



Partnership and Resources Policy Development and Scrutiny Panel

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

11 September 2020

A meeting of the **Partnership and Resources Policy Development and Scrutiny Panel** of West Lothian Council will be held within the **Webex Virtual Meeting Room** on **Friday 18 September 2020** at **9:30am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minutes of Meeting of Partnership and Resources Policy Development and Scrutiny Panel held on Friday 07 February 2020 (herewith).
5. Lothian Valuation Joint Board Minutes - Report by Chief Executive (herewith)
6. Annual Complaint Performance Report 2019/20 - Report by Depute Chief Executive (herewith)
7. Quarterly Performance Report - Quarter 1 of 2020/21 - Report by Depute Chief Executive (herewith)
8. Regulation of Investigatory Powers - Annual Report 2019/20 - Report by

Depute Chief Executive (herewith)

9. Regulation of Investigatory Powers - Review of Policy and Procedures - Report by Depute Chief Executive (herewith)
10. Review of Decision-Making Arrangements - Deputations and Petitions - Report by Governance Manager (herewith)
11. Sickness Absence (1 April 2020 to 30 June 2020) - Report by Head of Corporate Services (herewith)
12. Policy on Misuse of Alcohol, Drugs and other Substances - Report by Head of Corporate Services (herewith)
13. Local Government Benchmarking Framework - Report by Head of Corporate Services (herewith)
14. Review of Standing Order for the Regulation of Contracts - Report by Head of Corporate Services (herewith)
15. Parental Bereavement Leave and Pay - Report by Head of Corporate Services (herewith)
16. Review of Decision-Making Arrangements - Webcasting and Recording Meetings - Report by Head of Corporate Services and Governance Manager (herewith)
17. Family Leave Provisions - Elected Members - Report by Governance Manager and Head of Corporate Services (herewith)
18. Horizon Scan - Report by Head of Finance and Property Services and Head of Planning, Economic Development and Regeneration (herewith)
19. 2019/20 Financial Performance - Month 12 Monitoring Report - Report by Head of Finance and Property Services (herewith)
20. Scottish Welfare Fund – Update on Scottish welfare fund during Covid-19 Crises - Report by Head of Finance and Property Services (herewith)
21. West Lothian Development Trust Annual Report - Report by Head of Planning, Economic Development and Regeneration (herewith)
22. Workplan (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON- FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621 committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 7 FEBRUARY 2020.

Present – Councillors Lawrence Fitzpatrick (Chair), Kirsteen Sullivan, Tom Conn (substituting for Dave King), Chris Horne, Peter Johnston, Andrew McGuire (substituting for George Paul) and Damian Timson

Apologies – Councillors Dave King and George Paul

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. MINUTE

The Panel approved the Minute of its meeting held on 6 December 2019. The Minute was thereafter signed by the Chair.

3. SCHEME OF POLLING PLACES AND DISTRICTS

The Panel considered a report (copies of which had been circulated) by the Chief Executive advising of the proposed polling scheme after consideration of a consultation in early 2019 and feedback from two unscheduled polls held in 2019.

It was recommended that the Panel :-

1. Consider the potential changes to polling places and districts; and
2. Consider that the Chief Executive continue to have delegated authority to make any required changes (i.e as a result of the loss of a polling place) in consultation with the Leader of the Council, Leader of other Political Groups and local elected members, when there is not time to seek the approval of the Council Executive before a particular poll.

Decision

1. To note the content of the report;
2. To agree that the report be forwarded to the next appropriate meeting of the Council Executive for approval; and
3. To note the comments from the Teaching Union representative and the Joint Forum of Community Councils Representative that avoiding the use of schools in favour of partnership centres as polling places was the preferred option.

4. QUARTERLY PERFORMANCE REPORT - QUARTER 3 OF 2019/20

The Panel considered a report (copies of which had been circulated) by the Depute Chief Executive providing current levels of performance for all indicators that supported the council's corporate plan and were the responsibility of the Partnership and Resources Policy Development and Scrutiny Panel.

In relation to a question from the panel the Head of Corporate Services undertook to carry out a review of those targets pertaining to HR.

It was recommended that the Panel note the performance information and determine if further action or enquiry was necessary for any of the performance indicators in the report.

Decision

1. To note the content of the report; and
2. To note that the Head of Corporate Services would undertake a review of those targets pertaining to HR.

5. REVIEW OF WEST LOTHIAN CITIZEN PANEL

The Panel considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration advising of the proposal to review and refresh the Citizens Panel and carry out a Quality of Life Survey in summer 2020.

The Panel noted the comments from the Joint Forum of Community Councils representative in that the council should thank those stepping away from the Citizens Panel, consider a complete refresh of the membership of the panel and have as large a panel as possible.

It was recommended that the panel notes the proposal to review the Citizens Panel and carry out a Quality of Life Survey in summer 2020.

Decision

1. To note the content of the report; and
2. To note the comments of the Joint Forum of Community Councils representative in that the council should thank those stepping away from the Citizens Panel; consider a complete refresh of the panel; and to have as large a panel as possible,

6. FAMILY LEAVE PROVISIONS - ELECTED MEMBERS

The Panel considered a joint report (copies of which had been circulated) by the Governance Manager and Head of Corporate Services to consider the implementation of COSLA Guidance on Family Leave for Elected Members and related resources that may be made available to members.

It was recommended that the Panel :-

1. Note the COSLA Guidance on Family Leave for Elected Members to Scottish Councils (Appendix 1).
2. Note that there were legislative obstacles to its implementation as it stands and that COSLA Leaders agreed on 27 September 2019 to lobby for legislative change.
3. Consider the council's approach to possible implementation of that Guidance and the additional resources that may be made available to elected members to help meet the same objectives as the COSLA Guidance with a view to informing a further report to the panel with a proposed Scheme of Protocol (Appendix 2).

The Governance Manager confirmed that further discussions would require to be undertaken with all the political groups in the council for the matter to progress.

It was also noted by the panel that surrogacy leave was only available to Teaching staff. The Chief Executive confirmed that representation would have to be made to COSLA for this to be changed

Decision

1. To note the content of the report;
2. To note that further consultation with the political groups in the council would have to be undertaken to discuss the council's approach to the possible implementation of the Guidance; and
3. To agree that representation be made to COSLA with regards to the availability of surrogacy leave for non-teaching staff.

7. REVIEW OF SCHEME FOR ESTABLISHMENT OF COMMUNITY COUNCILS IN WEST Lothian

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services advising of a review of the Scheme for Establishment of Community Councils in West Lothian being carried out in advance of the 2021 4-yearly Community Council Elections.

It was recommended that the Panel :-

1. Note that a review of the Scheme of Establishment of Community Councils in West Lothian was being conducted; and
2. Note that a working group comprising 3 council officers and 3 representatives of the Joint Forum of Community Councils would be established to progress the scheme review.

Decision

1. To note the content of the report; and
2. To note the comments of the Joint Forum of Community Councils representative in that the joint forum would play a full and proper role in the review process.

8. SICKNESS ABSENCE (1 APRIL 2019 TO 31 DECEMBER 2019)

The Panel considered a report (copies of which had circulated) by the Head of Corporate Services providing sickness absence rates during the period 1 April 2019 to 31 December 2019 and to provide an update on the ongoing application of the council's Policy and Procedure for Supporting Attendance at Work.

It was recommended that the Panel note the content of the report.

Decision

1. To note the content of the report; and
2. To note the comments from the Teaching Union representative concerning the level of violence being perpetrated against teaching staff and the levels of stress that the profession was subject to

9. REVIEW OF POLICY AND PROCEDURE FOR SUPPORTING ATTENDANCE AT WORK

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services providing an outcome of a review of the council's Policy and Procedure for Supporting Attendance at Work together with a Supporting Attendance Action Plan to improve the effectiveness of the policy going forward.

It was recommended that the Panel :-

1. Notes that sickness absence rates across the council have been rising despite the introduction of the council's Policy for Supporting Attendance at Work on 1 September 2018 as reflected in quarterly Statutory Performance Indicator (SPI) figures to the panel;
2. Notes the summary position on absence rates and in particular, the prevalence of stress-related absence as set out in Section D.2 of the report;
3. Notes the proposed adjustments to the policy and its application set out in Section D.3 aimed at improving its effectiveness;
4. Notes the package of measures currently in place to support the management of stress-related absence outlined in Section D.4;
5. Notes the additional support measures proposed in the Supporting

Attendance Action Plan at Appendix 1 of the report;

6. Considers the proposal that the policy should continue to be reviewed on an annual basis to ensure that improvement in the council's sickness absence levels were being delivered; and
7. Notes that quarterly sickness absence monitoring reports would continue to be submitted to the Panel in the normal manner and that regular update meetings with the recognised Trade Unions would also continue on an ongoing basis.

The Panel welcomed the range of interventions that had been introduced to support staff in attending their place of work.

Decision

1. To note the content of the report;
2. To note the comments from the Teaching Union representative who requested that GLOW accounts be used for the dissemination of information to teaching staff; and
3. To note the comments from the Trade Union representative in that the involvement of Service and Group Managers in chairing Capability Assessment Review Panels and Stage 3 Capability Assessment meetings would introduce inconsistencies into the process

10. POLICY ON THE MISUSE OF ALCOHOL, DRUGS AND OTHER SUBSTANCES

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services asking that the Panel further considers to the implementation of random testing as part of the council's Policy on the Misuse of Alcohol, Drugs and Other Substances.

The Panel was recommended to :-

1. Note the representations by the Trade Unions in relation to the implementation of random testing as part of the council's Policy on the Misuse of Alcohol, Drugs and Other Substances;
2. Consider whether to progress with a review of posts defined as "safety critical" based on a revision to the definition in the Policy on the Misuse of Alcohol, Drugs and Other Substances; and
3. Consider the proposal to develop and deliver a programme of education, training and awareness to further equip managers to fulfil their responsibilities under the policy.

Decision

1. To note that the Head of Corporate Services would progress a

review of posts defined as “safety critical”;

2. To note that the Head of Corporate Services would develop and deliver a programme of education, training and awareness for managers; and
3. To note the collective Trade Unions opposition to the use of random testing, but did support “with cause” testing.

11. SUPPORTING PERFORMANCE FRAMEWORK

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services presenting a draft framework to support staff (non-teaching) achieve improved performance.

It was recommended that the Panel :-

1. Considers the draft framework set out in Appendix 1 of the report with a view to referral to Council Executive for approval; and
2. Notes that it had been requested by the recognised Trade Unions that following implementation the framework was kept under review with the option to make amendments as necessary.

Decision

1. To note the content of the report; and
2. To agree that the report be forwarded to the next appropriate meeting of the Council Executive for approval.

12. HORIZON SCAN

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services and Head of Planning, Economic Development and Regeneration providing the panel with :-

1. A summary of the latest UK economic indicators and announcements, including the potential implications following the referendum vote to leave the European Union (EU); and
2. An update on the estimated revenue budget position facing the council as a result of ongoing unavoidable spending pressures and government funding constraints, including highlighting budget model risks and uncertainties.

It was recommended that the Panel notes :-

1. The results of the horizon scan for the UK, Scotland, West Lothian and West Lothian Council;
2. That officers have updated the budget model for 2020/21 to

2022/23 since the update provided to the Panel on 12 September 2019 to reflect update information and assumptions;

3. A summary of the potential options available to address any remaining budget gap as considered by the Panel on 12 September 2019 including potential savings set out in Appendix 2 and council tax scenarios set out in Appendix 3; and
4. That, pending the announcement of the Scottish Budget and local government finance settlement on 6 February 2020, officers have commenced the initial preparation of a draft revenue budget based on budget model assumptions.

Decision

To note the content of the report.

13. AVAILABILITY OF AUTOMATED CASH MACHINES IN WEST Lothian

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing information on the Automated Teller Machine (ATM) Network, including the availability of ATM's in West Lothian and to set out options for consideration to increase free to use ATM's and promote alternative payment facilities.

It was recommended that the Panel notes :-

1. The information provided on the ATM network, including a reduction in the number of cash withdrawals being made due to other payment methods being utilised;
2. The availability of ATM's in West Lothian and the protected free to use ATM's as set out in section D.5 of the report; and
3. The intention for the options for consideration to be presented to the Anti-Poverty Task Force to consider an action plan as part of the financial inclusion and capability, as provided in section D.6 and D.7 of the report.

Decision

1. To not the contents of the report; and
2. To request that when the Anti-Poverty Task Force discussed the ATM Network then the information was to be considered and discussed at community level.

14. CIPFA FINANCIAL MANAGEMENT CODE

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a summary of the Chartered Institute of Public Finance and Accountancy (CIPFA) Financial

Management Code (FM Code), which was published by CIPFA in October 2019. The report also provided officer responses to the financial management standards set out in the code to demonstrate compliance with the code as well as suggested actions to ensure full compliance with the code.

The Panel was asked to :-

1. Notes the CIPFA Financial Management Code and the requirement for full compliance with the code by financial year 2021/22;
2. Notes the financial management standards and key messages included in the code;
3. Notes that the CIPFA Guidance Notes are yet to be published, with an anticipated publication date of April 2020;
4. Notes the initial officer responses to demonstrate how existing processes in the council meet the standards of the code; and
5. Notes that, following publication of the guidance notes, a full review will be undertaken by officers to ensure compliance with the code by 2021/22 and this would be reported to the Partnership and Resources Policy Development and Scrutiny Panel following the summer recess.

Decision

To note the content of the report.

15. REVIEW OF INCOME AND CONTRIBUTIONS

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing details of proposed changes to the council's approved budget measures relating to income and contributions for 2020/21 to 2022/23 and the council's proposed fees, charges and concessions for 2020/21 to 2022/23.

It was recommended that the Panel :-

1. Notes the councils previously agreed principles for managing fees and charges for discretionary charging services;
2. Notes the proposed changes to budgeted income for 2020/21 to 2022/23 from fees and charges as set out in section D.4 of the report;
3. Notes the proposed fees and charges for 2020/21 to 2022/23 as set out in section D.5 of the report;
4. Notes the intention to include the proposals in the Revenue Budget 2020/21 to 2022/23 report to full Council in February 2020; and

5. Notes that officers will continue to explore options for generating additional income and will report further on options to relevant PDSP's.

Decision

To note the content of the report.

16. RISK MANAGEMENT POLICY

The Panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services presenting the Risk Management Policy, a copy of which was attached to the report at Appendix 1.

It was recommended that the Panel notes the following recommendation which was intended to be submitted to Council Executive for approval : "that Council Executive approves the Risk Management Policy". It was also noted that the policy would be presented to Governance and Risk Committee before being presented to Council Executive.

Decision

1. To note the content of the report;
2. To agree that the report be presented to a future meeting of the Council Executive for approval; and
3. To note that prior to the report being presented to Council Executive it would be presented to the Governance and Risk Committee.

17. WORKPLAN

A copy of the workplan was circulated for information.

Decision

To note the content of the workplan

DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

LOTHIAN VALUATION JOINT BOARD

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To update the Partnership and Resources Policy Development and Scrutiny Panel on the business and activities of the Lothian Valuation Joint Board.

B. RECOMMENDATION

It is recommended that the Panel notes:

1. The Audited Financial Statements for the Year Ended 31 March 2019; and
2. The terms of the minutes of the meeting held on 17 June 2019, 2 September 2019, 4 November 2019 and 3 February 2020 of the Lothian Valuation Joint Board.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs Being honest, open and accountable Working in partnership.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Council requires the activities of certain outside bodies to be reported to elected members on a regular basis, as part of its Code of Corporate Governance.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	National outcome 15: Our Public Services are high quality, continually improving, efficient and responsive to local people's needs.
VI	Resources - (Financial, Staffing and Property)	None

- | | | |
|-------------|------------------------------|----------------------------------|
| VII | Consideration at PDSP | No prior consideration required. |
| VIII | Consultations | None required. |

D. TERMS OF REPORT

At its meeting of 29 June 2010, the Council Executive decided that the activities of certain outside bodies should be reported within the council to ensure all elected members are aware of the business of those bodies and to help to ensure their activities are more effectively scrutinised.

In accordance with that decision, the business of the Lothian Valuation Joint Board was to be reported to this meeting by the production of its minutes and annual report.

Appendix 1 provides the Audited Financial Statements for the Year Ended 31 March 2019.

Appendices 2, 3, 4 and 5 provide the minutes of the Lothian Valuation Joint Board meeting held on 17 June 2019, 2 September 2019, 4 November 2019 and 3 February 2020.

E. CONCLUSION

This report ensures that members are kept apprised of the activities of Lothian Valuation Joint Board as part of the council's Code of Corporate Governance.

F. BACKGROUND REFERENCES

West Lothian Council Code of Corporate Governance.

Appendices/Attachments:

Appendix 1 – Audited Financial Statements for the Year Ended 31 March 2019.

Appendix 2 – Minutes of meeting of the Lothian Valuation Joint Board held on 17 June 2019.

Appendix 3 - Minutes of meeting of the Lothian Valuation Joint Board held on 2 September 2019.

Appendix 4 - Minutes of meeting of the Lothian Valuation Joint Board held on 4 November 2019.

Appendix 5 – Minutes of meeting of the Lothian Valuation Joint Board held on 3 February 2020.

Contact Person: Morgan Hewitt, Project Officer

Email morgan.hewitt@westlothian.gov.uk; Telephone 01506 281080

Graham Hope
Chief Executive
18 September 2020



Audited Annual Accounts for the Year Ended 31st March 2019

2nd September 2019

1 Purpose of report

The purpose of this report is to present to the Board the audited Annual Accounts for the year ended 31st March, 2019 and to recommend they are approved for signature.

2 Main Report

2.1 The unaudited Annual Accounts were noted by the Lothian Valuation Joint Board at its meeting in June 2019.

2.2 The Board's appointed Auditor will present the 2018/19 Annual Audit Report to Members separately on this agenda. This report highlights to the Board that there were no significant issues identified during the course of the audit. One adjustment was made to the annual accounts in respect of the net pension liability.

2.3 The Auditor's report provides an opinion on whether the Annual Accounts;

- give a true and fair view in accordance with applicable law and the 2018/19 Code of the state of affairs of the Lothian Valuation Joint Board as at 31 March 2019 and of its income and expenditure for the year then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union, as interpreted and adapted by the 2018/19 Code;
- have been prepared in accordance with the requirements of the Local Government (Scotland) Act 1973, The Local Authority Accounts (Scotland) Regulations 2014, and the Local Government in Scotland Act 2003;
- the part of the Remuneration Report to be audited has been properly prepared in accordance with The Local Authority Accounts (Scotland) Regulations 2014;
- the information given in the Management Commentary is consistent with the financial statements and has been prepared in accordance with statutory guidance issued under the Local Government Scotland Act 2003; and
- the information given in the Annual Governance Statement is consistent with the financial statements and has been prepared in accordance with the Delivering Good Governance in Local Government: Framework (2016).

3 Reserves

- 3.1 The Board can hold a general reserve with a minimum value of 3% of annual requisition. The balance currently stands at £0.897m (15%). Balances held in excess of 3% require to be reviewed annually in-line with risk/identified commitments.
- 3.2 In April 2019 the Board were provided with an update on the Medium-Term Financial Plan 2019/20 to 2022/23. This report highlighted the financial challenges faced by the Board, most notably inescapable employee growth (pay awards, increments etc) which is anticipated to cause a cumulative budget pressure of approximately £0.2m per annum.
- 3.3 The Board is also facing competing service pressures over the short and medium term due to the requirement to introduce major legislative changes to key functions. This is set against the backdrop of reductions to the Scottish Block grant provided to local authorities and uncertainty over future year funding levels / the considerable risk of further reductions. Unavoidable budget pressures like those highlighted above are unlikely to be met through sustainable additional funding from local authorities as a result of reductions to funding.
- 3.4 A further update on the Medium-Term Financial Plan will therefore be presented to the November Board.

4 Conclusions

- 4.1 The Board's expenditure for 2018/19 was under requisition income by £0.099m.
- 4.2 The general reserve balance available to the Board at 31st March 2019 is £0.897m.
- 4.3 A recommendation on the reserve will be presented to the November Board.

5 Recommendations

- 5.1 That the Board note the Audited Annual Accounts for the year ended 31st March, 2019.
- 5.2 That the Board authorise the Annual Accounts 2018/19 for signature.

**Hugh Dunn,
Treasurer.**

Appendices:	Audited Annual Accounts for the Year Ended 31st March 2019
Contact/Tel:	Mr. T.MacDonald: 0131 469 3078
Background Papers:	Held at the Office of Treasurer



LOTHIAN VALUATION JOINT BOARD

ELECTORAL REGISTRATION, VALUATION & COUNCIL TAX WITHIN LoTHIAN

Annual Accounts for the year to 31st March 2019

Audited



COUNCIL TAX



ELECTORAL REGISTRATION



VALUATION

Lothian Valuation Joint Board
17A South Gyle Crescent
EDINBURGH
EH12 9FL

Visit our website at : www.lothian-vjb.gov.uk

LOTHIAN VALUATION JOINT BOARD

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LOTHIAN VALUATION JOINT BOARD

MEMBERS AND OFFICIALS

Convener: Councillor David Key, City of Edinburgh Council

Vice-Convener: Councillor Andrew McGuire, West Lothian

All Board Members: City of Edinburgh Council (9), East Lothian Council (2), Midlothian Council (2) and West Lothian Council (3)

Edinburgh Council



Councillor Gavin Corbett

Councillor Phil Duggart

Councillor Karen Doran

Councillor David Key

Councillor George Gordon

Councillor Gillian Gloyer

Councillor Ricky Henderson

Councillor Jason Rust

Councillor Norman Work

East Lothian Council



Councillor Jim Goodfellow

Councillor Jane Henderson

Midlothian Council



Councillor Margot Russell

Councillor Kieran Munro

West Lothian Council



Councillor Dave King

Councillor Andrew McGuire

Councillor Damian Timson

Officials

Assessor and Electoral Registration Officer : Graeme Strachan

Chief Executive and Clerk : Andrew Kerr

Treasurer : Hugh Dunn, CPFA

Solicitor : Nick Smith

LOTHIAN VALUATION JOINT BOARD

MANAGEMENT COMMENTARY

Strategic Report

1. Basis of the Accounts

The Annual Accounts present the financial position and performance of the Board, for the year to 31st March 2019. The Annual Accounts have been prepared in accordance with the International Financial Reporting Standards (IFRS) based Code of Practice on Local Authority Accounting in the United Kingdom (the Code). This is to ensure that the Annual Accounts "present a true and fair view" of the financial position and transactions of the Board. The Annual Accounts have been prepared in accordance with the following fundamental accounting principles: relevance, reliability, comparability, understandability and materiality.

The accounting concepts of accruals, going-concern, and primacy of legislation requirements also apply. All figures in the Annual Accounts are rounded to thousand pounds (£'000) unless stated otherwise.

To show the net position of the Board, adjustments are made to the Comprehensive Income and Expenditure Statement (CIES) to reflect differences in the accounting basis and funding basis under regulations. These adjustments ensure that the actual resources available to the Board are correctly accounted for in the Movement in Reserves Statement. These adjustments are shown in Note 7.

2. Statutory Background

The Lothian Valuation Joint Board was established under the Valuation Joint Boards (Scotland) Order 1995 and provides Valuation Appeals, Lands Valuation, Electoral Registration and Council Tax Valuation services. The Board comprises 16 members appointed from the constituency authorities of whom nine are elected from the City of Edinburgh Council, three from West Lothian and two each from East and Midlothian Councils.

Costs incurred by the Lothian Valuation Joint Board are apportioned in accordance with the non-domestic rateable subjects and dwellings valued for council tax within the area of each constituent authority. Expenditure is allocated 61.14% to The City of Edinburgh Council, 9.23% to Midlothian Council, 10.88% to East Lothian Council, and 18.75% to West Lothian Council.

3. The Lothian Valuation Joint Board's strategy and business model

The Lothian Valuation Joint Board is a local authority organisation providing a range of services to and on behalf of City of Edinburgh, West Lothian, Midlothian, and East Lothian Councils. The services provided represent duties embedded in statute and associated case law. Specifically they relate to the creation and maintenance of the Valuation Roll, Council Tax List and Electoral Register. The Board's strategy is to ensure best value while providing equitable, customer focused, high quality, professional valuation and electoral registration services for all its stakeholders. To support this aim annual Corporate and Service Plans, embedded within a Governance Framework, are created that indicate a detailed range of activities and objectives necessary to deliver services. These plans are supported where required with detailed project governance and management, specific service delivery timetables, and associated risk analysis.

4. Principal risks and uncertainties facing the Board.

The principal risks and uncertainties faced by the Board fall into two categories. Firstly, in common with the wider local authority community, there are uncertainties created by the ongoing environment of fiscal constraint within which services must be delivered. Set against this the Board has a range of statutory duties to enact and services to deliver. Failure to secure adequate funding places the delivery of these statutory services at considerable risk. A medium term budget strategy is under construction which aims to provide clarity on the projected financial forecast facing the Board in association with options for mitigation.

The second category relates to changes in legislation that impact on the services to be delivered. This can create pressures from both a financial and organisational perspective. The Barclay Review of NDR has in the main been adopted by Scottish Government in the form of a national NDR Reform strategy. This shall introduce the biggest changes to NDR services that have been enacted for many years. There are significant changes directly associated with the Valuation Roll function. This shall involve shortening the current 5 year revaluation cycle to a 3 year cycle and introduce significant alterations to the legislation which supports the Valuation Roll appeal process. Primary legislation shall be enacted during 2020 with the principle elements coming into force in 2022. The successful delivery of these changes represent a significant organisational challenge. Within the function of Electoral Registration the cost legacy created by the introduction of Individual Electoral Registration remains an ongoing risk. Cabinet Office shall continue to provide annual funding to cover this additional expenditure until 2020 at which time major changes shall be introduced to the annual household canvass aimed at reducing costs. Until it is established that these changes have been successful in removing additional costs, there remains budgetary risks to the Board in respect of delivery of the Electoral Service. In terms of Council Tax the system faces continual criticism and it is likely that further consultative processes shall emerge in the coming years concerning changes to the system. This uncertainty moving forward is a risk to the Board.

LOTHIAN VALUATION JOINT BOARD

MANAGEMENT COMMENTARY

5. Review of the Lothian Valuation Joint Board performance 2018/19

5.1 Financial Performance

The Board's expenditure was under requisition income by £0.099m for 2018/19, primarily resulting from the implementation of a new staffing structure from 1st April 2018 which resulted in savings arising from posts being filled partway through the financial year. Detailed variance explanations are provided below.

This review of financial performance is based on management accounting information, rather than the Annual Accounts, which are stated after adjustments to reflect IFRS based Code of Practice.

The outturn position, split between core Board duties and IER duties is summarised below:

	Core Revenue Budget			Individual Electoral Registration (IER)			Total		
	Budget 2018/19 £'000	Actual 2018/19 £'000	Variance 2018/19 £'000	Budget 2018/19 £'000	Actual 2018/19 £'000	Variance 2018/19 £'000	Budget 2018/19 £'000	Actual 2018/19 £'000	Variance 2018/19 £'000
• Employees	4,378	4,234	(144)	59	33	(26)	4,437	4,267	(170)
• Property	520	539	19	0	0	0	520	539	19
• Transport and Plant	96	69	(27)	0	0	0	96	69	(27)
• Supplies and Services	750	786	36	216	186	(30)	966	972	6
• Third Party Payments	82	100	18	0	0	0	82	100	18
• Support services	67	67	0	0	0	0	67	67	0
Total gross expenditure	5,893	5,795	(98)	275	219	(56)	6,168	6,014	(154)
• Sales, fees & charges	(43)	(39)	4	0	0	0	(43)	(39)	4
• IER Grant	0	0	0	(275)	(219)	56	(275)	(219)	56
• IORB	(3)	(8)	(5)	0	0	0	(3)	(8)	(5)
Total income	(46)	(47)	(1)	(275)	(219)	56	(321)	(266)	55
Total net expenditure	5,847	5,748	(99)	0	0	0	5,847	5,748	(99)

For the year ended 31st March 2019, the Board had an under spend against budget on its Comprehensive Income and Expenditure account of £0.099m. Actual is 98.3% of budget.

The Board recorded income totalling £0.591m for 2018/19 in relation to IER grant provided by the Cabinet Office. Expenditure against this grant was £0.219m and therefore £0.372m was carried forward in to financial year 2019/20 to leave a balanced IER position for 2018/19. The carry-forward in to 19/20 mitigates the removal of Cabinet Office funding and legacy ongoing costs arising from IER.

The principal reasons for the surplus against the core budget are variances in the following budgets:

• <u>Employees</u>	£'000 (144)
At its meeting of 6th February 2017 the Board was advised of the intention to undertake an organisational review exercise. This review was named the Transformation and Cultural Change Programme which resulted in a new staffing structure being implemented on the 1st April 2018. The saving in staffing costs during 2018/19 relates mainly to posts being filled partway through the financial year.	
• <u>Property</u>	19
Mainly due to utility charges, specifically a back-dated charge from the Board's energy provider.	
• <u>Transport costs</u>	(27)
Continuing process review on external survey work allowing a targeted approach which reduces travel expenses.	
• <u>Supplies and Services</u>	36
Primarily resulting from the requirement to replace handsets and telephony software incurring a one-off payment 18/19. There was also minor additional expenditure on ICT equipment.	
• <u>Third Party Payments</u>	18
Mainly additional costs relating to the costs associated with the Valuation Appeal Committee. These costs fluctuate in accordance with the workloads in respect of Revaluation 2017 appeal disposal.	
• <u>Income</u>	(1)
Additional general income.	
Total under spend	(99)

LOTHIAN VALUATION JOINT BOARD

MANAGEMENT COMMENTARY

5. Review of the Lothian Valuation Joint Board performance 2017/18 (Contd.)

In accordance with paragraph 8 of the Valuation Joint Boards (Scotland) Order 1995, all under spending pertaining to the Board is retained in the form of a usable reserve. The audited usable reserve balance at 31st March 2018 was £0.798m. The £0.099m under spend for financial year 2018/19 has been transferred to the usable reserve. The reserve balance therefore stands at £0.897m.

5.2 Overview of performance targets in 2018/19

During 2018/19 the Board reached a good level of performance as defined by its Key Performance Indicators. The principal of these show that 93.75% (95.93% 2017/18; 93.86% 2016/17) of all new houses were entered onto the Council Tax List within three months following occupation and that 57.86% (63.10% 2017/18; 47.15% 2016/17) of all Valuation Roll amendments were made within three months following completion. During 2018/19 5,194 new houses were added to the Council Tax list while 1,867 value amendments were made to the Valuation Roll.

Following the 2017 Revaluation 13,000 appeals were lodged against rateable values appearing in the new Roll. As at 31st March 2019 50% of these appeals had been dealt with. The statutory deadline for disposal of all appeals is 31/12/2020.

The Electoral Register during 2018/19 was maintained throughout the year with 39,293 electors added, 38,448 deleted, and 1,309 subject to amendment. The 2018 household canvass continued the current trend of improving returns with a 75% return rate achieved, (74% 2017; 70% 2016).

The new process of registration under IER means that following the annual canvass many applications to register are still awaiting return and are not reflected in the electorate figures provided. The following electorate statistics therefore should be viewed as a snap shot, as at April 2019 662,308, April 2018 659,519; March 2017 657,858; April 2016 650,531; February 2015 660,030; March 2014 639,401.

6. The main trends and factors likely to affect the future development and performance

The main trends and factors likely to affect the development and performance of the Board are those that influence the future direction of service provision. This direction is driven by legislative changes enacted, new case law and following formal reviews. This creates uncertainty and is amplified when placed within the current environment of fiscal constraint that all local authority bodies are facing. Further changes to the Electoral Registration process, the Barclay Review of NDR, and the possibility of further review of Council Tax alternatives are all examples of organisational and service delivery challenges. During 2017/18 a Transformation and Cultural Change Programme was initiated aimed at positioning the Board within a positive forward looking environment where these challenges of change set against fiscal constraint could be properly met. An immediate fiscal gain was secured for 2018/19 creating a reduction in funding requisition of 4.4%. This Programme is ongoing and throughout 2019/20 projects seeking modernisation, process efficiencies, and cultural change shall continue. However, any fiscal saving and drive for modernisation must be set against the requirement for the Board to deliver its statutory duties and services to a high standard and to be properly positioned to undertake any legislative changes that shape and form future service. In general the picture is one of competing priorities; fiscal constraint and the need for savings; a change and modernisation strategy, and changing legislative requirement within which services are delivered.

LOTHIAN VALUATION JOINT BOARD

MANAGEMENT COMMENTARY

6. The main trends and factors likely to affect the future development and performance (Contd.)

The Board faces a number of challenges looking ahead. Potential financial pressures include:

- The Scottish Government has adopted the main recommendations contained within the Barclay Review of NDR and is progressing its own NDR Reform strategy. These have far reaching consequences for the Board. In particular the long standing five yearly process of revaluation shall be condensed into a three yearly cycle. This and other proposals shall require the NDR business model currently in operation within the Board to be reviewed and overhauled in order to meet this new statutory requirement. While the first revaluation under this three yearly cycle shall take place in 2022 planning, timetabling and investigations have already commenced. In respect of the Council Tax function, considerable uncertainty remains surrounding its ongoing viability as a taxation system without major overhaul. Until further consultation on possible changes or alternative approaches takes place, the future of Council Tax and the implications that arise remain a risk to the Board.
- Volatility within Government means that the risk of snap elections and referendums cannot be discounted. Many major national and international issues could give rise to electoral events. This places considerable pressure on all resources, in particular staffing and finances. The ability of the Board to cope with these demands, while other pressures to create savings and modernise are present, represents a risk.
- IER (Individual Electoral Registration) was introduced during 2014. While aimed at improving completeness and accuracy within the Register, and tackling perceived opportunities for fraud, it has left a legacy of increased costs associated with the registration process. Additional funding provided direct to the Board by the Cabinet Office reflects these ongoing costs. However the target date for this funding to cease is 2020 at which time either the costs must have been reduced to negligible levels or the Board shall face the requirement to seek additional funding from the constituent councils. Mitigating action is being taken both at a national level, where changes to registration process are due to be introduced during 2020, and at Board level opportunities to consume IER costs within core budget allocation are being assessed and adopted. However this financial risk arising from the introduction of IER remains significant to the Board moving forward until clarity on the financial impact of changes can be properly assessed.
- The 2017 Revaluation gave rise to receipt of 13,000 appeals, the highest ever following a revaluation exercise. Considerable pressure is being placed upon existing levels of resource required to dispose of these appeals within the statutory timetable while at the same time undertake the annual maintenance activities that support the Valuation Roll (NDR) function .

The Board acknowledges the financial pressures, service delivery challenges and uncertainties it faces. There exists a need to meet these challenges and provide the required services within a framework of financial sustainability while also ensuring sufficient flexibility to react to changes brought about by legislative intervention. Through the Transformation Programme, and in association with developing the medium term Budget Strategy, the Board shall continue to balance these competing priorities, pressures and risks against a backdrop of statutory service delivery.

Assessor and Electoral Registration Officer:
Graeme Strachan

Date: 2nd September 2019

Treasurer:
Hugh Dunn, CPFA

Date: 2nd September 2019

Convener:
David Key

Date: 2nd September 2019

LOTHIAN VALUATION JOINT BOARD

STATEMENT OF RESPONSIBILITIES FOR THE ANNUAL ACCOUNTS

The Board's Responsibilities

The Board is required:

- to make arrangements for the proper administration of its financial affairs and to secure that the proper officer of the Board has the responsibility for the administration of those affairs. In this Board, that officer is the Treasurer;
- to manage its affairs to secure economic, efficient and effective use of those resources and safeguard its assets;
- Ensure the Annual Accounts are prepared in accordance with legislation (The Local Authority Accounts (Scotland) Regulations 2014), and so far as is compatible with that legislation, in accordance with proper accounting practices (section 12 of the Local Government in Scotland Act 2003).
- Approve the Annual Accounts for signature.

I confirm that these Annual Accounts were approved for signature by the Lothian Valuation Joint Board at its meeting on the 2nd September 2019.

Convener:
David Key

Date: 2nd September 2019

The Treasurer's Responsibilities

The Treasurer is responsible for the preparation of the Board's Annual Accounts in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (the Code of Practice).

In preparing the Annual Accounts, the Treasurer has:

- selected suitable accounting policies and then applied them consistently;
- made judgements and estimates that were reasonable and prudent;
- complied with legislation;
- complied with the Code of Practice, except where stated in the Policies and Notes to the Financial Statements.

The Treasurer has also:

- kept adequate accounting records which are up to date;
- taken reasonable steps for the prevention and detection of fraud and other irregularities.

The Annual Accounts

The Annual Accounts present a true and fair view of the financial position of the Board as at 31st March 2019, and its income and expenditure for the year ended 31st March 2019.

Treasurer:
Hugh Dunn, CPFA

Date: 2nd September 2019

LOTHIAN VALUATION JOINT BOARD

MOVEMENT IN RESERVES STATEMENT

This statement shows the movement in the year on different reserves held by the Board, analysed into Usable Reserves (that is, those that can be applied to fund expenditure) and Unusable Reserves. The Surplus or (Deficit) on the Provision of Services line shows the true economic cost of providing the Board's services, more details of which are shown in the Comprehensive Income and Expenditure Statement. These are different from the statutory amounts required to be charged to the General Fund Balance before any discretionary transfers to or from other statutory reserves undertaken by the Board.

	Usable Reserves	Unusable Reserves	Total Board Reserves
2017/18 - Previous Year Comparative	General Fund Balance		
	£'000	£'000	£'000
Opening Balances at 1 April 2017	(1,011)	11,951	10,940
Total Comprehensive Income and Expenditure	1,121	(7,292)	(6,171)
Adjustments between accounting basis & funding basis under regulations (Note 7.1)	(908)	908	0
Net (increase)/decrease before transfers to Other Statutory Reserves	213	(6,384)	(6,171)
(Increase)/Decrease in 2017/18	213	(6,384)	(6,171)
Balance at 31 March 2018 carried forward	(798)	5,567	4,769

	Usable Reserves	Unusable Reserves	Total Board Reserves
2018/19 - Current Financial Year	General Fund Balance		
	£'000	£'000	£'000
Opening Balances at 1 April 2018	(798)	5,567	4,769
Movement in reserves during 2018/19			
(Surplus) or deficit on provision of services	1,520	0	1,520
Other Comprehensive Expenditure and Income	0	1,420	1,420
Total Comprehensive Income and Expenditure	1,520	1,420	2,940
Adjustments between accounting basis & funding basis under regulations (Note 7.1)	(1,619)	1,619	0
Net (increase)/decrease before transfers to Other Statutory Reserves	(99)	3,039	2,940
(Increase)/Decrease in 2018/19	(99)	3,039	2,940
Balance at 31 March 2019 carried forward	(897)	8,606	7,709

General Fund analysed over:	£'000
Amounts earmarked	0
Amounts uncommitted	(897)
Total General Fund Balance at 31 March 2019	(897)

LOTHIAN VALUATION JOINT BOARD

COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT

This statement shows the accounting cost in the year of providing services in accordance with the generally accepted accounting practices, rather than the amount to be funded from requisitions. The Board receives requisitions to cover expenditure in accordance with regulations; this may be different from the accounting cost.

2017/18				2018/19		
Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000
6,924	(38)	6,886	Core budget	7,222	(39)	7,183
296	(269)	27	Individual electoral registration	233	(219)	14
7,220	(307)	6,913	Cost Of Services	7,455	(258)	7,197
			Financing and Investment Income:			
0	(3)	(3)	Interest & Investment income (Note 10.5)	0	(8)	(8)
1,699	0	1,699	Interest Cost on Defined Benefit Obligation (Note 21.5)	1,601	0	1,601
0	(1,370)	(1,370)	Interest Income on Plan Assets (Note 21.4)	0	(1,423)	(1,423)
1,699	(1,373)	326	Total Financing and Investment Income	1,601	(1,431)	170
			Non-Specific Grant Income:			
0	(6,118)	(6,118)	Constituent council requisitions (Note 25)	0	(5,847)	(5,847)
0	(6,118)	(6,118)	Total Non-Specific Grant Income	0	(5,847)	(5,847)
8,919	(7,798)	1,121	(Surplus) or Deficit on Provision of Services (Note 2)	9,056	(7,536)	1,520
			Other Comprehensive Income and Expenditure:			
0	(1,935)	(1,935)	Change in Financial Assumptions (Note 21.5)	4,915	0	4,915
53	0	53	Change in Demographic Assumptions (Note 21.5)	0	0	0
0	(6,690)	(6,690)	Other Experience (Note 21.5)	63	0	63
1,280	0	1,280	Return on pension assets excl. amounts included in net int. (Note 21.4)	0	(3,558)	(3,558)
		0	Actuarial gains / losses on pension assets / liabilities			0
10,252	(16,423)	(6,171)	Total Comprehensive Income and Expenditure	14,034	(11,094)	2,940

LOTHIAN VALUATION JOINT BOARD

BALANCE SHEET

The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the Board. The net assets of the Board (assets less liabilities) are matched by the reserves held by the Board. Reserves are reported in two categories. The first category of reserves are usable reserves, that is, those reserves that the Board may use to provide services, subject to the need to maintain a prudent level of reserves and any statutory limitations on their use. The second category of reserves are those that the Board is not able to use to provide services. This category of reserves include reserves that hold unrealised gains and losses, where amounts would only become available to provide services if the assets are sold; and reserves that hold timing differences shown in the Movement in Reserves Statement line "Adjustments between accounting basis and funding basis under regulations".

31 March 2018 £'000		Notes	31 March 2019 £'000
363	Property, plant and equipment	8.1	304
67	Intangible assets	9	58
79	Long-term debtors	23	73
509	Long term assets		435
135	Short-term debtors	11	125
1,748	Cash and cash equivalents	12	1,715
1,883	Current assets		1,840
(738)	Short-term creditors	13	(645)
(738)	Current liabilities		(645)
(490)	Other long-term liabilities	24	(455)
(5,933)	Other long-term liabilities (Pensions)	21.3	(8,884)
(6,423)	Long-term liabilities		(9,339)
(4,769)	Net liabilities		(7,709)
(798)	Usable reserves	14	(897)
5,567	Unusable reserves	14	8,606
4,769	Total reserves		7,709

The unaudited Annual Accounts were authorised for issue by the Treasurer on the 10th June 2019. The audited Annual Accounts were authorised for issue by the Treasurer on the 2nd September 2019.

Treasurer: _____
Hugh Dunn, CPFA

Date: _____
2nd September 2019

LOTHIAN VALUATION JOINT BOARD

CASH FLOW STATEMENT

The Cash Flow Statement shows the changes in cash and cash equivalents of the Board during the reporting period. The statement shows how the Board generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flow arising from operating activities is a key indicator of the extent to which the operations of the Board are funded by way of requisitions and recipients of services provided by the Board. Investing activities represent the extent to which cash outflows have been made for resources which are intended to contribute to the Board's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows.

31 March 2018 £'000	31 March 2018 £'000		31 March 2019 £'000	31 March 2019 £'000
OPERATING ACTIVITIES				
(441)		Cash received for goods and services	(260)	
(5)		Other local authorities	(3)	
(3)		Interest received	(8)	
(6,118)		Other operating cash receipts	(5,847)	
	(6,567)	Cash inflows generated from operating activities		(6,118)
4,579		Cash paid to and on behalf of employees	4,416	
1,749		Cash paid to suppliers of goods and services	1,703	
	6,328	Cash outflows generated from operating activities		6,119
	(239)	Net cash flows from operating activities (Note 15.1)		1
INVESTING ACTIVITIES				
4		Purchase of property, plant and equipment and intangible assets.	32	
	4	Net cash flows from investing activities		32
	(235)	Net (increase)/decrease in cash and cash equivalents (Note 15.2)		33
1st April £'000 1,513	1st April £'000 1,513	Cash and cash equivalents	1st April £'000 1,748	1st April £'000 1,748
31st March 1,748		Cash and cash equivalents	31st March 1,715	1,715
	(235)	Net (increase)/decrease in cash and cash equivalents (Note 15.2)		33

LOTHIAN VALUATION JOINT BOARD

1. STATEMENT OF ACCOUNTING POLICIES

1.1 General

The Annual Accounts have been prepared in accordance with the International Financial Reporting Standards (IFRS) based Code of Practice in the United Kingdom (the Code). This is to ensure that the Annual Accounts "present a true and fair view" of the financial position and transactions of the Board.

The Annual Accounts have been prepared on an historic cost basis, modified by the valuation of pension assets and liabilities where appropriate.

1.2 Accruals of Expenditure and Income

Activity is accounted for in the year that it takes place and not simply when cash payment is made or received. This means that expenses are recorded when goods or services have been received and income is recorded when goods or services have been provided. This recording is irrespective of whether cash has actually been paid or received in the year.

1.3 Cash and Cash Equivalents

Cash is represented by cash in hand and deposits with financial institutions, repayable without penalty on notice of not more than 24 hours. Cash equivalents are investments maturing in three months or less from the date of acquisition and are readily convertible to known amounts of cash with insignificant risk of change in value.

1.4 Changes in Accounting Policies, Estimates and Errors

Changes in accounting policies are only made when required by proper accounting practices or the change provides more reliable or relevant information about the effect of transactions, or other events or conditions on the Board's financial position or financial performance. Where a change is made, it is applied retrospectively by adjusting opening balances and comparative amounts for the prior period as if the new policy had always been applied. Changes in accounting estimates are accounted for prospectively, that is, in the current and future years affected by the change. Material errors discovered in prior period figures are corrected retrospectively by amending opening balances and comparative amounts for the prior period.

1.5 Revenue Expenditure

Revenue expenditure is that which does not yield benefit beyond the year of account. In broad terms the revenue expenditure of the Board can be divided into two categories:

- employees;
- day-to-day operating expenses, includes costs incurred in respect of Transport, Premises, ICT, postage and general administration.

All revenue expenditure is accounted for on an accruals basis.

Each year net revenue expenditure is met by way of requisitions on the City of Edinburgh, Midlothian, East Lothian and West Lothian Councils.

1.6 Capital Expenditure

Capital expenditure is presented as a fixed asset in the Balance Sheet. Capital expenditure is the expenditure on the acquisition of tangible or intangible assets which adds to and not merely maintains the value of an existing asset provided that it yields benefits to the Board and the services it provides for a period of more than one year. Capital expenditure is subject to a de-minimis level of £6,000.

LOTHIAN VALUATION JOINT BOARD

1. STATEMENT OF ACCOUNTING POLICIES (Contd.)

1.7 Short Term Debtors and Short Term Creditors

The revenue and capital transactions of the Board are recorded on an accruals basis which means that amounts due to or from the Board, but still outstanding at the year end, are included in the accounts. Where there was insufficient information to provide actual figures, estimates have been included.

1.8 Value Added Tax

Value Added Tax is excluded from the Annual Accounts unless it is not recoverable from HM Revenues and Customs.

1.9 Non-Current Assets

a) *Intangible Assets*

Recognition:

- Intangible assets are non-current assets that have no physical substance but are identifiable and controlled by the Board and it can be established that there is an economic benefit or service potential associated with the item which will flow to the Board. This expenditure is mainly in relation to software licenses purchased by the Board. Expenditure on the acquisition, creation or enhancement of intangible assets has been capitalised on an accruals basis.

Amortisation:

- Software licences classified as intangible assets. In most cases intangible assets are depreciated over the period of the licence, however, where the period of the licence is deemed 'infinite' the software has been depreciated based on an assessment of expected useful life.
- The amortisation policy at 31st March 2017 was not to provide for amortisation in the year of an asset's purchase. This has been amended from 1st April 2017 when amortisation has been provided for in the year of acquisition.
- Amortisation is calculated using the straight-line basis on the opening book value over the remaining useful life of the asset;

Measurement:

- Intangible assets are initially measured at cost and included in the Balance Sheet at net historical cost.

b) *Property, Plant and Equipment*

Property, plant and equipment are tangible items held for use by the Board in its provision of service and are expected to be used for more than one financial year. Property, plant and equipment are included in the Balance sheet in the following classes:

- Leasehold improvements;
- Vehicles, plant, furniture and equipment

Recognition:

- Expenditure on the acquisition, creation or enhancement of these non-current assets has been capitalised on an accruals basis, provided that future economic benefits or service potential associated with the item will flow to the Board and the cost of the item can be measured reliably. This expenditure is subject to the application of a de-minimis level of £6,000.

Amortisation:

Amortisation is provided on all property, plant and equipment with a finite useful life (which can be determined at the time of acquisition or revaluation) according to the following policy:

- No amortisation is charged on freehold land;
- The amortisation policy at 31st March 2017 was not to provide for amortisation in the year of an asset's purchase. This has been amended from 1st April 2017 when amortisation has been provided for in the year of acquisition.
- Amortisation is calculated using the straight-line basis on the opening book value over the remaining useful life of the asset;

LOTHIAN VALUATION JOINT BOARD

1. STATEMENT OF ACCOUNTING POLICIES (Contd.)

1.9 Non-Current Assets (Contd.)

b) Property, Plant and Equipment (Contd.)

Depreciation (Contd.):

- Non-current assets are depreciated as follows:

Asset	Years
Property (Leasehold improvements) - 25 years (currently 13 years remaining) Depreciated over remaining life of asset	13
Vehicles, plant and equipment	5

Measurement:

Property, plant and equipment, and leasehold improvements are measured at depreciated historic cost, this been a proxy for fair value in line with the Code.

De-recognition:

An asset is de-recognised either on its disposal or where no future economic benefits or service potential are expected from its use or disposal. The gain or loss arising from de-recognition of an asset is included in "Surplus or Deficit on the Provision of Service" within the Comprehensive Income and Expenditure Statement when the asset is de-recognised. The gain or loss on de-recognition of property, plant and equipment assets is a reconciling item in the "Movement in Reserves Statement for the General Fund".

Impairment:

Assets are assessed at each year end as to whether there is any indication that an asset may be impaired, that is, that the carrying value of an asset on the Balance sheet exceeds its recoverable amount. Where indications exist and any possible differences are material, the recoverable amount is estimated and an impairment loss is recognised for the shortfall.

1.10 Overheads and Support Services

The costs of support services are allocated on a basis appropriate to the service provided in order to match costs to service usage. Certain support service costs are provided under a Service Level Agreement between the Board and service provider.

1.11 Charges to Comprehensive Income and Expenditure Statement for use of non-current assets

The Comprehensive Income and Expenditure Statement is charged with the following amounts to record the real cost of holding non-current assets during the year:

- Depreciation attributable to the assets used by the Board;
- Impairment losses, if any, attributable to the clear consumption of economic benefits on property, plant and equipment used by the Board.

The Board is not required to raise requisitions on the constituent councils to cover depreciation or impairment losses. Depreciation and impairment losses are not proper charges under statutory accounting requirements and are therefore a reconciling item in the Movement in Reserves Statement for the General Fund by way of an adjusting transaction with the Capital Adjustment Account.

LOTHIAN VALUATION JOINT BOARD

1. STATEMENT OF ACCOUNTING POLICIES (Contd.)

1.12 Leases

Leases are classified as finance leases where the terms of the lease transfer substantially all the risks and rewards incidental to ownership of property, plant or equipment from the lessor to the lessee. All other leases are classified as operating leases.

a) Finance Leases

Leased-in assets

The Board has not identified any leased-in assets that fall under the definition of finance leases.

Leased-out assets

The Board has not identified any leased-out assets that fall under the definition of finance leases.

b) Operating Leases

Leased-in assets

Rental payments, net of benefits received, under operating leases are charged to the Comprehensive Income and Expenditure statement on a straight line basis over the life of the lease.

Leased-out assets

The Board has not identified any leased-out assets that fall under the definition of operating leases.

1.13 Provisions

Provision is made within the Annual Accounts when the board has a present legal or constructive obligation as a result of a past event, there is a probability of a transfer of economic benefit and a reliable estimate can be made of the obligation. Provisions are charged to the Comprehensive Income and Expenditure Statement in the year in which the Board becomes aware of the obligation.

1.14 Contingent Liability

A contingent liability is defined as either a possible obligation that arises from past events and whose existence will be confirmed by the occurrence or non-occurrence of one of more uncertain future events, which are not wholly within the control of the Board or a present obligation that arises from past events, but it is not possible that an outflow of resources will be required or the amount of the obligation cannot be measured reliably. If such obligation exist, they are not recognised in the Balance Sheet but are disclosed as a note to the Annual Accounts.

1.15 Contingent Assets

A contingent asset arises where an event has taken place that gives the Board a possible asset whose existence will only be confirmed by the occurrence or non-occurrence of one or more uncertain future events, which are not wholly within the control of the Board. If such assets exist, they are disclosed as a note to the Annual Accounts.

1.16 Employee Benefits

Cost of service includes a charge for annual leave to which employees are entitled, but have not taken as at the Balance Sheet date. The Board is not required to raise requisitions on constituent councils to cover the cost of accrued annual leave. These costs are therefore replaced by revenue provision in the Movement in Reserves Statement for the General Fund balance by way of an adjusting transaction with the Accumulated Absences Account.

LOTHIAN VALUATION JOINT BOARD

1. STATEMENT OF ACCOUNTING POLICIES (Contd.)

1.17 Termination Benefits

Termination benefits are amounts payable as a result of a decision by the Board to terminate employees' employment before the normal retirement date or an employee's decision to accept voluntary redundancy. These amounts are charged on an accruals basis to the Comprehensive Income and Expenditure Statement when the Board is demonstrably committed to either terminating the employment of an employee or making an offer to encourage voluntary redundancy.

1.18 Pensions

The Joint Board is an admitted body to the Local Government Pension Scheme (LGPS) which is administered by the Lothian Pension Fund. The LGPS is a defined benefit statutory scheme, administered in accordance with the Local Government Pension Scheme (Scotland) Regulations 1998, as amended.

The Annual Accounts have been prepared including pension costs, as determined under International Accounting standard 19 - Employee Benefits (IAS 19). The cost of service in the Comprehensive Income and Expenditure Statement includes expenditure equivalent to the amounts of retirement benefits the Board has committed to pay during the year. Interest Cost on Defined Pension Obligation and Interest Income on Plan Assets have been included in the "Surplus or Deficit on the Provision of Services" within the Comprehensive Income and Expenditure Statement. Other comprehensive income and expenditure within the Comprehensive Income and Expenditure Statement also now shows the financial effect of changes in financial assumptions, other experience and return on pension assets excluding amounts included in net interest.

The pension costs charged to the Comprehensive Income and Expenditure Statement in respect of employees are not equal to contributions paid to the funded scheme for employees. The amount by which pension costs under IAS19 are different from the contributions due under the pension scheme regulations are disclosed in the Movement in Reserves Statement for the General Fund Balance.

Pension assets have been valued at bid value (purchase price), as required under IAS19.

Further costs arise in respect of certain pensions paid to retired employees on an unfunded basis. Under pension regulations, contribution rates are set to meet 100% of the overall liabilities of the Fund.

1.19 Revenue Contributions

Revenue contributions from constituent councils have been included in the Annual Accounts on an accruals basis.

1.20 Reserves

Reserves held on the Balance Sheet are classified as either usable or unusable. Usable reserves hold monies that can be applied to fund expenditure. Unusable reserves cannot be applied to fund expenditure.

The Board operates the following usable reserves:

a) *General Fund*

This represents the balance of the surpluses or deficits arising from the Comprehensive Income and Expenditure Statement. The Board changed its accounting policy in relation to unspent requisitions during 2015/16. In February 2018 the Board approved a formal reserves policy based on holding a general reserve with a minimum value of 3% of annual requisition. Balances held in excess of 3% require to be reviewed annually in-line with risk/identified commitments.

The Board operates the following unusable reserves:

b) *Capital Adjustment Account*

This provides a balancing mechanism between the different rates at which assets are depreciated and financed.

c) *Pension Reserve*

This represents the difference between the monies which the Board requires to meet its pension liability as calculated under International Accounting Standards 19, Employee Benefits (IAS 19) and the amount required to be charged to the General Fund in accordance with statutory requirement governing Local Government Pension Scheme.

d) *Accumulated Absences Account*

This represents the net monies which the Board requires to meet its short-term compensated absences for employees under IAS19.

LOTHIAN VALUATION JOINT BOARD

1. STATEMENT OF ACCOUNTING POLICIES (Contd.)

1.21 Financial Instruments

a) *Financial Liabilities*

Financial liabilities are initially measured at fair value and carried at their amortised cost. Annual charges to the Comprehensive Income and Expenditure Statement for interest payable are based on the carrying amount of the liability, multiplied by the effective rate of interest for the instrument. As at 31st March, 2019, the Board had no borrowings.

b) *Financial Assets*

Loans and receivables are initially measured at fair value and carried at their amortised cost. Annual credits to the Comprehensive Income and Expenditure Statement for interest receivable are based on the carrying amount of the asset multiplied by the effective rate of interest for the instrument. The Board holds its surplus funds with the City of Edinburgh Council in a pooled investment arrangement and does not place external deposits in its own name. These sums are presented in the Balance Sheet as the balance due from the City of Edinburgh Council and interest receivable from this investment is credited to the Comprehensive Income and Expenditure Statement.

Where assets are identified as impaired because of a likelihood arising from a past event that payments due under the contract will not be made, the asset is written down and a charge made to the Comprehensive Income and Expenditure Statement.

Any gains and losses that arise on the de-recognition of the asset are credited/debited to the Comprehensive Income and Expenditure Statement.

1.22 Events After the Balance Sheet Date

Events after the reporting period are those events, both favourable and unfavourable, that occur between the end of the reporting period and the date when the Annual Accounts is authorised for issue. Two types of event can be identified:

- those that provide evidence of conditions that existed at the end of the reporting period - the Annual Accounts is adjusted to reflect such items;
- those that are indicative of conditions that arose after the reporting period - the Annual Accounts is not adjusted to reflect such events, but where a category of events would have a material effect, disclosure is made in the notes of the nature of the events and their estimated financial effect.

Events taking place after the date of authorisation for issue are not reflected in the Annual Accounts.

1.23 Exceptional Items

When items of income and expenditure are material, their nature and amount are disclosed separately, either on the face of the Comprehensive Income and Expenditure Statement or in the notes to the accounts, depending on how significant the items are to an understanding of the Board's financial performance.

1.24 Going Concern

It is appropriate to adopt a going concern basis for the preparation of the Annual Accounts as the constituent authorities have a legal obligation under the 1995 Combined Area Amalgamation Scheme Order to provide the Joint Board with funding to meet all liabilities as they fall due.

LOTHIAN VALUATION JOINT BOARD

2. EXPENDITURE AND FUNDING ANALYSIS

The Expenditure and Funding Analysis shows how annual expenditure is used and funded from resources (requisitions from local authorities) by the Lothian Valuation Joint Board in comparison with those resources consumed or earned by the Lothian Valuation Joint Board in accordance with general accounting practice. It also shows how this expenditure is allocated for decision making purposes between service areas. Income and expenditure accounted for under generally accepted accounting practices is presented more fully in the Comprehensive Income and Expenditure Statement (CIES) (see page 8).

EXPENDITURE AND FUNDING ANALYSIS						
Net Expend. Chargeable to the General Fund £000	2017/18 Adjustments £000	Net Expenditure in the CIES £000		Net Expend. Chargeable to the General Fund £000	2018/19 Adjustments £000	Net Expenditure in the CIES £000
6,331	555	6,886	Core Budget	5,748	1,434	7,182
0	27	27	Individual Electoral Registration	0	15	15
6,331	582	6,913	Net Cost of Services	5,748	1,449	7,197
			Other Income and Expenditure			
(6,118)	0	(6,118)	Constituent council requisitions	(5,847)	0	(5,847)
0	(3)	(3)	Interest and investment income	0	(8)	(8)
0	329	329	Net pension interest cost	0	178	178
213	908	1,121	(Surplus) or deficit on the provision of services	(99)	1,619	1,520
(1,011)			Opening General Fund Balance	(798)		
213			(Surplus) / Deficit on the provision of services	(99)		
(798)			Closing General Fund Balance at 31 March	(897)		

Notes to the Expenditure and Funding Analysis:

2.1 Adjustments from the General Fund to arrive at the Comprehensive Income and Expenditure Statement amounts 2018/19:

	Adjusts. For Capital Purposes £000	Net Change for Pensions Adjusts. £000	Other Differences £000	Total Statutory Adjusts. £000	Presentation Adjusts. £000	Total Adjusts. £000
Core budget	68	1,338	20	1,426	8	1,434
Individual electoral registration	0	15	0	15	0	15
Net Cost of Services	68	1,353	20	1,441	8	1,449
Other Income and Expenditure						
Constituent council requisitions	0	0	0	0	0	0
Interest and investment income	0	0	0	0	(8)	(8)
Net pension interest cost	0	178	0	178	0	178
(Surplus) or deficit on the provision of services	68	1,531	20	1,619	0	1,619

LOTHIAN VALUATION JOINT BOARD

2. EXPENDITURE AND FUNDING ANALYSIS (Contd.)

Notes to the Expenditure and Funding Analysis:

2.1 Adjustments from the General Fund to arrive at the Comprehensive Income and Expenditure Statement amounts

- Adjustments for capital purposes include the removal of depreciation and impairment costs, and the inclusion of capital funded from current revenue.
- Net changes for pensions adjustment relates to the adjustment made for the removal of IAS19 Employee Benefits pension related expenditure and income with the pension contributions.
- Other differences relate to the reversal of the value of entitlement to accrued leave.
- Presentational adjustments relate primarily to the presentation of interest on revenue balances.

2.2 Segmental Analysis of Expenditure and Income included in Expenditure and Funding Analysis

Expenditure and Income received on a segmental basis is analysed below:

	Core Budget	Individual Electoral Registration	Total
	£000	£000	£000
Expenditure			
Employee expenses	4,235	33	4,268
Other service expenses	1,493	186	1,679
Support service recharges	67	0	67
Total Expenditure	5,795	219	6,014
Income			
Revenues from external customers	(39)	(219)	(258)
Interest and investment income	(8)	0	(8)
Total Income	(47)	(219)	(266)
Net Cost of Services per EFA	5,748	0	5,748

2.3 Expenditure and Income Analysed by Nature

The Board's expenditure and income, as set out within the Comprehensive Income and Expenditure Statement is analysed as follows:

	2017/18	2018/19
	£000	£000
Expenditure		
Employee expenses	5,321	5,640
Other service expenses	1,720	1,647
Support service recharges	66	67
Depreciation and impairment	113	101
Interest payments	1,699	1,601
Total Expenditure	8,919	9,056
Income		
Fees, charges and other service income	(307)	(258)
Interest and investment income	(1,373)	(1,431)
Income from constituent Councils	(6,118)	(5,847)
Government grants and other contributions	0	0
Total Income	(7,798)	(7,536)
(Surplus) or Deficit on the Provision of Services	1,121	1,520

LOTHIAN VALUATION JOINT BOARD

3. ACCOUNTING STANDARDS THAT HAVE BEEN ISSUED BUT HAVE NOT YET BEEN ADOPTED

The Code requires the disclosure of information relating to the impact of an accounting change that will be required by a new standard that has been issued but not yet adopted. This applies to the adoption of the following new or amended standards within the 2019/20 Code. For 2019/20 the following accounting policy changes that need to be reported relate to:

- Amendments to IAS 40 Investment Property: Transfers of Investment Property,
- Annual Improvements to IFRS Standards 2014-2016 Cycle,
- IFRIC 22 Foreign Currency Transactions and Advance Consideration,
- IFRIC 23 Uncertainty over Income Tax Treatments, and
- Amendments to IFRS 9 Financial Instruments: Prepayment Features with Negative Compensation.

The Code does not anticipate that the above amendments will have a material impact on the information provided in the Board's Annual Accounts.

4. CRITICAL JUDGEMENTS IN APPLYING ACCOUNTING POLICIES

In applying the accounting policies set out in Note 1, the Board has had to make certain judgements about complex transactions or those involving uncertainty about future events. The critical judgements made in the Annual Accounts are:

- There is high degree of uncertainty about future levels of funding for local government, however, the Board has determined that this uncertainty is not yet sufficient to provide an indication that the assets of the Board might be impaired as a result of a need to reduce levels of service provision.
- Local Government Pension Scheme - Guaranteed minimum pension (GMP). The interim solution to avoid inequalities between men and women's benefits following the introduction of the Single State Pension in 2016 has resulted in a recalculation of pension liabilities relating to the estimated impact of GMP indexation changes. The estimate for the Board is that total liabilities could be 0.35% higher as at 31 March 2019 (approx. £0.187m). The increased liability has been reflected in the pension liability as a past service cost (refer to Note 21 Defined Benefit Pension Schemes). This is an estimate which will be revised at the upcoming valuation.
- Local Government Pension Scheme (LGPS) - McCloud judgement. Legislation requires the LGPS to undertake periodic valuations to monitor the cost of the LGPS to ensure it remains sustainable and affordable. The cost management process has been paused following the Court of Appeal ruling that the transitional arrangements in both the Judges' Pension Scheme (McCloud) and Firefighters' Pension Scheme (Sargeant) were age discriminatory. These cases could have knock on implications for the LGPS (potentially increasing the liabilities). The Board's actuary has included an estimate within the pension liability as a past service cost (refer to Note 21 Defined Benefit Pension Schemes) which will be subject to future revision as the outcome of the the judgement becomes clearer in line with the upcoming valuation.

5. ASSUMPTIONS MADE ABOUT THE FUTURE AND OTHER MAJOR SOURCES OF ESTIMATION UNCERTAINTY

The Annual Accounts contains estimated figures that are based on assumptions made by the Board about the future or events that are otherwise uncertain. Estimates are made taking into account historical experience, current trends and other relevant factors.

5.1 Property, Plant and Equipment

Uncertainties

Assets are depreciated over useful lives that are dependent on assumptions about the level of repairs and maintenance that will be incurred in relations to individual assets. The current economic climate may mean that the Board restricts spending on repairs and maintenance which, in turn, may have an effect on the useful lives of the assets.

Effect if Actual Result Differs from Assumptions

If the useful life of assets is reduced, depreciation increases and the carrying amount of the asset falls. It is estimated that the annual depreciation charge would increase by £0.001m for every year that useful lives had to be reduced.

LOTHIAN VALUATION JOINT BOARD

5. ASSUMPTIONS MADE ABOUT THE FUTURE AND OTHER MAJOR SOURCES OF ESTIMATION UNCERTAINTY (Contd.)

5.2 Pension Liabilities

Uncertainties

Estimation of the net liability to pay pensions depends on a number of complex judgements relating to the discount rate used, the rate at which salaries are projected to increase, changes in retirement ages, mortality rates and expected returns on pension fund assets. A firm of consulting actuaries is engaged to provide the Board with expert advice about the assumptions to be applied.

Effect if Actual Result Differs from Assumptions

Formal actuarial valuations are carried out every three years, where each employer's assets and liabilities are calculated on a detailed basis, using individual member data, for cash contribution setting purposes. The formal valuations for Scottish LGPS Funds were concluded by 31 March 2018 and the figures included in the 2018/19 Annual Accounts reflect the roll-forward position to 31st March 2019. The roll-forward allows for changes in financial assumptions, additional benefit accrual and estimated cash flows over the period. The balance sheet position has worsened over 2018/19. Corporate bond yields are lower at 31 March 2019 than 31 March 2018 which serves to increase the value placed on the obligations. The effect of this will have been partially offset by investment returns being greater than the 31 March 2018 discount rate.

Under accounting guidance, employers are expected to disclose the sensitivity of the valuation to key assumptions.

The costs of a pension arrangement require estimates regarding future experience. The financial assumptions used for reporting under the Accounting Standard are the responsibility of the Employer. These assumptions are largely prescribed at any point and reflect market conditions at the reporting date. Changes in market conditions that result in changes in the net discount rate (essentially the difference between the discount rate and the assumed rates of increase of salaries, deferred pension revaluation or pensions in payment), can have a significant effect on the value of the liabilities reported.

A reduction in the net discount rate will increase the assessed value of liabilities as a higher value is placed on benefits paid in the future. A rise in the net discount rate will have an opposite effect of similar magnitude.

There is also uncertainty around life expectancy of the UK population. The value of current and future pension benefits will depend on how long they are assumed to be in payment.

