the Head of Service.

If a more detailed investigation is required, the investigating officer will discuss with the manager/senior officer how this would best be handled. A decision will be made as to whether the subject(s) of the complaint should be advised at this stage.

On conclusion of the further investigation, the findings will again be assessed by the manager/senior officer who will consider what appropriate action should be taken. A copy of the final report and recommendations will be given to the Head of Service. If the Head of Service wishes the matter to be investigated under the disciplinary procedures, Human Resources (HR) must be notified.

Thereafter, the manager/senior officer will contact the employee and advise him/her in writing of the outcome of the investigation. If the matter will be referred to HR for an investigation under the disciplinary procedures then HR should be contacted before the employee is advised of the outcome. Should the employee have concerns at these findings, he/she may submit these to the Chief Executive. Once the Chief Executive has made a determination, if the employee feels that the concerns have not been addressed she/he should refer the matter to the Council's Monitoring Officer.

The employee may request an update from the manager/senior officer at any stage of the investigation.

This policy is intended to provide employees with a way to raise concerns within the Council. If an employee feels it is appropriate to take the matter outwith the Council, then the Council may provide advice and guidance to the employee on their rights, etc., under the Public Interest Disclosure Act 1998. The following are possible contact points:

- the external auditor
- the Trade Unions
- relevant professional bodies or regulatory organisations
- the Police
- the Health & Safety Executive
- the employee's solicitor
- the employee's local elected Member (if the employee lives in the area of the Council), or
- Member of Parliament or Member of Scottish Parliament.

If employees do take the matter outwith the Council, they need to first ensure that they are not disclosing confidential or privileged information. This can be checked with the Head of Organisational Development, Policy and Communications in consultation with the Head of Legal, Democratic, Digital and Customer Services, who will advise on ways to proceed.

Contact with the media is not a protected disclosure for the purposes of employment law. Any employee contacting the media will no longer enjoy the protections within this policy and may be subject to disciplinary action.

## **9 THE RESPONSIBLE OFFICER**

The Chief Executive has overall responsibility for the maintenance and operation of this policy. The Chief Executive will maintain a record of concerns raised and the outcomes (but in a form which does not endanger employee confidentiality) and will report as necessary to the Council.

## **10 TRADE UNIONS**

This policy has been discussed with the relevant Trade Unions and has their support.

## **11 FURTHER ADVICE**

Further advice on the application of the policy can be obtained from the Head of Organisational Development, Policy and Communications.

## **12 ANNEX A - PUBLIC INTEREST DISCLOSURE ACT 1998**

### **Introduction**

The Public Interest Disclosure Act (PIDA), took effect on 2nd July 1999. Its provisions protect persons who disclose certain types of information, to certain individuals in certain circumstances.

### **Workers**

Individuals covered by the Act include employees, casual/sessional workers, freelancers and agency staff. PIDA also extends the meaning of workers to include individuals working under training contracts.

### **Qualifying Disclosures**

A qualifying disclosure is a disclosure which in the reasonable belief of the worker relates to one or more of the following:

- A criminal offence has been committed, is being committed, or is likely to be committed;
- That a person has failed, is failing, or is likely to fail to comply with a particular legal obligation;
- A miscarriage of justice has occurred, is occurring, or is likely to occur;

- The health and safety of any individual has been or is likely to be compromised;
- The environment has been, is being, or is likely to be damaged; or
- Information indicating the occurrence of any of the above has been, is being, or is likely to be deliberately concealed.

### **Exclusions**

Workers who make disclosures will not qualify for protection if either: the person commits an offence by making it, e.g. a breach of the Official Secrets Act, or, it is a disclosure in respect of which legal professional privilege would apply.

### **Qualifying Procedures**

The worker making a protected disclosure must make it in one of the six specified circumstances to remain protected under PIDA. The circumstances can be categorised as:

- disclosure to employer, or person legally responsible or an appropriate individual authorised by the employer to receive disclosures.
- disclosure to a legal advisor.
- disclosure to a government minister, where the worker's employer is appointed by a minister.
- disclosure to a prescribed person.
- disclosure to an individual unconnected with the organisation (external disclosures), e.g., police or media.
- disclosure in exceptionally serious cases (all disclosures must be made "in good faith" with the exception of a disclosure to a legal advisor).

### **Disclosure to Prescribed Persons**

Prescribed persons or bodies prescribed by an order made by the Secretary of State. PIDA currently lists more than 30 regulatory bodies to whom protected disclosures may be made. These include the Data Protection Register, the Environment Agency and the Health and Safety Executive.

### **External Disclosures**

Workers will only be protected if they have previously raised the matter with the employer or prescribed person, or have not done so because they reasonably believe they will be victimised. If there is no prescribed person, there must be a reasonable belief that a complaint to the employer would result in evidence being concealed or destroyed. Alternatively, the worker has already disclosed this information to the employer or prescribed person. The worker must also make the disclosure in good faith, in the reasonable belief that the allegations are substantially true, and must not act for personal

gain. It must also be “reasonable in all the circumstances” of the case to make the disclosure.

The Act stipulates that the following factors should be taken into account when assessing reasonableness:

- ◆ the identity of the person to whom the disclosure is made.
- ◆ the seriousness of the concern.
- ◆ whether the matter is continuing or is likely to occur in the future.
- ◆ whether the disclosure is made in breach of a duty of confidentiality owed by the employer to another person, e.g., to protect client confidentiality

Further details and guidance regarding this Act can be obtained from Human Resources.



*Organisational Development, Human Resources and Performance*

# ***Employee Code of Conduct***

Version 7

Produced by:  
Inverclyde Council  
Municipal Buildings  
GREENOCK  
PA15 1LX

2024

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## DOCUMENT CONTROL

Document Responsibility		
Name	Title	Service
	Service Manager (HR Operations and Health and Safety)	Organisational Development, Policy and Communications

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1	25 <sup>th</sup> May 2000	Corporate Business Committee
2	June 2006	Changes to reflect new Chief Executive.
3	February 2012	General Update
4	December 2018	Update to Data Protection Act for GDPR
5	Sept 2021	Appointment of new CE
6	Dec 2023	Additional information on the link between women's labour market inequality, violence against women, and wider gender inequalities; sexism; misogyny; sexual harassment; intersectionality
7	June 2024	General Update

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Policy Review		
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## 1 INTRODUCTION

The public expects a high standard of conduct from all local government employees. The Council's Code of Conduct is one of the ways we put the Council's values into practice. The Code describes the standard of behaviours expected of all Inverclyde Council employees in their day-to-day duties, and communications with colleagues, managers, Councillors, service users, other organisations, and members of the public. It also provides guidance where your conduct outside of work may impact on the employment relations.

The Previous Code of Conduct was approved by the Council in May 2000, following consultation with the Trade Unions. This version has been updated, in consultation with the unions, to reflect some changes within the Council and legislative and policy changes.

The implementation of The Code of Conduct will help the Council meet its obligations in terms of The Equality Act 2010 and Health and Safety at Work Act 1974

The purpose of this Code is to provide you with advice and guidance about the standards of behaviours expected of employees, your rights, and duties at work to avoid any breach of the Code of Conduct.

Where necessary more detailed advice is provided in the Appendices or where appropriate the Code refers to service specific advice which is available from service managers/ team leaders.

It is important to note that any breach of the Code of Conduct and /or relevant professional codes may lead to disciplinary action.

Where appropriate this Code should be read in conjunction with other relevant documentation such as the CONDITIONS OF SERVICE handbook (Available ICON).

Where you have any questions about the terms of this Code of Conduct you should raise them in the first instance with your line manager or with Organisational Development, Human Resources and Performance on 01475 712740.

## 2 SCOPE OF THE POLICY

This policy and associated procedures apply to Local Government Employees, Chief Officers and Teachers.

The policy apply to 'employees' (as defined by the Employment Rights Act 1996) within the Council and Other workers (including casual, bank/sessional /supply teachers and agency workers).

Elected Members, external agencies, partners and contractors who work in partnership with the Council also have a responsibility to comply with this policy.

Elected Members are subject to the Councillor's Code of Conduct which is available on the Standards Commission for Scotland website:

<https://www.standardscommissionscotland.org.uk>

The Council will ensure that good equal opportunities practice underpins the operation of this policy and will apply to all employees irrespective of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## 3 POLICY CONTENT

This Code of Conduct has been developed by the council taking account of relevant legislative requirements, the "Seven Principles of Public Life" identified by the Nolan Committee on Standards in Public Life and endorsed by CoSLA in its Code of Conduct for Local Government Employees in Scotland.

As far as possible, you should also comply with the Code where you are appointed as a representative of the Council to any external board/organisation.

The Code does not affect your rights and your responsibilities under the law or the Council's duty of care to you as an employee. Its purpose is to provide clear and helpful advice to you. Any employee who has any questions around the standards noted in the Code then they should raise the matter with their manager/ supervisor. Alternatively, any employee can contact Organisational Development, Human Resources helpline- 01475 712740 where all approaches by employees will be dealt with confidentially.

### **Seven Principles of Public Life**

Lord Nolan in the Third Report of the Committee on Standards in Public Life outlined the following "Seven Principles of Public Life". CoSLA has refined them to place them in a Local Government context.

#### 1. Selflessness

All employees should take decisions solely in terms of the Council's interest. They should not take decisions in order to gain financial or other material benefits for themselves, their family or friends.

2. Integrity

All employees should not place themselves under any financial or other obligation to an individual or organisation that might influence them in their work with the Council.

3. Objectivity

In carrying out Council business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, if the employee is in a position to determine such matters then choices and decisions must be made solely on merit.

4. Accountability

Employees are accountable for their decisions to the Council, and ultimately to the public.

5. Openness

Employees must be as open as possible about all the decisions and actions that they take. They must give reasons for their decisions and restrict information only when it is clearly demanded by Council policy or some other justifiable reason.

6. Honesty

Employees have a duty to declare any private interests, which might affect their work with the Council.

7. Leadership

An employee, who is a line manager or supervisor, will promote and support the principles contained in this Code by personal leadership and example.

## **GENERAL**

### **4 POLITICAL NEUTRALITY**

An employee's political neutrality is expected by the public and must be respected by Councillors.

An employee must serve the Council as a whole and all Councillors, regardless of their party or political affiliation. The Chief Executive and senior employees, particularly Chief Officials, have an additional responsibility to help ensure the implementation of the policies of the Council.

An employee must implement the policies of the Council irrespective of personal views held by them.

If an employee is asked by a Councillor to provide assistance on a matter which is clearly party political or which does not have a clear link with the work of the Council then the employee should politely refuse the request and notify his/her line manager.

Some employees will have a close working relationship with Councillors of the majority political group or groups which form the administration of the Council. Employees in this category must follow the Council's procedures about access by political groups to the advice of employees. The procedures are detailed in Appendix 1 of this Code.

## **5 POLITICALLY RESTRICTED POSTS**

Where an employee holds a politically restricted post then he/she must conform to the relevant sections of the Local Government and Housing Act 1989. Details of the restrictions are detailed in Appendix 2.

## **6 RECRUITMENT AND SELECTION**

The Council's Policy and Procedures for Recruitment and Selection detail the steps to be followed by all employees involved in the recruitment and selection process. Copies of the Policy and Procedures are available from managers, supervisors and Organisational Development, Human Resources & Performance and are published on ICON.

Canvassing of councillors or employees of the Council, directly or indirectly, in connection with any appointment being made by the Council, shall disqualify the candidate. A councillor or employee of the Council shall not attempt to secure an appointment with the Council nor recommend any person for such an appointment or promotion.

However, this shall not prevent a councillor or employee giving a written reference of a candidate's ability, experience or character where such a reference is requested by the Council. Accordingly, an employee may list a councillor as a referee.

Where an employee or councillor is involved in the short listing or interviewing process and is aware of a relationship with any of the candidates then the Head of Organisational Development, Human Resources & Performance must be informed.

If an employee has any kind of relationship which might affect their ability to be impartial – this needs to be disclosed to their line manager.

## **7 CORRUPTION AND CONFLICTS OF INTEREST**

Our employees have an essential and integral part to play in dealing with fraud and corruption and we will encourage our staff and members to inform us if they suspect a case of fraud.

Any employee discovered to have perpetrated a fraud with the Council or any other public agency may also face action under the Disciplinary Procedures which may lead to dismissal. This includes information that comes to light through the data matching process.

It is important you are aware that it is a serious criminal offence for you corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything



or showing favour or disfavour to any person in the course of your work with the Council.

Accordingly it is important that the advice contained in this Code of Conduct is adhered to and that the acceptance of any gift or hospitality can be justified completely.

Similarly, you should ensure that where there might be any conflict of interest between your private and working life you take appropriate steps to ensure the conflict does not arise and that the interest is declared. This is particularly so if you have any friendships or relationship with individuals who may undertake work with the Council either as a contractor or supplier of goods or services.

#### Conflict of Interest

There may be occasions when an employee's interests - especially financial interests - conflict with the interests of the Council. This interest must be declared to their line manager.

An employee must not use his/her position to further his/her own interests or the interests of others who do not have a legitimate right to benefit under the Council's policies.

If an employee has an interest in a matter, which is being discussed at a meeting of the Council or at one of its committees, subcommittees, or joint committees, he/she must declare the interest to his/her line manager and must not be present at the meeting when the matter is being discussed and decided upon.

If an employee is a member of an organisation or club where membership might result in a conflict of interest in relation to any aspect of his/her work with the Council he/she must declare this membership to his/her line manager. This does not mean that an employee cannot make their professional skills available to other organisations, rather it stresses the importance of declaring these in accordance with the rules on 'Conflict of Interest'.

## 8 EQUAL OPPORTUNITIES

Employees should expect fair and reasonable treatment at work in line with the provisions of the Council's Equal Opportunities and other relevant policies.

The Council views discrimination, harassment, victimisation and bullying at work as serious matters. Any employee who believes that he/she has been a victim of unfair treatment should raise the matter with his/her line manager, trade union representative or contact the designated officer of Organisational Development, Human Resources and Performance.

Advice on the application of this paragraph is contained within the Council's Policy and Procedures on Discrimination, Victimisation, Harassment and Bullying available from Organisational Development, Human Resources and Performance and published on ICON.

## **9 PROTECTING CHILDREN & VULNERABLE ADULTS**

There is a statutory duty for the Council and its employees to protect children and vulnerable adults.

If any Council employee hears information or directly sees things which makes them worried about a child or adult being ill-treated, exploited, neglected or abused, all employees are responsible to take action by speaking promptly to their line manager or another manager about their concerns.

Employees must not delay in taking action or passing information as it could ensure the safety of a vulnerable child or adult.

## **10 DISCLOSURE OF MEDICAL CONDITIONS**

The Health & Safety at Work etc Act 1974 requires employers to, so far as is reasonably practicable, ensure the health and safety of their employees whilst at work.

The Management of Health and Safety at Work Regulations 1999 requires employers to carry out risk assessments to identify potential risks and take necessary measures to remove or reduce and control risk.

Risk assessments are a universally acknowledged method of challenging existing methods of work, for assessing risks associated with tasks and for ensuring that best practice is achieved.

It is therefore essential that all Services ensure that appropriate risk assessments are in place, in line with this policy, and that actions are implemented to eliminate or reduce risks in the workplace. This is supportive and aims to ensure that we as an employer can ensure we can support your attendance at work and help us in our statutory obligation as a responsible employer.

All data gathered will be in-line with our Data Protection and Confidentiality procedures.

## **11 MANAGING ATTENDANCE**

Managing attendance is treated as a serious issue by the Council and employees are expected to attend work unless there is a genuine reason for absence. The Council has set Council targets for absence which Services and employees are asked to achieve.

You are required to acquaint yourself with the Council's procedures for the notification and certification of absence.

You are required to maintain a satisfactory level of attendance and provide regular and effective service to the Council. If you consistently and regularly fail to provide a satisfactory level of attendance you may be subject to disciplinary action or your employment may be terminated, on notice, on grounds of capability.

If you are experiencing difficulties in relation to managing your attendance, you should discuss this with your line manager or HR advisor to identify any additional support that may be required.

It is a condition of employment that an employee may be required, where it is considered necessary or advisable, to attend an appointment with the Council's Occupational Health provider.

If you have multiple posts – the employee is responsible for ensuring that any sickness absence is linked appropriately to the relevant post and manager. This would be similar to annual leave.

If you have another position with different organisation, you are responsible for ensuring that the other position is declared. Additionally, if the employee has a sickness absence the information in *Other Remunerative Employment* section applies.

## **12 USE OF COUNCIL EQUIPMENT**

An employee must not make use of any Council material, resource or service to which he/she has access by virtue of his/her position for the furtherance of any external employment or personal interests. It is irrelevant whether or not the work is paid.

You are responsible for any property belonging to the Council that is under your control or in your possession and you must take proper care of any such items. Any deliberate or negligent failure to take proper care of Council property will be viewed as Misconduct and may lead to disciplinary action.

You shall promptly, whenever requested by the Council, and in any event upon the termination of your employment or precautionary suspension, deliver to the Council all property (such as keys, swipe cards, laptops, mobile phones, ID badges, uniform etc), all files, lists of clients or customers, correspondence and all other documents, records, papers, computer disks, videos, CDs and all other property which may have been prepared by you or have come into your possession, custody or control in the course of your employment and you shall not be entitled to and shall not retain any copies of them. Title to all such material and copyright in all such material created solely or in part by you shall vest in the Council.

### **Use of Council Vehicles**

The use of Council vehicles is restricted to authorised use on Council business. However, employees can be authorised to take Council vehicles home for operational reasons. Where an employee is authorised to take a council vehicle home the vehicle should only be used to carry out council business.

Using the vehicle for any business other than official Council business is forbidden. During the period when an employee has been authorised to take a vehicle home for use on Council business, the vehicle must not be used for private purposes. Any unauthorised use of the vehicle for private purposes may result in the employee being subject to the disciplinary procedures and will result in charges being applied by the Inland Revenue.

Where an employee takes a vehicle home and no private use is allowed during that period then there will be no tax liability.

Only employees who are in receipt of a standby allowance or are otherwise authorised for operational reasons should be allowed to take a Council vehicle home.

Except where it has been authorised that a Council vehicle can be taken home for use on Council business all vehicles must be parked in designated secure parking areas out with normal working hours.

Any fines or penalties incurred whilst using a vehicle on Council business will be the liability of the employee or worker.

### **Driving Medical Conditions**

All drivers have a legal duty to inform DVLA if they are suffering from a medical condition that makes it unsafe for them to drive. In all circumstances, the employee must report any relevant condition to the DVLA and where appropriate surrender their licence. As part of the driver's employment with Inverclyde Council, they must also inform their manager as soon as is reasonably possible.

## **13 COMPUTER AND OTHER SYSTEMS**

Employees may only operate within the areas of their own service operations and service areas. Access to other areas is restricted to authorised personnel only. Access to the systems of the Council, particularly but not exclusively, the computer systems, is reserved to authorised personnel only.

Unauthorised access to, or any tampering with, any computer system or software or computer installation may be regarded as a disciplinary offence and may be liable to prosecution under the Computer Misuse Act 1990.

Even if no actual damage results, unauthorised penetration or tampering of the system damages its integrity and confidentiality, which are of high value. It should be noted that the classification of such access as misconduct applies even where such access is performed merely as a 'prank' or for fun or to test the defences.

## **14 IT SECURITY & USE OF COUNCIL INTERNET, INTRANET, EMAIL & TELEPHONES**

The Council's IT Security Code must be adhered to. The code outlines what an employee must do to ensure that use of the Council's computer equipment does not result in unnecessary risk to the system or the important data they contain. Copies of the Code are available on-line or from Service Managers.

You are required to familiarise yourself and follow the rules regarding acceptable use of the Council's internet and email system, and use of Council telephones and mobile phones. Any breach of these rules will be regarded as misconduct and may lead to disciplinary action, including your dismissal.

A copy of the Council's Internet and Email Acceptable Use Policy is available on request from Organisational Development, Human Resources & Performance.

If you are provided with a mobile phone, you must use it primarily for work purposes. Any inappropriate or dishonest use of your mobile will be regarded as misconduct and may lead to disciplinary action, including dismissal.

The mobile phone provided to you must be returned to Inverclyde Council on demand and you will be held personally liable for any reckless loss or damage.

You must not bring the Council into disrepute through use of online or social networking activities. Examples include uploading images or videos which show antisocial behaviour or illegal activities; making derogatory statements about the Council or Council staff; or revealing confidential information about the Council or Council staff. This list is not exhaustive.

## **15 CORPORATE COMMENTS, COMPLIMENTS AND COMPLAINTS FRAMEWORK –“INFORM”**

The Council operates a corporate comments, compliments and complaints policy called InForm which sits separate to the Code of Conduct . InForm records and monitors compliments and comments and addresses complaints about Council services and maladministration on behalf of the Council.

A complaint is defined as “an expression of dissatisfaction, however made, about the standard of service, action, or lack of action by the Council, its staff or contractors” Individual complaints against employees are separate to this process and are dealt with through the Code of Conduct / Disciplinary Procedures.

It is usual that any complainants need to provide contact details so the complaint may be processed, however anonymous complaints should still be investigated by the relevant service and, if relevant, processed through the separate Whistleblowing Policy (see below).

## **16 WHISTLEBLOWING**

Inverclyde Council is committed to the highest possible standards of openness, probity and accountability and expects any employee who has serious concerns about any aspect of the Council’s work to come forward to afford the Council the opportunity to address the concerns.

The Whistle blowing Policy in most cases provides a confidential reporting framework through which the employees can express their concerns without fear of victimisation, subsequent discrimination or disadvantage. If an employee discloses confidential information while making a protected disclosure, either to your employer or to a regulator (e.g. the FCA, the Care Quality Commission etc.), there can be no breach of confidence. However, various conditions need to be present in order for a disclosure to be a protected disclosure. If you have raised concerns but not actually met the conditions for a protected disclosure, or if you disclose confidential information in order to show that you’ve been victimised for whistleblowing, e.g. by downloading and submitting in evidence your employer’s private emails or documents, you may be independently liable for breach of Confidence.

An employee, who has serious concerns to raise but is unsure of how to proceed, should contact Organisational Development, Human Resources and Performance to obtain advice. The Whistle blowing Policy, can be obtained from Organisational Development, Human Resources and Performance.

Employees can report a matter which falls into one of the categories outlined in Section 2 of the Whistleblowing Procedure by contacting their Head of Service, Director, or, the Chief Executive. Alternatively, they may wish to contact the Whistleblowing Hotline or email address operated by Internal Audit as follows:

- Tel: 01475 712184
- Email: [corporatefraud@inverclyde.gov.uk](mailto:corporatefraud@inverclyde.gov.uk) /online  
[www.inverclyde.gov.uk/reportingfraud](http://www.inverclyde.gov.uk/reportingfraud)

If employees do take the matter outwith the Council, they need to first ensure that they are not disclosing confidential or privileged information. This can be checked with the Head of Organisational Development, Policy and communications in consultation with the Head of Legal, Democratic, Digital and customer Services, who will advise on ways to proceed.

If an employee reports a crime or fraud to a regulator, they may be able to rely on a common law public interest defence, as outlined in the previous section (even if it turns out that you are not making a protected disclosure).

Contact with the media is not a protected disclosure for the purposes of employment law. Any employee contacting the media will no longer enjoy the protections within this policy and may be subject to disciplinary action.

## 17 DRESS CODE

Clients and customers are inclined to form an opinion based on first impressions, which, especially if they are negative, are hard to change. Therefore, as an employer, the Council considers it is entitled to exercise discretion in controlling its image. This includes the appearance of employees particularly where their duties bring them into contact with the public or where their manner of dress affects safety or hygiene standards.

Each Service will have specific requirements regarding personal appearance and dress standards.

The Council will be willing to vary or adapt rules to accommodate employees whose cultural or religious needs might prevent them from complying with them.

The standards will be explained to employees to allow an understanding of what is expected of them in their post. Generally however employees are expected to follow the undernoted standards:

1. All employees should attend work in a clean and tidy condition.
2. Clothes worn should be appropriate for the position held by the employee and should not be such that they constitute a hazard or cause embarrassment to colleagues or members of the public.

3. Where corporate wear is provided, this must be worn at all appropriate times, be maintained in a clean and tidy condition and be in a proper state of repair.
4. Where protective and safety clothing is provided, this must be worn and maintained in an appropriate manner.
5. Name badges, where provided, must be displayed at all appropriate times.
6. The Council reserves the right to insist that employees do not wear jewellery or badges, which it believes, may cause offence to clients, customers or other employees or present a health and safety risk. In particular, it should be noted that political symbols must not be worn or displayed.

An employee having difficulties in maintaining these standards should discuss the matter in the first instance with his/her immediate line manager or HR Adviser.

## **18 OTHER REFERENCE DOCUMENTS**

There are a number of other documents regarding Professional Registration/Qualification/Conduct, which give information, and advice on matters affecting these specific employees and which should be read in conjunction with our Local authority Code of Conduct. These documents are listed in Appendix 4 and can be obtained from Organisational Development, Human Resources and Performance.

Certain occupational groups have professional codes of practice or conduct which they are required to adhere to for example:

1. The Code of Practice for Social Service Workers is a list of statements that describe the standards of professional conduct and practice required of social service workers as they go about their daily work. Social service workers are responsible for making sure that their conduct does not fall below the standards set out in the code and that no action or omission on their part harms the wellbeing of service users.
2. The GTC Code of Professionalism and Conduct sets out the key principles and values for registered teachers in Scotland. Within GTC Scotland's wider framework of standards, this Code and commentary states the standard of conduct and competence expected of registered teachers.

It is the responsibility of the employee registered with such an organisation to ensure that they comply with the relevant obligations, including maintaining registration.

## **WORKING WITH OTHERS**

### **19 RELATIONSHIPS – PERSONAL CONDUCT**

The Council expects the highest standards of personal conduct from its employees. The way you behave during working hours and any misconduct outside your

working hours reflects on the image of the Council and may have a bearing on your employment with the Council. Employees should display the following behaviours:

- a. Use ordinary everyday courtesy and politeness, including the names that people would prefer.
- b. Treat people as they would like to be treated.
- c. Act with sincerity, integrity, honesty, fairness, impartiality, and diligence.
- d. Work positively on a collaborative and co-operative basis with others.
- e. Give honest feedback based on evidence.
- f. Be open to constructive criticism
- g. Do your job to the best of your ability
- h. Do what is reasonably asked of you even if you disagree
- i. Give people encouragement, help and support when they need and want it.
- j. Trust and be open with your colleagues.
- k. Respect the diversity of cultures, backgrounds, lifestyles, and beliefs that people bring to the workplace.
- l. Listen to, respect and value the diverse ideas, contributions, and opinions of colleagues.
- m. Be sensitive to the needs of others.
- n. Respect the privacy, confidentiality, and personal space of others.
- o. Be aware of the effect your behaviour has on others and only make reasonable and manageable demands.
- p. Appreciate and praise good work
- q. Actively seek to build productive working relationships and partnerships with people across and outside the council.
- r. Aim to deliver a first-class service to customers both internal and external
- s. Challenge inappropriate behaviour in an appropriate manner.

This list is not exhaustive.

Although not exhaustive the following are examples of inappropriate behaviours which will not be tolerated by the Council towards other employees, or towards or from third parties (client/ customers):

- a. Being offensive or insulting or spreading malicious rumours.
- b. Making unwelcome or insulting remarks, jokes, innuendoes, lewd comments or using abusive language.
- c. Ridiculing, humiliating, demeaning, or picking on someone
- d. Copying correspondence, including emails or the use of other forms of communication such as instant messenger or discussion forums/blogs/social media/apps, such as Facebook, to forward information about an individual to others who do not need to know. (Such information may also infringe other Council policies and/ or professional codes and/or breach of criminal legislation);
- e. Displaying materials which may be held to be offensive e.g. posters, banners
- f. Isolation and non-cooperation at work, exclusion from work related or social activities.
- g. Any type of harassment including sexual harassment or victimisation



Under the Council's Health and Safety Policy and the Health and Safety Act 1974 employees should not place themselves, work colleagues or members of the public at risk to their health and safety.

You must not attend work under the influence of either alcohol and or/drugs or other substances, as these may affect your ability to undertake your duties safely and effectively. Should you attend work under the influence of either alcohol or drugs you will be liable for action under the Council's Disciplinary Procedures.

The Council recognise the legitimate use of over the counter and prescribed medication. If these impair performance and where employees have been prescribed substances in relation to a diagnosed medical condition which may affect their behaviour and/or ability to carry out their work, they must inform their line manager. More information can be found in our Substance Supporting Alcohol, Substance Use and Gambling Concerns in the Workplace Policy

You must not consume alcohol and or/misuse drugs or other substances during working hours (including breaks) whether within or outside the workplace.

You may seek support and assistance for any health and wellbeing issue including alcohol and drugs from your manager, HR or trade union. More information can be found here link the Supporting Alcohol Substance and Gambling Policy.

If you are charged/ convicted of any criminal offence (including being released on bail), you must notify your Head of Service immediately. Such charges/convicted may result in action being taken against you under the Council's Disciplinary Procedures.

If your job involves regular contact with children or protected adults, or in the administration of the law or in certain other sensitive areas and professions, the Council reserves the right to require you to undergo a Disclosure Scotland Police check / PVG check at any stage of your employment.

## **20 COUNCILLORS AND EMPLOYEES**

Whilst both Councillors and Council employees are servants of the public, and they depend on one another, their responsibilities are distinct. Councillors are responsible to the electorate and serve only as long as their term of office lasts. Employees are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council, their committees and subcommittees.

Mutual respect between Councillors and employees is essential to good Local Government. However, close personal familiarity between individual Councillors and employees can damage the relationship and prove embarrassing to other Councillors and employees.

Employees are entitled to raise with their Elected Members any complaint which they have about the services of the Council. However, an employee must not approach Councillors on employment matters and Councillors via their own Code of Conduct should decline to discuss such issues. Employment issues should be raised with the employee's line manager, Human Resources, or through their Trade Union.

If, however, the complaint concerns any aspect of their work with the Council they must make use of the Council's agreed Grievance Procedure and related procedures.

The Councillor/Employee Relations Protocol (available from OD, Policy and Communications and published on ICON) supplements the guidance and advice already provided in The Councillors' Code of Conduct and in this Code of Conduct for Employees. Compliance with the Protocol is mandatory.

## 21 THE PUBLIC

When an employee has contact with members of the public - in whatever capacity - users of services, clients, or citizens - he/she should aim to be friendly, courteous, and helpful. Employees must deal equally with each member of the public and must follow the Council's Equal Opportunities Policy and Procedures. They must not disclose confidential information to a member of the public, which is forbidden under the policies of the Council.

Many Council employees have contact with service users, pupils, and/or students on a regular basis as part of their employment. Staff engaged in these roles must ensure that they always communicate in an appropriate, open, accurate, and straightforward way.

These staff are reminded of their Professional Codes of Practice e.g., the Scottish Social Services Codes of Practice (SSSC) and the General Teaching Council for Scotland (GTCS) Code of Professionalism and Conduct (CoPAC).

You must build and foster positive relationships with service users, acting and behaving in a way that develops a culture of trust and respect for self and others. It is important that you recognise and use responsibly the power and authority you have when working with pupils/students/service users. You must aim to remove potential barriers to accessing services and support that may exist for some people, particularly where they may have a history of having experienced trauma.

Close personal familiarity between employees and service users can affect impartiality and must be avoided. Any existing relationship, or one that develops, which may impact on the work you do or may possibly be perceived by others negatively as such must be discussed with your line manager. You must not form inappropriate relationships with service users/pupils/students. You must maintain appropriate professional boundaries and avoid improper contact.

You must be mindful that the internet and social media can quickly blur the professional boundary between yourself and pupils/students/service users. You must be alert to the risk that actions which might on the face of it, seem quite innocent, but can be misunderstood and misconstrued by others. You must avoid inappropriate communication (including social media) with pupils/students/service users.

The actions of staff in how they communicate with pupils/students/service users may result in the employment being called into question, which is why being alert is crucial.

## 22 CONTRACTORS

Employees must be fair, even-handed, and impartial in dealing with contractors, subcontractors, and suppliers. An employee involved in the tendering process must follow the Council's procedures and rules in relation to tenders and contracts.

An employee who has access to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised individual or organisation.

If the employee dealing with the arrangement of the contractor feels that they have a conflict of interest, this should be raised with their Line Manager.

## **23 EMPLOYEES/COLLEAGUES**

Mutual respect between employees is essential to effective working in a safe and inclusive working environment where they do not experience bullying, harassment (including sexual harassment), discrimination, violence/abuse (including violence against women) or victimisation. Racist, homophobic, transphobic, sexist, abusive and misogynistic language and is never acceptable in the workplace.

Employees should interact and work together in a way that provides safety, choice, collaboration, trust and empowerment.

We recognise that colleagues who work together can also be in a personal relationship. Whilst such relationships seldom interfere with work, there is potential for a conflict of interest, breach of confidentiality or fraudulent activity to occur.

Where a family or personal relationship exists or develops between colleagues who work together in the same area, or where one employee is in the line management chain, both individuals must declare their relationship in confidence to their line managers or HR. This is intended for the protection of both parties.

As a result, you should not be involved in appointments or decisions that relate to discipline, grievance, promotion or grading, or payment of additional expenses /overtime where you're related to the individual or have a close personal relationship with them outside work.

'A close personal relationship' in this context could include any colleague who is a close or extended family member or be someone that you're in an intimate relationship or a close friendship with, however this list is not exhaustive.

If information comes to light and the Council considers that you should have made a declaration but chose not to, or that you didn't fully disclose details of any potential conflicts of interest within a relationship, then disciplinary action may be taken.

Victimisation occurs when an employee is treated less favorably because, for example, they have made or supported a referral or raised a grievance, or because they are suspected of doing so.

## **24 HYBRID WORKING ETIQUETTE**

Hybrid working refers to a flexible work arrangement where employees have the option to divide their working hours between remote (typically from home) and onsite locations, such as the office or other designated workspaces. This arrangement allows for a blend of remote and in-person collaboration, while maintaining connectivity with colleagues and the organisation.

In embracing hybrid working, employees are expected to adhere to the following etiquette guidelines:

- a. **Communication:** Maintain clear and regular communication with colleagues and supervisors, utilising appropriate channels such as email, instant messaging, video conferencing, and phone calls as necessary. Respond to communications promptly to ensure efficient workflow and collaboration.
- b. **Availability:** Establish and communicate your availability to team members, usually through sharing your calendar. Respect colleagues' availability and avoid unnecessary disruptions. This can be established through Jabber, email and MS Teams.
- c. **Accountability:** Take ownership of tasks and responsibilities, meeting deadlines and fulfilling commitments regardless of location. Keep supervisors informed of progress and potential challenges, seeking assistance or clarification when needed.
- d. **Professionalism:** Uphold professional standards in all interactions, maintaining decorum and respect in both virtual and in-person settings. Dress appropriately for virtual meetings and maintain a professional demeanour during video conferences.
- e. **Collaboration:** Foster a collaborative environment by actively participating in team meetings, brainstorming sessions, and collaborative projects, regardless of physical location. Leverage technology to facilitate virtual collaboration, sharing ideas and contributing to collective goals. In large online sessions, to prevent background noise – it would be beneficial to ensure that you are on mute, unless you are raising a vocal contribution. Additionally, for communications – especially with your team and leaders – ensure you have your camera on in meetings.
- f. **Security:** Exercise caution when handling sensitive information or accessing organisational systems remotely, adhering to security protocols and safeguarding confidential data. Utilise secure networks and encrypted communication tools to minimise cybersecurity risks.
- g. **Workspace:** Establish a dedicated and ergonomic workspace conducive to productivity and focus, minimising distractions and optimizing comfort. Ensure access to necessary tools and resources to facilitate seamless remote work. This would include a DSE check, which needs to be completed every 2 years.
- h. **Flexibility:** Remain flexible and adaptable in navigating the challenges and opportunities presented by hybrid working, embracing change and exploring innovative solutions to enhance productivity and well-being.
- i. **Feedback:** Provide constructive feedback and suggestions for improvement to enhance the effectiveness of hybrid working arrangements, contributing to ongoing refinement and optimisation of policies and practices.

## **FINANCIAL**

## 25 GIFTS

An employee must not accept personal gifts but may keep insignificant items of token value, e.g. pens, diaries, or small tokens of gratitude from a member of the public. Section 22.4 of the Financial Regulations indicates the approximate value must not be above £20 as of June 2024. If an employee is in any doubt this should be raised with their line manager.

## 26 HOSPITALITY

Offers of hospitality must be accepted only if an employee can answer, "Yes" to the questions:

- (1) "Is this justified?"
- (2) "Is the acceptance of hospitality beyond reproach?"

An employee in any doubt must seek the advice of a line manager who will refer to the Council's procedures on the acceptance of hospitality.

An employee should accept offers to attend social or sporting events only where these are clearly part of the life of the community or where the Council would be expected to be represented. When representing the Council at such events, whether within or out with normal working hours, employees must ensure that their behaviour is beyond reproach. Employees should remember that improper behaviour even outside of working hours may result in disciplinary action.

An employee should not accept regular hospitality from the same source.

An employee making a visit to inspect equipment or vehicles or land or property must ensure that the costs of such visits are met by the Council.

Where an employee accepts hospitality, the details of such hospitality must be recorded in the Service Register. When an employee is offered but refuses to accept hospitality, they should also record this in the Service Register.

## 27 BENEFITTING FROM A WILL OR BEQUEST

Under this Code, anything left to you in the will of a service user is considered to be a gift. These are also known as bequests. In certain circumstances, it may be acceptable for this to happen.

If you're named as a beneficiary in the will of a service user, you must declare this to your manager, in writing, as soon as you become aware of this.

Failure to declare this information immediately may lead to disciplinary action. If you're aware that there may be a possibility that you'll be named as a beneficiary in a will in the future, you must disclose this information to your manager.

Each case will be investigated for evidence of coercion or behaviour designed to obtain favourable treatment. A decision on each case will be made by the appropriate Chief Officer and your manager will advise you of the outcome of these investigations.

If there's evidence of coercion or behaviour designed to obtain favourable treatment on your part, this will lead to disciplinary action up to and including dismissal.

If, prior to a decision being made, you choose to accept the bequest, this may lead to disciplinary action up to and including dismissal.

Where approval is given for you to accept a bequest, all bequests received should be recorded in the departmental register of gifts and hospitality.

## **28 OTHER RENUMERATIVE EMPLOYMENT**

### **Outside Council Working Hours**

All employees who undertake additional work outside the Council's employment must notify their manager in writing for approval in order to comply with the Working Time Regulations 1998. Reference should be made to part 15.4 Conditions of Service for Local Government Employees.

Managers will consider whether requests will interfere or impair the employee's ability to carry out efficiently his/her work with the Council; whether or not outside work could compromise his/her work with the Council or could cause a conflict of interest etc. Requests approved by Managers will be confirmed in writing and a copy forwarded to Organisational Development, Human Resources and Performance to be held on file

If an employee is absent from their role with Inverclyde Council and are claiming sick pay, they may be able to continue in their multi post role or work with another employer dependent on circumstances. The employee cannot work in their other multi-post position or for their other employer in the hours they would have been working in the role they are currently not fit to carry out, the job should not be similar or rely on a similar skill set unless in exceptional circumstances where advice should be sought from HR. Any breach of this may result in disciplinary procedures being instigated.

### **Within Council Working Hours**

An employee may accept invitations to undertake lectures appropriate to his/her work or professional qualifications. In addition, employees may engage with external bodies that pay a fee for their attendance, e.g. employment tribunals.

Where such work is undertaken outwith normal working hours then any fee received may be retained by the employee but where a fee is paid for any such work during normal working hours then this fee must be paid to the Council, or the employee must seek approval for unpaid leave or annual leave if the fee is to be retained.

Where this work is undertaken within normal working hours the employee must first seek authorisation and is responsible for ensuring that any fees are paid to the Council.

You must not make or contribute to any publication, broadcast, speech or lecture where you would use official Council information without the written approval of the Chief Executive.

## **29 EMPLOYEES PAYMENT OF COUNCIL TAX, ETC.**

The Council has a statutory duty to comply with the National Fraud Initiative (NFI) and ensure public funds are managed properly. Accordingly, the Council will use information held on employees to ensure all sums due to the Council are paid timeously, e.g. by identifying persons who are non-payers of Council Tax.

The information may also be used to prevent and detect fraud. It is also possible that this information may be shared with other Local Authorities or public bodies, which handle public funds. The use of data for NFI purposes will be strictly controlled to ensure compliance with data protection and human rights legislation. Refer to the Council's Data Matching Policy process.

Employees have a duty to make any payment due to the Council in good time.

Regular checks will be made by the Council to ensure that employees are not in arrears with payments such as Council Tax or for any work undertaken by a Council service, in accordance with the Council's Data Matching Policy and Data protection legislation.

Where an individual is experiencing difficulties in making payment, they should contact the Revenues & Benefit Manager or Debt Recovery Team. Welfare Advice is also available from Organisational Development, Human Resources and Performance.

Inverclyde Council will make any deductions of money owed by the employee, as appropriate.

## **30 EMPLOYEES ENGAGED IN HOUSING BENEFITS**

An employee who in the course of their employment is involved with housing benefits and outwith their employment lets or sublets dwelling houses within the Inverclyde area, must report this to the Chief Financial Officer.

## **31 CORPORATE PROCUREMENT**

### **Policy/Organisational Approach**

It is important that the Council demonstrates Best Value in procuring goods, services and works. In addition, there is a range of European, national and local policies, supporting guidelines and regulations which are designed to ensure that all procurement activity is undertaken in a professional and transparent manner. All procurement activity and supporting decisions must comply with the law, and not put the Council at risk in terms of a challenge.

In order to manage this risk, the Council has moved towards a designated procurement officer model. This requires all procurement activity to be managed and directed by Officers who are "licensed" to conduct procurement activity within services/directorates. This applies to tenders/contracts above the quotation thresholds detailed within the Contract Standing Orders. Employees should not enter into work associated with tendering/contracting above these thresholds if they are not designated procurement officers or have been given the permission of the designated procurement officer for their service/ directorate to do so. Further information on

European, national and local policies can be obtained from the Corporate Procurement Team, within Finance Services.

### **Standing Orders/Financial Regulations**

Compliance with Standing Orders/Financial Regulations is essential. Procurement and in particular, tendering/contracting is governed by the Council's Standing Orders/Financial Regulations. The Council's Standing Orders and Financial Regulations must be observed and adhered to at all times.

The Employee Code of Conduct requires all employees who are involved in procuring goods, services and works to be fully conversant and familiar with Standing Orders and Financial Regulations relating to contracts, particularly the monetary limits/values.

Procurement guidance in relation to Standing Orders and Financial Regulations is available through the Corporate Procurement Team, within Finance.

### **Corporate Procurement Cards**

The Council is committed to encouraging the use of corporate procurement cards, particularly in relation to low cost/high volume goods. The use of Corporate Procurement Cards is governed by clear policies and operational practices. Employees in receipt and using a corporate procurement card need to ensure they are fully conversant with the policies and practices prior to use. Further information on the use of the card is available from the Corporate Procurement Team, within Finance.

### **Compliance Framework**

In order to ensure the Council's approach to procurement is delivered, a Governance Procedure should be followed. This will regularly test service and employee behaviour in relation to agreed policy and operational practices.

If a service or employee is found to be acting out with the Council's agreed policies and practices with regard to procurement, the Council's Disciplinary Policy and Procedures will be instigated, and disciplinary action, including possible dismissal, may be taken.

## **32 SPONSORSHIP**

Employees should speak to a senior manager for advice on any potential sponsorship arrangements between the Council and an outside organisation or individual.

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service, neither an employee, or any partner or relative, must benefit from such sponsorship without there being full disclosures of any such interest in accordance this code. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that



there is no conflict of interest involved. Where they are seeking to sponsor a Council activity, the policy on Gifts and Hospitality must be particularly borne in mind; if you are involved in the Council's wish to sponsor an event, employees must consider declaring an interest.

## **INFORMATION AND DATA**

### **33 OPENNESS AND DISCLOSURE OF INFORMATION**

The Council has endorsed CoSLA's Code of Practice on Openness in Local Government. There are, however exceptions to the principle of openness where confidentiality comes into play. For example, it may be necessary to keep, as confidential, information about either an individual or an organisation which might compromise the right of personal or commercial confidentiality.

Aspects of confidentiality specific to an employee's service will be contained in service policy and procedure documents and the employee should ensure he/she is aware of the content of such documents.

Every employee, whether permanent or temporary, and including sessional workers, are required to respect the confidentiality of information, which comes into his/her possession in the course of his/her work, and this is the case both in and out of the workplace. This general duty of confidentiality regards information relating to service users, other employees and certain other Council matters, e.g. tendering and contracts. Where an employee has any doubt about releasing information to a third party, the matter must be referred to a manager for guidance. Breach of this principle will be viewed as an extremely serious matter.

The Freedom of Information (Scotland) Act 2002 provides individuals with a right of access to all recorded information held by Scotland's public authorities. Anyone can use this right, and information can only be withheld where FOISA expressly permits it. Section 23 of FOISA also requires that all Scottish public authorities maintain a publication scheme. The Inverclyde Council publication scheme sets out the types of information that Inverclyde Council routinely makes available.

### **34 DATA PROTECTION ACT 2018 AND THE GENERAL DATA PROTECTION REGULATION 2016/679**

The Council and all employees are required to comply with the above legislation. Full details of an employee's rights and responsibilities under the Acts are outlined in the Employee relationship between the Council and employee Privacy Notice which is available on the Council's website <https://www.inverclyde.gov.uk/privacy> or from Service Managers.

Employees are allowed to have access to all information relating to them, which is held on computer. The Data Protection Act 2018 and the General Data Protection Regulation 2016/679 requires the Council to respond to requests for access without undue delay and at the latest within one month of receipt of the request.

In complex cases you will be advised if this requires to be extended. You may be charged a fee for administrative costs where the request is manifestly unfounded or excessive. In the interest of openness and fairness, the Council will permit employees to have sight of personal files held manually provided they give 20 days' notice.

The employee will be accompanied by a representative of Organisational Development, Human Resources and Performance or Legal & Democratic Services when the inspection takes place.

## **35 CONFIDENTIALITY OF INFORMATION**

You are required to respect the confidentiality of information which comes into your possession in the course of your work, both in and out of the workplace. This general duty of confidentiality with regard to information relates to service users, other employees and certain other Council matters e.g. tendering and contracts.

Any breach of these rules will be viewed as misconduct and may lead to disciplinary action, including your dismissal.

## **36 MANAGING INFORMATION**

Employees must manage any information relating to the Council with utmost care. Distinction must be made between critical and non-critical information at the outset and proper procedures must be adhered to for any critical information.

Relevant stakeholders such as but not limited to ICT, Internal Audit, Legal & Democratic Services must be consulted where there are any doubts around handling of information. Every employee should regularly monitor the level of risk for the Council in terms of information they manage.

Employees must ensure that critical information and systems should have identified owners and that good Information Governance practice is being applied to them. Employees should know how to operate the Council's systems most effectively and to manage their information governance responsibilities correctly.

## **MEDIA**

## **37 THE MEDIA**

It is important that employees of the Council are provided with the specialist support required when dealing with all aspects of the media. Therefore, employees must not deal directly with the press or the media apart from those required to do so in the course of their work (this will predominantly be appointed members of the Corporate Communications Team).

All inquiries for information or comment on issues affecting the work of the Council must be referred to the Press Office within the Corporate Communications Team. All publications or interviews given on aspects of Council policy or activity must be properly authorised by the Corporate Communications Team.

Where an accredited Trade Union official has contact with the media in relation to an employment issue, they must be clear that they are communicating as a Trade Union representative and not as an employee. In the communication with the media, any comments the individual makes should be done using appropriate language/ tone which remains respectful towards the Council.

## 38 SOCIAL MEDIA

How employees and councillors communicate with people on social media sites reflects on the individual and on Inverclyde Council as an organisation. If employees choose to disclose their employment with Inverclyde Council on social media platforms, they are expected to follow the overall principles of this media and social media guidance when posting and sharing content.

Various social media sites will have their own rules and guidance, but if there is anything that could potentially be seen as breaking these rules and damaging the reputation of the council, corporate communications reserve the right to ask that it be removed or that the site be closed down. To avoid this from occurring remember when using social media:

- i. Be responsible, clear and relevant. You are responsible for the content you publish on any social media platform; everything you post is a reflection of yourself and Inverclyde Council.
- ii. No spamming. Do not post the same message, or very similar messages more than once.
- iii. Publishing online is permanent - Be mindful that what you publish will be in the public domain for a long time and can appear in search engine results/ user screen grabs even after you delete it.
- iv. Respect copyright especially in the use of images or music.
- v. External links and sources should be relevant and safe and must not compromise the integrity of the Council.
- vi. Respect your audience. Never behave in a manner which would not be acceptable in the workplace or a face-to-face meeting e.g. swearing, personal insults or discrimination.
- vii. No defamatory comments. All employees must not make false statements to harm the reputation of an individual, organisation or community. This could in turn damage the Council's reputation.
- viii. Do not advertise products or services.
- ix. Do not promote any political parties, candidates, or groups. This is of particular relevance to officers in politically restricted posts, but all other employees must ensure the balance is reached with expressing your personal views and whether this can be misinterpreted and compromise your position as a council employee.

Employees using social media for work purposes, particularly those with any form of enforcement or investigatory role must be aware of what covert surveillance is – this is monitoring someone who is unaware of this to obtain information, usually for a specific investigation, even when this is easy to find or ‘open source’.

Covert surveillance must always be authorised by an Authorising Officer. Further guidance on use of internet or social media for covert purposes can be obtained from both the Council’s Surveillance Policy and Guidelines and the Council’s Guidance on the Use of Social Media. Any employee who thinks that they could be using social media for covert surveillance must first check with their Line Manager or the Authorising Officer for their Service. A list of Authorising Officers or further advice on covert surveillance can be obtained from the Managing Solicitor, (Information Governance).

Where use of social media has been found to be unacceptable, either on the Council network or on the employee’s own personal device/ home computer, disciplinary action may be taken. Inappropriate online behaviour can also result in criminal action or in some instances civil action brought by others. Employees should also be aware that in circumstances where their behaviour is unlawful i.e. involving a hate crime incident such as sectarianism, racism or homophobia, the Council will report this to the Police

DRAFT

*Organisational Development, Human Resources and Performance*

# ***Grievance & Dignity and Respect at Work Policy***

Produced by:  
Inverclyde Council  
Municipal Buildings  
GREENOCK  
PA15 1LX

2024

**INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER**

**THIS POLICY BOOKLET IS AVAILABLE ON REQUEST, IN LARGE PRINT, BRAILLE, ON  
AUDIOTAPE, OR CD.**

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## DOCUMENT CONTROL

Document Responsibility		
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## 1 INTRODUCTION

The Previous Grievance Policy was approved at the Policy & Resources Committee in 2008 for Local government Employees and its scope was extended and agreed for Teaching & Associated Staff at Formal LNCT on Monday 17 December 2018.

The Previous Dignity & respect at Work Policy was approved in March 2017.

The two Policies have been combined in this updated version but will continue to have separate operational procedures.

## 2 STRATEGIC CONTEXT

The most effective way of maintaining a positive and supportive environment for promoting fairness at work and that employees treat one another with dignity & respect requires regular, effective and transparent communication between managers, employees and elected members. This will ensure that, as part of day to day operations and supervision, employees and managers are aware of the standards of behaviour expected. It works towards creating a working environment that is free from bullying, discrimination, harassment and victimisation.

It is in everyone's interests for complaints/concerns to be addressed and progressed. Open, transparent and early communication will allow these matters to be concluded as swiftly as possible.

This policy and associated procedure supports Inverclyde Council's Equality & Diversity Policy and reinforces the Council's commitment as an equal opportunities employer and the Council's Violence in the Workplace Policy.

The Equality Act 2010, places a specific responsibility on the Council to protect employees in circumstances where bullying, discrimination, harassment or victimisation occurs. The Council is committed to meeting the requirements of the Equality Act 2010 which simplifies, streamlines and strengthens existing equality legislation and protects employees from discrimination on the basis of the following 9 'protected characteristics': Age; Disability; Gender reassignment; Marriage and civil partnership; Pregnancy and maternity; Race (including ethnic or national origins, colour and nationality); Religion and belief; Sex; Sexual orientation.

This policy complies with the provisions outlined in the ACAS Code of Practice on Disciplinary and Grievance Procedures.

## 3 AIMS OF POLICY

### Grievances

This Grievance Policy and Procedure is intended to enable employees to seek redress for complaints relating to their employment where normal



management/employee communication has failed to resolve matters. The procedure aims to resolve complaints at as early a stage as possible.

An individual can raise a grievance. A collective grievance occurs when a group of employees have a shared grievance related to their employment situation.

Examples of issues that may cause grievances include:

- a) Interpretation of Terms and Conditions of employment.
- b) Application of Council's Policy and Procedures.
- c) Matters of Health and Safety.
- d) Organisational change.
- e) New working processes
- f) Working environment

These examples are for the purposes of illustration and are not intended to be exhaustive.

Grievances will be processed in accordance with the Grievance Procedure.

### **Bullying, Discrimination, Harassment & Victimisation**

Where the complaint is about working relationships, the Policy and Procedure provides arrangements whereby all bullying, discrimination, harassment & victimisation referrals can be investigated in a manner which recognises the sensitivity of the issues raised and the rights of everyone involved. In exceptional circumstances the anonymity of claimant or witnesses may be preserved.

The terms bullying and harassment are used interchangeably by most people, and many definitions include bullying as a form of harassment.

#### Harassment

Harassment as defined in the Equality Act 2010 is: unwanted conduct related to a relevant protected characteristic, (age, disability, gender reassignment, race, religion or belief, marriage and civil partnership and pregnancy and maternity, sex and sexual orientation) which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

In addition, the claimant need not possess the relevant characteristic themselves and can complain because they are wrongly perceived to have one, are treated as if they do or because of their association with a person who has a protected characteristic. However in the context of a workplace policy, a complaint of harassment or unwanted conduct can be made even where there is no protected characteristic aspect to the complaint.

#### Bullying

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may be by an individual against any other employee regardless of their position within the Council (see Scope at Section 2 above). It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the employee or group.

Bullying and harassment are not necessarily face to face e.g. they may also occur in written communications, email, phone, and automatic supervision methods such as computer recording of downtime from work or the number of calls handled, being administered unfairly.

Bullying and harassment can make someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and relations in the workplace suffer.

#### Discrimination

Discrimination is the singling out of a particular person or group of people for special favour or disfavour, based on stereotypical assumptions about characteristics or interests within certain groups of people.

#### Victimisation

Victimisation occurs when an employee is treated less favourably because for example they have made or supported a referral or raised a grievance, or because they are suspected of doing so.

#### **Dignity and Respect**

The Policy aims to ensure that all employees are aware of what dignity and respect at work means and to recognise the types of behaviour which are not acceptable. Everyone has a duty to see that dignity and respect are promoted in their dealings with all their colleagues, irrespective of whether those colleagues are managers, peers or staff they manage. The value that is most clearly linked to the promotion of dignity is "respect". This means staff should display the following behaviours when dealing with one another.

The list is not exhaustive:

- a) use ordinary everyday courtesy and politeness, including using the names that people prefer;
- b) treat people as they would like to be treated;
- c) act with sincerity, integrity, honesty, fairness, impartiality and diligence;
- d) work positively on a collaborative and co-operative basis with others;
- e) give honest feedback based on evidence;
- f) be open to constructive criticism;
- g) do your job to the best of your ability;
- h) do what is reasonably asked of you even if you disagree;

- i) give people encouragement, help and support when they need and want it;
- j) trust and be open with your colleagues;
- k) respect the diversity of cultures, backgrounds, lifestyles and beliefs that people bring to the workplace;
- l) listen to, respect and value the diverse ideas, contributions and opinions of colleagues;
- m) be sensitive to the needs of others;
- n) respect the privacy, confidentiality and personal space of others
- o) be aware of the effect your behaviour has on others and only make reasonable and manageable demands;
- p) appreciate and praise good work;
- q) actively seek to build productive working relationships and partnerships with people across and outside the Council;
- r) challenge inappropriate or unacceptable behaviour in an appropriate manner;
- s) aim to deliver a first class service to customers both internal and external.

Bullying, harassment, discrimination and victimisation behaviours can be verbal, non-verbal and/or physical assault. Although not exhaustive, the following are examples of inappropriate behaviours relating to the 'protected characteristics' and which will not be tolerated by the Council towards other employees, or towards or from third parties (clients/customers):

1. being offensive or insulting, or spreading malicious rumours;
2. making unwelcome remarks, jokes, innuendoes, lewd comments or using abusive language;
3. ridiculing, humiliating, demeaning or picking on someone;
4. copying correspondence, including emails or the use of other forms of communication such as instant messenger or discussion forums/blogs/social media/apps, such as Facebook, to forward information about an individual to others who do not need to know (note – such information may also infringe other Council policies and/or professional codes and/or breach of criminal legislation);
5. displaying materials which are held to be offensive e.g. posters, pictures, banners
6. isolation and non-cooperation at work, exclusion from work related or social activities;
7. unfair treatment and/or victimisation, for example, not being given the same opportunities for promotion and/or development as other colleagues;
8. the use of gendered swear words;
9. failing to use an employees post transition name
10. insults/abusive jokes related to employee undergoing gender re-assignment
11. sexual harassment
12. making derisory comments against individual beliefs for example, towards someone's religion and culture;

13. demeaning an individual as having lesser intellect or ability because of their advancing years or 'putting down' employees because of their youth;
14. encouraging incitement and conflict;
15. name calling and stereotyping;
16. threatened disclosure of private and personal information.

Examples of sexual harassment include:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life, and discussing your own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwanted and inappropriate physical contact, such as sexual advances;unwelcome touching, hugging, massaging or kissing
- criminal behaviour, including sexual assault, stalking, indecent exposure and offensive communications.

An individual can experience unwanted conduct from someone of the same or different sex.

Bullying, Discrimination & Harassment Concerns will be processed in accordance with the Dignity & Respect at Work Procedure.