The following table shows the sensitivity of the results to the changes in the assumptions used to measure the scheme liabilities. Approximate percentage changes and monetary values are shown:

	Approximate % increase to Employer Obligations %	Approximate monetary value £000
0.5% decrease in Real Discount Rate	10%	6,827
0.5% increase in the Salary Increase Rate	2%	1,446
0.5% increase in the Pension Increase Rate	8%	5,208

6. EVENTS AFTER THE REPORTING PERIOD

There are no events after the reporting period.

LOTHIAN VALUATION JOINT BOARD

7. ADJUSTMENTS BETWEEN ACCOUNTING BASIS AND FUNDING BASIS UNDER REGULATIONS

- 7.1** This note details the adjustments that are made to the total Comprehensive Income and Expenditure Statement recognised by the Board in the year in accordance with proper accounting practice to the resources that are specified by statutory provisions as being available to the Board to meet future capital and revenue expenditure.

2018/19 - Current Financial Year	Usable Reserves	Unusable Reserves			
	General Fund Balance	Capital Adjustment Account	Pension Reserve	Accumulated Absence Account	Movement in Unusable Reserves
	£'000	£'000	£'000	£'000	£'000
Adjustments primarily involving the Capital Adjustment Account					
Reversal of items debited or credited to the Comprehensive Income and Expenditure Statement (CIES)					
Charges for depreciation and impairment of non-current assets	(75)	75	0	0	75
Depreciation of intangible assets	(25)	25	0	0	25
Insertion of items not debited or credited to the CIES					
Capital expenditure charged against General Fund Balance	32	(32)	0	0	(32)
Adjustments primarily involving the Pensions Reserve					
Reversal of items relating to retirement benefits debited or credited to the CIES	(2,374)	0	2,374	0	2,374
Employer's pension contributions and direct payments to pensioners payable in the year	843	0	(843)	0	(843)
Adjustments primarily involving the Employee Statutory Adjustment Account					
Amount by which officer remuneration charged to the CIES on an accruals basis is different from remuneration chargeable in the year in accordance with statutory requirements	(20)	0	0	20	20
Total Adjustments	(1,619)	68	1,531	20	1,619

LOTHIAN VALUATION JOINT BOARD

7. ADJUSTMENTS BETWEEN ACCOUNTING BASIS AND FUNDING BASIS UNDER REGULATIONS (Contd.)

- 7.2** This note details the adjustments that are made to the total Comprehensive Income and Expenditure Statement recognised by the Board in the year in accordance with proper accounting practice to the resources that are specified by statutory provisions as being available to the Board to meet future capital and revenue expenditure.

2017/18 - Previous Year Comparative	Usable Reserves	Unusable Reserves			
	General Fund Balance	Capital Adjustment Account	Pension Reserve	Accumulated Absence Account	Movement in Unusable Reserves
	£'000	£'000	£'000	£'000	£'000
Adjustments primarily involving the Capital Adjustment Account					
Reversal of items debited or credited to the Comprehensive Income and Expenditure Statement (CIES)					
Charges for depreciation and impairment of non-current assets	(94)	94	0	0	94
Depreciation of intangible assets	(20)	20	0	0	20
Insertion of items not debited or credited to the CIES					
Capital expenditure charged against General Fund Balance	4	(4)	0	0	(4)
Adjustments primarily involving the Pensions Reserve					
Reversal of items relating to retirement benefits debited or credited to the CIES	(1,589)	0	1,589	0	1,589
Employer's pension contributions and direct payments to pensioners payable in the year	759	0	(759)	0	(759)
Adjustments primarily involving the Employee Statutory Adjustment Account					
Amount by which officer remuneration charged to the CIES on an accruals basis is different from remuneration chargeable in the year in accordance with statutory requirements	32	0	0	(32)	(32)
Total Adjustments	(908)	110	830	(32)	908

LOTHIAN VALUATION JOINT BOARD

8. PROPERTY PLANT AND EQUIPMENT

Movements on balances:

8.1	<u>Current Year Movements in 2018/19</u>	Leasehold	Vehicles	Total
		Improvements	Plant and	Property
		£000's	Equipment	Plant and
	Cost or Valuation		£000's	Equipment
				£000's
	At 1st April 2018	432	340	772
	Derecognised assets GBV reversal	0	(68)	(68)
	Additions	0	16	16
	At 31st March 2019	432	288	720
	Accumulated Depreciation			
	At 1st April 2018	(185)	(224)	(409)
	Derecognised assets depreciation reversal	0	68	68
	Depreciation charge	(17)	(58)	(75)
	At 31st March 2019	(202)	(214)	(416)
	Net Book Value at 31st March 2019	230	74	304

8.2	<u>Previous Year Movements in 2017/18</u>	Leasehold	Vehicles	Total
		Improvements	Plant and	Property
		£000's	Equipment	Plant and
	Cost or Valuation		£000's	Equipment
				£000's
	At 1st April 2017	432	446	878
	Derecognised assets GBV reversal	0	(110)	(110)
	Additions	0	4	4
	At 31st March 2018	432	340	772
	Accumulated Depreciation			
	At 1st April 2017	(167)	(258)	(425)
	Derecognised assets depreciation reversal	0	110	110
	Depreciation charge	(18)	(76)	(94)
	At 31st March 2018	(185)	(224)	(409)
	Net Book Value at 31st March 2018	247	116	363

8.3 Depreciation

The following useful lives have been used in the calculation of depreciation:

- Leasehold improvements (buildings) - 25 years (currently 13 years remaining)
- Vehicles, plant and equipment - 5 years

LOTHIAN VALUATION JOINT BOARD

8. PROPERTY PLANT AND EQUIPMENT (Contd.)

8.4 Capital Commitments

At 31st March 2019, there were no capital commitments entered into by the Board.

8.5 Revaluations

Property, plant and equipment are shown in the balance sheet at depreciated historic cost. This does not comply with the Code, however, the difference is not considered material.

The significant assumptions applied in estimating the fair values are:

- the property was not inspected - this was neither practical nor considered by the valuer to be necessary for the purpose of the valuation;
- unless stated otherwise, all properties with greater than de-minimus value were assumed to be in reasonable state of repair and have a life expectancy of more than 50 years;
- the valuations were prepared using information from the City of Edinburgh Council's internal records as well as the Valuation Roll produced by the Lothian Valuation Joint Board.

LOTHIAN VALUATION JOINT BOARD

9. INTANGIBLE ASSETS

The Board accounts for its software as intangible assets, to the extent that software is not an integral part of a particular IT system and accounted for as part of the hardware item of Property, Plant and Equipment. The intangible assets include both purchased licences and internally generated software.

All software is given a useful life, based on assessments of the period that the software is expected to be of use to the Board. The useful lives assigned to the major software suites used by the Board are:

- 3 years:
- Dacoll Limited - Back-up software
 - Phoenix Software - GFI langard software
 - Trustmarque Solutions Ltd - Anti-virus software
- 5 years:
- Civica UK Ltd - Software to increase robustness
 - Trustmarque Solutions Ltd - Sharepoint software
 - Zerion - Canvass operation software
 - Trustmarque Solutions Ltd - Visual Studio and SQL server licences
- 10 years :
- Dacoll virtual environment - software/licences
 - Microsoft Office licences
 - Document & Data Disposal Module software

The carrying amount of intangible assets is depreciated on a straight-line basis. Amortisation of £0.025m was charged to the Comprehensive Income and Expenditure during 2018/19.

The movement on Intangible Assets during the year is as follows:

	2017/18 £'000	2018/19 £'000
Balance at start of year:		
• Gross carrying amounts	136	136
• Accumulated amortisation	(50)	(69)
Net carrying amount at start of year	86	67
Additions	0	16
Amortisation for the period	(19)	(25)
Net carrying amount at end of year	67	58
Comprising:		
• Gross carrying amounts	136	152
• Accumulated amortisation	(69)	(94)
	67	58

LOTHIAN VALUATION JOINT BOARD

10. FINANCIAL INSTRUMENTS

10.1 In accordance with IFRS 9 Financial Instruments, IFRS 7 Financial Instruments: Disclosures and IAS 32 Financial Instruments: Presentation; this note details the make up of financial instruments, both assets and liabilities, the key risks the Board is exposed to in its management of its financial instruments, and how these are managed. From 1st April 2012, the Board changed its Accounting Policy in respect of the transfer of assets to comply with amendments to IFRS 7 issued in October 2010. The standard does not have a material impact on the Annual Accounts of the Board.

10.2 Financial Instruments - Classifications

A financial instrument is a contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Non-exchange transactions, such as those relating to government grants, do not give rise to financial instruments.

Financial Liabilities

A financial liability is an obligation to transfer economic benefits controlled by the Board and can be represented by a contractual obligation to deliver cash or financial assets or an obligation to exchange financial assets and liabilities with another entity that is potentially unfavourable to the Board.

The Board's financial liabilities held during the year are measured at amortised cost and comprised:

- Trade payables for goods and services received.

Financial Assets

A financial asset is a right to future economic benefits controlled by the Board that is represented by cash, equity instruments or a contractual right to receive cash or other financial assets or a right to exchange financial assets and liabilities with another entity that is potentially favourable to the Board. The financial assets held by the Board during the year are accounted for under the following classifications:

Amortised cost comprising:

- Cash in hand,
- Cash and cash equivalents (Loans and receivables). The Board maintains its funds as part of the City of Edinburgh Council's group of bank accounts. Any cash balance is effectively lent to the Council, but is offset by expenditure undertaken by the City of Edinburgh Council on behalf of the Board. Interest is given on month end net indebtedness balances between the Council.
- Trade receivables for goods and services provided.

10.3 Financial Instruments - Balances

The financial liabilities disclosed in the Balance Sheet are analysed across the following categories

	Non-Current		Current	
	31st March	31st March	31st March	31st March
	2018	2019	2018	2019
Financial Liabilities	£'000	£'000	£'000	£'000
Trade creditors	0	0	(2)	(13)
The creditors lines on the Balance Sheet include £0.013m (2017/18: £0.002m) short-term creditors that do not meet the definition of a financial liability as they relate to non-exchange transactions.				

The financial assets disclosed in the Balance Sheet are analysed across the following categories:

	Non-Current		Current	
	31st March	31st March	31st March	31st March
	2018	2019	2018	2019
Cash and Cash Equivalents	£'000	£'000	£'000	£'000
Loans and receivables	0	0	1,748	1,715
Debtors				
Trade debtors	0	0	0	0
The debtors lines on the Balance Sheet includes no short-term or long-term debtors.				

10.4 Financial Instruments - Fair Values

Financial instruments, except those classified at amortised cost, are carried in the Balance Sheet at fair value. For most assets the fair value is taken from the market price.

Financial instruments classified at amortised cost are carried in the Balance Sheet at amortised cost. Their fair values have been estimated by calculating the net present value of the remaining contractual cash flows at 31st March 2019, using the following methods and assumptions:

LOTHIAN VALUATION JOINT BOARD

10. FINANCIAL INSTRUMENTS (Contd.)

10.4 Financial Instruments - Fair Values (Contd.)

Financial instruments, except those classified at amortised cost, are carried in the Balance Sheet at fair value. For most assets the fair value is taken from the market price.

Financial instruments classified at amortised cost are carried in the Balance Sheet at amortised cost. Their fair values have been estimated by calculating the net present value of the remaining contractual cash flows at 31st March 2019, using the following methods and assumptions:

- Cash and cash equivalents – actual indebtedness balance. The Board maintains its funds as part of the City of Edinburgh Council's group of bank accounts. Loans to and from the City of Edinburgh Council are variable rate and repayable on demand. The fair value of these loans has therefore been taken to be their carry value.
- The fair value of short-term instruments, including trade payables and receivables, is taken to be the invoiced or billed amount.

The fair values calculated are as follows:

	31 March 2018		31 March 2019	
	Carrying Amount	Fair Value	Carrying Amount	Fair Value
	£'000	£'000	£'000	£'000
Trade creditors	(2)	(2)	(13)	(13)
Trade debtors	0	0	0	0
Loans and receivables	1,748	1,748	1,715	1,715

10.5 Income, Expenses, Gains and Losses

The gains and losses recognised in the Comprehensive Income and Expenditure Statement in relation to financial instruments are made up as follows:

	Financial Assets measured at amortised cost	Financial Assets measured at amortised cost
	31st March 2018	31st March 2019
	£'000	£'000
Total expense and income in Surplus or Deficit on the Provision of services :		
Interest income	3	8

11. SHORT TERM DEBTORS

	2017/18	2018/19
	£'000	£'000
Debtors:		
• Trade Receivables	14	12
• Prepayments	121	113
	<u>135</u>	<u>125</u>

12. CASH AND CASH EQUIVALENTS

The balance of cash and cash equivalents is made up of the following elements:

	2017/18	2018/19
	£'000	£'000
• Cash held by the Board	1	1
• Other local authorities	1,747	1,714
	<u>1,748</u>	<u>1,715</u>

13. SHORT TERM CREDITORS

	2017/18	2018/19
	£'000	£'000
Creditors:		
• Trade payables	(42)	(56)
• Other payables	(696)	(589)
	<u>(738)</u>	<u>(645)</u>

LOTHIAN VALUATION JOINT BOARD

14. USABLE AND UNUSABLE RESERVES

<u>USABLE</u>		2017/18	2018/19
		£'000	£'000
14.1	General Fund Balance	(798)	(897)
		<u>(798)</u>	<u>(897)</u>

<u>UNUSABLE</u>		2017/18	2018/19
		£'000	£'000
14.2	Capital Adjustment Account	(429)	(361)
14.3	Pension Reserve	5,933	8,884
14.4	Accumulated Absence Account	63	83
		<u>5,567</u>	<u>8,606</u>

14.1 General Fund Balance

Movements in the Authority's usable reserve are detailed in the Movement in Reserves Statement. The General Fund balance represents the balance of the surpluses or deficits arising from the Comprehensive Income and Expenditure Statement.

The table below details the surplus or deficits arising annually since 2010/11. Prior to 2010/11 all surplus balances were refunded to constituent councils.

In February 2018 the Board approved a formal reserves policy based on holding a general reserve with a minimum value of 3% of annual requisition. Balances held in excess of 3% require to be reviewed annually in-line with risk/identified commitments.

<u>Year</u>	2017/18	2018/19
	£'000	£'000
2010/11	(228)	(228)
2011/12	(42)	(42)
2012/13	(127)	(127)
2013/14	(24)	(24)
2014/15	(175)	(175)
2015/16	(153)	(153)
2016/17	(262)	(262)
2017/18	213	213
2018/19	-	(99)
	<u>(798)</u>	<u>(897)</u>

14.2 Capital Adjustment Account

The Capital Adjustment Account absorbs the timing differences arising from the different arrangements for accounting for the consumption of non-current assets and for financing the acquisition, construction or enhancement of those assets under statutory provisions. The Account is debited with the cost of acquisition, construction or enhancement as depreciation, impairment losses and Depreciations are charged to the Comprehensive Income and Expenditure Statement (with reconciling postings from the Revaluation Reserve to convert fair value figures to a historical cost basis). The Account is credited with the amounts set aside by the Board as finance for the costs of acquisition, construction and enhancement.

LOTHIAN VALUATION JOINT BOARD

14. USABLE AND UNUSABLE RESERVES (Contd.)

14.2 Capital Adjustment Account (Contd.)

	2017/18 £'000	2018/19 £'000
Balance at 1st April	(538)	(429)
Reversal of items related to capital expenditure debited or credited to the Comprehensive Income and Expenditure Statement:		
• Charges for depreciation and impairment of non-current assets	94	75
• Depreciation of intangible assets	19	25
	<hr/>	<hr/>
Net written out amount of the cost of non-current assets consumed in year	(425)	(329)
Capital financing for the year:		
• Statutory provision for the financing of capital expenditure	(4)	(32)
	<hr/>	<hr/>
Balance at 31st March	(429)	(361)

14.3 Pension Reserve

The Pension Reserve absorbs the timing differences arising from the different arrangements for accounting for post employment benefits and for funding benefits in accordance with statutory provisions. The Board accounts for post employment benefits in the Comprehensive Income and Expenditure Statement as the benefits are earned by employees accruing years of service, updating the liabilities recognised to reflect inflation, changing assumptions and investment returns on any resources set aside to meet the costs. However, statutory arrangements require benefits earned to be financed as the Board makes employer's contributions to pension funds or eventually pays any pensions for which it is directly responsible. The debit balance on the Pensions Reserve therefore shows a substantial shortfall in the benefits earned by past and current employees and the resources the Board has set aside to meet them. The statutory arrangements will ensure that funding will have been set aside by the time the benefits come to be paid.

	2017/18 £'000	2018/19 £'000
Balance at 1st April	12,395	5,933
Remeasurements of the net defined benefit liability / (asset)	(7,292)	1,420
Reversals of items relating to retirement benefits debited or credited to the Surplus or Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement.	1,589	2,374
Employer's pension contributions and direct payments to pensioners payable in the year.	(759)	(843)
	<hr/>	<hr/>
Balance at 31st March	5,933	8,884

LOTHIAN VALUATION JOINT BOARD

14. USABLE AND UNUSABLE RESERVES (Contd.)

14.4 Accumulated Absences Account

The Accumulated Absences Account absorbs the differences that would otherwise arise on the General Fund Balance from accruing for compensated absences earned but not taken in the year, for example, annual leave entitlement carried forward at 31st March. Statutory arrangements require that the impact on the General Fund balance is neutralised by transfers to or from the Account.

	2017/18 £'000	2017/18 £'000	2018/19 £'000	2018/19 £'000
Balance at 1st April		94		63
Settlement or cancellation of accrual made at the end of the preceding year	(94)		(63)	
Amounts accrued at the end of the current year	63		83	
Amount by which officer remuneration charged to the Comprehensive Income and Expenditure Statement on an accruals basis is different from remuneration chargeable in the year in accordance with statutory requirements		(31)		20
Balance at 31st March		63		83

15 CASH FLOW STATEMENT

15.1 Reconciliation between the General Fund Balance and the revenue activities net cash flow.

	2017/18 £'000	2018/19 £'000
Net (increase)/decrease in the General Fund Balance	213	(99)
Exclude accumulated absences	(31)	20
Exclude revenue contribution to capital	(4)	(32)
	178	(111)
(Decrease)/increase in revenue debtors	(137)	(10)
(Decrease)/increase in long term debtors	(6)	(6)
Decrease/(increase) in deferred credit	35	35
Decrease/(increase) in revenue creditors	(309)	93
Revenue activities net cash flow	(239)	1

15.2 Reconciliation of the movement in cash with the related items in the opening and closing balance sheets for the period.

	2017/18 £'000	2018/19 £'000
Due by/(to) the City of Edinburgh Council at 31st March	1,513	1,748
Due by/(to) the City of Edinburgh Council at 1st April	1,748	1,715
(Increase)/decrease in cash	(235)	33

LOTHIAN VALUATION JOINT BOARD

16. MEMBERS ALLOWANCES

The Board paid the following amounts to members during the year. These figures include NI and Pensions.

	2017/18 £000's	2018/19 £000's
Salaries (incl. NI and Pensions)	7	9
Expenses	0	0
Total	7	9

17. EXTERNAL AUDIT COSTS

The Board has incurred the following costs in relation to the audit of the Annual Accounts:

	2017/18 £000's	2018/19 £000's
External audit services carried out for the year	7	7

18. RELATED PARTIES

The Board is required to disclose material transactions with related parties - bodies or individuals that have the potential to control or influence the Board or to be controlled or influenced by the Board. Disclosure of these transactions allows readers to assess the extent to which the Board might have been constrained in its ability to operate independently or might have secured the ability to limit another party's ability to bargain freely with the Board.

18.1 Scottish Government

The Scottish Government is responsible for providing the statutory framework within which the Board operates. It provides the majority of the Board's funding in the form of grants to the constituent councils, and prescribes the terms of many of the transactions that the Board has with other parties. Constituent councils provide funding to the Board at the start of each financial year.

18.2 Members

Members of the Board have direct control over the Board's financial and operating policies. The total of members' allowances paid in 2018/19 shown in Note 16 and the Remuneration Report.

18.3 Other Parties

During the year, the Board entered into the following transactions with related parties:

	2017/18 £000's	2018/19 £000's
• The City of Edinburgh Council:		
Rates	111	115
Rent	305	305
Central support costs	66	67
Interest on revenue balances	(3)	(8)
Constituent council contribution	(3,741)	(3,575)
Constituent council requisition refund	112	0
Council Tax hearings	2	2
Vehicle hires	2	2
Printing	0	1
Trade Waste/maintenance	17	7
Refund of EU Referendum costs	0	0
Due from City of Edinburgh Council	1,747	1,714
Long term debtor - lease of office	79	73
Convener remuneration	5	6

LOTHIAN VALUATION JOINT BOARD

18. RELATED PARTIES (Contd.)

18.3 Other Parties (Contd.)

	2017/18 £000's	2018/19 £000's
<ul style="list-style-type: none"> • The Cabinet Office IER grant received 	(619)	(591)
<ul style="list-style-type: none"> • Midlothian Council Constituent council contribution Constituent council requisition refund 	(562) 17	(540) 0
<ul style="list-style-type: none"> • East Lothian Council Constituent council contribution Constituent council requisition refund 	(667) 20	(636) 0
<ul style="list-style-type: none"> • West Lothian Council Constituent council contribution Constituent council requisition refund Vice Convener remuneration 	(1,148) 34 2	(1,096) 0 4
<ul style="list-style-type: none"> • Clackmannanshire Council 	16	23
<ul style="list-style-type: none"> • Fife Council 	2	0
<ul style="list-style-type: none"> • Glasgow City Council 	3	7
<ul style="list-style-type: none"> • Renfrewshire Council 	1	1
<ul style="list-style-type: none"> • HM Revenue and Customs 	5	4
<ul style="list-style-type: none"> • Convention of Scottish Local Authorities 	1	1
<ul style="list-style-type: none"> • Lothian Buses PLC 	2	1
<ul style="list-style-type: none"> • Registers of Scotland 	2	2
<ul style="list-style-type: none"> • Scottish Court Service 	(3)	(3)

19. TERMINATION BENEFITS

No employees left during the 2018/19 incurring termination benefits. Two employees left during the year where exit packages were agreed and accounted for within the 2017/18 Annual Accounts. The Exit Packages note is shown on page 44.

20. CAPITAL EXPENDITURE AND CAPITAL FINANCING

The total amount of capital expenditure incurred in the year is shown below, together with the resources that have been used to finance it. Where capital expenditure is to be financed in future years by charges to revenue as assets are used by the Board, the expenditure results in an increase in the Capital Financing Requirement (CFR), a measure of the capital expenditure incurred historically by the Board that has yet to be financed.

	2017/18 £000's	2018/19 £000's
Opening Capital Financing Requirement	0	0
Capital investment		
<ul style="list-style-type: none"> • Property, Plant and Equipment 	4	16
<ul style="list-style-type: none"> • Intangible assets 	0	16
Sources of finance		
<ul style="list-style-type: none"> • Direct revenue contributions 	(4)	(32)
Closing Capital Financing Requirement	0	0

LOTHIAN VALUATION JOINT BOARD

21. DEFINED BENEFIT PENSION SCHEMES

21.1 Participation in Pension Schemes

As part of the terms and conditions of employment of its staff, the Board makes contributions towards the cost of post employment benefits. Although these benefits will not actually be payable until the employees retire, the Board has a commitment to make the payments that needs to be disclosed at the time that employees earn their future entitlement.

The Board participates in the following post employment scheme:

- Local Government Pension Scheme (LGPS) - a funded defined benefit statutory scheme as administered by the City of Edinburgh Council's Lothian Pension Fund. The LGPS is administered in accordance with the Local Government Pension Scheme (Scotland) Regulations 1998, as amended.

The Local Government Pension Scheme (LGPS) changed from a final salary scheme to a career average scheme on the 1 April 2015. All benefits built up in the LGPS for membership after 31 March 2015 are worked out under the rules of the new career average scheme. Before 1 April 2015 benefits were built up based on a final salary scheme. A funded defined benefit scheme, requires the Board and employees pay contributions into a fund, calculated at a level intended to balance the pension liabilities with investment assets.

21.2 Transactions Relating to Post-employment Benefits

The Board recognises the cost of retirement benefits in the reported cost of service when they are earned by employees, rather than when the benefits are eventually paid as pensions. However, the charge we are required to make is based on the cash payable in the year, so the real cost of post employment/retirement benefits is reversed out of the General Fund via the Movement in Reserves Statement. The following transactions have been made in the Comprehensive Income and Expenditure Statement and the General Fund Balance via the Movement in Reserves Statement during the year:

	2017/18 £000	2017/18 £000	2018/19 £000	2018/19 £000
Comprehensive Income and Expenditure Statement				
Cost of services, comprising:				
Current service costs	1,247		1,189	
Past service costs	<u>13</u>		<u>1,007</u>	
		1,260		2,196
Financing and investment income:				
Net interest expense		<u>329</u>		<u>178</u>
Total post employee benefit charged to the surplus on the provision of services		1,589		2,374
Other post-employment benefits charges to the Comprehensive Income / Expenditure Statement				
Remeasurement of the net defined liability, comprising:				
Return on plan assets, excluding the amount incl. in the net interest expense above.	1,280		(3,558)	
Actuarial gains and (losses) arising on changes in financial and demographic assumptions	(1,882)		4,915	
Other experience	<u>(6,690)</u>		<u>63</u>	
		<u>(7,292)</u>		<u>1,420</u>
Total post-employment benefits charged to the Comprehensive Income / Expenditure Statement		<u>(5,703)</u>		<u>3,794</u>
Movement in Reserves Statement				
Reversal of net charges made to the surplus on the provision of services for post-employment benefits in accordance with the Code.		<u>6,462</u>		<u>(2,951)</u>
Actual amount charged against the General Fund Balance for pensions in the year:				
Employer's contributions payable to the scheme		679		760
Contributions in respect of unfunded benefits		<u>80</u>		<u>83</u>
		<u>759</u>		<u>843</u>

LOTHIAN VALUATION JOINT BOARD

21. DEFINED BENEFIT PENSION SCHEMES (Contd.)

21.3 Pension Assets and Liabilities Recognised in the Balance Sheet

The amount included in the Balance Sheet arising from the Board's obligations in respect of its defined benefit plan is as follows:

	2017/18	2018/19
	£000	£000
Fair value of employer assets	52,764	57,672
Present value of funded liabilities	(56,872)	(64,635)
Present value of unfunded liabilities	(1,825)	(1,921)
Net liability arising from defined benefit obligation	<u>(5,933)</u>	<u>(8,884)</u>

21.4 Reconciliation of the Movements in the Fair Value of Scheme Assets

	2017/18	2018/19
	£000	£000
Opening fair value of scheme assets	52,793	52,764
Interest income	1,370	1,423
Remeasurement gain / (loss):		
Return on plan assets, excluding the amount included in the net interest expense	(1,280)	3,558
Contributions from employer	679	760
Contributions from employees into the scheme	207	198
Contributions in respect of unfunded benefits	80	83
Benefits paid	(1,005)	(1,031)
Unfunded benefits paid	(80)	(83)
Closing fair value of scheme assets	<u>52,764</u>	<u>57,672</u>

21.5 Reconciliation of Present Value of the Scheme Liabilities

	2017/18	2018/19
	£000	£000
Present value of funded liabilities	(63,253)	(56,872)
Present value of unfunded liabilities	(1,935)	(1,825)
Opening balance at 1 April	<u>(65,188)</u>	<u>(58,697)</u>
Current service cost	(1,247)	(1,189)
Interest cost	(1,699)	(1,601)
Contributions from employees into the scheme	(207)	(198)
Remeasurement gain / (loss):		
Change in financial assumptions	1,935	(4,915)
Change in demographic assumptions	(53)	0
Other experience	6,690	(63)
Past service cost	(13)	(1,007)
Benefits paid	1,005	1,031
Unfunded benefits paid	80	83
Closing balance at 31 March	<u>(58,697)</u>	<u>(66,556)</u>

LOTHIAN VALUATION JOINT BOARD

21. DEFINED BENEFIT PENSION SCHEMES (Contd.)

21.6 Fair Value of Employer Assets

The following asset values are at bid value as required under IAS19.

The IAS19 asset split is based on the Plan's benchmark investment split.

	2017/18 £000	2017/18 %	2018/19 £000	2018/19 %
<u>Equity Securities</u>				
Consumer *	7,229.4	14	6,450.8	11
Manufacturing *	7,855.3	15	5,385.8	10
Energy and Utilities *	3,300.8	6	4,179.2	7
Financial Institutions *	4,687.6	9	4,775.7	8
Health and Care *	2,586.8	5	3,231.9	6
Information Technology *	3,216.8	6	1,965.6	3
Other *	3,311.1	6	7,203.6	12
Sub-total Equity Securities	32,187.8		33,192.6	
<u>Debt Securities:</u>				
Corporate Bonds (non-investment grade)	1,028.0	2	0.0	0
UK Government *	5,115.4	10	6,334.1	11
Sub-total Debt Securities	6,143.4		6,334.1	
<u>Private Equity</u>				
All *	168.2	0	27.2	0
All	795.2	2	580.5	1
Sub-total Private Equity	963.4		607.7	
<u>Real Estate:</u>				
UK Property	3,391.3	6	3,713.1	6
Overseas Property	55.2	0	0.0	0
Sub-total Real Estate	3,446.5		3,713.1	
<u>Investment Funds and Unit Trusts:</u>				
Equities *	507.1	1	579.4	1
Bonds	0.0	0	1,752.2	3
Infrastructure *	0.0	0	877.0	2
Infrastructure	6,253.4	12	6,175.8	11
Other	120.5	0	0.0	0
Other *	0.0	0	91.5	0
Sub-total Investment Funds and Unit Trusts	6,881.0		9,475.9	
<u>Derivatives:</u>				
Foreign Exchange *	24.3	0	14.3	0
Sub-total Derivatives	24.3		14.3	
<u>Cash and Cash Equivalents</u>				
All *	3,117.6	6	4,334.3	8
Sub-total Cash and Cash Equivalents	3,117.6		4,334.3	
Total Fair Value of Employer Assets	52,764.0	100	57,672.0	100

Scheme assets marked with an asterisk (*) have quoted prices in current active markets or were in active markets 2018/19.

LOTHIAN VALUATION JOINT BOARD

21. DEFINED BENEFIT PENSION SCHEMES (Contd.)

21.7 Basis for Estimating Assets and Liabilities

Hymans Robertson, the independent actuaries to Lothian Pension Fund, have advised that the financial assumptions used to calculate the components of the pension expense for the year ended 31 March 2019 were those from the beginning of the year (i.e. 31 March 2018) and have not been changed during the year. The main assumptions in the calculations are:

<u>Average future life expectancies at age 65:</u>		2017/18	2018/19
Current pensioners	male	21.7 years	21.7 years
Current pensioners	female	24.3 years	24.3 years
Future pensioners	male	24.7 years	24.7 years
Future pensioners	female	27.5 years	27.5 years
<u>Financial assumptions:</u>		2017/18	2018/19
Pension increase rate		2.4%	2.5%
Salary increase rate		4.1%	4.2%
Discount rate		2.7%	2.4%

Estimation of defined benefit obligations is sensitive to the actuarial assumptions set out above. In order to quantify the impact of a change in the financial assumptions used, the Actuary has calculated and compared the value of the scheme liabilities as at 31 March 2019 on varying bases. The approach taken by the Actuary is consistent with that adopted to derive the IAS19 figures.

To quantify the uncertainty around life expectancy, the Actuary have calculated the difference in cost to the Employer of a one year increase in life expectancy. For sensitivity purposes, this is assumed to be an increase in the cost of benefits of broadly 3-5%. In practice the actual cost of a one year increase in life expectancy will depend on the structure of the revised assumption (i.e. if improvements to survival rates predominately apply at younger or older ages).

<u>Change in assumptions at 31 March 2019:</u>	Approximate % increase to Employer	Approximate Monetary Amount
0.5% decrease in Real Discount Rate	10.0%	6,827
0.5% increase in the Salary Increase Rate	2.0%	1,446
0.5% increase in the Pension Increase Rate	8.0%	5,208

21.8 Analysis of projected amount to be charged to profit or loss for the period to 31 March 2020

	Assets £000	Obligations £000	Net (liability) / asset	
			£000	% of pay
Current service cost	0	(1,354)	(1,354)	-44.50%
Total Service Cost	0	(1,354)	(1,354)	-44.50%
Interest income on plan assets	1,381	0	1,381	45.40%
Interest cost on defined benefit obligation	0	(1,602)	(1,602)	-52.70%
Total Net Interest Cost	1,381	(1,602)	(221)	-7.30%
Total included in Profit or Loss	1,381	(2,956)	(1,575)	-51.80%

The Board's estimated contribution to Lothian Pension Fund for 2019/20 is £0.665m.

21.9 Impact on the Authority's Cash Flows

The objectives of the scheme are to keep employers' contributions at as constant a rate as possible. The Board has agreed a contribution stability mechanism with the schemes actuary until 31st March 2021.

LOTHIAN VALUATION JOINT BOARD

22. LEASES

Operating Leases

The Board currently occupies land and buildings listed below by entering into the following operating lease:

17a South Gyle Crescent - offices		
	2017/18 £000's	2018/19 £000's
The future minimum lease payments due in future years are:		
• Not later than 1 year	305	305
• Later than 1 year not later than 5 years	1,526	1,526
• Later than 5 years	2,442	2,137
	<u>4,273</u>	<u>3,968</u>

Car Leases

The Board operates an employee car leasing scheme. There were nine active leases in operation at 31st March 2019 and employees contributed £0.018m during 2018/19 towards the cost of car leasing. The Board is committed to paying the following sums in future years:

	2017/18 £000's	2018/19 £000's
The future minimum lease payments due in future years are:		
• Not later than 1 year	30	23
• Later than 1 year not later than 5 years	25	27
	<u>55</u>	<u>50</u>

The Board has two operational leases. These relate to mobile phones/tablet devices and a Xerox photocopying agreement. The costs incurred under both for financial year 2018/19 were £5,720 and £7,902 respectively.

The Board has no finance lease obligations.

23. LONG TERM DEBTORS

The long term debtor is in respect of a cash incentive received by the Board on its relocation of offices to its new premises at 17a South Gyle Crescent. The cash incentive is amortised on a straight line basis over the term of the lease. A 25 year lease was entered into in December 2006, the remaining life amounts to 15 years, consequently £5,642 will be written to the Comprehensive Income and Expenditure Statement each year.

	2017/18 £000's	2018/19 £000's
• Cash incentive:		
Balance at 1st April	85	79
Amortised to Comprehensive Income and Expenditure Statement	(6)	(6)
Balance at 31st March	<u>79</u>	<u>73</u>

24. OTHER LONG TERM LIABILITIES

The Board relocated to its new offices in December 2006. As part of the agreement, the landlord agreed to pay a cash incentive of £0.400m on date of entry and £0.475m in 2011. This will be amortised on a straight line basis totalling £0.035m per annum over 25 years, the term of the lease.

	2017/18 £000's	2018/19 £000's
Balance at 1st April	(525)	(490)
Amortised to Comprehensive Income and Expenditure Statement	35	35
Balance at 31st March	<u>(490)</u>	<u>(455)</u>

LOTHIAN VALUATION JOINT BOARD

25. CONSTITUENT COUNCIL REQUISITIONS

The net expenditure of the Board is a charge upon the City of Edinburgh Council, West, East and Midlothian Councils. The division of net expenditure borne by the constituent councils is made in accordance with the Valuations Joint Boards (Scotland) Order 1995.

	Amount due for 2018/19 £000's	Amount received 2018/19 £000's	Amount due (to)/from Constituent Councils 2018/19 £000's
City of Edinburgh Council	3,575	3,575	0
Midlothian Council	540	540	0
East Lothian Council	636	636	0
West Lothian Council	1,096	1,096	0
	<u>5,847</u>	<u>5,847</u>	<u>0</u>

26. NATURE AND EXTENT OF RISKS ARISING FROM FINANCIAL INSTRUMENTS

All Treasury Management is carried out on the Board's behalf by the City of Edinburgh Council. The Council complies with the CIPFA Prudential Code, and has adopted the CIPFA Treasury Management in the Public Services Code of Practice. The City of Edinburgh Council, on behalf of the Board, has overall risk management procedures that focus on the unpredictability of financial markets, and implementing restrictions to minimise these risks.

The Board's activities expose it to a variety of financial risks which have been assessed in order to determine whether or not such risks have, in order to comply with financial instrument accounting requirements, an impact on these Annual Accounts. For all of the financial risks, the impact on Annual Accounts was found to be immaterial. Each risk is detailed below along with an explanation as to why there is no financial effect arising:

- Re-financing risk - the possibility that the Board might be required to renew a financial instrument on maturity at disadvantageous interest rates or terms is considered immaterial because although the Board has powers to obtain loan finance, no such loans were held during the year;
- Market risk - the possibility that financial loss might arise for the Board as a result of changes in such measures as interest rate movements is considered immaterial because the finances of the Board are such that during the year there was no interest payable and interest receivable was immaterial;
- Credit risk - the possibility that other parties might fail to pay amounts due to the Board is considered immaterial on the basis of past experience and the fact that most debt payable to the Board is due from other public bodies;
- Liquidity risk - the possibility that the Board might not have funds available to meet its commitments to make payments is considered immaterial given the statutory responsibility that the Board has to have a balanced budget and that constituent authorities have to fund the activities of the Board;
- Price risk - the possibility that fluctuations in equity prices has a significant impact on the value of financial instruments held by the Board is considered immaterial because the Board does not generally invest in equity shares; and
- Foreign exchange risk - the possibility that fluctuations in exchange rates could result in loss to the Board is considered immaterial because there are no financial assets or liabilities held at the year end denominated in foreign currencies.

The Board holds its surplus funds with the City of Edinburgh Council and does not place external deposits in its own name. The balance held by and due from the City of Edinburgh Council at 31st March 2019 amounted to £1.715m (2017/18 £1.748m). No breaches of the Board's counterparty criteria occurred during the reporting period and the Board does not expect any losses from non-performance by any of its counterparties in relation to deposits. During the reporting period, the Board held no collateral as security.

LOTHIAN VALUATION JOINT BOARD

ANNUAL GOVERNANCE STATEMENT

Scope of Responsibility

Lothian Valuation Joint Board aims to ensure best value and provide equitable, customer focussed, high quality, professional valuation and electoral services for all its stakeholders.

The Board is responsible for ensuring that its business is conducted in accordance with the law and appropriate standards, that public money is safeguarded and properly accounted for, and used economically, efficiently, effectively and ethically. The Board also has a duty to make arrangements to secure continuous improvement in the way its functions are carried out.

In discharging these overall responsibilities Elected Members and Senior Officers are responsible for implementing proper arrangements for the governance of the Board's affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk.

The Board has approved and adopted a Local Code of Corporate Governance that is consistent with the principles, and reflects the requirements of the CIPFA/SOLACE framework Delivering Good Governance in Local Government and is supported by detailed evidence of compliance, which is regularly reviewed. A copy of the Schedule of Assurance for the Annual Governance Statement is on our website www.lothian-vjb.gov.uk or can be obtained from the Assessor.

This statement explains how Lothian Valuation Joint Board delivers good governance and reviews the effectiveness of those arrangements. It also includes a statement on internal financial control in accordance with proper practice.

The Board's Governance Framework

The governance framework comprises the systems and processes, and culture and values, by which the Board is directed and controlled, and its activities through which it accounts to, engages with, and influences the community. It enables the Board to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The framework reflects the arrangements in place to meet the core principles of good governance.

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law;
- Ensuring openness and comprehensive stakeholder engagement;
- Defining outcomes in terms of sustainable economic, social and environmental benefits;
- Determining the interventions necessary to optimise the achievement of the intended outcomes;
- Developing the entity's capacity, including the capability of its leadership and the individuals within it;
- Managing risks and performance through robust internal control and strong public financial management.

A significant part of the governance framework is the system of internal control which is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Board's policies, aims and objectives. These are outlined in the Board's annual Corporate and Service Plan. This enables the Board to manage its key risks efficiently, effectively, economically and ethically.

Within the overall control arrangements, the system of internal financial control is intended to ensure that assets are safeguarded, transactions are authorised and properly recorded, and material errors or irregularities are either prevented or would be detected within a timely period. It is based on a framework of regular management information, financial regulations, administrative procedures and management supervision.

While the system of internal control is designed to manage risk at a reasonable level it cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable, and not absolute, assurance of effectiveness.

In May 2018, the Board introduced a Governance, Risk and Best Value Group. The first meeting with external stakeholders was held on 24th October 2018. Further meetings are scheduled during 2019/20. The Governance Group provides formal, transparent arrangements for monitoring corporate reporting, risk management and internal financial and core system controls within Lothian Valuation Joint Board. These arrangements support an appropriate relationship with the Board's external auditors and satisfy internal quality assurance and Joint Board requirements. An annual report by the Board's Head of Governance shall be presented to the Board on 17th June 2019 and will provide information on Governance activity undertaken during 2018/19.

Determining the Board's purpose, its vision for the local area and intended outcomes for the Community

The Board has communicated its vision in the Corporate and Service Plan. Delivery of the vision is the responsibility of the Board, the Assessor and Heads of Service. The Board has developed a partnership approach when working with other Authorities.

LOTHIAN VALUATION JOINT BOARD

ANNUAL GOVERNANCE STATEMENT (Contd.)

Review of Effectiveness

The Board has put in place arrangements for monitoring each element of the framework and to provide evidence of compliance. A Principal Officer within Lothian Valuation Joint Board has been nominated to review the effectiveness of the arrangements and to report annually to the Board.

The review of the effectiveness of its governance framework including the system of internal financial control is informed by:

- the work of Internal Auditors, based on the delivery of one internal audit review each year, follow-up to confirm effective implementation of previous internal audit findings raised and the status of any open internal audit findings;
- the Assessor's Certificate of Assurance on internal control;
- the operation and monitoring of controls by Board Managers; and
- the External Auditors in their Annual Audit Letter and other reports.

Throughout the year Elected Members and Officers have responsibility for the development and maintenance of the risk management framework and control and governance environment. These review mechanisms include:

- **The Lothian Valuation Joint Board** provides strategic leadership, determines policy aims and objectives and takes executive decisions not delegated to officers. It provides political accountability for the Board's performance.
- **Internal Audit** provides an independent and objective assurance service to the Board by delivering one audit each year and providing an opinion on the design and operating effectiveness of the key internal controls established to manage the Board's most significant risks.
- the **External Audit** undertaken by Scott-Moncrieff and reported in the Annual Audit Report to the Board.
- **The Strategic, Operational and Project Risk Registers** are reviewed as part of the Board's Corporate and Service Plan. The Corporate and Service Plan is approved by the Board. Key risks are reported quarterly to the Board, financial risks through budget reports and service risks through the Assessors Progress report. This ensures that actions can be considered to effectively manage the Board's highest risks.
- **The Monitoring Officer** is responsible to the Board for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.

Certification

In compliance with accounting practice, the Treasurer has provided the Assessor and Electoral Registration Officer with a statement on the adequacy and effectiveness of the Board's internal financial control system for the year ended 31st March 2019. It is the Treasurer's opinion that reasonable assurance can be placed upon the adequacy and effectiveness of the Board's internal control system.

A review was undertaken of the Schedule of Assurance prepared by management. The review did not identify any instances of non-compliance. One instance of partial compliance was identified; this in respect of arrangements in place to encourage 'customer' feedback and engagement. An Improvement Plan is proposed. Work is ongoing on this with some engagement measures already implemented in 2018/19. During 2018/19 no significant Internal Audit findings were raised in relation to the governance and scrutiny performed by the Board.

From this year's review there is evidence that the Code is operating effectively with overall compliance by the Board in all significant areas of its corporate governance arrangements.

Assessor and Electoral Registration Officer:

Date: 2nd September 2019

Graeme Strachan

Convener of Lothian Valuation Joint Board:

Date: 2nd September 2019

David Key

LOTHIAN VALUATION JOINT BOARD

REMUNERATION REPORT

The Remuneration Report provides details of the Board's remuneration policy for its senior employees and states how remuneration arrangements are managed. Senior employees within the Board are defined as those having the responsibility for the management of the Board to the extent that they can direct or control the major activities of the Board. This includes activities involving the expenditure of money, during the year to which the report relates, whether solely or collectively with other persons.

As well as providing details of the Board's remuneration policy, the Remuneration Report will also show:

- Details of the number of employees whose remuneration was £50,000 or more, which will be disclosed in pay bands of £5,000;
- Details of remuneration paid to senior employees of the Board for 2018/19;
- Details of the Board's senior employees who participate in the Local Government Pension Scheme, administered by the Lothian Pension Fund, and the benefits provided under the scheme.

1. Audit of Remuneration Report

Auditors are required by ISA 720A to read the remuneration report to identify any;

- material inconsistencies with the financial statements;
- information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by auditors in the course of performing the audit, or that is otherwise misleading.

Scott-Moncrieff have reported in their annual report that the auditable part of the Remuneration Report has been properly prepared in accordance with The Local Authority Accounts (Scotland) Regulations 2014.

2. Remuneration policy

The Lothian Valuation Joint Board is responsible for approving the remuneration level of the Assessor and Electoral Registration Office. The post of Depute Assessor was removed from 1st April 2018 following the approval of a new staffing structure as part of the Transformation and Cultural Change Programme. The Scottish Joint Negotiating Committee (SJNC) for Local authority Services sets the salaries for the Chief Officials of Scottish local authorities and is responsible for agreeing annual inflationary increases. The post of Assessor and Electoral Registration Officer was reviewed at the creation of the Joint Board in 1996. Advice on such matters is received from the Human Resources division of the City of Edinburgh Council and from the Executive Director of Resources, City of Edinburgh Council.

The salaries of all other employees is set by reference to the Scottish Joint Council for Local Government Employees for all other categories of staff. The Board's Scheme of Delegation provides the Assessor and Electoral Registration Officer with delegated authority to appoint employees within agreed staffing and expenditure levels. The City of Edinburgh Council provides remuneration advice and assistance to the Board on request.

The Convener and Vice-Convener of the Board are remunerated by the Council of which they are a council member. The remuneration of councillors is regulated by the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 (SSI No. 2007/183) as amended by the Local Governance (Scotland) Act 2004 (Remuneration and Severance Payments) Amendment Regulations 2015.

The Board has an arrangement with each council that remunerates the Convener and Vice-Convener to reimburse the Council for the additional costs of that councillor arising from them being a Convener or Vice-Convener of the Board. The disclosures made in this report are limited to the amounts paid to the council by the Board for remuneration and does not reflect the full value of the remuneration that may be paid to the councillor.

All other members of the Board are remunerated by the Council of which they are a council member.

The position of Chief Executive is provided and remunerated by the City of Edinburgh Council.

3. Pension Entitlement of Senior Employees

The Board's senior employees participate in the Local Government Pension Scheme administered by the Lothian Pension Fund. This is a final salary pension scheme which means that pension benefits are based on the final year's pay and the number of years that person has been a member of the scheme. The scheme's normal retirement age for employees is 65.

From 1 April 2009 a five tier contribution system was introduced with contributions from scheme members being based on how much pay falls in to each tier. This is designed to give more equality between the cost and benefits of scheme membership. Prior to 2009 contribution rates were set at 6% for all non manual employees.

The tiers and members contributions rates for 2018/19 are as follows:

On earnings up to and including £21,300 (5.5%), on earnings above £21,300 and up to £26,100 (7.25%), on earnings above £26,100 and up to £35,700 (8.5%), on earnings above £35,700 and up to £47,600 (9.5%) and on earnings above £47,600 (12%).

LOTHIAN VALUATION JOINT BOARD

REMUNERATION REPORT (Contd.)

3. Pension Entitlement of Senior Employees (Contd.)

From April 2015, when allocating contribution rates to members, pensionable pay means the actual pensionable pay, regardless of hours worked.

There is no automatic entitlement to a lump sum for members who joined the scheme post April 2009. Members may opt to give up (commute) pension for lump sum or bigger lump sum up to the limit set by the Finance Act 2004.

The value of the accrued benefits has been calculated on the basis of the age at which the person will first become entitled to receive a pension on retirement without reduction on account of its payment at that age; without exercising any option to commute pension entitlement into a lump sum; and without any adjustment for the effects of future inflation - assuming that the person left the related employment or service as at 31st march in the year to which the value relates.

The pension figures shown relate to the benefits that the person has accrued as consequence of their total local government service, and not just their current appointment.

4. Remuneration by Pay Band

Details of the Board's employees receiving more than £50,000 remuneration for the year, excluding employer's NI and pension contributions are:

Remuneration Band	Number of Employees	
	2017/18	2018/19
£50,000 - £54,999	3	3
£55,000 - £59,999	1	-
£60,000 - £64,999	2	1
£65,000 - £69,999	1	2
£70,000 - £74,999	-	-
£75,000 - £79,999	1	-
£80,000 - £84,999	1	1
£85,000 - £89,999	1	-
£90,000 - £94,999	-	-
£95,000 - £99,999	2	-
£100,000 - £104,999	-	-
£105,000 - £109,999	-	-
£110,000 - £114,999	-	-
£115,000 - £119,999	-	-
£120,000 - £124,999	1	1
£125,000 - £129,999	-	-
£130,000 - £134,999	1	-
Totals	14	8

5. Remuneration paid to Senior Employees

The table below details remuneration paid to senior employees within the Board. Senior Employees are defined as having the responsibility for management of the Board to the extent that they can direct or control the major activities of the Board. This includes activities involving the expenditure of money, during the year to which the report relates, whether solely or collectively with other persons.

Name and Post Title	Salary, Fees and Allowances 31 March 2018	Salary, Fees and Allowances 31 March 2019
	£	£
G. Strachan - Assessor and Electoral Reg Officer	120,747	121,145
N. Chapman - Depute Assessor (Interim) *	97,158	0
Total	217,905	121,145

* appointed interim Depute Assessor from 01.01.17 until 31.03.18. Post removed from 01.04.18 so no remuneration included against this post for 2018/19.

LOTHIAN VALUATION JOINT BOARD

REMUNERATION REPORT (Contd.)

6. Pension Entitlement of Senior Employees

<u>In-year pension contributions</u>		For year to 31 March 2018	For year to 31 March 2019
<u>Name and Post Title</u>		£	£
G. Strachan - Assessor and Electoral Reg Officer		25,120	25,718
N. Chapman - Depute Assessor (Interim) *		20,166	0
<u>Accrued Pension Benefits</u>		As at 31 March 2019	Difference from 31 March 2018
<u>Name and Post Title</u>		£'000	£'000
G. Strachan - Assessor and Electoral Reg Officer	Pension	64	3
	Lump sum	128	0
* appointed interim Depute Assessor from 01.01.17 until 31.03.18. Post removed from 01.04.18 so no pension included against this post for 2018/19.			

All senior employees shown in the tables above are members of the Local Government Pension Scheme.

The pension figures shown relate to the benefits that the person has accrued as a consequence of their total local government service, not solely their current appointment.

7. Remuneration of Convener and Vice Conveners

The following table provides details of the remuneration paid to the Board's Convener and Vice-Convener by the Board, excluding NI and Pensions.

<u>Name and Post Title</u>	Salary, fees and allowances £	Taxable Expenses £	Total Remun. 2018/19 £	Total Remun. 2017/18 £
N.Work - Convener *	0	0	0	965
D.Key - Convener *	4,251	0	4,251	2,595
M. Russell - Vice Convener **	0	0	0	286
A. McGuire - Vice Convener **	3,189	0	3,189	1,956
	7,440	0	7,440	5,802
* N. Work Convener until 21.08.17. Thereafter D.Key appointed Convener				
** M.Russell Vice Convener until 21.08.17. Thereafter A.McGuire appointed Vice Convener.				

LOTHIAN VALUATION JOINT BOARD

REMUNERATION REPORT (Contd.)

8. Pension Entitlement of Convener and Vice Convener

In-year pension contributions		For year to 31 March 2018	For year to 31 March 2019	
Name and Post Title		£	£	
N.Work - Convener (former)		5,503	0	*
D.Key - Convener		4,304	4,631	*
A.McGuire - Vice Convener (not in LPF)		0	0	*
Accrued Pension Benefits		As at 31 March 2019	Difference from 31 March 2018	
Name and Post Title				
D.Key - Convener	Pension	3	1	
	Lump sum	0	0	

* includes full pension entitlement as a Councillor, not just that in respect of Convener/Vice Convener of the Lothian Valuation Joint Board. No pension shown for N. Work 2018/19 as he was no longer the Board's Convener.

9. Exit Packages

The following information details the number, and total cost, of exit packages agreed and approved by 31st March 2019, grouped in rising bands of £20,000 up to £100,000.

Exit packages include compulsory and voluntary redundancy costs, pension contributions in respect of added years, ex-gratia payments and other departure costs.

Exit Packages Band	Number of Employees		Total Cost	
	2017/18	2018/19	2017/18	2018/19
			£	£
£0 - £20,000	4	0	57,059	0
£20,001 - £40,000	4	0	120,236	0
£40,001 - £60,000	3	0	144,386	0
£60,001 - £80,000	1	0	63,422	0
£80,001 - £100,000	1	0	85,404	0
Totals	13	0	470,507	0

Costs are in respect of voluntary retirements which were approved on the basis of Regulation 30 (Rule of 85) of the Pension Fund Regulations.

10. Trade Union (Facility Time Publication Requirements) Regulations 2017

The Lothian Valuation Joint Board is required to report from 1st April 2017 a range of information on facility time made available to its employees who are trade union representatives. For the reporting year 2018/19, the equivalent of 0.05 FTE (1 individual) of paid facility time was made available, with an associated cost of £2,813. This sum equates to 0.07% of Lothian Valuation Joint Board's overall paybill. Of the total time made available, no individual spent 100% of time during the year on trade union-related activities, only between 0% and 50%.

Assessor and Electoral Registration Officer:
Graeme Strachan

Date: 2nd September 2019

Convener:
David Key

Date: 2nd September 2019

LOTHIAN VALUATION JOINT BOARD

INDEPENDENT AUDITOR'S REPORT

Independent auditor's report to the members of Lothian Valuation Joint Board and the Accounts Commission

Report on the audit of the financial statements

Opinion on financial statements

We certify that we have audited the financial statements in the annual accounts of Lothian Valuation Joint Board for the year ended 31 March 2019 under Part VII of the Local Government (Scotland) Act 1973. The financial statements comprise the [specify precisely the titles of the financial statements used by the council/body such as the Movement in Reserves Statement, Comprehensive Income and Expenditure Statement, Balance Sheet, Cash Flow Statement and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union, and as interpreted and adapted by the Code of Practice on Local Authority Accounting in the United Kingdom 2018/19 (the 2018/19 Code).

In our opinion the accompanying financial statements:

- give a true and fair view in accordance with applicable law and the 2018/19 Code of the state of affairs of the body as at 31 March 2019 and of its income and expenditure for the year then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union, as interpreted and adapted by the 2018/19 Code; and
- have been prepared in accordance with the requirements of the Local Government (Scotland) Act 1973, The Local Authority Accounts (Scotland) Regulations 2014, and the Local Government in Scotland Act 2003.

Basis for opinion

We conducted our audit in accordance with applicable law and International Standards on Auditing (UK) (ISAs (UK)), as required by the Code of Audit Practice approved by the Accounts Commission for Scotland. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We were appointed by the Accounts Commission on 31 May 2016. The period of total uninterrupted appointment is 3 years. We are independent of the body in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. Non-audit services prohibited by the Ethical Standard were not provided to the body. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern basis of accounting

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- the use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Treasurer has not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about body's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Risks of material misstatement

We have reported in a separate Annual Audit Report, which is available from the Audit Scotland website, the most significant assessed risks of material misstatement that we identified and our conclusions thereon.

Responsibilities of the Treasurer and the board for the financial statements

As explained more fully in the Statement of Responsibilities, the Treasurer is responsible for the preparation of financial statements that give a true and fair view in accordance with the financial reporting framework, and for such internal control as the Treasurer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Treasurer is responsible for assessing the body's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

The board is responsible for overseeing the financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

LOTHIAN VALUATION JOINT BOARD

INDEPENDENT AUDITOR'S REPORT (Contd.)

Auditor's responsibilities for the audit of the financial statements (Contd.)

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, intentional omissions, misrepresentations, or the override of internal control. The capability of the audit to detect fraud and other irregularities depends on factors such as the skilfulness of the perpetrator, the frequency and extent of manipulation, the degree of collusion involved, the relative size of individual amounts manipulated, and the seniority of those individuals involved. We therefore design and perform audit procedures which respond to the assessed risks of material misstatement due to fraud.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Other information in the annual accounts

The Treasurer is responsible for the other information in the annual accounts. The other information comprises the information other than the financial statements, the audited part of the Remuneration Report, and our auditor's report thereon. Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon except on matters prescribed by the Accounts Commission to the extent explicitly stated later in this report.

In connection with our audit of the financial statements, our responsibility is to read all the other information in the annual accounts and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Report on other requirements

Opinions on matters prescribed by the Accounts Commission

In our opinion, the audited part of the Remuneration Report has been properly prepared in accordance with The Local Authority Accounts (Scotland) Regulations 2014.

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Management Commentary for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with statutory guidance issued under the Local Government in Scotland Act 2003; and
- the information given in the Annual Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Delivering Good Governance in Local Government: Framework (2016).

Matters on which we are required to report by exception

We are required by the Accounts Commission to report to you if, in our opinion:

- adequate accounting records have not been kept; or
- the financial statements and the audited part of the Remuneration Report are not in agreement with the accounting records; or
- we have not received all the information and explanations we require for our audit.

We have nothing to report in respect of these matters.

Conclusions on wider scope responsibilities

In addition to our responsibilities for the annual accounts, our conclusions on the wider scope responsibilities specified in the Code of Audit Practice are set out in our Annual Audit Report.

Use of our report

This report is made solely to the parties to whom it is addressed in accordance with Part VII of the Local Government (Scotland) Act 1973 and for no other purpose. In accordance with paragraph 120 of the Code of Audit Practice, we do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Karen Jones (for and on behalf of Scott-Moncrieff Audit Services)

Exchange Place 3
Semple Street
Edinburgh
EH3 8BL

Date: _____

Lothian Valuation Joint Board

Edinburgh, 17 June 2019

Present:

City of Edinburgh Council – Councillors Key (Convener), Booth (substituting for Councillor Corbett), Doggart, Gordon, Gloyer, Henderson and Work.

East Lothian Council – Councillor Goodfellow and Councillor Roy (substituting for Councillor Henderson).

Midlothian Council – Councillor Russell.

West Lothian Council – Councillor McGuire (Vice-Convener).

1 Minute

Decision

To approve the minute of the Lothian Valuation Joint Board of 23 April 2019 as a correct record.

2 Unaudited Annual Accounts for the Year Ended 31 March 2019

The unaudited annual accounts were presented to the Board in accordance with the Local Authority Accounts (Scotland) Regulations 2014, which required that the Annual Accounts for the year 2018/19 be presented to the Board no later than 31 August 2019. The Annual Accounts were required to be presented to external audit by 30 June 2019.

The outturn for the year showed an underspend of £0.099m. The Management Commentary provided details and the main reasons for this. The general reserve balance at 31 March 2019 was £0.897m.

Members also noted that there would be a balance sheet adjustment of £0.160m to the audited Annual Accounts 2018/19 which would be presented to the Board for approval in September 2019. This adjustment related to the pension assets and liabilities recognised in the balance sheet.

Decision

- 1) To note the report.
- 2) To note that the audited Annual Accounts for 2018/19 would be re-presented to the Board on completion of the external audit.

(Reference – report by the Treasurer, submitted).

Lothian Valuation Joint Board
17 June 2019

3 Treasury Management Annual Report 2018/19

The Annual Treasury Management report for the financial year 2018/19 was submitted.

Decision

To note the Treasury Management Annual Report for 2018/19.

(Reference – report by the Treasurer, submitted)

4 Annual Performance Report 2018/19

The Assessor and ERO provided a report that accompanied the unaudited accounts report to allow consideration of organisational performance and budgetary outcome.

The statistical performance information provided reflected upon the statutorily defined elements of the key service delivery areas. Comment was also provided on other aspects of organisational activity.

Decision

- 1) To note the report.
- 2) To record the Board's thanks to the Assessor and his team for their work and commitment in ensuring the smooth running and organisation of the European Election held in May 2019.

(Reference – report by the Assessor and Electoral Registration Officer, submitted)

5 2018/19 Annual Governance Statement

The first Annual Governance Statement prepared by the Assessor and ERO's internal Governance Team was presented. The Statement provided assurance to the Board of the organisational commitment to ongoing effective and resilient Governance Framework.

The Framework was supported by the audit activities of both City of Edinburgh Council internal audit team and external auditors, Scott Moncrieff.

Governance activity during 2018/19 was highlighted including details of planned action for 2019/20.

Lothian Valuation Joint Board
17 June 2019

Decision

To note the report.

(Reference – report by the Assessor and Electoral Registration Officer, submitted).

6 Update on Non-Domestic Rates Reform

An update was provided on progress being made at both a national and local level in respect of Non-Domestic Rates Reform.

Internal Audit had carried out an audit on the current state of readiness in connection with implementation of NDR Reform arising from the Barclay Review. The report indicated an overall amber rating.

Details were provided of management actions in response to each of the audit findings.

Decision

To note the report.

(Reference – report by the Assessor and ERO, submitted)

Lothian Valuation Joint Board

Edinburgh, 2 September 2019

Present:

City of Edinburgh Council – Councillors Key (Convener), Corbett, Gordon, Gloyer, Mowat (substituting for Councillor Doggart) and Work.

East Lothian Council – Councillor Findlay.

West Lothian Council – Councillor Timson.

1 Minute

Decision

To approve the minute of the Lothian Valuation Joint Board of 17 June 2019 as a correct record.

2 2018/19 Annual Audit Report to Members of Lothian Valuation Joint Board and the Controller of Audit

The External Auditor's report on the audit of the Joint Board's 2018-19 financial statements was presented. The report set out relevant matters arising from the audit which required to be reported under International Standard on Auditing (UK and Ireland) 260 (ISA 260).

An update was provided on the recommendations from the previous year's audit.

Decision

To note the annual audit report.

(Reference – report by the External Auditor, submitted).

3 Audited Annual Accounts for the Year Ended 31 March 2019

The Board's audited accounts for the year ended 31 March 2019 were submitted. There were no significant issues identified during the course of the audit which provided for an unqualified opinion on the accounts.

Decision

1) To note the annual audited accounts for 2018/19.

2) To authorise the annual audited accounts for 2018/19 for signature.

(Reference – report by the Treasurer, submitted).

Lothian Valuation Joint Board
2 September 2019

4 Period 4 Financial Statement 2019/20

Information was submitted of the projected revenue budget outturn position to 31st March 2020 based on the position at the period ending 31 July 2019.

The forecast variance was an underspend of £0.089m. With the exception of employee costs, all other budget headings had been forecast on budget as it was relatively early in the year to predict otherwise and there were no known material budget variances at this stage.

Decision

- 1) To note the projected outturn position for 2019-20.
- 2) To note that a further 2019-20 budget update would be presented to the November Board meeting.

(Reference – report by the Treasurer, submitted).

5 Assessor's Progress Report to the Joint Board

The Assessor presented an update on the service overview and priorities, current issues and the future direction of the Joint Board.

The 2019 annual canvass had commenced in early July with first reminders issued during August and final reminders scheduled for early September. At this stage the return rate for household enquiry forms was 57.6% compared with 59.45% in 2018 and 52.63% in 2017.

Service priorities over the next three months included:

- Electoral engagement strategy
- Continuation of other engagement activities
- Individual Electoral Registration
- The Scottish Elections (Franchise and Representation Bill)
- Council tax
- 2017 revaluation appeal disposal
- Maintenance of the Valuation Roll
- Governance and Risk
- Budget 2019/20 and Business Strategy 2020/2023

Decision

- 1) To note the updates.

Lothian Valuation Joint Board
2 September 2019

- 2) To agree that future reports include data on categories of properties deleted from the Council Tax List and changed to the Non-Domestic Rates Valuation Roll.

(Reference – report by the Assessor and Electoral Registration Officer, submitted).

6 Update on Non-Domestic Rates Reform

An update was provided on progress being made at both a national and local level in respect of Non-Domestic Rates Reform.

Internal Audit had carried out an audit on the current state of readiness in connection with implementation of NDR Reform arising from the Barclay Review. The report indicated an overall amber rating.

Details were provided of management actions in response to each of the audit findings.

Decision

To note the update.

(Reference – report by the Assessor and ERO, submitted)

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Lothian Valuation Joint Board

Edinburgh, 4 November 2019

Present:

City of Edinburgh Council – Councillors Key (Convener), Corbett, Daggart, Gloyer, Henderson and Work.

Midlothian Council – Councillor Russell.

West Lothian Council – Councillor McGuire (Vice-Convener).

1 Minute

Decision

To approve the minute of the Lothian Valuation Joint Board of 2 September 2019 as a correct record.

2 Assessor's Progress Report to the Joint Board

The Assessor presented an update on the service overview and priorities, current issues and the future direction of the Joint Board.

The report noted that the 2019 annual canvass was ongoing and was due to conclude in advance of the Register publication on 1 December 2019. However, a General Election had since been called and the Assessor and Electoral Registration Officer provided an update to members on the preparations which were underway, including the publication date of the Register being brought forward.

Information was also provided on the reforms to the 2020 annual household canvass, engagement activities, council tax, non-domestic rating and the financial statement.

Decision

To note the report.

(Reference – report by the Assessor and Electoral Registration Officer, submitted)

Lothian Valuation Joint Board
4 November 2019

3 Business Strategy 2020-21 to 2022-23

Information was provided on the development of a 3 year business strategy which stemmed from a number of issues which had been identified. One of the key outcomes of the Strategy was the creation of a 3 year budget forecast that should illuminate potential funding shortfalls allowing mitigation options to be considered by the Board.

Decision

- 1) To note the report.
- 2) To note that an update report outlining Business Strategy progress would be provided as a standing agenda item for future Board meetings.

(Reference – report by the Assessor and Electoral Registration Officer, submitted)

4 Update on Non-Domestic Rates Reform

An update was given on the progress being made at national and local levels in respect of the implementation of non-domestic rates reform.

Draft regulations providing detail on the proposal and appeal process were anticipated by the end of 2019 with a consultation period to conclude before summer 2020. The report included information on the implementation and the Board's business strategy.

Decision

To note the report.

(Reference – report by the Assessor and Electoral Registration Officer, submitted)

5 Period 6 Financial Statement 2019-20

Information was submitted of the projected revenue budget outturn position to 31 March 2020 based on the position at the period ending 30 September 2019.

The forecast variance was an overspend of £0.017m which was a reduction of £0.072m to the overspend reported in September 2019. A Business Strategy was being developed by the Assessor and ERO and further updates would be provided to the Board Governance Group in December 2019 and the Board in February 2020.

Lothian Valuation Joint Board
4 November 2019

Decision

- 1) To note the projected outturn position for 2019/20.
- 2) To note that a further 2019/20 budget update would be presented in February 2020.
- 3) To note the development of a Business Strategy for the Board by the Assessor and ERO.
- 4) To note that the 2020/21 budget would also be presented in February 2020 when a further update on risk would be presented to the Board.

(Reference – report by the Treasurer, submitted).

6 Mid Term Review Treasury Management Strategy

A report was presented which reviewed the investment activity undertaken on behalf of the Board during the first half of the 2019/20 Financial Year.

Net end of month balance figures were presented for each month and the interest rate averaged at 0.565%.

Decision

To note the investment activity undertaken on the Board's behalf.

(Reference – report by the Treasurer, submitted)

Lothian Valuation Joint Board

Edinburgh, 3 February 2020

Present:

City of Edinburgh Council – Councillors Key (Convener), Doggart, Gordon, Gloyer, Henderson, Rust and Work.

East Lothian Council – Councillors Findlay and Goodfellow.

Midlothian Council – Councillors Munro and Russell.

West Lothian Council – Councillor Timson.

1 Minute

Decision

To approve the minute of the Lothian Valuation Joint Board of 4 November 2019 as a correct record.

2 Annual Treasury Management Strategy

Approval was sought of the Annual Treasury Management Strategy for 2020/21. The Strategy was attached to the report at Appendix 1.

Decision

To approve the Annual Treasury Management Strategy at Appendix 1 to the report by the Treasurer.