## **4 SCOPE**

This policy and associated procedures apply to Local Government Employees, Chief Officers and Teachers. A separate grievance policy and procedure exists for the Chief Executive.

The policy apply to 'employees' (as defined by the Employment Rights Act 1996) within the Council. Other workers (including casual, bank/sessional /supply teachers and agency workers) who raise issues which would otherwise be appropriate to be considered under this Policy will be entitled to a formal meeting to discuss their grievance and appeal against the recorded outcome.

Elected Members, external agencies, partners and contractors who work in partnership with the Council also have a responsibility to comply with this policy.

Complaints about Council employees from external agencies, customers or contractors should be made in accordance with the Corporate Complaints Procedure.

The Council will ensure that good equal opportunities practice underpins the operation of this policy and will apply to all employees irrespective of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The policy applies in the workplace and applies to conduct outside the workplace in accordance with the Employee Code of Conduct.

### **Exclusions**

The following examples fall outwith the grievance procedure:

- a) This policy will not be used in place of another Inverclyde Council policy with separate complaint and appeal procedures, e.g.: Disciplinary Policy and Procedure; Job Evaluation Policy; Flexible Working Policy
- b) Matters connected with Issues which are the subject of collective negotiation or consultation with the employer and the trade union such as decisions reached following a Trade Union Ballot to their members.
- c) Matters covered by national and local agreements, payment of salary (relating to the administration of same), complaints concerning the operation and application of the Strathclyde Pension Fund and where the resolution sought is out with delegated authority
- d) Complaints concerning the application of income tax or national insurance. These should be raised directly with the Payroll Team or HM Revenue & Customs.
- e) complaints about allegations of misconduct by another employee unless the complaint is not being investigated under the disciplinary procedure.
- f) Where the complaint is related to a specific issue where disciplinary action is being or has been taken against an employee; these should be dealt with as an appeal under the disciplinary procedure, unless there is reasonable suspicion of discrimination or victimisation in which case an alternative manager may be assigned or a separate grievance arranged
- g) Former Employees -This procedure will not apply to former employees unless the grievance was raised prior to the employee leaving the Council.

Grievances not concluded at the time of employment will be concluded with a paper review of the position and a written response given to the former employee within 28 calendar days of the employee's termination date.

Should a former employee raise a grievance within 28 calendar days of the employment ending, the matter will be investigated and a response will be given in writing.. There is no requirement to have a hearing and the individual has no right of appeal.

## **5 COMPETENCY**

The undernoted issues will be considered and decided upon by Chief Executive/Corporate Director/Head of Service/Service Manager/Head Teacher (level will depend on the level of alleged perpetrator and the Head of Organisational

Development, HR & Communications (or nominee) and will involve consultation with the appropriate trade union(s)):

- An employee cannot take out a Bullying, Discrimination, Harassment & Victimisation referral under this policy against a Manager or Council Official who is applying council policy unless there is reasonable belief and/or evidence of incorrect application, or some form of discrimination. Similarly, where a claimant fails to follow the procedure or refuses to detail allegations when required to do so, this may result in the claim being declared invalid.
- Time scales - other than incidents the nature of which are continuous, grievances raised in relation to an incident which happened more than 3 months previously, or within a maximum of 3 months from the time that employees are or should have been reasonably aware of the change, action, omission or incident, which is the subject of the grievance, having taken place, will not be considered competent. In relation to bullying, harassment and victimisation claims, referrals should be raised within 3 months of an incident or if a series of linked incidents within 3 months of the last incident. Complaints submitted outwith this timescale will be inadmissible unless there are extenuating circumstances..
- Malicious/Vexatious Complaints is where the complaint is considered to be trivial, frivolous, vexatious or repetitive. Where there is an attempt to use the grievance/D&R procedure for potentially false or malicious accusation, this may be treated as misconduct and may lead to Instigation of Council's Disciplinary Procedures disciplinary action.

A malicious or vexatious complaint is where the claimant has willfully misused the policy, for example:

- a) where the claimant raises concern about an issue or another's alleged behaviour knowing that there is no substance to the complaint;
- b) where they know the issue/ behaviour did not happen in the way they described;
- c) the complaint is made to cause trouble, anxiety or stress for the person being complained about; or to be obstructive
- d) the referral is made in retaliation for a referral that may be brought previously against the claimant, whether under this policy or any other of the Council's policies/procedures and whether that referral was upheld or not upheld.

Where an allegation is not upheld, it does not mean that the referral was malicious. The individual making the referral may still feel that they have been subjected to bullying, harassment, discrimination or victimisation, but the Investigating Officer has not been able to find the necessary evidence to substantiate the allegations.

## **6 RIGHT TO BE REPRESENTED/ACCOMPANIED AT THE GRIEVANCE/ DIGNITY & RESPECT MEETING**

Employees have a statutory right to be accompanied at the grievance hearing or any stage of the Dignity & Respect process by a companion, who may be:

- a fellow worker
- a trade union representative who has been certified by their trade union as being competent to accompany a worker
- an official employed by a trade union

Due to the informal nature and format of the mediation process no representation, unless there are exceptional circumstances, by a Trade Union representative/work colleague is involved in mediation meetings or the less formal facilitated meetings. If the employee's chosen representative is not available at the time proposed for the hearing by the employer, the employer should postpone the hearing to an alternative time proposed by the employee provided that the alternative time is within a reasonable period after the date originally proposed. ACAS Guidelines suggest no more than 5 working days.

The manager can object to the chosen representative if a conflict of interest arises e.g. if it is a family member. In such circumstances, both parties will be encouraged to resolve the issue with the potential for an alternative representative to be identified. Only if this does not provide a resolution will the Chair of the hearing be able to determine whether the chosen representative can participate.

The representative will be allowed to address the meeting, to put forward and sum up the employee's case, and to confer with the employee during the meeting. The representative, however, cannot answer questions on behalf of the employee, although they may add to or clarify responses.

## **6 STATUS QUO**

The use of status quo provides standstill arrangements to allow work to continue while attempts are made to resolve the grievance. Where practicable, the status quo should remain in place until the grievance process has concluded. Any decision to set aside the status quo should be made at Senior Management Level e.g. Head of Service and should be for a significant reason for example:

The status quo may be set aside where:

- a continuation of the status quo will result in a breach of statutory or other mandatory regulations, or have serious impact on operational effectiveness
- an agreement is reached by all parties to do so
- the grievance is about a change or action already agreed by management and trade unions

## **7 WITHDRAWING SERVICES**

In cases of serious harassment, where for example, there has been a threat of violence or assault or a campaign of unacceptable behaviour from service user(s), a group, a parent or a member of the public, the Manager/Head Teacher must consider taking immediate action to prevent the employee from experiencing any further abuse.

This may involve the withdrawal of services or refusing access to the premises where this is possible or other actions short of the withdrawal of services e.g. reallocation of work or relocation with the individual's agreement. This may also involve contacting the Police.

'Violence at Work' posters are located throughout the Council, including within Education establishments, HSCP offices and the Customer Contact Centre. These posters communicate that Inverclyde Council will not tolerate abuse of their

employees. Any person abusing an employee of the Council, either verbally or physically, may be subject to legal action and as above, a withdrawal of services.

## 8 LEGAL ASSISTANCE

The Council can assist employees to take positive action to afford protection from abusive behaviour. Examples of the options available to staff include:

- a) a “cease and desist” letter from Inverclyde Council Legal Services to those involved in
- b) imposing a ban on contact between the perpetrator and the affected employee(s);
- c) the Council providing advice and assistance to those seeking to raise interdict proceedings, and in certain limited circumstances may meet the legal costs involved;
- d) providing advice about court processes.

## 9 GRIEVANCE PROCEDURE

### **Informal**

Any employee who is aggrieved on any matter should discuss the issue initially with his/her line manager. Where the matter concerns the line manager, the problem should be referred to the next level of management.

Every effort should be made to resolve the matter through informal discussion or through informal representation by a trade union official or work colleague. Points of action and agreement made may be noted.

If, after attempting to resolve the grievance informally, the employee is dissatisfied with the response, either verbal or written, or if no response has been forthcoming within 10 working days, the employee can initiate the formal stage of the Grievance Procedure.

It is recognised that the grievance may not be resolved at that informal level in which case the employee who wishes to pursue the grievance must follow the Formal procedure.

### **Formal**

Where clarification is required as to the substance of the grievance or whether the resolution sought is within the delegated authority of the Service or Appeals Committee advice should be obtained from HR or the Council’s Monitoring Officer before proceeding.

A grievance can be rejected if an employee who raised the grievance fails to attend scheduled meetings without a reasonable explanation.

### **Collective grievances**

The process to be followed for collective grievances is as detailed for individual grievances, with the exception that all correspondence will be sent to the nominated employee representing the group and their representative. If there is no nominated employee(s) then all correspondence will be sent to the representative only. At each



stage of the process, the group will be represented by a maximum of three people, including the trade union representative or fellow worker..

### **Facilitation/Mediation**

In some cases, independent assistance such as a facilitator or mediator, from within or outwith the Council, can help resolve issues, especially those involving working relationships.

### **Stage 1: Formal Hearing**

#### **Formal Procedure**

The Procedure builds in time limits to ensure matters are dealt with as speedily as possible and it is a management responsibility to adhere to these time limits. However, the time limits may be extended by mutual agreement to ensure full and proper investigation of the circumstances of an issue, or where such an extension may produce a resolution.

Following discussions with the immediate line manager, if the outcome remains unresolved, the employee may proceed to the Formal Procedure as set out below.

The Formal Procedure requires a grievance to be put in writing using Formal Written Statement of Grievance Proforma.

It is intended that each stage in the formal procedure will be followed in turn, but there may be cases where use of a later stage will be appropriate. For example, where there is a grievance against the immediate supervisor, or where after initial consideration, both parties recognise that the authority to resolve the grievance is at a higher level and agree to refer the grievance accordingly.

#### **Written Complaint**

The employee should raise the matter in writing to a more senior manager within the Service. The Formal Written Statement of Grievance proforma should be used. The grievance should set out in writing, as a minimum, the exact nature of the grievance and the resolution sought by the aggrieved party.

The person to whom the Formal Written Statement of Grievance has been addressed will convene a formal grievance hearing within 10 working days from receipt of the letter. The Stage 1 meeting does not necessarily require all involved parties to be met with in joint meeting – Chair could meet separately or request written information from third party dependant upon circumstances.

Acknowledgment of Formal Written Statement and Stage 1 Invite should be sent to the aggrieved employee and their representative.

#### **Content of Grievance**

Employees should clearly set out the nature of the grievance. When stating their grievance, employees should stick to the facts and avoid language which may be considered insulting or abusive. They should be aware that the content of the grievance will be shared with all parties to the grievance to allow them to respond. Where appropriate, the aggrieved employee should set out the names of any witnesses.

#### **Resolution**

When lodging a grievance the employee should state clearly what steps they wish to be taken to resolve their grievance. Resolutions sought must be reasonable and in line with Inverclyde Terms and Conditions of Service and Policies and Procedures. Management involved in making a decision following a grievance including setting out resolutions/ recommendations may only do so in accordance with these Terms and Conditions, Policies and Procedures and the Equality Act 2010, or within the scheme of delegation

### **HR Operations**

HR will not normally attend a Stage 1 Grievance unless the matter is particularly complex or has corporate implications.

### **Witnesses**

Both parties have the right to call relevant witnesses to the hearing and it is the responsibility of each party to arrange for the witnesses to be invited. The chair should be notified of the names of the requested witnesses as soon as possible.

### **Conduct of Hearing/Duration/Format**

The Chair is responsible for the conduct of the hearing and must regulate the process in such a way as to be fair to all parties. The Chair will also be responsible for deciding on the relevance of witnesses and the length of time to be allocated for the grievance. The amount of time for each side to present their case and in respect of appeals, call witnesses etc. will be dependent upon the complexity of the issue. Parties must be given a reasonable time to present their view of events; however the timing will be at the discretion of the Chair, if it is felt that proceedings are excessive.

### **Minutes**

It is the responsibility of the employee or their representative to take minutes of the meetings if they so choose.

In Grievances the Outcome letter will be a thorough reflection of the content of the meeting. No further minutes, notes or reports will be produced unless deemed necessary by Chair.

### **Recording of Meetings**

No recordings of meeting or appeal hearing will be allowed– covert recordings will not be accepted as evidence from either party. CCTV footage can be used in accordance with ACAS and GDPR guidance

### **Adjournments**

If the Chair requires further information to make a decision he/she should consider adjourning the hearing and consider further investigation within reasonable timescales. Either party can request reasonable adjournment.

### **Miscellaneous**

Employee illness, etc will not normally prevent the progression or completion of action under this or other policies

Where a complaint is being progressed and employee illness or further complaints arise, this will not normally prevent progression of this action. It may be appropriate for these matters to run concurrently or together under one process.

This policy will allow flexibility by way of reasonable adjustments for employees with a disability. Examples include allowing more time at grievance hearings or any

adjustments to the arrangements for the hearing which may be reasonably required. Offering this and other reasonable adjustments will ensure that access to the procedure is fair and equitable. The HR Case Management Team should be contacted for further advice.

### **Failure to Attend**

If an employee is unable to attend a scheduled Hearing/Appeal, the chairperson must be informed in advance. If the employee fails to attend without reasonable explanation or, if they fail to attend a rescheduled Hearing/Appeal, this will result in the Hearing/Appeal proceeding in their absence. Where a representative or work colleague is not available for an arranged Hearing/Appeal, the employee must make alternative arrangements for another trade union representative or work colleague and take all reasonable steps to ensure the Hearing/Appeal can proceed without unreasonable delay. Where appropriate, an alternative manager may be nominated to chair a Hearing to enable it to progress at the earliest opportunity. If an alternative date is offered it will be within 5 days of the original hearing date unless the chair agrees there are exceptional circumstances to extend this time period.

### **Outcome**

The outcome of the grievance hearing including any action points will be conveyed to both parties in writing within 5 working days of the date of the hearing taking place.

### **Appeal Hearings**

Appeal Hearings will be conducted under standard appeal process – see the related Appendix.

### **Stage 2: Appeal to Director/Head of Service (or nominee)**

Where the employee is dissatisfied with the decision at Stage 1 there shall be a right for the matter to be heard by his/her Director. Head of Service (or his/her nominee) as appropriate.

Where the Head of Service heard the grievance in Stage 1, the employee shall have the right for the matter to be heard by his/her Director of Service (or his/her nominee).

If they wish to appeal, the employee or his/her trade union representative must submit a statement of appeal, in writing, (using Formal Written Statement of Appeal Proforma) to the employee's Director/Head of Service (or his/her nominee). The statement of appeal must explain the reasons for continuing dissatisfaction and must be submitted within 10 working days of receipt of the decision at Stage 1.

The Director/ Head of Service (or his/her nominee), on receipt of the statement of appeal, will convene a formal grievance hearing within 10 working days.

The grievance appeal should refer to the reasons why they remain dissatisfied with the outcome of Stage 1. No new grievance can be raised at this stage. The appeal hearing should not be seen as a re-run of the original hearing and must address why the employee is still dissatisfied with the Stage 1 response.

If the Chair requires further information to make a decision he/she should investigate further within reasonable timescales.

The Director / Head of Service (or his/her nominee) shall advise the aggrieved employee of his/her decision in writing within 5 working days of the date of the hearing. The outcome letter should also be sent to the person the complaint was made against (if applicable), or manager who chaired Stage 1.

If agreed by all parties involved in the grievance that it is not possible to meet the prescribed time scales, the reason for the delay should be notified in writing to the employee and his/ her representative within the original time scale. An alternative date will be scheduled by the Chair who will keep both parties informed.

**Stage 2 B (where applicable)**

Grievances with wider organisational consequences - Where the grievance relates to an issue where the outcome might affect more than one individual and the issue has not been resolved at Stage 2, and when an appeal has been submitted for consideration by the Human Resources Appeals Board, it may be referred to the Head of OD, Policy & Communications who having considered the submission may convene a meeting of all or either of the parties with a view to resolving the matter. They will be responsible for determining whether the grievance raised has wider organisational consequences beyond the aggrieved party. Examples of issues with wider organisational consequences include:

- a) the application of terms and conditions of service
- b) the implementation of a Council-wide policy
- c) matters which could become litigious, or the focus of an industrial dispute

**Stage 3**

If the employee remains dissatisfied with the response, the matter may be referred to the Human Resources Appeals Board. This request shall be submitted using Formal Written Statement of Grievance Proforma and should be submitted to the Head of Organisational Development and Human Resources within ten working days of the employee receiving written notification of the outcome of the Stage 2 hearing.

The Head of Organisational Development and Human Resources, will arrange for the Human Resources Appeals Board to consider the grievance within 8 working weeks of receipt of the request, or as soon as possible thereafter. The appeal will be heard in accordance with arrangements contained in Appendix 1.

The decision of the Human Resources Appeals Board will be notified to the employee within five working days of the Board meeting.

There is no further internal right of appeal against a decision of the Human Resources Appeals Board and at this stage the grievance procedure is concluded.

An employee has the right, where eligible, to submit a matter to an Employment Tribunal in respect of a matter over which the Employment Tribunal has jurisdiction.

The following table provides and describes the basic stages and time limits within the Formal process.

Stage	Heard By	Suggested Time Limit
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1	Nominated Senior Officer	Employee has to submit formal grievance within 10 days of verbal/ written response to informal grievance, or if no response has been received within 10 days  10 working days for formal hearing to take place  5 working days to issue written response
2	Director /Head of Service or Nominee (HR Adviser in attendance)	Employee has 10 working days to submit appeal  Appeal hearing to be heard within 10 working days of receipt of appeal  5 working days to issue written response
2B (where applicable)	Head of OD, Policy & Communications	Prior to provisional HR Appeal Board Date
3	HR Appeals Board	Appeal hearing normally heard within 8 weeks of Stage 2 appeal receipt (subject to committee timetable)  5 working days to issue written response

## 10 DIGNITY & RESPECT PROCEDURE

Bullying, Discrimination & Harassment have no place in Inverclyde Council. Staff must feel valued, supported and empowered to carry out their work. Therefore, we must address levels of bullying and create compassionate and inclusive cultures which have implications for staff health and wellbeing and staff engagement.

The formal disciplinary level intervention is usually required when an employee does not improve their conduct or behaviour following previous informal coaching and guided interventions, or if a single serious incident amounts to misconduct and therefore requires escalation to the formal disciplinary level.

### **Dealing with Bullying, Harassment, Discrimination or Victimisation Concerns- Escalating Approach**

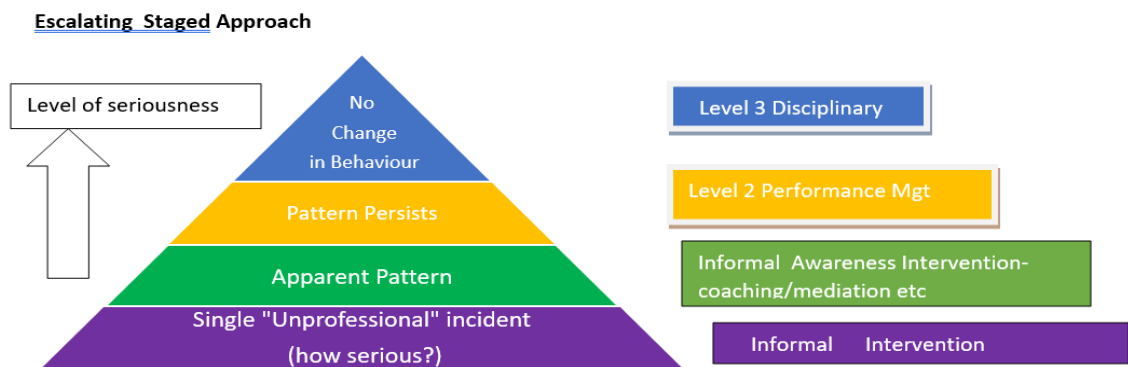
To address negative workplace behaviours that range from incivility through to bullying, organisations need to look at different approaches for different levels of behaviour. There is a requirement to focus on those low-level behaviours of incivility and disrespect and address these at an early and informal level to identify what is causing the behaviour and to put in place measures to help adjust behaviour e.g self-reflection, counselling, training.

It's important to give timely and supportive feedback to individuals whose behaviour/conduct has had or is having a negative impact. Shifting the focus onto these behaviours enables clearer conversations about unreasonable and negative workplace behaviour with the aim of establishing expected behaviour standards;

addressing this source of workplace conflict and creating a culture of civility and respect.

There may, of course, be cases of bullying where a formal process is required, these may be long standing cases or one off serious incidents. Early resolution is important at the formal stage just as it is for the informal.

Our Procedure will deal informally with behaviour as it first arises, with escalation routes if the behaviour persists or the informal approach is ineffective. When an incident arises, discretion will be used when deciding the most appropriate level of action. This differentiates between those incidents and one-off incidents serious enough to go straight to instigation of disciplinary process.



Employees can use the self help part of the informal process detailed below but may also want to contact HR and/ or their trade union or Manager for advice on the D&R process.

Should the employee consider the matter serious, part of a pattern of behaviour, or have previously attempted to resolve a concern informally they should complete a D&R referral form and send it to HR .

Any decision to move to the Formal Stages of the Process will form part of the competency process and will be considered by the Competency Panel – A designated Senior Manager/HR Rep in consultation with an independent Trade Union Representative.

### **Informal Stage**

To address unprofessional/disruptive behaviours at an early, informal level. The aim of the informal ‘cup of coffee’ conversation is an early discussion about a single concern or observation that lets the employee concerned know that a negative/undesirable/unprofessional behaviour was observed. It promotes accountability for a single observation of what seems to be unexpected/unprofessional conduct or behaviour.

For creating compassionate cultures in the workplace, the informal early conversation provides a respectful and supportive environment for the individual to reflect on their

behaviour and try to identify its cause, e.g. work pressure, hierarchical incivility, previous personal experiences etc.

The aim is to help the individual to reflect on their behaviour and impact, and to think about an alternative approach and coping strategy for the primary causes behind their behaviour.

### **Self help**

a) If the claimant feels comfortable enough, they can seek to resolve the matter through speaking to the alleged perpetrator. The aim here is to stop the behaviour that is causing the problem and agree more acceptable ways of behaving. An approach at this early stage can be very successful in resolving the problem quickly, particularly if the behaviour is unintentional or the individual is unaware that their behaviour is causing offence and distress.

If the claimant feels able to, they should:

- invite the individual whose behaviour is inappropriate to an appropriate and private place to talk;
- make it clear that the discussion is to be treated in strict confidence by both sides;
- describe the behaviour and explain, calmly and politely, why the behaviour offends them, how it makes them feel and that they would like it to stop;
- seek an agreement from the individual that the behaviour will stop.

If the claimant feels unable to make this approach on their own they may ask someone to accompany them or to make the approach on their behalf. This could be a trusted colleague, a trade union representative, a member of the Human Resources team, their line manager or another manager. Any third party involved may wish to take an informal note of the meeting.

### **Mediation**

Mediation is a useful part of the informal procedure and can normally be used before resorting to the formal stage unless the Council believes that it would not be helpful in resolving the situation. Both parties must be agreeable to the offer before Mediation would commence. The process works by a trained, impartial mediator facilitating discussions between the parties and encouraging them to reach a mutually acceptable agreement that will resolve their issues.

Both parties have an obligation to make every effort to try to resolve the issues at this informal stage. This means that they must approach mediation with a positive attitude and participate fully and constructively in the process.

Requests for Mediation should be made to Human Resources.

If mediation is successful in dealing with the issues, the situation will be monitored by the manager (or the line manager's manager if the referral is against the line manager) to ensure there is no recurrence of the problem and that the claimant does not suffer victimisation for having raised concerns.

### **Facilitated Meetings**

Amore informal approach to mediating can also be arranged via HR – and again need to be agreeable to both parties.

Representation is not allowed at Mediated or Facilitated Meetings, other than in exceptional circumstances.

### **Formal Stage**

Where the employee considers the informal route has not been successful in addressing their concerns or the matter is complex and not appropriate to be addressed informally, they may request to have their concerns considered under the Formal Stage.

The employee is required to detail their referral in writing to HR , setting out the grounds of the referral.

### **Referral Assessment**

The referral form will be acknowledged within 5 days. Depending on the level of the alleged perpetrator an appropriate HR Representative and Manager, i.e. team leader level or above (“agreed manager”) will be appointed to commence an assessment of the competency of the complain, the level of the complaint and where applicable commence the investigation stage.

### **Competency/Assessment**

The agreed manager shall arrange a meeting with the employee (now referred to as “the claimant”) within 10 working days to discuss the process, clarify their concerns, explore the level of the complaint and where required, assess competency.

The HR Manager or nominee will be in attendance and an appropriate independent Trade Union will be consulted. This will take place in all cases. The Trade Union representative will be given the referral documentation in advance of this meeting and given the opportunity to add to the list of questions to be asked by the manager/HR at the meeting.

At this stage the alleged perpetrator, other than in exceptional circumstances, will be advised that a referral has been received about them and details of the referral outlined to them. Information may be redacted as necessary, i.e. to satisfy current data protection regulations.

If the agreed manager and HR Manager or nominee and independent TU rep believe that the referral warrants being dealt with under the formal procedure the claimant shall be advised accordingly and advised whether this shall be at level 1 of the formal process or whether an investigation should be commenced to establish whether Level 2 performance management process or Level 3 disciplinary hearing should be instigated.

If the agreed manager and HR Manager or nominee considers that no investigation is necessary because it is not competent, or it should be dealt with informally, the claimant shall be advised accordingly, and given the justification for this decision. In



such situation, the claimant, if not satisfied with this decision can appeal as set out below.

The agreed manager and the HR Manager or nominee may agree a resolution with the claimant and take the necessary appropriate action. It should be noted, however, that no formal disciplinary action against an alleged perpetrator shall be taken without an investigation.

### **Investigation Stage**

Where the decision is to have an investigation, the agreed manager and HR Manager or nominee should carry this out. It should be agreed at the outset to whom the report should be submitted i.e. appropriate Corporate Director/Head of Service/Service Manager/Head Teacher etc.

The investigation which is to ascertain whether or not there is any foundation to the referral must be carried out timeously having due regard for proper and thorough investigation. Normally, a period of not more than 20 working days should be taken. Where the investigation takes longer, the employee who has raised the referral and the alleged perpetrator should be kept informed of the likely end date of the investigation. Where appropriate an independent internal trade union colleague (one which is not representing either the complainant or the alleged aggressor) can be appointed to be consulted in respect of investigations into the claims.

A copy of the finalised report along with witness statements will be issued to both parties at the conclusion of any investigation. There may be exceptional circumstances where statements will require to be edited or anonymised. This would be done in accordance with ACAS guidance on best practice in this area.

The findings of the investigation shall be submitted by the Investigating Officer to the appropriate Corporate Director/Head of Service/Service Manager/Head Teacher and the HR Manager or nominee to consider the appropriate action e.g upheld and instigate performance management or disciplinary hearing, or not upheld or upheld in part.

Where deemed appropriate, Corporate Director/Head of Service/Service Manager/Head Teacher and the HR Manager or nominee will also arrange a further meeting with the claimant and advise him/her of the action to be taken and confirm in writing that the referral has either been upheld or not been upheld or upheld in part.

Where the claimant is dissatisfied with the outcome of the investigation or is dissatisfied with the decision of the agreed manager and HR Manager not to have an investigation, he/she may refer the matter to the Appeal Stage

The alleged perpetrator must also be advised that they can appeal against the decision however where the management's action involves the instigation of disciplinary procedures against the alleged perpetrator, he/she shall be dealt with under the Council's Disciplinary Procedure which has an Appeals Stage (See Council's Disciplinary Policies and Procedures on ICON).

### **Is There Need to Separate Parties?**

In cases which appear to involve serious alleged misconduct there may be a requirement to separate the parties involved. This could be through an interim transfer to another suitable location or a paid suspension as a last resort. The individual circumstances of the case and the practicalities of the situation would be taken into account in determining who is moved/suspended. Where practicable the claimant should not be moved unless they request this (management would be required to show significant operational justification) .

If there has been physical contact, significant/serious abuse or threats of violence the manager should meet with the claimant within 24 hours to determine the level of risk and any immediate action required to prevent any further exposure to the alleged perpetrator.

N.B Where the alleged perpetrator has line management responsibility for the claimant, the agreed manager and HR Manager or nominee must consider whether it is appropriate for the alleged perpetrator to continue with formal management meetings involving the claimant (e.g. Maximising Attendance) whilst the investigation and any subsequent activity is still in progress. This will depend on the seriousness of the allegations. This is to ensure that actions taken against the claimant are conducted in an unbiased and transparent manner.

### **Bullying, Harassment, Discrimination or Victimisation outside the workplace or out with normal working hours**

It is important to note that an employee's conduct outside of the workplace, (or out with normal working hours) may also lead to them being considered under the Council's Disciplinary Policy and Procedures e.g. conduct at an awards ceremony or presentation, or making inappropriate comments on social networking sites about other council employees or protected characteristics etc.

The Council's Code of Conduct is key in this respect and all employees and managers should familiarise themselves with their obligations.

All employees are expected to maintain appropriate standards of behaviour which are consistent with this policy at all such events where they may be representing the Council, or where their behaviour may bring the Council into disrepute.

In some instances, the alleged perpetrator may not be an employee of the Council. In such cases, appropriate action will be taken to protect the Council's employee consistent with the Council's duty to provide a safe working environment and a service to the community. Employees who consider that they have suffered unwanted and/or offensive behaviour during the course of their Council duties by a member of the public should report the matter to their manager immediately.

### **Procedure for dealing with referrals that the Dignity and Respect at Work Policy has been breached by an Elected Member**

Section 3 of the Code of Conduct for Councilors states that Councilors must respect all Council employees and the role they play, and treat them with courtesy at all times. It is expected that employees will show the same consideration in return.

In some instances the alleged perpetrator may be an Elected Member. In such cases the employee may raise a referral and this would be managed through the Code of Conduct for Elected Members. Complaints can also be made to the Ethical Standards Commissioner

### **Appeals - Claimant**

Where the claimant is dissatisfied with the outcome of the investigation or is dissatisfied with the decision of the agreed manager and HR Manager not to have an investigation, he/she may refer the matter to the Appeal Stage when the appeal shall be heard by an Appeals Panel. This Panel will comprise of the Head of Organisational Development, Policy & Communications (or senior nominee) and a Corporate Director (or nominee not below Service Manager level) not previously involved in the case. Where the claimant is employed within Human Resources, the Solicitor to the Council will replace the Head of Organisational Development, Policy & Communications.

The claimant shall submit the appeal in writing, where possible using the Council's Dignity & Respect at Work Appeals form (<http://icon/hr/useful-forms/>) setting out their grounds of appeal. The claimant shall then send the appeal to the Head of Organisational Development, Policy & Communications within ten working days. Where appropriate, the claimant may also send a copy of the form/letter to his/her representative. Where appropriate an independent internal trade union colleague (one which is not representing either the complainant or the alleged aggressor) can be appointed and fully consulted in assessing the competency of an appeal.

The Head of Organisational Development, Policy & Communications shall arrange for the claimant to be advised of the arrangements for the Appeal Hearing and to his or her entitlement to be accompanied at that Hearing by a representative. The claimant must take all reasonable steps to attend the Hearing. The Appeal shall take place at the earliest possible date but not later than twenty working days following receipt of the appeal.

The claimant and his or her representative, if appropriate, together with the employee's Corporate Director/Head of Service/Service Manager/Head Teacher and any other appropriate manager who has been involved shall attend the Appeal to present their case for consideration.

The Appeals Panel shall consider the appeal as presented by the claimant, representative and the management. Where appropriate the Panel may use internal or independent mediation or conciliation. External mediators or Conciliation must be approved by Head of Organisational Development, Policy & Communications. The Panel shall rule upon the grievance or where required, determine on a course of action. The decision of the Appeals Panel shall be binding on all parties.

The Head of Organisational Development, Policy & Communications shall advise the claimant of the Appeal Panel's decision within 10 working days. A copy of the letter shall also be sent to the employee's representative and Corporate Director/Head of Service/HR Manager. This concludes the internal procedures.

### **Appeal - Alleged bully/harasser**

If following an outcome of an investigation, the alleged bully/harasser has reason to believe that the matter has not been handled fairly or properly, they can request an appeal (as above) with the exception of where disciplinary action is recommended. In such circumstances any appeal would be through the disciplinary appeal process.

#### Duration/Format of Formal Meetings

The referral meeting does not have to involve all parties – the agreed manager - can obtain responses from alleged perpetrator or third party separately and then respond to the claimant.

#### **Appeal Hearings**

Appeal hearings will be conducted under standard appeal process – see Appendix

The amount of time for each side to present their case and in respect of appeals, call witnesses etc. will be dependent upon the complexity of the issue. Parties must be given a reasonable time to present their view of events; however the timing will be at the discretion of the Chair, if it is felt that proceedings are excessive.

It is the responsibility of the employee or their representative to take minutes of the meetings if they so choose. The investigatory facts report and/or the Referral Outcome letter represent the only formal detailed documentation. No further minutes, notes or reports will be provided.

#### **Recording of Meetings**

No recordings of meeting or appeal hearings will be allowed– covert recordings will not be accepted as evidence from either party.

CCTV Footage can be used in accordance with ACAS guidance and GDPR

#### **Witnesses**

It is the responsibility of each party to ask for witnesses to be interviewed as part of an investigation, although investigating officers will have the final decision on whether it is appropriate to interview a witness depending on their relevance to the investigation. It is also up to each party to request that witnesses attend the appeal hearing.

The investigation team will explain to the witness the reason for the interview. The witness will be asked to sign notes of any discussions confirming their accuracy.

The witness will also be advised that any information provided by them may subsequently be used in any disciplinary proceedings and may be disclosed to the claimant and to the alleged harasser. The witness will also be advised that they may be required to appear at any subsequent disciplinary hearings or other formal processes. The unavailability of witnesses to attend hearings will not allow proceedings to be delayed for more than 5 working days and where necessary they will be asked to provide written statements to minimise delays.

#### **Minutes**

In D&R cases the investigatory facts report and/or the Referral Outcome letter represent the only formal detailed documentation. No further minutes, notes or reports will be provided.

#### **Adjournments**

If the Chair requires further information to make a decision he/she should consider adjourning the hearing and consider further investigation within reasonable timescales.

### **Miscellaneous**

Employee illness, etc will not normally prevent the progression or completion of action under this or other policies.

Where a complaint is being progressed and employee illness or further complaints arise, this will not normally prevent progression of this action. It may be appropriate for these matters to run concurrently or together under one process.

This policy will allow flexibility by way of reasonable adjustments for employees with a disability. Examples include allowing more time at grievance hearings or any adjustments to the arrangements for the hearing which may be reasonably required. Offering this and other reasonable adjustments will ensure that access to the procedure is fair and equitable. The HR Case Management Team should be contacted for further advice.

### **Failure to Attend**

If an employee is unable to attend a scheduled Hearing/Appeal, the chairperson must be informed in advance. If the employee fails to attend without reasonable explanation or, if they fail to attend a rescheduled Hearing/Appeal, this will result in the Hearing/Appeal proceeding in their absence.

Where a representative or work colleague is not available for an arranged Hearing/Appeal, the employee must make alternative arrangements for another trade union representative or work colleague and take all reasonable steps to ensure the Hearing/Appeal can proceed without unreasonable delay. Where appropriate, an alternative manager may be nominated to chair a Hearing to enable it to progress at the earliest opportunity.

If an alternative date is offered it will be within 5 days of the original hearing date unless the chair agrees there are exceptional circumstances to extend this time period.

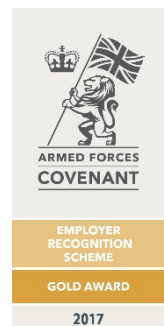
*Organisational Development, Policy & Communications*

# SUPPORT OF EMPLOYEES EXPERIENCING VIOLENCE AGAINST WOMEN POLICY & GUIDELINES

Version 1

Produced by:  
*Organisational Development, Policy & Communications*  
Inverclyde Council  
Municipal Buildings  
GREENOCK  
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2024



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**Document control**

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## **1. INTRODUCTION**

- 1.1 It is recognised by Inverclyde Council that Violence Against Women (VAW) is a serious issue within our society affecting all areas of women's lives, and the workplace is no exception. Inverclyde Council seeks through its policy and to support its employees who may be experiencing, or have experienced, VAW, and do what it can to help address and challenge its unacceptability.
- 1.2 Although primarily experienced by women, the policy recognises that men can experience abuse.
- 1.3 The policy recognises that although experienced mainly out with the workplace, VAW can, and does, occur between colleagues in the workplace, e.g., sexual harassment, stalking etc.
- 1.4 Given its prevalence within the wider population, it is inevitable that a significant number of employees will have experience of some form of abuse, past or current. It is further recognised that a number will be perpetrators.
- 1.5 Whether it takes place within or outside the workplace, the employment implications for employees who experience abuse are significant. It can have a detrimental impact on health and well-being, which may affect attendance, performance, and productivity.
- 1.6 Allegations of abuse made against employees could have potential implications for their employment role and could breach organisational and professional codes of conduct.

## **2. DEFINITION OF VIOLENCE AGAINST WOMEN (VAW)**

- 2.1 As stated in Paragraph 1.1, Inverclyde Council is committed to adopting a women-centred approach to dealing with VAW. The relevant definition contained within the policy and associated Guidelines are provided by Scottish Government's Equally Safe 2023 – preventing and eradicating violence against women and girls: strategy: VAW encompasses (but is not limited to):
  - physical, sexual, and psychological violence occurring in the family (including children and young people), within the general community or in institutions, including domestic abuse, rape, and incest
  - sexual harassment, bullying and intimidation in any public or private space, including work
  - commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography, and trafficking
  - child sexual abuse, including familial sexual abuse, child sexual exploitation and online abuse
  - so called 'honour based' violence, including dowry related violence, female genital mutilation, forced and child marriages, and 'honour' crimes

## **3. VAW AND WOMEN'S INEQUALITY**

- 
- 3.1 Every year, three million women in the UK experience some form of VAW. Many more live with past experiences. Given that 75% of the workforce of Inverclyde Council are women, it is likely that some could have been affected by VAW and some perpetrators or victims/survivors may be your friends and colleagues. VAW is a cause and consequence of gender inequality. In the same vein, women's labour market inequality is caused and sustained by women's wider inequality in society. This means that making progress on women's inequality in the workplace is a necessary step in preventing and eradicating VAW and tackling gender inequality.
- 3.2 The term Violence Against Women (VAW) refers to violence and/or abusive behaviour that is predominantly carried out by men and directed at women because of their gender. This behaviour includes physical, emotional, psychological, sexual, and economic abuse and stems from systemic and deep-rooted women's inequality. It's an abuse of power and privilege and can be used to control women. VAW is rarely a one-off experience but often repeated and continuous behaviour that can occur over many years. This policy focuses on form of VAW that are most likely to impact the workplace. This includes domestic abuse, stalking, sexual harassment, rape, sexual assault and 'honour based' violence.
- 3.3 The Equality Act 2010 places a specific responsibility on Inverclyde Council to protect employees in circumstances where bullying, discrimination, harassment, or victimisation occurs. Inverclyde Council is committed to meeting the requirements of the Equality Act 2010 which simplifies, streamlines, and strengthens existing equality legislation and protects employees from discrimination on the basis of the following 9 'protected characteristics':
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Race (including ethnic or national origins, colour and nationality)
  - Religion and belief
  - Sex
  - Sexual orientation

Under this policy, Inverclyde Council will ensure that everyone receives equal consideration and that the needs of all are taken into account as per the Equality Act 2010, irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

#### **4. INVERCLYDE COUNCIL COMMITMENT**

- 4.1 Inverclyde Council's commitment to tackling VAW is evident in its priority under the Inclusive Education, Culture & Communities Service to address VAW, and its ongoing Inverclyde VAW Multi Agency Partnership (MAP) work locally and nationally with

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relevant agencies and other local authorities. The service also contributes funding towards the Sexual Abuse Service operated by Inverclyde Women's Aid, a specialist voluntary sector agency in domestic abuse/sexual abuse work. Additionally, the VAW Lead Officer coordinates the Multi Agency Risk Assessment Conference (MARAC).

- 4.2 The production of an employee policy on VAW forms part of the Inverclyde Council's commitment to influence the VAW agenda. It is recognised that, due to the prevalence of VAW, employees may be affected. Inverclyde Council believes that, in working towards equal opportunities and social justice, it is important to state that it opposes all forms of VAW. This policy concentrates on VAW which Inverclyde Council recognises as a serious issue that affects the lives of many women. It will, therefore, take every possible step to make clear that all forms of VAW are unacceptable.
- 4.3 Inverclyde Council recognises that employees may be experiencing or have experienced VAW and will take all steps practicable to support them by introducing effective, confidential, sympathetic, and supportive mechanisms.
- 4.4 All disclosures of abuse experienced by employees must be treated confidentially. Domestic abuse is recognised as a risk factor in the lives of individuals and others e.g., children. This does not mean that every case requires an escalated, immediate response and indeed this can be unsafe when not carefully considered. Where circumstances indicate a significant or immediate risk of harm to the individual or others those circumstances should be assessed and public protection procedures considered e.g., child protection, adult protection. Where information is made available about employees who are alleged to be perpetrators of abuse, advice must be sought from the Human Resources (HR) department on how to proceed. Inverclyde Council has a separate policy to [Domestic Abuse Policy](#) and [Domestic Abuse Guidelines](#) (Links) and a Sexual Harassment Policy (link still to be included).
- 4.5 The policy has been discussed with the relevant Trade Unions and has their support.
- 4.6 Inverclyde Council will offer the facility for a person experiencing VAW to discuss the situation with a designated HR Advisor or provide information on services that can support.
- 4.7 Special paid leave may be granted, where appropriate, to a person experiencing VAW. This will be looked at on case-by-case basis. Provision may be made for an extended period of unpaid leave to be granted in exceptional cases.
- 4.8 Managers are required to respond to people experiencing VAW sympathetically, supportively, confidentially, and effectively. They have a responsibility for the welfare of their employees and should seek to address the issue of VAW in that context. Managers should complete Equally Safe at Work online training courses to assist them in responding appropriately to employees requiring support. These can be found at: [Equally Safe at Work on ICON](#) (Link).
- 4.9 Experience of VAW can have a significant impact on wellbeing and safety of employees and impact on their work. The policy will help to minimise absence-related costs for Inverclyde Council.

## **5. IMPACT ON STAFF AND THE WORKPLACE**

5.1 Inverclyde Council is committed to creating an environment where employees are safe to disclose their experience of abuse in order to access support and increase safety for themselves and others. The right of staff not to disclose is respected and employees should not be pressured into sharing information they do not wish to. Employees should be aware that VAW can influence the health and self-confidence of the person affected and, as a result they may feel unable to confide in others or seek help. VAW can impact on an individual's work performance and other abilities. By behaving in a supportive manner to colleagues, an employee can assist an affected colleague in gaining confidence to tackle the problems that a victim/survivor might experience. It is not always obvious that an employee may be experiencing VAW. However, the following may be indicators:

### **5.2 Physical Signs:**

- Having repeated unexplained injuries and explanations that don't fit
- Frequent, sudden, or unexpected medical problems or absence
- Change in appearance
- Fatigue or exhaustion or increased physical tension
- Panic attacks
- Sleeping or eating disorders
- Substance misuse
- Depression/suicidal

### **5.3 Changes in behaviour:**

- Avoiding lunch breaks or socialising at the end of the working day
- Becoming quiet/avoiding speaking to colleagues
- Loss of confidence and self esteem
- Avoiding male colleagues/being visibly uncomfortable around them
- Isolating themselves from family and friends
- Depressed, anxious, distracted or problems concentrating
- Increased stress or easily overwhelmed
- Withdrawn or detached
- Obsessing about time
- Being fearful/easily startled
- Expressing fear of partner/ of leaving children with partner
- Being secretive about home life

### **5.4 Performance at work:**

- Unexplained changes in previous strong record of quality of work
- Suddenly starting to miss deadlines
- Turning down professional development/training opportunities
- Receiving repeated upsetting calls, texts or e-mails
- Constantly checking mobile phone

## **6. RESPONSIBILITY OF STAFF**

### **6.1 Recognising the signs**

6.1.1 It is good practice for line managers to be aware of the signs that someone may be affected by a form of VAW. This is important to ensure that they know how to effectively manage an employee and support them in their situation. It also means you'll be able to minimize the impact on colleagues and the wider organisation.

6.1.2 Managers should initiate discussion if they have concerns about abuse. It is important to take a victim focused approach when abuse is disclosed and responding sensitively, helping them assess their level of risk and plan with them for their safety. Considering what workplace supports you could provide (8.1).

## **7. REPORTING MECHANISMS**

7.1 In the first instance, your concerns in relation to VAW should be reported to your line manager who is required to respond to your experience sympathetically, supportively, confidentially, and effectively. They have a responsibility for the welfare of their employees and should seek to address the issue of VAW in that context.

7.2 If the perpetrator is your line Manager, then in the first instance you should not hesitate to approach HR for confidential advice on an informal basis. They will be able to advise you whether the incident merits further action and if so, how the matter may be dealt with. The telephone number of the HR Advisors is listed on section 11 of this document.

## **8. SUPPORTING AND PROTECTING VICTIMS/SURVIVORS**

### **8.1 Barriers to disclosing**

It is important to recognise the barriers that will be experienced by victims/survivors in disclosing VAW:

- Embarrassment/humiliation of sharing personal details with colleagues/employer
- Fear of not being believed/judged/stigmatised or treated like a victim
- Believing nothing will change if they report
- Difficulty disclosing due to experience of trauma
- Unaware of processes and procedures and who to talk to

- Awareness that disclosures have been made in the past that the organisation hasn't dealt with
- Line manager or senior member of staff are the perpetrator – power dynamic

## 8.2 Additional Barriers with hybrid working

While hybrid working offers flexibility and a work/home life balance for many employees, for those who experience VAW it can act as an additional barrier as changes are more difficult to pick up:

- Withdrawing from previous sources of support such as team chats/catch ups
- Minimum participation/contribution/unresponsive in team meetings or constantly offline
- Visible injuries or other signs of someone using physical violence or intimidation such as damage to the home
- Suddenly not using video function where previously did without explanation or one that doesn't fit
- Being visibly uneasy or tense on video during meetings
- Reluctance to talk about home situation or avoid answering questions
- Signs of tension such as audible conflict in the home
- Reluctance to speak on the phone or video or partner is always visible in the background
- Lack of access to computer or phone to be able to effectively work from home
- Nervousness or increased anxiety about partner or family member coming into the room while speaking to them

## 8.3 Support

- Being aware of the possibility that staff members could be affected by past or current abuse
- Recognising potential signs of abuse
- Initiating discussion if you have concerns about abuse
- Responding sensitively to disclosure of abuse
- Respecting an employee's choice on whether to accept support or not
- Encouraging and supporting your staff member to assess their level of risk and devise a safety plan if required
- Consider what workplace support you could provide within the scope of current policy provision
- Provide contact information of support organisations or agencies. (link to ICON)
- Agree arrangements for contact with the employee if they are unexpectedly absent from work
- Special paid leave for relevant appointments e.g., solicitors, to rearrange housing or childcare and court appointments
- Temporary or permanent changes to working times and patterns – using existing policies such as the Right to Request Flexible Working

- Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role
- Redeployment or relocation where requested and where possible Measures to ensure a safe working environment e.g. change a telephone number to avoid harassing phone calls
- Employee counselling service

## **9. MANAGING PERPETRATORS**

- 9.1 Inverclyde Council will take a serious view in relation to employees who are perpetrators of VAW. Such employees may be subject to disciplinary action; however, consideration may be given to referring such employees to counselling or other support where available and appropriate.
- 9.2 All employees are required to ensure that their behaviour at work reflects the Council's aims and values as stated in Inverclyde Council's Code of Conduct at [Code of conduct for employees](#) (Link) and that they adhere to the rules regarding confidentiality. IC will provide a framework for addressing the behaviour of employees who may be perpetrators of abuse and who may pose a risk to others, for example employees and service users.
- 9.3 Where VAW impinges upon the workplace, for example, by unwelcome visits from perpetrators, action will be taken in terms of Inverclyde Council's Health and Safety responsibilities (Abuse at Work) towards its employees.

## **10. CONFIDENTIALITY**

- 10.1 It is essential that confidentiality is strictly observed. Managers are responsible for ensuring that information is not unnecessarily disclosed to others and for ensuring that all employees are aware of their responsibilities in relation to Inverclyde Council's *Code of Conduct*. All employees have a responsibility to adhere to the rules thus ensuring that protective measures are maintained. However, if information comes to light which raises concerns about the welfare of a child or vulnerable adult, the Council has a legal obligation to report these concerns to the appropriate authorities. Please refer to Appendix 1 for details.
- 10.2 Any records will be kept strictly confidential in accordance with the Inverclyde Council's information handling policy and procedures, and it should be made clear that the recording of information on experience of VAW will have no adverse impact on the employee's work record.

## **11. ROLE OF HUMAN RESOURCES (HR)**

A HR Advisor can be contacted on any of the following number by any employee or manager who requires further information on the implementation of this policy: -  
Telephone number: 01475 712740

## **12. LINKS TO RELEVANT POLICIES**

[Domestic Abuse Policy](#) (Link)

[Domestic Abuse Guidelines](#) (Link)

[Code of conduct for employees](#) (Link)

Sexual Harassment Prevention & Action Policy (link to be added)

[Equality & Diversity Policy](#) (link)

## **13. THE APPEALS PROCESS**

Details of how VAW claims will be dealt with are detailed in the Dignity & Respect at Work Procedures. This includes how to raise a referral of this nature and the relevant appeals process. Under this policy there are 3 defined stages:

- Informal
- Formal
- Appeal - there is a one stage appeal process which is heard by an Appeals Panel. Following this stage all internal procedures are considered to be exhausted and there is no further right of appeal.



## ***APPENDIX 1***

### ***PROTECTING CHILDREN & VULNERABLE ADULTS – STATUTORY DUTIES***

- 1 While it is important to emphasise the supportive role given to employees and their families who find themselves experiencing difficulties, it should also be noted that there is a statutory requirement for the Council, and by implication, its employees, to protect children and vulnerable adults.
- 2 If any Council employee hears information or directly sees things which makes them worried about a child or adult being ill-treated, exploited, neglected, or abused, all employees are responsible for taking at least one of the following actions:
  - Speak promptly with your line manager or another manager and talk through your concern.
  - You or your line manager should then contact:

*Social Work Children and Families Request for Assistance Duty Team (child protection and wellbeing concerns) Tel: 715365*

*Access First Service (vulnerable adults) Tel: 714646*

*Inverclyde Advice First (free, confidential, impartial expert advice in relation to financial matters but can signpost to other services) Tel: 715299*

- 3 *Social Work Stand-by Out of Hours Service 03003431505 or your nearest Police Office on 101 or 999 in an emergency.*

- 4 It is essential that concerns are passed to the appropriate agencies that will have staff qualified to make assessments and decisions about what action, if any, might be needed to protect the child or adult and assist the family while they are addressing their difficulties.

- 5 When contacting the appropriate agency employees should give as much information as possible about the child or adult and his or her family. Employees must not delay in taking action or passing on information as it could ensure the safety of a vulnerable child or adult.

Employees must be aware we are all responsible for the care of vulnerable people in our society.

**Organisational Development, Policy and Communications & Community Safety and Resilience**

**April 2023**

Version 1.1

Produced by:

*Human Resources*

Inverclyde Council  
Municipal Buildings  
GREENOCK  
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# Inverclyde Council Equality and Diversity Policy



**INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER  
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Workforce Planning & Development Group	Oct 2023	Sections on sexism and misogyny added for Equally Safe at Work

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## 1. Introduction

- 1.1 Inverclyde Council is committed to ensuring that the ethos and principles of equality of opportunity and valuing diversity are embedded in all aspects of service delivery and are a guiding principle for all its activities.
- 1.2 The Council strives to embrace a positive attitude towards the promotion of equality and diversity and to create a working environment which is inclusive of everyone regardless of ethnic origin, religion or belief, disability, age, sex, gender reassignment, sexual orientation, marriage and civil partnership, pregnancy and maternity, carer responsibility, race nationality, social or economic status, trade union membership or activity.
- 1.3 This policy is consistent and in accordance with the current legislative requirements and the Equality Act 2010 and it is the responsibility of all employees to comply with this policy and be familiar with its contents and principles.

## 2. Purpose

- 2.1 The purpose of this policy is to set out the Council's vision and commitment to equality and diversity in the workplace. It aims to promote equality and diversity in all aspects of the Council's work and encourages a working environment which is free from all forms of discrimination and harassment, where all employees can fulfil their full potential.
- 2.2 The Council is committed to ensuring that equality and diversity is embedded in all aspects of service delivery, and strives to ensure that all employees, customers and partners are treated fairly and with respect at all times.
- 2.3 The Council is positively and actively committed to ensuring that:
  - Employees are educated on equality and diversity;
  - Policies, procedures and practices support the Council's equality and diversity responsibilities;
  - The services provided by the Council are relevant to the needs of the diverse community;
  - The Council's workforce represents the community;
  - A safe and inclusive environment is provided which is free from any form of bullying, harassment discrimination, violence/abuse (including violence against women) victimisation;
  - Unacceptable behaviour will be challenged, including racist, homophobic, sexist and misogynistic language and behaviour;
  - Equality and diversity practices in the Council are measured regularly and are compliant.

### **3. Scope**

- 3.1 This policy applies to all employees of the Council and Elected members. External agencies, partners and contractors who work in partnership with the Council also have a responsibility to comply with this policy.

### **4. What do we mean by equality and diversity?**

- 4.1 Equality is about making sure people are treated fairly and given fair chances. It is about giving people an equality of opportunity to access all services available and to fulfil their potential.
- 4.2 Diversity is about recognising, respecting and valuing differences. It is not about treating everyone exactly the same, but treating people as individuals and creating a working culture and practices that harness and appreciate differences.

### **5. Legal Framework**

- 5.1 The Council is committed to meeting the requirements of the Equality Act 2010 which simplifies, streamlines and strengthens existing equality legislation. The Equality Act 2010 protects people from discrimination on the basis of 'protected characteristics'. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including ethnic or national origins, colour and nationality)
- religion and belief
- sex
- sexual orientation

- 5.2 As well as the above mentioned protected characteristics, the policy also covers actions and behaviour motivated by homophobia and/or transphobia this includes:

- Verbal abuse including taunting, name-calling (including sexualised name calling) or threats (e.g. to kill, physical violence/abuse, sexual assault)
- Threats of 'outing' i.e. disclosing that a person is, or is perceived to be, lesbian, gay, bisexual or transgender, without their freely-given consent)
- Threatening behaviours by individuals or (more commonly) groups, including closing in on,
- following, chasing and/or surrounding a targeted individual or individuals (stalking & harassment)
- Physical or sexual aggression and violence/abuse

- Social marginalising or ostracizing

5.3 We will work with employees to tackle attitudes and behaviours that lead to discrimination for example ageism, sexism and misogyny, racism, homophobia and transphobia; disablism, violence against women, domestic abuse and sexual harassment etc. In addition we understand that people's experiences of discrimination can vary due to intersectional characteristics, for example older and black and minority ethnic women's experiences may be affected by not only sexism but also ageism and racism.

## **6. Other Relevant Council Policies / Procedures**

6.1 The policy should be read in conjunction with other relevant council policies, procedures and training materials as appropriate, including:

- Recruitment and Selection Procedures
- Respect at Work Policy
- Learning and Development
- Grievance Procedures
- Disciplinary Procedures
- Code of Conduct for Employees
- Corporate Equalities Framework
- Equality and Diversity training
- Induction
- Domestic Abuse
- Violence Against Women
- Sexual Harassment

## **7. Responsibilities**

7.1 The Council, elected members, managers, employees, Human Resources and Organisational Development, employee representatives and partners/external agencies have specific equality and diversity responsibilities which are outlined below:

7.1.1 Council's Responsibilities:

The Council is committed to the implementation of this policy and in particular has a responsibility to:

- Foster a culture which embraces and values equality and diversity and encourages equal opportunities best practice;
- Establish systems for monitoring the application of the policy and take action to rectify any inequalities or deficiencies;
- Provide training and guidance to managers and other employees as appropriate on the content of this policy and also raise awareness of equality and diversity issues;.



- Ensure that all policies/procedures of the Council reflect the guiding principles of equality and diversity;
- Take necessary steps to eliminate such behaviours and ensure an inclusive working environment.

#### 7.1.2 Elected Members Responsibilities:

- To be aware of this policy and its content and promote equality and diversity throughout their work for the Council;
- To attend equality and diversity training;
- To consider claims of inequality or discrimination brought to their attention through other Council policies/procedures;

#### 7.1.3 Line Manager Responsibilities:

- To be aware of this policy and implement it in their own work areas;
- To make their employees aware of their equalities responsibilities;
- To maintain an environment which actively promotes equality and diversity and is free from discrimination;
- To apply this policy fairly, consistently and without discrimination;
- To address instances of suspected discrimination, immediately, sensitively and confidentially and take appropriate action where necessary;
- To ensure employees take part in equality and diversity training.

#### 7.1.4 Employees' responsibilities:

- To read this policy and understand their own equality responsibilities;
- To participate and co-operate in any measure introduced by the Council to implement this policy, promote equal opportunity and prevent discrimination;
- To ensure their own behaviour towards colleagues, partners, customers and members of the public is appropriate in terms of this policy;
- To challenge and report any suspected discriminatory practice to an appropriate manager;
- To treat other employees with respect;
- To take part in equality and diversity training as appropriate.

#### 7.1.5 OD & HR Service Responsibilities:

- Promoting equality and diversity awareness;
- To ensure that all employment policies/procedures are reviewed and developed in line with relevant legislation and equality and diversity best practice;
- Regularly analyse equality and diversity and workforce statistical information;
- To ensure that equality and diversity is streamlined in all training courses and employment policies and procedures;
- To support managers and employees on the implementation of this policy;
- To support managers and employees in all equality and diversity related issues.