(Reference – report by the Treasurer, submitted)

3 Revenue Budget 2020/21

Information was provided on the revenue budget options which had been developed for 2020/21 in line with the Board's Transformation Programme, including a recommendation to approve a 'flat-cash' council requisition revenue budget. It was noted that a further requisition would be issued to meet the additional costs of Non-Domestic Rates Reform in 2020/21, in line with funding allocated in the Local Government Finance Settlement in 2020/21.

Details were also provided on the indicative budget estimates for 2021/22 and 2023/24. These would be subject to ongoing review and development as the Transformation Programme progressed.

Decision

- 1) To approve the proposed core budget for 2020/21, based on Option 2, as detailed at paragraph 4.10.2 and the issue of 'flat-cash' core budget

Lothian Valuation Joint Board
3 February 2020

requisition requests from the Treasurer to constituent councils as detailed at paragraph 4.27 of the report by the Treasurer.

- 2) To recommend that funding was included in the Local Government Finance Settlement for implementing the recommendations of the Non-Domestic Rates Review be fully passed onto the Board. This may mean a supplementary requisition during 2020/21, dependent on confirmation of funding.
- 3) To note the indicative financial planning estimates included at Appendix 1, Option 2 and that these estimates will be subject of further update to the Board during 2020/21 and beyond, as the Board's Transformation Programme is progressed.

(Reference – report by the Treasurer, submitted)

4 Budget Report 2020-21

Information was provided aligning budget provision with service delivery during 2020/2021. The Board's Corporate and Service Plans for 2020/21, including additional information on service activities, were attached to the report at Appendix 1.

Details were also provided on the development of the 2020-23 Business Strategy and the implications of this.

Decision

- 1) To note the report.
- 2) To note the recommendation of a Phased approach to organisational changes over the Business Strategy period.
- 3) To approve Phase 1 implementation of the proposed structure and the associated reduction in staff resources.
- 4) To note that further reports and recommendations would be provided by the Assessor over the Strategy period.

(Reference – report by the Assessor and Electoral Registration Officer, submitted)

5 Period 9 Financial Statement 2019/20

The projected revenue budget outturn position to 31 March 2020 was presented based on the position at period ending 31 December 2019. The projected outturn indicated a forecast over spend of £0.007m which represented a reduction of £0.010m to that reported to the November 2019 meeting of the Board.

Decision

Lothian Valuation Joint Board
3 February 2020

To note the projected outturn position for 2019/20.

(Reference – report by the Treasurer, submitted).

6 Recruitment of a new Assessor and Electoral Registration Officer

The Assessor and Electoral Registration Officer had indicated he planned to retire in June 2020.

The positions on the Board's Appointment Committee held by members from East Lothian and Midlothian Councils were currently vacant and members required to be appointed. A provisional timetable for the meetings of the Committee was attached at Appendix 1 to the report.

Decision

- 1) To note the provisional recruitment timetable in appendix 1 to the report by the Treasurer.
- 2) To note that East Lothian and Midlothian Councils would advise which members were to be appointed to the vacancies on the Appointment Committee.
- 3) To note that the date of the first Appointment Committee meeting would be changed to a date suitable for the Committee members.

(Reference – report by the Treasurer, submitted)

7 Future Meeting Arrangements June 2020 to June 2021

Decision

- 1) To approve the schedule of meetings for the period June 2020 to June 2021 as follows:
 - 10am, Monday 15 June 2020
 - 10am, Monday 7 September 2020
 - 10am, Monday 9 November 2020
 - 10am, Monday 1 February 2021
 - 10am, Monday 19 April 2021
 - 10am, Monday 14 June 2021
- 2) To agree that meetings of the Joint Consultative Group would be held on an 'on request' basis.

(Reference – report by the Chief Executive and Clerk, submitted)

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DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

ANNUAL COMPLAINT PERFORMANCE REPORT 2019/20

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To report to the Panel the council's annual Complaint Performance Report 2019/20.

B. RECOMMENDATIONS

It is recommended that the Panel notes the council's annual Complaint Performance Report 2019/20.

C. SUMMARY OF IMPLICATIONS

I.	Council Values	<ul style="list-style-type: none">• Focusing on customers' needs• Being honest, open and accountable
II.	Policy and Legal	The Public Services Reform (Scotland) Act 2010
III.	Implications for Scheme of Delegations to Officers	None
IV.	Impact on performance and performance indicators	Will provide a robust approach to monitoring complaints performance information covering all council services
V.	Relevance to Single Outcome Agreement	Indicators support various outcomes in the SOA
VI.	Resources (Financial, Staffing and Property)	From existing resources
VII.	Consideration at PDSP/ Executive Committee required	The annual complaint report is reported to Partnership and Resources PDSP and Performance Committee.
VIII.	Details of consultations	None

D. TERMS OF REPORT

D.1 Background

The Scottish Public Services Ombudsman (SPSO) developed and published a model Complaint Handling Procedure (CHP) in 28 March 2012. The model CHP was to ensure a standardised approach in dealing with customer complaints across the local authority sector.

The SPSO definition of a complaint in the model CHP is:

‘An expression of dissatisfaction by one or more members of the public about the local authority’s action or lack of action, or about the standard of service provided by or on behalf of the local authority.’

All local authorities were required to adopt the model CHP by 31 March 2013. The SPSO expect that local authorities will make the best use of complaint information to inform service improvement activity.

The SPSO outlined four elements of the model CHP that that should not be amended to ensure a standardised approach across all local authorities. These are:

- The definition of a complaint;
- The number of stages;
- Timescales at each stage;
- The requirement to record, report and publicise complaints information.

Appendix 1: West Lothian Council Annual Complaint Performance Report 2019/20 outlines performance information on complaints received by West Lothian Council between 1 April 2019 and 31 March 2020. The performance is based on 8 key performance indicator themes devised by the Scottish Public Services Ombudsman (SPSO) in conjunction with all 32 Scottish councils.

D.2 Corporate Complaint Performance

Table 1 provides the council’s total complaints closed per 1,000 population over the past 5 years. The table shows that there has been a decrease in complaints closed by the council in 2019/20 when compared to the previous year from 3,382 to 2,871.

Table 1 Complaints closed per 1,000 population

Measure	2015/16	2016/17	2017/18	2018/19	2019/20
West Lothian Population ¹	177,200	178,550	180,130	181,310	182,140
Total number complaints closed	2,330	3,414	3,169	3,382	2,871
Number complaints received per 1,000	13.1	19.1	17.6	18.7	15.8

Table 2 provides a breakdown of complaints closed by service from 2015/16 to 2019/20.

¹ Previous years published mid-year estimate used

Table 2 Complaints closed by service

Service	2015/16	2016/17	2017/18	2018/19	2019/20
Operational Services	819	1,852	1,644	1,759	1,290
Housing, Customer & Building Services	746	1,013	950	969	911
Education Service	287	277	225	276	263
Finance and Property/ Executive Office	154	179	127	163	171
Social Policy	6	5	137	128	146
Planning, Economic Development and Regeneration	70	72	73	71	62
Corporate Services	13	16	13	16	28
Area Services	235	N/A	N/A	N/A	N/A
Total	2,330	3,414	3,169	3,382	2,871

Table 3 breaks down the annual complaints closed by complaint category over a 5 year period.

Table 3 Complaint category covering period 2015/16 – 2019/20

Category	2015/16	2016/17	2017/18	2018/19	2019/20
Standard of Service	1,008	1,652	1,809	2,134	1,347
Policy Related	468	578	437	330	533
Poor Communication	295	369	299	307	483
Employee Attitude	330	324	366	383	331
Waiting Time	210	463	228	206	155
Missed Appointments	19	28	30	22	22
Total	2,330	3,414	3,169	3,382	2,871

The current service level complaint performance varies across the council and is linked to the complexity and quantity of complaints received. Housing, Customer and Building Services (HCBS) and Operational Services are the main complaint generators by service, accounting for 76.7% (2,201) of all recorded complaints (2,871) during 2019/20.

To support the CHP, the council has put in place clear governance arrangements for complaints. The Corporate Complaint Steering Board is an officer group that monitors the implementation of the corporate complaint procedure and the corresponding performance and reporting activity. The board ensures that the council is compliant with the complaint procedure requirements. This is chaired by a Depute Chief Executive and the membership consists of council Heads of Service. Complaint performance is reported on a quarterly basis to both the council's Corporate Management Team and the council's Performance Committee. All complaint performance statistics are reported to the public and are available on the council's website.

Appendix 1 provides a full list of SPSO performance indicators and includes Scottish

Local Authority average comparative performance information for some of the indicators presented. The council's performance in relation to complaint processing out performs the 2018/19 Scottish average for most of the indicators presented. Appendix 1 in the report also includes an overview of improvements identified by analysing service specific complaints received across the council.

E. CONCLUSION

The Corporate Complaints Procedure applies to all complaints against the council. From the 1 April 2017 the Social Work Complaints Review Committee ceased to have a statutory function and all Social Care complaints are now considered within the council's complaint handling procedure.

In 2019/20 the council received 2,871 complaints and this represents a decrease on the number of complaints received in 2018/19. This is primarily linked to a decrease in complaints closed by Operational Services and Housing, Customer and Building Services.

The council has shown an increase in performance relating to the percentage of complaints closed at stage 1 against target and performance at stage 2 has remained the same when compared to the previous year. Both performance levels are well above the Scottish national average. Customer satisfaction performance relating to complaint handling has increase across two of the four indicators.

In 2019/20 there was a large decrease in the percentage of complaints that were upheld/ part upheld when compare to the previous year from 54.5% (1,842) to 34.2% (981). There were 861 less complaints that were upheld/ part upheld when compared to the 2018/19 figure.

All services continue to be committed to regular customer complaint analysis which informs service development activity and the improvement agenda.

F. BACKGROUND REFERENCES

SPSO publishes the Model Complaints Handling Procedure (CHP) for the local government sector in Scotland.

1. [WLC Complaints Handling Procedure](#)

Appendices/Attachments:

Appendix 1 West Lothian Council Annual Complaint Performance Report 2019-20

Contact Person: Joe Murray

E mail: joe.murray@westlothian.gov.uk Phone 01506 281893

Graeme Struthers
Depute Chief Executive
18 September 2020

Data Label: Official

West Lothian Council

Annual Complaint Performance Report 2019/20

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

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ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

1. Overview

1.1. Introduction

This is the council's annual complaints performance report which provides information on customer complaints received and closed between 1 April 2019 and 31 March 2020.

The council always aims to provide the highest possible quality of service to our community, but recognise that there are times when things go wrong and fail to meet the expectations of our customer.

The council's complaints procedure provides our customers with a clear and structured way to provide feedback on their dissatisfaction with council services in a range of easily accessible ways. The council welcomes feedback and it provides information that helps services learn from complaints and to modify and improve the way services are delivered.

The indicators covered in this report were created to provide a useful tool that the council and the public can use to judge objectively how well complaints are being handled and how it informs service improvement activity.

1.2. Corporate Complaints Procedure

There are many factors that affect the number and complexity of complaints received by the council such as the standard of service that is being delivered, the attitude of our employees, the service response time to customer requests, missed appointments and poor communication.

The council's complaint procedure has 2 stages in its process which are outlined below:

- Stage one complaints could mean immediate action to resolve the problem or complaints which are *resolved in no more than five working days*.
- Stage two deals with two types of complaints: those that have not been resolved at stage one and those that are complex and require detailed investigation. Stage two complaints should be resolved *in no more than 20 days*.
- After the council has fully investigated the complaint, and if the customer is still not satisfied with the decision or the way the council dealt with the complaint, then it can be referred onto the Scottish Public Services Ombudsman (SPSO).

The council has put in place clear governance arrangements for complaints. The Corporate Complaint Steering Board is an officer group that monitors the implementation of the corporate complaint procedure and the corresponding performance and reporting activity. The board ensures that the council is compliant with the complaint procedure requirements. This is chaired by a Deputy Chief Executive and the membership consists of council Heads of Service.

Complaint performance is reported on a quarterly basis to both the council's Corporate Management Team and the council's Performance Committee. All complaint performance statistics are reported to the public and are available on the council's website.

2. Complaint Performance Statistics

Statistics on complaints are based on 8 key performance indicator themes devised by the SPSO in conjunction with all 32 Scottish councils.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Complaints are recorded and tracked using the council's Customer Relationship Management (CRM) system which enables the production of the complaints performance information.

The number of complaints the council closed in 2019/20 was 2,871. This is a decrease from the number closed in the previous year. The council will continue to analysis complaints to help inform service improvement, identify training opportunities for our staff and help prioritise our activities to meet the changing needs of our community. Complaint benchmark data for 2019/20 is not yet available for other Local Authorities. Where applicable, this report has included the 2018/19 Scottish Local Authority national average for a range of performance indicators for comparative information. The current council's performance relating to the processing of complaints continues to outperform the Scottish National Average in almost all indicators.

2.1. Indicator 1: Complaints closed per 1,000 population

This indicator records the total number of complaints closed by the council. In 2016/17, this calculation was modified and it is the sum of the number of complaints closed at stage one, (frontline resolution), the number of complaints closed directly at stage two (investigation) and the number complaints closed at stage two after escalation. To allow for a fair comparison across all 32 councils in Scotland, the figure of complaints per 1,000 of population is used. The council received 2,868 complaints from 1 April 2019 to 31 March 2020. This is equivalent to 15.8 received complaints per 1,000 population. Of the total complaints received in 2019/20 (2,868), 2,871 were closed in this period¹.

Table 1 provides the council's total complaints closed per 1,000 population over the past 5 years. The table shows that there has been a decrease in complaints closed by the council in 2019/20 when compared to the previous year from 18.7 to 15.8 complaints per 1,000 population.

Table 1: Complaints closed per 1,000 population

Measure	2015/16	2016/17	2017/18	2018/19	2019/20
West Lothian Population ²	177,200	178,550	180,130	181,310	182,140
Total number of complaints closed	2,330	3,414	3,169	3,382	2,871
Number of complaints closed per 1,000	13.1	19.1	17.6	18.7	15.8

In 2018/19, the Scottish Local Authority average for the number complaints closed per 1,000 population was 10.1. Table 2 provides a breakdown of complaints closed by service from 2015/16 to 2019/20.

Table 2: Complaints closed by service

Service	2015/16	2016/17	2017/18	2018/19	2019/20
Operational Services	819	1,852	1,644	1,759	1,290
Housing, Customer & Building Services	746	1,013	950	969	911

¹ There was a carry-over of complaints received that remained open from 2018/19 which accounts for the closed figure being larger than the complaints received in 2019/20.

² Previous years published mid-year estimate used

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Service	2015/16	2016/17	2017/18	2018/19	2019/20
Education Service	287	277	225	276	263
Finance and Property/ Executive Office	154	179	127	163	171
Social Policy	6	5	137	128	146
Planning, Economic Development and Regeneration	70	72	73	71	62
Corporate Services	13	16	13	16	28
Area Services ³	235	N/A	N/A	N/A	N/A
Total	2,330	3,414	3,169	3,382	2,871

All complaints received by the council are grouped into 6 categories. The categorisation allows the service to group complaints by theme and helps the service to identify areas that require improvement actions.

Table 3 breaks down all council complaints closed by complaint category from 2015/16 to 2019/20.

Table 3: Complaints closed by category

Category	2015/16	2016/17	2017/18	2018/19	2019/20
Standard of Service	1,008	1,652	1,809	2,134	1,347
Policy Related	468	578	437	330	533
Poor Communication	295	369	299	307	483
Employee Attitude	330	324	366	383	331
Waiting Time	210	463	228	206	155
Missed Appointments	19	28	30	22	22
Total Complaints	2,330	3,414	3,169	3,382	2,871

2.2. Indicator 2: Closed complaints

This indicator provides information on the number of complaints closed at stage one and stage two and stage two escalated complaints as a percentage of all complaints closed. Table 4 provides the performance information for this indicator.

The term “closed” refers to a complaint that has had a response sent to the customer and at the time no further action is required (regardless at which stage it is processed and whether any further escalation takes place).

³ Areas Services activity has now been disaggregated across Housing, Customer and Building Services, Education Service and Finance and Property Services and Planning, Economic Development and Regeneration.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Table 4: Closed complaints

Closed complaints	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number complaints closed at stage one (5 days) as % of all complaints	73.7% (1,718)	82.9% (2,831)	84.2% (2,667)	83.8% (2,833)	82.7% (2374)	87.1%
Number complaints closed at stage two (20 days) as % of all complaints	24.6% (572)	15.7% (535)	13.8% (437)	14.6% (493)	15.8% (453)	9.7%
Number complaints closed at stage two (20 days) after escalation as % of all complaints ⁴	1.7% (40)	1.4% (48)	2.1% (65)	1.7% (56)	1.5% (44)	3.1%

2.3. Indicator 3: Complaints upheld, partially upheld and not upheld

The council reviews all complaints and each customer is contacted to explain whether their complaint has been upheld, partially upheld or not upheld and why.

This indicator measures the number and percentage of complaints which were upheld, partially upheld or not upheld recorded at each stage. The results can be seen in Tables 5, 6 and 7.

Table 5: Upheld complaints

Complaints upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number of complaints upheld at stage one as % of all complaints closed at stage one (5 days)	32.8%	35.11%	22.8%	34.6%	21.4%	49.7%
Number complaints upheld at stage two as % of complaints closed at stage two (20 days)	18.0%	23.4%	20.6%	15.20%	12.2%	37.5%
Number escalated complaints upheld at stage two as % of escalated complaints closed at stage two (20 days)	20.0%	27.1%	12.3%	16.10%	15.9%	28.2%

Table 6: Partially upheld complaints

Complaints partially upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number of complaints partially upheld at stage one (5 days) as % of all complaints closed at stage one	28.2%	26.14%	28.2%	23.0%	12.2%	14.8%

⁴ From 2015/16, the escalated stage 2 complaint figure was not included in stage 2 complaints closed total for the council.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Complaints partially upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number complaints partially upheld at stage two (20 days) as % of complaints closed at stage two	23.8%	25.0%	19.9%	23.3%	19.4%	18.4%
Number escalated complaints partially upheld at stage two (20 days) as % of escalated complaints closed at stage two	30.0%	25.0%	18.5%	21.4%	25.0%	24.1%

Table 7: Not upheld complaints

Complaints not upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number of complaints not upheld at stage one (5 days) as % of all complaints closed at stage one	39.0%	38.75%	49.0%	42.4%	66.4%	34.6%
Number complaints not upheld at stage two (20 days) as % of complaints closed at stage two	58.2%	51.6%	59.5%	61.5%	63.4%	44.1%
Number escalated complaints not upheld at stage two (20 days) as % of escalated complaints closed at stage two	50.0%	47.9%	69.2%	62.5%	59.1%	47.4%

Overall, the council upheld/ part upheld 981 (34.2%) complaints from a total of 2,871 complaints closed in 2019/20. This is a reduction of over 20% when compared to the equivalent figure in 2018/19.

2.4. Indicator 4: Average times

Indicator 4 represents the average time in working days to close complaints at stage one and at stage two of the council's Complaint Handling Procedure (CHP). Indicator 4 performance can be seen in Table 8.

Table 8: Average times

Average times	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Average time in working days to respond to complaints at stage one (5 day resolution target)	4.0	3.8	3.9	4.5	4.3	7.1
Average time in working days to respond to complaints at stage two (20 day resolution target)	12.5	11.4	13.9	15.2	14.4	29.9
Average time in working days to respond to complaints after escalation (20 day resolution target)	9.1	10.0	10.7	7.5	9.7	23.0

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2.5. Indicator 5: Performance against timescales

The council's Complaint Handling Procedure requires complaints to be closed within 5 working days at stage one and 20 working days at stage two. This indicator measures the percentage of complaints which were closed in full at each stage within the set timescales of 5 and 20 working days. Indicator 5 performance can be seen in Table 9.

Table 9: Performance against timescales

Performance against timescales	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number complaints closed at stage one within 5 working days as % of stage one complaints	84.7%	85.6%	83.9%	81.6%	82.8%	65.0%
Number complaints closed at stage two within 20 working days as % of stage two complaints	88.5%	89.2%	84.4%	81.7%	81.7%	58.2%
Number escalated complaints closed within 20 working days as % of escalated stage two complaints	90.0%	95.8%	87.7%	92.9%	95.5%	67.4%

2.6. Indicator 6: Number of cases where an extension is authorised

The council always aims to respond to complaints as quickly as possible. There are, however, times when a complaint is particularly complex and it is not feasible to fully investigate the issues within the prescribed timescales. In these situations the council can agree with a complainant to extend the timescale for closing the complaint.

This indicator provides the percentage of complaints at each stage where an extension to the 5 or 20 working day timeline has been authorised. Indicator 6 performance can be seen in Table 10.

Table 10: Number of cases where an extension is authorised

Number of cases where an extension is authorised	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
% of complaints at stage one (5 days) where extension was authorised	1.3%	1.2%	1.2%	0.6%	0.9%	3.8%
% of complaints at stage two (20 days) where extension was authorised	2.4%	1.3%	3.4%	1.4%	1.3%	10.1%

2.7. Indicator 7: Customer satisfaction

This indicator provides information on the levels of customer satisfaction with the complaint handling procedure and process. Indicator 7 performance can be seen in Table 11. A sample of complainants are contacted by the council's Customer Service Centre on a monthly basis to gather this satisfaction information.

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Table 11: Customer satisfaction

Customer satisfaction	2015/16	2016/17	2017/18	2018/19	2019/20
Percentage of customers who agreed that they were satisfied with the length of time it took to deal with their complaint.	75.5%	64.8%	71.3%	65.3%	58.1%
Percentage of customers who agreed that they were satisfied with the outcome of their upheld complaint.	68.2%	69.7%	73.0%	61.3%	63.4%
Percentage of customers who agreed that they were satisfied with the way their complaint was handled.	75.5%	70.3%	73.0%	67.3%	64.8%
Percentage of customers who agreed that they found it easy to complain to the council.	85.5%	80.7%	85.1%	83.8%	84.3%

2.8. Indicator 8: Learning from complaints

The council has a clear commitment to listen to our customers and act on their feedback. Learning from complaints is a continuous process that helps the council to resolve common complaints and further improve the services that are provided. **Some examples** of actions that have been taken are highlighted below.

	Complaint Area/ Complaint Theme	Complaints Analysis	Service Improvement Action(s)
1.	Corporate Services: Waiting Time	There was a delay in the customer receiving their Blue Badge after making an online payment.	An apology was made to the customer. The service worked with the online payment supplier to resolve a technical issue that intermittently failed to generate a payment acknowledgement email to the Blue Badge team.
2.	Operational Services: Standard of Service	Customer complained about a bin being missed.	The customer's missed bin was collected. Customer can contact the service when a bin has been missed and where the service is at fault, missed bins will be collected within 48 hours.
3.	Operational Services: Standard of Service	Issue regarding driver reversing instead of using a turning point	Drivers are now notified when driving issues or complaints are raised and driving complaints are monitored at the service's weekly reviews. CCTV and the vehicle tracker system help monitor drivers where required. All employees are trained in reversing assistance.
4.	Social Policy: Standard of Service	A request for service email had been misdirected to the incorrect Social Policy team.	The administrative function was reviewed and procedural changes made to ensure the team review incoming email/request and direct the requests to the appropriate team.

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	Complaint Area/ Complaint Theme	Complaints Analysis	Service Improvement Action(s)
5.	Education Services: Standard of Service	A meal served at the Burgh Halls did not meet the customer's expected standard.	An apology was made to the customer. A complementary lunch was given to the customer due to the poor service provided.
6.	Social Policy: Standard of Service	A customer complaint was received about a Care Home.	A review was undertaken at the care home and the complainant was involved in helping to develop the improvement plan.
7.	Education Services: Standard of Service	A pupil's photo was posted on School Twitter account when no permission was given.	An apology was given to the parent and the image removed once the issue was highlighted to staff. The school reviewed and updated their procedures to ensure consent is in place prior to posting images online.
8.	Finance and Property Services Poor Communication	Customer complained that they were unable to return their Council Tax application form to the Civic Centre and had to be redirected to the local CIS office.	An apology was provided to the customer. Council Tax application forms were reviewed and amended to advise that forms can be returned in person to local CIS offices
9.	Housing, Customer and Building Services Poor Communication	Customer did not receive information on her allocated property in a timely manner.	A centralised team has been created to reduce the delays in responding to customer enquiries and to process requests within timescale.

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3. 2019/20 Complaint Summary

In 2019/20 the council closed 2,871 complaints and this represents a decrease of 511 from the 2018/19 figure of 3,382.

The number of complaints closed across council service areas varies significantly with 45% (1,290) of all complaints being recorded against Operational Services to 1% (28) in Corporate Services.

Of the seven service areas that deliver the council's activities and functions, four have shown a reduction in customer complaints and three had an increase in the number of complaints closed compared to the previous year. Operational Services have experienced the largest reduction in complaints with a 27% reduction. Housing Customer and Building Services, Planning, Economic Development and Regeneration and Education Services are the other services that have had a reduction in complaints closed. Social Policy has shown the largest numerical increase in complaints from 128 in 2018/19 to 146 in 2019/20.

The general decrease in complaints across the council can be linked to a decrease in the number of complaints closed by Operational Services over 2019/20. The main generator of complaints within Operational Services was Recycling and Waste Services. There was a large reduction in Recycling and Waste Services complaints when compared to the previous year. The number of complaints reduced from 1,366 in 2018/19 to 828 in 2019/20.

82.7% of all complaints closed by the council were resolved at stage one (Frontline Resolution), 15.8% of complaints resolved at stage two (Investigation) with the remaining 1.7% of complaints being resolved at stage two (Escalation). The average times taken by the council to resolve both stage one and stage two complaints were 4.3 days and 14.4 days respectively. The council's performance relating to the processing of stage one has shown a marginal increase in performance and stage two has remained the same. Both performance levels are below the corporate resolution target of 85% but is well above the national average for processing complaints at both stages. 82.8% stage one complaints were resolved within 5 days and 81.7% stage two complaints were resolved within 20 days. The Scottish National Average 2018/19 was 65% and 58.2% for stage one and stage two resolution respectively.

The percentage of complaints that were upheld/ part upheld across the council in 2019/20 was 34.2% which represents a decrease of 20.3% from the 2018/19 figure which was 54.5%. The council's performance in relation to this measure substantially outperformed the Scottish National Average 2018/19 which was 64%.

In 2019/20, the council has shown varied performance across a range of indicators relating to complaint handling. There are four key customer satisfaction complaint indicators. Customer satisfaction performance relating to complaint handling has improved across two of the four key indicators. 84.3% of customers surveyed said that they found it easy to submit a complaint to the council, which is an increase of 0.5% from 2018/19. 63.4% of customer were satisfied with the outcome of their upheld complaint which improved from 61.3% in 2018/19.

Overall, there has been a decrease in the number of complaints closed in 2019/20 when compared to the previous year. The council's performance relating to the processing of complaints continues to outperform the Scottish National Average in almost all indicators. These indicators include the

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percentage of stage one and stage two resolved within timescale, the average time to resolve a complaint and the number of complaints that were upheld/ part upheld. Customer satisfaction relating to complaint handling has increased across two of the four indicators and complaint driven service improvement continues to be identified based on robust complaint analysis.

DATA LABEL: OFFICIAL



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

QUARTERLY PERFORMANCE REPORT – QUARTER 1 OF 2020/21

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

The purpose is to report the current level of performance for all indicators that support the council's Corporate Plan and are the responsibility of the Partnership and Resources Policy Development and Scrutiny Panel.

B. RECOMMENDATION

It is recommended that the Panel note the performance information and determine if further action or enquiry is necessary for any of the performance indicators in the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	In compliance with the Code of Corporate Governance
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	Challenges current service performance through the evaluation of performance indicators
V Relevance to Single Outcome Agreement	Indicators support various outcomes in the SOA
VI Resources - (Financial, Staffing and Property)	Met from existing budgets
VII Consideration at PDSP	N/A
VIII Other consultations	None

D. TERMS OF REPORT

D.1 Background





Overseeing and challenging council performance is contained within the remit of every Policy Development and Scrutiny Panel (PDSP). Scrutiny of performance by elected members in PDSPs forms a key part of the council's wider scrutiny and public performance reporting arrangements.

To support this, each PDSP is allocated areas of the Corporate Plan, strategic priorities and key council performance, relevant to the focus areas of the Panel, and receives quarterly and annual performance reports.

D.2 Quarterly Performance Report

The quarterly performance scorecard report for the Partnership and Resources PDSP contains a range of relevant service performance information for scrutiny.

A summary position of the status of the 62 performance indicators in the Partnership and Resources PDSP scorecard is contained in Appendix 1, with a more detailed commentary provided in Appendix 2 of this report. The 62 performance indicators are categorised as follows:

Summary of Performance Indicator status (RAG)	
Status (against target)	Number of PIs
 Green	40
 Amber	7
 Red	10
 Unknown	5

**Note: the Unknown status occurs when a service does not record performance during the period, for example, if the service did not receive any complaints to process.*

The RAG status is against the performance target that has been set by the service in consultation with the relevant stakeholders. In Appendix 2 a trend chart commentary offers an explanation on the current performance levels (against the target) for each indicator. This information will also highlight to the Panel the measures that services will take to improve performance.

D.3 Red Performance Indicators

The current trend for those indicators that are currently at Red status is summarised.

1. P:CSC104 Percentage of Customer Service Centre enquiries resolved at first point of contact

Current performance: 53%
Target: 75%

The trend chart shows performance remained below target in Quarter 1 in 2020/21 with performance of 53% and below the equivalent quarter in 2019/20, when performance of 66% was reported. The CSC is reporting that a trend of the calls that are more complex and cannot be resolved fully at first point of contact by the CSC Advisers is driving the overall declining trend. Simultaneously, the council is also seeing an increasing number of customers shifting towards completing transactional activities online, using improved functionality on the council's website to request services and make payments. The

decrease in Quarter 1 2020/21 is due to the changes following COVID-19 pandemic and the council dealing with emergency situations only.

2. P:CuCS026q Percentage of customer enquiries recorded on the Customer Relationship Management system (CRM) which are resolved at the first point of contact

Current performance: 18.9%

Target: 75%

The CIS was closed to the public during quarter 1 due to the Coronavirus pandemic. However, our CIS Officers were deployed to handle Welfare Fund call backs and make calls to residents who were officially shielding. These interactions required a 'case form' to be passed to various internal services - the creation of a case form means the system does not record the interaction as first-time resolution, which explains the major decrease in our 'performance' during this period.

3. P:CSg600 Percentage of Total Capital Programme Spend Delivered in Year by Construction Services

Current performance: 4.2%

Target: 10%

Quarter 1 spend is lower than target as a result of the impact of COVID-19 lockdown restrictions on construction works. This follows good performance in 2019/20 where spend exceeded target due to the completion of a large summer works programme circa £5.2million which included some accelerated project delivery. The trend shows consistently good performance overall in the percentage of capital budget spent over the previous quarters.

4. P:LS046 Percentage of Taxi/Private Hire Car Applications Not Granted or Refused within 90 Days

Current performance: 8%

Target: 6%

In June 2020 the service performance in this indicator was 8%, above the target and the performance in the previous period, which was 2% in May 2020. The delays in presentation were out with the control of the service. In June performance was adversely affected by delays in processing applications caused by the pandemic.

5. P:PMD164 Percentage of rent outstanding for commercial property (Current debt)

Current performance: 10.73%

Target: 4%

The debt level for June 2020 increased to 10.73%, exceeding the target of 4%. This is part of trend from the start of the (financial year), where outstanding rent levels have continued to increase each month. The service has established a debt recovery / rent arrears group led by the Corporate Estates Manager and involving other financial services (Revenues and Financial Management) to improve the recovery of debts.

6. P:REV002 Percentage of Non Domestic Rates (Business Rates) received in the year

Current performance: 15.06%

Target: 29.92%

The trend chart shows performance was below target in Quarter 1 in 2020/21 and below the equivalent quarter in 2019/20, when performance of 29.92% was reported. This can be attributed to the delayed annual billing and ongoing COVID 19 situation.

7. P:REV047 Percentage of income collected in the current year from Council Tax

Current performance: 27.83%

Target: 28.24%

The trend chart shows performance remained below target in Quarter 1 in 2020/21 and below the equivalent quarter in 2019/20, when performance of 28.24% was reported. The service is reporting that Non-statutory reminders were issued in July for 2020/21 and Statutory reminders and Summary Warrants will be issued in August. This should increase performance in quarter 2.

8. There was 1 service with indicators that were triggering red for the percentage of sickness absence:

- Property Management and Development (P:PMD111b)

9. There were 2 services with indicators that were triggering red for the percentage of complaints upheld / part upheld:

- Corporate Procurement (P:CPU047d)
- HR Services (P:HRS554)

D.4 Unknown Performance Indicators

There were 5 performance indicators with an Unknown status that related to the percentage of complaints upheld or partially upheld. This is due to services not receiving complaints within the time period presented and therefore the indicators show blank data.

E. CONCLUSION

The performance scorecard shows that a significant proportion of performance indicators are achieving targeted levels of performance. Where performance is not at the expected level, Appendix 2 of this reports offers details to the Panel of the corrective actions being taken by services to improve performance.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: 2

Appendix 1 – Partnership and Resources PDSP Performance Scorecard Summary Report

Appendix 2 – Partnership and Resources PDSP Performance Scorecard Detailed Report

Contact Person: Rebecca Kelly

Telephone: 01506 281891 Email: Rebecca.kelly@westlothian.gov.uk

Graeme Struthers

Depute Chief Executive

18 September 2020

APPENDIX 1

Partnership & Resources Scorecard Report









Traffic Light Red













Status	PI Code & Short Name	Head of Service	Value	Target
	P:CPU047d_6b.4 The percentage of complaints received by the Corporate Procurement Unit that were upheld / partially upheld against the total complaints closed in full	Head of Corporate Services (J Whitelaw)	100%	0%
	P:CSC104q_9b.1a Percentage of Customer Service Centre enquiries resolved at first point of contact	Head of Housing, Customer and Building Services (AM Carr)	53%	75%
	P:CSg600_9b.1c Percentage of Total Capital Programme Spend Delivered in Year by Construction Services	Head of Finance and Property Services (D Forrest)	4.2%	10%
	P:CuCS026q_9b.1a Percentage of customer enquiries recorded on the Customer Relationship Management system (CRM) which are resolved at the first point of contact	Head of Housing, Customer and Building Services (AM Carr)	18.9%	75.0%
	P:HRS554_6b.4 Percentage of complaints by HR Services which were upheld/part upheld per quarter	Head of Corporate Services (J Whitelaw)	50%	25%
	P:LS046_6b.5 Percentage of Taxi/Private Hire Car Applications Not Granted or Refused within 90 Days	Head of Corporate Services (J Whitelaw)	8%	6%
	P:PMD111b_7b.1 Cumulative Percentage Sickness/Absence levels - Property Management & Development	Head of Finance and Property Services (D Forrest)	4.71%	1.5%
	P:PMD164_9b.1c Percentage of rent outstanding for commercial property (Current debt).	Head of Finance and Property Services (D Forrest)	10.73%	4%
	P:REV002_9b Percentage of Non Domestic Rates (Business Rates) received in the year	Head of Finance and Property Services (D Forrest)	15.06%	29.92%
	P:REV047_9b.1a Percentage of income collected in the current year from Council Tax	Head of Finance and Property Services (D Forrest)	27.83%	28.24%

Traffic Light Amber






Status	PI Code & Short Name	Head of Service	Value	Target
	P:CC081_9b.1a Percentage of new social media followers on the West Lothian Council sites per quarter	Head of Corporate Services (J Whitelaw)	1.3%	2%

Status	PI Code & Short Name	Head of Service	Value	Target
	P:CPU047c_6b.3 Total number of complaints received by the Corporate Procurement Unit on a Quarterly basis	Head of Corporate Services (J Whitelaw)	1	0
	P:CuCS021_7b.1 Customer and Communities - Percentage of Sickness absence	Head of Housing, Customer and Building Services (AM Carr)	4.3%	3.6%
	P:HRS550_6b.3 Number of complaints received by HR Services	Head of Corporate Services (J Whitelaw)	2	1
	P:ITS054_7b.1 Percentage of Sickness Absence in IT Services (cumulative)	Head of Corporate Services (J Whitelaw)	4.22%	3.6%
	P:PMD145_6b.4 The percentage of complaints received by Property Management and Development that were upheld / partially upheld against the total complaints closed in full	Head of Finance and Property Services (D Forrest)	50%	33%
	P:REV027_6b Percentage of Business Rates and Council Tax correspondence processed within 10 working days of receipt.	Head of Finance and Property Services (D Forrest)	93.18%	96.2%






Traffic Light Green

Status	PI Code & Short Name	Head of Service	Value	Target
	P:APS017_6b.3 Total number of complaints received by the Anti-Poverty Service	Head of Finance and Property Services (D Forrest)	13	20
	P:APS018_6b.4 The percentage of complaints received by the Anti-Poverty Service that were upheld / partially upheld against the total complaints closed in full	Head of Finance and Property Services (D Forrest)	23%	50%
	P:APS019_6b.5 Percentage of Blue Badges processed within seven working days (quarterly)	Head of Finance and Property Services (D Forrest)	78.6%	80%
	P:APS041_7b.1 Cumulative percentage of sickness absence within the Anti-Poverty Service	Head of Finance and Property Services (D Forrest)	2.32%	3.6%
	P:APS060_9b.1a Total quarterly amount the Advice Shop has gained in extra benefits for its customers	Head of Finance and Property Services (D Forrest)	£7,400,995	£6,750,000
	P:APS077_9b Housing Benefit monthly new claims	Head of Finance and Property Services (D Forrest)	6.4	15
	P:CC014_6b.3 Total number of complaints received per quarter	Head of Corporate Services (J Whitelaw)	0	0
	P:CC016_6b.4 The percentage of complaints by Corporate Communications that were upheld/part upheld per quarter	Head of Corporate Services (J Whitelaw)	0%	0%
	P:CC031_7b.1 Percentage of sickness absence in Corporate Communications	Head of Corporate Services (J Whitelaw)	0%	3.6%
	P:CPU017a_7b.1 Percentage of sickness absence in Corporate Procurement Unit	Head of Corporate Services (J Whitelaw)	0%	3.6%
	P:CPU019b_9b.1a Percentage of relevant compliant council expenditure per quarter	Head of Corporate Services (J Whitelaw)	93%	92%
	P:CSC007mq_6a.7 Customer Service Centre (CSC) Generic - Percentage of customers who rated the overall quality of the service as good or excellent	Head of Housing, Customer and Building Services (AM Carr)	96.9%	97.0%

Status	PI Code & Short Name	Head of Service	Value	Target
✓	P:CSC062m_6b.3 Total Number of Complaints against Customer Service Centre (CSC)	Head of Housing, Customer and Building Services (AM Carr)	4	7
✓	P:CSC063m_6b.4 Percentage of Complaints Upheld and Part Upheld against Customer Service Centre	Head of Housing, Customer and Building Services (AM Carr)	0%	55%
✓	P:CSg112_6b.3 Total number of complaints received by Construction Services	Head of Finance and Property Services (D Forrest)	0	3
✓	P:CSg301_7b.1 Construction Services - Cumulative Percentage of Sick Days	Head of Finance and Property Services (D Forrest)	0.14%	2%
✓	P:CuCS010q_6b.3 Customer and Communities - Total number of complaints received by Customer and Community services	Head of Housing, Customer and Building Services (AM Carr)	2	27
✓	P:CuCS011q_6b.4 Customer and Communities - The percentage of complaints received by Customer and Communities Service that were upheld / partially upheld against the total complaints closed in full	Head of Housing, Customer and Building Services (AM Carr)	0.0%	60.0%
✓	P:FM001_6b.5 Percentage of Suppliers paid within 30 Days of Receipt	Head of Finance and Property Services (D Forrest)	96.3%	96%
✓	P:FM037_6b.3 Total number of complaints received by the Financial Management Unit	Head of Finance and Property Services (D Forrest)	1	3
✓	P:FM048_7b.1 Percentage of Sickness Absence in Financial Management Unit - Cumulative	Head of Finance and Property Services (D Forrest)	0.86%	2%
✓	P:HRS104_9b.2 Number of reportable incidents to the Health and Safety Executive per quarter	Head of Corporate Services (J Whitelaw)	4	8
✓	P:HRS525_7b.1 Percentage of sickness absence in HR Services	Head of Corporate Services (J Whitelaw)	1.34%	3.6%
✓	P:IA015_9b.1a Average length of time (in weeks) to issue draft audit reports	Head of Finance and Property Services (D Forrest)	8.7	10
✓	P:IA051_7b.1 Cumulative percentage of sickness absence within the Audit, Risk and Counter Fraud Unit	Head of Finance and Property Services (D Forrest)	0.25%	2%
✓	P:IA066_6b.3 Total number of complaints received by Audit, Risk and Counter Fraud	Head of Finance and Property Services (D Forrest)	0	0
✓	P:ITS007_6a.7 Percentage of IT Services Customers Rating the Overall Quality as Good or Excellent	Head of Corporate Services (J Whitelaw)	98%	98%
✓	P:ITS010_6b.3 Total number of complaints received by IT Services per quarter	Head of Corporate Services (J Whitelaw)	0	0
✓	P:ITS079a_9b.1c Percentage of Faults Resolved at First Point of Contact	Head of Corporate Services (J Whitelaw)	46%	40%
✓	P:LS007_7b.1 Percentage Sickness Absence Levels in Legal Services	Head of Corporate Services (J Whitelaw)	0%	3.6%
✓	P:LS027_6b.4 Percentage of all complaints closed quarterly by Legal Services that were upheld / partially upheld	Head of Corporate Services (J Whitelaw)	33%	0%
✓	P:LS087_6b.3 Total number of complaints received by Legal Services	Head of Corporate Services (J Whitelaw)	2	2
✓	P:PIS011_6b.3 Total number of complaints received by the Performance and Improvement Service per quarter	Head of Corporate Services (J Whitelaw)	0	1
✓	P:PIS023_7b.1 Percentage of Sickness Absence in Performance and Improvement Service	Head of Corporate Services (J Whitelaw)	0%	3.6%
✓	P:PMD144_6b.3 Total number of complaints received by the Property Management and Development	Head of Finance and Property Services (D Forrest)	2	4

Status	PI Code & Short Name	Head of Service	Value	Target
	P:PMD161_9b.1a Industrial Portfolio - Percentage of Total Units Let	Head of Finance and Property Services (D Forrest)	89.35%	90%
	P:PMD163_9b.1a Office Portfolio - Percentage of Office Units Let	Head of Finance and Property Services (D Forrest)	91.67%	90%
	P:REV048a_7b.1 Monthly Sickness Absence Levels	Head of Finance and Property Services (D Forrest)	2.5%	2.5%
	P:REV122_6b.3 Total number of complaints received by the Revenues Unit	Head of Finance and Property Services (D Forrest)	9	25
	P:REV123_6b.4 The percentage of complaints received by the Revenues Unit that were upheld or partially upheld	Head of Finance and Property Services (D Forrest)	22%	25%

Traffic Light Unknown

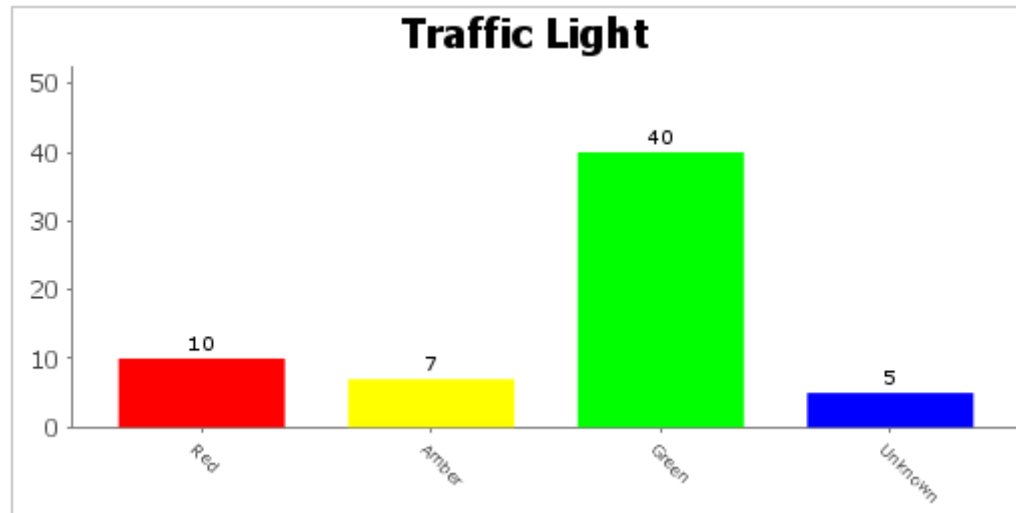
Status	PI Code & Short Name	Head of Service	Value	Target
	P:CSg113_6b.4 The percentage of complaints received by Construction Services that were upheld / partially upheld against the total complaints closed in full	Head of Finance and Property Services (D Forrest)	N/A	50%
	P:CuCS007q_6a.7 Customer and Communities - Percentage of customers who rated the overall quality of service as good or excellent	Head of Housing, Customer and Building Services (AM Carr)	Cannot divide by zero	99.0%
	P:IA067_6b.4 The percentage of complaints received by Audit, Risk and Counter Fraud that were upheld or partially upheld against the total complaints closed in full.	Head of Finance and Property Services (D Forrest)	N/A	0%
	P:ITS011_6b.4 Percentage of complaints received that were upheld/partially upheld	Head of Corporate Services (J Whitelaw)	N/A	0%
	P:PIS013_6b.4 Percentage of all complaints closed by the Performance and Improvement Service that were upheld / partially upheld per quarter	Head of Corporate Services (J Whitelaw)	N/A	25%

APPENDIX 2

Partnership and Resources PIs – ALL (Detail)

Data Label : OFFICIAL

Generated on: 28 August 2020 11:01



PI Code & Short Name	P:APS017_6b.3 Total number of complaints received by the Anti-Poverty Service																																	
Description	<p>This indicator measures the total number of complaints received by the Anti-Poverty Service. It is the total number of complaints received by the service at stage one (complaints that the council aims to deal with within 5 working days) and those received directly at stage two (more complex complaints that the council aims to deal with within 20 working days). Note: This is to ensure complaints escalated from stage 1 and stage 2 are not double counted.</p> <p>The Anti-Poverty Service investigates and manages all complaints by following corporate guidelines. We closely monitor and analyse complaints to quickly identify any trends. We use complaints to make improvements in our service.</p>	PI Owner(s): zAPS_PIAAdmin; Elaine Nisbet																																
<div><p>Total number of complaints received by the Anti-Poverty Service</p><table><thead><tr><th>Quarter</th><th>Actual (Quarters)</th><th>Target (Quarters)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>14</td><td>20</td></tr><tr><td>Q2 2019/20</td><td>17</td><td>20</td></tr><tr><td>Q3 2019/20</td><td>13</td><td>20</td></tr><tr><td>Q4 2019/20</td><td>19</td><td>20</td></tr><tr><td>Q1 2020/21</td><td>13</td><td>20</td></tr></tbody></table></div>		Quarter	Actual (Quarters)	Target (Quarters)	Q1 2019/20	14	20	Q2 2019/20	17	20	Q3 2019/20	13	20	Q4 2019/20	19	20	Q1 2020/21	13	20	<div><p>Q1 2020/21 result</p><table><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>13</td></tr><tr><td>Current Target:</td><td>20</td></tr><tr><td>Red Threshold:</td><td>22</td></tr><tr><td>Amber Threshold:</td><td>21</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	13	Current Target:	20	Red Threshold:	22	Amber Threshold:	21	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Actual (Quarters)	Target (Quarters)																																
Q1 2019/20	14	20																																
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Red Threshold:	22																																	
Amber Threshold:	21																																	
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																	

Trend Chart Commentary:

The Anti-Poverty Service investigates and manages all complaints by following corporate procedure. We closely monitor and analyse complaints to identify any trends and to make improvements in our service.

2020/21

Quarter 1 - During this period the Anti-Poverty Service received 13 complaints. This is a reduction of six from the previous quarter. The complaints were relating to claims being processed incorrectly, employee attitude, standard of service, incorrect/conflicting advice and discretionary payments decisions. Three complaints were upheld and ten complaints were not upheld. 100% of the complaints were successfully managed within the stage one five day target.

2019/20

Quarter 4 - During this period the Anti-Poverty Service received 19 complaints. This is six more than the previous quarter. The complaints were relating to claims being processed incorrectly, employee attitude, standard of service and incorrect/conflicting advice. Five complaints were upheld and fourteen complaints were not upheld. 100% of 15 stage one complaints were successfully managed within the five day target. Four out of the five stage 2 complaints were managed within the 20 day target

Quarter 3 - During this period the Anti-Poverty Service received 13 complaints. This is five less than the previous quarter and the lowest number of complaint so far during the 2019/20 period. The complaints were relating to claims being processed incorrectly, employee attitude, standard of service and incorrect/conflicting advice. Four out of the 13 complaint were partly upheld or or upheld and two of these complaints were escalated to stage 2 to allow further investigation to take place. Several improvement actions have taken place including staff training.

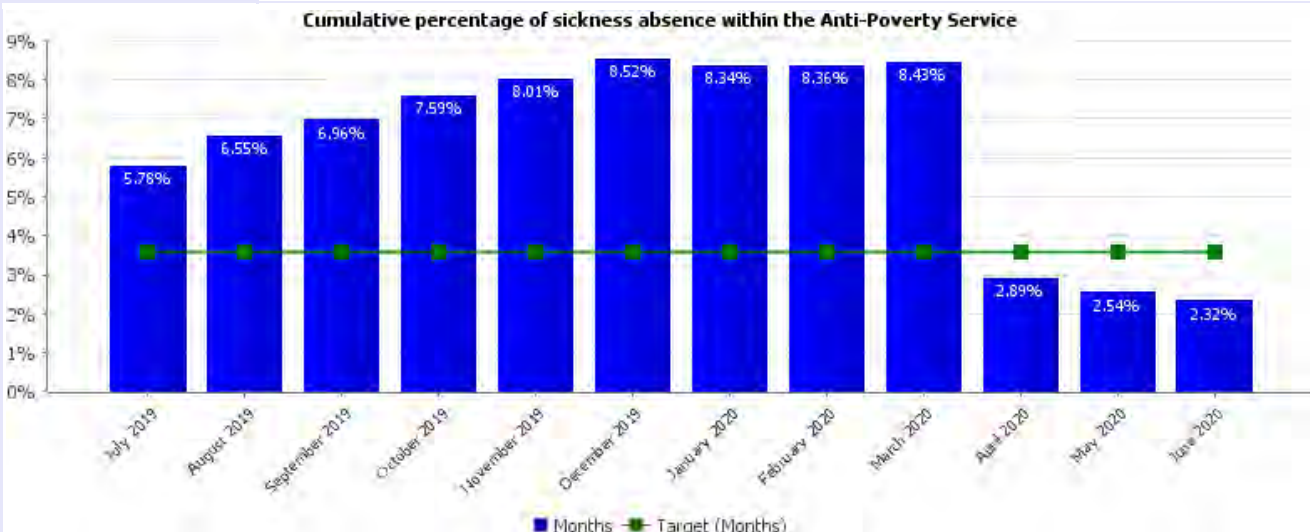

Quarter 2 - During this period the Anti-Poverty Service received 17 complaints, this is an increase of 3 from the previous quarter. The complaints were relating to claims being processed incorrectly, employee attitude, standard of service, incorrect or conflicting advice, communication and waiting times. 11 of these complaints were not upheld, five complaints were fully upheld and one complaint was partly upheld. Ten complaints were dealt with within the five day target and others required further investigation. One complaint was escalated to stage 2. Several improvement actions have taken place following these complaints which include staff training or briefings, procedure change or review and staff counselling. The service has also identified a need for further training in relation to managing complaints which will take place in quarter 3.

Quarter 1 - During this quarter the Anti-Poverty Service received 14 complaints. The complaints were relating to employee attitude, poor communication, processing of claims incorrectly, delay in information and policy related issue. All complaints were managed within the five day target with the exception of one due to requirement to carry out further investigation. Three complaints were fully upheld, two were partly upheld and nine were not upheld.

Target 2020/21 - Our target will remain at 15 complaints per quarter. We have set our trigger levels to early identify trends.

PI Code & Short Name		P:APS018_6b.4 The percentage of complaints received by the Anti-Poverty Service that were upheld / partially upheld against the total complaints closed in full		PI Owner(s): zAPS_PIAAdmin; Elaine Nisbet																																			
Description		This indicator measures the total number of complaints received by the Anti Poverty Service which were upheld or partially upheld, as a percentage of all complaints received.																																					
<p>The percentage of complaints received by the Anti-Poverty Service that were upheld / partially upheld against the total complaints closed in full</p>  <table><caption>Complaints Upheld Data</caption><thead><tr><th>Quarter</th><th>Percentage Upheld</th><th>Target</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>35.7%</td><td>50%</td></tr><tr><td>Q2 2019/20</td><td>35.3%</td><td>50%</td></tr><tr><td>Q3 2019/20</td><td>30.7%</td><td>50%</td></tr><tr><td>Q4 2019/20</td><td>26%</td><td>50%</td></tr><tr><td>Q1 2020/21</td><td>23%</td><td>50%</td></tr></tbody></table>				Quarter	Percentage Upheld	Target	Q1 2019/20	35.7%	50%	Q2 2019/20	35.3%	50%	Q3 2019/20	30.7%	50%	Q4 2019/20	26%	50%	Q1 2020/21	23%	50%	<p>Q1 2020/21 result</p>  <table><tr><th>Metric</th><th>Value</th></tr><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>23%</td></tr><tr><td>Current Target:</td><td>50%</td></tr><tr><td>Red Threshold:</td><td>55%</td></tr><tr><td>Amber Threshold:</td><td>52.5%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>		Metric	Value	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	23%	Current Target:	50%	Red Threshold:	55%	Amber Threshold:	52.5%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Percentage Upheld	Target																																					
Q1 2019/20	35.7%	50%																																					
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Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																						
<p>Trend Chart Commentary: The Anti Poverty Service investigates and manages all complaints by following corporate procedure. We closely monitor and analyse complaints to identify any trends and to make improvements in our service.</p> <p>2020/21 Quarter 1 - During this period 23% of the Anti-Poverty Services 13 complaints were upheld. This is a slight reduction from the previous quarter. All complaints were managed within the 5 day standard.</p> <p>2019/20 Quarter 4 - During this period 26% of the Anti-Poverty Services 19 complaints were upheld or partly upheld. This is a slight reduction from the previous quarter. Four out of the 19 complaints were upheld all of these were managed within Stage 1 the 5 day standard.</p> <p>Quarter 3 - During this period 30.7% of the Anti-Poverty Services 13 complaints were upheld or partly upheld. This is a slight reduction from the previous quarter. The complaints were relating to claims being processed incorrectly, employee attitude, standard of service and incorrect/conflicting advice. Four out of the 13 complaint were partly upheld or upheld and two of these complaints were escalated to stage to allow further investigation to take place. Several improvement actions have taken place including staff training.</p> <p>Quarter 2 - During this quarter 35.3% of the Anti-Poverty services 17 complaints were upheld or partly upheld, this is a slight decrease from the previous quarter. The complaints were relating to claims being processed incorrectly, employee attitude, standard of service, incorrect or conflicting advice, communication and waiting times. 11 of these complaints were not upheld, five complaints were fully upheld and one complaint was partly upheld. Several improvement actions have taken places following these complaints which include staff training or briefings, procedure change or review and staff counselling.</p> <p>Quarter 1 - During this quarter 35.7% of the Anti-Poverty Services 14 complaints were upheld or partly upheld. The complaints were relating to employee attitude, poor communication, processing of claims incorrectly, delay in information and policy related issue. All complaints were managed within the five day target with the exception of one due to requirement to carry out further investigation. Three complaints were fully upheld, two were partly upheld and nine were not upheld.</p> <p>2020/21 Target - Our target will remain at 50% for this period.</p>																																							

The target was increased in 2018/19 to 97 percent from 95 percent target of previous years. This was to encourage improvement in processing times following changes to the eligibility criteria. The target for 2019/20 will remain at 97 percent.

PI Code & Short Name	P:APS041_7b.1 Cumulative percentage of sickness absence within the Anti-Poverty Service																																											
Description	This performance indicator measures the cumulative percentage of sickness absence within the Anti-Poverty Service. For each financial year, we aim to have equal to or less than the council's target of 3.6% sickness absence. The SPI figure provided by HR is used to populate this indicator.	PI Owner(s): zAPS_PAdmin; Elaine Nisbet																																										
<div><div><div>Cumulative percentage of sickness absence within the Anti-Poverty Service</div><table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>5.78%</td></tr><tr><td>August 2019</td><td>6.55%</td></tr><tr><td>September 2019</td><td>6.96%</td></tr><tr><td>October 2019</td><td>7.59%</td></tr><tr><td>November 2019</td><td>8.01%</td></tr><tr><td>December 2019</td><td>8.52%</td></tr><tr><td>January 2020</td><td>8.34%</td></tr><tr><td>February 2020</td><td>8.36%</td></tr><tr><td>March 2020</td><td>8.43%</td></tr><tr><td>April 2020</td><td>2.89%</td></tr><tr><td>May 2020</td><td>2.54%</td></tr><tr><td>June 2020</td><td>2.32%</td></tr></tbody></table></div><div><div>June 2020 result</div><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>2.32%</td></tr><tr><td>Current Target:</td><td>3.6%</td></tr><tr><td>Red Threshold:</td><td>4.8%</td></tr><tr><td>Amber Threshold:</td><td>4.31%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div></div>		Month	Percentage	July 2019	5.78%	August 2019	6.55%	September 2019	6.96%	October 2019	7.59%	November 2019	8.01%	December 2019	8.52%	January 2020	8.34%	February 2020	8.36%	March 2020	8.43%	April 2020	2.89%	May 2020	2.54%	June 2020	2.32%	Category	Value	Last Updated:	June 2020	Status:	✓	Current Value:	2.32%	Current Target:	3.6%	Red Threshold:	4.8%	Amber Threshold:	4.31%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting	
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Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																											
<p>This key performance indicator was introduced for the Anti-Poverty Service which was developed April 2019. Recording of this information commenced in May 2019. Previously, this information was record under the Advice Shop and Revenues and Benefits.</p>																																												
<p>2020/21</p> <p>June - The reported figure for June is 2.32% which is a slight decrease from the previous month which was 2.54%.. In total there were 28 sick days out of a total 1,802 target days available. the service continues monitor in line with the council's supporting attendance at work policy.</p> <p>May - The reported figure for May is 2.54% which is a slight decrease from the previous month which was 2.89%. 72.53% were due to long term absences. In total there were 35 sick days out of a total 1,823 target days available. the service continues monitor in line with the council's supporting attendance at work policy.</p> <p>April - This performance indicator has changed from red to green. The reported figure for May is 2.89% which is a significant decrease from the previous month which was 7.63%. 78.43% were due to long term absences. In total there were 56 sick days out of a total 1,765 target days available. the service continues monitor in line with the council's supporting attendance at work policy.</p>																																												
<p>2019/20</p> <p>March - This performance indicator has remained red. The reported figure for March 2020 is 8.43% which is a slight increase from the previous quarter. 79% of these absences were long term sickness and the service continues monitor in line with the council's supporting attendance at work policy. In total there were 1,914 sick days out of a total 22,703 target days during this period.</p> <p>February - This performance indicator has remained red. The reported figure for February 2020 is 8.36% which is a slight decrease from the previous quarter. 78% of these absences were long term and sickness absence continues to be monitored in line with the council's supporting attendance at work policy.</p> <p>January - This performance indicator has remained red. The reported figure for January 2020 is 8.34% which is a slight decrease from the previous quarter. 82% of these absences were long term and sickness absence continues to be monitored in line with the council's supporting attendance at work policy.</p>																																												

December - This performance indicator has remained red. The reported figure for December 2019 is 8.52% which is a slight increase from the previous quarter. 81% of these absences were long term and sickness absence continues to be monitored in line with the council's supporting attendance at work policy. We would expect this figure to reduce in January 2020 following the return to work of several staff who were off long term.

November - This performance indicator has remained red. The reported figure for November 2019 is 8.01% which is an increase from the previous quarter. 81% of these absences were long term and sickness absence continues to be monitored in line with the council's supporting attendance at work policy. There were a total of 198 sick days during this period.

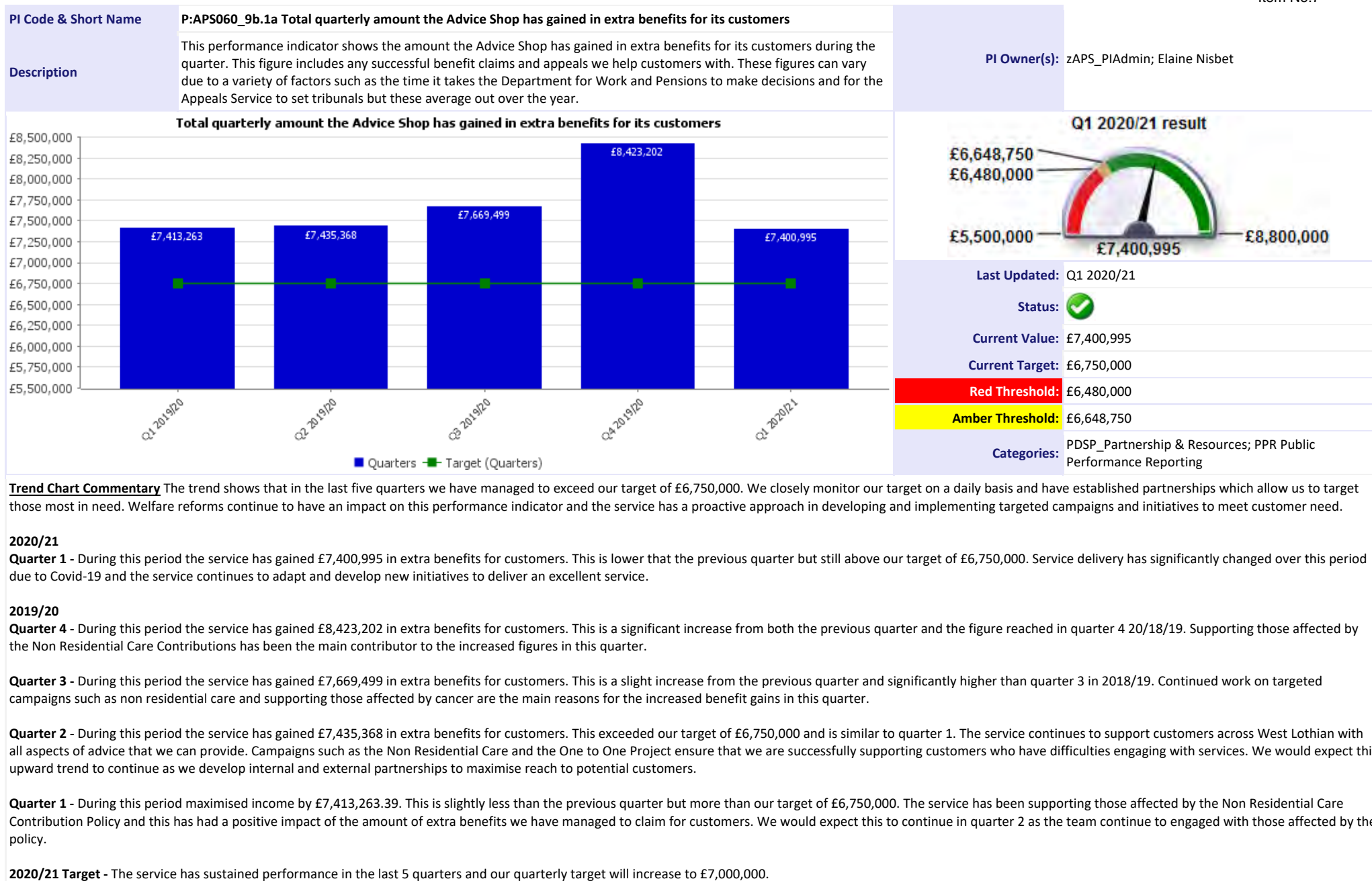
October - This performance indicator has remained red. The reported figure for October 2019 is 7.59% which is higher than the previous quarter. Long term absences account for 81% of a total of 189 sick days during this period and sickness absence continues to be monitored in line with the council's supporting attendance at work policy.

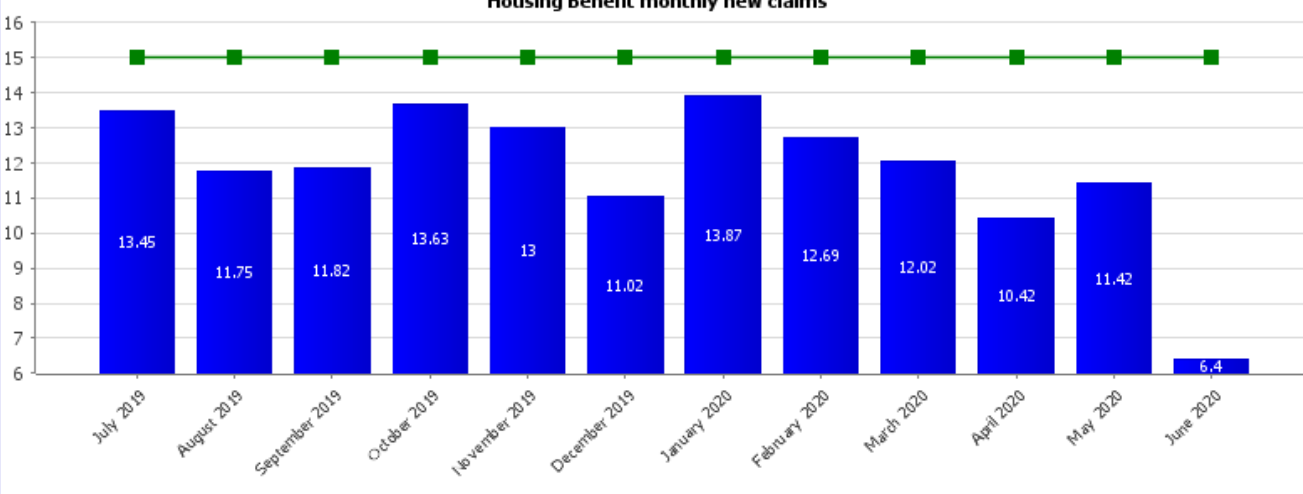


September - This performance indicator has remained red. The reported figure for September 2019 is 6.96% which is higher than the previous quarter. Long term absences account for 82% of a total of 152 sick days during this period and sickness absence continues to be monitored in line with the council's supporting attendance at work policy.

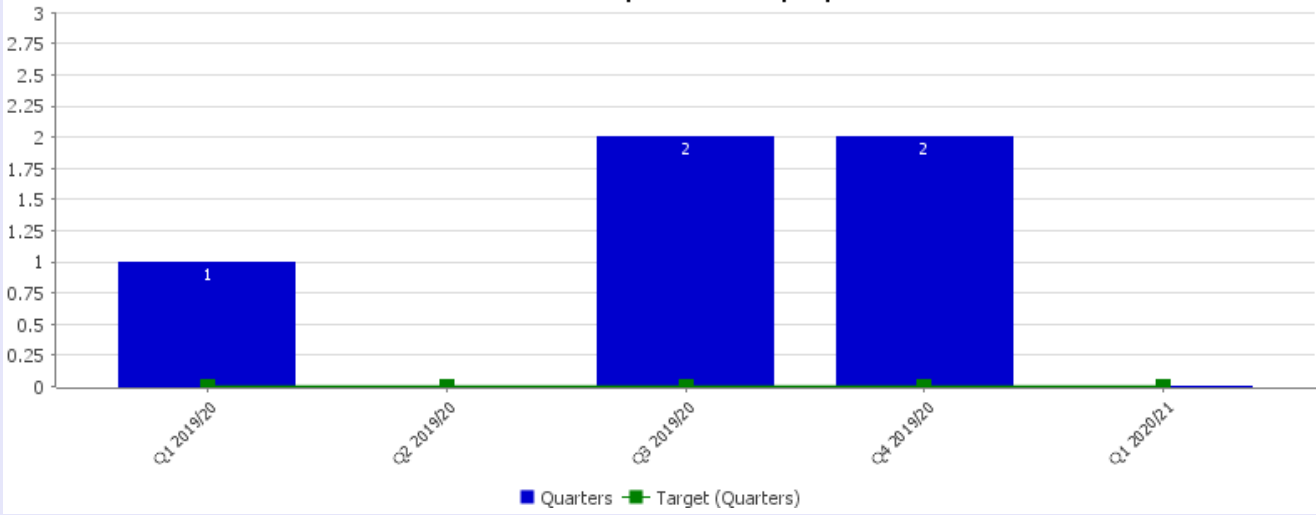

August - This performance indicator has remained red. The reported figure for August 2019 is 6.55% which is higher than the previous quarter. Long term absences account for 75% of a total of 176 sick days during this period and sickness absence continues to be monitored in line with the council's supporting attendance at work policy. We would expect this to improve next month following a return to work for 3 members off staff who were off long term sick during the month of August.