#### 7.1.6 Employee Representatives Responsibilities:

- To be aware of the Council's policy and its content;
- To promote the Council's policy and participate in any joint activities to raise the profile of equality and diversity;
- To support and provide representation to employees who have raised issues about inequality, discrimination and unfair treatment.

#### 7.1.7 Partners/External Agencies, Contractors, Agency Workers Responsibilities :

- To be aware of the Council's policy and its content;
- To promote the Council's policy and participate in any joint activities to raise the profile of equality and diversity;
- To support and provide representation to employees who have raised issues about inequality, discrimination and unfair treatment.

## 8. Protection from Discrimination

### 8.1 All employees of the Council have the right:

- Not to be discriminated against;
- To receive equality of opportunity;
- To challenge any unfair treatment or discrimination;
- To make a complaint when they feel they have been unfairly treated.

#### 8.1.1 The Equality Act 2010 provides protection from discrimination on the basis of 'protected characteristics'. The protected characteristics are:

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race;
- Religion and Belief;
- Sex;
- Sexual Orientation.

### 8.2 More information about the protected characteristics is provided in Appendix 1.

### 8.3 The Equality Act 2010 introduced a public sector equality duty (PSED) which has two parts - the general duty and the specific duties.

### 8.4 The general duty requires the Council to have due regard to the need to:

- To eliminate unlawful discrimination, harassment, victimisation, violence/abuse and other prohibited conduct;
- To advance equality of opportunity between people who share a relevant protected characteristic and those who do not;

- To foster good relations between people who share a protected characteristic and those who do not.
- 8.5 The specific duties help the Council to meet the three needs of the general equality duty. These duties are:
- mainstreaming equality;
  - equality outcomes;
  - assessing impact;
  - employee information;
  - equal pay policy ;
  - procurement;
  - involvement;
  - accessibility
- 8.6 More information about the specific duties is provided in Appendix 2.
- 8.7 The specific duties ensure the Council takes effective action on equality, makes the right decisions, develops better policies and practices based on evidence, is more transparent, is accessible and accountable and delivers improved outcomes for all.

## **9. Failure to Comply**

- 9.1 Concerns or complaints from employees, partners/external agencies, contractors and agency workers will be investigated in line with the appropriate Council policy/procedures, for example, Grievance Procedures, Disciplinary Procedures and Recruitment and Selection Complaint Procedures. Any breaches or failure to comply may lead to further action being taken by the Council.
- 9.2 If an employee of a partner / external agency or contractor is found to be in breach of this policy, this will be reported to the relevant employer for the matter to be progressed through their own disciplinary procedure. Any breach in this respect could result in no further involvement with the Council.

## **10. Learning and Development**

- 10.1 The Council offers a range of learning and development opportunities in equality and diversity. Details of all e-learning and face-to-face courses are available via ICON and Brightwave.

## **11. Equality Impact Assessment**

- 11.1 This policy has been impact assessed in line with the Councils obligation to comply with the Equality Act 2010.

## **12. Monitoring and Review**

- 12.1 This policy will be monitored and reviewed regularly as it is applied, and in line with any legislative changes relating to equality and diversity in the workplace.

## **Appendix 1 – Protected Characteristics**

Protected characteristics are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

### **Age**

People of all ages are protected. From October 2011 the default retirement age of 65 was removed, making compulsory retirement at any age unlawful unless objectively justified.

### **Disability**

Under the Act, a person is disabled if they “have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. This may include the following:

- Learning disabilities (such a Down’s syndrome or dyslexia or cognitive impairment (such as autism or head injury)
- Long standing illness or health condition (such as cancer, HIV, diabetes, chronic heart disease or epilepsy)
- Mental health condition (such as depression or schizophrenia)
- Physical impairment (such as difficulty using your arms or mobility issues which means using a wheelchair or crutches)
- Sensory impairment (such as being blind, having a serious visual impairment or being deaf/having a serious hearing impairment).

### **Gender reassignment**

Gender reassignment is the process of transitioning from one gender to another. A person does not have to be under medical supervision to be protected, so a woman who decides to live permanently as a man but does not undergo any medical procedures would be covered.

### **Marriage and civil partnership**

Previously marriage was defined as a 'union between a man and a woman'. However, marriage is now available to mixed sex and same sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. The Marriage and Civil Partnership (Scotland) Act 2014 was passed in the Scottish Parliament in February 2014 and from December 2014 existing civil partnerships can now be converted to a marriage and other same-sex couples can give notice of their intention to marry.

## **Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth.

The protected period starts when a woman becomes pregnant and continues until the end of her maternity leave, or until she returns to work if that is earlier.

## **Race**

It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

This includes colour, nationality and ethnic or national origins. The Act protects people of all races. Examples of national identity are Scottish, English, Welsh, Northern Irish and British. Examples of ethnic groups are:

- White – i.e. Scottish, Other British, Irish, Gypsy/Traveller, Eastern European (for example Polish);
- Mixed or Multiple Ethnic Groups;
- Asian, Asian Scottish or Asian British – i.e. Pakistani, Pakistani Scottish or Pakistani British, Indian, Indian Scottish or Indian British, Bangladeshi, Bangladeshi Scottish or Bangladeshi British, Chinese, Chinese Scottish or Chinese British;
- Caribbean or Black – i.e. Caribbean, Caribbean Scottish or Caribbean British, Black, Black Scottish or Black British;
- Arab – i.e. Arab, Arab Scottish, Arab British.

## **Religion and belief**

Religion includes any religion. It also includes a lack of religion. A religion must have a clear structure and belief system. Belief means any religious or philosophical belief or lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects with a religion can be considered a protected religion or religious belief. Humanism is a protected philosophical belief but political beliefs would be protected. Examples of religion or beliefs are Buddhist, Church of Scotland, Hindu, Humanist, Jewish, Muslim, Other Christian, Sikh, Pagan and Roman Catholic.

## **Sex**

Both men and women are protected.

## **Sexual orientation**

This relates to a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. This includes bisexual, gay, heterosexual and lesbian people. The Equality Act 2010 prohibits direct discrimination, associative discrimination, discrimination by perception, indirect discrimination, harassment and victimisation in relation to employment and training.

## **Appendix 2 – The Specific Duties**

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on 27 May 2012. The specific duties will help the Council to meet the three needs of the general equality duty. The specific duties are:

### **Mainstreaming equality**

The Council is required to publish information about how it has integrated the equality duty into all of its functions. Equality considerations must feature adequately in all service improvement plans, board or other reports, financial, performance and equality frameworks and other policy documents.

### **Equality outcomes**

The Council is required to publish a set of equality outcomes which will enable the Council to better perform the general equality duty.

### **Assessing impact**

The Council is required to assess the impact of applying a proposed, new, revised or existing policy against the needs of the general equality duty so that any potential inequalities can be addressed before implementation.

### **Employee information**

The Council is required to take steps to gather information on the composition of employees by protected characteristic. This information will be used by the Council to better perform in meeting the needs of the general equality duty.

### **Equal Pay Policy**

The Council is required to publish a revised equal pay policy specifying the Council's policy on equal pay between men and women, employees with and without disabilities and employees from minority racial groups.

### **Procurement**

Where the Council is carrying out a public procurement exercise, due regard must be given to whether or not the award criteria should include equality considerations which will help the Council to better meet the needs of the general equality duty.

### **Involvement**

The Council will take reasonable, practicable and proportionate steps to involve relevant equality groups and communities and use their evidence when decision making.

## **Accessibility**

The Council is required to publish reports on mainstreaming the equality duty, equality outcomes and report on progress made to achieve these outcomes, gender pay gap information and its policy on equal pay and occupational segregation.



Organisational Development, Policy & Communications

# SEXUAL HARRASSMENT PREVENTION AND ACTION

Produced by:  
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# 1. The Policy Statement

1.1 Inverclyde Council is committed to providing an inclusive, supportive and safe environment for everyone who works there. This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, and volunteers.

1.2. The aim of the Policy is to prevent, respond to incidents that arise, and take action to effect long-term change by:

- educating all staff about sexual harassment and their role in developing a culture free from harassment;
- fostering a working environment that supports the dignity and respect of all and is free from any form of discrimination, bullying, harassment, and violence, including gender-based violence;
- where harassment does occur, providing a process and procedure for dealing with it to ensure it is properly managed;
- capturing learning from what happened to help create an environment free from harassment;
- monitoring our progress in achieving a workplace free from harassment; and
- building continuous improvement into our culture.

1.3. Everyone has a part to play in being aware of, preventing and dealing with sexual harassment. The Policy sets out the expectations for the behaviour of our staff as well as what we can do to protect all staff from sexual harassment. It is supported by the senior leadership within the organisation.

1.4. We will not tolerate any form of sexual harassment in the workplace, will treat all incidents seriously and promptly investigate all allegations of sexual harassment. Reporting should be raised within 3 months of an incident, or if a series of incidents, within 3 months of the last incident of sexual harassment under this Policy and our Disciplinary Policy and Procedure. There is a time limit for bringing cases of sexual harassment to Employment Tribunal of three months less one day from the last act of harassment.

1.5. Sexual harassment will be treated as a disciplinary offence. Appropriate disciplinary action, including warnings, suspension, compulsory transfers/demotions, or dismissal in accordance with the Disciplinary Policy and Procedure, may be taken against any person who violates this Policy. There may also be circumstances where further training is mandated for individuals, teams or the whole organisation.

1.6. No one will be victimised for making a complaint of sexual harassment or for helping another person to make such a complaint unless it is malicious. This means that anyone who makes such a complaint or who helps someone to make such a complaint, for example by giving evidence or information, will not be treated badly because of their actions.

No one will be subject to disciplinary action or to any other detriment simply because their complaint is not upheld.

1.7. This Policy and the procedures outlined in it form part of a broader intersectional anti-sexism strategy aimed at preventing and eradicating the sexual and sexist harassment of all workers, and all other forms of gender-based violence. Details of the wider suite of related activities can be found here: [Equally Safe at Work on ICON](#) and [Equalities Monitoring & Mainstream Reporting](#). See also section 6 'Preventing Sexual Harassment'.

**1.8.** The Head of OD, Policy & Communications has overall responsibility for this policy. This Policy has been developed in partnership with our Trade Unions, Workforce Planning & Development Group, Corporate Equality Group and Staff Disability Forum with whom we will conduct regular and ongoing consultation regarding the continuing relevance and effectiveness of this policy and any associated activities.

**1.9.** While this Policy does not form part of any contract of employment or contract to provide services and may be amended at any time as set out above, all staff will be made aware of this Policy and will be expected to comply with it. This Policy will be communicated to all staff on a regular basis using a variety of methods including induction, training, information and publicity, team briefings, departmental meetings, and in-house publications.

**1.10.** The following policies should be read in conjunction with this policy:

- Code of Conduct
- Confidential Reporting (Whistleblowing)
- Data Protection
- Dignity and Respect at Work
- Disciplinary
- Domestic Abuse
- Equal Opportunities
- Equality & Diversity
- Health and Safety
- Supporting Employee Attendance
- Violence Against Women

**1.11** As a progressive employer the Council recognise the links between labour market inequality and societal inequalities and the role the Council plays as an employer in tackling those inequalities. In particular, as our workforce is predominantly female we have a strong commitment to addressing gender inequality as a cause and consequence of violence against women.

**1.12** We will work with employees to tackle attitudes and behaviours that lead to discrimination for example ageism, sexism and misogyny, racism, homophobia and transphobia; disabilism, etc.

**1.13** In addition we understand that people's experiences of discrimination can vary due to intersectional characteristics, for example older and Black and minority ethnic women's experiences may be affected by not only sexism but also ageism and racism.

## **2. Scope**

**2.1** This policy applies to all Local Government Employees' including Chief Officers, and Teachers.

**2.2** Elected Members, external agencies, partners and contractors who work in partnership with the Council also have a responsibility to comply with this policy.

**2.3** This policy applies to all employees of the Council who are employed on permanent, temporary fixed term or part time contracts and casual/sessional and supply workers.

**2.4** The policy applies in the workplace and applies to conduct outside the workplace in accordance with the Employee Code of Conduct.

**2.5** This policy and associated procedure supports Inverclyde Council's Equality & Diversity Policy and reinforces the Council's commitment as an equal opportunities employer and the Council's Violence in the Workplace Policy

### **3. What is Sexual Harassment?**

**3.1.** Sexual harassment is prohibited under the Equality Act 2010. It occurs when a person is subjected to **unwanted conduct** of a sexual nature which has the purpose or the effect of:

- violating the person's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

**3.2.** Unwanted conduct that has one of these effects can be harassment even if the effect was not intended. A single one-off event or a series of incidents can amount to sexual harassment. A person can be affected by sexual harassment even if the conduct is not targeted at them.

**3.3.** It is also unlawful to treat someone less favourably because they have either submitted a complaint of sexual harassment or have rejected such behaviour.

**3.4.** Anyone can be a victim of sexual harassment, regardless of their sex, sexual orientation or gender identity or that of the harasser. Sexual harassment may also occur between people of the same sex. We recognise that sexual harassment often arises as a form of violence against women and girls. Sexual harassment can also be a form of violence targeted at men and those with non-binary gender identities.

**3.5.** Under international law, sexual harassment constitutes a breach of a person's human rights.

**3.6.** Sexual harassment is often a manifestation of power relationships and frequently occurs within unequal relationships in the workplace, for example between manager or supervisor and a more junior colleague, or a longstanding employee and a new member of staff. It frequently arises as the result of sexism and power inequalities between women and men. Sexual Harassment, bullying and intimidation in any public and private space, including work, falls under the wider definition of violence against women. In cases where sexual harassment is found to have occurred, this will be investigated under the sexual harassment policy and may lead to disciplinary action.

**3.7.** We also recognise that certain vulnerable or minority groups may be more at risk from sexual harassment. Where a person has more than one protected characteristic, this may increase the risk of them experiencing sexual harassment. This is because multiple categories of identity such as gender, race, sexuality, trans status, religion and disability can interact in ways that create complex systems of oppression and power which can result in harassment based on a combination of different aspects of a person's identity. We refer to this as intersectional harassment.

#### **3.8. What is 'unwanted conduct'?**

**3.9.** Unwanted conduct covers a wide range of behaviour which is unwanted or unwelcome.

**3.10.** Types of behaviours which constitute sexual harassment include, but are not limited to:

**3.11.** Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging.
- Fondling, or inappropriate touching.
- Physical violence, including sexual assault and rape.
- The use of job-related threats or rewards to solicit sexual favours.

**3.12.** Verbal conduct

- Banter
- Mimicry
- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories, jokes or pranks
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending/sharing sexually explicit messages/images (by any medium)
- Coercion
- Gaslighting (a form of covert emotional abuse)

**3.13.** Non-verbal conduct

- Display of sexually explicit or suggestive material or imagery
- Graffiti
- Posts or contact on social media
- Sexually suggestive gestures
- Facial expressions
- Whistling
- Leering
- Predatory behaviour

**3.14.** The effect of such behaviour and whether it is unwanted should be considered from the point of view of the person who feels harassed (the "recipient").

**3.15.** There may be other sexual behaviour, which though not unwanted, is still inappropriate in the workplace (including in a place that may legally count as work such as at a work event, work night out or walking home). For example, engaging in a consensual sexual act in the workplace. We do not permit sexual contact in the workplace and any such behaviour may still be addressed as a breach of the sexual harassment policy and will trigger the Dignity & Respect at Work/Disciplinary procedures. We recognise that if this behaviour were allowed to take place, there is a risk of one party believing that the conduct is welcome and the other considering the conduct to be unwanted, either at the time or in hindsight. This can increase the risk of sexual harassment.

**3.16. *Examples of sexual harassment***

**3.17.** The following examples are intended to provide illustrations of the types of behaviours that will constitute sexual harassment. They are not exhaustive – there are many more examples of such behaviour. Importantly, sexual harassment can arise in various forms and to different degrees. As part of the review process for this policy, we will ensure that the

specific examples given in this policy are updated so as to reflect the specific work environment in which our staff operate taking account of the composition of our workforce and the types of work undertaken.

Certain types of harassment may be linked to more than one aspect of the recipient's identity. This is intersectional harassment. Examples that illustrate this are included here, but this Policy is not fully intersectional and must be read with the Dignity and Respect at Work Policy for further guidance on other forms of discrimination.

**3.17.1.1.** Some forms of sexual harassment are clear violations of a person's dignity:

**EXAMPLE ONE**

A black female worker overhears two colleagues discussing whether she would be willing to have sex with them. They express the view that she would be "really easy to get into bed" because "black women love sex".

**3.17.1.2.** Sexual harassment does not have to be targeted at one individual:

**EXAMPLE TWO**

A music promoter adds a link to their email signature to a promotional video for a rock band. In the video, scenes of a sexual nature are portrayed by actors. Every time they send an email to their colleagues and to their contacts outside the organisation, this link is received.

**3.17.1.3.** Sexual harassment does not have to be intentional:

**EXAMPLE THREE**

A worker believes that her male colleague uses the fact she is in a wheelchair as an excuse to make physical contact with her. She feels the situation is complicated by the practicalities and power dynamics of needing support from others with certain tasks. She wants to report the issue but thinks he may not realise he has been doing this.

**3.17.1.4.** It is not necessary for the recipient to say that they object to the behaviour for it to be unwanted:

**EXAMPLE FOUR**

A young woman's body is repeatedly referred to by two of her colleagues. These comments are made in front of her over several months. She does not voice any objection to the comments, sometimes laughing at them and, on one occasion, she responds by making equally offensive comments about one of her colleagues.

**3.17.1.5.** There may be circumstances in which a course of conduct is not unwanted in the earlier stages, but at some point 'oversteps the mark' and becomes unwanted.

**EXAMPLE FIVE**

Two work colleagues become friendly, often having lunch together and occasionally meeting up outside of work. One Friday night, after a few drinks at the pub, they kiss and agree to meet again the following weekend. On the Monday morning, one takes the other to one side



and explains that they regret what happened and would like to keep their relationship professional. The employee who wishes to keep the relationship going texts and emails the other employee several times a day over the next week, expressing their affection and upset at the 'change of heart' and repeatedly asking to meet up outside of work despite this request being repeatedly refused.

**3.17.1.6.** There may be circumstances where behaviour feels appropriate to those involved but causes concerns for others who may see or overhear it, even if nothing is targeted at them. This could still amount to sexual harassment in breach of this policy.

## 4. When does this policy apply?

This policy will apply to any unwanted conduct that occurs in the course of a person's work and which takes place at their place of work, including in their home while working from home, on their commute, or at/while travelling to a place which is not their place of work if they are there for any reason related to their work, including for a work-related social event, business trip, training session or conference.

## 5. What if the alleged perpetrator is not a member of staff?

The sexual harassment of staff will not be tolerated, whether caused by those that work here or third parties including customers, suppliers, clients, or visitors to our premises. Any instance of work-related sexual harassment should be reported in line with this policy, regardless of who the alleged perpetrator is. [We act in accordance with the EHRC's Guidance on third party sexual harassment and employer's liability available here: [https://www.equalityhumanrights.com/sites/default/files/sexual\\_harassment\\_and\\_harassment\\_at\\_work.pdf](https://www.equalityhumanrights.com/sites/default/files/sexual_harassment_and_harassment_at_work.pdf) ]

## 6. Preventing Sexual Harassment

**6.1.** This section should be read in conjunction with the policies listed in section 1.10. The Health and Safety policy is particularly relevant and other policies will provide context-specific guidance. For instance, the Dignity and Respect at Work Policy should be consulted when alleged misconduct may incorporate intersectional discrimination.

**6.2.** As set out in section 3.4 to 3.6, sexual harassment can be more prevalent in certain environments, including where there are disparities in power between different groups of staff. This is often linked to women and men working at different levels of seniority within organisations, and includes power disparities as a result of disability, sexual orientation, gender identity, race and age. Women are the overwhelming majority of those who are sexually harassed at work.<sup>1</sup> Disabled women, young women and LGBT workers experience even greater rates of sexual harassment.<sup>2</sup> Women of colour frequently experience racialised sexual harassment.

**6.3.** High levels of workplace stress can be a contributory factor in creating a working environment in which sexual harassment is more likely to occur.<sup>3</sup> Stress occurs where there is either excessive demand on staff and/or reduced resources. It can arise due to excessive

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<sup>1</sup> TUC (2016) Still just a bit of banter?

<sup>2</sup> TUC (2021) Sexual harassment of disabled women in the workplace; (2016) Still just a bit of banter?; TUC (2019) Sexual harassment of LGBT people in the workplace.

<sup>3</sup> Rosalind Searle (2022) Counterproductive Work Behaviours in *Oxford Research Encyclopaedia of Psychology*. Oxford University Press.

working hours and limited recovery time, work precarity, high levels of staff absence / sickness and turnover that leave remaining workers to have to pick up additional tasks. In these contexts, workers' ability to self-regulate can be overwhelmed to create 'flash spots' of more pervasive workplace incivility, including raised levels of bullying, harassment, verbal and physical incivility and violence of which sexual harassment is an extreme outcome.

#### **6.4. The Employers' Duty of Care**

**6.4.1.** The law imposes a duty of care on employers to provide a safe system of work for all staff. This includes a specific obligation to protect the health, safety and welfare of their staff and others who might be affected. In discharging this legal duty, we recognise that there are certain measures that can help to prevent sexual harassment in the workplace including ensuring that adequate measures are in place to tackle sexism and address inequality between women and men and people with non-binary identities, as well as other forms of discrimination including racism, ableism, homophobia, transphobia and ageism, and to prevent the conditions which cause and exacerbate high levels of stress. We are committed to the adoption and operation of such measures, including:

- **Improving the gender balance at all levels of the organisation:** Mainstream Report, Equal Pay Statement. Equality Outcomes available here: <https://www.inverclyde.gov.uk/council-and-government/equality-and-diversity>
- **Improving diversity and inclusion at all levels of the organisation:** Staff Disability Forum. Mainstream Report and Equal Pay Statement, Equality Outcomes are available here: Mainstream Report and Equal Pay Statement. Equality Outcomes available here: <https://www.inverclyde.gov.uk/council-and-government/equality-and-diversity>
- **Staff survey:** Ascertaining how working conditions impact on all staff and identifying any areas of concern. To this end, a 3 yearly workplace staff survey will be conducted the results of which will be consulted on with our trade unions to identify any action that needs to be taken.
- **Data monitoring:** Staff data related to sickness absence rates and turnover will be carefully monitored in accordance with Supporting Employee Attendance Policy to identify patterns of behaviour as it is recognised that they can be linked to high stress levels and associated behaviours which may be indicative of sexual harassment.
- **Good management practices:** including anti-discrimination management practices, competent and respectful people management, awareness of the conditions that can allow sexual harassment to become prevalent and consistency in taking appropriate preventions and interventions (including prompt and unambiguous action to visibly demonstrate that concerns regarding sexual harassment will be taken seriously).
- **Risk assessments:** that include consideration of factors that can increase the risk of sexual harassment including: work-place stress, power imbalances, job insecurity, lone working, customer-facing [or client or patient or service user-facing] duties, and lack of diversity and inclusion in the workforce. See our Health and Safety Policy, available on ICON, for more information on workplace risk assessments.
- **Equality impact assessments:** that take account of the differential effects of organisational policies, procedures and practices on certain groups or individuals depending on sex, sexual orientation, and gender identity, race, age, disability, religion or belief and pregnancy and maternity and follow-up actions to address these effects and to increase diversity and inclusion within the workforce. This will include recognition of intersectionality.

- **Continuous awareness-raising:** about the nature and impacts of sexual harassment, common reactions to sexual harassment and the requirement of respectful behaviour for all staff to create a culture free from harassment and identify and address incidents when they occur. Awareness of this policy, a copy of which will be made available to all staff and members of the public on an external-facing webpage, and a copy of which will be provided to all new workers on induction. The policy will also be available, as appropriate, in translated versions for those whose first language is not English and in accessible formats such as easy read, braille, large print and sign language upon request.
- **Senior leadership champions:** This Policy is supported and championed by the senior leadership team. They will be actively involved in promoting it and being vocal champions of the policy.
- **Appropriate and targeted training:** on sexual harassment and about this policy for all staff, including supervisors and managers at all levels of the organisation. It will include role model and no-more bystander training to promote clarity about sexual harassment and the value of speaking out to raise concerns. The training is mandatory for all staff and will form part of the induction for new staff and staff receiving promotions or moving to new roles. Training will include information on sexual harassment as a form of violence against women and a breach of human rights that is rooted in sexism and other inequalities, what constitutes harassment and its impact on individuals and the organisation, how to report sexual harassment, colleagues' role in reporting and prevention, and the related responsibilities of all staff.

This will also include targeted training for all managers and supervisors potentially responsible for investigating and making decisions in relation to complaints and disciplinary processes. This will include training on recognising sexual harassment, intersectionality, understanding the variety of reactions to sexual harassment, and dispelling misconceptions.

- **Trained HR Advisors and confidential reporting options:** We will provide contact points where staff can raise concerns in a confidential discussion of their situation and be provided with information regarding how to take further action and what support is available. This includes the whistleblowing hotline 01475 712184, HR Advisors (as described at section 7 below), and the option of raising concerns with management.
- **Monitoring progress:** the Policy and our progress against the above objectives will be transparently reported on and discussed in appropriate forums such as staff forums and team meetings.

## 7. Responsibilities of Managers and Supervisors

**7.1.** All those with line management responsibility must ensure that all workers are aware of this policy and understand their own, and the organisation's responsibilities. Training on sexual harassment will be provided to managers.

**7.2.** Managers and supervisors have a particular duty to ensure that, within their area of responsibility, everyone is treated with dignity and respect.

**7.3.** To discharge this duty, they must:

- Always challenge any unacceptable or questionable behaviour that they become aware of even if they are not directly affected.

- Be aware of behaviour and language that can cause offence including jokes and banter, and if necessary, remind workers of the expected standards.
- Respond to complaints of sexual harassment swiftly, sensitively and objectively using specified procedures. Please see Appendix 1 for the Dignity and Respect at Work Process Flowchart.

The focus in dealing with complaints should be to understand what has happened and address that proportionately, including where this involves the employer acknowledging failing and accepting fault and blame where appropriate.

- Deal directly with third party perpetrators such as service users, patients, clients, visitors or contractors outlining actions which may include withdrawing service, terminating a contract, banning from the premises if behaviour is not moderated.
- Ensure that this policy is followed.

**7.4.** An HR Advisor will assist any line manager in dealing with complaints of sexual harassment.

**7.5.** All complaints of sexual harassment must be dealt with in accordance with the organisation's data protection Policy.

**7.6.** In terms of their own behaviour, managers and supervisors are expected to be exemplars to others. Any inappropriate behaviour or response to such behaviour or abuse of a manager's positional power will serve to condone harassment and will be considered a serious breach of this Policy and be managed under the Disciplinary Policy.

**7.7.** A line manager's failure to actively implement this Policy within their area of responsibility, or to fail to deal with sexual harassment when they become aware of it, could constitute a breach of this policy and disciplinary action may be taken.

## **8. HR Advisors**

**8.1.** We recognise that it can be difficult for individuals to discuss or report sexual harassment, for example, if the individual's manager is the perpetrator or is aware of the harassment but has not taken action to stop it, the worker is reluctant or too embarrassed to raise the matter with their manager, or feels that their manager may lack the skills, knowledge or sensitivity to deal with complaints of sexual harassment.

**8.2.** We are committed to ensuring that such difficulties are overcome so that allegations of sexual harassment are raised and can be acted upon. To aid in this endeavour, HR Advisors have been designated to deal with complaints of sexual harassment and to offer advice to workers who believe that they or their colleagues have experienced sexual harassment. HR Advisors receive training on sexual harassment.

**8.3.** The main role of an HR Advisor is to:

- Provide empathetic assistance and support to workers with complaints of sexual harassment.
- Explain the procedures for making a complaint and the potential outcomes.
- Establish the main details of any complaint.
- Help the worker to decide what they want to do.

- Inform the appropriate manager for action if the worker decides to take the matter further.

**8.4.** We will ensure that HR Advisors receive training in carrying out their role. HR Advisors will discuss cases in complete confidence and will not divulge information to any other person without the agreement of the worker (save in cases where there is a serious risk to health and safety and sharing with appropriate parties is considered necessary in which case this will be done in a minimal way using anonymous/non-identifiable information whenever possible).

**8.5.** A worker who makes any disclosure to HR Advisors about sexual harassment is under no obligation to take further action. Workers who have been sexually harassed are not obliged to refer their complaints to HR Advisor(s) and any such disclosure is made voluntarily.

**8.6.** When information is shared with the HR Advisor it will be kept confidential at that point (save in cases where there is a risk to health and safety and sharing with appropriate parties is considered necessary as explained above). The HR Advisor will explain the possible next steps and what may happen next with information, the safeguards in place, who it is kept confidential from and the circumstances in which it may be shared.

**8.7.** A list of HR Advisors can be found by contacting Human Resources at 01475 712740 or [human.resources@inverclyde.gov.uk](mailto:human.resources@inverclyde.gov.uk).

## **9. Responsibilities of Workers**

**9.1.** All staff have a responsibility to contribute to a respectful and productive working environment. This includes supporting and caring for their colleagues, customers and services users. All staff have a duty to assist in the creation of a safe working environment, where sexual harassment is not tolerated.