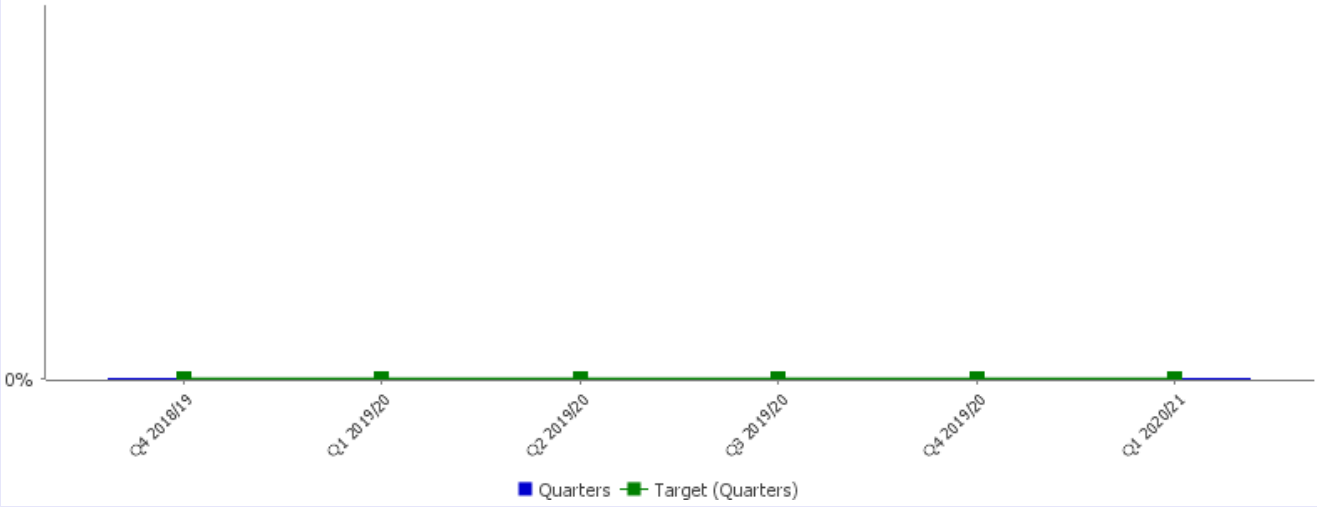
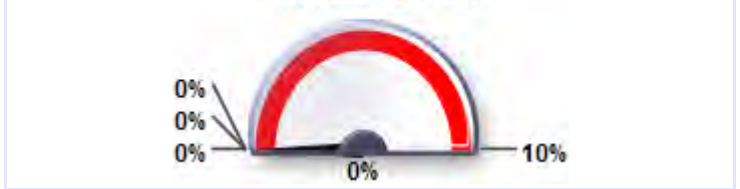

July - This performance indicator has remained red. The reported figure for July 2019 is 5.78% which is higher than the previous quarter. 78% of these absences were long term and sickness absence continues to be monitored in line with the council's supporting attendance at work policy.

Target 2020/21 - Our target will remain at 3.6% in line with the WLC target.

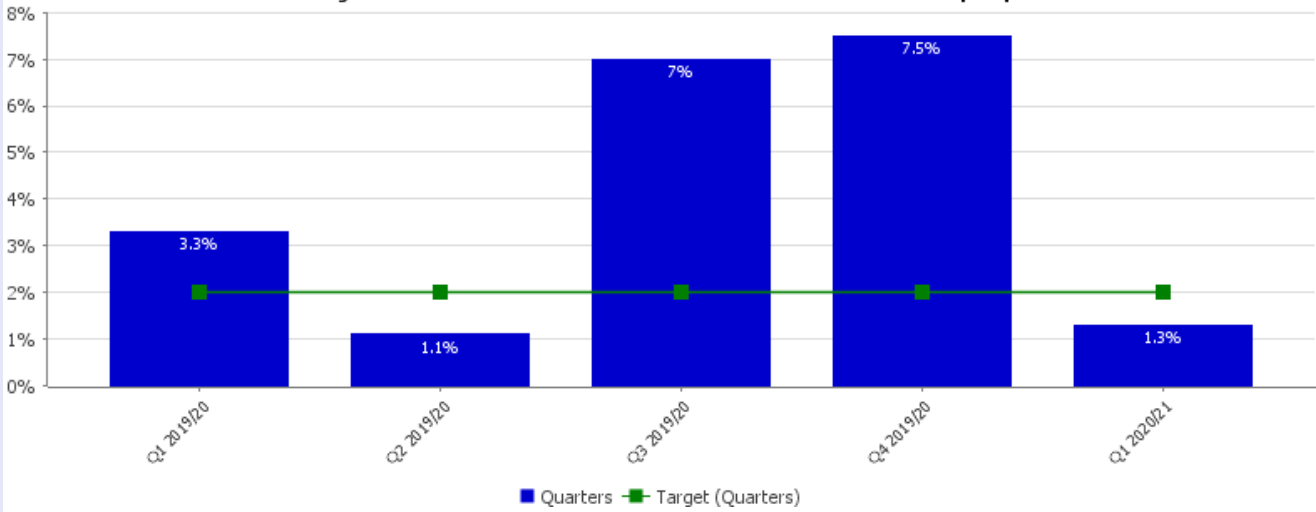
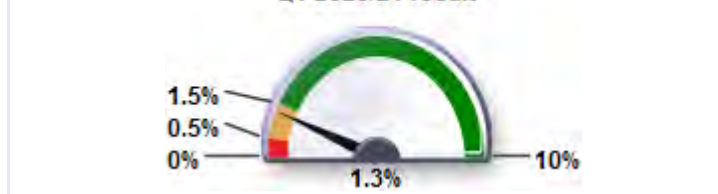





PI Code & Short Name		P:APS077_9b Housing Benefit monthly new claims	
Description		This performance indicator measures the average number of days to process Housing Benefit new claims on a monthly basis. The average number of days is calculated from the date of receipt of the application to the date that a decision is made. Receipt of a claim for Housing Benefit at any designated office will be the starting point at which the count for the processing time begins. The count for the processing time stops the day the decision is made. This data is gathered by the Single Housing Benefit Extract tool which reports to the Department for Work and Pensions on all data entered on the Housing Benefit processing system. This information allows management to monitor ongoing performance and to compare performance against other Local Authorities. The date that the SHBE is run differs from month to month and is set by the DWP, with the performance information being recorded against the month the data is gathered, regardless of the date of collection within the month.	
		PI Owner(s): zAPS_PIAAdmin; Elaine Nisbet	
			
		Last Updated: June 2020	
		Status: 	
		Current Value: 6.4	
		Current Target: 15	
		Red Threshold: 16.5	
		Amber Threshold: 15.3	
		Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting	
Trend Chart Commentary: The target for 2020/2021 has been set at 15 days. The target has been reviewed and set based on last years performance and factoring in the increased pressure on the Benefit Service as a result of the Covid 19 epidemic.			
2020/21 April 20 - Performance has improved in April with 171 new Housing Benefit claims processed on average within 10.42 days May 20 - Performance has dipped slightly, but remains well within target with 126 new Housing Benefit claims processed, on average, within 11.42 days. June 20 - Performance in June was 6.4 days, the reduction in new claims for Council Tax Reduction and the Scottish Welfare Fund has allowed more resource to focus on the processing of new claims.			
2019/20 March 20 - Performance has improved in March with new claims being processed within 12.02 days and remains within target February 20 - performance has improved in February with new claims being processed within 12.69 days and remains within target. January 20 - Performance has dipped slightly as a result of leave over the festive period with new claims being processed within 13.87 days compared to 13 days in December. December 19 - Performance has improved from 13 days in November to 11.02 days. November 19 - Performance has improved from 13.63 in October to 13 days. October 19 - Performance in October dipped slightly to 13.63 days from 11.82 in September. This is due to increased sickness absence within the team and ongoing training to upskill staff in various disciplines. September 19 - Performance remained fairly static in September at 11.82 days compared to 11.75 days in August.			

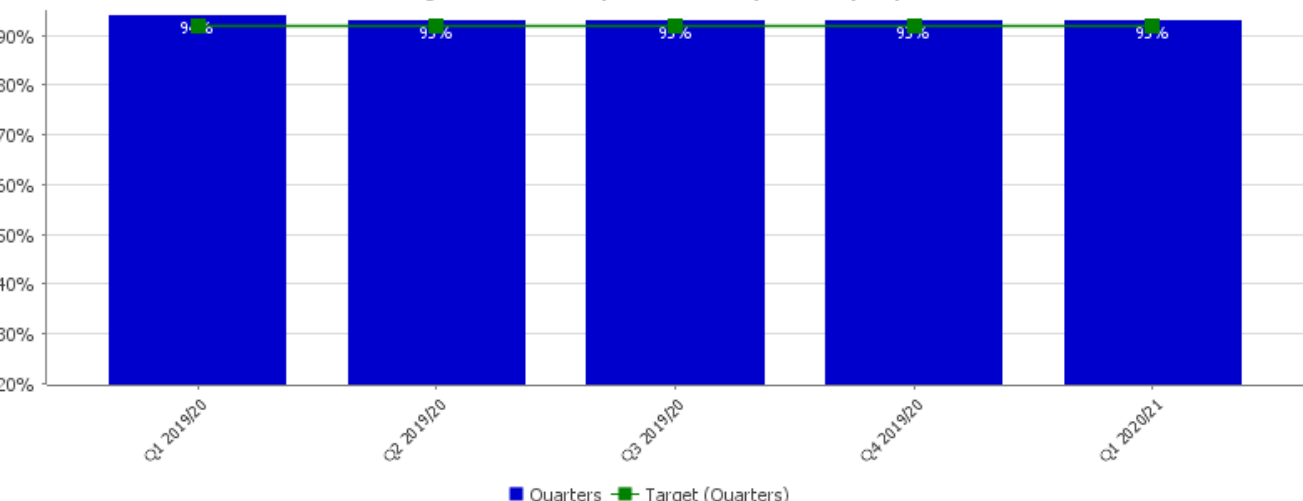

PI Code & Short Name	P:CC014_6b.3 Total number of complaints received per quarter	PI Owner(s): zCC_PIAdmin; Garry Heron																																		
Description	This performance indicator measures the total number of complaints received quarterly relating to Corporate Communications. Performance is reviewed on a regular basis and reported quarterly to ensure that there is sufficient focus on the quality and standard of customer service. The data for this performance indicator is captured through the Customer Relationship Management (CRM) system, Social Media and Councillor Enquiries. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.																																			
<div>Total number of complaints received per quarter</div>  <table><caption>Data for Total number of complaints received per quarter</caption><thead><tr><th>Quarter</th><th>Complaints Received</th><th>Target</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>1</td><td>0</td></tr><tr><td>Q2 2019/20</td><td>0</td><td>0</td></tr><tr><td>Q3 2019/20</td><td>2</td><td>0</td></tr><tr><td>Q4 2019/20</td><td>2</td><td>0</td></tr><tr><td>Q1 2020/21</td><td>0</td><td>0</td></tr></tbody></table>		Quarter	Complaints Received	Target	Q1 2019/20	1	0	Q2 2019/20	0	0	Q3 2019/20	2	0	Q4 2019/20	2	0	Q1 2020/21	0	0	<div>Q1 2020/21 result</div>  <table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0</td></tr><tr><td>Current Target:</td><td>0</td></tr><tr><td>Red Threshold:</td><td>5</td></tr><tr><td>Amber Threshold:</td><td>2</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Category	Value	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	0	Current Target:	0	Red Threshold:	5	Amber Threshold:	2	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Complaints Received	Target																																		
Q1 2019/20	1	0																																		
Q2 2019/20	0	0																																		
Q3 2019/20	2	0																																		
Q4 2019/20	2	0																																		
Q1 2020/21	0	0																																		
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Red Threshold:	5																																			
Amber Threshold:	2																																			
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																			
<div>Trend Chart Commentary:</div> <p>The service handle complaints made through members of public through social media and councillor enquiries, the service receives a small number of complaints.</p> <div>2019/20</div> <p>Q1 2019/20 - the service received 1 complaint relating to photography in Bulletin. Complaint investigated and no action taken due to complaint not valid. Q2 2019/20 - the service received 0 complaints Q3 2019/20 - the service received 2 complaints relating to the length of time taken to book in and complete graphic design work. They were investigated and not upheld. The customer had not booked in work in advance leaving no time to fulfil request within timescales Q4 2019/20 - the service received 2 complaints. One relating to the length of time taken to book in and complete graphic design work. The other related to incomplete information on the website. They were investigated and not upheld. The customer had not booked in work in advance leaving no time to fulfil request within timescales. The other related to information that was out with the scope of the council's remit</p> <div>2020/21</div> <p>Q1 2019/20 - the service received 0 complaints</p> <p>Complaints are handled following corporate procedures and analysed to identify trends.</p> <p>The target for Q2 2020/21 will remain at 0 per quarter, this is to reflect the small number of complaints the service received in previous quarters. Targets are reviewed annually.</p>																																				

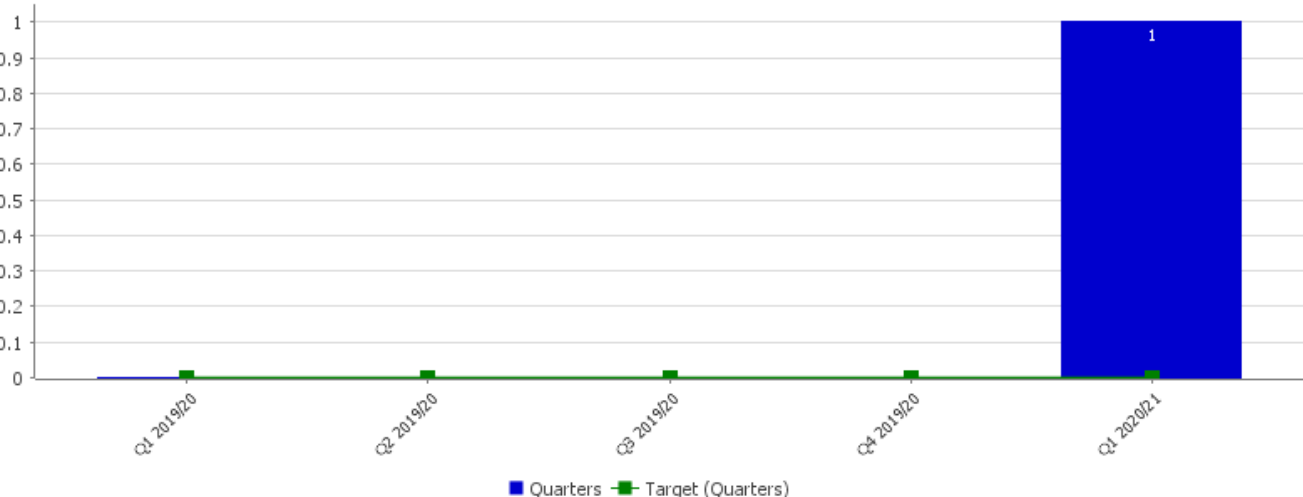




PI Code & Short Name	P:CC016_6b.4 The percentage of complaints by Corporate Communications that were upheld/part upheld per quarter	PI Owner(s): zCC_PIAAdmin; Garry Heron
Description	<p>This performance indicator measures the overall percentage of Corporate Communications complaints that have been investigated and upheld or part upheld during each quarter.</p> <p>For each quarter the total number of complaints responded to within relevant timescale is divided by the total number of stage one complaints received to determine a percentage. The data for this indicator is extracted from the customer relationship management (CRM).</p> <p>The complaints are analysed to identify improvements to the way the service is delivered to customers.</p>	
<p>The percentage of complaints by Corporate Communications that were upheld/part upheld per quarter</p>  <p>0%</p> <p>Q4 2018/19 Q1 2019/20 Q2 2019/20 Q3 2019/20 Q4 2019/20 Q1 2020/21</p> <p>■ Quarters ■ Target (Quarters)</p>		<p>Q1 2020/21 result</p>  <p>0% 0% 0% 0% 10%</p> <p>Last Updated: Q1 2020/21</p> <p>Status: </p> <p>Current Value: 0%</p> <p>Current Target: 0%</p> <p>Red Threshold: 0%</p> <p>Amber Threshold: 0%</p> <p>Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting</p>
<p>Trend Chart Commentary:</p> <p>In the last five quarters, the service has not upheld any complaints.</p> <p>Q1 2020/21 no complaints were upheld and therefore it is a nil entry.</p> <p>Q4 2019/20 no complaints were upheld by the service and therefore it is a nil entry.</p> <p>Q3 2019/20 no complaints were upheld by the service and therefore it is a nil entry.</p> <p>Q2 2019/20 no complaints were upheld by the service and therefore it is a nil entry.</p> <p>Q1 2019/20 no complaints were upheld and therefore it is a nil entry.</p> <p>Please note, where there have been no complaints received within the quarter, no value will be added to the chart. Therefore, this will show as blank or missing an one year period on the chart.</p> <p>The target for 2020/21 will remain at 0% based on previous years' results.</p>		

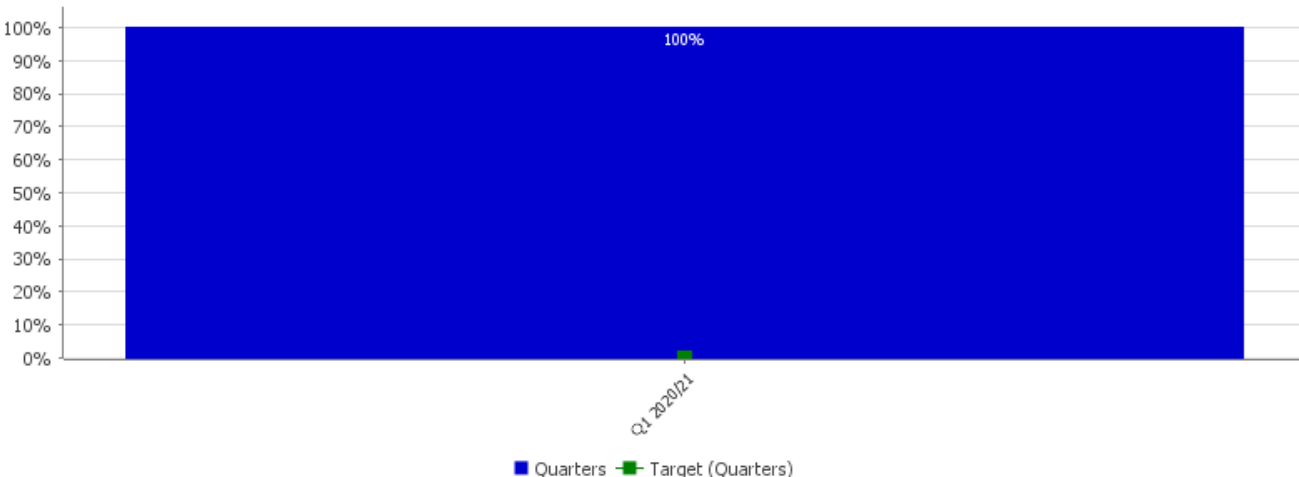

PI Code & Short Name	P:CC031_7b.1 Percentage of sickness absence in Corporate Communications	
Description	This performance indicator measures, as a percentage, the total level of sickness absence in the Corporate Communications team in Corporate Services. The data is provided by the council's Human Resource Services on a monthly basis and is tracked and monitored to ensure absence is managed appropriately in the service and any corresponding impact on performance is understood and managed.	PI Owner(s): zCC_PIAdmin; Garry Heron
<p>Percentage of sickness absence in Corporate Communications</p> <p>Legend: Months (blue line), Target (Months) (green line)</p>		<p>June 2020 result</p> <p>Last Updated: June 2020</p> <p>Status: </p> <p>Current Value: 0%</p> <p>Current Target: 3.6%</p> <p>Red Threshold: 3.85%</p> <p>Amber Threshold: 3.74%</p> <p>Categories: Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</p>
<p>Trend Chart Commentary:</p> <p>The trend highlights that absence has been below the council target for the entire reporting period. Due to the small size of the team a single absence can have an impact on absence levels.</p> <p>One member of staff was absent for two days in April which returned a 1.2% absence rate. Since July through to May 2020 there has been no absences. There was 1 absence in July 2020.</p> <p>Absence is monitored and addressed in line with the council's Sickness Absence Management Policy and Procedures.</p> <p>The corporate target is 3.6%.</p>		

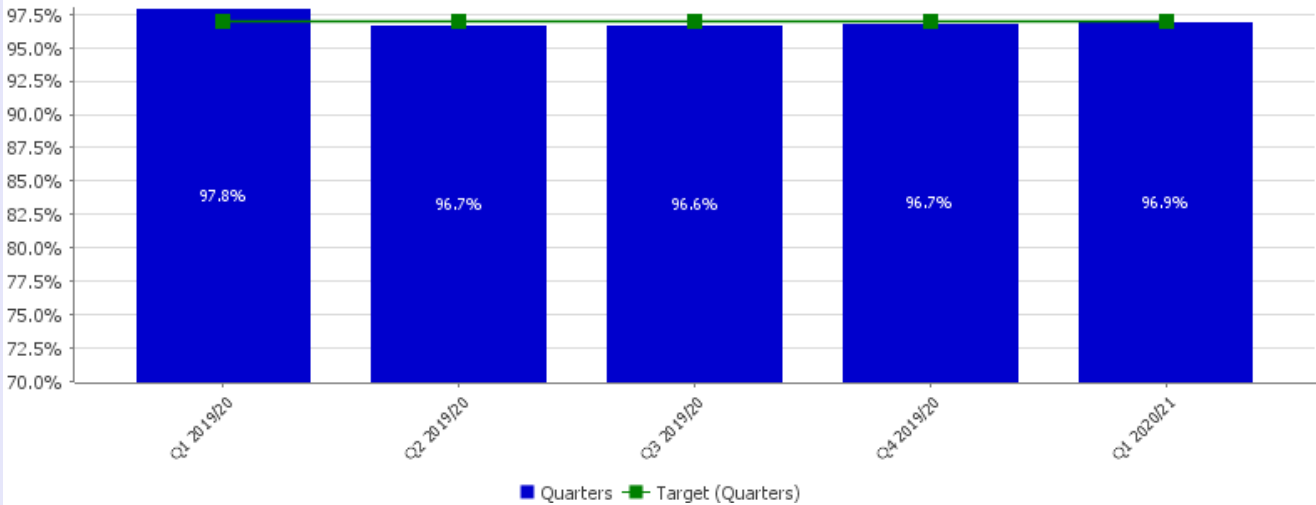
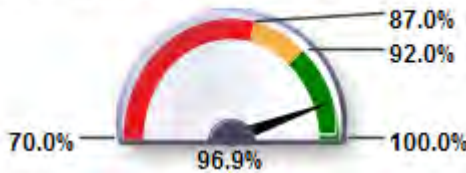
PI Code & Short Name		P:CC081_9b.1a Percentage of new social media followers on the West Lothian Council sites per quarter																													
Description		This Performance indicator measures the percentage increase or decrease of Facebook, Twitter and Instagram followers on the main council sites. The data is obtained from the social media platforms and is calculated by comparing the change in numbers and calculating what the percentage change. This indicator allows the corporate communications team to monitor and measure the usage of key social media channels allowing us to evaluate staffing resources and determine the appropriate content required to attract new service users to this communications channel.																													
		PI Owner(s): zCC_PAdmin; Garry Heron																													
<p>Percentage of new social media followers on the West Lothian Council sites per quarter</p>  <table><caption>Data for Percentage of new social media followers</caption><thead><tr><th>Quarter</th><th>Percentage</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>3.3%</td></tr><tr><td>Q2 2019/20</td><td>1.1%</td></tr><tr><td>Q3 2019/20</td><td>7%</td></tr><tr><td>Q4 2019/20</td><td>7.5%</td></tr><tr><td>Q1 2020/21</td><td>1.3%</td></tr></tbody></table>		Quarter	Percentage	Q1 2019/20	3.3%	Q2 2019/20	1.1%	Q3 2019/20	7%	Q4 2019/20	7.5%	Q1 2020/21	1.3%	<p>Q1 2020/21 result</p>  <table><thead><tr><th>Metric</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>1.3%</td></tr><tr><td>Current Target:</td><td>2%</td></tr><tr><td>Red Threshold:</td><td>0.5%</td></tr><tr><td>Amber Threshold:</td><td>1.5%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>		Metric	Value	Last Updated:	Q1 2020/21	Status:		Current Value:	1.3%	Current Target:	2%	Red Threshold:	0.5%	Amber Threshold:	1.5%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Percentage																														
Q1 2019/20	3.3%																														
Q2 2019/20	1.1%																														
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Metric	Value																														
Last Updated:	Q1 2020/21																														
Status:																															
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Current Target:	2%																														
Red Threshold:	0.5%																														
Amber Threshold:	1.5%																														
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																														
<p>Trend Chart Commentary:</p> <p>The quarterly chart for number of social media likes generally shows a steady increase of around 1% to 3% for most period. This reflects the growing numbers of residents using social media and choosing to follow our channels. Growth has slowed to a steady increase through 2019/20 as the majority of local residents with social media now follow at least one of our channels.</p> <p>Q1 2020/21 saw a slight drop in the rate of new followers to 1.3%. This can be attributed to our Facebook followers of the corporate page falling by 387 during this period. We believe this is down to Facebook's policy of purging inactive or automated accounts intermittently.</p> <p>Q3 2019/20 saw a significant rise of 7% as we included our eight locality Facebook pages into our figures for the first time, now the pages are established. This was repeated in Q4 which saw a rise of 7.5%. Part of the reason can be attributed to the Coronavirus updates which attracted a large number of views in terms of reach.</p> <p>The target will remain at 2% for future quarters as we aim to continue to grow our audience of local residents and ensure they are kept informed regarding important council and community news.</p>																															

PI Code & Short Name	P:CPU017a_7b.1 Percentage of sickness absence in Corporate Procurement Unit		PI Owner(s): zCPU_PAdmin; Angela Gray																																																
Description	This performance indicator measures the percentage of sickness absence within the Corporate Procurement Unit on a month by month basis. For each month, the service aims to have equal to or less than 3.6 percent sickness absence. The monthly sickness statistics used for this performance indicator are recorded from data issued by HR services.																																																		
<div>Percentage of sickness absence in Corporate Procurement Unit</div> <table><thead><tr><th>Month</th><th>Percentage</th><th>Target</th></tr></thead><tbody><tr><td>July 2019</td><td>9.09%</td><td>3.6%</td></tr><tr><td>August 2019</td><td>0.1%</td><td>3.6%</td></tr><tr><td>September 2019</td><td>0.1%</td><td>3.6%</td></tr><tr><td>October 2019</td><td>0.1%</td><td>3.6%</td></tr><tr><td>November 2019</td><td>4.9%</td><td>3.6%</td></tr><tr><td>December 2019</td><td>0.1%</td><td>3.6%</td></tr><tr><td>January 2020</td><td>0.1%</td><td>3.6%</td></tr><tr><td>February 2020</td><td>3.66%</td><td>3.6%</td></tr><tr><td>March 2020</td><td>0.47%</td><td>3.6%</td></tr><tr><td>April 2020</td><td>0.1%</td><td>3.6%</td></tr><tr><td>May 2020</td><td>0.1%</td><td>3.6%</td></tr><tr><td>June 2020</td><td>0.1%</td><td>3.6%</td></tr></tbody></table> <div>June 2020 result</div> <table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Red Threshold</td><td>4.8%</td></tr><tr><td>Amber Threshold</td><td>4.2%</td></tr><tr><td>Current Value</td><td>0%</td></tr><tr><td>Current Target</td><td>3.6%</td></tr></tbody></table> <div>Last Updated: June 2020</div> <div>Status: </div> <div>Categories: Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</div>			Month	Percentage	Target	July 2019	9.09%	3.6%	August 2019	0.1%	3.6%	September 2019	0.1%	3.6%	October 2019	0.1%	3.6%	November 2019	4.9%	3.6%	December 2019	0.1%	3.6%	January 2020	0.1%	3.6%	February 2020	3.66%	3.6%	March 2020	0.47%	3.6%	April 2020	0.1%	3.6%	May 2020	0.1%	3.6%	June 2020	0.1%	3.6%	Category	Value	Red Threshold	4.8%	Amber Threshold	4.2%	Current Value	0%	Current Target	3.6%
Month	Percentage	Target																																																	
July 2019	9.09%	3.6%																																																	
August 2019	0.1%	3.6%																																																	
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February 2020	3.66%	3.6%																																																	
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Amber Threshold	4.2%																																																		
Current Value	0%																																																		
Current Target	3.6%																																																		
<div>Trend Chart Commentary:</div> <p>The trend shows that absence rates have been below the council target of 3.6%, with the exception of April, July and November 2019. Performance in April and November 2019 was recorded above target due to short term absences by a single member of staff. Performance in July 2019 was recorded above target as a result of one long term sickness absence.</p> <p>All absences are managed in accordance with the Council's sickness absence policy and procedure.</p> <p>Target performance will continue to be set at the Corporate Services standard of 3.6%, with CPU will continuing to monitor performance in this area.</p>																																																			

PI Code & Short Name	P:CPU019b_9b.1a Percentage of relevant compliant council expenditure per quarter																																			
Description	This performance indicator measures the percentage of relevant Supplies, Services and Works expenditure covered by contracts awarded in line with standing orders. Relevant Spend is identified as being spend which is influenceable by the Corporate Procurement Unit, Non influenceable spend is identified and removed from the overall spend to allow for a more accurate calculation. Calculated on a quarterly basis, the service identifies the council's contracted suppliers from the Corporate Contract Management System (CCMS) and measures their spend against the total council spend within the council's purchase to pay systems. Levels of spend with non-contracted suppliers is monitored by the service on a quarterly basis to ensure that the year-end target performance is achieved. This performance indicator is related to ensuring that the target savings agreed for the next five years can be achieved through effective procurement activity.																																			
		PI Owner(s): zCPU_PIAdmin; Angela Gray																																		
<div><p>Percentage of relevant compliant council expenditure per quarter</p><table><caption>Data for Percentage of relevant compliant council expenditure per quarter</caption><thead><tr><th>Quarter</th><th>Expenditure (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>93%</td><td>92%</td></tr><tr><td>Q2 2019/20</td><td>93%</td><td>92%</td></tr><tr><td>Q3 2019/20</td><td>93%</td><td>92%</td></tr><tr><td>Q4 2019/20</td><td>93%</td><td>92%</td></tr><tr><td>Q1 2020/21</td><td>93%</td><td>92%</td></tr></tbody></table></div>		Quarter	Expenditure (%)	Target (%)	Q1 2019/20	93%	92%	Q2 2019/20	93%	92%	Q3 2019/20	93%	92%	Q4 2019/20	93%	92%	Q1 2020/21	93%	92%	<div><p>Q1 2020/21 result</p><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>93%</td></tr><tr><td>Current Target:</td><td>92%</td></tr><tr><td>Red Threshold:</td><td>82.8%</td></tr><tr><td>Amber Threshold:</td><td>87.4%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>	Category	Value	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	93%	Current Target:	92%	Red Threshold:	82.8%	Amber Threshold:	87.4%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Expenditure (%)	Target (%)																																		
Q1 2019/20	93%	92%																																		
Q2 2019/20	93%	92%																																		
Q3 2019/20	93%	92%																																		
Q4 2019/20	93%	92%																																		
Q1 2020/21	93%	92%																																		
Category	Value																																			
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Amber Threshold:	87.4%																																			
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																			
<div><p>Trend Chart Commentary</p><p>Performance in this indicator has consistently exceeded target of 92% since Q3 2018/19.</p><p>The high performance is predominantly as a result of the Procurement Thresholds introduced in 2015/16 which introduced new lighter touch procedures for requirements that fell between £0 - £999 and £1,000 to £5,000.</p><p>CPU will continue to enforce compliant spend to ensure performance is maintained at or above target levels.</p><p>The target for performance for 2020/21 remains at 92% in line with previous years' performance.</p></div>																																				

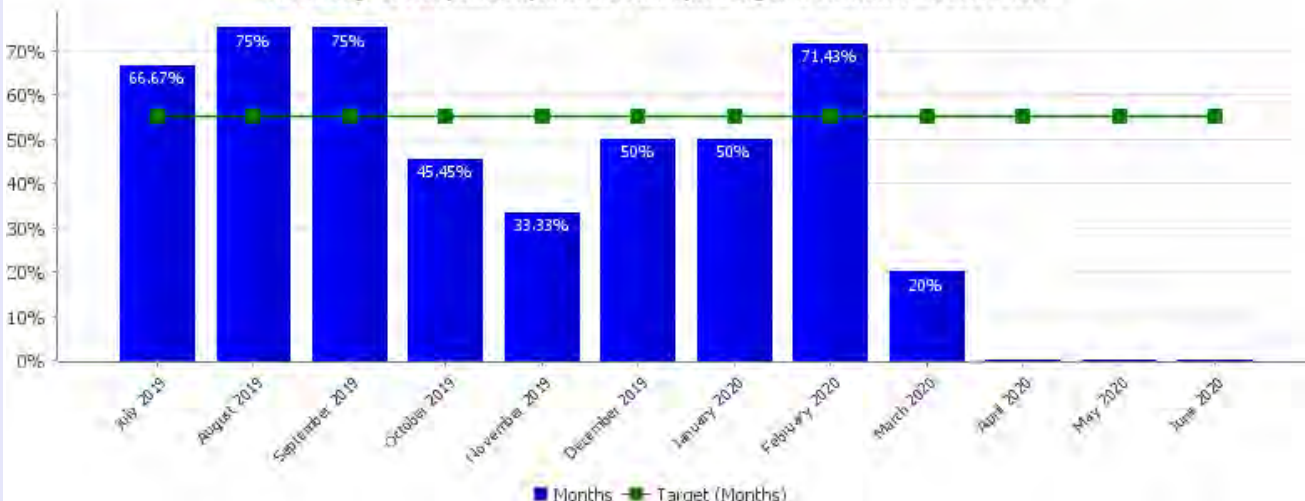


PI Code & Short Name	P:CPU047c_6b.3 Total number of complaints received by the Corporate Procurement Unit on a Quarterly basis		PI Owner(s): zCPU_PIAAdmin; Angela Gray													
Description	This indicator measures the total number of complaints received by the Corporate Procurement Unit. It is the total number of complaints received by the Corporate Procurement Unit at stage one (complaints that the council aims to deal with within 5 working days) and those received directly at stage two (more complex complaints that the council aims to deal with within 20 working days). Note: This is to ensure complaints escalated from stage 1 and stage 2 are not double counted.															
<div>Total number of complaints received by the Corporate Procurement Unit on a Quarterly basis</div>  <table><thead><tr><th>Quarter</th><th>Complaints Received</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>0</td></tr><tr><td>Q2 2019/20</td><td>0</td></tr><tr><td>Q3 2019/20</td><td>0</td></tr><tr><td>Q4 2019/20</td><td>0</td></tr><tr><td>Q1 2020/21</td><td>1</td></tr></tbody></table>		Quarter		Complaints Received	Q1 2019/20	0	Q2 2019/20	0	Q3 2019/20	0	Q4 2019/20	0	Q1 2020/21	1		
Quarter	Complaints Received															
Q1 2019/20	0															
Q2 2019/20	0															
Q3 2019/20	0															
Q4 2019/20	0															
Q1 2020/21	1															
<div>Trend Chart Commentary:</div> <p>There were no complaints received by Corporate Procurement Unit during 2018/19. There are no complaints 2019/20 to date.</p> <p>External customers are advised on the corporate complaint procedure from the CPU internet pages. They can also raise questions of clarification through formal tendering and contract notices also provide information on Procedures for review.</p> <p>In lieu of Internal customer complaints procedure, customers are surveyed following completion of tender exercises.</p> <p>The target for 2020/21 will remain at 85%.</p>		<div>Q1 2020/21 result</div>  <table><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>1</td></tr><tr><td>Current Target:</td><td>0</td></tr><tr><td>Red Threshold:</td><td>3</td></tr><tr><td>Amber Threshold:</td><td>1</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Last Updated:	Q1 2020/21	Status:		Current Value:	1	Current Target:	0	Red Threshold:	3	Amber Threshold:	1	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Last Updated:	Q1 2020/21															
Status:																
Current Value:	1															
Current Target:	0															
Red Threshold:	3															
Amber Threshold:	1															
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting															

PI Code & Short Name	P:CPU047d_6b.4 The percentage of complaints received by the Corporate Procurement Unit that were upheld / partially upheld against the total complaints closed in full	PI Owner(s): zCPU_PIAAdmin; Angela Gray														
Description	This indicator measures the total number of complaints received by the Corporate Procurement Unit which were upheld or partially upheld, as a percentage of all complaints received. It is the total number of complaints received by the Corporate Procurement Unit at stage one (complaints that the council aims to deal with within 5 working days) and those received directly at stage two (more complex complaints that the council aims to deal with within 20 working days).															
<p>The percentage of complaints received by the Corporate Procurement Unit that were upheld / partially upheld against the total complaints closed in full</p>  <p>■ Quarters ■ Target (Quarters)</p>		<p>Q1 2020/21 result</p>  <table><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>●</td></tr><tr><td>Current Value:</td><td>100%</td></tr><tr><td>Current Target:</td><td>0%</td></tr><tr><td>Red Threshold:</td><td>10%</td></tr><tr><td>Amber Threshold:</td><td>5%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	Q1 2020/21	Status:	●	Current Value:	100%	Current Target:	0%	Red Threshold:	10%	Amber Threshold:	5%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Last Updated:	Q1 2020/21															
Status:	●															
Current Value:	100%															
Current Target:	0%															
Red Threshold:	10%															
Amber Threshold:	5%															
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting															
<p>Trend Chart Commentary: No complaints have been received by the Corporate Procurement Unit during the years 2017/18 and 2018/19.</p> <p>External customers are advised on the corporate complaint procedure from the CPU internet pages. They can also raise questions of clarification through formal tendering and contract notices also provide information on Procedures for review.</p> <p>In lieu of Internal customer complaints procedure, customers are surveyed following completion of tender exercises.</p> <p>The target for 2020/21 has been set at 0 in line with previous years’ performance.</p>																

PI Code & Short Name	P:CSC007mq_6a.7 Customer Service Centre (CSC) Generic - Percentage of customers who rated the overall quality of the service as good or excellent	PI Owner(s): zCSC_PIAAdmin; Anna Brash																																
Description	This performance indicator measures the percentage of customers who rated the overall quality of service as 'good' or 'excellent'. This information is gathered through using our monthly survey and a number of customers are randomly selected. The target is reviewed annually. The data from surveys is analysed to identify service improvements.																																	
<p>Customer Service Centre (CSC) Generic - Percentage of customers who rated the overall quality of the service as good or excellent</p>  <table><thead><tr><th>Quarter</th><th>Performance (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>97.8%</td><td>97.0%</td></tr><tr><td>Q2 2019/20</td><td>96.7%</td><td>97.0%</td></tr><tr><td>Q3 2019/20</td><td>96.6%</td><td>97.0%</td></tr><tr><td>Q4 2019/20</td><td>96.7%</td><td>97.0%</td></tr><tr><td>Q1 2020/21</td><td>96.9%</td><td>97.0%</td></tr></tbody></table>		Quarter	Performance (%)	Target (%)	Q1 2019/20	97.8%	97.0%	Q2 2019/20	96.7%	97.0%	Q3 2019/20	96.6%	97.0%	Q4 2019/20	96.7%	97.0%	Q1 2020/21	96.9%	97.0%	<p>Cumulative result for Q1 2020/21 as of July 2020</p>  <table><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>96.9%</td></tr><tr><td>Current Target:</td><td>97.0%</td></tr><tr><td>Red Threshold:</td><td>87.0%</td></tr><tr><td>Amber Threshold:</td><td>92.0%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	96.9%	Current Target:	97.0%	Red Threshold:	87.0%	Amber Threshold:	92.0%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Performance (%)	Target (%)																																
Q1 2019/20	97.8%	97.0%																																
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Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																	
<p>For the period shown performance has fluctuated between a high of 97.8% in Quarter 1 2019/20 and a low of 96.6% in Quarter 3 2019/20. These fluctuations in the overall performance are largely influenced by the staffing resourcing levels in the CSC and the length of time that customers are waiting to have calls answered.</p> <p>2020/21 Quarter 1 - 97.5% based on 465 customers rating the overall performance as excellent or good from 3207 surveys completed. This is an increase from Quarter 4 2019/20 due to a decreased calls being offered or answered from the COVID-19 situation. The overall quality is rated higher as call waiting times are less.</p> <p>2019/20 Quarter 4 - 96.7% based on 244 customers rating the overall performance as excellent or good from 2152 surveys completed. This is a slight increase to Quarter 3 results There is no clear reason from customer comments for the changes in their perception of the overall service quality delivery.</p> <p>Quarter 3 – 96.6% based on 296 customers rating the overall performance as excellent or good from 2823 surveys completed. Due to the holiday period increased levels of planned absence during this time had an impact on performance as well as unplanned absence. Vacant posts have been filled and new staff have completed training which allows them to handle calls.</p> <p>Quarter 2– 96.7% based on 418 customers rating the overall performance as excellent or good from 2376 surveys completed. The decrease in performance is as a result of the holiday period there were increased levels of planned absences during the period as well as unplanned.</p> <p>Quarter 1 - 97.8% based on 416 customers rating the overall performance as excellent or good from 2826 surveys completed. This increase was due to some staff returning from periods of absence.</p> <p>In 2020/21 - following a review of this target it has remained at 97% as this is deemed to be an achievable target based on the previous 12 months performance.</p>																																		

PI Code & Short Name	P:CSC062m_6b.3 Total Number of Complaints against Customer Service Centre (CSC)		PI Owner(s): zCSC_PIAAdmin; Anna Brash																																																					
Description	This performance indicator measures the total number of complaints received against Customer Service Centre that have been investigated during each month. The data for this indicator is extracted from the customer relationship management system (CRM). The complaints are analysed to identify improvements to the way the service is delivered to customers.																																																							
<div><div><div>Total Number of Complaints against Customer Service Centre (CSC)</div><div></div></div><table><thead><tr><th>Month</th><th>Complaints</th><th>Target</th></tr></thead><tbody><tr><td>July 2019</td><td>9</td><td>7</td></tr><tr><td>August 2019</td><td>4</td><td>7</td></tr><tr><td>September 2019</td><td>4</td><td>7</td></tr><tr><td>October 2019</td><td>11</td><td>7</td></tr><tr><td>November 2019</td><td>3</td><td>7</td></tr><tr><td>December 2019</td><td>4</td><td>7</td></tr><tr><td>January 2020</td><td>4</td><td>7</td></tr><tr><td>February 2020</td><td>7</td><td>7</td></tr><tr><td>March 2020</td><td>5</td><td>7</td></tr><tr><td>April 2020</td><td>2</td><td>7</td></tr><tr><td>May 2020</td><td>3</td><td>7</td></tr><tr><td>June 2020</td><td>4</td><td>7</td></tr></tbody></table></div> <div><div>June 2020 result</div><div></div><table><tbody><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>4</td></tr><tr><td>Current Target:</td><td>7</td></tr><tr><td>Red Threshold:</td><td>12</td></tr><tr><td>Amber Threshold:</td><td>10</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>			Month	Complaints	Target	July 2019	9	7	August 2019	4	7	September 2019	4	7	October 2019	11	7	November 2019	3	7	December 2019	4	7	January 2020	4	7	February 2020	7	7	March 2020	5	7	April 2020	2	7	May 2020	3	7	June 2020	4	7	Last Updated:	June 2020	Status:	✓	Current Value:	4	Current Target:	7	Red Threshold:	12	Amber Threshold:	10	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting	<p>Trent Chart Commentary: Throughout the period the number of complaints received by the service within a month has ranged between 3 complaints for the month of November 2019 to a peak of 11 complaints for the months of March and October 2019. Generally, rises in complaints can be attributed to periods when the call volumes are high, but the service performance in this indicator can also be impacted by staffing levels and unplanned absences and vacancies.</p> <p>Complaints are analysed by the CSC management team in order to identify service improvements and ways to improve the overall customer experience. For example, complaint information has influenced the development of service training and call standards and is being used to inform investment in new technologies for the CSC.</p> <p>2020/21 June 2020 - 4 complaints were received and customer dissatisfaction related to employee attitude, process not followed. May 2020 - 3 complaints were received and customer dissatisfaction related to waiting time and employee attitude. April 2020 - 2 complaints were received and customer dissatisfaction related to waiting time and employee attitude.</p> <p>2019/20 March 2020 - 5 complaints were received and customer dissatisfaction related to waiting time and employee attitude. February 2020 - 7 complaints were received and customer dissatisfaction related to waiting time and employee attitude. January 2020 - 4 complaints were received and customer dissatisfaction related to employee attitude and a telephony issue. December 2019 - 4 complaints were received and customer dissatisfaction related to employee attitude and waiting time. November 2019 - 3 complaints were received and customer dissatisfaction related to employee attitude. October 2019 - 11 complaints were received and customer dissatisfaction related to employee attitude, failure to meet customer standards and a telephony issue. September 2019 - 4 complaints were received and customer dissatisfaction related to incorrect or conflicting advice, employee attitude and waiting time. August 2019 - 4 complaints were received and customer dissatisfaction related to incorrect or conflicting advice, failure to meet customer standards, waiting time and a telephony issue. July 2019 - 9 complaints were received and customer dissatisfaction related to incorrect or conflicting advice, missed appointment, standard of service, a system issue and a telephony issue and waiting time.</p>
Month	Complaints	Target																																																						
July 2019	9	7																																																						
August 2019	4	7																																																						
September 2019	4	7																																																						
October 2019	11	7																																																						
November 2019	3	7																																																						
December 2019	4	7																																																						
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March 2020	5	7																																																						
April 2020	2	7																																																						
May 2020	3	7																																																						
June 2020	4	7																																																						
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Status:	✓																																																							
Current Value:	4																																																							
Current Target:	7																																																							
Red Threshold:	12																																																							
Amber Threshold:	10																																																							
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																																							

Target: was reduced to 7 complaints per month for 2019/20 as this was deemed as a challenging but achievable target on the basis of past performance. The target will be reviewed as part of annual management planning and performance review in March 2020.

PI Code & Short Name	P:CSC063m_6b.4 Percentage of Complaints Upheld and Part Upheld against Customer Service Centre	PI Owner(s): QDO_Quality Development Officers.; zCSC_PIAAdmin; Anna Brash																										
Description	This performance indicator measures the overall percentage of Customer Service Centre complaints that have been investigated and upheld or part upheld during each month. For each month the total number of complaints responded to within relevant time-scale is divided by total number of stage 1 complaints received to determine a percentage. The data for this indicator is extracted from the customer relationship management system (CRM). The complaints are analysed to identify improvements to the way the service is delivered to customers.																											
<div>Percentage of Complaints Upheld and Part Upheld against Customer Service Centre</div>  <table><caption>Percentage of Complaints Upheld and Part Upheld against Customer Service Centre</caption><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>66.67%</td></tr><tr><td>August 2019</td><td>75%</td></tr><tr><td>September 2019</td><td>75%</td></tr><tr><td>October 2019</td><td>45.45%</td></tr><tr><td>November 2019</td><td>33.33%</td></tr><tr><td>December 2019</td><td>50%</td></tr><tr><td>January 2020</td><td>50%</td></tr><tr><td>February 2020</td><td>71.43%</td></tr><tr><td>March 2020</td><td>20%</td></tr><tr><td>April 2020</td><td>0%</td></tr><tr><td>May 2020</td><td>0%</td></tr><tr><td>June 2020</td><td>0%</td></tr></tbody></table>			Month	Percentage	July 2019	66.67%	August 2019	75%	September 2019	75%	October 2019	45.45%	November 2019	33.33%	December 2019	50%	January 2020	50%	February 2020	71.43%	March 2020	20%	April 2020	0%	May 2020	0%	June 2020	0%
Month	Percentage																											
July 2019	66.67%																											
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February 2020	71.43%																											
March 2020	20%																											
April 2020	0%																											
May 2020	0%																											
June 2020	0%																											
<div>June 2020 result</div> 																												
Last Updated: June 2020																												
Status: 																												
Current Value: 0%																												
Current Target: 55%																												
Red Threshold: 65%																												
Amber Threshold: 60%																												
Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting																												

Throughout the period the number of complaints upheld or part upheld by the service within a month has ranged between 20% in March 2020 and peaked at 75% during the months of August and September 2019. The peaks in upheld / part upheld complaints can coincide with periods when the service is receiving higher call volumes. The CSC uses complaint categorisations to analyse trends in customer dissatisfaction and identify opportunities to improve the standard of service received by customers. Complaints in relation to employee attitude or communication for example, are addressed by the relevant line manager and also the CSC trainer and can result in additional training for individuals and teams or performance management processes, as appropriate. Volumes of calls decreased significantly from April 2020 due to process changes relating to Covid-19 pandemic.

2020/21

June 2020 - 1 complaints received which was not upheld.

May 2020 - 3 complaints received with all not upheld.

April 2020 - 2 complaints received with all not upheld.

2019/20

March 2020 - 4 complaints received with; 1 part upheld; 3 not upheld and 1 escalated to stage 2 was not upheld.

February 2020 - 7 complaints received with; 1 upheld, 4 part upheld, 1 not upheld and 1 escalated complaint to stage 2 was not upheld.

January 2020 - 4 complaints received with; 1 upheld, 1 part upheld, 1 not upheld and 1 escalated complaint that was not upheld.

December 2019 - 4 complaints received with; 1 upheld, 1 part upheld and 2 not upheld.

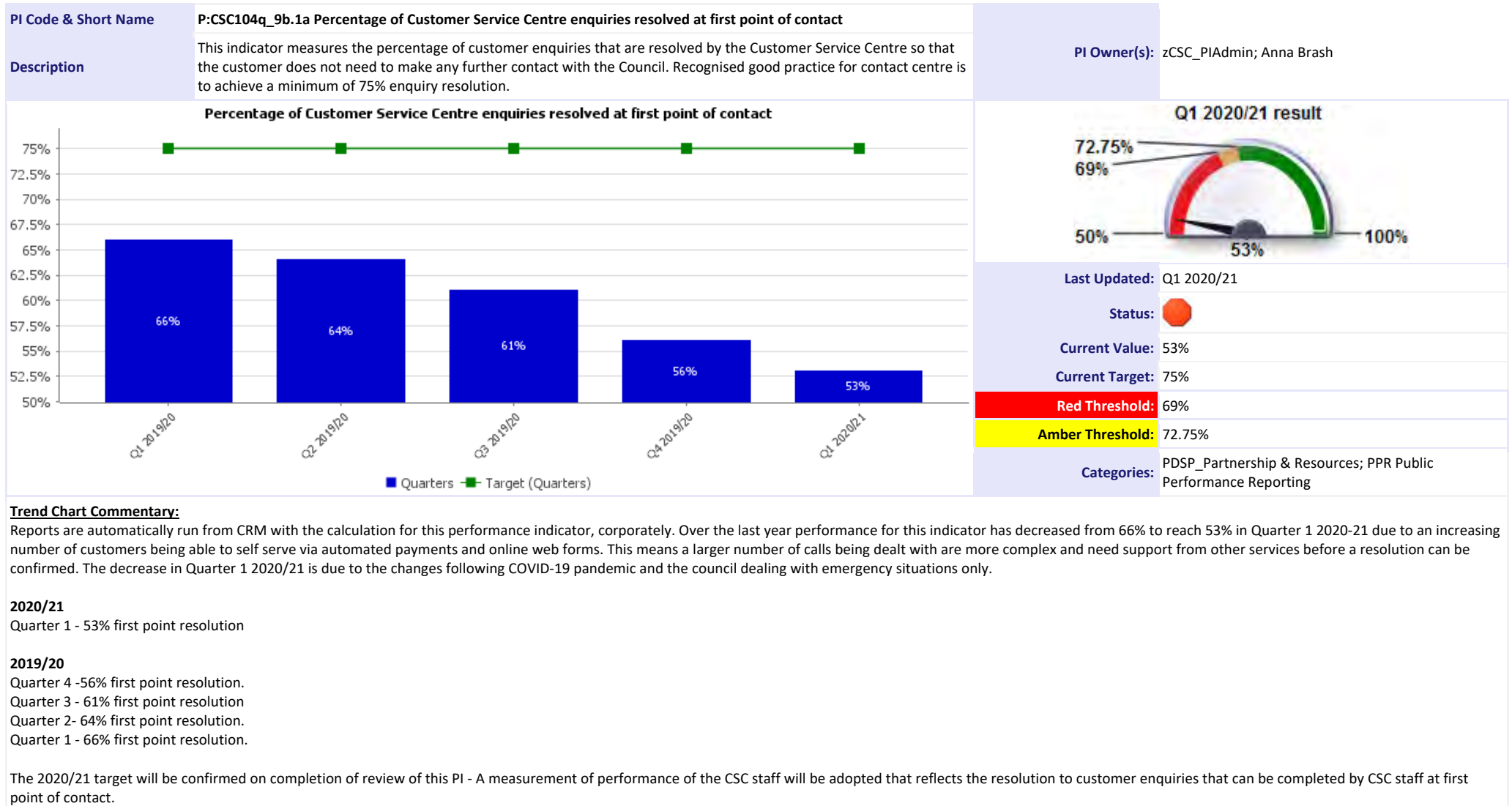
November 2019 - 3 complaints received with; 1 upheld and 2 not upheld.

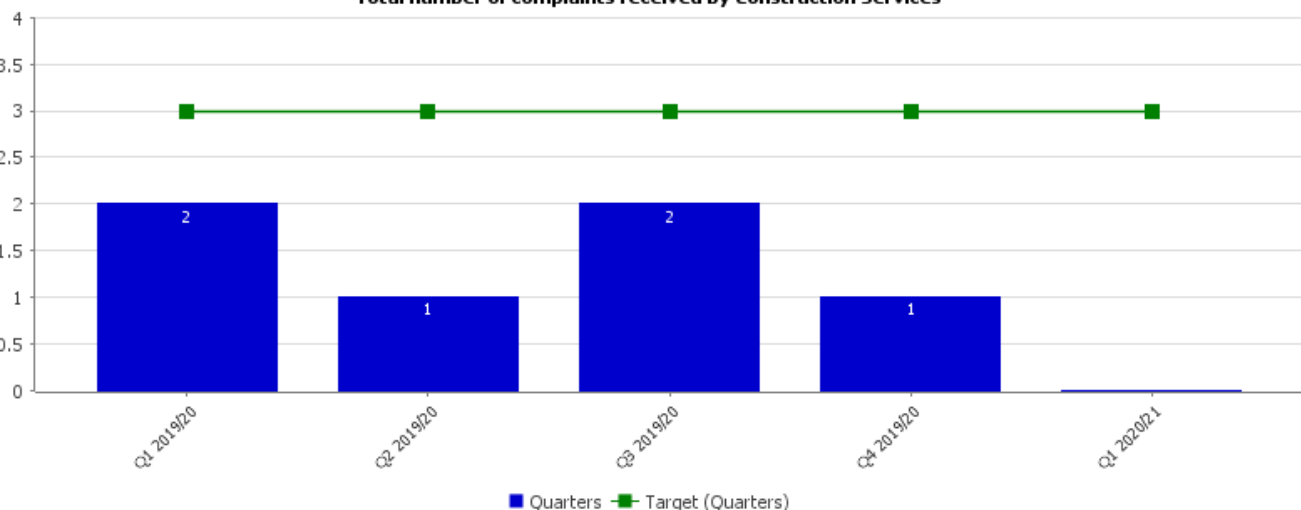

October 2019 - 11 complaints received with; 4 upheld, 1 part upheld and 6 not upheld.

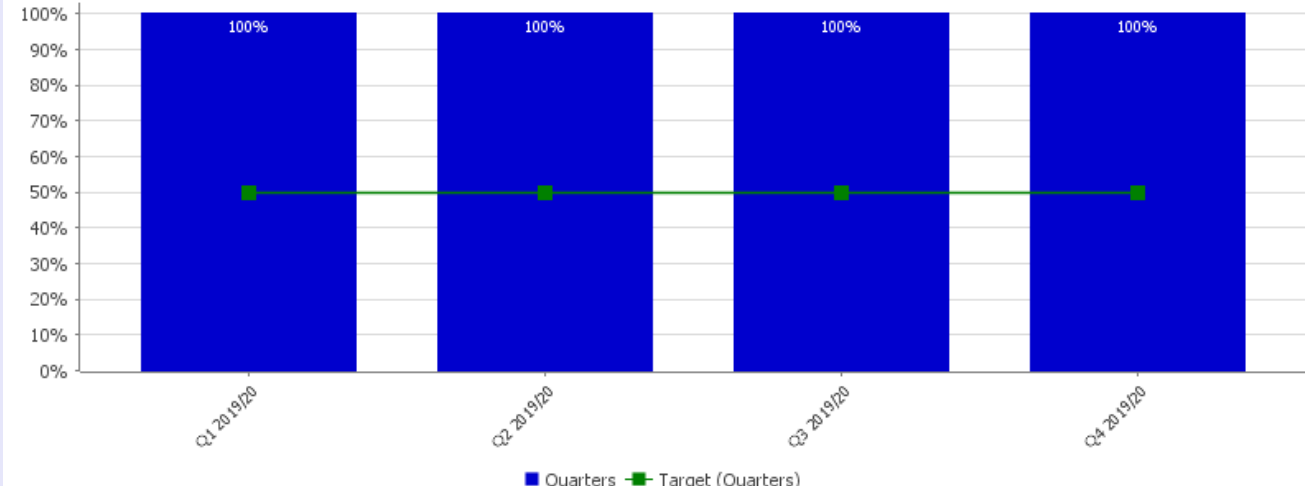

September 2019 - 4 complaints received with; 1 upheld, 2 part upheld and 1 not upheld.

August 2019 - 4 complaints received with; 3 upheld and 1 not upheld.
July 2019 - 9 complaints received with; 3 upheld, 3 part upheld, 2 escalated to stage 2.

Target: was reduced from 55% to 50% in 2019/20 to reflect performance in the previous year. This is a challenging target and it will be reviewed as part of annual management planning and performance review in March 2020.



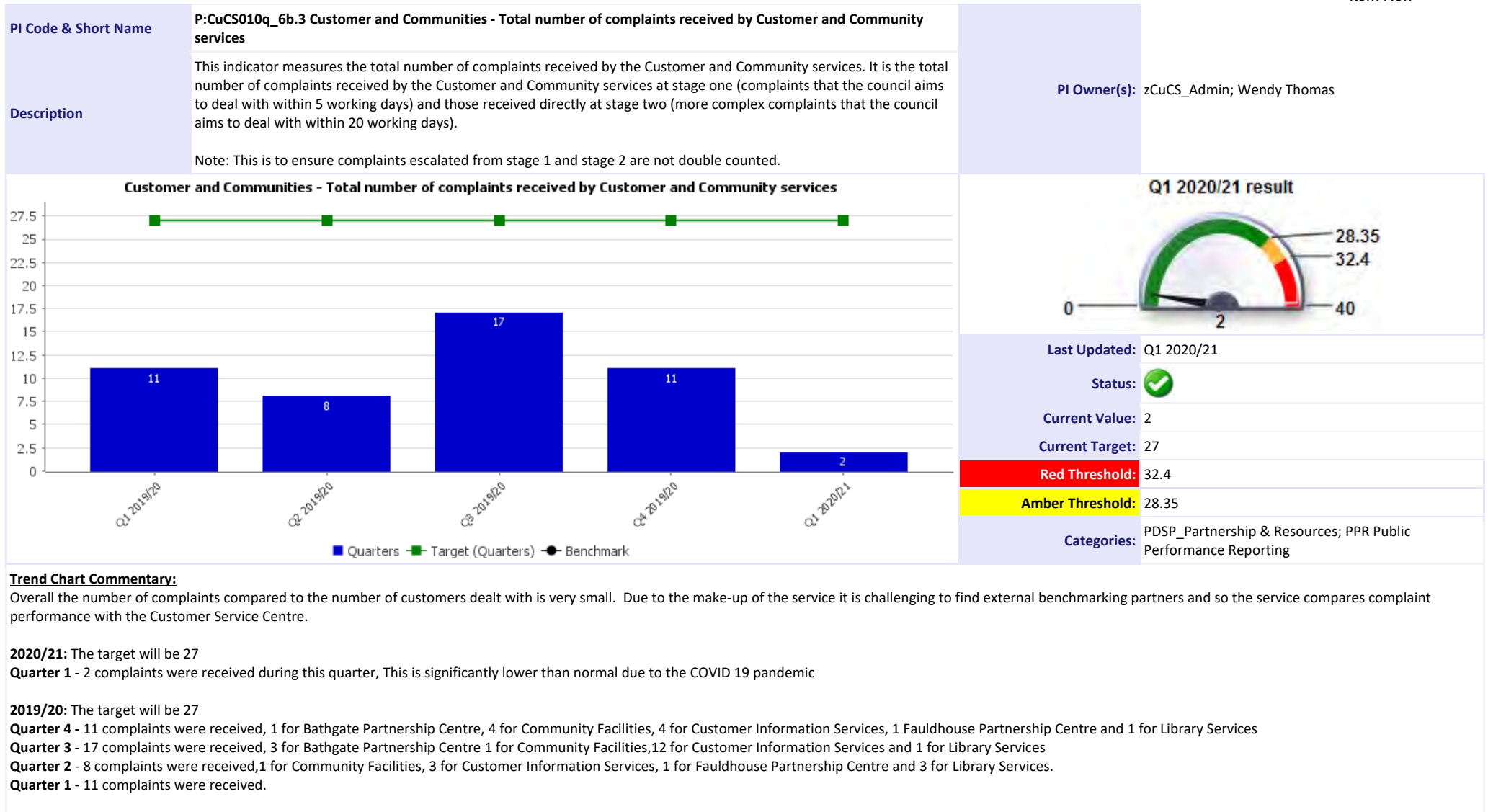
PI Code & Short Name	P:CSg112_6b.3 Total number of complaints received by Construction Services	PI Owner(s): zCSg_PIAAdmin; Ross Macdonald																																
Description	This performance indicator measures the combined total number stage 1 and stage 2 complaints received during a financial year relating to the Construction Services Unit. Performance is reviewed on a regular basis and reported annually to ensure that there is sufficient focus on the quality and standard of customer service. The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.																																	
<div>Total number of complaints received by Construction Services</div>  <table><thead><tr><th>Quarter</th><th>Quarters</th><th>Target (Quarters)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>2</td><td>3</td></tr><tr><td>Q2 2019/20</td><td>1</td><td>3</td></tr><tr><td>Q3 2019/20</td><td>2</td><td>3</td></tr><tr><td>Q4 2019/20</td><td>1</td><td>3</td></tr><tr><td>Q1 2020/21</td><td>0</td><td>3</td></tr></tbody></table>		Quarter	Quarters	Target (Quarters)	Q1 2019/20	2	3	Q2 2019/20	1	3	Q3 2019/20	2	3	Q4 2019/20	1	3	Q1 2020/21	0	3	<div>Q1 2020/21 result</div>  <table><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0</td></tr><tr><td>Current Target:</td><td>3</td></tr><tr><td>Red Threshold:</td><td>5</td></tr><tr><td>Amber Threshold:</td><td>4</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	0	Current Target:	3	Red Threshold:	5	Amber Threshold:	4	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Quarters	Target (Quarters)																																
Q1 2019/20	2	3																																
Q2 2019/20	1	3																																
Q3 2019/20	2	3																																
Q4 2019/20	1	3																																
Q1 2020/21	0	3																																
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Status:	✓																																	
Current Value:	0																																	
Current Target:	3																																	
Red Threshold:	5																																	
Amber Threshold:	4																																	
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																	
<div>Trend Chart Commentary</div> <p>This quarterly PI was introduced in Q2 2014/15. Due to the low number of external complaints received through CRM the service also maintains a spreadsheet to log internal complaints which is reviewed monthly to ensure any improvement actions are progressed.</p> <p>We aim to provide the best service possible and where this falls below customers’ expectations we have a corporate policy for dealing with any complaints in as efficient and effective manner as possible.</p> <p>Following review of the number of complaints received by the service in 2018/19, the target for 2020/21 will remain at 3.</p>																																		

PI Code & Short Name	P:CSg113_6b.4 The percentage of complaints received by Construction Services that were upheld / partially upheld against the total complaints closed in full	PI Owner(s): zCSg_PIAAdmin; Ross Macdonald	
Description	<p>This performance indicator measures the total number of stage one and stage two complaints that were upheld and part upheld by Construction Services which is then analysed quarterly to identify service improvements. A target of 50% has been set which will be reviewed annually by the Complaints Steering Board.</p> <p>This performance indicator is one of a range of indicators developed to monitor the effectiveness of the council's complaint handling procedure (CHP). The model CHP was developed by the Scottish Public Services Ombudsman to simplify and improve complaints handling through a standardised system for complaints across all local authorities.</p>		
<p>The percentage of complaints received by Construction Services that were upheld / partially upheld against the total complaints closed in full</p>  <p>The chart displays four blue bars, each representing a quarter from Q1 2019/20 to Q4 2019/20. Each bar is labeled '100%' at the top. A green horizontal line at the 50% mark represents the target. The y-axis ranges from 0% to 100% in 10% increments. The x-axis labels are Q1 2019/20, Q2 2019/20, Q3 2019/20, and Q4 2019/20. A legend at the bottom indicates 'Quarters' for the blue bars and 'Target (Quarters)' for the green line.</p>		<p>Q1 2020/21 result</p> <p>N/A</p> <p>Last Updated: Q1 2020/21</p> <p>Status: </p> <p>Current Value: N/A</p> <p>Current Target: 50%</p> <p>Red Threshold: 55%</p> <p>Amber Threshold: 53.5%</p> <p>Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting</p>	
<p>Trend Chart Commentary:</p> <p>The number of stage 1 and stage 2 complaints which are upheld appears to be high however this is due to the low number of complaints received by the service. Analysis of the type of complaint is undertaken following the investigation to identify any areas for improvement in service delivery. Due to the low number of external complaints received through CRM the service also maintains a spreadsheet to log internal complaints which is reviewed monthly to ensure any improvement actions are progressed.</p> <p>Where there are missing periods on the graph this reflects a Quarter when no stage 1 or stage 2 complaints were received.</p> <p>We aim to provide the best service possible and where this falls below customers' expectations we have a corporate policy for dealing with any complaints in as efficient and effective manner as possible.</p> <p>Following review, the target for 2019/20 will remain at 50%.</p>			

PI Code & Short Name	P:CSg301_7b.1 Construction Services - Cumulative Percentage of Sick Days	PI Owner(s): zCSg_PIAAdmin; Ross Macdonald																																								
Description	<p>This monthly performance indicator records the cumulative Construction Services Sickness/ Absence level as is reported through monthly management reports from HR Pay and Reward using the SPI percentage. It is used to review the effectiveness of sickness absence management.</p> <p>The monthly sickness absence figures are contained in CSg300_7b.3a.</p>																																									
<div>Construction Services - Cumulative Percentage of Sick Days</div> <table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>1.29%</td></tr><tr><td>August 2019</td><td>1.15%</td></tr><tr><td>September 2019</td><td>1.16%</td></tr><tr><td>October 2019</td><td>1.44%</td></tr><tr><td>November 2019</td><td>1.69%</td></tr><tr><td>December 2019</td><td>1.62%</td></tr><tr><td>January 2020</td><td>1.69%</td></tr><tr><td>February 2020</td><td>1.77%</td></tr><tr><td>March 2020</td><td>2.29%</td></tr><tr><td>April 2020</td><td>0.4%</td></tr><tr><td>May 2020</td><td>0.2%</td></tr><tr><td>June 2020</td><td>0.14%</td></tr></tbody></table>		Month	Percentage	July 2019	1.29%	August 2019	1.15%	September 2019	1.16%	October 2019	1.44%	November 2019	1.69%	December 2019	1.62%	January 2020	1.69%	February 2020	1.77%	March 2020	2.29%	April 2020	0.4%	May 2020	0.2%	June 2020	0.14%	<div>June 2020 result</div> <table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0.14%</td></tr><tr><td>Current Target:</td><td>2%</td></tr><tr><td>Red Threshold:</td><td>2.1%</td></tr><tr><td>Amber Threshold:</td><td>2.06%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	June 2020	Status:	✓	Current Value:	0.14%	Current Target:	2%	Red Threshold:	2.1%	Amber Threshold:	2.06%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
Month	Percentage																																									
July 2019	1.29%																																									
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Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																									
<div>Trend Chart Commentary:</div> <p>There is no underlying trend to sickness levels and Construction Services has recorded levels below the corporate target of 3.6% consistently for 13 months. However, sickness absence was above the service target of 2% at the end of 2019/20 due to one long term absence which was resolved in April 2020 with the staff member returning to work. All sickness absence is managed in line with Council policy.</p> <p>The target is set at 3.6% corporately, and following review the Finance & Property Services service target for 2020/21 is 2%.</p>																																										

PI Code & Short Name	P:CSg600_9b.1c Percentage of Total Capital Programme Spend Delivered in Year by Construction Services		PI Owner(s): zCSg_PIAAdmin; Ross Macdonald																										
Description	Construction Services are responsible for the delivery of a range of construction projects and planned improvement programmes identified in the General Services and Housing Capital programmes. This indicator measures the percentage of the budget that is spent quarterly for projects that are the responsibility of Construction Services.																												
<div><div><div>Percentage of Total Capital Programme Spend Delivered in Year by Construction Services</div><table><thead><tr><th>Quarter</th><th>Actual Spend (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>9.7%</td><td>9.7%</td></tr><tr><td>Q2 2019/20</td><td>49%</td><td>49%</td></tr><tr><td>Q3 2019/20</td><td>82%</td><td>82%</td></tr><tr><td>Q4 2019/20</td><td>107%</td><td>107%</td></tr><tr><td>Q1 2020/21</td><td>4.2%</td><td>10%</td></tr></tbody></table></div><div><div>Trend Chart Commentary:</div><p>This indicator shows the cumulative percentage of capital programme spend against budget achieved by Construction Services within each quarter.</p><p>Q1 2020/21 spend figures are lower than target as a result of the impact of COVID-19 lockdown restrictions on construction works. This follows good performance in 2019/20 where spend exceeded target due to the completion of a large summer works programme circa £5.2 million which included some accelerated project delivery. The trend shows consistently good performance overall in the percentage of capital budget spent over the previous quarters. Following completion of the five-year investment programme at the end of 2017/18 a review was undertaken focussing on areas of higher spend to ensure provision is sufficient in the new programme and improved project governance arrangements are also now in place to monitor progress and spend going forward.</p><p>In 2020/21 Construction Services are responsible for £15.037million of capital works (General Services, Housing and Open Space).</p><p>The Q1 target for 2020/21 is 10%.</p></div></div>			Quarter	Actual Spend (%)	Target (%)	Q1 2019/20	9.7%	9.7%	Q2 2019/20	49%	49%	Q3 2019/20	82%	82%	Q4 2019/20	107%	107%	Q1 2020/21	4.2%	10%	<div><div>Q1 2020/21 result</div><table><thead><tr><th>Value</th><th>Category</th></tr></thead><tbody><tr><td>4.2%</td><td>Current Value</td></tr><tr><td>9.5%</td><td>Red Threshold</td></tr><tr><td>9.7%</td><td>Amber Threshold</td></tr></tbody></table></div> <div><div>Last Updated:</div><div>Q1 2020/21</div></div> <div><div>Status:</div><div><div></div></div></div> <div><div>Current Value:</div><div>4.2%</div></div> <div><div>Current Target:</div><div>10%</div></div> <div><div>Red Threshold:</div><div>9.5%</div></div> <div><div>Amber Threshold:</div><div>9.7%</div></div> <div><div>Categories:</div><div>PDSP_Partnership & Resources; PPR Public Performance Reporting</div></div>	Value	Category	4.2%	Current Value	9.5%	Red Threshold	9.7%	Amber Threshold
Quarter	Actual Spend (%)	Target (%)																											
Q1 2019/20	9.7%	9.7%																											
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Q3 2019/20	82%	82%																											
Q4 2019/20	107%	107%																											
Q1 2020/21	4.2%	10%																											
Value	Category																												
4.2%	Current Value																												
9.5%	Red Threshold																												
9.7%	Amber Threshold																												

PI Code & Short Name		P:CuCS007q_6a.7 Customer and Communities - Percentage of customers who rated the overall quality of service as good or excellent		PI Owner(s): zCuCS_Admin; Wendy Thomas														
Description		Service customers are randomly selected to complete a customer satisfaction survey. This indicator shows the percentage of customers rating the overall satisfaction with the customer service they received as good or excellent. The target is reviewed on an annual basis. This information is representative of Bathgate Partnership Centre, Community Facilities, Customer Information Service, Fauldhouse Partnership Centre, Library Services and Registration Services. This performance indicator is part of the performance scorecard for the council’s Customer Services Strategy 2018/23 and will contribute to outcome 1 which is that services are designed to meet the needs and preferences of customers.																
<div><p>Customer and Communities - Percentage of customers who rated the overall quality of service as good or excellent</p><table border="1"><thead><tr><th>Quarter</th><th>Performance (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>99.7%</td><td>99%</td></tr><tr><td>Q2 2019/20</td><td>99.1%</td><td>99%</td></tr><tr><td>Q3 2019/20</td><td>99.3%</td><td>99%</td></tr><tr><td>Q4 2019/20</td><td>99.1%</td><td>99%</td></tr></tbody></table></div>					Quarter	Performance (%)	Target (%)	Q1 2019/20	99.7%	99%	Q2 2019/20	99.1%	99%	Q3 2019/20	99.3%	99%	Q4 2019/20	99.1%
Quarter	Performance (%)	Target (%)																
Q1 2019/20	99.7%	99%																
Q2 2019/20	99.1%	99%																
Q3 2019/20	99.3%	99%																
Q4 2019/20	99.1%	99%																
Trend Chart Commentary: The target for this performance indicator is to achieve 99% by 2022/23 and this was set in the development of the council’s Customer Service Strategy 2018/23.		<div><div>Last Updated: Q1 2020/21</div><div>Status: </div><div>Current Value: Cannot divide by zero</div><div>Current Target: 99.0%</div><div>Red Threshold: 95.0%</div><div>Amber Threshold: 97.0%</div><div>Categories: Customer Service Strategy 2018-23; PDSP_Partnership & Resources; PPR Public Performance Reporting</div></div>																
<div><div>2020/21 Quarter 1 - No results received due to COVID 19</div><div>2019/20 Quarter 4 - 626 out of 632 responses rated the overall quality of service as good or excellent Quarter 3 - 632 out of 636 responses rated the overall quality of service as good or excellent Quarter 2 - 703 out of 707 responses rated the overall quality of service as good or excellent achieving a performance of 99.4%. Above the increased target for this year. Quarter 1 - 878 out of 881 responses rated the overall quality of service as good or excellent</div><div>Target: The original target of 98% will be increased to 99% for 2019/20 to encourage improvement and achievement of the Customer Service Strategy outcome.</div></div>																		



Trend Chart Commentary:

Overall the number of complaints compared to the number of customers dealt with is very small. Due to the make-up of the service it is challenging to find external benchmarking partners and so the service compares complaint performance with the Customer Service Centre.

2020/21: The target will be 27

Quarter 1 - 2 complaints were received during this quarter, This is significantly lower than normal due to the COVID 19 pandemic

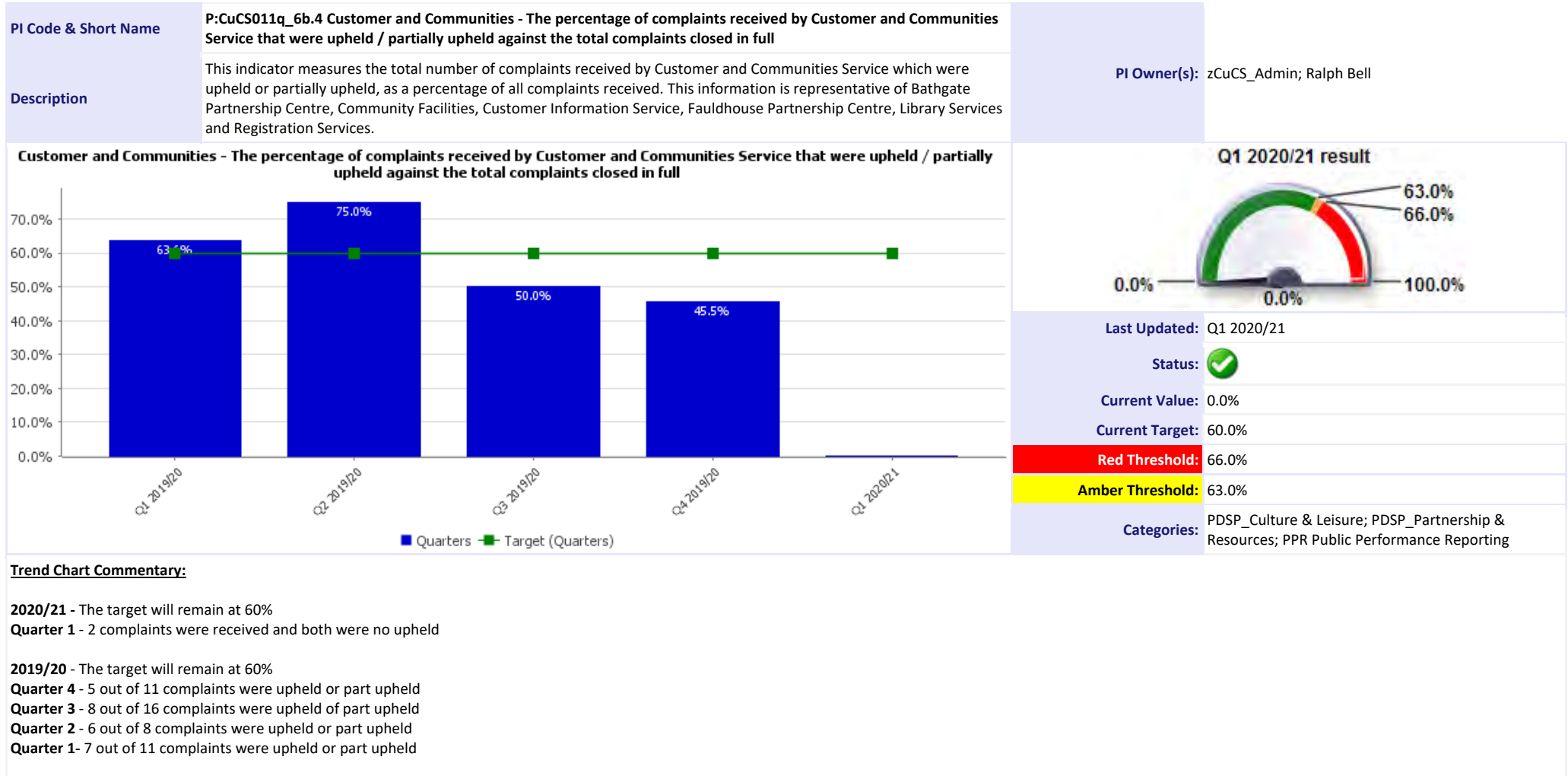
2019/20: The target will be 27

Quarter 4 - 11 complaints were received, 1 for Bathgate Partnership Centre, 4 for Community Facilities, 4 for Customer Information Services, 1 Fauldhouse Partnership Centre and 1 for Library Services

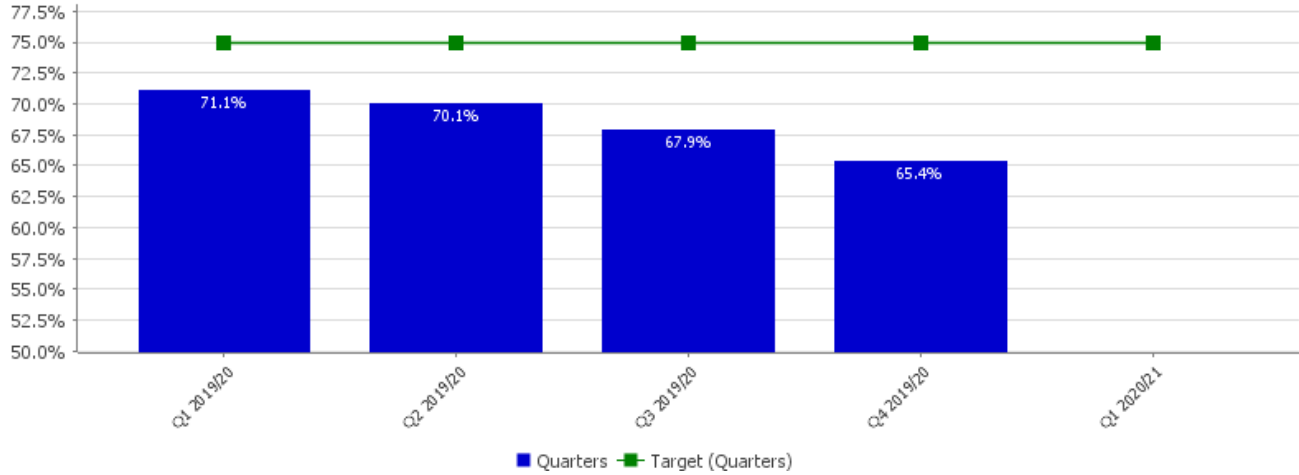

Quarter 3 - 17 complaints were received, 3 for Bathgate Partnership Centre 1 for Community Facilities, 12 for Customer Information Services and 1 for Library Services

Quarter 2 - 8 complaints were received, 1 for Community Facilities, 3 for Customer Information Services, 1 for Fauldhouse Partnership Centre and 3 for Library Services.

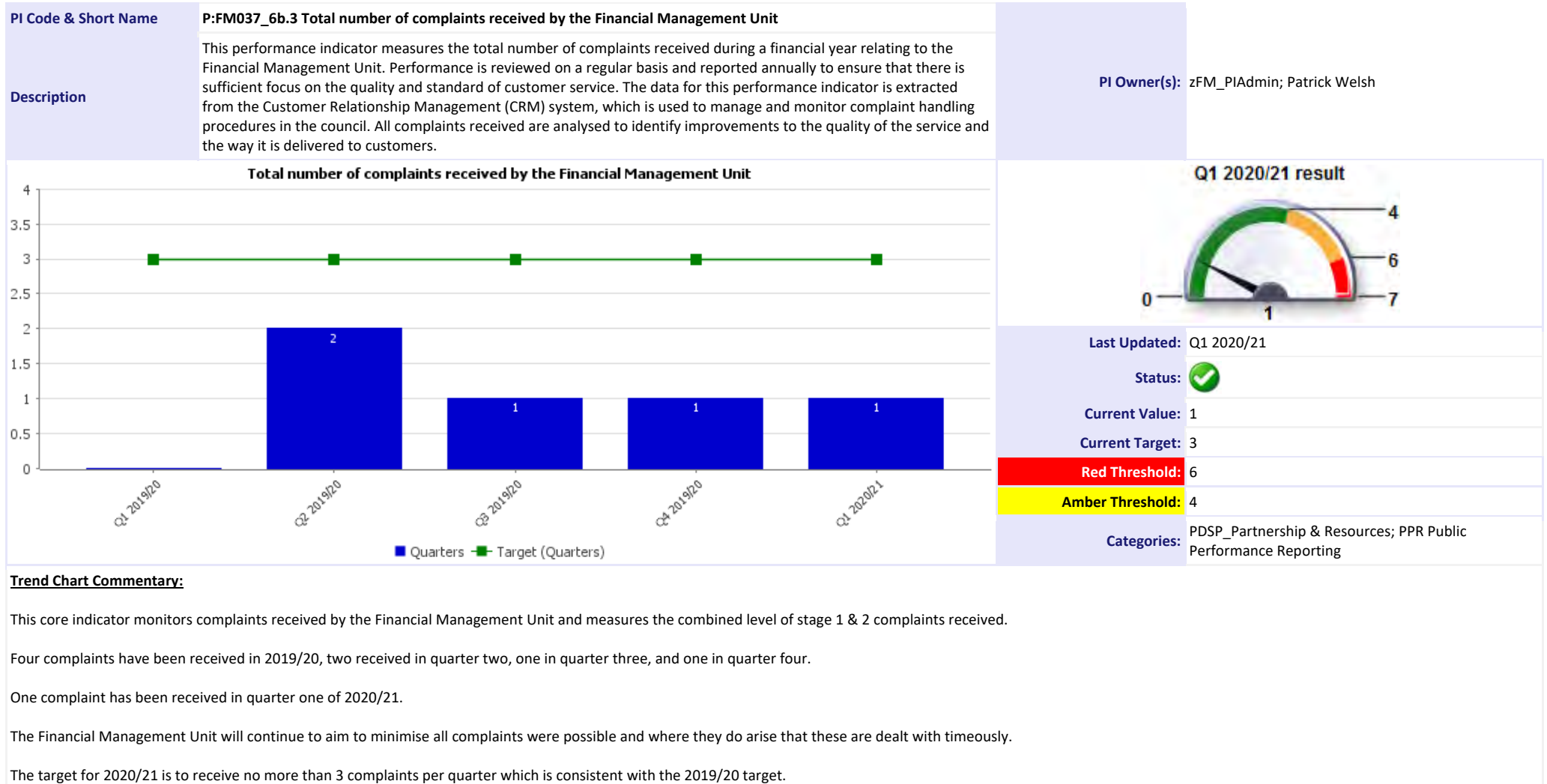
Quarter 1 - 11 complaints were received.

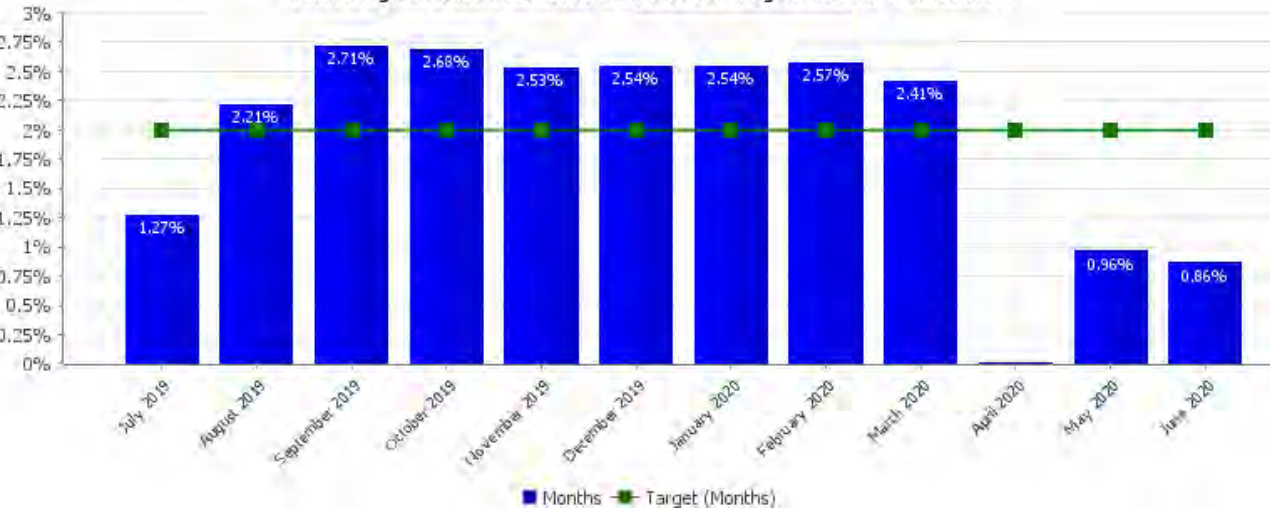
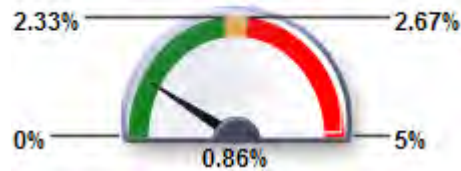


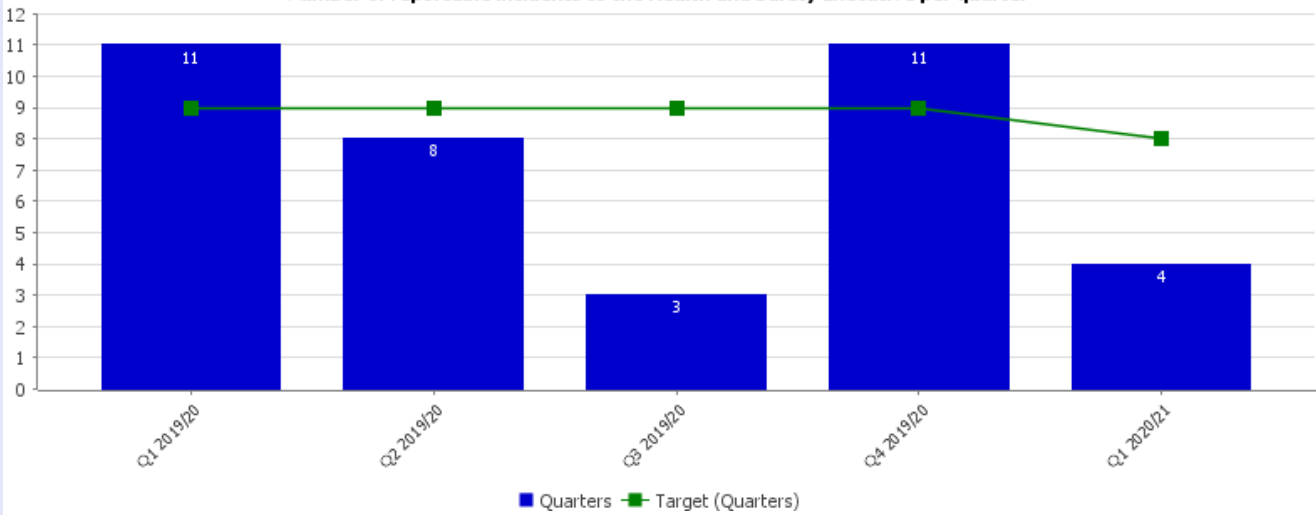

PI Code & Short Name	P:CuCS021_7b.1 Customer and Communities - Percentage of Sickness absence																																											
Description	Number of full time days lost to sickness absence expressed as a percentage of overall full time days. This information is representative of Bathgate Partnership Centre, Community Facilities, Customer Information Service, Fauldhouse Partnership Centre, Library Services and Registration Services.		PI Owner(s): zCuCS_Admin; Ralph Bell																																									
<div><div><div>Customer and Communities - Percentage of Sickness absence</div></div><div><table><caption>Customer and Communities - Percentage of Sickness absence Data</caption><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>3.6%</td></tr><tr><td>August 2019</td><td>6.2%</td></tr><tr><td>September 2019</td><td>7.3%</td></tr><tr><td>October 2019</td><td>7.5%</td></tr><tr><td>November 2019</td><td>7.7%</td></tr><tr><td>December 2019</td><td>7.7%</td></tr><tr><td>January 2020</td><td>5.9%</td></tr><tr><td>February 2020</td><td>7.2%</td></tr><tr><td>March 2020</td><td>5.6%</td></tr><tr><td>April 2020</td><td>5.5%</td></tr><tr><td>May 2020</td><td>4.5%</td></tr><tr><td>June 2020</td><td>4.3%</td></tr></tbody></table></div></div>			Month	Percentage	July 2019	3.6%	August 2019	6.2%	September 2019	7.3%	October 2019	7.5%	November 2019	7.7%	December 2019	7.7%	January 2020	5.9%	February 2020	7.2%	March 2020	5.6%	April 2020	5.5%	May 2020	4.5%	June 2020	4.3%	<div><div><div>June 2020 result</div></div><div><table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>4.3%</td></tr><tr><td>Current Target:</td><td>3.6%</td></tr><tr><td>Red Threshold:</td><td>4.3%</td></tr><tr><td>Amber Threshold:</td><td>3.8%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table></div></div>		Last Updated:	June 2020	Status:		Current Value:	4.3%	Current Target:	3.6%	Red Threshold:	4.3%	Amber Threshold:	3.8%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
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Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																											
<div><div><div><div>Trend Chart Commentary</div><div>After a significant improvement in attendance the trend shows a steady increase in absence. The service continues to utilise the tools and guidelines of the Attendance at work policy. Long term continues to be the major factor in absence with Mental & Behavioural the major reason for long term absence.</div><div>The target for sickness absence is 3.6%, which remains the corporate target.</div></div><div><div>2020/21</div><div>June - Absence recorded as 4.3%</div><div>May - Absence recorded as 4.5%</div><div>April - Absence recorded at 5.5%</div></div><div><div>2019/20</div><div>March - Absence recorded as 5.64%</div><div>February - Absence recorded as 7.2%</div><div>January - Absence recorded at 5.90%</div><div>December - Absence recorded as 7.71%</div><div>November - Absence recorded as 7.7%</div><div>October - Absence recorded at 7.5%</div><div>September - Absence Recorded 7.3%</div><div>August - Absence Recorded 6.2%</div><div>July - Absence recorded 3.6%</div></div></div></div>																																												


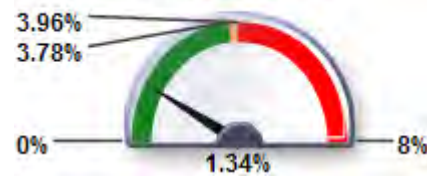
PI Code & Short Name	P:CuCS026q_9b.1a Percentage of customer enquiries recorded on the Customer Relationship Management system (CRM) which are resolved at the first point of contact	PI Owner(s): zCuCS_Admin; Julia Laidlaw												
Description	This annual indicator measures the percentage of customer enquiries that have been resolved at the first point of contact by staff within the four Customer and Community Service neighbourhoods during the initial customer interaction. This removes the need for the customer to make any further contact with the council to have their enquiry resolved. There is a national target of 75% set by the Customer First initiative (COSLA).													
<p>Percentage of customer enquiries recorded on the Customer Relationship Management system (CRM) which are resolved at the first point of contact</p>  <table><thead><tr><th>Quarters</th><th>Value</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>71.1%</td></tr><tr><td>Q2 2019/20</td><td>70.1%</td></tr><tr><td>Q3 2019/20</td><td>67.9%</td></tr><tr><td>Q4 2019/20</td><td>65.4%</td></tr><tr><td>Q1 2020/21</td><td>Target (Quarters) 75.0%</td></tr></tbody></table>		Quarters	Value	Q1 2019/20	71.1%	Q2 2019/20	70.1%	Q3 2019/20	67.9%	Q4 2019/20	65.4%	Q1 2020/21	Target (Quarters) 75.0%	
Quarters	Value													
Q1 2019/20	71.1%													
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Q3 2019/20	67.9%													
Q4 2019/20	65.4%													
Q1 2020/21	Target (Quarters) 75.0%													
<p>Trend Chart Commentary: We are experiencing a reduction in the number of enquiries resolved at the first point of contact this is due to the number of case forms our staff are obliged to create and send to service areas. In the main these are linked to arrears, debt issues and claims for emergency funds. We are looking at the categorisation of such enquiries with the CRM Team (and the Customer Service Centre) to ensure our categorisation is up to date and accurate.</p> <p>2020/21 (This indicator is under review and target will be set on completion of review)</p> <p>Quarter 1 - the CIS was closed to the public during quarter 1 due to the Coronavirus pandemic. However, our CIS Officers were deployed to handle Welfare Fund call backs and make calls to residents who were officially shielding. These interactions required a 'case form' to be passed to various internal services - the creation of a case form means the system does not record the interaction as first-time resolution which explains the major decrease in our 'performance' during this period.</p> <p>2019/20 Quarter 4 - 10,463 of a total of 16,010 enquiries were resolved at the first point of contact. This equates to 65.4% this is a reduction of 2.3% on the previous quarter. Quarter 3 - 11,850 of a total of 17,451 enquires were resolved at the first point of contact. This equates to 67.9%, this is 2.2% down of the previous quarter. Quarter 2 - 14,625 of a total of 20,875 enquiries were resolved at the first point of contact. This equates to 70.1%. This is 1.0% down on the previous quarter . Quarter 1 - Performance is recorded at 71.1%. This is a 1% increase on last quarter but still 3.9% below the target of 75%.</p>		<p>Last Updated: Q1 2020/21</p> <p>Status: </p> <p>Current Value: 18.9%</p> <p>Current Target: 75.0%</p> <p>Red Threshold: 69.8%</p> <p>Amber Threshold: 72.8%</p> <p>Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting</p>												

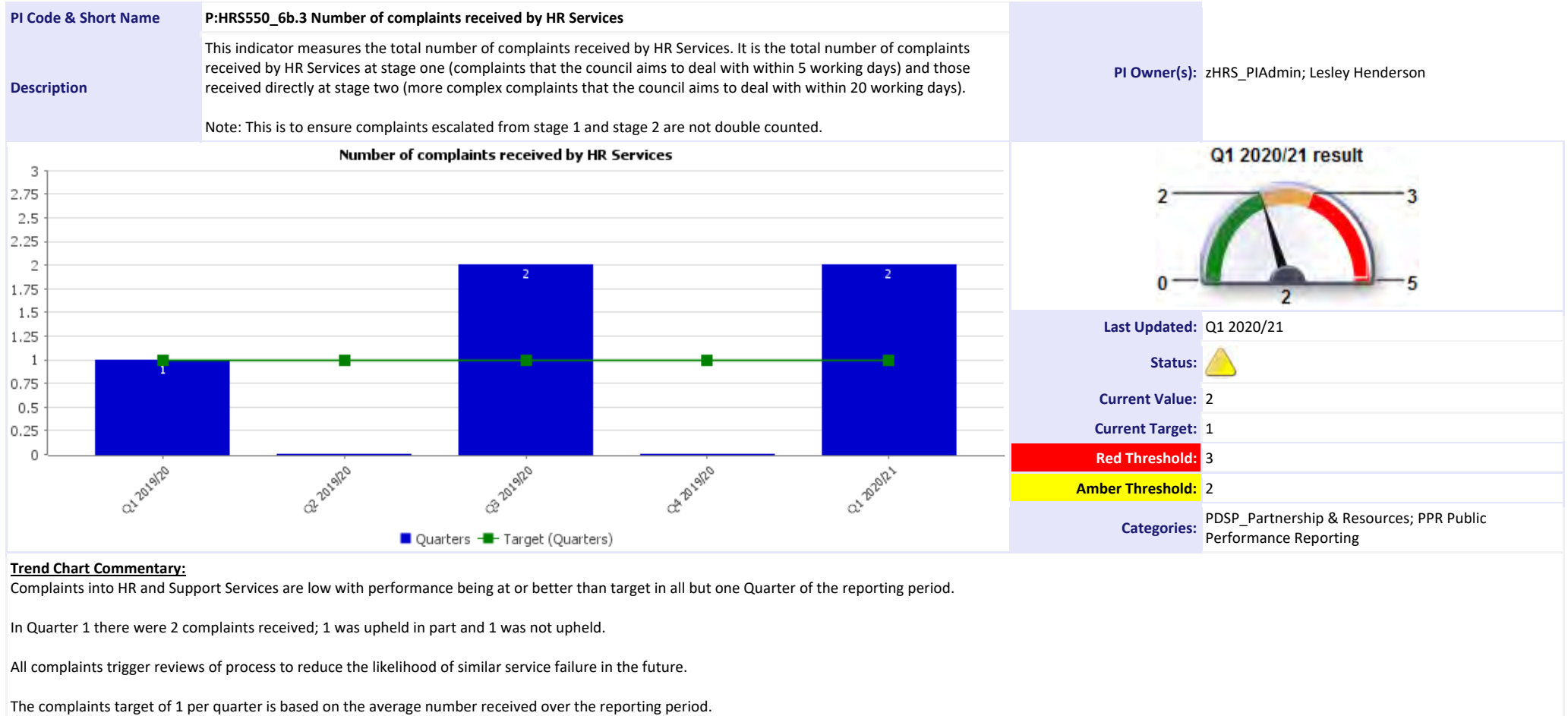
PI Code & Short Name	P:FM001_6b.5 Percentage of Suppliers paid within 30 Days of Receipt																																											
Description	<p>This indicator measures the percentage of correctly presented invoices from suppliers paid within 30 calendar days of receipt. Thirty calendar days reflects the normal credit term period in accordance with the Late Payments of Commercial Debts (Interests) Act 1998. West Lothian Council recognises the importance in paying invoices in a timely manner. The target used is set internally by the Head of Finance and Property and ensures challenging targets year on year which are always higher than the Scottish average. Note that this performance indicator monitors the performance on a monthly basis and the cumulative figure for the year is included in the Local Government Benchmarking Framework (Indicator CORP8).</p> <p>The payment of invoices is a key activity for Finance and Property Services, ensuring that the council's suppliers are paid on a timely basis.</p> <p>Note that the performance indicator records the cumulative performance for the year to date, commencing April.</p>		PI Owner(s): zFM_PIAAdmin; Patrick Welsh																																									
	<div><p>Percentage of Suppliers paid within 30 Days of Receipt</p><table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>96.4%</td></tr><tr><td>August 2019</td><td>96.1%</td></tr><tr><td>September 2019</td><td>96.1%</td></tr><tr><td>October 2019</td><td>95.7%</td></tr><tr><td>November 2019</td><td>95.9%</td></tr><tr><td>December 2019</td><td>96.1%</td></tr><tr><td>January 2020</td><td>96.1%</td></tr><tr><td>February 2020</td><td>96.3%</td></tr><tr><td>March 2020</td><td>96.3%</td></tr><tr><td>April 2020</td><td>94.4%</td></tr><tr><td>May 2020</td><td>95.3%</td></tr><tr><td>June 2020</td><td>96.3%</td></tr></tbody></table></div>		Month	Percentage	July 2019	96.4%	August 2019	96.1%	September 2019	96.1%	October 2019	95.7%	November 2019	95.9%	December 2019	96.1%	January 2020	96.1%	February 2020	96.3%	March 2020	96.3%	April 2020	94.4%	May 2020	95.3%	June 2020	96.3%	<div><p>June 2020 result</p><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>96.3%</td></tr><tr><td>Current Target:</td><td>96%</td></tr><tr><td>Red Threshold:</td><td>91.2%</td></tr><tr><td>Amber Threshold:</td><td>96%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>	Category	Value	Last Updated:	June 2020	Status:	✓	Current Value:	96.3%	Current Target:	96%	Red Threshold:	91.2%	Amber Threshold:	96%	Categories:
Month	Percentage																																											
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Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																											
<p>Trend Chart Commentary:</p> <p>Performance for May 2020 was 95.3 percent which is below the performance target of 96 percent. Performance for the year ending 2019/20 was 96.5 percent.</p> <p>The Financial Management Unit works closely with services to improve invoice processing time.</p> <p>The council participates in a benchmarking exercise with the other local authorities in Scotland via the CIPFA Directors of Finance benchmarking exercise. West Lothian Council process over 200,000 per year and for 2018/19 our performance was 95.97 percent. The average performance in Scotland was 92.99 percent and we are ranked 8th out of 32 councils. Benchmarking data for 2019/20 is expected in November 2020.</p> <p>For 2020/21 target for percentage of suppliers paid within 30 days of receipt has been set at 96 percent which is consistent with the 2019/20 target.</p>																																												

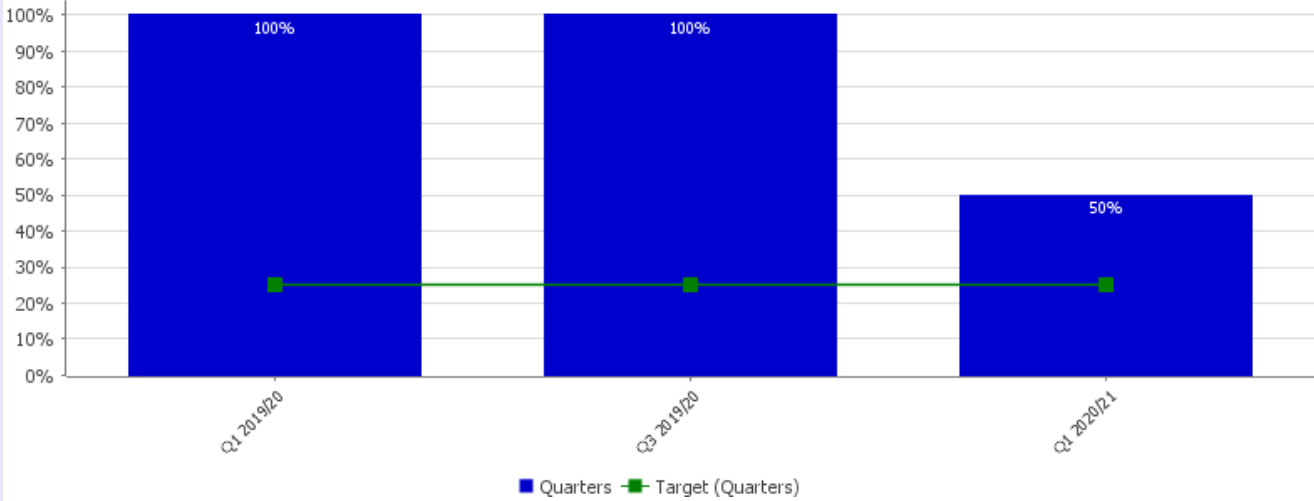






PI Code & Short Name	P:FM048_7b.1 Percentage of Sickness Absence in Financial Management Unit - Cumulative																																										
Description	This performance indicator measures, as a percentage, the total level of sickness absence in the Financial Management Unit on a cumulative basis. The data is provided by the council’s Human Resource Services on a monthly basis and is tracked and monitored to ensure absence is managed appropriately in the service and any corresponding impact on performance is understood and managed.	PI Owner(s): zFM_PAdmin; Patrick Welsh																																									
<div><p>Percentage of Sickness Absence in Financial Management Unit - Cumulative</p><table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>1.27%</td></tr><tr><td>August 2019</td><td>2.21%</td></tr><tr><td>September 2019</td><td>2.71%</td></tr><tr><td>October 2019</td><td>2.68%</td></tr><tr><td>November 2019</td><td>2.53%</td></tr><tr><td>December 2019</td><td>2.54%</td></tr><tr><td>January 2020</td><td>2.54%</td></tr><tr><td>February 2020</td><td>2.57%</td></tr><tr><td>March 2020</td><td>2.41%</td></tr><tr><td>April 2020</td><td>0.75%</td></tr><tr><td>May 2020</td><td>0.96%</td></tr><tr><td>June 2020</td><td>0.86%</td></tr></tbody></table></div>		Month	Percentage	July 2019	1.27%	August 2019	2.21%	September 2019	2.71%	October 2019	2.68%	November 2019	2.53%	December 2019	2.54%	January 2020	2.54%	February 2020	2.57%	March 2020	2.41%	April 2020	0.75%	May 2020	0.96%	June 2020	0.86%	<div><p>June 2020 result</p><table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0.86%</td></tr><tr><td>Current Target:</td><td>2%</td></tr><tr><td>Red Threshold:</td><td>2.67%</td></tr><tr><td>Amber Threshold:</td><td>2.33%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table></div>		Last Updated:	June 2020	Status:	✓	Current Value:	0.86%	Current Target:	2%	Red Threshold:	2.67%	Amber Threshold:	2.33%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
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Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																										
<p>Trend Chart Commentary:</p> <p>For the period of 01 April 20 to 31 July 20, cumulative sickness was 0.75 percent. For all months in 2020/21 the absence is below the current target.</p> <p>Cumulative sickness absence for the period April 19 to March 20 was 2.41 percent. Higher than normal levels of sickness in August was the main reason for the rate being above target.</p> <p>All line managers within the unit comply with the council's sickness absence policy and seek specialist advice if required from Human Resources when there are more complex sickness absence situations arising.</p> <p>The target for 2020/21 is 2.0 percent.</p>																																											

PI Code & Short Name	P:HRS104_9b.2 Number of reportable incidents to the Health and Safety Executive per quarter		PI Owner(s): zHRS_PIAAdmin; Kim Hardie																																		
Description	This performance indicator measures the total number of reportable incidents to the Health and Safety Executive on a quarterly basis. Reportable incidents are occurrences which must be reported to the Health and Safety Executive under the legislative requirements of the Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013. When an incident meets the criteria outlined in the regulations, a formal notification report must be submitted by the authority to the Health and Safety Executive within timescales stipulated in the regulations.																																				
<div>Number of reportable incidents to the Health and Safety Executive per quarter</div>  <table><caption>Data for Number of reportable incidents to the Health and Safety Executive per quarter</caption><thead><tr><th>Quarter</th><th>Quarters (Incidents)</th><th>Target (Quarters)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>11</td><td>9</td></tr><tr><td>Q2 2019/20</td><td>8</td><td>9</td></tr><tr><td>Q3 2019/20</td><td>3</td><td>9</td></tr><tr><td>Q4 2019/20</td><td>11</td><td>9</td></tr><tr><td>Q1 2020/21</td><td>4</td><td>8</td></tr></tbody></table>			Quarter	Quarters (Incidents)	Target (Quarters)	Q1 2019/20	11	9	Q2 2019/20	8	9	Q3 2019/20	3	9	Q4 2019/20	11	9	Q1 2020/21	4	8	<div>Q1 2020/21 result</div>  <table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>4</td></tr><tr><td>Current Target:</td><td>8</td></tr><tr><td>Red Threshold:</td><td>8.96</td></tr><tr><td>Amber Threshold:</td><td>8.48</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Category	Value	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	4	Current Target:	8	Red Threshold:	8.96	Amber Threshold:	8.48	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Quarters (Incidents)	Target (Quarters)																																			
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<div>Trend Chart Commentary:</div> <p>Reportable incidents are occurrences which must be reported to the Health and Safety Executive under the legislative requirements of the Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013. When an incident meets the criteria outlined in the regulations, a formal notification report must be submitted by the authority to the Health and Safety Executive within timescales stipulated in the regulations. This records the total number of reportable incidents to the Health and Safety Executive.</p> <p>Although the indicator is reported in quarters there is nothing that would warrant comparing one to quarter against another and the annual target better reflects the aimed reduction in RIDDOR reportable incidents.</p> <p>Each incident recorded in the online safety management system should be investigated. Where specific criteria are met as outlined in the Incident Investigation Guidance the investigation is completed by a Health and Safety adviser. The investigation aims to identify the immediate, underlying and root causes of an incident and to ensure that corrective and preventative measures are implemented to prevent a recurrence of a similar type of incident as far as reasonably practicable.</p> <p>All RIDDOR reportable incidents are escalated to each responsible Head of Service and to the Corporate Management team on a monthly basis for consideration.</p> <p>Overall Incident statistics are monitored examined to establish potential trends and identify required actions to be incorporated into service annual health and safety action plans and corporate health and safety work plan for 2019/20.</p> <p>The aim is to decrease the number of reportable incidents by a further five percent annually.</p>																																					

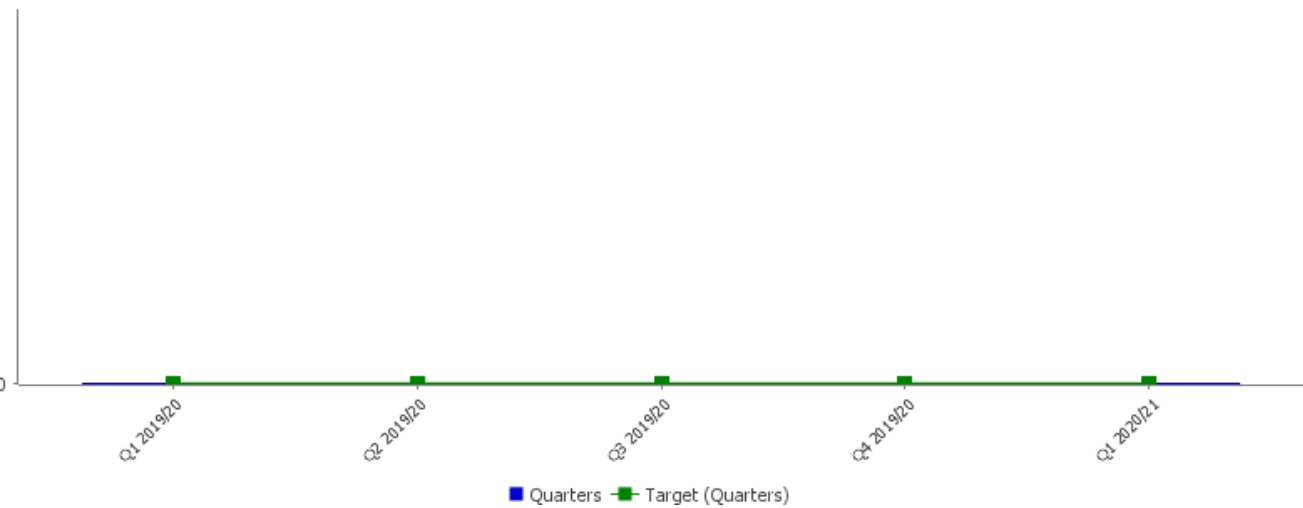


PI Code & Short Name	P:HRS525_7b.1 Percentage of sickness absence in HR Services	PI Owner(s): zHRS_PIAAdmin; Lesley Henderson																																																					
Description	This measure records the Human Resources Shared Services Sickness/ Absence level as is reported through monthly management reports from HR Services using the standard performance indicator percentage. It is used to review the effectiveness of sickness absence management.																																																						
<div><p>Percentage of sickness absence in HR Services</p><table data-bbox="96 282 1404 788"><thead><tr><th>Month</th><th>Actual Value (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>July 2019</td><td>7.2%</td><td>3.6%</td></tr><tr><td>August 2019</td><td>7.42%</td><td>3.6%</td></tr><tr><td>September 2019</td><td>4.2%</td><td>3.6%</td></tr><tr><td>October 2019</td><td>2.61%</td><td>3.6%</td></tr><tr><td>November 2019</td><td>0.83%</td><td>3.6%</td></tr><tr><td>December 2019</td><td>3.48%</td><td>3.6%</td></tr><tr><td>January 2020</td><td>2.94%</td><td>3.6%</td></tr><tr><td>February 2020</td><td>4.25%</td><td>3.6%</td></tr><tr><td>March 2020</td><td>1.49%</td><td>3.6%</td></tr><tr><td>April 2020</td><td>1.05%</td><td>3.6%</td></tr><tr><td>May 2020</td><td>1.7%</td><td>3.6%</td></tr><tr><td>June 2020</td><td>1.34%</td><td>3.6%</td></tr></tbody></table></div>		Month	Actual Value (%)	Target (%)	July 2019	7.2%	3.6%	August 2019	7.42%	3.6%	September 2019	4.2%	3.6%	October 2019	2.61%	3.6%	November 2019	0.83%	3.6%	December 2019	3.48%	3.6%	January 2020	2.94%	3.6%	February 2020	4.25%	3.6%	March 2020	1.49%	3.6%	April 2020	1.05%	3.6%	May 2020	1.7%	3.6%	June 2020	1.34%	3.6%	<div><p>June 2020 result</p><table data-bbox="1411 481 2123 796"><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>1.34%</td></tr><tr><td>Current Target:</td><td>3.6%</td></tr><tr><td>Red Threshold:</td><td>3.96%</td></tr><tr><td>Amber Threshold:</td><td>3.78%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table></div>	Last Updated:	June 2020	Status:	✓	Current Value:	1.34%	Current Target:	3.6%	Red Threshold:	3.96%	Amber Threshold:	3.78%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
Month	Actual Value (%)	Target (%)																																																					
July 2019	7.2%	3.6%																																																					
August 2019	7.42%	3.6%																																																					
September 2019	4.2%	3.6%																																																					
October 2019	2.61%	3.6%																																																					
November 2019	0.83%	3.6%																																																					
December 2019	3.48%	3.6%																																																					
January 2020	2.94%	3.6%																																																					
February 2020	4.25%	3.6%																																																					
March 2020	1.49%	3.6%																																																					
April 2020	1.05%	3.6%																																																					
May 2020	1.7%	3.6%																																																					
June 2020	1.34%	3.6%																																																					
Last Updated:	June 2020																																																						
Status:	✓																																																						
Current Value:	1.34%																																																						
Current Target:	3.6%																																																						
Red Threshold:	3.96%																																																						
Amber Threshold:	3.78%																																																						
Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																																						
<p>Trend Chart Commentary:</p> <p>Performance has fluctuated significantly over the reporting period with rates of between 0.83% and 7.42%. Performance variation has been as a result of employees being off and then returning from periods of long term absence</p> <p>All cases of absence are actively managed in accordance with the requirements of the council's Policy & Procedures for Supporting Attendance at Work.</p> <p>As absence rates have fluctuated over the reporting period, the target remains at the council target of 3.6%.</p>																																																							





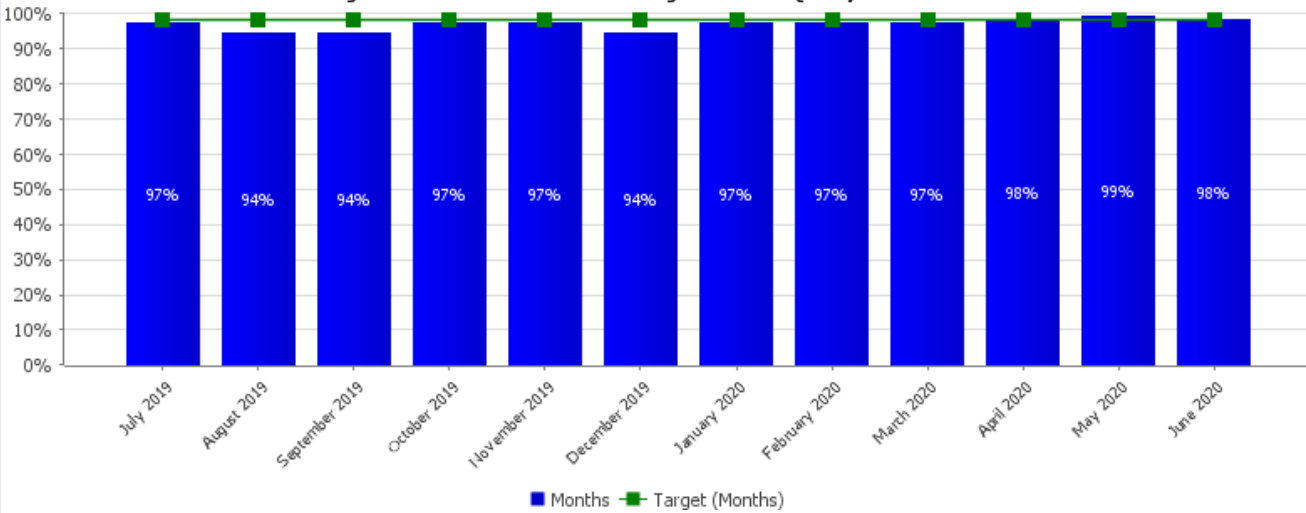
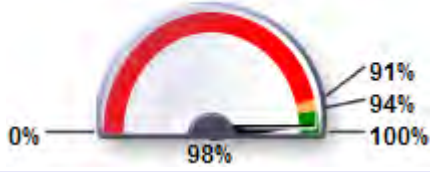
PI Code & Short Name	P:HR5554_6b.4 Percentage of complaints by HR Services which were upheld/part upheld per quarter																														
Description	This performance indicator measures the overall percentage of closed complaints received by HR Services that have been upheld or part upheld during each quarter. In each period, the total number of upheld and partially upheld complaints is divided by the total number of complaints closed to determine the overall percentage. The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.																														
<div>Percentage of complaints by HR Services which were upheld/part upheld per quarter</div>  <table><caption>Data for Percentage of complaints by HR Services which were upheld/part upheld per quarter</caption><thead><tr><th>Quarter</th><th>Quarters (%)</th><th>Target (Quarters) (%)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>100%</td><td>25%</td></tr><tr><td>Q3 2019/20</td><td>100%</td><td>25%</td></tr><tr><td>Q1 2020/21</td><td>50%</td><td>25%</td></tr></tbody></table>			Quarter	Quarters (%)	Target (Quarters) (%)	Q1 2019/20	100%	25%	Q3 2019/20	100%	25%	Q1 2020/21	50%	25%	<div>Q1 2020/21 result</div>  <table><thead><tr><th>Category</th><th>Value (%)</th></tr></thead><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>50%</td></tr><tr><td>Current Target:</td><td>25%</td></tr><tr><td>Red Threshold:</td><td>27.5%</td></tr><tr><td>Amber Threshold:</td><td>26.25%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Category	Value (%)	Last Updated:	Q1 2020/21	Status:		Current Value:	50%	Current Target:	25%	Red Threshold:	27.5%	Amber Threshold:	26.25%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Quarters (%)	Target (Quarters) (%)																													
Q1 2019/20	100%	25%																													
Q3 2019/20	100%	25%																													
Q1 2020/21	50%	25%																													
Category	Value (%)																														
Last Updated:	Q1 2020/21																														
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Current Value:	50%																														
Current Target:	25%																														
Red Threshold:	27.5%																														
Amber Threshold:	26.25%																														
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																														
<div>Trend Chart Commentary:</div> <p>As a result of the low complaint numbers, an upheld complaint has a significant impact on the percentage of upheld complaints.</p> <div>2020/21</div> <p>Quarter 1 - the service received 2 complaints, 1 which was upheld.</p> <div>2019/20</div> <p>Quarter 4 - the service did not receive any complaints. Quarter 3 - the service received 2 complaints which were both upheld. Quarter 2 - the service did not receive any complaints. Quarter 1 - the service received 1 complaint which was upheld.</p> <p>Complaints received normally relate to the misapplication of a council policy, failure in administrative process or delays in processing timescales. All complaints trigger reviews of process to reduce the likelihood of similar service failure in the future.</p> <p>Target: the service has always received low numbers of complaints which results in large fluctuations in the performance of this indicator, making target setting more challenging. Annually the service targets a total of 4 complaints or less and expects that around one quarter of those complaints will be upheld or partly upheld, therefore a target of 25 percent is applied throughout the year.</p>																															

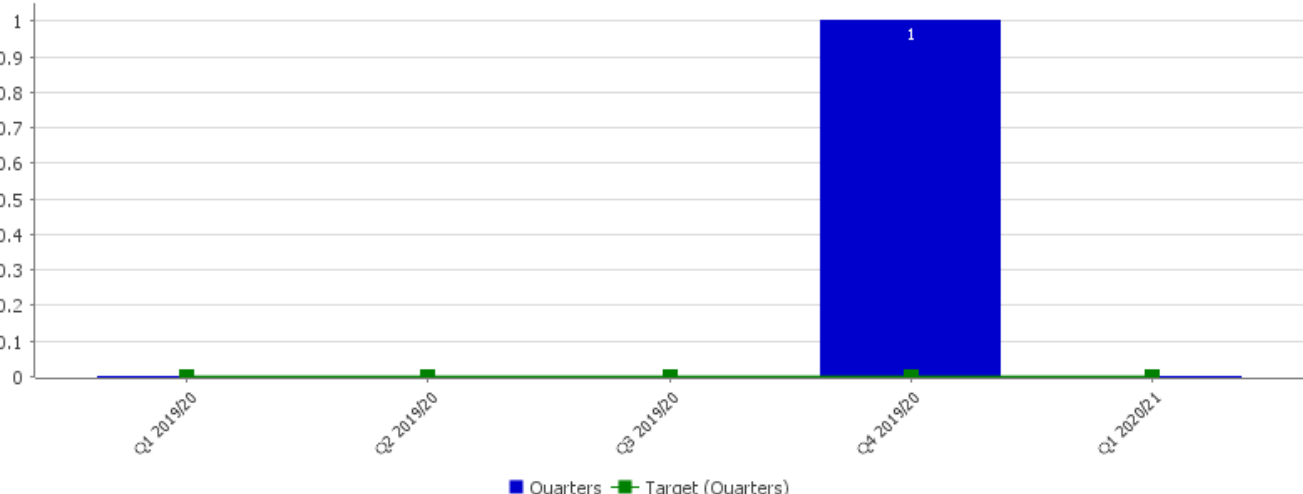


PI Code & Short Name	P:IA015_9b.1a Average length of time (in weeks) to issue draft audit reports	PI Owner(s): zIA_PIAAdmin; Kenneth Ribbons																												
Description	This performance indicator is part of the performance scorecard for the council's Internal Audit and Counter Fraud Strategy 2018/23 and will contribute to outcome 1 "the deployment of an internal audit service which provides assurance on the council's risk management, control and governance processes, and adds value to the council's operations". This indicator measures the average length of time in weeks to issue draft audit reports. The date of issue of the draft audit report is subtracted from the date that the audit commenced to show the number of weeks taken. The date of commencement is agreed with our customers and we aim to complete all risk based audit work within 10 weeks of this date. This indicator is reported on quarterly and a 12 month average is calculated to the end of each quarter. The objective of our 10 week target is to ensure that audit reports are issued timeously so that they are current and meaningful to both the service area and any related stakeholders.																													
<div><p>Average length of time (in weeks) to issue draft audit reports</p><table><caption>Data for Average length of time (in weeks) to issue draft audit reports</caption><thead><tr><th>Quarter</th><th>Average length of time (in weeks)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>9</td></tr><tr><td>Q2 2019/20</td><td>9.3</td></tr><tr><td>Q3 2019/20</td><td>9.5</td></tr><tr><td>Q4 2019/20</td><td>8.3</td></tr><tr><td>Q1 2020/21</td><td>8.7</td></tr></tbody></table></div>		Quarter	Average length of time (in weeks)	Q1 2019/20	9	Q2 2019/20	9.3	Q3 2019/20	9.5	Q4 2019/20	8.3	Q1 2020/21	8.7	<div><p>Q1 2020/21 result</p><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>8.7</td></tr><tr><td>Current Target:</td><td>10</td></tr><tr><td>Red Threshold:</td><td>11</td></tr><tr><td>Amber Threshold:</td><td>10.5</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>	Category	Value	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	8.7	Current Target:	10	Red Threshold:	11	Amber Threshold:	10.5	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Average length of time (in weeks)																													
Q1 2019/20	9																													
Q2 2019/20	9.3																													
Q3 2019/20	9.5																													
Q4 2019/20	8.3																													
Q1 2020/21	8.7																													
Category	Value																													
Last Updated:	Q1 2020/21																													
Status:	✓																													
Current Value:	8.7																													
Current Target:	10																													
Red Threshold:	11																													
Amber Threshold:	10.5																													
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																													
<p>Trend Chart Commentary:</p> <p>The target for this performance indicator is to achieve 10 weeks and is in line with the council's Internal Audit and Counter Fraud Strategy.</p> <p>Performance to Q1 2020/21 was 8.7 weeks.</p> <p>Performance to quarter four 2019/20 was 8.3 weeks, and was therefore below the target of 10 weeks. Performance has improved slightly from 2018/19 (9.2weeks). This is due to a number of audits being turned around quickly through good levels of engagement with, and buy-in from customers.</p> <p>The 10 week target and the appropriateness of the timescales achieved is substantiated by reference to Indicator IA001: Percentage of customers who rated internal audit's timeliness as good or excellent, for which high performance is also reported and shows that customers are satisfied with the timescales being achieved.</p> <p>The average length of time to issue draft audit reports can fluctuate as a result of factors such as the complexity of individual audits, the time taken for the customer to provide audit information and respond to queries, and the level of reactive work which may be given priority over routine audits.</p> <p>The number of draft audit reports issued for each rolling 12 month period reported was: 2018/19 - Quarter 4(28), 2019/20 - Q1(30), Q2(26), Q3(26), Q4(26).</p> <p>Having considered the audits included in the 2020/21 audit plan the 10 week target continues to be appropriate and will remain in place for 2020/21.</p>																														

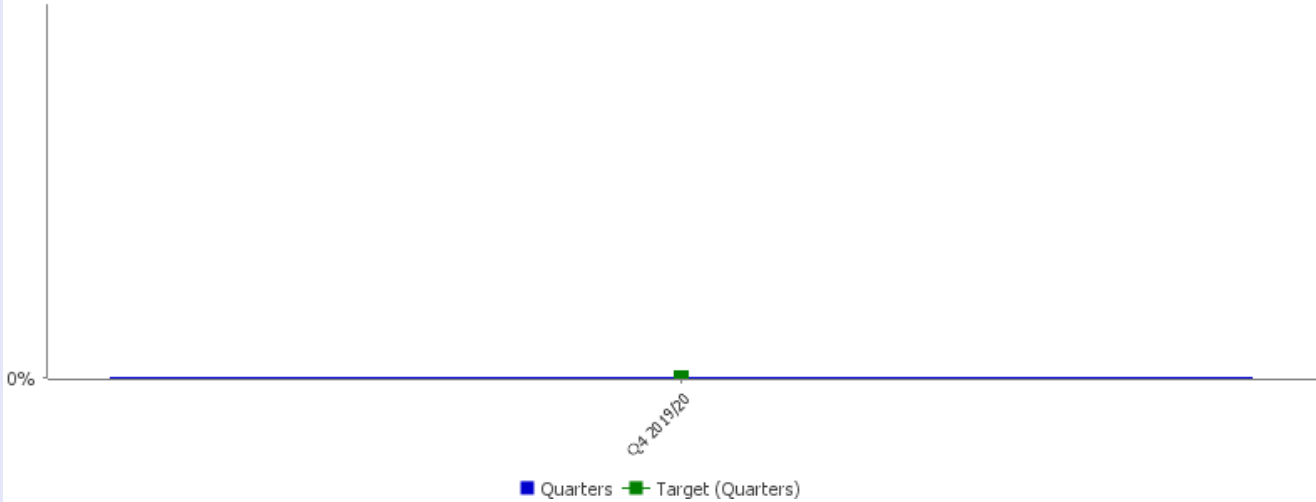

PI Code & Short Name	P:IA051_7b.1 Cumulative percentage of sickness absence within the Audit, Risk and Counter Fraud Unit	PI Owner(s): zIA_PAdmin; Kenneth Ribbons																																										
Description	This performance indicator measures the cumulative percentage of sickness absence within the Audit, Risk and Counter Fraud Unit for the financial year to date. For each financial year, we aim to have less than 2 percent sickness absence. The sickness absence percentage figure provided by HR Services is used to populate this indicator.																																											
<div><p>Cumulative percentage of sickness absence within the Audit, Risk and Counter Fraud Unit</p><table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>1.7%</td></tr><tr><td>August 2019</td><td>1.36%</td></tr><tr><td>September 2019</td><td>1.39%</td></tr><tr><td>October 2019</td><td>2.15%</td></tr><tr><td>November 2019</td><td>1.98%</td></tr><tr><td>December 2019</td><td>2.01%</td></tr><tr><td>January 2020</td><td>1.81%</td></tr><tr><td>February 2020</td><td>1.66%</td></tr><tr><td>March 2020</td><td>1.96%</td></tr><tr><td>April 2020</td><td>0.38%</td></tr><tr><td>May 2020</td><td>0.38%</td></tr><tr><td>June 2020</td><td>0.25%</td></tr></tbody></table></div>		Month	Percentage	July 2019	1.7%	August 2019	1.36%	September 2019	1.39%	October 2019	2.15%	November 2019	1.98%	December 2019	2.01%	January 2020	1.81%	February 2020	1.66%	March 2020	1.96%	April 2020	0.38%	May 2020	0.38%	June 2020	0.25%	<div><p>June 2020 result</p><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0.25%</td></tr><tr><td>Current Target:</td><td>2%</td></tr><tr><td>Red Threshold:</td><td>2.67%</td></tr><tr><td>Amber Threshold:</td><td>2%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>	Category	Value	Last Updated:	June 2020	Status:	✓	Current Value:	0.25%	Current Target:	2%	Red Threshold:	2.67%	Amber Threshold:	2%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
Month	Percentage																																											
July 2019	1.7%																																											
August 2019	1.36%																																											
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Amber Threshold:	2%																																											
Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																											
<div><p>Trend Chart Commentary</p><p>Performance for 2019/20 was 1.96% (31 days) percent which is slightly better than the target of 2%.</p><p>Performance to March 2019 was 1.65 percent (25 days) and was only slightly above the service target of 1.5 percent at that time.</p><p>The target for 2019/20 has been set at 2.0%.</p></div>																																												

PI Code & Short Name	P:IA066_6b.3 Total number of complaints received by Audit, Risk and Counter Fraud	PI Owner(s): zIA_PIAAdmin; Kenneth Ribbons
Description	<p>This performance indicator measures the combined level of stage 1 and stage 2 complaints received by the service.</p> <p>The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.</p>	
<p>Total number of complaints received by Audit, Risk and Counter Fraud</p>  <p>0</p> <p>Q1 2019/20 Q2 2019/20 Q3 2019/20 Q4 2019/20 Q1 2020/21</p> <p>■ Quarters ■ Target (Quarters)</p>		<p>Q1 2020/21 result</p>  <p>4 0 8 9</p> <p>0</p> <p>Last Updated: Q1 2020/21</p> <p>Status: </p> <p>Current Value: 0</p> <p>Current Target: 0</p> <p>Red Threshold: 8</p> <p>Amber Threshold: 4</p> <p>Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting</p>
<p>Trend Chart Commentary:</p> <p>The service has had no complaints in 2019/20, 2018/19 or 2017/18.</p> <p>Target per quarter is set at 0 complaints.</p>		

PI Code & Short Name	P:IA067_6b.4 The percentage of complaints received by Audit, Risk and Counter Fraud that were upheld or partially upheld against the total complaints closed in full.	PI Owner(s): zIA_PIAAdmin; Kenneth Ribbons	
Description	This Performance Indicator measures service failure of the combined level of stage 1 and stage 2 complaints shown as a percentage of complaints upheld or partially upheld against the total number of complaints received.		
	The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.		
The percentage of complaints received by Audit, Risk and Counter Fraud that were upheld or partially upheld against the total complaints closed in full.		Q1 2020/21 result N/A	
		Last Updated:	Q1 2020/21
		Status:	
		Current Value:	N/A
		Current Target:	0%
		Red Threshold:	0%
		Amber Threshold:	0%
		Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
<p>Trend Chart Commentary: The number of complaints received by Audit, Risk and Counter Fraud has been historically low. No complaints were received in 2019/20, 2018/19 or 2017/18.</p> <p>A service wide complaint improvement action report is prepared on a quarterly basis and is reported to both the Head of Finance and Property Services and the Complaints Steering Board.</p> <p>The target for 2020/21 will remain as 0.</p>			