**9.2.** To discharge this duty, individual members of staff must:

- Ensure they understand what sexual harassment is.
- Be aware of how their behaviour may affect others.
- Challenge unacceptable behaviour wherever possible as long as it is safe to do so. Forms of intervention include: calling out behaviour that is unacceptable when it happens and addressing the person who is behaving inappropriately; taking steps to defuse the situation/redirect those involved; checking in with the recipient of the behaviour after it has taken place, assuring them that what occurred was not acceptable.
- Report incidents of sexual harassment when witnessed and/or support recipients of sexual harassment in reporting it.
- Co-operate in investigations into alleged sexual harassment.

### ***9.3. What should I do if I have sexually harassed someone or been accused of doing so?***

**9.3.1.** If you have, or are concerned that you have, engaged in unwanted conduct of a sexual nature (intentionally or otherwise), you should take responsibility for your actions as soon as you can, as they may amount to sexual harassment. This is important as it may

prevent the recipient of your behaviour from experiencing further trauma. For further advice, you should contact an HR Advisor.

If you have been questioned, accused, charged or prosecuted for a criminal offence (including one of sexual harassment, assault or rape) in relation to anything that has happened in a work context you must report this to your manager immediately.

**9.3.2.** This applies even if you deny the alleged conduct or do not consider the alleged conduct to be connected to work. A failure to report this could amount to misconduct in itself.

**9.3.3.** Alleged sexual harassment may be investigated by us under this process in conjunction with our Dignity and Respect at Work Policy and Procedure where appropriate or otherwise and could also amount to an act of misconduct/gross misconduct or otherwise result in your dismissal (including summary dismissal).

**9.3.4.** If, at any time, you are asked (verbally or in writing) by someone who considers your behaviour to amount to sexual harassment to stop, you must not persist in that behaviour. You should also report the incident to your manager or HR. In such circumstances, it is important that you reflect on your behaviour and the way in which it is perceived and experienced by others. Remember that everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. An authentic apology and genuine assurance that the behaviour will not be repeated may be enough to end the matter. However, in some cases a direct apology without a third party to facilitate may not be appropriate and advice from a HR Advisor should be sought in advance. You should be sensitive to the reaction/potential reactions of the recipient. If the recipient refuses to accept your apology or is upset further by it, you should not persist in contacting them. You should also seek advice from a HR Advisor and/or report your behaviour to your line manager, a senior manager or HR Advisor at this point.

#### ***9.4. What should I do if I am the recipient of unwanted conduct of a sexual nature?***

**9.4.1.** You can report any concerns to your manager or an HR Advisor. In some cases, you may feel able to ask the perpetrator to stop the behaviour. If that is ineffective, or you do not feel able to do this, an informal discussion with a HR Advisor can be a useful way of talking through what has happened and deciding what further action you wish to take. Such discussions will be dealt with in confidence. However, if the harassment is of such a serious nature because of the high immediate risk to the safety of the complainant, or others with whom the perpetrator may come into contact, the employer may need to take further action (see 10.6.2 below). Information on external support that is available will be provided whenever you report sexual harassment. Please also see links at the end of this document.

**9.4.2.** Recipients of sexual harassment are encouraged to report any instances of sexual harassment, victimisation or discrimination experienced. Reporting is an important step in preventing the behaviour and is important to the recipient's ongoing health, safety and wellbeing, and will enable them to access appropriate guidance and support. However, we recognise that there may be many reasons that someone who has experienced sexual harassment may not report it and are committed to making it easier and less stressful to do so.

### **9.5. What should I do if I have witnessed unwanted conduct of a sexual nature?**

**9.5.1.** You do not have to be the recipient or target of sexual harassment to raise a concern or make a complaint. If you see it happening or become aware of it, you should report it provided it is safe to do so and you feel able to do so. We recognise that past experience of sexual harassment may make this difficult. Your actions can be important in helping create a culture free from sexual harassment and ensuring that there are no bystanders. Tackling sexual harassment is everybody's responsibility. Those who have witnessed sexual harassment can use the reporting mechanisms outlined below.

## **10. Reporting Mechanisms**

**10.1.** It is important that any concerns are reported as you may be the first to formally raise something that has been occurring for some time.

**10.2.** There are different ways in which you can report such behaviour. Please see Appendix 1 for the Dignity and Respect at Work Process Flowchart. These different methods recognise that each individual who experiences sexual harassment will have different needs and might desire different outcomes. You should choose the reporting mechanism(s) that you feel most comfortable with.

**10.3.** We retain the right to investigate concerns that we become aware of even if these are based on anonymous reporting or complaints are withdrawn. Our ability to investigate and take action may be restricted in these circumstances, and we will act with respect and empathy towards any person who has raised a concern but no longer wishes to be involved in the process. As an employer, we may still pursue matters if it is appropriate and proportionate to do so. This is important to ensure that we can tackle concerns about potential sexual harassment within the organisation.

### **10.4. Reporting to a HR Advisor**

**10.4.1.1.** An informal discussion with a HR Advisor can be a useful first step in talking about what has happened. See section 8 for details of the HR Advisor role and confidentiality rules.

**10.4.1.2.** This may be followed by a formal report. There is no obligation to make a formal report, but as outlined below, for legal reasons, formal action to address specific incidents will normally only be taken once a formal report has been received.

### **10.5. Reporting to an External Third Party including the Police**

**10.5.1.** Any person can make an anonymous report of sexual harassment to external organisations such as Rape Crisis or Women's Aid. Such reports can be made at any time in place of, or in addition to an informal or formal report and will be dealt with in the strictest confidence. The person making the report should provide as much detail as they feel comfortable with. No one within our organisation will have direct access to the information contained in the anonymous report.

**10.5.2.** A person may also report concerns about sexual harassment to the police when they consider it appropriate to do so. Personal safety is paramount and where a person has any

concerns about criminal behaviour we recommend reporting to the police. See sections 10.10 and 10.12 for more information on how this policy can link to police matters.

### **10.6. Informal Reporting**

**10.6.1.** If a person reports sexual harassment to a supervisor, manager or HR Advisor but does not want to take the matter any further, the individual receiving the complaint will keep in contact with them to check whether the situation has improved.

**10.6.2.** Although the wishes of the complainant to keep the report on an informal footing will be adhered to wherever possible, there may be some circumstances where the harassment is of such a serious nature that the employer will need to take action because of the high immediate risk to the safety of the complainant, or others with whom the perpetrator may come into contact with. In such situations, the employer may put in place appropriate safeguards, such as instigating a formal investigation with precautionary paid suspension, or temporary transfer of the alleged perpetrator, to prevent further harassment, or victimisation of the complainant.

### **10.7. Formal Reporting**

**10.7.1.** If informal action does not stop the sexual harassment, or a formal report is made, a formal procedure should be initiated in line with the process outlined in the Dignity and Respect Policy. Please see section 1.10 and Appendix 1 for the Dignity and Respect at Work Process Flowchart.

**10.7.2.** The process allows both the complainant and the person against whom the complaint is made the right to be accompanied by a trade union representative, or a colleague, or any other person of the complainant's choosing.

**10.7.3.** A person who believes that they have been sexually harassed and who decides, to formally report it should, in the first instance, report the alleged act or acts to their line manager by completing proforma. If they do not feel that the line manager is an appropriate person, for example if the line manager is the person doing the harassment, the report should be made to a HR Advisor, a more senior manager or an HR Officer. Where possible, the worker should set out in writing details of the complaint including dates and times of the alleged incident(s) and an account of the behaviour. They should also include what their desired outcome is; HR Advisors can support workers in establishing this.

**10.7.4.** All complaints will be handled and investigated in a timely and confidential manner. The complainant will be invited to a meeting with the person to whom the report is made subject to 10.6.2 of reporting the alleged act or acts. A HR Advisor or nominee will be in attendance. The worker will have the right to be accompanied at this meeting by a trade union representative or a work colleague. Following this initial meeting, the person to whom the complaint is made will instigate an investigation to be undertaken by another person 'the investigator' and will then step back from the process.

If the agreed manager and HR Advisor or nominee considers that no investigation is necessary because it is not competent, the claimant shall be advised accordingly, and given the justification for this decision. In such situation, the claimant, if not satisfied with this decision can appeal as set out in the Dignity & Respect Procedure.



If the agreed manager and HR Advisor or nominee believe that the referral warrants investigation, the claimant shall be advised accordingly and an investigation established.

At this stage the alleged perpetrator, other than in exceptional circumstances, will be advised that a referral has been received about them and details of the referral outlined to them. Information may be redacted as necessary, i.e. to satisfy current data protection regulations.

**10.8. The Investigation**

**10.8.1.** At the outset of the investigation the position concerning confidentiality will be explained to participants before they take part. In practice, there will be a requirement for those giving evidence (including complainers and alleged perpetrators) to the investigation to keep what they have said in the process confidential (though they will be given details of those in the organisation that they can speak to for support). It will also be explained how the information they provide in the process may be used and shared in the future. While the sensitive nature of information will be respected and it will be managed accordingly, participants should understand that the information may be used as part of a subsequent HR process. For example, it could form part of a disciplinary investigation in which case the information would be shared with the alleged perpetrator. It may be that materials are ultimately used as evidence in legal proceedings which could be held in a public forum. Within the organisation, confidentiality will be maintained as far as possible, with information only being shared when appropriate. We may at times need to involve external agencies where a criminal offence may have been committed, or if maintaining confidentiality would pose a risk to the complainant or to others. In all other circumstances, breach of confidentiality may be a disciplinary offence.

**10.8.2.** Staff shall be guaranteed a fair and impartial hearing whether they are the complainant or the alleged perpetrator.

**10.8.3.** As a first stage in investigating the complaint, the agreed manager ('the Investigator') and HR Advisor or nominee will arrange to interview separately the complainant, and the alleged perpetrator, both of whom may be accompanied by a trade union representative or work colleague. Where appropriate an independent internal trade union colleague (one which is not representing either the complainant or the alleged perpetrator) can be appointed to be consulted in respect of investigations into the claims.

**10.8.4.** Managing a complaint under this Policy will mirror the structure of the Dignity & Respect Process while also recognising the unique issues and skillsets that may be needed to properly manage a sexual harassment complaint. Please see Appendix 1 for the Dignity and Respect at Work Process Flowchart.

**10.9. Outcome and Sanctions for Committing Sexual Harassment**

**10.9.1.** In some cases the outcome of a complaint under this procedure may be an informal resolution, such as an apology or mediated discussion with the alleged perpetrator about how their behaviour is received, or that the matter is not found to amount to sexual harassment. If this is the case the information will be provided to the complainant and any alleged perpetrators. There will be support provided in dealing with the outcome.

**10.9.2.** If a complaint of sexual harassment is upheld, then it may progress to a disciplinary process. The sexual harassment investigation is likely to be the basis of that disciplinary investigation. The outcome of that disciplinary process could range from no sanction, to a sanction including an improvement note, final written warning or dismissal. It may also be considered appropriate to apply other measures in addition to formal warnings. These steps will be taken in accordance with the staff disciplinary procedure.

**10.9.3.** We also recognise that the standard of proof in a workplace matter is lower than that in a criminal matter. As such, it is possible for there to be different outcomes in different processes as a result of their different remit and scope.

**10.9.4.** An individual may also report the matter to the police if they believe that a criminal offence may have been committed (and they are not required to wait for the outcome of this process to do so).

### **10.10. Right of Appeal**

**10.10.1.** The complainant has the right to appeal against the decision following the investigation within 10 days of receiving the decision from the investigator. Refer to the Dignity & Respect process for further information.

**10.10.2.** If disciplinary action is taken against an individual as a result of sexual harassment, then they will have a right of appeal as set out in the disciplinary policy.

**10.10.3.** Similarly, as 10.10.2. the perpetrator has the right to appeal if disciplinary action is taken as a result of sexual harassment as set out in the disciplinary policy.

## **11. Protection from Victimisation**

All workers shall be protected from intimidation, victimisation or discrimination for making a complaint of sexual harassment or for assisting in an investigation. Malicious retaliating against a worker for complaining about or assisting in an investigation of sexual harassment is a disciplinary offence.

It must be noted that any malicious allegations may be investigated and dealt with through the disciplinary process.

## **12. Management of legal disputes connected to sexual harassment**

**12.1.** In the event of a legal dispute connected to sexual harassment, we commit to managing such matters appropriately, fairly and with empathy. We recognise that for some people, the formal court and tribunal process can re-open past trauma and cause harm. As such, we commit to always being open to the possibility of alternative dispute resolution and mediation (including judicial mediation) where this is requested by a person who alleges that they have been sexually harassed.

**12.2.** Where sensitive matters form part of proceedings we will always consider whether it is appropriate to apply to the court or tribunal for special orders restricting reporting or protecting anonymity of those involved. While these may not always be appropriate and will ultimately be a matter of determination for the relevant court or tribunal, we will approach any legal proceedings with this in mind to minimise the adverse impact on those who have raised concerns about sexual harassment.

### **13. Review and Evaluation of this Policy**

**13.1.** We are committed to ensuring that this policy and all related procedures are effective in preventing sexual harassment and in dealing with incidents where they do occur. Essential to achieving this aim is adequate investment, and continuous review and evaluation.

**13.2.** If staff have concerns that this policy is not being followed this should be raised with Trade Unions or HR.

**13.3.** We recognise the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

**13.4.** Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy to senior management. This will be recorded on a yearly basis and will be shared with the wider workforce through the Workforce Information Activity Report (WIAR) and Mainstreaming Reports. As a result, we will evaluate the effectiveness of this policy and our strategy. We will take this into account when reviewing the policy and our strategy. Where appropriate, goals for improvement will be set publicly and monitored.

**13.5.** Adequate resources and facility time will be made available to fulfil the aims of this policy. The policy will be widely promoted, supported by the senior leaders of the organisation and copies will be freely available and displayed in our offices and on internal websites.

**13.6.** This policy will be reviewed jointly by our trade unions, workforce planning and development group and management. It will be reviewed when required and earlier due to legal changes. Inverclyde Council will also periodically monitor how successful it is in creating a workplace free of sexual harassment by other means which will include confidential staff surveys, training, raising awareness of harassment and bullying in general and undertaking risk assessments.

### **14. Support for Those affected by Sexual Harassment**

**14.1.** We recognise that sexual harassment can cause stress, anxiety or other mental health as well as physical health problems. Deterioration in job performance which results from sexual harassment will be dealt with as a health-related issue and the person will be encouraged to seek help and support under the terms of this policy.

**14.2.** There will be no discrimination against individuals suffering from stress caused by sexual harassment.

**14.3.** We also recognise that those who may be accused of sexual harassment, witnesses to incidents or otherwise affected such as by being a by-stander, can experience stress, anxiety or other mental or physical health problems. We have a duty of care to support all staff affected by these issues.

**14.4.** Access to independent and trained counsellors will be available to all affected staff in the strictest confidence. No details will be release to the counselling organisations or records disclosed without the written permission of the member of staff concerned. Paid time-off to attend counselling sessions will be offered. Contact details of independent counsellors will be given. We may where appropriate, refer the individual to an occupational health provider,

advise they seek advice from their GP or refer them to an independent doctor all in line with our Supporting Employee Attendance Policy.

## 15. Use of language

**15.1.** Language used when discussing sexual harassment is important. We recognise that this is a sensitive subject and individuals may have different reactions to certain words and terminology. While we have used the terms "alleged perpetrator" and "complainer" in this policy, when managing any complaint of sexual harassment we will be mindful of the language used. We will therefore seek to use neutral terms such as individual names, initials or "Employee A" for example, rather than referring to people as "the complainer" or the "the alleged perpetrator/accused". We will not use the term "victim" to describe a person who raises a complaint about sexual harassment.

**15.2.** If at any time during your involvement in a sexual harassment matter you have concerns about the terminology used, please raise this promptly so that agreed language can be identified and used in the process going forward.

## 16. Further Information and Support Services

### 16.1. *Dealing with sexual harassment at work*

**16.1.1.** To help you understand your rights and options, employers and anyone affected by sexual harassment at work can:

- call the [ACAS](#) helpline
- [get legal advice](#)
- talk to your trade union or employers' association if you have one
- [Equality Advisory and Support Service](#) (EASS) For advice on discrimination issues: Phone 0808 800 0082
- Protect Confidential advice for individuals who have witnessed wrongdoing in their workplace but are unsure how to raise their concerns: Phone 020 3117 2520

**16.1.2.** Women who've experienced sexual harassment at work can get free legal advice from:

- [Scottish Women's Rights Centre](#)

**16.1.3.** Employers handling a sexual harassment complaint can read:

- [workplace sexual harassment guidance from the Equality and Human Rights Commission \(EHRC\)](#)

**16.1.4.** If you're struggling to cope and need someone to talk to, you can contact:

- [Samaritans](#)
- [LGBT Foundation](#)

## **16.2. Help after sexual assault or rape**

**16.2.1.** You can get help and information from:

- [Inverclyde Sexual Abuse Service](#) (Based in Inverclyde Women's Aid) Phone 01475 888110
- [Galop](#) – LGBT+ sexual violence support
- [Rape Crisis Scotland](#)
- [The Survivors Trust](#)
- [SurvivorsUK](#) – male rape and sexual abuse support
- [Victim Support](#)

**16.2.2.** [Supporting someone who has been raped or sexually assaulted \(nhsinform.scot\)](#)

## **16.3. To contact the police:**

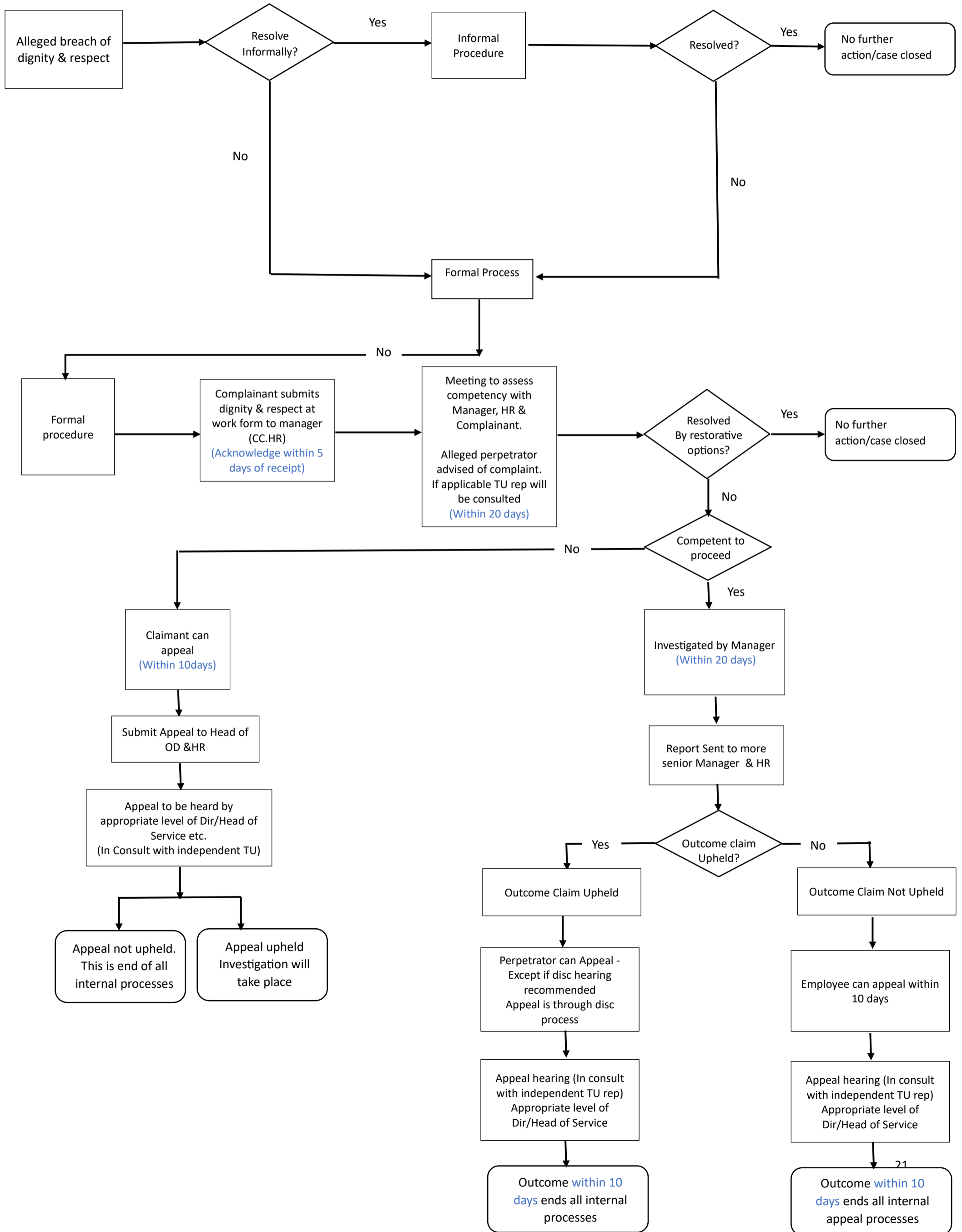
- call 999 if you or someone else is in immediate danger
- call 101 if it's not an emergency

## **16.4. To report a crime online, visit:**

- [Police Scotland](#)

**16.4.1.** When you're reporting a crime, you can ask to speak to a specialist officer who's trained to deal with sexual harassment.

### Appendix 1 – Dignity & Respect at work process



Version 2.2  
Produced by:  
*Health and Safety*  
Inverclyde Council  
Municipal Buildings  
GREENOCK  
PA15 1LX

# Managing Violence and Aggression in the Workplace



**INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER  
THIS POLICY BOOKLET IS AVAILABLE ON REQUEST, IN LARGE PRINT, BRAILLE,  
ON AUDIOTAPE, OR CD.**

## DOCUMENT CONTROL

<b>Document Responsibility</b>		
<b>Name</b>	<b>Title</b>	<b>Service</b>
	Health and Safety Team Leader	OD, HR and Comms

<b>Change History</b>		
<b>Version</b>	<b>Date</b>	<b>Comments</b>
1.0	March 2004	Original Version
2.0	August 2012	Reviewed and updated to reflect new guidance from the Scottish Centre for Healthy Working Lives, COSLA and the STUC
2.1	August 2014	Update to hyperlinks
2.2	January 2024	Additions in relation to aggressive and abusive calls to Council staff and related line manager responsibilities, and links to the Violence and Aggression Poster (Schools).

<b>Distribution</b>		
<b>Name</b>	<b>Date</b>	<b>Designation</b>
CMT and Extended Management Team		
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Stuart Graham		UNITE
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		GMB
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Paul Cochrane		SSTA
		NAWUWT

*Distribution may be made to others on request*

A copy of this policy will be placed on Icon, a hard copy should be made available where relevant to those employee who do not have access to icon.

<b>Policy Review</b>		
<b>Review Date</b>	<b>Person Responsible</b>	<b>Service</b>
2029	H&S Team Leader	OD Policy & Coms

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## 1. INTRODUCTION

- 1.1 It is a regrettable fact of working life that threats, harassment and acts of physical violence on employees, by others, do sometimes occur. Inverclyde Council recognises the importance of including appropriate arrangements for dealing with “occupational violence and aggression in the workplace” as an integral part of its Health and Safety Policy.
- 1.2 The greater the contact with the general public, the greater the risk. The “at risk” factor may increase with employees in occupations requiring them to exercise authority, enforce standards, work with emotionally unstable client groups, or operate alone in a potentially hostile environment well away from their office base.
- 1.3 It is recognised that the terms of violence and/or abuse are emotive and, especially in the care sectors and education, engaging in such actions may be outwith the conscious control of the service user or pupil, however the consequences of such challenging behaviours are still significant in terms of physical injury and stress.
- 1.4 For the purpose of this policy arrangement, violence at work is defined as the application of force, severe threat or serious abuse by members of the public, clients, pupils or any other person towards employees of the council arising out of the course of their employment. Such violence includes:
  - attempted assault
  - actual assault
  - verbal abuse and threats
  - rude gestures
  - harassment
  - sexual assault or abuse, whether physical or verbal.

Inverclyde Council has adopted the definition of violence given by the Health and Safety Executive, this is as follows:-

**“Any incident, in which a person is abused, threatened or assaulted in circumstances relating to their work”.**

- 1.5 In seeking to apply this definition, it is recognised that while some forms of violence such as physical assault or explicit threats are easily identified, others such as verbal abuse are more difficult to assess. It is further recognised that words or gestures which may be acceptable to some people may be deeply offensive or threatening to others.
- 1.6 The impact of being on the receiving end of repeated insults and verbal abuse can be as significant as being physically assaulted, and can contribute to long-term health problems such as stress and depression. Being proactive in planning to help our employees to manage such violence when it occurs can dramatically improve not only their working lives, but their overall health and wellbeing.

## 2 POLICY STATEMENT

- 2.1 It is the policy of Inverclyde Council to take all reasonably practicable steps to safeguard the health, safety and welfare at work of all of its employees. The Council will comply with all aspects and provisions of the Health & Safety at Work etc. Act 1974; the Management of Health & Safety at Work Regulations; and all other relevant statutory obligations. This includes the organisation and arrangements required to prevent or to minimise the potential for injuries and/or ill-health as a result of occupational violence and aggression in the workplace.
- 2.2 A high standard of health and safety performance is recognised as an integral part of the council's service delivery. Therefore, sufficient resources will be allocated to meet the requirements of the Council's Occupational Violence and Aggression in the Workplace Policy.
- 2.3 The risk of violence and aggression should be accurately identified across all Inverclyde Council services and measures put in place to reduce it to the lowest reasonably practicable level.
- 2.4 The Council acknowledges that some employees face the risk of having to use physical restraint to manage violence and aggression incidents. The use of physical restraint must only be used where necessary, when other primary or secondary measures have failed (or are likely to fail), to prevent a higher level of harm from occurring, or in the event of an unforeseen emergency. Such interventions must always be carried out in accordance with the law.
- 2.5 The method used to achieve compliance with the requirements of Regulation 3 of the Management of Health and Safety at Work Regulations 1999 will be the method set out in the appendices of this document, or another method as agreed by the Health and Safety Team Leader.
- 2.6 Inverclyde Council promotes a culture of risk assessment/management, early intervention to prevent the escalation of harmful behaviours, collaboration, compassion, de-escalation and the development of positive, respectful relationships.

## 3 AIMS

This policy aims to provide guidance and information to services to help them to manage the risk of occupational violence and aggression in the workplace based on the HSE's 10 principles of sensible risk management: Sensible risk management is about:

- Ensuring that workers and the public are properly protected.
- Providing overall benefits to society by balancing benefits and risks, with a focus on reducing real risks, both those which arise more often and those with serious consequences.

- Enabling innovation and learning, not stifling them.
- Ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to robust action.
- Enabling individuals to understand that as well as the right protection, they also have to exercise responsibility. Sensible risk management IS NOT about:
- Creating a totally risk free society Managing Violence and Aggression in the Workplace Page 7 of 54.
- Generating useless paperwork mountains.
- Scaring people by exaggerating or publicising trivial risks.
- Stopping important recreational and learning activities for individuals where the risks are managed.
- Reducing protection of people from risks that cause real harm and suffering.

## **4 SCOPE**

- 4.1 This policy, in accordance with the Council's Health and Safety Policy, applies to the following groups:
- i. All employees of Inverclyde Council
  - ii. All service users, visitors and pupils
  - iii. All independent contractors working on behalf of Inverclyde Council
  - iv. All students, trainees, temporary and agency staff and volunteers
  - v. All employees of other organisations working in NHSGGC premises
  - vi. Any contractors or suppliers whose actions may affect the employees or service users of Inverclyde Council
- 4.2 This policy applies to all situations where the risk of violence and aggression and/or the use of physical intervention may present itself. This includes situations where a member of one of the above groups is exposed to these risks because of their association with Inverclyde Council.

## **5 CONSULTATION & IMPACT ASSESSMENT**

- 5.1 Inverclyde Council recognises the importance of employee consultation and is committed to involving all employees in the development of policies and procedures. The following groups are formally consulted:
- Trade Union Representatives through the Corporate Health and Safety Committee.
  - All Chief Officers.
  - Employees via the Council Intranet.

## 6 ROLES & RESPONSIBILITIES

In addition to the responsibilities laid out in the Corporate Health and Safety Policy the following responsibilities are specific to this Policy.

### 6.1 Corporate Directors/Heads of Service

Corporate Directors and Heads of Service have a collective and individual responsibility to employees in providing Health and Safety Leadership within Inverclyde Council, they should ensure that their Directorate has:-

- adequate procedures for identifying operations, tasks and processes which may foreseeably cause harm to employees as a result of occupational violence and/or aggression in the workplace;
- sufficient systems for identifying the likelihood of the hazards associated with lone working and violence and aggression being realised, and the possible consequences, which might occur;
- suitable procedures for enabling a risk assessment to be developed which will assist in eliminating or reducing the exposure of employees to the risk;
- suitable arrangements to provide information, instruction and training on hazards, risks, control measures and safe systems of work associated with lone working and violence and aggression to all relevant employees and other relevant persons. This will include refresher training at suitable intervals;
- suitable procedures for routine checks to ensure control measures are being applied, particularly those relying on direct action by individual employees;
- sufficient numbers of competent persons trained to conduct risk assessments relating to lone working and violence and aggression in the workplace;
- adequate procedures to ensure that risk assessments are recorded, monitored and reviewed.
- adequate procedures and resources to ensure that section 7.4 of this Policy – “Effective Management of Occupational Violence and Aggression at Work” is complied with.