PI Code & Short Name		P:ITS007_6a.7 Percentage of IT Services Customers Rating the Overall Quality as Good or Excellent																											
Description		<p>This performance indicator measures the percentage of customers that rated the overall quality of the service as good or excellent. Collected as part of our monthly survey, customers are asked to rate the quality of the service provided as excellent, good, adequate, poor, very poor or not applicable. The results are analysed to identify improvements to the way the service is delivered to customers.</p> <p>This survey is directed to all customers that have had work completed either as an Incident (fault) or a Service Request (enhancement) by IT Services within the last full month. Data is available from the 18th of each month.</p>																											
 <table><caption>Percentage of IT Services Customers Rating the Overall Quality as Good or Excellent</caption><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>97%</td></tr><tr><td>August 2019</td><td>94%</td></tr><tr><td>September 2019</td><td>94%</td></tr><tr><td>October 2019</td><td>97%</td></tr><tr><td>November 2019</td><td>97%</td></tr><tr><td>December 2019</td><td>94%</td></tr><tr><td>January 2020</td><td>97%</td></tr><tr><td>February 2020</td><td>97%</td></tr><tr><td>March 2020</td><td>97%</td></tr><tr><td>April 2020</td><td>98%</td></tr><tr><td>May 2020</td><td>99%</td></tr><tr><td>June 2020</td><td>98%</td></tr></tbody></table>		Month	Percentage	July 2019	97%	August 2019	94%	September 2019	94%	October 2019	97%	November 2019	97%	December 2019	94%	January 2020	97%	February 2020	97%	March 2020	97%	April 2020	98%	May 2020	99%	June 2020	98%	<p>PI Owner(s): zITS_PAdmin; Ian Forrest</p>	
Month	Percentage																												
July 2019	97%																												
August 2019	94%																												
September 2019	94%																												
October 2019	97%																												
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May 2020	99%																												
June 2020	98%																												
		 <table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>98%</td></tr><tr><td>Current Target:</td><td>98%</td></tr><tr><td>Red Threshold:</td><td>91%</td></tr><tr><td>Amber Threshold:</td><td>94%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>		Last Updated:	June 2020	Status:	✓	Current Value:	98%	Current Target:	98%	Red Threshold:	91%	Amber Threshold:	94%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting												
Last Updated:	June 2020																												
Status:	✓																												
Current Value:	98%																												
Current Target:	98%																												
Red Threshold:	91%																												
Amber Threshold:	94%																												
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																												
<p>Trend Chart Commentary: Performance from July 2019 to July 2020 demonstrates that the service generally just fails to achieve target of 98 percent. Performance ranged from 94 percent to 99 percent.</p> <p>Performance for July achieved 98% and continued to achieve target. This was an excellent achievement under current conditions due to the impact of Covid-19. The excellent performance can be relayed to the decrease in call volumes of 11.5% for incidents and 4.0% for service requests for the month. Service was impacted due to the IT Engineers supporting the Service Desk for 3 days in the month due to planned and unplanned leave within the service Desk.</p> <p>Performance for June achieved 98% and managed to achieve target. The 1% decrease in performance compared to May can be related to the increase in call volumes of 23.9% for incidents and 3.6% for service requests for the month. Service was further impacted by diverting resource to manage 3 major incidents logged for the month with regards Forticlient not allowing users to authenticate, Loss of Vodaphone voice calls and no access to EDRMS objective.</p> <p>Performance in May achieved 99% and exceeded target by 1%. This improvement in performance can be related to the 9% reduction in incidents and the 6% reduction in service requests raised for the month and IT staff familiarising themselves with the processes and procedures when working from home. Performance was enhanced by no major incidents being logged for the month however the service was impacted by 2 IT Engineer team members being on long tern sickness absence.</p> <p>Performance in April achieved 98%. This improvement in performance can be related to the 53% reduction in incidents and the 65% reduction in service requests raised for the month and IT staff becoming more failure with the processes and procedures when working from home. Performance was impacted by 1 major incident relating to the loss of the contact centre phones. Service was further impacted by 2 IT Engineer team members being on long tern sickness absence.</p> <p>Drops in performance are a result of customers responding to the survey question rating the overall quality as average, poor or very poor. Appropriate team leaders and managers discuss with customers their concerns with relevant themes discussed at team meetings and directed with staff at one to ones to improve service.</p> <p>The target for 2019/20 was 98 percent to reflect previous years' performance and encourage improvement. The target for 2020/21 remains at 98 percent.</p>																													

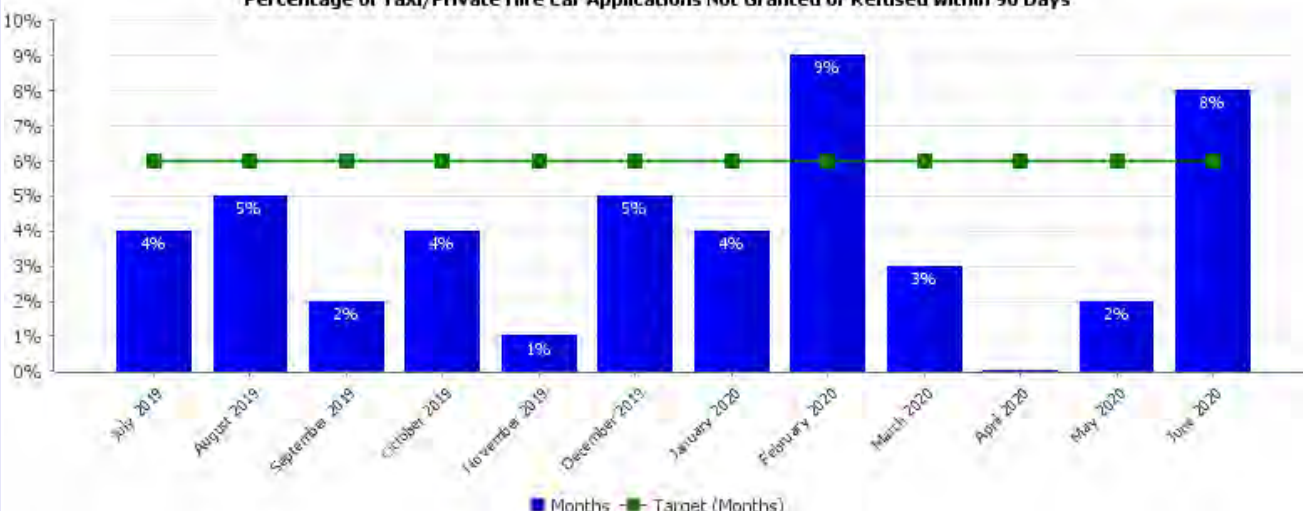


PI Code & Short Name	P:ITS010_6b.3 Total number of complaints received by IT Services per quarter	PI Owner(s): zITS_PIAAdmin; Ian Forrest																		
Description	This performance indicator measures the total number of complaints received during each quarter relating to IT Services. Performance is reviewed on a regular basis and reported annually to ensure that there is sufficient focus on the quality and standard of customer service. The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.																			
<div><div>Total number of complaints received by IT Services per quarter</div><table><caption>Data for Total number of complaints received by IT Services per quarter</caption><thead><tr><th>Quarter</th><th>Complaints Received</th><th>Target</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>0</td><td>0</td></tr><tr><td>Q2 2019/20</td><td>0</td><td>0</td></tr><tr><td>Q3 2019/20</td><td>0</td><td>0</td></tr><tr><td>Q4 2019/20</td><td>1</td><td>0</td></tr><tr><td>Q1 2020/21</td><td>0</td><td>0</td></tr></tbody></table></div>		Quarter	Complaints Received	Target	Q1 2019/20	0	0	Q2 2019/20	0	0	Q3 2019/20	0	0	Q4 2019/20	1	0	Q1 2020/21	0	0	<div><div>Q1 2020/21 result</div></div> <div><div>Last Updated:</div>Q1 2020/21</div> <div><div>Status:</div><div></div></div> <div><div>Current Value:</div>0</div> <div><div>Current Target:</div>0</div> <div><div>Red Threshold:</div>2</div> <div><div>Amber Threshold:</div>1</div> <div><div>Categories:</div>PDSP_Partnership & Resources; PPR Public Performance Reporting</div>
Quarter	Complaints Received	Target																		
Q1 2019/20	0	0																		
Q2 2019/20	0	0																		
Q3 2019/20	0	0																		
Q4 2019/20	1	0																		
Q1 2020/21	0	0																		
<div><div>Trend Chart Commentary:</div><p>Performance from Q3 2018/19 to Q3 2019/20 demonstrates that the service has received no official complaints.</p><p>The target for 2019/20 will remain at zero to ensure that focus on customer service remains a priority in the provision of IT across the council.</p></div>																				

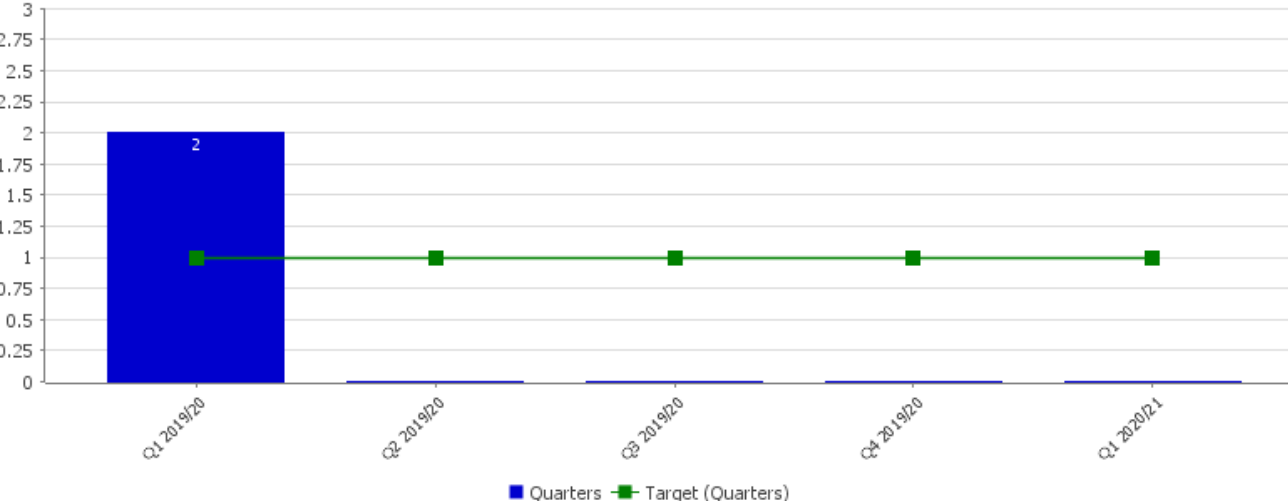

PI Code & Short Name	P:ITS011_6b.4 Percentage of complaints received that were upheld/partially upheld	PI Owner(s): zITS_PIAAdmin; Ian Forrest
Description	This performance indicator measures the overall percentage of closed complaints received by the IT Services that have been upheld or part upheld during each quarter. In each period, the total number of upheld and partially upheld complaints is divided by the total number of complaints closed to determine the overall percentage. The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.	
<div>Percentage of complaints received that were upheld/partially upheld</div>  <div>■ Quarters ■ Target (Quarters)</div>		Q1 2020/21 result N/A
		Last Updated: Q1 2020/21
		Status: 
		Current Value: N/A
		Current Target: 0%
		Red Threshold: 2%
		Amber Threshold: 1%
		Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting
<div>Trend Chart Commentary:</div> <p>Performance in Q1 2020/21 demonstrates that the service has not received any official complaints.</p> <p>Performance from Q4 2018/19 to Q3 2019/20 demonstrates that the service has received no official complaints, Q4 2019/20 received 1 complaint but this was not upheld.</p> <p>During periods where no complaints were received the chart will show as a blank.</p> <p>The target for 2020/21 will remain at zero percent to ensure that focus on customer service remains a priority in the provision of IT across the council.</p>		

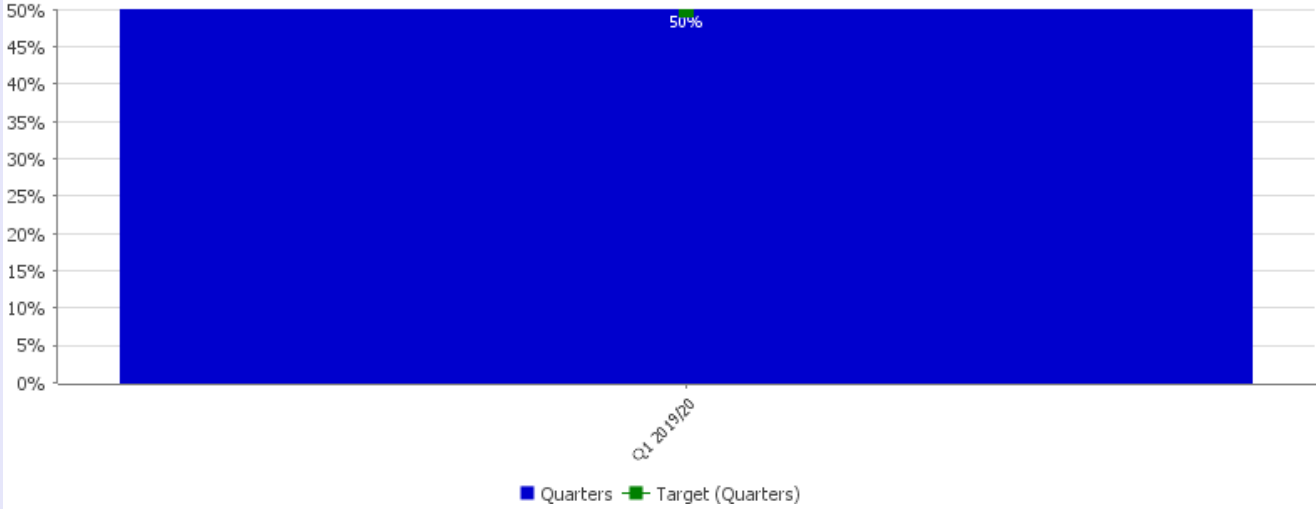
PI Code & Short Name	P:ITS054_7b.1 Percentage of Sickness Absence in IT Services (cumulative)	PI Owner(s): zITS_PAdmin; Ian Forrest																																								
Description	This performance indicator measures the percentage indicator of sickness absence in IT Services. The percentage is a cumulative measure of sickness absence over the period of the financial year. HR Services calculate the percentage comparing sickness days as a percentage of total available staff days and provide the monthly data on approximately the 17th day of the following month. The data is then verified and uploaded into the performance management system by the service.																																									
<div>Percentage of Sickness Absence in IT Services (cumulative)</div> <table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>0.88%</td></tr><tr><td>August 2019</td><td>0.94%</td></tr><tr><td>September 2019</td><td>1.23%</td></tr><tr><td>October 2019</td><td>1.78%</td></tr><tr><td>November 2019</td><td>1.89%</td></tr><tr><td>December 2019</td><td>0.86%</td></tr><tr><td>January 2020</td><td>0.81%</td></tr><tr><td>February 2020</td><td>0.98%</td></tr><tr><td>March 2020</td><td>1.43%</td></tr><tr><td>April 2020</td><td>4.43%</td></tr><tr><td>May 2020</td><td>4.74%</td></tr><tr><td>June 2020</td><td>4.22%</td></tr></tbody></table>		Month	Percentage	July 2019	0.88%	August 2019	0.94%	September 2019	1.23%	October 2019	1.78%	November 2019	1.89%	December 2019	0.86%	January 2020	0.81%	February 2020	0.98%	March 2020	1.43%	April 2020	4.43%	May 2020	4.74%	June 2020	4.22%	<div>June 2020 result</div> <table><tbody><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>4.22%</td></tr><tr><td>Current Target:</td><td>3.6%</td></tr><tr><td>Red Threshold:</td><td>5%</td></tr><tr><td>Amber Threshold:</td><td>4%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Last Updated:	June 2020	Status:		Current Value:	4.22%	Current Target:	3.6%	Red Threshold:	5%	Amber Threshold:	4%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
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Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																									
<div><div>Trend Chart Commentary:</div><p>The trend chart illustrates sickness absence levels in IT Services. All sickness absence is managed in accordance to the Sickness Absence Policy and procedures.</p><p>Performance February - May 2020 decreased as a result of an increase in short term absences and 2 long term absences during the period.</p><p>Performance December - January 2020 increased as a result of lower numbers of short-term absences during the month.</p><p>August - November 2019 demonstrates performance decreasing month on month as a result of short-term absences and 1 long term absence.</p><p>July 2019 performance improved to below the corporate target as a result of the return of 2 long term absences.</p><p>The target is at an overall council level target of 3.6%.</p><p>Please note monthly data is provided by HR on approximately 17th day of the following month.</p></div>																																										

PI Code & Short Name	P:LS007_7b.1 Percentage Sickness Absence Levels in Legal Services																																																									
Description	This measure records Legal Services Sickness Absence levels as reported through monthly management reports from HR Pay and Reward. This indicator measures the actual absences during each month. It is used to review the effectiveness of sickness absence management. The sickness absence data for each month is not available until the 18th of the following month.		PI Owner(s): zLS_PAdmin; Carol Johnston																																																							
<div><p>Percentage Sickness Absence Levels in Legal Services</p><table><thead><tr><th>Month</th><th>Actual Absence (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>July 2019</td><td>0.39%</td><td>3.6%</td></tr><tr><td>August 2019</td><td>0.39%</td><td>3.6%</td></tr><tr><td>September 2019</td><td>0.39%</td><td>3.6%</td></tr><tr><td>October 2019</td><td>0.39%</td><td>3.6%</td></tr><tr><td>November 2019</td><td>0.39%</td><td>3.6%</td></tr><tr><td>December 2019</td><td>4.47%</td><td>3.6%</td></tr><tr><td>January 2020</td><td>1.53%</td><td>3.6%</td></tr><tr><td>February 2020</td><td>2.08%</td><td>3.6%</td></tr><tr><td>March 2020</td><td>2.92%</td><td>3.6%</td></tr><tr><td>April 2020</td><td>1.94%</td><td>3.6%</td></tr><tr><td>May 2020</td><td>0.39%</td><td>3.6%</td></tr><tr><td>June 2020</td><td>0.39%</td><td>3.6%</td></tr></tbody></table></div>			Month	Actual Absence (%)	Target (%)	July 2019	0.39%	3.6%	August 2019	0.39%	3.6%	September 2019	0.39%	3.6%	October 2019	0.39%	3.6%	November 2019	0.39%	3.6%	December 2019	4.47%	3.6%	January 2020	1.53%	3.6%	February 2020	2.08%	3.6%	March 2020	2.92%	3.6%	April 2020	1.94%	3.6%	May 2020	0.39%	3.6%	June 2020	0.39%	3.6%	<div><p>June 2020 result</p><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0%</td></tr><tr><td>Current Target:</td><td>3.6%</td></tr><tr><td>Red Threshold:</td><td>5%</td></tr><tr><td>Amber Threshold:</td><td>4%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table></div>	Category	Value	Last Updated:	June 2020	Status:	✓	Current Value:	0%	Current Target:	3.6%	Red Threshold:	5%	Amber Threshold:	4%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
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<p>Trend Chart Commentary</p> <p>The chart shows that there have been varying levels of sickness absence within the service but generally below the corporate target. During July 2019 and July 2020 with and increased level of absence during December 2019 when target was not met.</p> <p>As Legal Services are a relatively small team, a few absences can have a significant impact on the sickness absence return. Incidents of short term sickness absence experienced are due to minor ailments. There are no general patterns of sickness absence within Legal Services which would give rise to particular concerns and all absences are managed through the Councils sickness absence policy.</p> <p>The target for 2020/21 will remain at 3.6% in line with the Corporate target.</p>																																																										

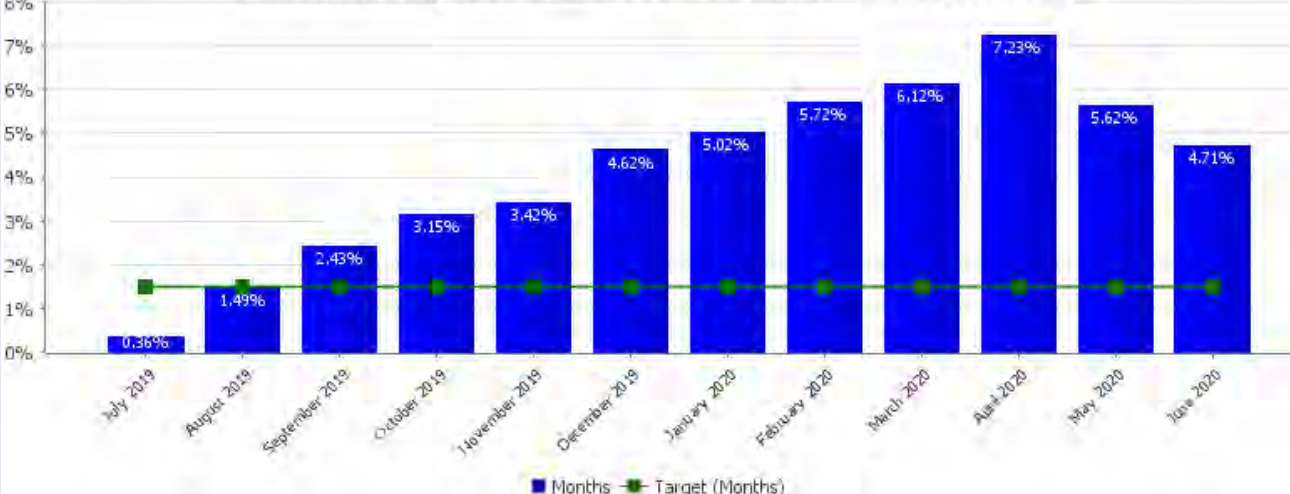

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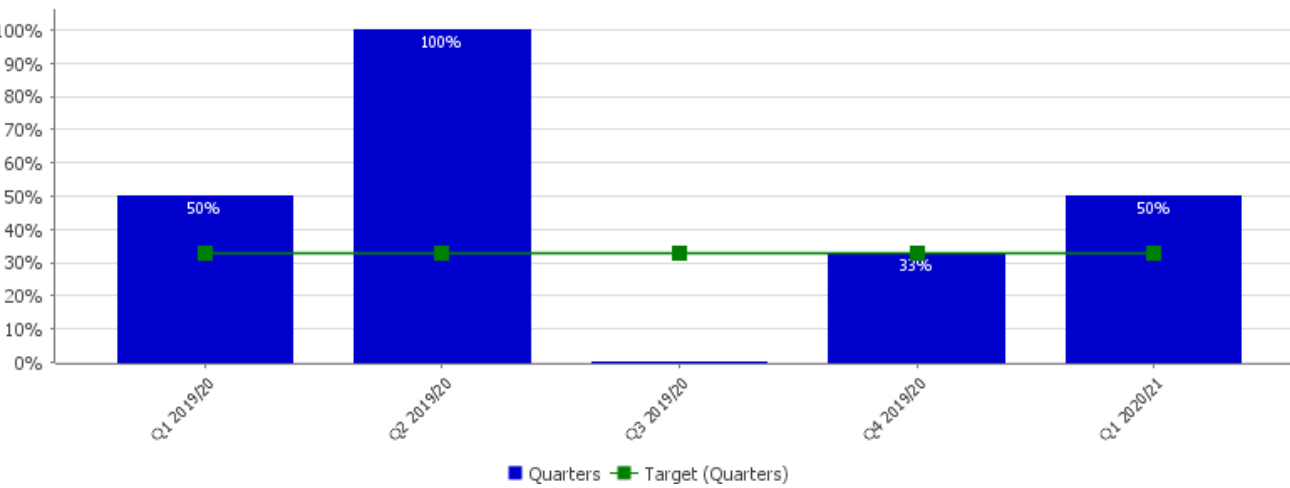




PI Code & Short Name		P:LS046_6b.5 Percentage of Taxi/Private Hire Car Applications Not Granted or Refused within 90 Days	
Description		The Civic Government (Scotland) Act 1982 originally set a statutory deadline of 6 months for an application to be granted or refused, that deadline was extended to 9 months for applications received after 1 May 2017. That deadline has been temporarily increased to 12 months by emergency legislation following the coronavirus pandemic. The Licensing Team has set a local target of 90 days for applications to be granted or refused. The process of determining applications for a licence involve referral to and input from third party agencies. The manner in which those agencies manage their input into the process can affect the progression of the application from the point it is made, to the point it is determined. The Licensing Team has no influence over those parts of the process which rely upon third parties either in respect of timescales or outcomes. This can have an impact on overall customer satisfaction levels.	
		PI Owner(s): zLS_PIAAdmin; Audrey Watson	
			
		Last Updated: June 2020	
		Status: 	
		Current Value: 8%	
		Current Target: 6%	
		Red Threshold: 6.66%	
		Amber Threshold: 6.42%	
		Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting	
Trend Chart Commentary: From time to time there have been fluctuations in the number of applications which were granted or refused outwith the 90 day period. This can be caused by the action or inaction of third parties impacting overall timescales. The trend evidences that the target has been consistently met with the exception of February and June 2020. In February performance was adversely impacted by delays in the presentation of vehicles for testing prior to determination of the associated applications. The delays in presentation were outwith the control of the service. In June performance was adversely affected by delays in processing applications caused by the pandemic. The 2020/21 target is 6% having regard to historical fluctuations in performance this is a reasonable but challenging target. A new indicator reporting on hire car applications is being developed and this indicator will be archived as being of little relevance at the end of the current financial year.			

PI Code & Short Name	P:PI5011_6b.3 Total number of complaints received by the Performance and Improvement Service per quarter	PI Owner(s): zPIS_PIAAdmin; Rebecca Kelly																																
Description	This performance indicator measures the total number of complaints received during each quarter relating to the Performance and Improvement Service. Performance is reviewed on a regular basis and reported quarterly to ensure that there is sufficient focus on the quality and standard of customer service. The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.																																	
<div>Total number of complaints received by the Performance and Improvement Service per quarter</div>  <table><thead><tr><th>Quarter</th><th>Actual (Quarters)</th><th>Target (Quarters)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>2</td><td>1</td></tr><tr><td>Q2 2019/20</td><td>0</td><td>1</td></tr><tr><td>Q3 2019/20</td><td>0</td><td>1</td></tr><tr><td>Q4 2019/20</td><td>0</td><td>1</td></tr><tr><td>Q1 2020/21</td><td>0</td><td>1</td></tr></tbody></table>		Quarter	Actual (Quarters)	Target (Quarters)	Q1 2019/20	2	1	Q2 2019/20	0	1	Q3 2019/20	0	1	Q4 2019/20	0	1	Q1 2020/21	0	1	<div>Q1 2020/21 result</div>  <table><tbody><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>0</td></tr><tr><td>Current Target:</td><td>1</td></tr><tr><td>Red Threshold:</td><td>3</td></tr><tr><td>Amber Threshold:</td><td>2</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></tbody></table>	Last Updated:	Q1 2020/21	Status:	✓	Current Value:	0	Current Target:	1	Red Threshold:	3	Amber Threshold:	2	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Actual (Quarters)	Target (Quarters)																																
Q1 2019/20	2	1																																
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Current Target:	1																																	
Red Threshold:	3																																	
Amber Threshold:	2																																	
Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting																																	
<div>Trend Chart Commentary</div> <p>No complaints were received in Q2, Q3 and Q4 2019/20 and Q1 2020/21. The Blue Badge activity, which was transferred to the Anti-Poverty Service in June 2019, was the main complaint generator for the Performance and Improvement Service. It is expected that the number of complaints received by the Performance and Improvement Service will be below historic levels.</p> <p>The service received a total of two complaints in Quarter 1 2019/20 and both were related to the council's Blue Badge Scheme. One complaint was not upheld and one was upheld. The complaint that was upheld related to a delay in a Blue Badge being received by the customer. Following and investigation, the national Blue Badge print supplier had processing issues that cause delays which affected multiple Local Authorities. This has now been resolved by the supplier.</p> <p>The target was set at one complaint per quarter for 2019/20 and will remain in place for 2020/21.</p>																																		

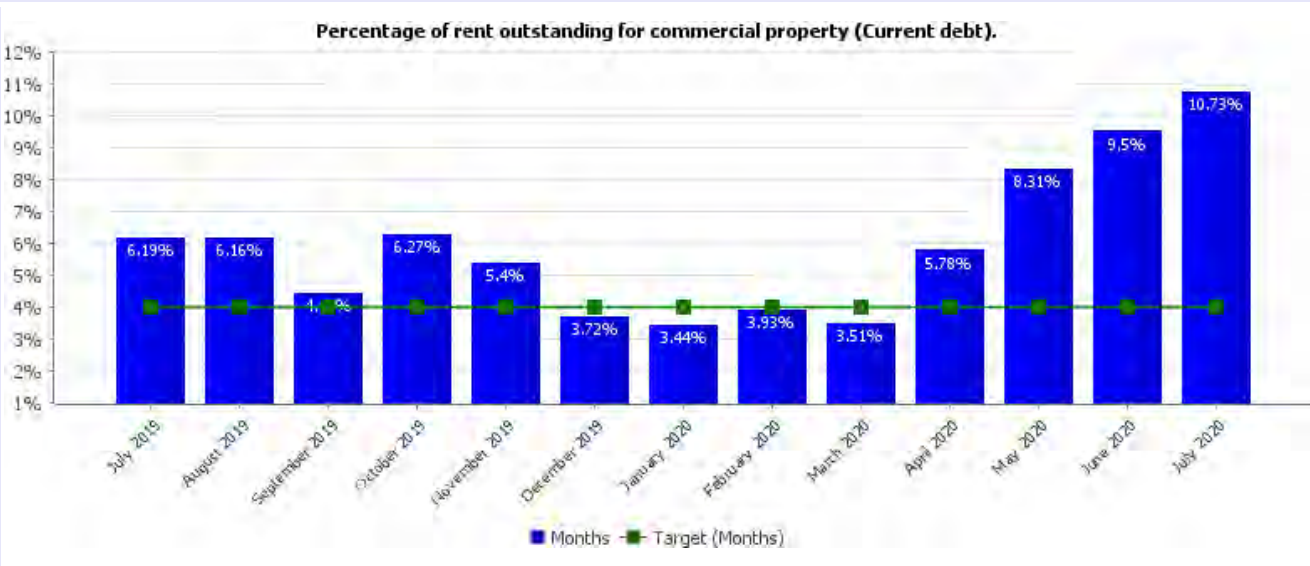

PI Code & Short Name	P:PI5013_6b.4 Percentage of all complaints closed by the Performance and Improvement Service that were upheld / partially upheld per quarter	PI Owner(s): zPIS_PIAAdmin; Rebecca Kelly	
Description	This performance indicator measures the overall percentage of closed complaints received by the Performance and Improvement Service that have been upheld or part upheld during each quarter. In each period, the total number of upheld and partially upheld complaints is divided by the total number of complaints closed to determine the overall percentage. The data for this performance indicator is extracted from the Customer Relationship Management (CRM) system, which is used to manage and monitor complaint handling procedures in the council. All complaints received are analysed to identify improvements to the quality of the service and the way it is delivered to customers.		
<p>Percentage of all complaints closed by the Performance and Improvement Service that were upheld / partially upheld per quarter</p> 		<p>Q1 2020/21 result</p> <p>N/A</p> <p>Last Updated: Q1 2020/21</p> <p>Status: ?</p> <p>Current Value: N/A</p> <p>Current Target: 25%</p> <p>Red Threshold: 60%</p> <p>Amber Threshold: 50%</p> <p>Categories: PDSP_Partnership & Resources; PPR Public Performance Reporting</p>	
<p>Trend Chart Commentary</p> <p>The service typically receives a low number of complaints each quarter as much of the activity delivered is an enabler/support function. Where complaints were received, they typically related to administration of the Blue Badge scheme. This was transferred, along with administration of the National Entitlement Scheme, to the council's Anti-Poverty Service in quarter 2 of 2019/20.</p> <p><u>2020/21</u></p> <p>The service received no complaints in Quarters 1 2020/21.</p> <p><u>2019/20</u></p> <p>The service received no complaints in Quarters 2, 3 and 4 2019/20.</p> <p>The service received a total of two complaints in Quarter 1 2019/20. One complaint was not upheld and one was upheld. The complaint that was upheld related to a delay in a Blue Badge being received by the customer. Following and investigation, the national Blue Badge print supplier had processing issues that cause delays which affected multiple Local Authorities. This has now been resolved by the supplier.</p> <p>Target: A target of 25 percent has been set for 2020/21.</p>			

PI Code & Short Name	P:PI5023_7b.1 Percentage of Sickness Absence in Performance and Improvement Service	PI Owner(s): zPIS_PIAAdmin; Rebecca Kelly																																				
Description	This performance indicator measures, as a percentage, the total level of sickness absence in the Performance and Improvement Service in Corporate Services. The data is provided by the council’s Human Resource Services on a monthly basis and is tracked and monitored to ensure absence is managed appropriately in the service and any corresponding impact on performance is understood and managed.																																					
<div><div><div>Percentage of Sickness Absence in Performance and Improvement Service</div><table><thead><tr><th>Month</th><th>Percentage</th></tr></thead><tbody><tr><td>July 2019</td><td>0.4%</td></tr><tr><td>August 2019</td><td>0%</td></tr><tr><td>September 2019</td><td>0.83%</td></tr><tr><td>October 2019</td><td>1.51%</td></tr><tr><td>November 2019</td><td>2.31%</td></tr><tr><td>December 2019</td><td>0%</td></tr><tr><td>January 2020</td><td>3.78%</td></tr><tr><td>February 2020</td><td>1.65%</td></tr><tr><td>March 2020</td><td>1.49%</td></tr><tr><td>April 2020</td><td>0%</td></tr><tr><td>May 2020</td><td>0%</td></tr><tr><td>June 2020</td><td>0%</td></tr></tbody></table></div><div><div>June 2020 result</div><table><thead><tr><th>Category</th><th>Value</th></tr></thead><tbody><tr><td>Current Value</td><td>0%</td></tr><tr><td>Current Target</td><td>3.6%</td></tr><tr><td>Red Threshold</td><td>3.78%</td></tr><tr><td>Amber Threshold</td><td>3.74%</td></tr></tbody></table></div></div>		Month	Percentage	July 2019	0.4%	August 2019	0%	September 2019	0.83%	October 2019	1.51%	November 2019	2.31%	December 2019	0%	January 2020	3.78%	February 2020	1.65%	March 2020	1.49%	April 2020	0%	May 2020	0%	June 2020	0%	Category	Value	Current Value	0%	Current Target	3.6%	Red Threshold	3.78%	Amber Threshold	3.74%	<div><div>Last Updated:</div><div>June 2020</div></div> <div><div>Status:</div><div></div></div> <div><div>Current Value:</div><div>0%</div></div> <div><div>Current Target:</div><div>3.6%</div></div> <div><div>Red Threshold:</div><div>3.78%</div></div> <div><div>Amber Threshold:</div><div>3.74%</div></div> <div><div>Categories:</div><div>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</div></div>
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<div><div><div>Trend Chart Commentary</div><div>The Performance and Improvement Service comprises 11.79 full time equivalents and due to the size of the service, a small number of staff absent from work can greatly impact the performance in this indicator.</div><div>The trend shows that there was one period (January 2020) when the service failed to meet the corporate target of 3.6 percent, with seven periods where performance was 0 or less than 1 percent. Periods of absence in the service have been mostly short-term, with four days of absence in the service in October 2019, February 2020 and March 2020, 5 days in June 2020, 6 days in November 2020 and 10 days in January 2020.</div><div>Sickness levels are monitored on a monthly basis and the service takes the appropriate action in compliance with the Council's Supporting Attendance at Work Policy and procedures to manage all periods of absence.</div><div>The target has been set using the corporate target of 3.6% and will remain at this level for 2020/21.</div></div></div>																																						

PI Code & Short Name	P:PMD111b_7b.1 Cumulative Percentage Sickness/Absence levels - Property Management & Development		PI Owner(s): zPMD_PIAAdmin; Paul Kettrick																																								
Description	This performance indicator measures as a percentage the sickness/absence statistics relating to Property Management & Development. The data relating to sickness/ absence is provided by WLC Human Resources. Information is provided on a monthly basis via an excel worksheet extract. The information is analysed to identify trends and areas for improvements within the unit in order to reduce the levels of staff absence across the service in line with Finance & Property Service Targets.																																										
<div>Cumulative Percentage Sickness/Absence levels - Property Management & Development</div>  <table border="1"><thead><tr><th>Month</th><th>Cumulative Percentage Sickness/Absence</th></tr></thead><tbody><tr><td>July 2019</td><td>0.36%</td></tr><tr><td>August 2019</td><td>1.49%</td></tr><tr><td>September 2019</td><td>2.43%</td></tr><tr><td>October 2019</td><td>3.15%</td></tr><tr><td>November 2019</td><td>3.42%</td></tr><tr><td>December 2019</td><td>4.62%</td></tr><tr><td>January 2020</td><td>5.02%</td></tr><tr><td>February 2020</td><td>5.72%</td></tr><tr><td>March 2020</td><td>6.12%</td></tr><tr><td>April 2020</td><td>7.23%</td></tr><tr><td>May 2020</td><td>5.62%</td></tr><tr><td>June 2020</td><td>4.71%</td></tr></tbody></table>			Month	Cumulative Percentage Sickness/Absence	July 2019	0.36%	August 2019	1.49%	September 2019	2.43%	October 2019	3.15%	November 2019	3.42%	December 2019	4.62%	January 2020	5.02%	February 2020	5.72%	March 2020	6.12%	April 2020	7.23%	May 2020	5.62%	June 2020	4.71%	<div>June 2020 result</div>  <table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>4.71%</td></tr><tr><td>Current Target:</td><td>1.5%</td></tr><tr><td>Red Threshold:</td><td>2%</td></tr><tr><td>Amber Threshold:</td><td>1.75%</td></tr><tr><td>Categories:</td><td>Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	June 2020	Status:		Current Value:	4.71%	Current Target:	1.5%	Red Threshold:	2%	Amber Threshold:	1.75%	Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting
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Categories:	Absence - sickness; PDSP_Partnership & Resources; PPR Public Performance Reporting																																										
<div>Trend Chart Commentary</div> <p>The SPI figure for July 2020 is 4.36% which is a decrease from the 4.71% recorded for June 2020.</p> <p>The pattern of sickness absence for the unit relates to long conditions and circumstances. There are 2 members of staff now on long term sickness that has resulted in continued periods of absence since July 2019 and are being managed through the occupational health process.</p> <p>Target going forward will be set the Finance & Property Service target of 1.5%.</p>																																											

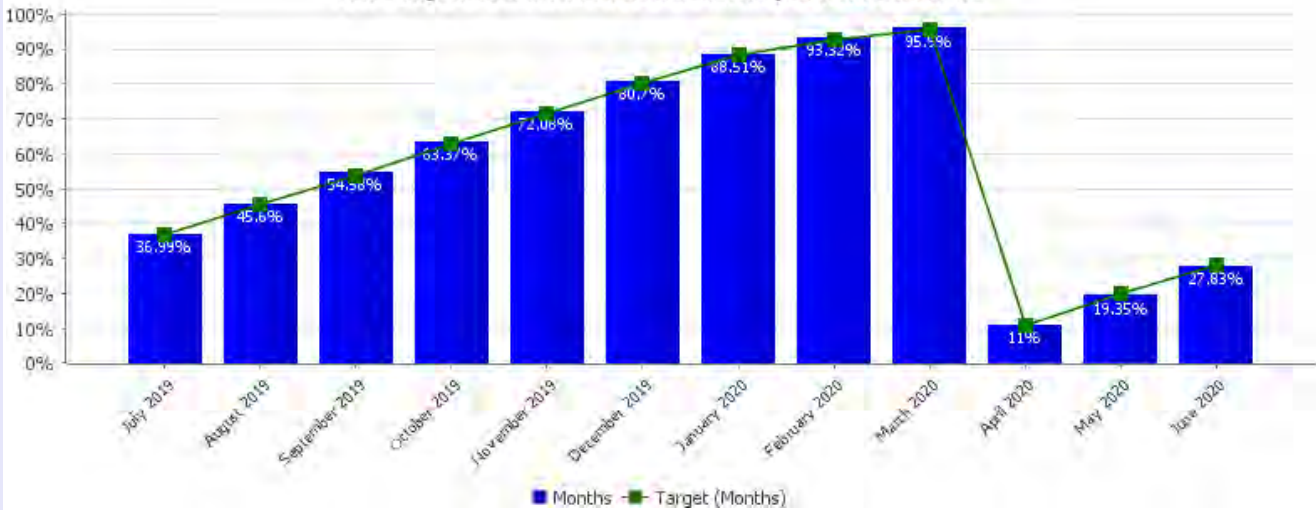

PI Code & Short Name	P:PMD145_6b.4 The percentage of complaints received by Property Management and Development that were upheld / partially upheld against the total complaints closed in full																																	
Description	<p>This performance indicator measures the overall percentage of Property Management and Development complaints that have been investigated and upheld or part upheld during each month. For each month the total number of complaints responded to within relevant time-scale is divided by total number of stage 1 complaints received to determine a percentage.</p> <p>The data for this indicator is extracted from the customer relationship management system (CRM)The Complaints are analysed to identify improvements to the way the service is delivered to customers by the service management team each month.</p>	PI Owner(s): zPMD_PIAAdmin; Paul Kettrick																																
The percentage of complaints received by Property Management and Development that were upheld / partially upheld against the total complaints closed in full		Q1 2020/21 result																																
 <table border="1"><thead><tr><th>Quarter</th><th>Quarters (%)</th><th>Target (Quarters) (%)</th></tr></thead><tbody><tr><td>Q1 2019/20</td><td>50%</td><td>33%</td></tr><tr><td>Q2 2019/20</td><td>100%</td><td>33%</td></tr><tr><td>Q3 2019/20</td><td>0%</td><td>33%</td></tr><tr><td>Q4 2019/20</td><td>33%</td><td>33%</td></tr><tr><td>Q1 2020/21</td><td>50%</td><td>33%</td></tr></tbody></table>		Quarter	Quarters (%)	Target (Quarters) (%)	Q1 2019/20	50%	33%	Q2 2019/20	100%	33%	Q3 2019/20	0%	33%	Q4 2019/20	33%	33%	Q1 2020/21	50%	33%	 <table><tr><td>Last Updated:</td><td>Q1 2020/21</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>50%</td></tr><tr><td>Current Target:</td><td>33%</td></tr><tr><td>Red Threshold:</td><td>67%</td></tr><tr><td>Amber Threshold:</td><td>34%</td></tr><tr><td>Categories:</td><td>PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	Q1 2020/21	Status:		Current Value:	50%	Current Target:	33%	Red Threshold:	67%	Amber Threshold:	34%	Categories:	PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting
Quarter	Quarters (%)	Target (Quarters) (%)																																
Q1 2019/20	50%	33%																																
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Categories:	PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting																																	
<u>Trend Chart Commentary:</u> The service received two complaints in Q1 2020/21, Of the two complaints received, one was not upheld and one was partly upheld. The Service received Two complaints in Q1, 2019/20, of which One was partly upheld. two of the two complaints received was upheld or partially upheld in Q2. None of the three complaints received during Q3. 2019/20 was upheld or partially upheld. in Q4 2019/20 one complaint out of total 3 logged where partially upheld. Investigation shows that these complaints that are upheld or partly upheld are no relation to each other and show no patterns or trends. As a result of this, the performance in this indicator can fluctuate quite drastically depending on the number of complaints received during each quarter. The quarterly target for 2020-21 will remain at 33% as this target was breached a number of times and the service is working to bring this indicator back to acceptable levels.																																		

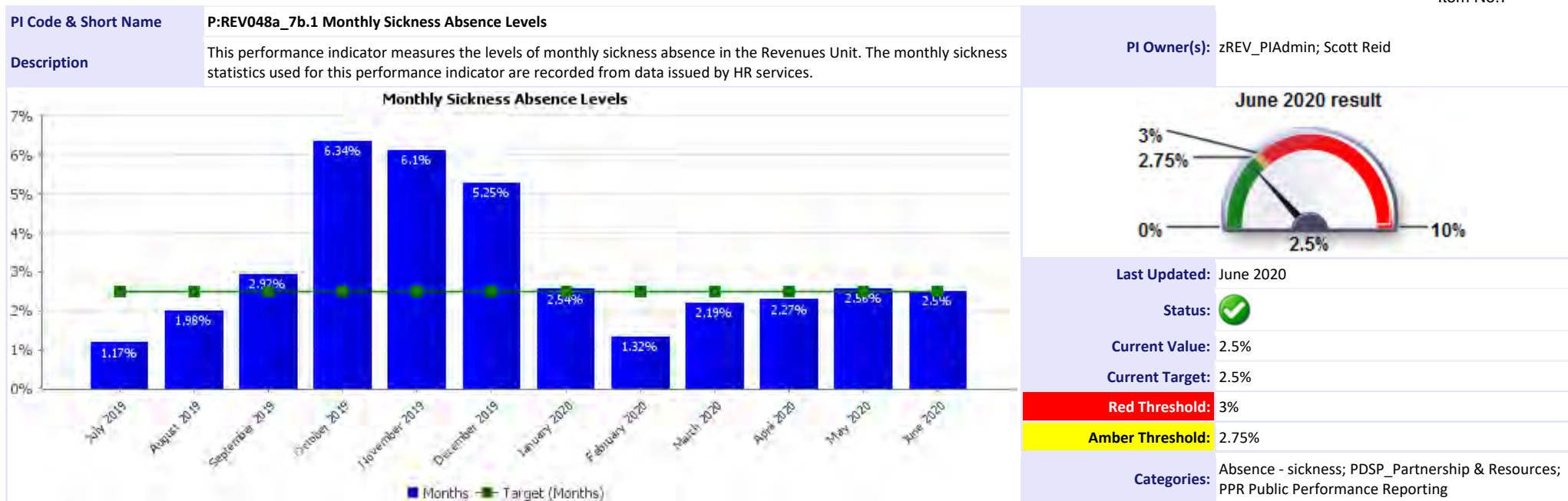
PI Code & Short Name	P:PMD161_9b.1a Industrial Portfolio - Percentage of Total Units Let														
Description	<p>This performance indicator is part of the performance scorecard for the Council’s asset management strategy and will contribute to outcome 5 utilisation.</p> <p>This is one of three Performance Indicators (PI) that record the occupancy levels of the major parts of the council's Tenanted Non-Residential Property (TNRP) portfolio, i.e. those properties that the council owns but does not occupy itself, and which are leased to third parties. This PI is based on 300 industrial units. The calculation of the PI was reviewed in April 2010 to ensure it's comparability with PI's produced by our benchmarking partners in other local authorities, and again in August 2015 to reflect changes in the portfolio. The base figure primarily consists of properties that are let on short term agreements, where occupancy levels are expected to be more volatile. Targets are reviewed annually in April and take account of the economic climate, the property market, and our rental income target, with the objective of maximising occupancy levels.</p>	PI Owner(s): zPMD_PIAAdmin; Paul Kettrick													
	<div><div><div>Industrial Portfolio - Percentage of Total Units Let</div></div><div><div>June 2020 result</div></div></div> <table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td>✓</td></tr><tr><td>Current Value:</td><td>89.35%</td></tr><tr><td>Current Target:</td><td>90%</td></tr><tr><td>Red Threshold:</td><td>81%</td></tr><tr><td>Amber Threshold:</td><td>85.5%</td></tr><tr><td>Categories:</td><td>PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	June 2020	Status:	✓	Current Value:	89.35%	Current Target:	90%	Red Threshold:	81%	Amber Threshold:	85.5%	Categories:	PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting
Last Updated:	June 2020														
Status:	✓														
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Current Target:	90%														
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Amber Threshold:	85.5%														
Categories:	PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting														
<p>Trend Chart Commentary: Occupancy for this month (August 2020) is 89.35% against a target of 90% and in the middle of a 12 month range of 88.78% to 92.18%.</p> <p>WLC’s portfolio are mainly less than 3,000 sq ft units. Demand is healthy and occupancy is at pre COVID level. The rents charged are also at pre – COVID level. The upturn between July and August is more down to our waiting for electrical reports in July prior to letting. Range over last eight months 88.78% to 91.07%. WLC wide shows a small upturn since July.</p> <p>The nature of most of the lease agreements - easy-in, easy-out, month to month - means that the occupancy level is particularly volatile. In previous years the performance has reflected the difficult conditions businesses faced in the economic recession, and occupancy fell regularly as a result of the credit crunch. Capital improvements have been undertaken over the past three years to preserve the income stream from the portfolio. We will continue to work on improving the appeal of our properties.</p> <p>2020/21 target is set at 90% this allows us to maintain current levels whilst investigating areas for improvement.</p>															

PI Code & Short Name	P:PMD164_9b.1c Percentage of rent outstanding for commercial property (Current debt).																																											
Description	<p>This Performance Indicator (PI) measures the amount of current debt from the council's Tenanted Non-Residential Property (i.e. commercial) portfolio. Current debt is considered to be rent due from an existing tenant that has been outstanding for over 30 days, expressed as a percentage of the total rental income billed. The portfolio comprises those properties that the council owns, but does not occupy for direct service delivery, and totals almost 700 properties, including shops, offices, and industrial units. The indicator measures the position on debt on the 1st of the previous month. Total income billed adopts the annual income as at the first of the month.</p> <p>Targets have been set in consultation with our benchmarking partners in other councils and reflect commercial levels. They are also considered against other council revenue income / debt levels.</p>	<p>PI Owner(s): zPMD_PAdmin; Paul Kettrick</p>																																										
 <table><caption>Percentage of rent outstanding for commercial property (Current debt)</caption><thead><tr><th>Month</th><th>Value (%)</th></tr></thead><tbody><tr><td>July 2019</td><td>6.19%</td></tr><tr><td>August 2019</td><td>6.16%</td></tr><tr><td>September 2019</td><td>4.8%</td></tr><tr><td>October 2019</td><td>6.27%</td></tr><tr><td>November 2019</td><td>5.4%</td></tr><tr><td>December 2019</td><td>3.72%</td></tr><tr><td>January 2020</td><td>3.44%</td></tr><tr><td>February 2020</td><td>3.93%</td></tr><tr><td>March 2020</td><td>3.51%</td></tr><tr><td>April 2020</td><td>5.78%</td></tr><tr><td>May 2020</td><td>8.31%</td></tr><tr><td>June 2020</td><td>9.5%</td></tr><tr><td>July 2020</td><td>10.73%</td></tr></tbody></table>		Month	Value (%)	July 2019	6.19%	August 2019	6.16%	September 2019	4.8%	October 2019	6.27%	November 2019	5.4%	December 2019	3.72%	January 2020	3.44%	February 2020	3.93%	March 2020	3.51%	April 2020	5.78%	May 2020	8.31%	June 2020	9.5%	July 2020	10.73%	 <table><tr><td>Last Updated:</td><td>July 2020</td></tr><tr><td>Status:</td><td>●</td></tr><tr><td>Current Value:</td><td>10.73%</td></tr><tr><td>Current Target:</td><td>4%</td></tr><tr><td>Red Threshold:</td><td>5%</td></tr><tr><td>Amber Threshold:</td><td>4.5%</td></tr><tr><td>Categories:</td><td>PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	July 2020	Status:	●	Current Value:	10.73%	Current Target:	4%	Red Threshold:	5%	Amber Threshold:	4.5%	Categories:	PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting
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Categories:	PDSP_Development and Transport; PDSP_Partnership & Resources; PPR Public Performance Reporting																																											
<p>Trend Chart Commentary: The debt level for July 2020 has increased to 10.73%, exceeding the target of 4%. It is in the higher quarter of the 12 month range of 3.44% - 10.73%.</p> <p>PM&D have established a debt recovery / rent arrears group led by the Corporate Estates Manager and involving other services (Revenues and Financial Management) to improve the recovery of debts. The council has a number of debtors already being progressed via Sheriff Officers.</p> <p>Although the majority of payments are monthly, regular variations are to be expected from both quarterly and six monthly cycles, reflecting the timing and method of payment of rent by some tenants, i.e. where payments are for three or six month periods. This is particularly evident in older and longer leases where payments are not collected by Direct Debt, unlike the monthly payments. As a result we expect fluctuation after the annual, quarterly and six monthly payments become due. Internal and partner agreements are also regularly late in payment due to the "soft nature" of debt collection on these.</p> <p>Target for 2020/21 is set at 4% and reflects the unit targeting to improve these results in the future.</p>																																												

PI Code & Short Name	P:REV002_9b Percentage of Non Domestic Rates (Business Rates) received in the year	PI Owner(s): zREV_PAdmin; Scott Reid																																																	
Description	This performance indicator measures the percentage of Non Domestic Rates (Business Rates) received in the year. This indicator records the progress on a cumulative monthly basis.																																																		
<div>Percentage of Non Domestic Rates (Business Rates) received in the year</div> <table><caption>Percentage of Non Domestic Rates (Business Rates) received in the year</caption><thead><tr><th>Month</th><th>Actual (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>July 2019</td><td>37.04%</td><td>37.04%</td></tr><tr><td>August 2019</td><td>46.00%</td><td>46.00%</td></tr><tr><td>September 2019</td><td>55.00%</td><td>55.00%</td></tr><tr><td>October 2019</td><td>65.35%</td><td>65.35%</td></tr><tr><td>November 2019</td><td>73.28%</td><td>73.28%</td></tr><tr><td>December 2019</td><td>81.82%</td><td>81.82%</td></tr><tr><td>January 2020</td><td>90.00%</td><td>90.00%</td></tr><tr><td>February 2020</td><td>96.64%</td><td>96.64%</td></tr><tr><td>March 2020</td><td>98.41%</td><td>98.41%</td></tr><tr><td>April 2020</td><td>5.99%</td><td>5.99%</td></tr><tr><td>May 2020</td><td>15.06%</td><td>15.06%</td></tr><tr><td>June 2020</td><td>15.06%</td><td>15.06%</td></tr></tbody></table>		Month	Actual (%)	Target (%)	July 2019	37.04%	37.04%	August 2019	46.00%	46.00%	September 2019	55.00%	55.00%	October 2019	65.35%	65.35%	November 2019	73.28%	73.28%	December 2019	81.82%	81.82%	January 2020	90.00%	90.00%	February 2020	96.64%	96.64%	March 2020	98.41%	98.41%	April 2020	5.99%	5.99%	May 2020	15.06%	15.06%	June 2020	15.06%	15.06%	<div>June 2020 result</div> <table><caption>June 2020 result</caption><thead><tr><th>Category</th><th>Value (%)</th></tr></thead><tbody><tr><td>Current Value</td><td>15.06%</td></tr><tr><td>Current Target</td><td>29.92%</td></tr><tr><td>Red Threshold</td><td>26.93%</td></tr><tr><td>Amber Threshold</td><td>29.92%</td></tr></tbody></table>	Category	Value (%)	Current Value	15.06%	Current Target	29.92%	Red Threshold	26.93%	Amber Threshold	29.92%
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<div>Trend Chart Commentary:</div> <p>This indicator shows the percentage of Non Domestic Rates (Business Rates) collected cumulatively on a monthly basis for the current year. The cumulative collection target for 2020/21 has been reviewed and after taking in to account previous year performance, staffing levels and the statutory changes following the Barclay Review has been set at 97.7%. The cumulative monthly target will be based on the collection rate achieved in the same month in the previous year as this will give us a guide on monthly performance against the end of year target.</p>		<div>Last Updated:</div> June 2020 <div>Status:</div> <div>Current Value:</div> 15.06% <div>Current Target:</div> 29.92% <div>Red Threshold:</div> 26.93% <div>Amber Threshold:</div> 29.92% <div>Categories:</div> PDSP_Partnership & Resources; PPR Public Performance Reporting																																																	
<div>2020/21</div> <p>June 2020: In year collection is down 14.86%. This can be attributed to the delayed annual billing and ongoing COVID 19 situation.</p> <p>May 2020: In year collection is down 6.35%. This is due to the delay in issuing annual bills as well as the ongoing COVID 19 situation.</p> <p>April 2020: In year collection is down 4.66%. The issue of the annual bills was delayed due to legislative changes introduced by the Scottish Government. Bills are scheduled for issue in May 2020.</p>																																																			
<div>2019/20</div> <p>March 2020: In year collection is up 1.03%.</p> <p>February 2020: In year collection is up 0.60%. The number of successful rateable value appeals were settled by the Assessor for Lothian Valuation Joint Board which has resulted in a number of accounts being in credit. As many of these credits as possible will be refunded to the ratepayer during March 2020.</p> <p>January 2020: In year collection is up 0.85%.</p> <p>December 2019: In year collection is up 1.01%. This increase can be attributed to ongoing work within the team in relation to warranted debt. There were a large number of rateable value appeals settled by the Assessor for Lothian Valuation Joint Board in December 2019 which has resulted in a large number of accounts being in credit. As many of these credits as possible will be refunded to the ratepayer in January 2020.</p> <p>November 2019: In year collection is up 0.35%. The first summary warrants cases have now been passed to the Sheriff Officers.</p> <p>October 2019: In year collection is up 0.61%.</p> <p>September 2019: In year collection is up 2.93%.</p> <p>August 2019: In year collection is up 3.61%.</p>																																																			



PI Code & Short Name	P:REV047_9b.1a Percentage of income collected in the current year from Council Tax																																																						
Description	This performance indicator measures the monthly cumulative percentage collected in the current year for Council Tax and calculated using the statutory formula set out in the Water Order. This enables the Revenues Unit to monitor performance in order to carry out any adjustments to achieve the target. Whilst recovery action to collect all previous year debt continues, in year collection is a recognised benchmark standard. The benchmark data for the in year collection is captured in the performance indicator SCorp 07.																																																						
		PI Owner(s): zREV_PIAAdmin; Scott Reid																																																					
<div>Percentage of income collected in the current year from Council Tax</div>  <table border="1"><thead><tr><th>Month</th><th>Actual (%)</th><th>Target (%)</th></tr></thead><tbody><tr><td>July 2019</td><td>36.99%</td><td></td></tr><tr><td>August 2019</td><td>45.69%</td><td></td></tr><tr><td>September 2019</td><td>54.38%</td><td></td></tr><tr><td>October 2019</td><td>63.37%</td><td></td></tr><tr><td>November 2019</td><td>72.08%</td><td></td></tr><tr><td>December 2019</td><td>80.79%</td><td></td></tr><tr><td>January 2020</td><td>88.51%</td><td></td></tr><tr><td>February 2020</td><td>93.32%</td><td></td></tr><tr><td>March 2020</td><td>95.5%</td><td>96.5%</td></tr><tr><td>April 2020</td><td>11%</td><td>28.1%</td></tr><tr><td>May 2020</td><td>19.35%</td><td>28.16%</td></tr><tr><td>June 2020</td><td>27.83%</td><td></td></tr></tbody></table>		Month	Actual (%)	Target (%)	July 2019	36.99%		August 2019	45.69%		September 2019	54.38%		October 2019	63.37%		November 2019	72.08%		December 2019	80.79%		January 2020	88.51%		February 2020	93.32%		March 2020	95.5%	96.5%	April 2020	11%	28.1%	May 2020	19.35%	28.16%	June 2020	27.83%		<div>June 2020 result</div>  <table><tr><td>Last Updated:</td><td>June 2020</td></tr><tr><td>Status:</td><td></td></tr><tr><td>Current Value:</td><td>27.83%</td></tr><tr><td>Current Target:</td><td>28.24%</td></tr><tr><td>Red Threshold:</td><td>28.1%</td></tr><tr><td>Amber Threshold:</td><td>28.16%</td></tr><tr><td>Categories:</td><td>PDSP_Partnership & Resources; PPR Public Performance Reporting</td></tr></table>	Last Updated:	June 2020	Status:		Current Value:	27.83%	Current Target:	28.24%	Red Threshold:	28.1%	Amber Threshold:	28.16%	Categories:	PDSP_Partnership & Resources; PPR Public Performance Reporting
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<div>Trend Chart Commentary:</div> <p>This indicator shows the percentage of Council Tax collected cumulatively on a monthly basis for the current year. The cumulative collection target for 2020/21 has been reviewed and after taking in to account previous year performance, staffing levels and increased payment from Water Direct has been set at 96.5%. The cumulative monthly target will be based on the collection rate achieved in the same month in the previous year as this will give us a guide on monthly performance against the end of year target.</p> <div>2020/21</div> <p>June 2020: In year collection is 0.41% below target. Non-statutory reminders will be issued in July for 2020/21.</p> <p>May 2020: In year collection is 0.44% below the target.</p> <p>April 2020: In year collection is 0.04% below the target. Payments received in April 20 are up £475K on April 19 and the amount awarded in CTRS is up by £1.281 million compared to April 19.</p> <div>2019/20</div> <p>March 2020: In year collection is 0.23% above the target. This is a result of increased collection via Water Direct.</p> <p>February 2020: In year collection is 0.71% above the target. This increase can be attributed partly to the increased income from Water Direct.</p> <p>January 2020: In year collection is 0.27% above the target. This increase can be attributed partly to the increased income from Water Direct.</p> <p>December 2019: In year collection is 0.49% above the target. This increase can be attributed partly to the increased income from Water Direct.</p> <p>November 2019: In year collection is 0.47% above the target. This increase can be attributed partly to the increased income from Water Direct and the number of customers paying by direct debit.</p> <p>October 2019: In year collection is 0.49% above the target. This increase can be attributed partly to the increased income from Water Direct and the number of customers paying by direct debit.</p> <p>September 2019: In year collection is 0.71% above the target. This increase can be attributed partly to in the increased income from Water Direct and also receipt of the Council's liability for homeless and supported accommodation earlier than 2018/19.</p> <p>August 2019: In year collection is 0.32% above the target. The increase in collection can be attributed to the level of customers paying by direct debit and the increased income from Water Direct payments.</p>																																																							



Trend Chart Commentary:

For 2020/21 the target has been set by the Service Management Team for the Revenues Unit at 2.5%.

2020/21

June 2020: Sickness absence levels for June 2020 decreased from the previous month. In June 2020 there were 26 sick days out of a possible 1,040 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is above that of Finance and Property Services which is 1.54% (77 out of 4,995) days for June 2020.

May 2020: Sickness absence levels for May 2020 increased from the previous month. In May 2020 there were 28 sick days out of a possible 1,094 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is below that of Finance and Property Services which is 3.9% (202 out of 5,182) days for May 2020.

April 2020: Sickness absence levels for April 2020 increased from the previous month. In April 2020 there were 24 sick days out of a possible 1,059 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is below that of Finance and Property Services which is 4.11% (207 out of 5,035) days for April 2020.

2019/20

March 2020: Sickness absence levels for March 2020 increased from the previous month. In March 2020 there were 24 sick days out of a possible 1,094 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is below that of Finance and Property Services which is 4.87% (254 out of 5,212) days for March 2020.

February 2020: Sickness absence levels for February 2020 decreased from the previous month. In February 2020 there were 13 sick days out of a possible 988 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is below that of Finance and Property Services which is 4.58% (217 out of 4,742) days for February 2020.

January 2020: Sickness absence levels for January 2020 decreased from the previous month. In January 2020 there were 28 sick days out of a possible 1,103 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is below that of Finance and Property Services which is 4.47% (236 out of 5,283) days for January 2020.

December 2019: Sickness absence levels for December 2019 decreased from the previous month. In December 2019 there were 60 sick days out of a possible 1,143 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is below that of Finance and Property Services which is 6.25% (331 out of 5,293) days for December 2019.

November 2019: Sickness absence levels for November 2019 decreased from the previous month. In November 2019 there were 68 sick days out of a possible 1,115 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. Sickness absence in the unit is at the same level as Finance and Property Services which is 6.1% (314 out of 5,148) days for November 2019.

October 2019: Sickness absence levels for October 2019 increased from the previous month. In October 2019 there were 73 sick days out of a possible 1,151 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. We are below the sickness absence level for Finance and Property Services which is 6.6% (352 out of 5,334) days for October 2019.

September 2019: Sickness absence levels for September 2019 increased from the previous month. In September 2019 there were 32 sick days out of a possible 1,096 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. We are below the sickness absence level for Finance and Property Services which is 5.23% (271 out of 5,185) days for September 2019.

August 2019: Sickness absence levels for August 2019 increased from the previous month. In August 2019 there were 22 sick days out of a possible 1,113 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. We are below the sickness absence level for Finance and Property Services which is 5.05% (269 out of 5,322) days for August 2019.

July 2019: Sickness absence levels for July 2019 increased from the previous month. In July 2019 there were 13 sick days out of a possible 1,113 days. All actions required under the policy are being undertaken in relation to sickness absence monitoring. We are below the sickness absence level for Finance and Property Services which is 3.23% (171 out of 5,298) days for July 2019.



Trend Chart Commentary:
We have reviewed the target for 2020/21 and set it at 25 complaints received in the quarter. This target has been set taking into account previous years' performance and the impact on the service of COVID-19.

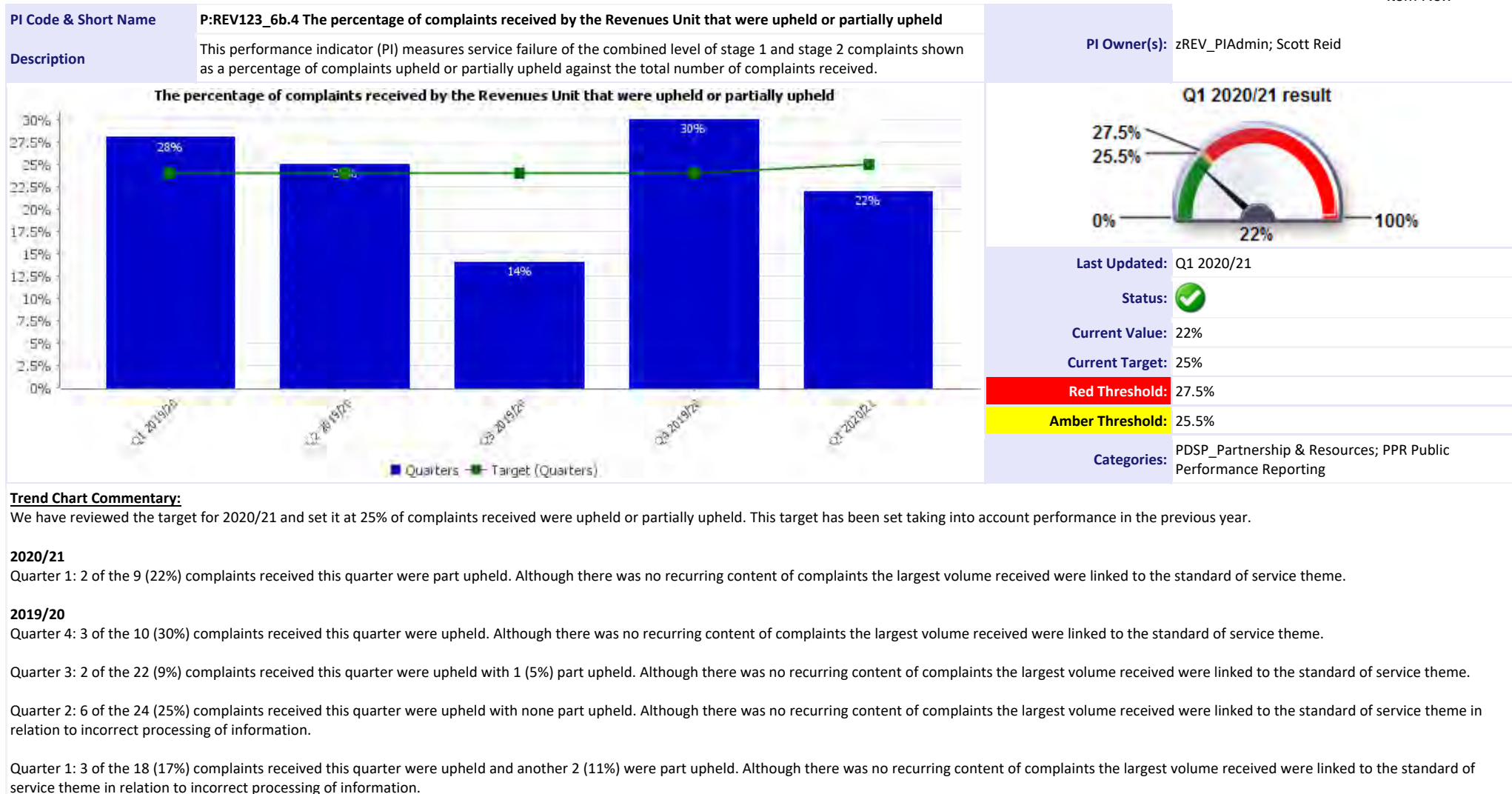
2020/21
Quarter 1: 9 complaints were received during this quarter. Although there was no recurring content of complaints the largest volume received were linked to the standard of service. The number of complaints decreased in this quarter with 78% of complaints not upheld.

2019/20
Quarter 4: 10 complaints were received during this quarter. Although there was no recurring content of complaints the largest volume received were linked to the standard of service. The number of complaints decreased in this quarter with 70% of complaints not upheld.

Quarter 3: 22 complaints were received during this quarter. Although there was no recurring content of complaints the largest volume received were linked to the standard of service. The number of complaints decreased in this quarter with 86% of complaints not upheld.

Quarter 2: 24 complaints were received during this quarter. Although there was no recurring content of complaints the largest volume received were linked to the standard of service in relation to incorrect processing of information. The number of complaints increased in this quarter with 75% of complaints not upheld.

Quarter 1: 18 complaints were received during this quarter. Although there was no recurring content of complaints the largest volume received were linked to the standard of service theme in relation to incorrect processing of information. The number of complaints decreased in this quarter with 72% of complaints not upheld.