### 6.2 Managers/Team Leaders/Supervisors

Any person who has a managerial/supervisory responsibility for other employees, whatever title they are given has the responsibility to ensure:

- risk assessments relating to lone working and violence and aggression are carried out in their area of responsibility by competent risk assessors;
- risk assessments are recorded and retained for inspection by the internal Health & Safety Advisors, Health & Safety Executive and any other relevant person;
- risk assessments are reviewed regularly in accordance with the approved guidance;
- control measures and corrective actions identified are implemented as far as reasonably practicable;

- that safe systems of work (SSW) are developed, implemented, monitored, and reviewed in accordance with the approved guidance; these should be updated as and when required;
- that all relevant persons are informed of the SSW and a record of this kept in accordance with the approved guidance;
- that the employees for whom they are responsible comply with health and safety requirements for their job;
- risk assessments relating to lone working and violence and aggression are available as a working document for relevant employees and other relevant persons;
- that section 7.4 of this Policy – “Effective Management of Occupational Violence and Aggression at Work” is complied with.

### **6.3 Employee Responsibilities**

All employees have a responsibility to ensure that they are complying with the health and safety procedures and requirements appropriate to their job. To achieve this, in relation to occupational violence and aggression in the workplace and lone working, employees should:

- attend any health and safety training arranged for them;
- where given the responsibility to monitor the effectiveness of risk assessments carry these out at regular intervals;
- consult their Line Manager/Supervisor with any queries they may have about their work task and any relevant risk assessment;
- follow any safe systems of work, instructions and information given following risk assessments.

### **6.4 Health and Safety Team Leader**

The Council Health and Safety Team Leader shall ensure that the Occupational Violence and Aggression in the Workplace Policy is monitored for effectiveness, is subject to regular review, and is revised when necessary. She shall do so in conjunction with Heads of Service and Trades Union safety representatives.

### **6.5 Corporate Health and Safety Committee**

The Corporate Health and Safety Committee will perform a pivotal role in ensuring that this policy is implemented.

The safety committee will oversee monitoring of the effectiveness of the policy and other measures to reduce risks and promote workplace health and safety.

## **7 ARRANGEMENTS**



## 7.1 Procedures

7.1.1 Inverclyde Council will fulfil its legal obligation under the Management of Health and Safety at Work Regulations 1999, ensuring that a system is in place to identify and assess the risks from occupational violence and aggression in the workplace.

7.1.2 Where significant risks are identified appropriate control measures will be implemented to reduce the risks to the lowest reasonably practicable level.

7.1.3 Each service will be required to ensure that:

- They have appropriate risk assessments where employees could be exposed to violence or aggressive behaviour, these should be assessed, managed and recorded in the appropriate reporting system.
- Appropriate training is provided to all staff who deal with members of the public or service users. This training should be appropriate to the nature of the service and be provided at induction and thereafter at regular intervals.
- Ensure that all staff are fully aware of the risk assessments, including care and support plans for pupils, service users etc.
- Where staff work at front of house in reception areas, these are assessed to ensure they are safe, welcoming and don't create barriers.
- Where employees receive phone calls that they are trained in call handling and know when to end the call or pass to a senior member of staff etc.
- Staff are debriefed after any incident of violence or aggression and support is offered to them.
- Any abusive or threatening calls to a council employee should be dealt with effectively and any outcomes are fed back those involved.
- Where significant incidents occur then these may be escalated to legal services to prevent any unwanted behaviour or threats.
- All acts of "non-consensual physical violence done to a person at work" which can be defined as an "accident" under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995), are reported to the Health and Safety Executive - refer to Health and Safety Policy Arrangements – Section 7.2 "Incident Reporting".
- Details of reportable incidents are passed to the Council's Health and Safety Section to allow the effectiveness of managing violence at the workplace to be monitored, periodically reviewed and relevant information shared across the Authority.

7.1.4 These Policy arrangements are designed to assist Directors and Heads of Service

to pursue a strategy of managing violence risks in their workplaces. The arrangements made are important elements which link with other responsibilities within the Council's Health and Safety Policy and Risk Management Policy.

- 7.1.5 The Health and Safety Policy arrangements for "Occupational violence and aggression in the workplace" shall be reviewed periodically to reflect any changes considered necessary, based upon experience, work alterations, current legislation and guidance from the Health and Safety Executive. This will be carried out at service level, for example, Director/Head of Service, and also corporately by the Council's Health and Safety Team Leader.
- 7.1.6 These procedures form part of the Arrangements section of the Corporate Health and Safety Policy of Inverclyde Council. They outline the Council's intentions regarding general areas where the principles of management of violence may be put into practice. It is intended to provide guidelines for management actions in relation to the specific risks in the workplace environment.
- 7.1.7 Each Service must assess their own "risks of occupational violence and aggression in the workplace" and, where it is necessary, produce their own written procedures, and train their employees in the furtherance of the health and safety policy objectives. An example of this would be the Positive Relationships Policy within the Education Service.
- 7.1.8 The following general areas are guidelines for management actions when considering specific service requirements in managing "occupational violence and aggression in the workplace".

## **7.2 Incident Reporting (R.I.D.D.O.R)**

- 7.2.1 A number of important changes were made in the revised Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (R.I.D.D.O.R). A key change redefined an accident for the purpose of the Regulations to include an act of non-consensual physical violence done to a person at work.
- 7.2.2 This has the effect of making injuries arising from such acts reportable, if (as is likely), they fall into one of the injury categories in regulations 3 and 4 of R.I.D.D.O.R. In order to clarify the situation and assist managers, some guidance follows:
- 7.2.3 The term "Non-consensual Physical Violence" is used to exclude injuries arising from situations where the injured person "agreed" to the violent act taking place. A major injury suffered by a professional sports person e.g. leg fracture during the normal course of a football/rugby/tennis match for example, would not be regarded as an "accident", for the purposes of the R.I.D.D.O.R Regulations 1995 and would not need to be reported. In the context of Inverclyde Council activities then a parallel may be drawn with a pupil suffering injury in a school's football match and, therefore, such injuries would not be reportable.
- 7.2.4 A "major injury" suffered by, for example, a Librarian, Refuse Collector, or Home Help assaulted by another person in the course of their work, is reportable under R.I.D.D.O.R. It should also prompt a review of the risk of violence assessment and/or re-assessment of the job activities. An injury in which the physical injury results in the employee being absent for over three days is also reportable under R.I.D.D.O.R,

however if the employee is absent from work due to stress resulting from the violence this is not reportable.

7.2.5 Only physical injuries resulting from the acts of violence suffered by people who are at work are included in the definition of “accident”. An act of violence done to a member of the public by, for example, a Council employee or another member of the public on the Authority’s premises, would not be regarded as “an accident” under R.I.D.D.O.R. Therefore, a resulting injury would not need to be reported to the H.S.E, but may require to be reported elsewhere, e.g. Police, Council Insurers, etc.

### **7.3 Arising out of or in Connection with Work**

7.3.1 In the context of violence in the workplace, and the requirement to report it as an accident, then the effect of the term “arising out of or in connection with work” may require further explanation. The following examples selected are based on those Managing Violence and Aggression in the Workplace Page 12 of 54 used in the R.I.D.D.O.R guidance published by the Health and Safety Executive.

7.3.2 If one of the persons in the examples should die or suffers a major or over three days physical injury caused by a non-consensual act of violence while they are at work, then Regulation 3 of R.I.D.D.O.R. would apply, meaning the death or injury must be reported:-

- An employee is hit by a Supervisor while being given feedback on work performance
- A Supervisor is hit by an employee whilst giving an instruction to carry out a work related task
- A Social Worker is struck by an irate service user on a visit to their house
- A new employee is injured while being forced to take part in an “initiation ceremony” at work.

7.3.3 Injuries suffered by the people in the following examples would not be regarded as arising out of or in connection with their work and so, would not have to be reported: • An employee at work at a public enquiry desk is hit by one of his or her relatives who comes in to discuss a domestic matter. • One employee hits another during an argument over a personal matter. • A pupil in a school hits another pupil during a personal dispute between them.

### **7.4 Risk Assessment**

7.4.1 Risk assessments require to be carried out by law under Regulation 3 of the Management of Health and Safety at Work Regulations 1999, and applies to all work activities. This includes an assessment of the threat of violence from members of the general public during those work activities. Any lone working, violence at work and/or personal safety issues must be taken into consideration when conducting such risk assessments and, where any significant hazards are identified, specific risk assessments and controls should be initiated.

7.4.2 Each Service must assess the risks to their employees and make arrangements for their health and safety by effective planning, organisation, control, monitoring and

review. Services must record the significant findings of their risk assessments, which should include:

- Those hazards (including violence or threats of violence), which might pose serious risks to workers, or others directly affected;

- The existing control measures in place;
- The population which may be affected by those significant risks or hazards, including any groups of employees especially at risk from violence, for example, Managing Violence and Aggression in the Workplace Page 13 of 54 disabled persons, persons handling cash, lone workers and employees working with physically or emotionally disturbed client groups;
- Any additional control measures to be implemented as a result of the risk assessment to aid personal health and safety or security.
- Risk assessments should be monitored for effectiveness and be reviewed on a regular basis.

7.4.3 These records can be kept on paper or by electronic means, provided that they are retrievable. They should represent an effective statement of the hazards and risks (including violence or threats of violence, where identified) which should lead management to take the relevant actions to protect health and safety.

7.4.4 A more detailed account of how to carry out risk assessments is given in “Health and Safety Policy Arrangements – Risk Assessment. Details of legal requirements can be found in appendix 1.

7.4.5 More specific guidance on the types of control measures available can be obtained from the Health and Safety Section and further information can be found on the council intranet. ICON (Inverclyde Council on-line) has a section on health and safety and in particular Risk Assessment and Violence and Lone Working.

## **7.5 Dynamic Risk Assessment**

7.5.1 While risk assessment is a vital part of the process, employees can still be faced with situations which may not have been addressed or that they are unaware of. Dynamic Risk Assessments are not a substitute for a comprehensive risk assessment but in some cases it is not always possible to identify all hazards relating to a role where the working environment is outside normal conditions.

7.5.2 Dynamic Risk Assessment (DRA) means the things individuals can do to protect themselves at work when they face potentially difficult circumstances. The focus here is on the questions individuals may need to ask themselves when they enter any potentially violent situation, and the way that they might need to act in this situation because of the risks.

7.5.3 The term ‘Dynamic Risk Assessment’ is the process where workers themselves have to make operational decisions based on risks which cannot necessarily be foreseen. It would cover risks which may arise such as if there is a hostile dog or a person in a clients home who is under the influence of drink or drugs and abusive.

7.5.4 The term “dynamic” is used because it relates to the need for an individual to remain assertive, proactive and vigilant in recognising the potential risks of violence in any situation, and then responding to these risks in a way that reflects the particular situation.

7.5.5 By preparing to dynamically risk-assess, employees can begin to be prepared to recognise the potential for aggression and remove themselves from the danger before it occurs.

7.5.6 Further guidance on Dynamic Risk Assessment is contained in Appendix 2: Dynamic Risk Assessment.

## **7.6 Effective Management of Occupational Violence and Aggression at Work**

7.6.1 A simple four stage management process can assist by providing a structure by which the risk of violence to employees can be managed, this is set out below. Services should complete the four stage process according to their structure and the type of work activities carried out by their employees. Further information and tools to assist with this process are contained in the Appendices of this Policy.

Stage 1: Find out if you have a problem

Stage 2: Decide what action to take

Stage 3: Take action

Stage 4: Review what you have done

Note: It is important to remember that these four stages are not a one-off set of actions. If stage 4 shows that you still have a problem then the process should be repeated again. Stages 1 and 2 are completed by carrying out a risk assessment (as outlined in 7.4 above).

### **7.6.2 Stage 1: Finding out if you have a problem**

As part of the overall risk assessment for work activities or the working environment it is important that managers identify if there is any significant risk to employees arising out of or in connection with their work. To achieve this, Managers, Team Leaders and Supervisors should:

- List the jobs/tasks where employee’s interaction with others could place them at some significant risk.
- Identify any jobs/tasks or places of work where employees may feel threatened or vulnerable.
- Ask your employees - Managers, Team Leaders and Supervisors should speak to their employees to find out whether they feel threatened or at risk while carrying out their work. Individual services could use short questionnaires to find out if there is a problem in their service. If questionnaires are used for this purpose staff should be informed of the results and if there is a problem, what action managers plan to take.
- Keep detailed records. All incidents including verbal abuse, phone rage and threats should be recorded.

- Analyse records of violent incidents to determine whether they are isolated incidents or whether there is a recurring problem.

### 7.6.3 Stage 2: Decide what action to take

Having found out that violence could be a problem for your employees, each service will have to decide what needs to be done. Continue the risk assessment process by taking the following steps to help each individual service decide what action needs to be taken.

Decide who might be harmed, and how to identify which employees are at risk – those who have face-to-face contact with the public are normally the most vulnerable. Where appropriate, identify potentially violent people in advance so that the risk from them can be minimised. Examples of those employees who may be at risk include:

- employees in front line jobs and deal with members of the public;
- employees that work alone;
- employees working off-site or visit Service Users or members of the public in their home;
- employees who are charged with the custody of or the keeping of money;
- young / inexperienced employees

Evaluate the risk and check existing arrangements; are the precautions already in place adequate or should more be done? It is usually a combination of factors that give rise to violence. Factors which you can influence include:

- The level of training and information provided;
- The environment;
- The design of the job.

Managers, Supervisors and Team Leaders must consider the way these factors work together to influence the risk of violence. Some examples of preventative measures are as follows:

#### **Training and Information**

Corporate and Service specific training is available, details can be found on ICoN and the Corporate Health and Safety Training Course Planner which is issued to all Services at the beginning of each year. Managers must ensure that all at risk employees attend the relevant safety courses. This will equip them to be able to spot the early signs of aggression and either avoid it or cope with it. Make sure that they understand any system that you have set up for their protection.

#### **The Environment**

Rooms should be comfortable and well maintained; studies have found that this can serve to relax the client and aids in diffusing aggression. Good visibility into the rooms while maintaining client privacy ensures that colleagues outside the area can see if a problem is developing. Employees should be instructed to keep their desks clear of any extraneous items that could be used as a weapon.

Careful positioning of furniture can be helpful in ensuring the safety of employees in interview rooms, reception areas and public waiting areas. An assessment of the environment should be carried out; consideration should be given to the seating arrangements, the décor, lighting, noise levels, interruptions and information regarding any delays.

Consider physical security measures such as: • alarm systems and panic buttons;

- CCTV;
- coded security locks on doors to keep the public out of employee areas;
- wider counters and raised floors on the employee side of the counter to give employees more protection;
- signage – Inverclyde Council's Violence in the Workplace poster.

### **The design of the job**

Depending on the work task being carried out there are many things that could be implemented, improved or changed to improve the overall design of the job. Some suggestions for this are as follows:

- Implement procedures for employees who work away from their base to keep in touch, this can be as straightforward as signing out and a time for return. The use of mobile phones should also be considered;
- arrange for staff to be accompanied by a colleague if they have to meet a suspected aggressor;
- maintain numbers of staff at the workplace to avoid a lone worker situation developing;
- identify all money handling activities within the area under your control. The risk and hazards from such activities can be reduced by implementing various strategies and controls;
- check the credentials of clients and the place and arrangements for any meetings away from the workplace.

### **Record your findings**

Keep a record of the significant findings of your assessment. The record should provide a working document for both managers and employees.

### **Review and revise your assessment**

Regularly check that your assessment is a true reflection of your current work situation. Be prepared to add further measures or change existing measures where these are not working. This is particularly important where the job changes. If a violent incident should occur look back at your assessment, evaluate it and make any necessary changes.

#### **7.6.4 Stage 3: Take action**

All employees should be made aware of this Policy and associated documentation. This will help your employees to co-operate with you, follow procedures properly and report any further incidents.

Inverclyde Council operates an Early Alert System. Where appropriate all personnel on the Early Alert List should be notified of incidents relating to violence/aggression. Anyone who is aware of a violence related incident should, in the first instance, notify the Health and Safety Section Team Leader, who will ensure that the information is submitted to the Early Alert System.

#### **7.6.5 Stage 4: Check what you have done**

Check on a regular basis how well your arrangements are working, consulting with your staff as you do so. Occupational violence and aggression at work could become an issue to discuss at staff meetings, safety action team meetings etc. Keep records of incidents and examine them regularly; they will show what progress you are making and if the problem is changing. If your measures are working well, keep them up. If violence is still a problem, try something else. Go back to Stages 1 and 2 and identify other preventative measures that could work.

### **7.7 Control Measures**

There may be some simple measures available to each Service e.g., reviewing reception procedures for your clients, tightening up signing in/out procedures for staff/visitors. The following notes are intended to promote consideration and cover some of the more common situations likely to be encountered in Inverclyde Council premises etc. The notes are not comprehensive and managers may need to seek further advice.

Additional guidance and 'tools' are provided in the Appendices of this Policy. This guidance will help to identify appropriate risk control strategies.

#### **7.7.1 Security of Buildings**

It is important that the security arrangements for each establishment housing employees are kept under constant review. Whenever possible, external doors should be self-locking rather than requiring the use of keys to lock them at night.

- Ensure that a safe access and egress for the building is maintained at all times.
- Lighting outside the Council buildings should be adequate to allow staff to exit safely at night. Car parks (where provided) should be well lit.



- Where possible, situations should be avoided where employees are working alone in an isolated office or building which is open to the public. Where it is necessary for such a situation to occur you should ensure that adequate arrangements are made to minimise risks. If staff work shifts or late into the evening, encourage them to leave together, where this is possible.
- Where employees choose to work late on their own, ensure they are advised of possible risks and that adequate arrangements are in place. Further guidance can be obtained by consulting the H.S.E. leaflet - "Working Alone in safety!" (See appendix 3).

### 7.7.2 Reception Areas

The way in which clients and members of the public are received may well have a bearing on how they act. While appreciating the constraints of limited finance and resources the following are some suggestions for creating a more conducive environment. (An audit for reception areas is available on ICON and should be utilised to determine requirements.)

- easy access
- good lighting
- easy access to toilets
- inviting atmosphere
- ensure staff on reception duties are knowledgeable and mature enough to deal with issues
- interesting and informative display boards
- reading material for adults
- where appropriate, play space with children's toys
- remove/replace heavy "missiles" e.g. paper weights.

Waiting times should be kept to a minimum. Having to wait a long time reduces the level of tolerance of anyone. Where there is a delay, the reason must be explained to the person waiting and apologies made. Remember that clients expect to be treated in the same way as we would expect and appreciate!

If the person on reception thinks a situation is developing where violence may occur, it should be possible for a senior member of staff to respond quickly to any call for assistance. Any alarm raised must be treated seriously. No one should be made to feel foolish or inadequate if they summon assistance only to find assistance is not required. This must be expected from time to time.

The installation of alarm systems with readily available panic buttons should be considered where they can offer real benefits and where a significant violence risk exists. If such a system is installed it must be ensured that the alarm signal can be heard by those who could render assistance and that all staff are trained to respond on hearing the alarm. There are substantial benefits to be gained from a "violence drill" being organised occasionally as a part of the staff training programme. If screens are in position at reception areas then they should be shatter proof - ideally where screens are considered essential then retractable screens are the favoured option since they do allow better communication with the clients.

Management should ensure, so far as possible, that there are no convenient missiles/weapons to hand, e.g., heavy paper weights, heavy pictures etc., This may be difficult in some areas such as residential care homes - but management should take responsibility for raising staff awareness around such dangers. Access from the reception to work areas or interview rooms should be by controlled access where practical.

It should be standard practice to display a notice in all public areas that indicate staff will not tolerate verbal or physical abuse.

### **7.7.3 Interview Rooms**

In addition to the advice for reception areas the following points should also be considered for interview rooms.

Interview rooms should not be totally isolated. It is advisable to interview potentially violent clients in a room close to where colleagues are working, and to ensure that observations can be made from outside the room e.g., vision panels in the door. See also 7.5.2 above “alarm systems”. If trouble is anticipated then prearranged polite interruptions by other members of staff to check on employees is advisable.

Staff should be instructed, when interviewing clients, that they should be seated between the client and the door, to maintain a clear escape path if required.

The interview room should contain the standard Council notice and if required additional information indicating the conditions where staff will have the right to terminate interviews etc.

### **7.7.4 Visits Away From the Workplace**

It is a good management practice to devise a checklist for employees to follow when they work away from Inverclyde Council establishments e.g. service users homes. This should help ensure that employees do not forget essential safety systems while rushing to a meeting e.g. informing supervisors where they are going, taking personal alarms or radios with them.

The following points are worth considering:

- If employees have to meet an unknown client for the first time and it is envisaged that there may be some element of risk, instruct staff to try to arrange the initial meeting in the office and ensure other people are nearby. Review current methods to ask if outside visits are essential or desirable.
- If outside visits are essential and you are concerned about employee's safety, then adequate measures must be made to ensure the safety of employees, for example, two people could be sent to the initial meeting.
- Ensure that employees inform their supervisors where they are going and the expected time of return. A system could be arranged, whereby they telephone in at prearranged times, especially if they are working alone or visiting locations considered being high risk. If the employee is detained and anticipates arriving back significantly later, they must be instructed to let their supervisor know. If an

employee does not return to the office or fails to call in as arranged, the supervisor must ensure that contact is made with the last listed address to determine if the visit has been made or concluded. If not, they should work back from there in accordance with the visiting list. Use of a mobile phone tracking systems could also be considered.

In appropriate circumstances, the Police should be contacted. Details of the employee's vehicle i.e. make, model, colour and registration number should be readily available to pass to the police.

- If an employee has to visit a client where there is a known history of violence, or where the employee has to visit isolated/vulnerable locations or deal with unpleasant aspects which could cause distress to clients, they should not go alone. It is management's responsibility to ensure that back-up help is available. If it is not feasible to send a second person on every occasion, then alternative provisions should be made to ensure the employee's safety, e.g. requesting Police accompaniment or the provision of a two-way radio or mobile phone so they can summon assistance if necessary.
- It is important to consider times of the day when there is an increase risk of violence. When meeting a client for the first time, the appointment could take place before public houses open to minimise drink-related attacks. Similarly attacks have occurred to employees working in proximity to public houses after closing time. Being aware of this, management should ensure that no employee is left alone in such vulnerable situations.
- Even if employees do not feel vulnerable, managers may forbid visits, if in their view, the employee is underestimating the risk. It may be useful for managers to develop their own criteria on which to base risk assessments for employees involved in visits away from the workplace.
- It is particularly important that employees check out at the end of the day, and if they are not returning to the office they telephone in to their Supervisor to confirm that all is well. The object being to ensure that Management is satisfied the employee has completed the scheduled calls safely.

#### **7.7.5 Call Handling and Verbal Abuse**

Employees whose duties include call handling should be made aware of Appendix 5 Phone rage - this states consequences, triggers of phone rage and training to manage phone rage and Appendix 6 for de-escalation techniques to help staff reduce the abuse not all are applicable to call handling. The actions of individuals who are angry, demanding, offensive or persistent may result in unreasonable demands on the Council or unacceptable behaviour towards Council employees, elected members and others representatives acting on behalf of the Council. These actions will be managed under the Unacceptable Actions Policy.

#### **7.7.6 Night Staff**

Employees who work at night, e.g. night watchmen, should be advised to exercise extreme care and discretion before investigating disturbances. Notwithstanding this,

where employees are operating a security patrol service appropriate working arrangements should be developed whereby they **MUST** call for assistance **BEFORE** attempting to apprehend or give chase. Property must not be regarded as more important than employees.

#### **7.7.7 Handling Cash**

Handling cash in even small amounts should involve consideration of the possible risks to staff and appropriate measures should be taken to reduce these risks so far as is reasonably practicable by adopting safe, secure working procedures and appropriate security measures. Procedures should cover security and safety when cash is in transit and at its collection points. The advice of the Health and Safety Section, Finance Services and the local Crime Prevention Officer should be sought as necessary.

Council Departments are required to devise their own written procedures in relation to the handling of cash, and security measures proportional to the risks identified. Information and guidance on this is available on Icon. <http://icon/health-and-safety/health-and-safety-policyand-guidance/security/>

#### **7.8 Alerting Other Services**

It is important that where there is a potential for a violent situation either within council establishments or to employees working out with council buildings that other council services are informed about the situation as soon as possible in order that appropriate action can be taken to safeguard employees. For example:

- An abusive member of the public leaves one council office and threatens to go to another to make trouble there.
- Council employees are shot at by air guns when carrying out their work.
- A council employee is attacked in the street while carrying out their work.
- A council vehicle has been attacked.
- Youths are witnessed behaving aggressively in an area. Following incidents of violence, the responsible manager for each service shall ensure that the violent individual (if known) is subject to a risk assessment. It must be stressed that this runs in tandem with everything stated thus far regarding risk assessments and alerting other services to potential violent situations. Inverclyde Council are under an obligation to ensure the safety of all employees regardless of which service they may work for. Colleagues from all directorates must ensure that the safety of other employees is not compromised.

#### **7.9 Post Incident Procedures**

It is important to support a colleague first and foremost following a violent incident. Later but as soon as possible, the employee should be encouraged to begin the post incident procedures. Within each service procedures should include:

- Deciding whether or not to involve the Police.

- In most cases of assault and injury the involvement of the Police is a prerequisite of any later eligibility for Criminal Injuries Compensation.
- Completion of the Internal Incident Report Form on ICON (Accident Incident Reports or most current version) or if a service specific form for violence is available completion of that.
- Completion of the RIDDOR Report Form (F2508) where a reportable injury has resulted or where the employee is then absent for more than three days.
- A debriefing - which is essentially different from, and following upon, meetings or conversations aimed primarily at giving support.
- Counselling Service if requested by the employee or occupational health professionals.

## **8 TRAINING**

### **8.1 Training**

A suitable training programme needs to be based on risk assessment and provided for staff that could be exposed to violent situations. A priority list should be drawn up to ensure those most vulnerable are trained first. Each service will be required to identify a number of violence to staff trainers proportional to the risk of violence identified through risk assessment and the number of employees exposed to this risk. Full training will be given to those employees identified; each service will then implement a training programme to ensure that employees receive violence to staff training as determined via the risk assessment.

The Council recognises that training of managers/team leaders and employees is important to ensure that all employees have the necessary skills to carry out the requirements of this policy. The following training will be made available through the Corporate Training planner or, if identified through the risk assessment process, other specialist training can be made available. All training provided will include information about this Council policy.

- Managing Occupational Violence and Aggression at Work

### **8.2 Information**

Inverclyde Council recognises the need to provide staff with relevant information on the risk of violence to employees. Employee awareness will help with the implementation of this policy. Information on Occupational Violence and Aggression at Work will be made available on the Council's Intranet System ICON, via Line Managers and Trade Union Safety Representatives or via Organisational Development, Human Resources and Performance. The information will be updated on a regular basis.

### **8.3 Communication of the Policy**

The Council recognises the importance of communicating the policy to all employees. This policy will be communicated to staff via the Corporate Health and Safety

Committee, the Council's team briefing system and a copy will be placed on the Council's Intranet system ICON.

## **9 MONITORING, EVALUATION & REVIEW**

This policy was agreed by the Council's Policy and Resources Committee and implemented immediately thereafter. Regular monitoring and review are necessary to measure the effectiveness of the policy and to ensure it remains relevant to the needs of the Council. This policy will be subject to monitoring and review on a regular basis by the Corporate Health and Safety Section via the Corporate Health and Safety Committee. The policy will be reviewed every five years unless there is significant change in legislative requirements or risk assessment Managing Violence and Aggression in the Workplace Page 23 of 54 identifies a need for review. Measuring the effectiveness of the policy will include the auditing of compliance with this policy, and monitoring of violent incidents.

## APPENDIX 1 - DYNAMIC RISK ASSESSMENT

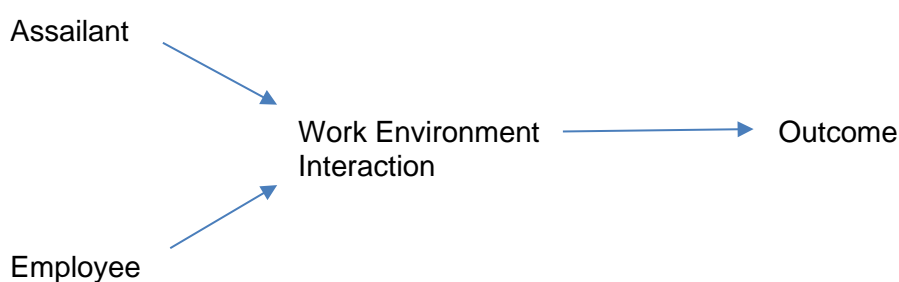
### Conducting a Dynamic Risk Assessment

A Dynamic Risk Assessment generally comprises of 3 steps or phases:

1. identifying risks
2. taking action
3. learning and development (individual, team and organisation)

#### Step 1. Identifying risks

The first step in any dynamic risk assessment is associated with identifying risk. The model shown below helps understand the risks involved in any potential or actual incident of violence.