Trend Chart Commentary:

We have reviewed the target for 2020/21 and set it at 25% of complaints received were upheld or partially upheld. This target has been set taking into account performance in the previous year.

2020/21

Quarter 1: 2 of the 9 (22%) complaints received this quarter were part upheld. Although there was no recurring content of complaints the largest volume received were linked to the standard of service theme.

2019/20

Quarter 4: 3 of the 10 (30%) complaints received this quarter were upheld. Although there was no recurring content of complaints the largest volume received were linked to the standard of service theme.

Quarter 3: 2 of the 22 (9%) complaints received this quarter were upheld with 1 (5%) part upheld. Although there was no recurring content of complaints the largest volume received were linked to the standard of service theme.

Quarter 2: 6 of the 24 (25%) complaints received this quarter were upheld with none part upheld. Although there was no recurring content of complaints the largest volume received were linked to the standard of service theme in relation to incorrect processing of information.

Quarter 1: 3 of the 18 (17%) complaints received this quarter were upheld and another 2 (11%) were part upheld. Although there was no recurring content of complaints the largest volume received were linked to the standard of service theme in relation to incorrect processing of information.

DATA LABEL: PUBLIC



PARTNERSHIP & RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

REGULATION OF INVESTIGATORY POWERS – ANNUAL REPORT 2019/20

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To report on activity in 2019/20 under the Regulation of Investigatory Powers (Scotland) Act 2000 required by the policy approved in September 2017.

B. RECOMMENDATIONS

To note the information provided in relation to the council's use of RIPSAs powers in 2019/20 and the findings of the statutory regulatory report carried out in 2019.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Regulation of Investigatory Powers (Scotland) Act 2000, statutory Codes of Practice; Council Policy and Procedure
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	N/A
VI	Resources - (Financial, Staffing and Property)	None
VII	Consideration at PDSP	Ongoing
VIII	Other consultations	Governance Manager, Chief Solicitor

D. TERMS OF REPORT

1 Background

- 1.1 The council has duties and responsibilities when undertaking certain types of surveillance in relation to the detection of crime, public safety and the protection of public health. These are found principally in the Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA). The legislation provides that in certain circumstances a formal authorisation is needed from an appropriate senior council officer before some forms of information-gathering activity can be carried out.
- 1.2 The council approved a revised RIPSA Policy on 17 September 2017, to be reviewed every three years. It is supported by an internal Procedure to provide guidance to council officers who may require authorisation and to those who determine if authorisation should be granted. When the policy was approved it was agreed that a stand-alone annual report would be provided on RIPSA activity and issues relevant to the council's use of RIPSA powers. In previous years that reporting had been carried out through one of the annual compliance statements reported alongside the annual governance statement and Local Code of Corporate Governance.
- 1.3 The RIPSA regime is about controlling the way public bodies use their statutory powers. It is there to balance the public interest in enforcement against private interests and privacy rights. A RIPSA authorisation does not confer additional or wider powers on the council that it does not otherwise possess. It regulates and controls the way in which existing powers are used. It provides protection for members of the public.
- 1.4 An authorisation is required for planned covert surveillance in relation to criminal activity, public health or public safety where it is designed to gather private information without the subject being aware of it. No authorisation is needed for overt surveillance, unplanned or spontaneous surveillance or for one-off instances of information gathering or reconnaissance. A different regime applies where the council is gathering information solely as employer rather than as a public body.
- 1.5 If officers act without an authorisation when one should have been granted then evidence gathered may be inadmissible, enforcement action may fail, and the council may suffer reputational damage. The council's use of and compliance with RIPSA is overseen by the (UK) Investigatory Powers Commissioner's office (IPCO). That is carried out through annual statistical returns and triennial inspections and reports.

2 Roles and responsibilities

- 2.1 The policy lists the roles and responsibilities of all officers engaged in RIPSA activity. Those were approved alongside the new Policy. They are reflected in the Scheme of Delegations to Officers.
- 2.2 The Senior Responsible Officer (SRO) is the Depute Chief Executive (Corporate, Housing & Operational Services). The Authorising Officers (AO) are the Governance Manager and the Chief Solicitor. Advice is provided when required by Legal Services.

3 Council RIPSA activity

- 3.1 In the past several years there have been only very small numbers of authorisations sought and granted. They are used by council services which operate in areas such as noise and potentially criminal antisocial behaviour, trading standards, environmental health and counter fraud investigations. The authorisations requested and granted in 2019/20 and the previous five years are as follows.

3.2

YEAR	REQUESTED	GRANTED
2014/15	1	1
2015/16	2	1
2016/17	3	0
2017/18	2	2
2018/19	1	1
2019/20	0	0

3.3 There were no authorisations sought or granted in 2019/20. A notification was given to the SRO by the council's Environmental Health & Trading Standards Manager that a standard annual exercise was to be undertaken in relation to sale of tobacco and vaping products to underage young people. No formal authorisation is required due to the way in which the activity is carried out and the minimal risk of acquiring confidential or personal information and of collateral intrusion. No other authorisations in relation to any of the council's other RIPSA or RIPA powers were sought or granted during the year.

4 IPCO inspection

4.1 The triennial IPCO inspection was carried out in September and October 2019. It was carried out remotely, by online response to a questionnaire and submission of supporting information by email correspondence. The inspection findings were received in early January 2020 in a letter dated 19 December 2019 (Appendix 1).

4.2 Overall, the outcome was favourable and the positive findings included:-

- The council was found to have a robust and mature attitude to compliance (paragraph 8)
- The arrangements for reporting to Governance & Risk Board and to members were endorsed (paragraph 2)
- The Policy and Procedure were found to be very comprehensive and to provide extremely useful detail to officers contemplating the use of directed surveillance (paragraph 4). It highlighted in particular the detailed process and the necessary steps for officers to follow aligned to the key requirements of necessity, proportionality and collateral intrusion (paragraph 7)
- The approach to the use of online investigative activity was praised, particularly the investment in training and development of procedures in the Counter Fraud Team (paragraph 6)
- The way applications for directed surveillance are drafted, particularly the focus on collateral intrusion, was highlighted as a strong point (paragraph 10)

4.3 There were areas identified for improvement, including:-

- One recommendation from a previous inspection was found to be outstanding (paragraph 3). It concerned the form used for cancellation of an authorisation. After some post-inspection correspondence it was established that the form required to show both information from the investigating officer about the surveillance and its cancellation; the AO's assessment of that information and how covert activity authorised contributed to the operational objectives; and the actions required by the AO for the management of any material obtained. The form then in use did not make that clear distinction
 - The council's Policy and Procedure were found to require more information and guidance around the use of Covert Human Intelligence Sources (CHIS) (paragraph 5). The council has a "zero tolerance" approach to CHIS which will continue but the current Policy and Procedure will be reviewed and amended to include more detailed information and guidance
 - It was also found that the Policy and Procedure could be strengthened in relation to online investigative activity by signposting staff to the Scottish Government Code of Practice which provides good practical examples (paragraph 6)
- 4.4 An action plan was agreed amongst the SRO and AOs and reported to the Governance & Risk Board. That is in Appendix 2. It includes a note of progress. All of the IPCO findings have been acted on. They will be completed by this and the separately-reported review of the Policy.
- 4.5 The next inspection is due in late 2022. It is presently intended to be by way of a physical visit rather than an online/electronic assessment.

E. CONCLUSION

This report meets the requirements made when the revised Policy was approved in September 2017 and reports on the findings of the triennial regulatory inspection.

F. BACKGROUND REFERENCES

Council Executive, 19 September 2017

Partnership & Resources PDSP, 5 October 2018 and 23 August 2019

Office of the Investigatory Powers Commissioner - <https://www.ipco.org.uk/>

Appendices/Attachments: 1. IPCO findings, 19 December 2019
2. Updated Action Plan

Contact Person: James Millar, Governance Manager, 01506 281613,
james.millar@westlothian.gov.uk

Graeme Struthers, Depute Chief Executive (Corporate, Housing and Operational Services)

Date of meeting: 18 September 2020



PO Box 29105, London
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Chief Executive
West Lothian Council
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19th December 2019

Inspection of West Lothian Council

Dear Chief Executive,

Your authority was recently subject to a desktop based documentary inspection by one of my Inspectors, Mr Paul Donaldson. I note that he had no requirement to visit your authority on this occasion as all documentation was made available to him electronically which enabled a full examination of all relevant policies and the three directed surveillance authorisations granted since the last inspection in June 2016. The documentation examined was very promptly delivered securely via email by your Governance Manager, Mr James Millar who has been extremely helpful throughout the process. Owing to this inspection being conducted in line with our desktop inspection process I must inform you that your next scheduled inspection in 2022 will be conducted by means of a physical visit to your authority.

At the last inspection your authority was subject to six recommendations, two of which remained extant from the inspection of 2013. I note from the Remote Assessment Template completed by your staff that the recommendations resulted in an action plan being developed and discharged within the authority. It was reassuring to note that the progress made in respect of discharging the recommendations was regularly reported on to your Governance and Risk Board. This was in addition to the annual reporting to your Partnership and Resources Policy Development and Scrutiny Panel (PRDSP) comprised of a selection of elected members as required by paragraph 4.43 of the *Scottish Government Code of Practice on Covert Surveillance and Property Interference, December 2017*.

I am satisfied that your responses and actions taken in respect of the recommendations, with the exception of Recommendation 6, allow them to be discharged. In respect of the recommendation incapable of being discharged at this time, it is important your Authorising Officers are reminded of the effective practice when cancelling directed surveillance authorisations, in detailing arrangements for the management of any material obtained and how any covert activity authorised contributed to any operational objectives set.

I would remind you of the procedures contained within the above Code of Practice, as well as its equivalent concerning Covert Human Intelligence Sources (CHIS), which govern the safeguards and management of material public authorities acquire as a result of covert activities. This issue has been brought into sharp focus in recent times through the investigations of complaints made to the Investigatory Powers Tribunal and it is critical that such matters are addressed in full through the RIPA processes in place within public authorities. As such, the recommendation made in respect of your cancellation process remains extant for the second consecutive inspection and I require that this is rectified without delay.

My Inspector is satisfied the policies underpinning the use of RIPA within the authority are very comprehensive and provide extremely useful detail to practitioners who contemplate the use of directed surveillance, although there is an absence of suitable guidance to staff in the process and procedures attached to the use of CHIS. It is recognised that the authority has adopted a policy of avoiding the use of CHIS in support of investigations, but nonetheless awareness of the tactic is important, so that staff can identify circumstances where it may be appropriate to seek authorisation of CHIS. In the review of the authorisations granted in respect of directed surveillance it was clear that information and intelligence had been provided confidentially enabling necessity cases to be met, and therefore it is critical that operatives are fully aware of the considerations attached to the protections offered by RIPA in relation to CHIS. *The Scottish Government Code of Practice on Covert Human Intelligence Sources, December 2017* outlines these considerations and provides helpful examples and scenarios which would be worthy of signposting within your RIPA policy. It is therefore recommended that your *RIPA Policy and Procedure* provides guidance to staff in relation to CHIS. This will ensure staff are capable of recognising situations where an individual offering information may require the protection of RIPA and to avoid the risk of 'status drift' as described in paragraph 252 of the *Office of Surveillance Commissioners (now IPCO) Procedures and Guidance 2016*.

It is of note that the use of open source research and internet investigation is not prevalent within the authority, although you have invested in obtaining appropriate training for Counter Fraud Investigators who on occasion utilise the tactic. An area of good practice identified is the process adopted by these investigators prior to any internet research being instigated, which demonstrates a robust attitude to compliance in respect to the use of the tactic. Whilst you have included, following a recommendation, guidance on this tactic within your RIPA Policy I would again direct you to the Scottish Government Codes of Practice which provide some good practical examples, particularly the use of directed surveillance online and open source research, and suggest they be signposted to relevant staff within your RIPA Policy.

An area highlighted as being particularly impressive is the detailed process outlined to staff who may seek authorisation of covert tactics and the necessary steps to follow aligned to the key requirements of necessity, proportionality and collateral intrusion. The three applications reviewed all catered for these considerations very well and were specific to each set of circumstances, particularly where the risk of collateral intrusion was likely to affect those not connected with the investigations. It is clear that your authority will only resort to more intrusive tactics where other tactics have been exhausted or considered unlikely to reach the operational objective.

As commented within the 2016 report, your authority, whilst not a prolific user of covert powers, has a robust and mature attitude to compliance with the legislation and codes of practice, although I would point out that given the pace of change in respect of investigative techniques and tactics available it may be advisable that more regular training and awareness sessions are provided to relevant staff within the council. This will serve to ensure that staff maintain their skillsets and technical knowledge as well as having an awareness of best practice and areas of risk attached to the use of covert powers.

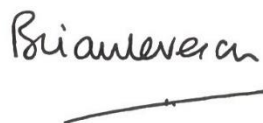
The role of your Senior Responsible Officer (SRO) is central to the above issue and in maintaining a robust oversight regime over the use of covert powers. I take the opportunity here to remind you of the points made by my Inspector in relation to the need for more practical guidance around the use of CHIS, and of the responsibility to ongoing internal oversight of the actual or potential use of covert powers, which should be managed through your SRO.

I am pleased to report that there are areas of good practice, and the way your applications for directed surveillance are drafted, particularly the focus on collateral intrusion, was highlighted as a strong point.

I would like to thank Mr James Millar, Governance Manager, for assisting my Inspector during this inspection. I would highlight that the above observations are designed to assist your organisation and enable your staff to be more efficient in their respective roles whilst applying the legislation to covert investigative techniques.

I hope that you find the outcome of this desktop inspection helpful and constructive, and my Office is available to you should you have any queries following the receipt of this letter, or at any point in the future. Contact details are provided below. It would be helpful to learn of your plans in relation to the repeated recommendation, and that from this recent inspection (in relation to product management and commentary by Authorising Officers, and the inclusion of guidance in relation to CHIS within your Policy document), within two months from receipt of this letter.

Yours sincerely,



The Rt. Hon. Sir Brian Leveson
The Investigatory Powers Commissioner

APPENDIX 2

IPCO INSPECTION REPORT 2019/20 – ACTIONS AND PROGRESS AS AT 18 SEPTEMBER 2020

	Para(s)	Recommendation	Comments/proposed action
1	3 and 4	Implement Recommendation 6 of 2016 report on amending the cancellation form to ensure effective practice when cancelling authorisations, especially stating how material obtained should be managed, and noting how covert activity contributed to the objectives set	Amend the form and the guidance embedded in it and ensure two parts, one for completion by applicant and one by AO. Cancellation form revised as required as part of a complete revised set of RIPSA forms. Will be used in practice after annual report is made and revised Policy is approved in October 2020
2	5 and 9	Add to our policy/procedure more on CHIS to help awareness of what it is, when it might be appropriate or necessary and to avoid “status drift”	Amend policy/procedure to reflect the recommendation whilst retaining the overall “zero tolerance” approach. Revised Policy at PDSP on 18 September and then Council Executive on 6 October 2020
3	6	Our policy/procedure should signpost staff to examples of open-source covert online surveillance and open-source research	Expand existing provisions as recommended, including hyperlink. Revised Policy at PDSP on 18 September and then Council Executive on 6 October 2020
4	8	Consider more regular training and awareness sessions for relevant staff	Proportionate practice judged to be continuation of existing practice of one major session every three years. Consideration to an annual refresher session, inclusion in Bitesize for internal delivery and more visible presence on intranet. If activity increases, consider additional measures

DATA LABEL: PUBLIC



PARTNERSHIP & RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

REGULATION OF INVESTIGATORY POWERS – REVIEW OF POLICY AND PROCEDURE

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To progress the triennial review required of the council's policy on the Regulation of Investigatory Powers (Scotland) Act 2000, taking account of the findings of the statutory inspection carried out in late 2019.

B. RECOMMENDATIONS

To consider the following recommendations that will be reported to Council Executive for approval:-

1. To note that the council's Policy on the Regulation of Investigatory Powers (Scotland) Act 2000, approved on 19 September 2017, is due for review in 2020
2. To review and agree the proposed changes to the Policy shown in the first part of Appendix 1, reflecting in particular the findings of the statutory inspection carried out by the Investigatory Powers Commissioner's Office in late 2019
3. To note the complementary changes made to the supporting but separate internal Procedure, shown in the second part of Appendix 1

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Regulation of Investigatory Powers (Scotland) Act 2000, statutory Codes of Practice; Council Policy and Procedure
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single	N/A

Outcome Agreement

VI Resources - (Financial, Staffing and Property)	None
VII Consideration at PDSP	Ongoing
VIII Other consultations	Governance Manager; Chief Solicitor; relevant council services

D. TERMS OF REPORT

1 Background

- 1.1 The council has duties and responsibilities when undertaking certain types of surveillance in relation to the detection of crime, in relation to public safety and the protection of public health. These are found principally in the Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA). The legislation provides that in certain circumstances a formal authorisation is needed from an appropriate senior council officer before some forms of information-gathering activity can be carried out.
- 1.2 The council approved a revised RIPSA Policy on 17 September 2017, to be reviewed every three years. It is supported by an internal Procedure to provide guidance to council officers who may require authorisation and to those who determine if authorisation should be granted. When the policy was approved it was agreed that a stand-alone annual report would be provided on RIPSA activity and issues relevant to the council's use of RIPSA powers. In previous years that reporting had been carried out through one of the annual compliance statements reported alongside the annual governance statement and Local Code of Corporate Governance.
- 1.3 The RIPSA regime is about controlling the way public bodies use their statutory powers. It is there to balance the public interest in enforcement against private interests and privacy rights. A RIPSA authorisation does not confer additional or wider powers on the council that it does not otherwise possess. It regulates and controls the way in which existing powers are used. It provides protection for members of the public.
- 1.4 An authorisation is required for planned covert surveillance in relation to criminal activity, public health or public safety where it is designed to gather private information without the subject being aware of it. No authorisation is needed for overt surveillance, unplanned or spontaneous surveillance or for one-off instances of information gathering or reconnaissance. A different regime applies where the council is gathering information solely as employer rather than as a public body. If officers act without an authorisation when one should have been granted then evidence gathered may be inadmissible, enforcement action may fail, and the council may suffer reputational damage.
- 1.5 The policy lists the roles and responsibilities of all officers engaged in RIPSA activity. They are reflected in the Scheme of Delegations to Officers. The Senior Responsible Officer (SRO) is the Depute Chief Executive (Corporate, Housing & Operational Services). The Authorising Officers (AO) are the Governance Manager and the Chief Solicitor. Advice is provided when required by Legal Services.

- 1.6 The council's use of and compliance with RIPSAs is overseen by the (UK) Investigatory Powers Commissioner's office (IPCO). That is carried out through annual statistical returns and triennial inspections and reports.

2 Review of the Policy and the Procedure

- 2.1 The policy has been kept up-to-date since 2017 in terms of references to statute and guidance. There have been no relevant significant developments or changes in the legal regime since it was approved that call for any further amendment. It has worked well in practice, in combination with the supporting Procedure which gives detailed advice to officers and sets out the procedures to be followed.
- 2.2 The triennial statutory IPCO inspection was carried out in September and October 2019. The inspection findings were received in early January 2020 in a letter dated 19 December 2019. The inspection and findings are reported separately, as part of the annual report required by the Policy. The SRO and the AOs, and then the Governance & Risk Board, agreed that all the recommendations made should be actioned, and the action taken has been reported as part of the annual report as well. The amendments proposed to the Policy, in the first part of Appendix 1, make the changes felt to be necessary to comply with the IPCO findings. A clean version of the Policy after those amendments is in the first part of Appendix 2.
- 2.3 The Procedure underpins the Policy and contains guidance to all officers engaged in RIPSAs activity. As management guidance it does not require formal approval but it is presented for information since changes have been made there to implement the IPCO findings. The amendments proposed to the Procedure, in the second part of Appendix 1, make the changes felt to be necessary to comply with the IPCO findings. A clean version of the Procedure after those amendments is in the second part of Appendix 2.

3 Summary of the changes

- 3.1 Additions have been made to the provisions on the use of Covert Human Intelligence Sources (CHIS) (Policy, section 5; Procedure, section 3). The issue addressed is known as "status drift" which can happen when information comes repeatedly from the same source and there is an inadvertent move towards directing what and how information should be covertly gathered and provided.
- 3.2 The guidance about online or open source investigative activity has been expanded by the incorporation of examples of good practice from a statutory Code of Practice and by a provision of a hyperlink to that Code (Procedure, section 4).
- 3.3 It is also proposed to require the Procedure to be reviewed every three years, rather than annually as it is now (Policy, section 4). That change will match the three-year cycle of external inspections and policy review and is more proportionate to the council's minimal recourse to the use of RIPSAs covert surveillance authorisations. There were none sought or granted in 2019/20 and only 5 in the period from and including 2014/15.

E. CONCLUSION

The review and updating of the RIPSAs Policy and Procedure will meet the Policy's requirement for review as well as implementing the findings of the statutory inspection carried out in 2019/20.

F. BACKGROUND REFERENCES

Council Executive, 19 September 2017

Partnership & Resources PDSP, 5 October 2018 and 23 August 2019

Office of the Investigatory Powers Commissioner - <https://www.ipco.org.uk/>

Appendices/Attachments: 1. Amended Policy and Procedure, tracked changes
 2. Amended Policy and Procedure, clean copy

Contact Person: James Millar, Governance Manager, 01506 281613,
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Graeme Struthers, Depute Chief Executive (Corporate, Housing and Operational Services)

Date of meeting: 18 September 2020

APPENDIX 1

REVISED POLICY AND PROCEDURE, TRACKED CHANGES



REGULATION OF INVESTIGATORY POWERS POLICY AND PROCEDURE (2017)

UPDATES FOLLOWING 2019 INSPECTION

The policy was approved at Council Executive on 19 September 2017. It is to be formally reviewed every three years. Changes require committee approval other than minor administrative changes or updates. An annual report is to be made to members in relation to RIPS activity. The Procedure does not require committee approval. It represents management guidelines and so can be amended and updated without reference to members.

19 September 2017	Policy approved	Immediate effect
21 September 2017	Procedure and guidance finalised and notified to relevant services	Immediate effect
5 October 2018	Annual report to PDSP. Procedures reviewed by officers. Minor changes to terminology, committee approval not required	Immediate effect
23 August 2019	Annual report to PDSP. Procedures reviewed by officers. Adjustment to reporting requirements. Insertion of guidance on internet and social media use. Committee approval not required	Immediate effect
<u>10 August 2020</u>	<u>CHIS - Amendments to Section 5 of the Policy and Section 3 of the Procedure</u>	<u>To be reported to PDSP on 18 September 2020</u>
<u>10 August 2020</u>	<u>Online activity – Amendments to Section 4.5 of the Procedure</u>	<u>To be reported to PDSP on 18 September 2020</u>
<u>10 August 2020</u>	<u>Review of the Procedure – proposed change from annual review to triennial review, to match review of Policy and triennial IPCO inspections</u>	<u>To be reported to PDSP on 18 September 2020</u>

POLICY

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1 Aims and objectives

- 1.1 In carrying out regulatory or enforcement functions the council may have to gather information through observation without the knowledge of the person involved. Activities like that may involve encroaching on human rights to respect for private life, home and possessions. Doing so can be justified in human rights terms. It must be accordance with law, it must be necessary in the pursuit of a legitimate public aim, and it must be proportionate. To ensure that is the case the council has to follow UK and Scottish legislation (RIPA and RIPA), Codes of Practice and statutory guidance.
- 1.2 To meet those requirements the council must have a policy, procedure and guidance; a clear allocation of responsibilities for compliance and internal monitoring; and public reporting arrangements.
- 1.3 This policy is designed to provide the framework of principles and guidance which the council and its officers must apply when gathering information in certain circumstances using their statutory powers. It provides the basis for procedural rules and guidelines to be followed in the performance of those functions.
- 1.4 Council officers may be able and permitted to carry out this type of activity. Before doing so they must be authorised properly. As well as complying with legal rules, they must abide by this policy and use correct procedures. That will ensure respect for human rights, public accountability and that information gathered can be used lawfully.
- 1.5 The policy aims are:-
 - to ensure the council acts lawfully in gathering information to the protect the public, safeguard public health or detecting crime
 - to protect the legitimate interests of anyone who is being investigated
 - to provide a balance between using investigatory powers to serve the community of West Lothian and safeguarding the public against unjustified and unlawful intrusion into their affairs
 - to provide the framework for procedural rules and controls
 - to make adequate internal monitoring and public reporting arrangements
- 1.6 The terminology used is explained in Section 8.

2 Roles and responsibilities

- 2.1 The council will designate a member of its Corporate Management Team to be the Senior Responsible Officer (SRO) who is responsible for:-
- ensuring the council complies with the law, Codes of Practice and other statutory guidance
 - maintaining and reviewing the policy
 - ensuring officers comply with this policy and related procedures and guidelines
 - establishing and reviewing internal procedures and guidance
 - providing training
 - dealing with the Office of the Surveillance Commissioner (OSC) in relation to oversight and inspection and actions arising
 - notifying the Monitoring Officer of any unauthorised surveillance activity
 - reporting to PDSP and/or committee on activity under the policy
 - completing a certificate of compliance as part of the annual report on the Local Code of Corporate Governance
 - appointing a deputy to act when the SRO is unable to do so
- 2.2 The council will designate at least one officer to be the Authorising Officer (AO) who is responsible for:-
- giving, reviewing, renewing and cancelling authorisations
 - maintaining a register of authorisations
 - notifying the SRO and the Monitoring Officer of any unauthorised surveillance activity
 - assisting and supporting the SRO
 - providing or arranging the provision of training
- 2.3 The Chief Solicitor, personally or through nominated solicitors, is responsible for:-
- providing legal advice to the SRO, the AO and other council officers
 - assisting and supporting the SRO and AO
 - acting as AO when the AO is unable to do so
 - notifying the SRO, the AO and the Monitoring Officer of any unauthorised surveillance activity
- 2.4 The delegation of those powers to officers shall be recorded in the Scheme of Delegations to Officers.
- 2.5 Heads of Service are responsible for:-
- raising awareness of the policy and procedures and ensuring officers undertake adequate training
 - designating and authorising officers to apply for authorisations and carry out and supervise the surveillance as authorised
 - informing the AO of the officers designated to apply for authorisations and carry out and supervise the surveillance as authorised
 - ensuring compliance with the policy and procedures and any authorisations issued
 - notifying the SRO and the AO of any unauthorised surveillance
 - assisting and supporting the SRO
- 2.6 All council officers engaged in surveillance or with responsibilities under this procedure are responsible for:-

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- being familiar with the policy and procedure
- complying with the policy and procedure and authorisations issued
- undertaking appropriate training

2.7 IPCO oversees all public bodies engaged in covert surveillance. Part of their role is to periodically examine and audit records and procedures. All council officers engaged in the process must be prepared to justify their actions when called upon to do so. During periods of inspection, all officers must make themselves available for interview and otherwise cooperate with the visiting representative of IPCO.

3 Scope

3.1 The policy applies to council officers who are engaged in:-

- covert surveillance which is directed surveillance
- the use of a covert human intelligence source (CHIS)

3.2 In certain circumstances, those functions may include:-

- the use of CCTV (for example, where deliberate use of those cameras is part of a planned surveillance operation)
- the use of the internet and social media for the purpose of gathering information (for example, where monitoring of a website or social media page is undertaken systematically and over a period of time to gather information)
- test purchasing (for example, where young people are engaged to attempt to make what would be illegal purchases of alcohol or tobacco)

3.3 The policy does not apply to:-

- overt surveillance
- *ad hoc* surveillance
- unplanned surveillance
- purely internal observation in the council's role as employer where there is no surveillance in public place (for example, disciplinary investigations where ICO guidelines will apply)

3.4 The policy does not permit intrusive surveillance. Council officers must not engage in that activity.

4 Procedures

4.1 The SRO will put in place appropriate procedures and guidance to ensure that officers act lawfully and in accordance with the policy. Those procedures will be reviewed at least annually, once every three years.

4.2 The procedure and guidance shall be designed to ensure that officers consider and satisfy the AO that:-

- the authorisation is legally possible (the council cannot authorise intrusive surveillance)
- the authorisation is legally required - not all observation activity will come within

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- the definition of surveillance requiring an authorisation (for example, overt surveillance)
- the type of information to be gathered has been identified (for example, the involvement of private information and/or confidential information)
- there is a lawful purpose ("core functions") (that is, preventing or detecting crime or disorder; public safety; or protecting public health)
- the surveillance is necessary (it is a reasonable way to gather the information, with alternatives having been considered)
- the risk of collateral intrusion has been assessed and mitigating measures put in place
- the proposed surveillance will be effective
- the activity has been planned to avoid damage to property and harassment or intimidation of individuals
- the surveillance activities proposed are proportionate to the conduct being investigated
- competent officers are identified and available to carry out and supervise the surveillance

4.3 The procedures shall ensure that:-

- applications, authorisations and related documents and records are normally in writing
- the circumstances in which oral applications and authorisations can be used are clearly defined
- the ability to use social media and other online activity for gathering information is clearly explained
- forms are in place to ensure that the legal requirements and all relevant factual information is considered throughout the process
- authorisations are reviewed, renewed or terminated as required by the circumstances of the case
- a register is kept in compliance with legal requirements
- records are retained and destroyed in accordance with the council's Records Management Policy and Retentions Schedules

5 Covert Human Intelligence Source (CHIS)

5.1 The use of a covert human intelligence source will be authorised only in exceptional circumstances. The council will avoid the use of a CHIS except in such exceptional circumstances.

5.2 Additional safeguards will be required in considering a request for CHIS authorisation. The procedures shall in particular ensure:-

- ~~to ensure~~ that any risk of activity falling into that category is identified and avoided
- ~~to ensure~~ that authority is only sought with the express approval of the relevant Head of Service
- ~~to ensure~~ that authorisation is not given until full discussion has taken place amongst the SRO, the AO, the Head of Service and the officer requesting the authorisation

5.3 The procedures shall also address the risk of "status drift", whereby a series of actions taken involving the same individual in providing information in an investigation leads to the use of a CHIS without conscious decision or awareness, and so without an

application and authorisation so to do.

6 Complaints

- 6.1 Any person aggrieved by the granting of an authorisation or by surveillance activity may lodge a complaint to the council under its Corporate Complaints Procedure.
- 6.2 Any person aggrieved by the conduct of any covert surveillance also has a right to complain to the Investigatory Powers Tribunal. This independent tribunal has full powers to investigate and decide cases within the United Kingdom, including complaints about activities carried out under Scottish legislation.

7 Review and reporting

- 7.1 This policy shall be reviewed at least once every three years. The outcome of the review shall be reported to PDSP. In the event that any changes are required, those changes shall be reported to Council Executive for approval.
- 7.2 Minor changes required for administrative reasons may be made by the SRO (for example, to reflect changes in the council's management structure and responsibilities, or changes in terminology).
- 7.3 The procedures and guidance shall be reviewed ~~annually~~ every three years by the SRO.
- 7.4 Annual reports will be made by the SRO to PDSP on all activity under the policy and in relation to inspection reports. Should RIPSA activity increase significantly then more frequent reports will be made. Breaches of the law or procedure or complaints or litigation may require *ad hoc* reports.
- 7.5 If requested, the SRO shall provide a compliance statement to the Monitoring Officer as part of the annual report on the Local Code of Corporate Governance, detailing the extent of surveillance activity during the year and identifying any areas of weakness or concern and non-compliance.

8 Terminology

- | | | |
|---|--------------------------------|--|
| 1 | <i>Ad hoc</i> surveillance | A one-off instance of information-gathering through undirected means with no systematic observation planned or carried out (for example, an initial check on a website or social media page) |
| 2 | Codes of Practice ¹ | Statutory Codes of Practice and Guidance issued by the UK Government, the Scottish Government or IPCO |
| 3 | Collateral intrusion | Through the authorised surveillance activity, obtaining information about other persons who are not the subject of the surveillance |

¹ RIPSA, sections 24 - 26

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- | | | |
|---|--|--|
| 4 | Core functions | The specific grounds set out in statute or Codes of Practice for which an authorisation may be required. "Non-core functions" is construed accordingly |
| 5 | Council Executive | The council's main decision-making forum for non-education business established under the council's Standing Orders for the Regulation of Meetings and Scheme of Administration |
| 6 | Covert Human Intelligence Source (CHIS) ² | <p>A person:-</p> <p>(a) establishes or maintains a personal or other relationship with another person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c) below;</p> <p>(b) covertly uses such a relationship to obtain information or to provide access to any information to another person; or</p> <p>(c) covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship</p> |
| 7 | Covert surveillance ³ | <p>Surveillance that:-</p> <p>(a) if, and only if, is carried out in manner that is calculated to ensure that persons who are subject to the surveillance are unaware that it is or may be taking place;</p> <p>(b) is for a covert purpose, that is, in relation to the establishment or maintenance of a personal or other relationship, if and only if the relationship is conducted in manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose; and</p> <p>(c) if and only if leads to information used or, as the case may be, disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question</p> |
| 8 | Directed surveillance ⁴ | <p>Covert surveillance which is not intrusive and is undertaken:-</p> <p>(a) for the purposes of a specific investigation or a specific operation;</p> <p>(b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for</p> |

² RIPSA, section 1(7) and section 31(5)

³ RIPSA, section 1(8)

⁴ RIPSA, section 1(2)

	the purposes of the investigation or operation); and
	(c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Act to be sought for the carrying out of the surveillance
9 Information Governance Policy	The council's umbrella policy covering the acquisition, use, sharing, disclosure and retention of all information used by the council in pursuit of its public or private powers and duties (Council Executive, 25 June 2019)
10 Intrusive surveillance ⁵	Covert surveillance that:- (a) is carried out in relation to anything taking place on any residential premises or in any private vehicle; and (b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device
11 Investigatory Powers Tribunal	PO Box 33220, London, SW1H 9ZQ Tel: 0207 035 3711 Email: info@ipt-uk.com
12 IPCO	The UK RIPSA and RIPA regulatory body, the Investigatory Powers Commissioner's Office, PO Box 29105, London, SW1V 1ZY
13 Lawful surveillance	Surveillance if:- (a) an authorisation under this Act confers an entitlement to engage in that conduct on the person whose conduct it is; and (b) that person's conduct is in accordance with the authorisation
14 Non-core functions	See core functions
15 Officers	Council employees or others authorised by the council to carry out functions or provide services on its behalf and under the direction of the Chief Executive
16 Overt surveillance	Gathering information in an open, transparent and unhidden way (for example, observations from a clearly marked vehicle in a public place)
17 PDSP	The Partnership & Resources Policy Development & Scrutiny Panel established under the council's

⁵ RIPSA, section 1(3), and subject to conditions and exclusions in section 1(4) and (5)

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		Standing Orders for the Regulation of Meetings and Scheme of Administration
18	Private information ⁶	In relation to a person, it includes any information relating to the person's private or family life.
19	RIPA	Regulation of Investigatory Powers Act 2000
20	RIPSA	Regulation of Investigatory Powers (Scotland) Act 2000
21	Scheme of Delegations	The council's record of the powers and responsibilities delegated to and exercisable by officers
22	Surveillance ⁷	Surveillance includes:- (a) monitoring, observing or listening to persons, their movements, their conversations or their other activities or communications; (b) recording anything monitored, observed or listened to in the course of surveillance; and (c) surveillance by or with the assistance of a surveillance device
23	Unplanned surveillance	The observation of events as an immediate response to events without planning or forward thinking (for example, coming across information by chance in a public place)

9 CONTACTS

- 1 The Senior Responsible Officer is Graeme Struthers, Depute Chief Executive, 01506 281776, graeme.struthers@westlothian.gov.uk. He has an oversight role and is not involved in the authorisation procedure.
- 2 The Authorising Officers are:-
 - James Millar, Governance Manager, 01506 281613, 078670466449, james.millar@westlothian.gov.uk
 - Carol Johnston, Chief Solicitor, 01506 281605, 07970 478897, carol.johnston@westlothian.gov.uk (or her nominated deputy)

⁶ RIPSA, section 1(9)

⁷ RIPSA, section 31(2) and subject to the exclusions in section 31(3)

PROCEDURE AND GUIDANCE

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A INTRODUCTION

1 Background

- 1.1 On 19 September 2017 the council approved its Policy on using the regulation of investigatory powers legislation (RIPSA). The Policy is the council's framework of RIPSA principles and guidance and sits above this Procedure. The Procedure must be followed in all RIPSA cases. It is intended as a practical guide to making a RIPSA application in the case of directed surveillance. It does not apply to CHIS or to intrusive surveillance. Additional safeguards are required for a CHIS authorisation and the council policy is to avoid its use and only to authorise it in exceptional circumstances.
- 1.2 Directed surveillance can only take place under a RIPSA authorisation. That can only be given by a designated Authorising Officer (AO). The AO is your first point of contact in relation to any proposed application. They will provide advice and guidance in relation to the proposed surveillance and consider your draft application prior to determining whether surveillance should be authorised. The AO contact details are at the end of the Procedure.
- 1.3 Surveillance is an extremely powerful tool. It must be treated and used with respect, only in accordance with the legislation, and in circumstances which merit such significant measures.
- 1.4 Granting or refusing an application for authorisation is at the sole discretion of the AO. An application will only be granted where it meets the necessary statutory criteria. Surveillance should always be the last resort and will only be permitted where there are no other means by which to secure evidence, or where all other means by which to obtain evidence have been exhausted without success or else considered but discounted for good reason.

2 Non-RIPSA activity

- 2.1 The AO may take the view that the planned action is not for one of the three lawful purposes, and that may result in them refusing the application. The AO may also take the view that what is being planned is not directed surveillance, or is not covert surveillance, and so might refuse the application. However, activity that is not covered by the RIPSA legislation may still be lawfully carried out and the planned activity may in some cases still take place. An example is test-purchasing in relation to under-age sale of tobacco or alcohol.

3 RIPSA activity not covered by this Procedure

- 3.1 The council is not authorised to use intrusive surveillance under any circumstances.
- 3.2 It would be exceptional for the Council to use Covert Human Intelligence Sources (CHIS). CHIS is the subject of particular provisions within the legislation. If you are considering the need for CHIS then you should consult an AO who will be able to discuss matters with you in detail. The use of covert human intelligence sources will only be authorised in exceptional circumstances and with additional safeguards in place. Authorisation for CHIS may only be requested with the express approval of your Head of Service. CHIS authorisation will not be given until full discussion has taken place amongst the SRO, the AO, the Head of Service and the officer seeking authorisation.

3.3 In relation to a CHIS, "status drift" may occur when a series of interactions with the same individual result in a move from the simple acquisition and provision of information on a voluntary and undirected basis to a planned and directed course of actions whereby the individual is subject to council control and direction. You should be alert to that danger when engaging more than once or twice with the same individual about the same subject as part of the same investigation. If a pattern of recurring and repeated interaction emerges then take advice from the AO.

4 Internet and social media

4.1 Intelligence and information is readily available on the internet and social media. It may include information of significant value in pursuing statutory powers. Recording and using personal data from those sites may engage the Data Protection Act 2018. Viewing websites and social media sites is likely to interfere with individuals' rights to the enjoyment of their private life and expectations of privacy. In the same way, an individual may have a reduced expectation of privacy when in a public place but still covert surveillance may result in the acquisition of private information relating to the individual concerned or collateral intrusion.

4.2 Despite the sites being publicly available and freely accessible, and regardless of security/access settings applied to the site, visiting those sites may also require a RIPSAs authorisation depending on the activity undertaken. Such sites, even when they are on the face of it designed for commercial purposes, may contain private information relating to the owner or operator of the site and their family or associates.

4.3 Use of the internet for information gathering prior to an investigation should not engage privacy considerations or require an authorisation. That is not necessarily restricted to just one instance of information gathering, or two, or any set number. The test is whether it falls within the definition of covert directed surveillance for one of the three statutory purposes for RIPSAs ("the core functions").

4.4 The use of some sites by individuals may carry a greater or lesser expectation of privacy, depending on the information available and the generally understood purpose of the site and its use. Care is required where even an apparent commercial site might nevertheless carry or enable access to personal or private information unrelated to the commercial purposes.

4.5 The Scottish Government Code of Practice (2017)⁸ describes circumstances in which online activity may lead to the requirement for an authorisation. Those include:-

- Your intention to engage with others online without disclosing your identity
- The likelihood of the subject of the surveillance being aware of it taking place
- Accessing social media sites used for either or both of personal or business reasons as opposed to accessing publicly available online databases
- The systematic collection and storing of information about an individual or group as opposed to an initial information-gathering reconnaissance

4.6 The Code also lists factors to consider in determining if online activity requires an authorisation, including:-

- The likelihood of obtaining private information about a person or group of

⁸ <https://www.gov.scot/publications/covert-surveillance-property-interference-code-practice/>

people

- Visiting internet sites to build up an intelligence picture or profile
- Recording and storing the information obtained
- The likelihood of providing an observer with a pattern of lifestyle
- Combining the information acquired with other sources of information or intelligence, which amounts to information relating to a person's private life
- The activity is part of an ongoing piece of work involving repeated viewing of the subject(s)
- The involvement of identifying and recording information about third parties, or information posted by third parties, which may include private information and therefore constitute collateral intrusion

4.57 Accessing sites overtly will not require a RIPSA authorisation. Use which clearly discloses the access is by the council or on the council's behalf, or where notice is given that monitoring will take place, is not covert activity, regardless of whether it amounts to surveillance. Use of an anonymised or fake or false identities or profiles will mean an authorisation is required if the definition of directed surveillance for core functions is met.

4.68 Use of the internet for non-core functions does not require an authorisation but the council's Information Governance Policy and its related Procedures will govern that use.

4.79 The Information Governance Policy governs the setting up or registering of websites or social media accounts or profiles. Establishing and using fake, false or anonymised accounts may only be done with the agreement of the SAO. That will be given subject to conditions on the officers who may use them, how they may be sued and the records to be kept of their use.

5 Using the procedure and guidance

5.1 The Procedure is in six parts:-

- A. Introduction - this section setting the RIPSA scene
- B. Process - the mechanics of making the application and what happens afterwards
- C. Guidance - help in addressing all the relevant information required by the application form
- D. Checklist - an *aide memoire* to help last-minute checks, revisions and amendments to the application and review forms
- E. Terminology - definitions and explanations of words and phrases used in RIPSA cases
- F. Contacts - information about the Senior Responsible Officer and the Authorising Officers

B PROCESS

1 Introduction

- 1.1 The Policy sets out the roles and responsibilities held by everyone involved in using RIPSAs. You have responsibilities too. Make sure you understand what they are before taking or planning any action or application.
- 1.2 Everything done by anyone in relation to RIPSAs must be done in accordance with legislation, Codes of Practice, the council's Policy and this Procedure, and having regard to Codes of Practice.

2 Before starting

- 2.1 You must be familiar with and understand the Policy and the Procedure.
- 2.2 You must have undertaken appropriate training.
- 2.3 You must have a general authorisation from your Head of Service to take on responsibilities under the Policy and Procedure.
- 2.4 You must have agreement from your Head of Service to proceed with the application.
- 2.5 You must let the AO know that an application is being prepared and when the surveillance is intended to start. The AO will need time to make a decision and will have other work to take into account.
- 2.6 You should discuss the case informally with the AO to make sure the application is covered by the legislation and is one that can be granted

3 The application

- 3.1 In almost all cases, an application can be prepared and submitted well in advance of the surveillance starting. In exceptional cases there may not be time to complete and submit an application before the surveillance has to begin. These situations are extremely rare. The procedure for those is explained below.
- 3.2 For normal, non-urgent cases, ask the AO for a Unique Reference Number (URN). The URN will be used in all correspondence and in the Register kept by the AO.
- 3.3 Familiarise yourself with the application form and what is required.
- 3.4 Use the Guidance later in this Procedure to help you fill out the form.
- 3.5 Draft the application carefully and revise it before submitting it. You may attach other documents where appropriate, for example, a map or plan showing proposed surveillance points. Mark them with the URN and the date.
- 3.6 The form is detailed and appears repetitive. However, each section has a specific function. It is necessary to provide detailed information appropriate to that section, regardless of whether it also appears elsewhere in the form.
- 3.7 If you have time, ask a colleague or your line manager to review the application.
- 3.8 Consult the checklist in the Guidance to make sure you have included everything that you should have.

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- 3.9 Follow any instructions given by your line manager - for example, having it signed off by someone else before it goes. The AO will assume that those internal processes have been followed properly.
- 3.10 Make sure to submit the application in enough time for a decision to be made before the expected start of the surveillance.
- 3.11 The content of the application is your responsibility. Whilst assistance may be provided, you hold all of the information regarding the circumstances which will support your request for authorisation. Your application will contain all information supporting your request for authorisation. You must provide enough information to satisfy the AO that all the relevant factors have been thought through and are explained. The AO will not make assumptions about what you may have meant to say in your application. You should be prepared to discuss the proposed surveillance in detail with the AO.
- 3.12 Sign the application, date it, scan it and send it to the AO by email.

4 Emergency applications

- 4.1 In exceptional cases there may not be time to complete and submit an application before the surveillance has to begin. These situations are extremely rare.
- 4.2 In an urgent case, a verbal application may be made to the AO and may be granted for up to 72 hours. The urgency should relate to the subject of surveillance and not, for example, to delays in making the application.
- 4.3 If you consider that you require an emergency authorisation you should immediately contact the AO. The AO will assign a URN and enter the application in the Register. You should keep a note of what surveillance activity is being authorised.
- 4.4 You must follow up the verbal authorisation with a written application following the procedure set out above.
- 4.5 If you do not submit a written application on time the verbal authorisation will run out and be cancelled. The AO will confirm the position.
- 4.6 You will be instructed to immediately cease surveillance activity and remove any surveillance equipment.

5 Decision-making

- 5.1 The AO may seek more information from you before making a decision. That will usually mean amending the application to ensure that all the necessary information is included.
- 5.2 The AO may refuse the application. The reasons for refusing it will be explained.
- 5.3 The AO may grant the authorisation. They will sign it and date it, retain it and send you a copy.
- 5.4 You cannot begin your surveillance operation until you have confirmation that your application has been granted. You do not need to have the signed authorisation in your hand to begin the surveillance. However, you must have been told that it has been granted.
- 5.5 The AO will mark the Register to show the decision made and the date.

6 Authorisation

- 6.1 You must retain a copy of the authorisation provided to you by the AO.
- 6.2 The authorisation is valid for 3 months but it will be subject to a review before that and may also be cancelled before the end of that period.
- 6.3 The date for review will depend on the circumstances. The review date may have been discussed and agreed with the AO as part of the application process. If not, the AO will determine an appropriate review date.
- 6.4 You must comply with the authorisation and do all that you can to ensure that others do so as well. That includes keeping written records of surveillance activity carried out (when, where, by who) and information gathered.
- 6.5 You must follow any internal arrangements put in place by your line manager or Head of Service, such as providing periodic progress reports.
- 6.6 You cannot begin your surveillance operation until you have confirmation that your application has been granted. You do not need to have the signed authorisation in your hand to begin the surveillance. However, you must have been told by the AO that it has been granted. In most cases you will receive confirmation by phone and/or email. This will be followed by a copy of the authorised application.

7 Making changes

- 7.1 After starting the surveillance it may be that something has to be changed. For example, it may be that a different officer will have to carry out the surveillance activity; the location from which the surveillance is being carried out might have to be changed; it might be necessary to use some equipment that was not covered by the authorisation. You must contact the AO to explain the necessary change and to justify it.
- 7.2 If the AO decides that the change is significant then the authorisation will be cancelled and a fresh application submitted and authorised.
- 7.3 If the AO decides that the change is not significant then a change may be made to the existing authorisation and recorded by you and the AO as an addition to that authorisation.
- 7.4 Approval by the AO is needed before you proceed under any new arrangements.

8 Review and renewal

- 8.1 The review process is to reconsider the authorisation, whether it is still appropriate for it to be in place and for surveillance to continue. A renewal can only be given before the authorisation ends.
- 8.2 Before the review date you must consider and assess any evidence gathered as a result of the surveillance.
- 8.3 At least four days before the review date you must submit a review form to the AO. It must explain the evidence gathered, state whether the surveillance requires to continue and why. It is your responsibility to do so.
- 8.4 If you fail to submit the review form your authorisation will be cancelled. You will be instructed to immediately cease surveillance activity and remove any surveillance

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equipment.

- 8.5 Reviews will not be back dated or considered retrospectively.
- 8.6 The AO may seek more information from you before making a decision. That will usually mean amending the review form to ensure that all the necessary information is included.
- 8.7 If the AO decides the surveillance is to continue, you will be given a further review date and the process will be repeated.
- 8.8 If the AO decides that the surveillance is no longer necessary or justified your authorisation will be cancelled.

9 Cancellation

- 9.1 An authorisation will be cancelled where a written application does not follow a verbal authorisation on time; where a review form is not submitted on time; where you decide that the surveillance should end; or where the AO decides that the surveillance should end.
- 9.2 If you decide that the surveillance should be terminated than you must submit a cancellation form. You must do so as soon as it is apparent that surveillance is no longer needed.
- 9.3 The surveillance operation may be terminated at any time. It is not dependent upon reaching a review date or the expiry of the 3 month period for which the authorisation was granted.
- 9.4 You must always submit a cancellation form to the AO at the conclusion of the surveillance operation. It forms an essential part of the record keeping requirements. There are NO circumstances in which it would be unnecessary.

C GUIDANCE

1 Can an authorisation be given at all?

- 1.1 If the proposed surveillance is “intrusive surveillance” then no activity can be authorised. Council officers must not engage in intrusive surveillance.
- 1.2 Intrusive surveillance is covert surveillance that:-
 - is carried out in relation to anything taking place on any residential premises or in any private vehicle, and
 - involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device

2 Is an authorisation actually required?

- 2.1 No authorisation is needed for:-
 - Overt surveillance – gathering information in an open, transparent and unhidden way (for example, observations from a clearly marked vehicle in a public place)

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- *Ad hoc* surveillance – a one-off instance of information-gathering through undirected means with no systematic observation planned or carried out (for example, an initial check on a website or social media page)
 - Unplanned surveillance – the observation of events as an immediate response to events without planning or forward thinking (for example, coming across information by chance in a public place)
 - Surveillance purely internal to the council in its role as employer rather than as a public body (for example, most disciplinary investigations, where information is gathered on council premises or property, although carrying out surveillance of an employee in a public place may mean that authorisation is needed)
- 2.2 However, authorisation may be need for some activity which does not at first seem to be covert surveillance.
- 2.3 Authorisation may be required for web-based activities, such as internet searching or accessing social media. This applies even though the subject of the surveillance chooses to make information available in those ways. Generally, a first check and a second follow-up check may be permitted without authorisation. That is more likely to be so if no data is recorded or retained. More frequent or sustained or regular checks or the systematic recording of information will usually mean an authorisation is needed.
- 2.4 Heads of Service are responsible for putting appropriate procedures in place to ensure that use of the internet and social media which requires an authorisation does not take place. Those will be steps in internal service procedures, usually embedded in case management systems or other software.
- 2.5 CCTV footage gathered through general and publicly signposted use will not require an authorisation. However, if it is planned to gather and use it as part of a programme of directed surveillance then it should be covered by an authorisation

3 Is there a lawful purpose?

- 3.1 The surveillance must be carried out for a defined lawful purpose, and there are only three:-
- preventing or detecting crime or the prevention of disorder
 - in the interests of public safety
 - protecting public health

3.2 Ministers have the power to add to this list. They have not done so.

3.3 You must identify and explain at least one of these three purposes. It must be related to something the council can do lawfully under the legislation applying to the service.

4 Is the surveillance necessary?

- 4.1 Directed surveillance should be the last resort for gathering information. You must deal with these three issues in the application to show that there are no viable and realistic options available:-
- Is there a reasonable and effective alternative way of achieving the desired objectives in the specific circumstances of the particular case?

- If other methods are available by which the same evidence may be recovered then those alternatives should be applied and exhausted before seeking authorisation.
- If other methods are available by which alternative evidence of similar value may be recovered then those alternatives should be applied and exhausted before seeking authorisation.

5 Is the proposed surveillance proportionate?

5.1 Directed surveillance is a potential infringement of human rights. Part of the legal justification for that is that the infringement is proportionate to the conduct being investigated and the potential harm being prevented.

5.2 These are the points to cover in the application form to meet the “proportionality” arguments:-

- Provide relevant and sufficient reasons in support of the application to show later that a fair decision making process was followed and safeguards against abuse were made clear
- Explain the harm being addressed and why the surveillance planned is proportionate in relation to it
- Show that the degree of intrusion upon the target is not excessive
- Satisfy the AO either that collateral intrusion is avoided, or if it cannot be avoided that it has been identified and addressed. That is done through mitigating, minimising, and safeguarding and controlling access to collateral information gathered. There should be controls to identify, separate and securely destroy data gathered in relation to people other than the subject of the surveillance
- Demonstrate that all other reasonable options for gathering the evidence have been considered and rejected for good reason

6 Will the planned surveillance be effective?

6.1 This is a more practical point. Part of justifying the surveillance is showing that it is likely to be effective in gathering evidence that will help the council deal with the misconduct or harm being investigated.

6.2 You should cover these points:-

- What are the prospects of successful recovery of information required in the pursuit of the investigation?
- Are there trained and experienced officers available to carry out the surveillance and supervise it adequately?
- Are the resources available that are required to properly carry out the surveillance and ensure compliance with the authorisation to be given?

7 What information is going to be acquired?

7.1 Consideration must be given to the type of information which may be gathered, in

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particular if it will be private information or confidential information. Surveillance should be planned in such a way as to avoid such material being obtained.

- 7.2 If it is possible that such information will be gathered then the application should explain how it will be identified, how access to it will be controlled and how it will be destroyed once it is no longer necessary.

8 What do you want to do?

- 8.1 You must explain what surveillance actions you wish to undertake.
- 8.2 If technical equipment is to be used then you must say what it is, how it works, and how it will be used to acquire and record information.
- 8.3 You must identify where the surveillance will be carried out and describe the location to help show if there may be collateral intrusion or confidential information gathered. Using maps, plans and photographs may be sensible.
- 8.4 You must say who will be carrying out the surveillance activity and describe their post/position, qualifications, training and experience.

9 Things the surveillance should be planned to avoid

- 9.1 These are things that should be considered when planning the surveillance. You should show that you have thought about them, and that the planned surveillance either avoids them entirely, or minimises them if they are not avoidable.
- 9.2 The proposed surveillance activities must be planned to avoid damage to property and harassment or intimidation of individuals
- 9.3 The risk of collateral intrusion must be considered. This is obtaining information about other persons who are not the subject of the surveillance. Reasonable steps should be taken to avoid or at least minimise that possibility. Where that is likely to happen, steps must be taken to protect that information and ensure it is not retained unless that cannot be avoided.
- 9.4 A risk assessment should be carried out of the risk of harm to the officers carrying out the surveillance. It should be planned in a way to avoid or at the very least minimise and mitigate those risks.

D CHECKLIST

- 1 Have you identified and explained a lawful purpose for the activity?
- 2 Have you fully explained the conduct to be authorised?
- 3 Are the grounds for necessity correct?
- 4 Have you detailed why the activity is necessary?
- 5 Have you detailed why the activity is proportionate?
- 6 Have you explained what it is desired to achieve from the activity?
- 7 Have you detailed potential collateral intrusion, and why it is unavoidable?

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- 8 Does the application provide evidence of efforts to reduce collateral intrusion if possible?
- 9 Is it likely confidential information will be obtained and is it unavoidable?
- 10 Does the application provide evidence of efforts to deal with confidential information?
- 11 Have you been able to verify and understand fully the reliability of the information provided to support the application?
- 12 If technical equipment is being used, do you understand and have you explained its capability enough to estimate what it will capture, and therefore how intrusive it might be?
- 13 Have you checked to ensure the activity will not interfere with other operations being conducted?
- 14 Have you covered who, what, why, where, when, and how?

E TERMINOLOGY

See section 8 of the Policy (Page 5)

F CONTACTS

- 1 The Senior Responsible Officer is Graeme Struthers, Depute Chief Executive, 01506 281776, graeme.struthers@westlothian.gov.uk. He has an oversight role and is not involved in the authorisation procedure.
- 2 The Authorising Officers are:-
 - James Millar, Governance Manager, 01506 281613, 078670466449, james.millar@westlothian.gov.uk
 - Carol Johnston, Chief Solicitor, 01506 281605, 07970 478897, carol.johnston@westlothian.gov.uk
- 3 Advice can be requested from the Authorising Officers. Ask in plenty of time!

APPENDIX 2

REVISED POLICY AND PROCEDURE, CLEAN COPY



REGULATION OF INVESTIGATORY POWERS POLICY AND PROCEDURE (2017)

UPDATES FOLLOWING 2019 INSPECTION

The policy was approved at Council Executive on 19 September 2017. It is to be formally reviewed every three years. Changes require committee approval other than minor administrative changes or updates. An annual report is to be made to members in relation to RIPSAs activity. The Procedure does not require committee approval. It represents management guidelines and so can be amended and updated without reference to members.

19 September 2017	Policy approved	Immediate effect
21 September 2017	Procedure and guidance finalised and notified to relevant services	Immediate effect
5 October 2018	Annual report to PDSP. Procedures reviewed by officers. Minor changes to terminology, committee approval not required	Immediate effect
23 August 2019	Annual report to PDSP. Procedures reviewed by officers. Adjustment to reporting requirements. Insertion of guidance on internet and social media use. Committee approval not required	Immediate effect
10 August 2020	CHIS - Amendments to Section 5 of the Policy and Section 3 of the Procedure	To be reported to PDSP on 18 September 2020
10 August 2020	Online activity – Amendments to Section 4.5 of the Procedure	To be reported to PDSP on 18 September 2020
10 August 2020	Review of the Procedure – proposed change from annual review to triennial review, to match review of Policy and triennial IPCO inspections	To be reported to PDSP on 18 September 2020

POLICY

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1 Aims and objectives

- 1.1 In carrying out regulatory or enforcement functions the council may have to gather information through observation without the knowledge of the person involved. Activities like that may involve encroaching on human rights to respect for private life, home and possessions. Doing so can be justified in human rights terms. It must be accordance with law, it must be necessary in the pursuit of a legitimate public aim, and it must be proportionate. To ensure that is the case the council has to follow UK and Scottish legislation (RIPA and RIPA), Codes of Practice and statutory guidance.
- 1.2 To meet those requirements the council must have a policy, procedure and guidance; a clear allocation of responsibilities for compliance and internal monitoring; and public reporting arrangements.
- 1.3 This policy is designed to provide the framework of principles and guidance which the council and its officers must apply when gathering information in certain circumstances using their statutory powers. It provides the basis for procedural rules and guidelines to be followed in the performance of those functions.
- 1.4 Council officers may be able and permitted to carry out this type of activity. Before doing so they must be authorised properly. As well as complying with legal rules, they must abide by this policy and use correct procedures. That will ensure respect for human rights, public accountability and that information gathered can be used lawfully.
- 1.5 The policy aims are:-
 - to ensure the council acts lawfully in gathering information to the protect the public, safeguard public health or detecting crime
 - to protect the legitimate interests of anyone who is being investigated
 - to provide a balance between using investigatory powers to serve the community of West Lothian and safeguarding the public against unjustified and unlawful intrusion into their affairs
 - to provide the framework for procedural rules and controls
 - to make adequate internal monitoring and public reporting arrangements
- 1.6 The terminology used is explained in Section 8.

2 Roles and responsibilities

- 2.1 The council will designate a member of its Corporate Management Team to be the Senior Responsible Officer (SRO) who is responsible for:-
- ensuring the council complies with the law, Codes of Practice and other statutory guidance
 - maintaining and reviewing the policy
 - ensuring officers comply with this policy and related procedures and guidelines
 - establishing and reviewing internal procedures and guidance
 - providing training
 - dealing with the Office of the Surveillance Commissioner (OSC) in relation to oversight and inspection and actions arising
 - notifying the Monitoring Officer of any unauthorised surveillance activity
 - reporting to PDSP and/or committee on activity under the policy
 - completing a certificate of compliance as part of the annual report on the Local Code of Corporate Governance
 - appointing a deputy to act when the SRO is unable to do so
- 2.2 The council will designate at least one officer to be the Authorising Officer (AO) who is responsible for:-
- giving, reviewing, renewing and cancelling authorisations
 - maintaining a register of authorisations
 - notifying the SRO and the Monitoring Officer of any unauthorised surveillance activity
 - assisting and supporting the SRO
 - providing or arranging the provision of training
- 2.3 The Chief Solicitor, personally or through nominated solicitors, is responsible for:-
- providing legal advice to the SRO, the AO and other council officers
 - assisting and supporting the SRO and AO
 - acting as AO when the AO is unable to do so
 - notifying the SRO, the AO and the Monitoring Officer of any unauthorised surveillance activity
- 2.4 The delegation of those powers to officers shall be recorded in the Scheme of Delegations to Officers.
- 2.5 Heads of Service are responsible for:-
- raising awareness of the policy and procedures and ensuring officers undertake adequate training
 - designating and authorising officers to apply for authorisations and carry out and supervise the surveillance as authorised
 - informing the AO of the officers designated to apply for authorisations and carry out and supervise the surveillance as authorised
 - ensuring compliance with the policy and procedures and any authorisations issued
 - notifying the SRO and the AO of any unauthorised surveillance
 - assisting and supporting the SRO
- 2.6 All council officers engaged in surveillance or with responsibilities under this procedure are responsible for:-

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- being familiar with the policy and procedure
- complying with the policy and procedure and authorisations issued
- undertaking appropriate training

2.7 IPCO oversees all public bodies engaged in covert surveillance. Part of their role is to periodically examine and audit records and procedures. All council officers engaged in the process must be prepared to justify their actions when called upon to do so. During periods of inspection, all officers must make themselves available for interview and otherwise cooperate with the visiting representative of IPCO.

3 Scope

3.1 The policy applies to council officers who are engaged in:-

- covert surveillance which is directed surveillance
- the use of a covert human intelligence source (CHIS)

3.2 In certain circumstances, those functions may include:-

- the use of CCTV (for example, where deliberate use of those cameras is part of a planned surveillance operation)
- the use of the internet and social media for the purpose of gathering information (for example, where monitoring of a website or social media page is undertaken systematically and over a period of time to gather information)
- test purchasing (for example, where young people are engaged to attempt to make what would be illegal purchases of alcohol or tobacco)

3.3 The policy does not apply to:-

- overt surveillance
- *ad hoc* surveillance
- unplanned surveillance
- purely internal observation in the council's role as employer where there is no surveillance in public place (for example, disciplinary investigations where ICO guidelines will apply)

3.4 The policy does not permit intrusive surveillance. Council officers must not engage in that activity.

4 Procedures

4.1 The SRO will put in place appropriate procedures and guidance to ensure that officers act lawfully and in accordance with the policy. Those procedures will be reviewed at least once every three years.

4.2 The procedure and guidance shall be designed to ensure that officers consider and satisfy the AO that:-

- the authorisation is legally possible (the council cannot authorise intrusive surveillance)
- the authorisation is legally required - not all observation activity will come within

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- the definition of surveillance requiring an authorisation (for example, overt surveillance)
- the type of information to be gathered has been identified (for example, the involvement of private information and/or confidential information)
- there is a lawful purpose (“core functions”) (that is, preventing or detecting crime or disorder; public safety; or protecting public health)
- the surveillance is necessary (it is a reasonable way to gather the information, with alternatives having been considered)
- the risk of collateral intrusion has been assessed and mitigating measures put in place
- the proposed surveillance will be effective
- the activity has been planned to avoid damage to property and harassment or intimidation of individuals
- the surveillance activities proposed are proportionate to the conduct being investigated
- competent officers are identified and available to carry out and supervise the surveillance

4.3 The procedures shall ensure that:-

- applications, authorisations and related documents and records are normally in writing
- the circumstances in which oral applications and authorisations can be used are clearly defined
- the ability to use social media and other online activity for gathering information is clearly explained
- forms are in place to ensure that the legal requirements and all relevant factual information is considered throughout the process
- authorisations are reviewed, renewed or terminated as required by the circumstances of the case
- a register is kept in compliance with legal requirements
- records are retained and destroyed in accordance with the council’s Records Management Policy and Retentions Schedules

5 Covert Human Intelligence Source (CHIS)

5.1 The use of a covert human intelligence source will be authorised only in exceptional circumstances. The council will avoid the use of a CHIS except in such exceptional circumstances.

5.2 Additional safeguards will be required in considering a request for CHIS authorisation. The procedures shall in particular ensure:-

- that any risk of activity falling into that category is identified and avoided
- that authority is only sought with the express approval of the relevant Head of Service
- that authorisation is not given until full discussion has taken place amongst the SRO, the AO, the Head of Service and the officer requesting the authorisation

5.3 The procedures shall also address the risk of “status drift”, whereby a series of actions taken involving the same individual in providing information in an investigation leads to the use of a CHIS without conscious decision or awareness, and so without an application and authorisation so to do.

6 Complaints

- 6.1 Any person aggrieved by the granting of an authorisation or by surveillance activity may lodge a complaint to the council under its Corporate Complaints Procedure.
- 6.2 Any person aggrieved by the conduct of any covert surveillance also has a right to complain to the Investigatory Powers Tribunal. This independent tribunal has full powers to investigate and decide cases within the United Kingdom, including complaints about activities carried out under Scottish legislation.

7 Review and reporting

- 7.1 This policy shall be reviewed at least once every three years. The outcome of the review shall be reported to PDSP. In the event that any changes are required, those changes shall be reported to Council Executive for approval.
- 7.2 Minor changes required for administrative reasons may be made by the SRO (for example, to reflect changes in the council's management structure and responsibilities, or changes in terminology).
- 7.3 The procedures and guidance shall be reviewed every three years by the SRO.
- 7.4 Annual reports will be made by the SRO to PDSP on all activity under the policy and in relation to inspection reports. Should RIPSAs increase significantly then more frequent reports will be made. Breaches of the law or procedure or complaints or litigation may require *ad hoc* reports.
- 7.5 If requested, the SRO shall provide a compliance statement to the Monitoring Officer as part of the annual report on the Local Code of Corporate Governance, detailing the extent of surveillance activity during the year and identifying any areas of weakness or concern and non-compliance.