Using this model as a basis, you can make more specific risk assessment questions about any incident of violence or aggression, by looking at the:

- Individual characteristics of the assailant and / or the employee
- type of interaction that took place between assailant and the employee
- work environment (or workplace), this could be an interview room or visiting the person in their own residence.

## Step 2. Taking action

The second step in the Dynamic Risk Assessment process is concerned with taking action. A framework is provided below for guiding actions which can prevent or reduce risk.

	Prevention (Before)	Timely reaction (During)	Rehabilitation (After)
Organisation	Policies and guidelines	Relationships with support organisations	Post – incident counselling
Team (or Service)	Fact finding and Vigilance	Back – up support	Peer support
Individual	Self - awareness	Negotiation	First - aid

This integrated organisational approach reminds us that action against violence and aggression can, and should, be implemented at various levels (individual, team and



organisation) and at various times (before, during and after) to ensure continuous learning and development as well as to promote employee wellbeing and safety.

### Step 3. Learning and development (individual, team and organisation)

After considering the potential actions individuals, teams and the council as a whole can take and the control measures that can be applied to specific scenarios, employees can then move on to the third step of a dynamic risk assessment – learning and development.

The process of completing a dynamic risk assessment must facilitate reflective practice, continuous learning and development for individuals, teams, and organisations. It is important that employees are encouraged to share learning so that risks can be mitigated and safer working promoted.

Dynamic Risk Assessment	
Location/Site Details:	
Activity/task (Complete the relevant details of the activity being assessed). <i>(for example: visiting a client in their own residence, I will be working on my own)</i>	
Task Hazards (tick when present) ✓	
Questions about the Working Environment and the Client (The following questions are to assist you in identifying hazards involved in the activity and are intended as a guide only. Change, delete or ignore items that are not relevant to the tasks being carried out)	Control Measures, Notes or Follow-up :
Are there any factors or issues associated with the client that you need to consider?	
Are there any factors or issues that you or another employee has been involved in with the client in the past?	
Is there anything in the close that could be set on fire whilst you are in the client's house?	
Is adequate, safe parking available?	
Is the area well lit?	
Are there strangers loitering in the close or nearby?	
Will there be other people in the residence during the visit? If so, is this a concern to you?	
Is the client aware of the approximate time of your visit? Are you on time?	
Other:	

Risk Rating - with these controls the risk is: (Circle)		Unacceptable	Further Controls required	Adequately controlled
Further control measures required List further action needed to adequately control risks				
Assessor(s):				
Date:				

Note: This Dynamic Risk Assessment form can be part completed pre-visit and then revised on arriving at the client’s residence. Post visit in the event that something went wrong during your visit or indeed after any incident involving violence or aggression, where you should complete Stage 3 of the dynamic risk assessment process: Learning and Development (individual, team, organisation) Can you identify any areas for personal, team and/or organisational improvement? Record your suggestions for improvement under these column headings:

Personal improvement	Team improvement	Organisational improvement

You should make time to review your response to this form with:

- your line manager
- your service health and safety advisor
- your team/work colleagues

## APPENDIX 2 - HOME VISITING RISK ASSESSMENT GUIDANCE

The following guide to risk-assessing is intended to be a flexible tool and should be adapted according to your service needs.

Service		Address being visited	
Visiting Officers name		Contact number	
Officers contact number		Date of visit	

**Part 1. To be completed in the planning stages prior to home visit and thereafter at any time, if necessary (✓the relevant risk category box)**

	Low risk	Medium risk	High risk
Does the person have a history of antisocial behaviour including violent or aggressive tendencies towards employees?			
Are they likely to be under the influence of alcohol or drugs?			
Does the client have a history of mental health problems?			
Will you be withholding or altering a service?			
Does the client have mobility complications that require you to assist them to move or transfer?			

Will you have to operate moving and handling equipment such as a hoist?			
Have the relatives or friends of the client ever posed any problems to council employees?			
Does the location of the visit give you concerns that make you feel vulnerable?			
Are you carrying any injury, illness or condition at this time that may affect your prompt response in an emergency situation?			

**What actions have you taken to reduce risks?**

Actions to be taken	Tick ✓
Visit the service user with a colleague	
Find out more information from other agencies / documentation etc	
Seek advice from others e.g. line manager, safety officer	
Other	

**Part 2. To be completed after the home visit.**
**Were there any unforeseen risks?**
**No** (sign form and file in service users notes) **Yes** (tick and comment below)

Reason	Comments	Tick ✓
Insufficient information given on referral		
Required a second member of staff to attend visit		
Moving and handling of equipment		
Deterioration of service user's medical state		
Verbal abuse, threatening or violent behaviour		
Service user under the influence of alcohol or drugs		
Problems with relatives / friends of service user – state who if known		
Transportation or vehicle problems		
Communication problems – no phone etc		
Problems getting to location e.g. isolated, dark etc		
Pet problems		
Other		
Are any other council services / employees at risk when visiting this service user?		
Have they been informed?		
Signature		
Date		

## APPENDIX 3 - RISK REDUCTION STRATEGIES

### Risk Reduction

Risk reduction is the process of implementing measures to try and reduce the risk of violence and promote safer working. Risk reduction can operate in three different ways:

1. by reducing actual levels of exposure to violence or reducing levels of associated fear of violence (primary intervention /prevention)
2. by improving the means with which people seek to cope with exposure to violence or aggression (secondary intervention)
3. by reducing the negative consequences of any exposure or perceived fear (tertiary intervention).

The following table illustrates a range of primary, secondary and tertiary risk prevention strategies which are variously targeted at the level of individual, team and organisation in keeping with an integrated organisational approach.

Although 'prevention' is considered best practice for any risk reduction programme, this may not always be feasible or practicable. Inverclyde Council will endeavour to adopt a balanced approach which prioritises risks, and selects first any interventions which directly prevent / address the likely risk factors.

### Risk Reduction Strategies

Target level	Type of intervention (Time point)		
	Prevention (Before)	Reaction (During)	Rehabilitation (After)
<b>Organisation</b>	<ul style="list-style-type: none"> <li>• Policies, procedures and guidelines</li> <li>• Safety procedures including risk assessment</li> <li>• Job design</li> <li>• Security measures</li> <li>• Staffing and resources</li> <li>• Support from local agencies</li> <li>• Provision of information, instruction and training</li> <li>• Awareness of societal risk factors</li> <li>• Active monitoring</li> </ul>	<ul style="list-style-type: none"> <li>• Relationship with support organisations</li> <li>• Ensure implementation of policies</li> </ul>	<ul style="list-style-type: none"> <li>• Support</li> <li>• Follow-up</li> <li>• Counselling</li> <li>• Learning</li> <li>• Reactive monitoring</li> <li>• Investigation</li> <li>• Reviewing</li> </ul>

	<ul style="list-style-type: none"> <li>• Reporting and recording systems</li> <li>• Leadership</li> <li>• Support</li> <li>• Provision of alarms / lone worker devices</li> </ul>		
<b>Team</b>	<ul style="list-style-type: none"> <li>• Emergency action plan</li> <li>• Communication</li> <li>• Risk management and risk assessment</li> <li>• Vigilance</li> <li>• Support</li> <li>• Active monitoring</li> <li>• Information, instruction and training</li> </ul>	<ul style="list-style-type: none"> <li>• Effective alarms / lone worker devices</li> <li>• Systems and procedures</li> <li>• Remain calm</li> <li>• Support</li> </ul>	<ul style="list-style-type: none"> <li>• Support</li> <li>• Debriefing</li> <li>• Learning</li> <li>• Risk assessment review</li> <li>• Reactive monitoring</li> <li>• Reviewing</li> </ul>
<b>Individual</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• De-escalation techniques</li> <li>• Appropriate attire</li> <li>• Awareness</li> <li>• Social skills</li> <li>• Relaxation</li> <li>• Active monitoring</li> <li>• Empathy</li> </ul>	<ul style="list-style-type: none"> <li>• Remain calm</li> <li>• Negotiation</li> <li>• Effective alarm, lone worker device</li> <li>• Breakaway skills</li> <li>• Physical restraint</li> </ul>	<ul style="list-style-type: none"> <li>• Safety</li> <li>• Comfort</li> <li>• First aid</li> <li>• Learning</li> <li>• Debriefing</li> <li>• Confidential counselling</li> <li>• Incident reporting</li> <li>• Reactive monitoring</li> <li>• Reviewing</li> <li>• Sharing</li> </ul>

## **APPENDIX 4 – Working Alone in Safety**

### Controlling the risks of solitary work

INDG 73 (rev) Working Alone in Safety - Controlling the risks of solitary work  
Health and Safety Executive



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## **Working Alone in Safety - Controlling the risks of solitary work**

Is it legal to work alone and is it safe? The Health and Safety Executive (HSE) is frequently asked these questions. There is no single answer; it will depend on the findings of the risk assessment but often the answer will be yes. This guidance will help anyone who employs or engages lone workers.

The leaflet gives general guidance on working alone. It offers advice on how to comply with duties towards lone workers under the Health and Safety at Work etc Act 1974 (HSW Act) and the Management of Health and Safety at Work (MHSW) Regulations 1999. Employers have responsibilities for the health, safety and welfare at work of their employees and the health and safety of those affected by the work, e.g. visitors, such as contractors and self-employed people who employers may engage. These responsibilities cannot be transferred to people who work alone. It is the employer's duty to assess risks to lone workers and take steps to avoid or control risks where necessary. Employees have responsibilities to take reasonable care of themselves and other people affected by their work and to co-operate with their employers in meeting their legal obligations.

This guidance may also help self-employed people who work alone themselves or engage lone workers.

### **Who are lone workers and what jobs do they do?**

Lone workers are those who work by themselves without close or direct supervision. They are found in a wide range of situations; some examples are given below.

#### *People in fixed establishments where:*

- only one person works on the premises, e.g. in small workshops, petrol stations, kiosks, shops and also homeworkers;
- people work separately from others, e.g. in factories, warehouses, some research and
- training establishments, leisure centres or fairgrounds ;
- people who work outside normal hours, e.g. cleaners, security, special production, maintenance or repair staff etc.

#### *Mobile workers working away from their fixed base:*

- on construction, plant installation, maintenance and cleaning work, electrical repairs, lift repairs, painting and decorating, vehicle recovery etc;
- agricultural and forestry workers;
- service workers, e.g. rent collectors, postal staff, social workers, home helps, district nurses, pest control workers, drivers, engineers, architects, estate agents, sales representatives and similar professionals visiting domestic and commercial premises.

## Can people legally work alone? Assessing and controlling the risks

Although there is no general legal prohibition on working alone, the broad duties of the HSW Act and MHSW Regulations still apply. These require identifying hazards of the work, assessing the risks involved, and putting measures in place to avoid or control the risks. It is important to talk to employees and their safety representatives as they are a valuable source of information and advice. This will help to ensure that all relevant hazards have been identified and appropriate controls chosen; consultation with employees and their representatives on health and safety matters is a legal duty anyway. Control measures may include instruction, training, supervision, protective equipment etc.

Employers should take steps to check that control measures are used and review the risk assessment from time to time to ensure it is still adequate. When risk assessments shows that it is not possible for the work to be done safely by a lone worker, arrangements for providing help or back-up should be put in place. Where a lone worker is working at another employer's workplace, that employer should inform the lone worker's employer of any risks and the control measures that should be taken. This helps the lone worker's employer to assess the risks. Risk assessment should help decide the right level of supervision. There are some high-risk activities where at least one other person may need to be present. Examples include some high-risk confined space working where a supervisor may need to be present, as well as someone dedicated to the rescue role, and electrical work at or near exposed live conductors where at least two people are sometimes required.

Employers need to be aware of any specific law on lone working applying to their industry (examples include supervision in diving operations, vehicles carrying explosives, fumigation work). Sources of further information are listed at the end of this guidance.

If you have five or more employees you must record the significant findings of your risk assessment. Further detail is now given on issues to consider when assessing risks from lone working.

### Safe working arrangements for lone workers

Establishing safe working for lone workers is no different from organising the safety of other employees. Employers need to know the law and standards which apply to their work activities and then assess whether the requirements can be met by people working alone. Lone workers face particular problems. Some of the issues which need special attention when planning safe working arrangements are as follows:

#### *Can the risks of the job be adequately controlled by one person?*

Lone workers should not be at more risk than other employees. This may require extra risk control measures. Precautions should take account of normal work and foreseeable emergencies, e.g. fire, equipment failure, illness and accidents. Employers should identify situations where people work alone and ask questions such as:

- Does the workplace present a special risk to the lone worker?
- Is there a safe way in and a way out for one person? Can any temporary access equipment which is necessary, such as portable ladders or trestles, be safely handled by one person?

- 
- Can all the plant, substances and goods involved in the work be safely handled by one person? Consider whether the work involves lifting objects too large for one person or whether more than one person is needed to operate essential controls for the safe running of equipment.
  - Is there a risk of violence?
  - Are women especially at risk if they work alone?
  - Are young workers especially at risk if they work alone?
  - Is the person medically fit and suitable to work alone?

Check that lone workers have no medical conditions which make them unsuitable for working alone. Seek medical advice if necessary. Consider both routine work and foreseeable emergencies which may impose additional physical and mental burdens on the individual.

What training is required to ensure competency in safety matters?

Training is particularly important where there is limited supervision to control, guide and help in situations of uncertainty. Training may be critical to avoid panic reactions in unusual situations. Lone workers need to be sufficiently experienced and to understand the risks and precautions fully. Employers should set the limits to what can and cannot be done while working alone. They should ensure employees are competent to deal with circumstances which are new, unusual or beyond the scope of training, e.g. when to stop work and seek advice from a supervisor and how to handle aggression.

How will the person be supervised?

Although lone workers cannot be subject to constant supervision, it is still an employer's duty to ensure their health and safety at work. Supervision can help to ensure that employees understand the risks associated with their work and that the necessary safety precautions are carried out. Supervisors can also provide guidance in situations of uncertainty. Supervision of health and safety can often be carried out when checking the progress and quality of the work; it may take the form of periodic site visits combined with discussions in which health and safety issues are raised. The extent of supervision required depends on the risks involved and the ability of the lone worker to identify and handle health and safety issues. Employees new to a job, undergoing training, doing a job which presents special risks, or dealing with new situations may need to be accompanied at first. The level of supervision required is a management decision which should be based on the findings of risk assessment. The higher the risk, the greater the level of supervision required. It should not be left to individuals to decide whether they require assistance.

Procedures will need to be put in place to monitor lone workers to see they remain safe.

These may include:

- supervisors periodically visiting and observing people working alone;
- regular contact between the lone worker and supervision using either a telephone or radio;

- automatic warning devices which operate if specific signals are not received periodically from the lone worker, e.g. systems for security staff;
- other devices designed to raise the alarm in the event of an emergency and which are operated manually or automatically by the absence of activity;
- checks that a lone worker has returned to their base or home on completion of a task.

What happens if a person becomes ill, has an accident, or there is an emergency?

Lone workers should be capable of responding correctly to emergencies. Risk assessment should identify foreseeable events. Emergency procedures should be established and employees trained in them. Information about emergency procedures and danger areas should be given to lone workers who visit your premises. Lone workers should have access to adequate first-aid facilities and mobile workers should carry a first-aid kit suitable for treating minor injuries. Occasionally risk assessment may indicate that lone workers need training in first aid.

#### Further information

HSE leaflet Violence at Work INDG69 (rev)  
(single copy free or priced packs of 10

HSE Books 1997  
ISBN 0 7176 1271 6)

Management of Health and Safety at Work  
Management of Health and Safety at Work  
Regulations 1999. Approved Code of Practice  
and Guidance L21 (Second edition)

HSE Books 1999  
ISBN 07176 2488 9

HSE leaflet 5 steps to risk assessment  
INDG163 (rev1)  
single copy free or priced packs of 10

HSE Books 1998  
ISBN 0 7176 1565 0

You can also visit HSE's website: [www.hse.gov.uk](http://www.hse.gov.uk). This leaflet is available in priced packs of 15 from HSE Books ISBN 0 7176 1507 3. Single free copies are also available from HSE Books.

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do. This publication may be freely reproduced, except for advertising, endorsement or commercial purposes. First published 3/98. Please acknowledge the source as HSE. Printed and published by the Health and Safety Executive

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## APPENDIX 5 – Phone rage

### 1. Phone Rage

#### 1.1 Introduction

Many of our employees deal with service users and others on the telephone. Given the volume of calls received, the chances of being on the receiving end of calls involving verbal abuse can be considerable. Verbal abuse is not always seen as a serious issue but any abuse, particularly over a period of time, and occasionally single incidents, can have serious effects on the health and wellbeing of staff.

Phone rage can happen when a caller abuses or is offensive to the person taking the call; this should not be confused with a client or customer being angry which might be justified in certain circumstances. However, if the call descends into abuse, personal comments or offensive behaviour this is unacceptable and staff should be protected as much as possible.

#### 1.2 Consequences of Ignoring Phone Rage at Work.

The Psychological effect of single or repeated, unreciprocated incidents of verbal abuse can have a devastating effect on the worker. The ‘drip; drip’ effect of verbal abuse can wear someone down, both mentally and physically. Also, if everyone else around them seems to be coping, they can feel isolated, stressful, fearful, and anxious, and can easily tip over into depression.

#### 1.3 Consequences for the individual:

- suffering and humiliation which can lead to a lack of motivation
- loss of confidence and reduced self-esteem
- if the situation persists, physical illness and psychological disorders.

Stress can damage physical health, social relationships and the way we function at work and at home. It is important to remember that the following symptoms may have nothing to do with stress but they are often danger signs which should not be ignored;

- physical signs like headaches, indigestion, insomnia, high blood pressure, loss of appetite
- emotional factors such as irritability, lack of concentration, anxiety, depression, loss of confidence, low morale
- behaviour aspects such as poor work performance, accidents, poor relationships at home and work, dependence on tobacco, alcohol and drugs.

#### 1.4 Consequences at the workplace:

- sickness absence
- immediate, and often long-term disruption to interpersonal relationships, the organisation of work and the overall working environment, usually leading to deterioration in the quality of service provided
- higher staff turnover
- compensation claims.

### 1.5 Training to manage phone rage effectively

A suitable training programme needs to be based on risk assessment and provided for staff that could be exposed to phone rage situations. A priority list should be drawn up to ensure those most vulnerable are trained first. Full training will be given to those employees identified; each service will then implement a training programme to ensure that employees receive appropriate training as determined via the risk assessment. Good practice in training staff to address phone rage should normally include three main areas:

- 1 The physical and mental wellbeing of the call handler.
- 2 The understanding of the emotions and potential state of mind of the caller who may become enraged and how to manage them.
- 3 The differences between justifiable anger and rage.

A well rounded training package will address each of these points.

## 2. Top 10 Triggers of Phone Rage

1. Call not being answered
  - The phone is not answered in a reasonable time. The caller is uncertain that they have dialled the right number, but dare not dial again in case they have to go back to the bottom of the queue
  - The call is answered and then put into a queuing system. Some callers are annoyed that they have to pay the phone costs when being kept on hold.
  - Being put on hold without being kept informed – one minute on hold feels like ten to a caller
  - A line that is constantly engaged, with no apparent alternative numbers to try • No means by which to leave a message
2. Dealing with machines, not people
  - The customer feels processed, or the victim of a faceless corporation
  - Lengthy menu of options, the caller often ends up where they started
  - Voicemails or answer phones
3. Insincerity
  - Standard greetings and pleasantries which do not sound sincere
  - Overuse of names and / or inappropriate use of first names

4. Being treated impersonally
  - Abrupt, bored or generally unreceptive voices taking the call
  - Being made to feel processed e.g. name, number, address, postcode
  - Being made to feel guilty or rushed when the caller has called near the end of the working day or just before lunch
  - No use of names or acknowledgement of the caller's long-term relationship with the company
5. Customer advisor not taking ownership of problem
  - Being passed around, with no one taking responsibility or the initiative to find the right person
  - Caller has to repeat their name and reason for calling several times to different people
  - Employees blaming each other as if they are not part of the same organisation
  - Dealing with different people every time they call
6. Not being kept informed
  - Being put on hold or kept on hold without being told what's happening
  - No transfer phase when the caller is being put through to someone else, instead of 'I'm transferring you to ...or 'Angie's line is ringing for you now' – all the customer hears is a click then silence so they assume they have been cut off. • Some customers find music annoying when on hold.
7. Promises not being met
  - Calls not returned when promised
8. Lack of authority
  - The person receiving the call lacks the knowledge or authority to resolve the caller's problem
  - Instead of passing the call to the best person to help, they 'flannel' the caller
9. Denied access to member of staff
  - Caller is 'fobbed off' – 'he's in a meeting' 'too busy to speak to you, can you call back?'
  - Screening process, making customers feel as if they are being kept out, e.g. 'who's calling', 'what's it about', etc

10. Rudeness of staff

- Rudeness, impatience, and inflexibility of staff
- Making the customer feel belittled
- Trying to catch the caller out
- Threatening phrases, 'now you do want this work done today, don't you?'
- Inferring the customer is lying, 'are you sure.....?'



## APPENDIX 6 – De-escalation techniques

### De-escalation Techniques – Hints and Tips

The effective handling of aggressive people is one of the most demanding aspects of working in an establishment. It is an area where good interaction and communication skills are required. Many situations, where there is a potential for violence, can be handled through communication.

Violent incidents can occur quickly if things are not handled correctly. Learning how to avoid these types of confrontations is an important part of some employees' day to day work. Knowing a few simple de-escalation techniques can help turn a bad situation around to your advantage.

Remain calm; think about your own words, tone and body language and the environment you are in:

- Try not to become angry, agitated or excited. This is not always an easy thing to do when you are confronted with an angry person. Recognise that you may feel anxious – use keep calm strategies, for example controlled breathing to allow you to act and speak more confidently. This can help the situation to feel less out of control to both you and the aggressor.
- Take time to think about what you are going to say and say it slowly, clearly and calmly.
- Maintain your self-control. Do not take the bait and be pulled into a conflict. If you take the bait, who has won?
- Offer a gift, for example a glass of water or use of the phone.
- Show empathy and actively listen. Empathy is about seeing the other person's point of view, even if you don't agree with it.
- Adopt a non-threatening body posture, use a calm, open posture (sitting or standing).
- Remember that personal space should be maintained – keep a safe distance.
- Ensure that any requests or instructions are made in a clear manner and that the aggressor knows what is acceptable and unacceptable.
- Apologising - an excellent de-escalation skill! ...Not for an imaginary wrong, but a sincere apology for anything in the situation that was unjust; a simple acknowledgment that something occurred wasn't right or fair. It is possible to apologise without accepting blame. Apologising can have the effect of letting angry people know that the listener is empathetic for what they are going through, and they may cease to direct their anger toward the person attempting to help.

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- State your position about their unacceptable behaviour and give consequences, for example that you want the person to stop shouting. If he/she does stop shouting you will try your best to help – if they don't then you will not continue the conversation. Remember to carry out the stated consequence based on their chosen action.
  - Remain aware at all times (remember dynamic risk assessment) are there any potential weapons available to the aggressor.
  - Have a plan before one is needed. Think about options of what you could do before such a circumstance occurs. Decisions made before a crisis occurs are likely to be more effective/rational than those thought of “on the fly”.
  - Move toward a ‘safer place’ (i.e. avoid being trapped in a corner).
  - Maintain an exit strategy (I have to retrieve something from my car, or I will have to speak to my supervisor about that). Ensure that you are nearest to the door/ escape route.
  - Do not stay longer than is safe – continually assess your situation and your capabilities – GET OUT and stay out if necessary.

**Respect:**

- Be respectful. Listen to what the person is saying and try to understand their point of view (even though you do not agree with it) and why they feel aggrieved. Be empathetic to their situation.
- Remain quiet as the person explains their viewpoint, look them in the eye with a neutral expression and nod your head to their points and sometimes give encouragers, such as “Go on,” “Uh huh” or “Yes”. When a person is attempting to get attention with their anger, sometimes all you need to do is listen until their anger is spent.
- Encourage the person to talk – don't trivialise their issues or feelings Think about the aggressor: Be aware that aggression can be a sign of worry, nervousness, frustration etc.
- Reassure the person. Focus your attention on them. Do they appear to be under the influence of drink or drugs?
- Do not allow the aggressor to ‘play to an audience’. If possible move away from unhelpful onlookers.
- Be careful to allow the aggressor plenty of space – adrenalin can make the aggressor perceive you as being closer, and therefore more threatening.
- Consider what you know about the person – are they inclined to this sort of outburst? What has helped before?
- Read the aggressor's words, tones and body language – can you pick up indicators of triggering or escalating aggression?

De-escalation is a very difficult and humbling skill. You cannot be unsure of your own pride or self-esteem. You must be able to control your own anger. You must be able to see the bigger picture. You must be willing to practice what you've learned.

High Risk Conflict:

This is where despite your best efforts to resolve the situation; it is escalating to a point where you may be in danger of a physical assault.

REMOVE YOURSELF FROM THE SITUATION AS SOON AS IS POSSIBLE

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## APPENDIX 7 – Safety Advice when Out and About

### Safety Advice When Out and About

It is good management practice to devise a checklist for staff to follow when they work away from Inverclyde Council establishments e.g. client's homes. This should help ensure that staff do not forget essential safety systems while rushing to a meeting e.g. informing supervisors where they are going, taking personal alarms or radios with them. (Further information on this subject can be found in part 7.5.4 and Appendix 3 of this policy).

All journeys will be safer and more enjoyable with careful planning – remove uncertainty and you remove the stress. Be prepared and plan ahead.

Prepare for the journey, wear sensible clothing, know the route, tell someone where you are going and when you are due back. Try to look confident – radiate non-vulnerability, be aware of what is going on around you, limit the use of mobile phones and iPods', think about carrying a personal alarm. If you change your plans – let someone know.

Never assume that it won't happen to you or 'it's only a short journey, so it's not important'. Never assume other people are ok because they look respectable.

### Walking

- Where practicable try to walk facing oncoming traffic. If a car follows you, turn around and walk the other way – you can turn much faster than a car.
- Wear sensible shoes.
- Try to keep to well-lit or busy streets.
- Avoid short cuts such as alleyways and deserted areas.
- If walking in an unknown area, download a map, then write main streets in big bold letters on for example something like an old greetings card, you can walk with this in your hand and look at it without appearing to be lost.

### If you think someone is following you:

- make sure your personal alarm is in your hand.
- ensure your mobile phone is easily available.
- try crossing the road to check to check that they are still following – more than once if necessary.
- If they are still behind you, make for somewhere you know will be busy where you can seek help.

- returning home if you are being followed may not be the best thing to do – go somewhere crowded. If you feel threatened by the person following, phone the police and alert them. The 999 operator will keep you on the line and at least hear what is going on. In the unlikely event of an attack, use your personal alarm. Remember it will disorientate the attacker for only a few seconds – use that time to get away.

**Beware** of someone who warns you of the danger of walking alone ‘in this area’ and then offering to walk with you or offers to give you a lift – especially if you are cold, wet, tired with sore feet and low defences.

Split your resources – don’t keep all valuables (wallet, keys, etc) in one place. Use different pockets, bag, or money belt.

### Using public transport

- Know your timetable and which stops you need.
- Don’t stand around isolated bus stops. Walk purposefully and confidently to the next one which may be better lit or has more people standing nearby.
- Don’t flash your wallet or purse around – have change or a ticket ready.
- Sit near the driver, beside a group of people or near train doorway where alarms are situated.
- If necessary, change compartment and alert the guard.
- If you are sitting at the back of the bus because it’s crowded, and then lots of people get off, be aware that you may look like a target because you are slightly isolated. Move seats to somewhere nearer the front.

**If you feel threatened**, make as much noise as possible to alert other people .

**Be discreet in conversation** with others – don’t give out personal details; you don’t know who might be listening.

### Car Wise

Again – plan ahead. Make sure your car is regularly maintained and in good working order. You should also join a breakdown scheme such as the AA or RAC

- Can you change a tyre, top up oil and water?
- Ensure you have plenty fuel for the journey.
- Carry a basic safety kit, a pen, paper and disposable camera (useful for recording details of an accident) Consider food and water.
- Bad weather kit – de-icer, wellington boots, spade, extra warm clothes.
- Plan your journey, in car route system, map.

- Allow plenty of time – rushing means you are stressed and not able to make rational decisions. If you are running late, pull over and phone to let someone know. This takes the heat off and will let you drive more safely.
- Keep valuables out of site. Don't open windows wide and consider locking doors – especially in urban areas and essentially at traffic lights. Lock the car even when you are paying for petrol.
- Reverse into parking bays to make it easier to drive off without delay.
- If you are parking in daylight hours, consider the area – will it be safe to come back later when it's dark.
- Multi-storey car parks – park as near to exit or doors as possible. Failing that, park near ticket machines – they usually have a 'Call for help button' on them.
- If you break down on a motorway police advice is to get out of car and call for help on your mobile or on emergency telephone.