8 Terminology

- | | | |
|---|--------------------------------|--|
| 1 | <i>Ad hoc</i> surveillance | A one-off instance of information-gathering through undirected means with no systematic observation planned or carried out (for example, an initial check on a website or social media page) |
| 2 | Codes of Practice ¹ | Statutory Codes of Practice and Guidance issued by the UK Government, the Scottish Government or IPCO |
| 3 | Collateral intrusion | Through the authorised surveillance activity, obtaining information about other persons who are not the subject of the surveillance |
| 4 | Core functions | The specific grounds set out in statute or Codes of Practice for which an authorisation may be required. "Non-core functions" is construed accordingly |

¹ RIPSAs, sections 24 - 26

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- 5 Council Executive The council's main decision-making forum for non-education business established under the council's Standing Orders for the Regulation of Meetings and Scheme of Administration
- 6 Covert Human Intelligence Source (CHIS)² A person:-

(a) establishes or maintains a personal or other relationship with another person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c) below;

(b) covertly uses such a relationship to obtain information or to provide access to any information to another person; or

(c) covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship
- 7 Covert surveillance³ Surveillance that:-

(a) if, and only if, is carried out in manner that is calculated to ensure that persons who are subject to the surveillance are unaware that it is or may be taking place;

(b) is for a covert purpose, that is, in relation to the establishment or maintenance of a personal or other relationship, if and only if the relationship is conducted in manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose; and

(c) if and only if leads to information used or, as the case may be, disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question
- 8 Directed surveillance⁴ Covert surveillance which is not intrusive and is undertaken:-

(a) for the purposes of a specific investigation or a specific operation;

(b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and

² RIPSA, section 1(7) and section 31(5)

³ RIPSA, section 1(8)

⁴ RIPSA, section 1(2)

- (c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Act to be sought for the carrying out of the surveillance
- 9 Information Governance Policy The council's umbrella policy covering the acquisition, use, sharing, disclosure and retention of all information used by the council in pursuit of its public or private powers and duties (Council Executive, 25 June 2019)
- 10 Intrusive surveillance⁵ Covert surveillance that:-
- (a) is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- (b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device
- 11 Investigatory Powers Tribunal PO Box 33220, London, SW1H 9ZQ Tel: 0207 035 3711 Email: info@ipt-uk.com
- 12 IPCO The UK RIPSA and RIPA regulatory body, the Investigatory Powers Commissioner's Office, PO Box 29105, London, SW1V 1ZY
- 13 Lawful surveillance Surveillance if:-
- (a) an authorisation under this Act confers an entitlement to engage in that conduct on the person whose conduct it is; and
- (b) that person's conduct is in accordance with the authorisation
- 14 Non-core functions See core functions
- 15 Officers Council employees or others authorised by the council to carry out functions or provide services on its behalf and under the direction of the Chief Executive
- 16 Overt surveillance Gathering information in an open, transparent and unhidden way (for example, observations from a clearly marked vehicle in a public place)
- 17 PDSP The Partnership & Resources Policy Development & Scrutiny Panel established under the council's Standing Orders for the Regulation of Meetings and Scheme of Administration

⁵ RIPSA, section 1(3), and subject to conditions and exclusions in section 1(4) and (5)

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- | | | |
|----|----------------------------------|---|
| 18 | Private information ⁶ | In relation to a person, it includes any information relating to the person's private or family life. |
| 19 | RIPA | Regulation of Investigatory Powers Act 2000 |
| 20 | RIPSA | Regulation of Investigatory Powers (Scotland) Act 2000 |
| 21 | Scheme of Delegations | The council's record of the powers and responsibilities delegated to and exercisable by officers |
| 22 | Surveillance ⁷ | <p>Surveillance includes:-</p> <p>(a) monitoring, observing or listening to persons, their movements, their conversations or their other activities or communications;</p> <p>(b) recording anything monitored, observed or listened to in the course of surveillance; and</p> <p>(c) surveillance by or with the assistance of a surveillance device</p> |
| 23 | Unplanned surveillance | The observation of events as an immediate response to events without planning or forward thinking (for example, coming across information by chance in a public place) |

9 CONTACTS

- 1 The Senior Responsible Officer is Graeme Struthers, Depute Chief Executive, 01506 281776, graeme.struthers@westlothian.gov.uk. He has an oversight role and is not involved in the authorisation procedure.
- 2 The Authorising Officers are:-
 - James Millar, Governance Manager, 01506 281613, 078670466449, james.millar@westlothian.gov.uk
 - Carol Johnston, Chief Solicitor, 01506 281605, 07970 478897, carol.johnston@westlothian.gov.uk (or her nominated deputy)

⁶ RIPSA, section 1(9)

⁷ RIPSA, section 31(2) and subject to the exclusions in section 31(3)

PROCEDURE AND GUIDANCE

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A INTRODUCTION

1 Background

- 1.1 On 19 September 2017 the council approved its Policy on using the regulation of investigatory powers legislation (RIPSA). The Policy is the council's framework of RIPSA principles and guidance and sits above this Procedure. The Procedure must be followed in all RIPSA cases. It is intended as a practical guide to making a RIPSA application in the case of directed surveillance. It does not apply to CHIS or to intrusive surveillance. Additional safeguards are required for a CHIS authorisation and the council policy is to avoid its use and only to authorise it in exceptional circumstances.
- 1.2 Directed surveillance can only take place under a RIPSA authorisation. That can only be given by a designated Authorising Officer (AO). The AO is your first point of contact in relation to any proposed application. They will provide advice and guidance in relation to the proposed surveillance and consider your draft application prior to determining whether surveillance should be authorised. The AO contact details are at the end of the Procedure.
- 1.3 Surveillance is an extremely powerful tool. It must be treated and used with respect, only in accordance with the legislation, and in circumstances which merit such significant measures.
- 1.4 Granting or refusing an application for authorisation is at the sole discretion of the AO. An application will only be granted where it meets the necessary statutory criteria. Surveillance should always be the last resort and will only be permitted where there are no other means by which to secure evidence, or where all other means by which to obtain evidence have been exhausted without success or else considered but discounted for good reason.

2 Non-RIPSA activity

- 2.1 The AO may take the view that the planned action is not for one of the three lawful purposes, and that may result in them refusing the application. The AO may also take the view that what is being planned is not directed surveillance, or is not covert surveillance, and so might refuse the application. However, activity that is not covered by the RIPSA legislation may still be lawfully carried out and the planned activity may in some cases still take place. An example is test-purchasing in relation to under-age sale of tobacco or alcohol.

3 RIPSA activity not covered by this Procedure

- 3.1 The council is not authorised to use intrusive surveillance under any circumstances.
- 3.2 It would be exceptional for the Council to use Covert Human Intelligence Sources (CHIS). CHIS is the subject of particular provisions within the legislation. If you are considering the need for CHIS then you should consult an AO who will be able to discuss matters with you in detail. The use of covert human intelligence sources will only be authorised in exceptional circumstances and with additional safeguards in place. Authorisation for CHIS may only be requested with the express approval of your Head of Service. CHIS authorisation will not be given until full discussion has taken place amongst the SRO, the AO, the Head of Service and the officer seeking authorisation.

- 3.3 In relation to a CHIS, “status drift” may occur when a series of interactions with the same individual result in a move from the simple acquisition and provision of information on a voluntary and undirected basis to a planned and directed course of actions whereby the individual is subject to council control and direction. You should be alert to that danger when engaging more than once or twice with the same individual about the same subject as part of the same investigation. If a pattern of recurring and repeated interaction emerges then take advice from the AO.

4 Internet and social media

- 4.1 Intelligence and information is readily available on the internet and social media. It may include information of significant value in pursuing statutory powers. Recording and using personal data from those sites may engage the Data Protection Act 2018. Viewing websites and social media sites is likely to interfere with individuals’ rights to the enjoyment of their private life and expectations of privacy. In the same way, an individual may have a reduced expectation of privacy when in a public place but still covert surveillance may result in the acquisition of private information relating to the individual concerned or collateral intrusion.
- 4.2 Despite the sites being publicly available and freely accessible, and regardless of security/access settings applied to the site, visiting those sites may also require a RIPSAs authorisation depending on the activity undertaken. Such sites, even when they are on the face of it designed for commercial purposes, may contain private information relating to the owner or operator of the site and their family or associates.
- 4.3 Use of the internet for information gathering prior to an investigation should not engage privacy considerations or require an authorisation. That is not necessarily restricted to just one instance of information gathering, or two, or any set number. The test is whether it falls within the definition of covert directed surveillance for one of the three statutory purposes for RIPSAs (“the core functions”).
- 4.4 The use of some sites by individuals may carry a greater or lesser expectation of privacy, depending on the information available and the generally understood purpose of the site and its use. Care is required where even an apparent commercial site might nevertheless carry or enable access to personal or private information unrelated to the commercial purposes.
- 4.5 The Scottish Government Code of Practice (2017)⁸ describes circumstances in which online activity may lead to the requirement for an authorisation. Those include:-
- Your intention to engage with others online without disclosing your identity
 - The likelihood of the subject of the surveillance being aware of it taking place
 - Accessing social media sites used for either or both of personal or business reasons as opposed to accessing publicly available online databases
 - The systematic collection and storing of information about an individual or group as opposed to an initial information-gathering reconnaissance
- 4.6 The Code also lists factors to consider in determining if online activity requires an authorisation, including:-
- The likelihood of obtaining private information about a person or group of

⁸ <https://www.gov.scot/publications/covert-surveillance-property-interference-code-practice/>

people

- Visiting internet sites to build up an intelligence picture or profile
- Recording and storing the information obtained
- The likelihood of providing an observer with a pattern of lifestyle
- Combining the information acquired with other sources of information or intelligence, which amounts to information relating to a person's private life
- The activity is part of an ongoing piece of work involving repeated viewing of the subject(s)
- The involvement of identifying and recording information about third parties, or information posted by third parties, which may include private information and therefore constitute collateral intrusion

4.7 Accessing sites overtly will not require a RIPSA authorisation. Use which clearly discloses the access is by the council or on the council's behalf, or where notice is given that monitoring will take place, is not covert activity, regardless of whether it amounts to surveillance. Use of an anonymised or fake or false identities or profiles will mean an authorisation is required if the definition of directed surveillance for core functions is met.

4.8 Use of the internet for non-core functions does not require an authorisation but the council's Information Governance Policy and its related Procedures will govern that use.

4.9 The Information Governance Policy governs the setting up or registering of websites or social media accounts or profiles. Establishing and using fake, false or anonymised accounts may only be done with the agreement of the SAO. That will be given subject to conditions on the officers who may use them, how they may be sued and the records to be kept of their use.

5 Using the procedure and guidance

5.1 The Procedure is in six parts:-

- A. Introduction - this section setting the RIPSA scene
- B. Process - the mechanics of making the application and what happens afterwards
- C. Guidance - help in addressing all the relevant information required by the application form
- D. Checklist - an *aide memoire* to help last-minute checks, revisions and amendments to the application and review forms
- E. Terminology - definitions and explanations of words and phrases used in RIPSA cases
- F. Contacts - information about the Senior Responsible Officer and the Authorising Officers

B PROCESS

1 Introduction

- 1.1 The Policy sets out the roles and responsibilities held by everyone involved in using RIPSAs. You have responsibilities too. Make sure you understand what they are before taking or planning any action or application.
- 1.2 Everything done by anyone in relation to RIPSAs must be done in accordance with legislation, Codes of Practice, the council's Policy and this Procedure, and having regard to Codes of Practice.

2 Before starting

- 2.1 You must be familiar with and understand the Policy and the Procedure.
- 2.2 You must have undertaken appropriate training.
- 2.3 You must have a general authorisation from your Head of Service to take on responsibilities under the Policy and Procedure.
- 2.4 You must have agreement from your Head of Service to proceed with the application.
- 2.5 You must let the AO know that an application is being prepared and when the surveillance is intended to start. The AO will need time to make a decision and will have other work to take into account.
- 2.6 You should discuss the case informally with the AO to make sure the application is covered by the legislation and is one that can be granted

3 The application

- 3.1 In almost all cases, an application can be prepared and submitted well in advance of the surveillance starting. In exceptional cases there may not be time to complete and submit an application before the surveillance has to begin. These situations are extremely rare. The procedure for those is explained below.
- 3.2 For normal, non-urgent cases, ask the AO for a Unique Reference Number (URN). The URN will be used in all correspondence and in the Register kept by the AO.
- 3.3 Familiarise yourself with the application form and what is required.
- 3.4 Use the Guidance later in this Procedure to help you fill out the form.
- 3.5 Draft the application carefully and revise it before submitting it. You may attach other documents where appropriate, for example, a map or plan showing proposed surveillance points. Mark them with the URN and the date.
- 3.6 The form is detailed and appears repetitive. However, each section has a specific function. It is necessary to provide detailed information appropriate to that section, regardless of whether it also appears elsewhere in the form.
- 3.7 If you have time, ask a colleague or your line manager to review the application.
- 3.8 Consult the checklist in the Guidance to make sure you have included everything that you should have.

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- 3.9 Follow any instructions given by your line manager - for example, having it signed off by someone else before it goes. The AO will assume that those internal processes have been followed properly.
- 3.10 Make sure to submit the application in enough time for a decision to be made before the expected start of the surveillance.
- 3.11 The content of the application is your responsibility. Whilst assistance may be provided, you hold all of the information regarding the circumstances which will support your request for authorisation. Your application will contain all information supporting your request for authorisation. You must provide enough information to satisfy the AO that all the relevant factors have been thought through and are explained. The AO will not make assumptions about what you may have meant to say in your application. You should be prepared to discuss the proposed surveillance in detail with the AO.
- 3.12 Sign the application, date it, scan it and send it to the AO by email.

4 Emergency applications

- 4.1 In exceptional cases there may not be time to complete and submit an application before the surveillance has to begin. These situations are extremely rare.
- 4.2 In an urgent case, a verbal application may be made to the AO and may be granted for up to 72 hours. The urgency should relate to the subject of surveillance and not, for example, to delays in making the application.
- 4.3 If you consider that you require an emergency authorisation you should immediately contact the AO. The AO will assign a URN and enter the application in the Register. You should keep a note of what surveillance activity is being authorised.
- 4.4 You must follow up the verbal authorisation with a written application following the procedure set out above.
- 4.5 If you do not submit a written application on time the verbal authorisation will run out and be cancelled. The AO will confirm the position.
- 4.6 You will be instructed to immediately cease surveillance activity and remove any surveillance equipment.

5 Decision-making

- 5.1 The AO may seek more information from you before making a decision. That will usually mean amending the application to ensure that all the necessary information is included.
- 5.2 The AO may refuse the application. The reasons for refusing it will be explained.
- 5.3 The AO may grant the authorisation. They will sign it and date it, retain it and send you a copy.
- 5.4 You cannot begin your surveillance operation until you have confirmation that your application has been granted. You do not need to have the signed authorisation in your hand to begin the surveillance. However, you must have been told that it has been granted.
- 5.5 The AO will mark the Register to show the decision made and the date.

6 Authorisation

- 6.1 You must retain a copy of the authorisation provided to you by the AO.
- 6.2 The authorisation is valid for 3 months but it will be subject to a review before that and may also be cancelled before the end of that period.
- 6.3 The date for review will depend on the circumstances. The review date may have been discussed and agreed with the AO as part of the application process. If not, the AO will determine an appropriate review date.
- 6.4 You must comply with the authorisation and do all that you can to ensure that others do so as well. That includes keeping written records of surveillance activity carried out (when, where, by who) and information gathered.
- 6.5 You must follow any internal arrangements put in place by your line manager or Head of Service, such as providing periodic progress reports.
- 6.6 You cannot begin your surveillance operation until you have confirmation that your application has been granted. You do not need to have the signed authorisation in your hand to begin the surveillance. However, you must have been told by the AO that it has been granted. In most cases you will receive confirmation by phone and/or email. This will be followed by a copy of the authorised application.

7 Making changes

- 7.1 After starting the surveillance it may be that something has to be changed. For example, it may be that a different officer will have to carry out the surveillance activity; the location from which the surveillance is being carried out might have to be changed; it might be necessary to use some equipment that was not covered by the authorisation. You must contact the AO to explain the necessary change and to justify it.
- 7.2 If the AO decides that the change is significant then the authorisation will be cancelled and a fresh application submitted and authorised.
- 7.3 If the AO decides that the change is not significant then a change may be made to the existing authorisation and recorded by you and the AO as an addition to that authorisation.
- 7.4 Approval by the AO is needed before you proceed under any new arrangements.

8 Review and renewal

- 8.1 The review process is to reconsider the authorisation, whether it is still appropriate for it to be in place and for surveillance to continue. A renewal can only be given before the authorisation ends.
- 8.2 Before the review date you must consider and assess any evidence gathered as a result of the surveillance.
- 8.3 At least four days before the review date you must submit a review form to the AO. It must explain the evidence gathered, state whether the surveillance requires to continue and why. It is your responsibility to do so.
- 8.4 If you fail to submit the review form your authorisation will be cancelled. You will be instructed to immediately cease surveillance activity and remove any surveillance

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equipment.

- 8.5 Reviews will not be back dated or considered retrospectively.
- 8.6 The AO may seek more information from you before making a decision. That will usually mean amending the review form to ensure that all the necessary information is included.
- 8.7 If the AO decides the surveillance is to continue, you will be given a further review date and the process will be repeated.
- 8.8 If the AO decides that the surveillance is no longer necessary or justified your authorisation will be cancelled.

9 Cancellation

- 9.1 An authorisation will be cancelled where a written application does not follow a verbal authorisation on time; where a review form is not submitted on time; where you decide that the surveillance should end; or where the AO decides that the surveillance should end.
- 9.2 If you decide that the surveillance should be terminated than you must submit a cancellation form. You must do so as soon as it is apparent that surveillance is no longer needed.
- 9.3 The surveillance operation may be terminated at any time. It is not dependent upon reaching a review date or the expiry of the 3 month period for which the authorisation was granted.
- 9.4 You must always submit a cancellation form to the AO at the conclusion of the surveillance operation. It forms an essential part of the record keeping requirements. There are NO circumstances in which it would be unnecessary.

C GUIDANCE

1 Can an authorisation be given at all?

- 1.1 If the proposed surveillance is “intrusive surveillance” then no activity can be authorised. Council officers must not engage in intrusive surveillance.
- 1.2 Intrusive surveillance is covert surveillance that:-
 - is carried out in relation to anything taking place on any residential premises or in any private vehicle, and
 - involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device

2 Is an authorisation actually required?

- 2.1 No authorisation is needed for:-
 - Overt surveillance – gathering information in an open, transparent and unhidden way (for example, observations from a clearly marked vehicle in a public place)

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- *Ad hoc* surveillance – a one-off instance of information-gathering through undirected means with no systematic observation planned or carried out (for example, an initial check on a website or social media page)
 - Unplanned surveillance – the observation of events as an immediate response to events without planning or forward thinking (for example, coming across information by chance in a public place)
 - Surveillance purely internal to the council in its role as employer rather than as a public body (for example, most disciplinary investigations, where information is gathered on council premises or property, although carrying out surveillance of an employee in a public place may mean that authorisation is needed)
- 2.2 However, authorisation may be need for some activity which does not at first seem to be covert surveillance.
- 2.3 Authorisation may be required for web-based activities, such as internet searching or accessing social media. This applies even though the subject of the surveillance chooses to make information available in those ways. Generally, a first check and a second follow-up check may be permitted without authorisation. That is more likely to be so if no data is recorded or retained. More frequent or sustained or regular checks or the systematic recording of information will usually mean an authorisation is needed.
- 2.4 Heads of Service are responsible for putting appropriate procedures in place to ensure that use of the internet and social media which requires an authorisation does not take place. Those will be steps in internal service procedures, usually embedded in case management systems or other software.
- 2.5 CCTV footage gathered through general and publicly signposted use will not require an authorisation. However, if it is planned to gather and use it as part of a programme of directed surveillance then it should be covered by an authorisation

3 Is there a lawful purpose?

- 3.1 The surveillance must be carried out for a defined lawful purpose, and there are only three:-
- preventing or detecting crime or the prevention of disorder
 - in the interests of public safety
 - protecting public health

3.2 Ministers have the power to add to this list. They have not done so.

3.3 You must identify and explain at least one of these three purposes. It must be related to something the council can do lawfully under the legislation applying to the service.

4 Is the surveillance necessary?

- 4.1 Directed surveillance should be the last resort for gathering information. You must deal with these three issues in the application to show that there are no viable and realistic options available:-
- Is there a reasonable and effective alternative way of achieving the desired objectives in the specific circumstances of the particular case?

- If other methods are available by which the same evidence may be recovered then those alternatives should be applied and exhausted before seeking authorisation.
- If other methods are available by which alternative evidence of similar value may be recovered then those alternatives should be applied and exhausted before seeking authorisation.

5 Is the proposed surveillance proportionate?

5.1 Directed surveillance is a potential infringement of human rights. Part of the legal justification for that is that the infringement is proportionate to the conduct being investigated and the potential harm being prevented.

5.2 These are the points to cover in the application form to meet the “proportionality” arguments:-

- Provide relevant and sufficient reasons in support of the application to show later that a fair decision making process was followed and safeguards against abuse were made clear
- Explain the harm being addressed and why the surveillance planned is proportionate in relation to it
- Show that the degree of intrusion upon the target is not excessive
- Satisfy the AO either that collateral intrusion is avoided, or if it cannot be avoided that it has been identified and addressed. That is done through mitigating, minimising, and safeguarding and controlling access to collateral information gathered. There should be controls to identify, separate and securely destroy data gathered in relation to people other than the subject of the surveillance
- Demonstrate that all other reasonable options for gathering the evidence have been considered and rejected for good reason

6 Will the planned surveillance be effective?

6.1 This is a more practical point. Part of justifying the surveillance is showing that it is likely to be effective in gathering evidence that will help the council deal with the misconduct or harm being investigated.

6.2 You should cover these points:-

- What are the prospects of successful recovery of information required in the pursuit of the investigation?
- Are there trained and experienced officers available to carry out the surveillance and supervise it adequately?
- Are the resources available that are required to properly carry out the surveillance and ensure compliance with the authorisation to be given?

7 What information is going to be acquired?

7.1 Consideration must be given to the type of information which may be gathered, in

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particular if it will be private information or confidential information. Surveillance should be planned in such a way as to avoid such material being obtained.

- 7.2 If it is possible that such information will be gathered then the application should explain how it will be identified, how access to it will be controlled and how it will be destroyed once it is no longer necessary.

8 What do you want to do?

- 8.1 You must explain what surveillance actions you wish to undertake.
- 8.2 If technical equipment is to be used then you must say what it is, how it works, and how it will be used to acquire and record information.
- 8.3 You must identify where the surveillance will be carried out and describe the location to help show if there may be collateral intrusion or confidential information gathered. Using maps, plans and photographs may be sensible.
- 8.4 You must say who will be carrying out the surveillance activity and describe their post/position, qualifications, training and experience.

9 Things the surveillance should be planned to avoid

- 9.1 These are things that should be considered when planning the surveillance. You should show that you have thought about them, and that the planned surveillance either avoids them entirely, or minimises them if they are not avoidable.
- 9.2 The proposed surveillance activities must be planned to avoid damage to property and harassment or intimidation of individuals
- 9.3 The risk of collateral intrusion must be considered. This is obtaining information about other persons who are not the subject of the surveillance. Reasonable steps should be taken to avoid or at least minimise that possibility. Where that is likely to happen, steps must be taken to protect that information and ensure it is not retained unless that cannot be avoided.
- 9.4 A risk assessment should be carried out of the risk of harm to the officers carrying out the surveillance. It should be planned in a way to avoid or at the very least minimise and mitigate those risks.

D CHECKLIST

- 1 Have you identified and explained a lawful purpose for the activity?
- 2 Have you fully explained the conduct to be authorised?
- 3 Are the grounds for necessity correct?
- 4 Have you detailed why the activity is necessary?
- 5 Have you detailed why the activity is proportionate?
- 6 Have you explained what it is desired to achieve from the activity?
- 7 Have you detailed potential collateral intrusion, and why it is unavoidable?

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- 8 Does the application provide evidence of efforts to reduce collateral intrusion if possible?
- 9 Is it likely confidential information will be obtained and is it unavoidable?
- 10 Does the application provide evidence of efforts to deal with confidential information?
- 11 Have you been able to verify and understand fully the reliability of the information provided to support the application?
- 12 If technical equipment is being used, do you understand and have you explained its capability enough to estimate what it will capture, and therefore how intrusive it might be?
- 13 Have you checked to ensure the activity will not interfere with other operations being conducted?
- 14 Have you covered who, what, why, where, when, and how?

E TERMINOLOGY

See section 8 of the Policy (Page 5)

F CONTACTS

- 1 The Senior Responsible Officer is Graeme Struthers, Depute Chief Executive, 01506 281776, graeme.struthers@westlothian.gov.uk. He has an oversight role and is not involved in the authorisation procedure.
- 2 The Authorising Officers are:-
 - James Millar, Governance Manager, 01506 281613, 078670466449, james.millar@westlothian.gov.uk
 - Carol Johnston, Chief Solicitor, 01506 281605, 07970 478897, carol.johnston@westlothian.gov.uk
- 3 Advice can be requested from the Authorising Officers. Ask in plenty of time!

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PARTNERSHIP & RESOURCES POLICY DEVELOPMENT & SCRUTINY PANEL

REVIEW OF DECISION-MAKING ARRANGEMENTS – DEPUTATIONS AND PETITIONS

REPORT BY GOVERNANCE MANAGER

A. PURPOSE OF REPORT

To consider proposed changes to Standing Orders and other procedures in relation to deputations, petitions and requests for council support.

B. RECOMMENDATIONS

To consider the following recommendations that will be reported to full council for determination:-

1. To note that Council Executive on 20 August 2019 instructed officers to bring forward proposals through Partnership & Resources PDSP in relation to deputations and petitions
2. To note the present terms of Standing Order 13 on deputations (Appendix 1) and the separate procedure sitting outwith Standing Orders covering petitions and requests for council support (Appendix 2)
3. To agree the proposed reworking of Standing Order 13 to bring updated rules and procedures for deputations, petitions and requests for council support together into one place (Appendix 3)

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable; making the best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973; Standing Orders; Petitions Procedure
III	Implications for Scheme of Delegations to Officers	None at this stage
IV	Impact on performance and performance Indicators	N/a
V	Relevance to Single Outcome Agreement	N/a
VI	Resources - (Financial, Staffing	N/a

and Property)

VII Consideration at PDSP

These issues were considered in general terms at Partnership & Resources PDSP on 24 August and 5 October, both 2018, and 1 February 2019

VIII Other consultations

Elected members; Committee Services

D. TERMS OF REPORT

1 Background

- 1.1 Part of council's decision on the revenue budget report on 13 February 2018 was "to review the economy, efficiency and effectiveness of its present decision-making arrangements and to report to Partnership and Resources PDSP for consideration of possible changes". Reports were considered at several PDSP meetings in 2018 and 2019. Council Executive on 20 August 2019 decided how officers should proceed. Several of the issues covered have been determined already at council or committee. One of the issues still to be considered is a revision of the procedures for dealing with deputations and petitions. It was in Appendix 4 to that report, one of a list of issues which had not attracted any disagreement or political controversy throughout the process of consultation and discussion and consideration at PDSP and committee..
- 1.2 The council's decision-making arrangements are mainly, but not exclusively, found in Standing Orders. The element affected by these proposed changes is Standing Orders for the Regulation of Meetings. They can only be amended by full council.

2 The present rules

- 2.1 The right to request a deputation and what that entails is set out in Standing Order 13 (Appendix 1). It has been in its present form since November 2016 although the right to make a deputation request was in Standing Orders in a slightly different form for several years before that.
- 2.2 The procedure for dealing with petitions and requests for council support were agreed through Council Executive on 7 February 2012 (for notices from other local authorities asking for support or action) and 25 June 2012 (for petitions and requests for support or action from the public). The procedures were agreed in two stages but the process is the same for each. They have never been incorporated into Standing Orders. They have however been amalgamated into one process (Appendix 2) and made available on the intranet as guidance for members and officers (see Part F).

3 Deputations

- 3.1 It is recommended that the right to request a deputation and the overall approach in Standing Order 13 are retained but that the process is updated and streamlined. The main issues proposed for consideration are as follows:-
- Making clear that the right is available to members of the public (individuals and organisations) and not councillors
 - Clarifying the reasons for refusing to put it to committee, e.g., excluding what amounts to a service request; confining them to matters within the council's legal powers

- Stating clearly that no documents, photos, etc. are to be shown or circulated at the meeting
 - Informing all members when a deputation request not shown on an agenda is received
 - Leaving unchanged the Chair's right to allow or refuse to put a late request to the meeting
 - Leaving unchanged the meeting's right to decide if a request put to it for consideration should be heard
 - For deputations on items not on an agenda, simply providing (as is presently the case for petitions) that they will go to the next available meeting
- 3.2 A revised version of Standing Order 13 is in Appendix 3. Standing Order 13(1) would apply to deputations. It should be noted that deputations will be able to be heard and answer questions where a meeting is proceeding by remote participation.

4 Petitions

- 4.1 It is recommended that the present procedure relating to petitions is amended but without any major departures. The main issues proposed for consideration are as follows:-
- Making clear that the right is available to members of the public (individuals and organisations) and not councillors
 - Clarifying the reasons for refusing to put it to committee, e.g., excluding what amounts to a service request; confining them to matters within the council's legal powers; requiring the name and address of someone leading on it who will be informed of procedures and outcomes
 - If a request is added to the agenda, provide for an automatic right to the person leading on it to address the meeting instead of requiring a separate deputation request
 - Stating clearly that no documents, photos, etc. are to be shown or circulated at the meeting
 - Bringing the new procedure into Standing Orders
- 4.2 The revised version of Standing Order 13 in Appendix 3 includes the proposed new procedures, in Standing Order 13(2).

5 Requests for council support

- 5.1 The present petitions procedure also covers requests for council support for policy or campaigning positions. These may come from members of the public or from other public bodies such as local authorities. They seldom appear now but at one time were commonplace. It is recommended that a procedure is retained through which these requests can be dealt with and that the current approach is continued but with some improvements. The main issues proposed for consideration are as follows:-

- Making clear that the right is available to members of the public (individuals and organisations) and not councillors
- Clarifying the reasons for refusing to put it to committee, e.g., excluding what amounts to a service request; confining them to matters within the council's legal powers; requiring the name and address of someone leading on it who will be informed of procedures and outcomes
- If a request is added to the agenda, providing an automatic right to the person leading on it to address the meeting instead of requiring a separate deputation request
- Bringing the new procedure into Standing Orders

5.2 The revised version of Standing Order 13 in Appendix 3 includes the proposed new procedures, in Standing Order 13(3).

E. CONCLUSION

- 1 Consideration by the Panel will enable the review instructed by council to be progressed towards conclusion. For this issue a report to full council is needed.

F. BACKGROUND REFERENCES

- 1 Local Government (Scotland) Act 1973
- 2 Council's Standing Orders - <http://intranet.westlothian.gov.uk/article/6941/Councils-Standing-Orders-and-Corporate-Governance>
- 3 Partnership & Resources PDSP, 24 August and 5 October 2018, and 1 February 2019
- 4 Council Executive, 7 February and 25 June 2012, 26 March and 20 August 2019
- 5 Petitions procedure - <https://intranet.westlothian.gov.uk/article/6951/Petitions-Requests-for-Council-Support-and-Notices-of-Resolutions>

Appendices/Attachments: 1. Existing Standing Order 13
 2. Existing Petitions Procedure
 3. Proposed new Standing Order 13

Contact Person: James Millar, Governance Manager, Chief Executive Office, West Lothian Civic Centre, Howden Road South, Livingston, EH54 6FF, 01506 281613
james.millar@westlothian.gov.uk

Date of meeting: 18 September 2020

APPENDIX 1

EXISTING STANDING ORDER 13

13 DEPUTATIONS

C

Submission of Deputations

- (1) Every request for a deputation shall be submitted in writing to the Clerk by the individual, or a representative of the organisation or group, wishing to be heard. A request to be heard by a person affected by business such as disabled parking spaces and road or traffic orders shall be considered in the same way as a request for a deputation.

Powers to Hear Deputations

- (2) The Council may hear a deputation on any matter that is included in its powers and duties or delegation, or by a person submitting a petition or a request for council support under the relevant procedures, provided the matter is one of policy. The Council will not hear a deputation on a matter which can be addressed using an alternative procedure or method set up by the Council. Examples of such alternative procedures and methods for addressing matters shall include the appeals and complaints procedures.

Deputations Not Relating to Matters to be Included on the Agenda

- (3) A request for a deputation which does not relate to a matter to be included on the agenda for a meeting shall be delivered to the Clerk by noon no less than six clear days before the meeting. Where the matter raised by the deputation does not comply with Standing Order 13 (2), the request for such a deputation shall not be placed by the Clerk on the agenda for a meeting of the Council.

Deputations Relating to Matters Included on the Agenda

- (4) A request for a deputation which relates to a matter included on the agenda for a meeting shall be delivered to the Clerk no later than 12 noon on the working day before the meeting. Where the matter raised by the deputation does not comply with Standing Order 13 (2), the request for such a deputation shall not be placed before the meeting of the Council by the Clerk.

Deputations Submitted Late

- (5) A request for a deputation which relates or does not relate to a matter included on the agenda for the meeting may be submitted to the Clerk later than these times. Where the matter raised by the deputation does not comply with Standing Order 13 (2), the request for such a deputation shall not be placed before the meeting of the Council by the Clerk. Where the matter is placed before the meeting it may be considered provided the Chair so rules in terms of Standing Order 7 or 11 as appropriate.

Procedure for Hearing Deputation

- (6) In all cases the Council shall decide whether to hear a deputation. A Member may move that the deputation be not heard. The Member shall explain briefly the reason for so moving and the motion shall be put to the vote without amendment or discussion.

- (7) A deputation shall have five minutes to present its case and shall confine itself to the matter contained in the request to be heard. The Chair may rule that deputations be heard together if the Council decides to hear more than one deputation on the same subject. When deputations are heard together, the Chair shall rule how much time to allow.
- (8) After the deputation has spoken, Members may put relevant questions to the deputation. The Chair shall rule how much time to allow.
- (9) The Council shall consider the views of the deputation and a written or verbal report by officers of the Council at that meeting or a subsequent one before reaching a decision on any matter raised by a deputation.

APPENDIX 2

PETITIONS PROCEDURE

This note covers the procedures for dealing with petitions and requests from the public, and for notices of resolution from other local authorities (in Scotland or elsewhere).

These procedures only apply where the request comes to officers for action, whether that comes directly from outside the council or through an elected member.

Where the request comes to an elected member then it is for him or her to decide what action to take (which may include passing it to officers to be processed through this procedure).

If asked for advice by an elected member, officers should make the member aware of these procedures.

On receipt

Any such request should be passed to Committee Services for action.

Within council powers, or not?

The first decision required is about the subject matter - is it something the council has statutory powers to take action about?

That decision has been delegated to the Chief Executive as the Clerk to the Council. In practice, the decision will be taken under his delegated authority by Committee Services.

Once the decision is taken, a letter of acknowledgement will be sent by Committee Services to confirm receipt and advise of the procedure being followed.

Within statutory powers

If the council has a statutory power to take action on the subject then Committee Services will place the request on the agenda for the next available meeting of the Council Executive or Education Executive (not PDSP).

Committee Services will also notify the relevant Head of Service so that information can be gathered for the Chair and/or Executive Councillor before the matter is considered at committee.

Committee will have a wide range of choices as to how to respond - it may decide there and then to support it or that no action is required; it may hear that the council has dealt with or is dealing with it already; it may call for a report to come back to committee; or it may refer it to PDSP or LAC for consideration.

Without statutory powers

If the council does not have a statutory power to deal with the subject matter then Committee Services will send a copy by email to all elected members and Members Services so that they are aware of it.

It will not be placed on the agenda for any meeting, and each member will be able to decide if he or she wishes to pursue the matter further.

After committee

If action is required as a result of committee consideration of a request then it will be notified and allocated in the Action Note in the usual way.

That may include communicating with the person or body making the request, which will mean that person is aware of the outcome.

Where that is not called for, Committee Services will ensure that the person making the request is informed of the decision and of any action taken or to be taken.

Committee approval

These procedures were approved by Council Executive in two separate parts, although the same process was approved in each case:

- Council Executive, 7 February 2012 - for notices from other local authorities asking for support or action (in and out of Scotland)
- Council Executive, 25 June 2012 - for petitions and requests for support or action from the public (individuals or organisations)

APPENDIX 3

PROPOSED NEW STANDING ORDER 13

13. DEPUTATIONS, PETITIONS AND REQUESTS FOR COUNCIL SUPPORT C

(1) Deputations

(a) A deputation is a request to address council or committee on an item on the published agenda for a meeting or on a new matter. A valid deputation request must meet the following conditions:-

- It must be received by the Clerk in writing, including email
- For an item already on an agenda, it must be received by 12 noon the day before the meeting
- It must identify the person submitting the request, the subject, any organisation or individuals they represent and who wishes to speak
- The subject must be within council's and/or committee's powers and duties
- The subject must be on a matter of policy and not regulatory business or an individual service request
- There must be no alternative procedure available in the council for its determination
- A request received late but otherwise valid will be treated as a late request

(b) The Clerk, in consultation with the Chair, shall determine if a deputation request is valid or not and it shall be dealt with as follows:-

- If it is not a valid request then the person making the request shall be informed, it shall not be put to the Chair or to the meeting and no further action shall be taken by the Clerk
- If it is valid and raises a matter not yet on a published agenda for a meeting it shall be added to the agenda for the next appropriate council or committee meeting and it shall be put to the meeting to decide if it should be allowed
- If it is valid and relates to an item already on a published agenda then all members of council or committee shall be informed and it shall be put to the meeting to decide if it should be allowed
- All members of council or committee shall be informed of a late request and the Chair at Order of Business shall rule under Standing Orders 7 and 11 if it should be put to the meeting as an urgent item of business
- A deputation request put to the meeting shall be allowed unless a motion to the contrary is moved and seconded. The mover shall explain briefly the reason for moving, and the motion shall be put to a vote in accordance with these Standing Orders without amendment or discussion

(c) The procedure for hearing the deputation is as follows:-

- The agenda shall briefly state the subject of the deputation and the reason for the request
- Speakers have five minutes to address members on the subject of the deputation request

- Speakers on the same subject shall be heard together and the Chair may rule on how much time to allow
- They may answer questions put to them by the members
- No documents may be tabled or circulated or displayed by speakers at the meeting
- The meeting will determine any action to be taken whether at that meeting or later
- Officers must be allowed to give advice and the final determination must take into account that advice and the deputation heard

(2) Petitions

(a) A petition is a request supported by a number of members of the public for action by the council or for support for a campaign or policy position. A valid petition must meet the following conditions:-

- It must be received by the Clerk in writing, including email, or in electronic form in such a way that there is a permanent record of it
- It must provide contact details for the person leading on or submitting the petition, its subject and the action being called for
- The subject must be within council's and/or committee's powers and duties
- The subject must be a matter of policy and not regulatory business or an individual service request
- There must be no alternative procedure available in the council for its determination

(b) The Clerk, in consultation with the Chair, shall determine if a petition is valid and it shall be dealt with as follows:-

- If it is not valid then the person leading on or submitting the petition shall be informed and no further action shall be taken by the Clerk
- If it is valid then it shall be added to the agenda for the next appropriate council or committee meeting
- The person leading on or submitting the petition shall be notified of the date of the meeting and of the right to be heard by the meeting

(c) The procedure for dealing with the petition is as follows:-

- The agenda shall state the subject of the petition and the action called for and that the full document can be inspected by members on request
- Any person addressing the meeting shall do so as a deputation
- The meeting will determine any action to be taken whether at that meeting or later
- Officers must be allowed to give advice and the final determination must take into account that advice, the petition and any deputation heard

(3) Requests for council support

(a) A request for support is a formal request from a member of the public, an organisation or another public body that the council expresses its support for and/or takes action on a specified campaign issue or policy position. A valid request for support must meet the following conditions:-

- It must be received by the Clerk in writing, including email

- It must provide contact details for the person leading on or submitting the request, its subject and the action being called for
- The subject must be within council's and/or committee's powers and duties
- The subject must be a matter of policy and not regulatory business or an individual service request
- There must be no alternative procedure available in the council for its determination

(b) The Clerk, in consultation with the Chair, shall determine if a request for support is valid and it shall be dealt with as follows:-

- If it is not valid then the organisation submitting the request shall be informed, all members of council or committee shall be informed of the request and decision and no further action shall be taken by the Clerk
- If it is valid then it shall be added to the agenda for the next appropriate council or committee meeting
- The person submitting the request shall be notified of the date of the meeting and of the right to be heard by the meeting

(c) The procedure for dealing with the request for support is as follows:-

- The agenda will include the request as an item of business and a copy will be circulated with the agenda
- Any person addressing the meeting shall do so as a deputation
- The meeting will determine any action to be taken whether at that meeting or later
- Officers must be allowed to give advice and the final determination must take into account that advice, the request for support and any deputation heard

Data Label: Public



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

SICKNESS ABSENCE (1 APRIL 2020 – 30 JUNE 2020)

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To report on sickness absence rates during the period 1 April 2020 to 30 June 2020 and to provide an update on the ongoing application of the council's Policy & Procedure on Managing Sickness Absence.

The report also provides an overview on the levels of absence attributed to the COVID-19 pandemic.

B. RECOMMENDATION

That the Panel notes the content of the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs
	Being honest, open and accountable
	Providing equality of opportunities
	Developing employees
	Making best use of our resources
	Working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Council policy seeks to strike a balance between effective management of sickness absence and the promotion of a healthy workforce taking into account the council's obligations under Equality legislation.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	The sickness absence SPI for 2020/21 first quarter commenced at inflated rates than previous years however by the end of the quarter this had decreased and is the lowest rates recorded for June since 2014/15.

V	Relevance to Single Outcome Agreement	National Outcome 15: Our Public Services are high quality, continually improving and responsive to local people's needs. Reduced sickness absence levels increase the efficiency and productivity of the council.
VI	Resources - (Financial, Staffing and Property)	Sickness absence is managed within service budgets.
VII	Consideration at PDSP	None
VIII	Other consultations	None

D. TERMS OF REPORT

D.1 BACKGROUND

The Council Executive on 26 June 2018 approved a Policy and Procedure for Supporting Attendance at Work that replaced the former Policy and Procedure on Managing Sickness Absence with effect from 1 September 2018.

This report relates to absence rates for the first quarter of the 2020/21 from 1 April 2020 to 30 June 2020.

D.2 SICKNESS ABSENCE RATES

Standard Performance Indicator – Council Wide

The sickness absence Standard Performance Indicator (SPI) for the full council for the period 1 April 2020 to 30 June 2020 is set out at **Appendix 1** of this report together with the SPI performance indicators for the full years 2014/15 to 2019/20.

The SPI for the cumulative period from 1 April 2020 to 30 June 2020 is 4.73%, which compares favourably with the SPI figure of 5.03% for the same period in 2019/20.

A total of 773 employees were absent from work for one or more days in the period 1 April 2020 to 30 June 2020.

Standard Performance Indicators – Services

The sickness absence SPI for each service area (figures for teaching and non-teaching staff shown separately), for the period 1 April 2020 to 30 June 2020 is set out at **Appendix 2**.

Of the seven council service areas, three reported sickness absence rates above the council target of 3.6% (Housing Customer & Building Services, Operational Services and Social Policy). Education Service is counted as one service although the chart reflects teaching and non-teaching figures separately.

Chief Executive, Finance & Property Services (2.02%), Corporate Services (1.61%), Education Services (3.05%) and Planning & Economic Development (2.13%) are reporting below the council target of 3.6%.

Long –Term Absence (1 April 2020 – 30 June 2020)

Of the days lost due to sickness absence during this period, a significant proportion of those absences are attributable to long term absence which is defined in the policy as a period of continuous absence 'in excess of 4 weeks.'

A further breakdown of days lost for the three services with rates above the council sickness absence target indicates the following:

- Of the total number of 3,005 days lost in Housing, Customer & Building Services, 2,698 (89.78%) of those days were due to long-term absence and were accounted for by 49 employees.
- Of the total number of 6,129 days lost in Operational Services, 5,556 (90.65%) of those days were due to long-term absence and were accounted for by 109 employees.
- Of the total number of 5,150 days lost in Social Policy 4,549 (88.33%) of those days were due to long-term absence and were accounted for by 94 employees.

The average percentage of days lost of the total absence rates from long term absence across the three services was 89.63%.

The average percentage of days lost of the total absence rates due to long term absence across the whole council was 89.17%.

The average length of long-term absence during the period was 52 days with the longest absence lasting 65 days.

Analysis of Categories of Absence (1 April 2020 – 30 June 2020)

Top four reported reasons for all absences, split by long term are as follows:

Level 1 Reasons	Days	Long Term %	All Absence%
Mental & Behavioural	7,979	35.40%	38.32%
Musculoskeletal	2,476	10.98%	12.37%
Accidents, Injuries, Poisoning	1,750	7.76%	8.96%
Infectious	1,480	6.57%	8.38%

Mental & Behavioural Level 2 Category

The main category for absences is Mental and Behavioural. A breakdown of all mental and behavioural absences recorded is set out below:

Mental & Behavioural	Days	Long Term %	All M&B Absences%
Stress	5,290	56.55%	61.24%
Anxiety	1,317	14.17%	15.25%
Depression	1,189	12.68%	13.76%
Not specified	655	7.05%	7.58%
Other psychiatric illness	134	1.50%	1.55%
Bipolar disorder	36	0.42%	0.42%
Panic attacks	16	0.00%	0.19%
Other substance abuse	1	0.00%	0.01%

D.3 MANAGEMENT OF SICKNESS ABSENCE

i) Sickness Absence Case Management

The HR Policy and Advice team continue to work closely with managers across the council, providing advice and guidance on the monitoring and management of sickness. Table 1 below shows the number of employees at each stage of the Policy & Procedure as at 30 June 2020, compared to the previously reported positions.

Table 1

	Counselling/ Informal Review Meeting	Stage 1	Stage 2	Total
Total at 30 June 2020	846	446	269	1561
Total at 30 June 2019	569	388	262	1219
Total at 30 June 2018	346	573	223	1142

A breakdown of live cases as at 30 June 2020 is set out in Table 2.

Table 2

	Counselling/ Informal Review Meeting	Stage 1	Stage 2	Total
Cases on going from 31 March 2020	653	411	256	1320
New cases since 31 March 2020	193	35	13	241
Total	846	446	269	1561

ii) Other Support Initiatives

HR Adviser Input – Management Meetings

During Quarter 1 (2020/21), the following functional areas were targeted for input and support from Human Resources Advisers;

- Education (Teaching)
- Education (Non –Teaching)
- Care Homes
- Facilities Management
- Waste Services
- NETS, Lands & Countryside
- Roads & Transportation
- Building Services

Within the level of advisory resource available, Human Resources continue to provide as much ongoing support as possible to a number of Service Managers across those functional areas to develop action plans to address issues and to help line managers manage staff absences in line with policy.

Employee Assistance Programme

Since 1 November 2018, a telephone-based counselling service (Help EAP) has been in operation. Statistics from Quarter 1 (2020/21) show that 76 calls were handled resulting in 26 employees receiving mental health assessment, two individuals were signposted to Voluntary/Private Services, one signposted to GP/NHS and another referred to the legal helpline. Five employees were referred on for structured telephone counselling sessions and one employee referred for computerised Cognitive Behavioural Therapy (CBT).

HR Advisers will continue to promote the use of this service and the trade unions have been asked to promote these services to their members.

D.4 APPLICATION OF MANAGEMENT DISCRETION (1 April 2020 – 30 June 2020)

The Policy and Procedure for Supporting Attendance at Work has the provision for the relevant manager, in consultation with Human Resources, to exercise discretion not to progress an employee through a stage of the procedure to take account of extenuating circumstances.

Since April 2020, Human Resources have been consulted in regard to 74 requests for management discretion to be considered. Of those 74 requests, 70 (94.59%) have resulted in discretion being applied to suspend application of the trigger level for a limited period taking into account the circumstances of the individual case.

A breakdown of the general categories in respect of which requests for discretion have been considered are as follows:

Main Category	Discretion Applied	Discretion Not Applied
Bereavement	15	0
Industrial Injury	3	0
Medical Treatment	15	0
Personal Difficulties	6	2
Surgery	31	2
Total	70	4

The policy provides for management decisions not to apply discretion to be reviewed by a more senior manager if requested by the employee concerned. No requests for review have been requested during this quarter.

D.5 ABSENCE AS A RESULT OF COVID-19

Since the beginning of April 2020, the council has submitted a weekly return to COSLA highlighting the number of cases of absence from the workplace which are attributed to COVID-19, including the number of individuals absent because of the requirement to shield.

Since starting to collate the data, COVID-19 absence rates have reduced from 4% to 0.4%.

In line with national advice on terms and conditions of employment for all groups of council staff, COVID-19 absences are not classed as sick leave.

An overview of the COVID-19 absence rates are set out in **Appendix 3**

E. CONCLUSION

The sickness absence SPI has seen a significant reduction in the council wide absence rate in Q1 2020/21 in comparison to the absence rate for the same time last year.

Stress continues to be the highest contributor to levels of sickness absence across the council and the focus will continue to be on targeting additional support at those service areas that are reporting high levels of stress related absence.

COVID-19 has had an impact on the number of staff who have been available for work over the period however the absence rates due to COVID-19 symptoms or due to staff being in the high risk category due to underlying health conditions has reduced during the period.

F. BACKGROUND REFERENCES

- Policy & Procedure for Supporting Attendance at Work

Appendices/Attachments: 3

1. Sickness Absence SPI% History – Full Council
2. Sickness Absence SPI% all services – 2020/21
3. Overview of COVID-19 absence rates.

Contact Person: Lesley Henderson, HR Services Manager

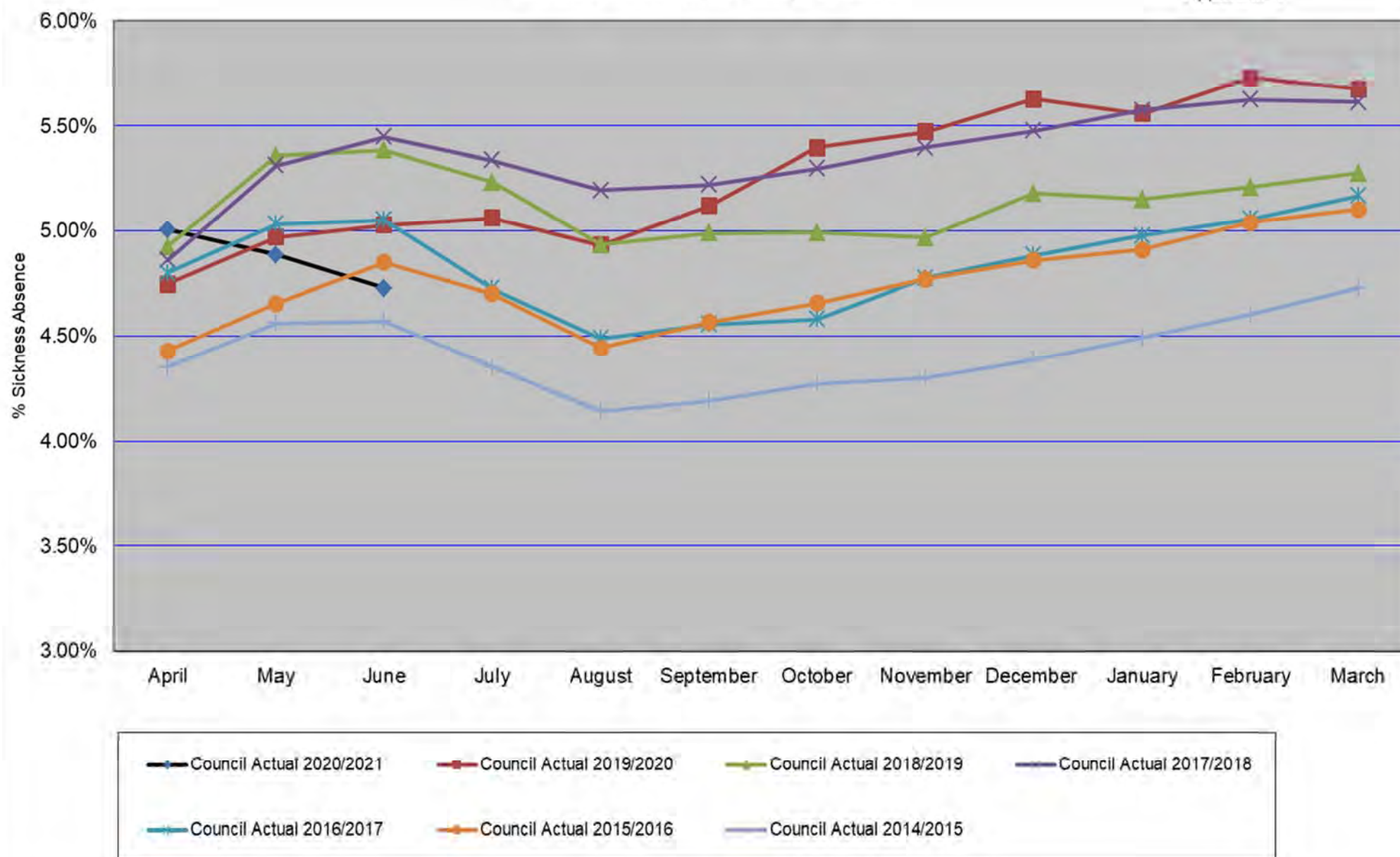
Julie Whitelaw

Head of Corporate Services

Date: 18 September 2020

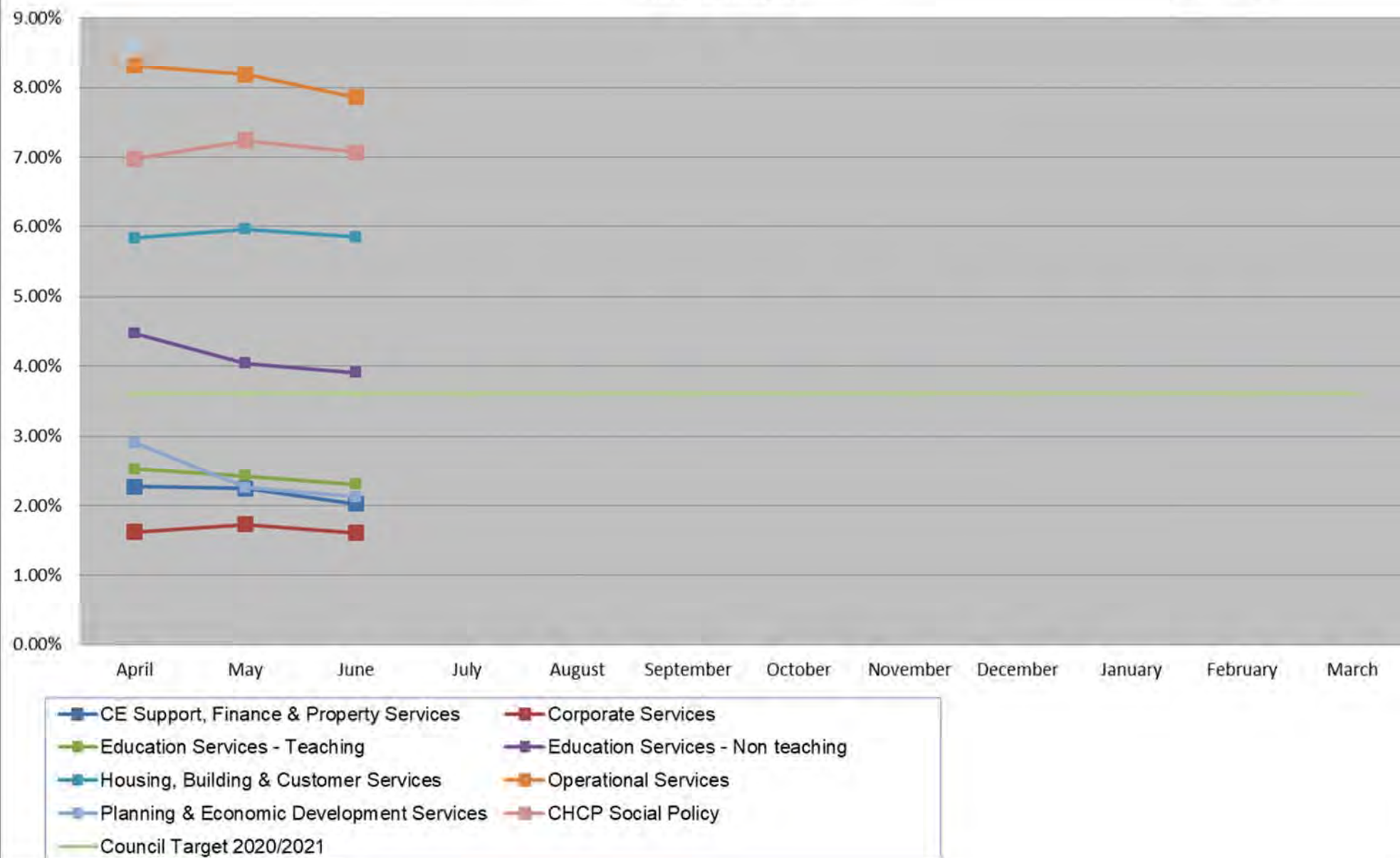
Sickness Absence SPI% History Full Council

Appendix 1

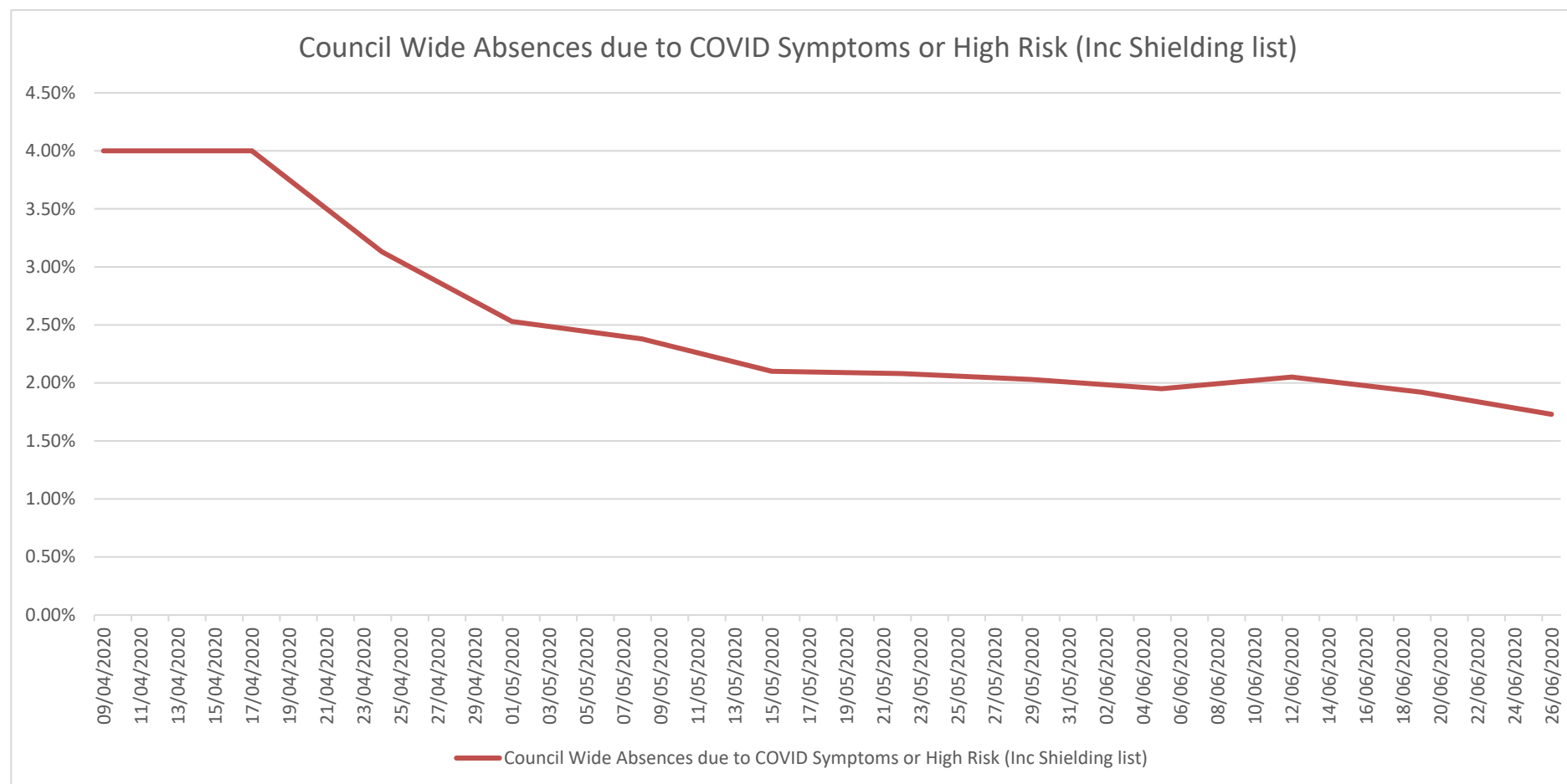


Sickness Absence SPI% all Services - 2020/21
(Education Split)

Appendix 2



Appendix 3



DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL
POLICY ON THE MISUSE OF ALCOHOL, DRUGS AND OTHER SUBSTANCES
REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To update the Panel on the current position with regard to the proposed implementation of random testing and proposals on the development of an education, training and awareness programme as part of the council's Policy on the Misuse of Alcohol, Drugs and Other Substances.

B. RECOMMENDATION

It is recommended that the Panel;

1. Notes the extension of the moratorium on random testing until 30 November 2020;
2. Notes the revisions to the definition of safety critical posts; and
3. Considers the proposals for the development of a virtual education and awareness programme to support managers in meeting their responsibilities under the policy during this challenging time.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs
Being honest, open and accountable
Providing equality of opportunities
Developing employees
Making best use of our resources
Working in partnership

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) The council has a statutory obligation to ensure the health, safety and welfare of all its employees whilst at work, and any other person who may be affected by its acts or omissions.

III Implications for Scheme of Delegations to Officers None

IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	Alcohol and drug testing will have financial resource implications.
VII	Other consultations	Consultation has taken place with the council's recognised Trade Unions.

D. TERMS OF REPORT

D.1 Background

The Council Executive on 23 April 2019 approved a revised council Policy on the Misuse of Alcohol, Drugs and Other Substances to be implemented with effect from 1 September 2019.

Along with promoting a zero tolerance approach to the misuse of alcohol, drugs and other substances in the workplace, the revised Policy introduced random and with cause alcohol and drug testing.

The policy made provision for random testing to be carried out amongst staff groups occupying posts designated as safety critical. Safety critical posts were defined as those involving:

- The use of heavy machinery;
- An occupational requirement to drive Heavy Goods Vehicles (HGVs) or Passenger Carrying Vehicles (PCVs); or
- The transportation of council clients.

With cause testing, on the other hand, applies to all employees and can be undertaken at any time where a manager has reasonable cause to suspect that an employee is under the influence of alcohol or drugs at work.

D.2 Avoidance of Dispute

Prior to implementation of the revised policy on 1 September 2019, UNISON initiated an avoidance of disputes process stating that they considered it unacceptable to treat select groups of staff differently; and that the health, safety and welfare of all employees and the risk to the public could be adequately eliminated by the proper management of employees and by a correct and robust use of with cause testing.

It is UNISONs position that they will *'accept the use of with cause alcohol, drug and other substance testing for ALL staff OR we will accept the use of both with cause and random testing for ALL staff but we will enter dispute should the use of random testing for selected groups of employees commence'*.

Similar representations have been made by other recognised trade unions including GMB and UNITE who have balloted members on industrial action specifically with reference to random testing of select groups. The EIS position is that they are

opposed to random testing and have instructed members to withdraw from arrangements to voluntarily transport pupils if they are subjected to random testing.

As a result of the above, it was agreed at the Avoidance of Disputes Committee on 28 August 2019 that the council would enter into discussions with UNISON on aspects of the policy relating to random testing. It was further agreed that random testing would be suspended pending further dialogue with all recognised trade unions. All other aspects of the policy, including with cause testing, were implemented with effect from 1 September 2019.

A further meeting of the Avoidance of Disputes Committee was held on 29 October 2019 where further dialogue between officers and trade unions was encouraged. It was also agreed at this meeting that a report would be presented to the Partnership and Resources Policy Development and Scrutiny Panel updating on the outcome of these discussions.

D.3 Impact of the COVID-19 Pandemic

The PDSP meeting of 3 April 2020 did not go ahead as a result of the COVID-19 Pandemic and resulting lockdown, and the decision was taken, in consultation with the recognised Trade Unions, that the moratorium on random testing would be extended until 31 August 2020. During this period the ballot for strike action expired and GMB committed to not pursue industrial action during this time of crisis.

As the council works toward recovery and remobilisation following the lockdown and continuing threat to public health from COVID-19 a three-month extension to the moratorium on random testing will be applied. This is considered appropriate as it:

- allows further time for recovery, remobilisation and establishment of new normal ways of working before proposing the implementation of random testing which has proven to be a contentious issue; and
- reduces the risk of virus transmission by avoiding testing in large numbers where the method of testing involves a breathalyser and mouth swab. While Syn-lab, the drug and alcohol test provider, has advised that testing can take place with appropriate PPE and other appropriate control measures it is considered prudent to limit testing at this time to 'with-cause' situations and further limit any risk to employees and those administering tests.

D.4 Education, Training and Awareness

At the PDSP meeting on 7 February 2020, the Panel agreed that a programme of education, training and awareness should be developed to support managers to meet their responsibilities under the policy. The proposed programme will cover:

- the risk assessment process
- observational issues and spotting the signs of misuse
- having difficult conversations and the use of direct questioning
- the risks and effects of drug and alcohol in the workplace
- the impact of misuse on the health and safety of employees, customers and the public

Discussions with the recognised Trade Unions on the proposed programme of education, training and awareness have been encouraging with all concerned recognising the value of such a programme.

Prior to lockdown, Human Resources were in the process of seeking quotes from specialist providers to deliver a programme as detailed above, however this process has stalled as the providers were unable to continue with these discussions as a result of the COVID-19 pandemic. It is also recognised that delivery of this programme face to face is unlikely to be possible in the current circumstances and for some time to come.

Therefore, in the context of the council's current and extended enforced homeworking arrangements and likely new ways of working, officers are progressing an education, training and awareness programme that can be delivered virtually using appropriate digital and online applications.

Officers are exploring the use of the council's existing online learning and development platform, My Learning, as a tool to deliver a programme of Education, training and awareness for managers. In addition, applications such as Webex and Microsoft Teams have been used effectively in recent months to deliver online training where there is a need for more interactive discussion and learning.

It is considered that a combination of both online training modules and interactive online learning could provide the support needed by managers to meet their responsibilities under the Policy on the Misuse of Alcohol, Drugs and Other Substances which will include the ability to recognise and identify the signs of alcohol or drug misuse and the ability to challenge behaviours and have difficult conversations.

Options for the delivery of a virtual education, training and awareness programme, to include external content on the effects of alcohol and drugs provided by subject experts, are therefore being developed in place of the originally proposed face to face training. This virtual education, training and awareness programme will further enhance the Misuse of Alcohol, Drugs and Other Substances online training module developed as part of the roll-out of the policy.

D.5 Safety Critical Posts

At the PDSP meeting on 7 February 2020, the Panel agreed that a review of the 'safety critical' definition contained within the Policy on the Misuse of Alcohol, Drugs and Other Substances would be conducted.

That review was carried out prior to lockdown and a revised list of safety critical posts was developed to ensure that the safety critical group captures those posts where the greatest risk to health and safety exists. The revised definition includes only posts:

- with an occupational requirement to drive Heavy Goods Vehicles (HGVs) or Passenger Carrying Vehicles (PCVs); or
- involving the use of heavy machinery.

The removal of posts involving the transportation of council clients from the safety critical group is in recognition of the fact that such transportation is often carried out on an infrequent basis therefore providing some mitigation of risk. In addition, staff transporting council clients will remain subject to with cause testing as appropriate.

In addition to removing any posts previously listed due to transportation of council clients, services were asked to further review posts involving the use of heavy machinery to ensure that only those posts with the greatest risk to health and safety were included. Posts remaining in the safety critical group include those involving,

but not limited to, the use of hydraulic lifting equipment, diggers, dumpers, chainsaws and excavators.

Discussions with the recognised Trade Unions on changes to the definition of 'safety critical' took place prior to lockdown and their position relating to the introduction of random testing of employees' remains as set out in Section D.2 of this report.

D.6 With Cause Testing

Arrangements for with cause testing will remain as stated in the policy as agreed by Council Executive. Since the implementation of testing, with cause tests have been conducted on three occasions.

E. CONCLUSION

In the current unprecedented circumstances, it is proposed that during the extended moratorium on random testing the focus will be on the development of a tailored and robust virtual education, training and awareness programme to be supported by external content from subject experts.

Provision of a further programme of education, training and awareness will ensure the appropriate use of both random and with cause testing and will support the council in delivering a workplace free from the risks associated with alcohol and drug misuse.

A further examination of the safety critical definition and list of safety critical posts has concluded that the definition could be reviewed and revised to focus on posts that have an occupational requirement to drive Heavy Goods Vehicles and Passenger Carrying Vehicles or involving the use of heavy machinery; excluding posts where driving duties are limited to the transportation of clients on an irregular/infrequent and/or voluntary basis. Such a review and refinement would result in a more limited application of random testing.

F. BACKGROUND REFERENCES

- Policy on the Misuse of Alcohol Drugs and Other Substances (Approved 23 April 2019)

Appendices/Attachments: None

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Sophie.mckinney@westlothian.gov.uk

Julie Whitelaw
Head of Corporate Services
18 September 2020

DATA LABEL: OFFICIAL



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

LOCAL GOVERNMENT BENCHMARKING FRAMEWORK

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

This report provides the updated Local Government Benchmarking (LGBF) data for 2018/19. The LGBF compares the performance of the 32 Scottish councils in a consistent set of key performance indicators and is published each year in a national report.

B. RECOMMENDATIONS

It is recommended that the Panel note the council's comparative performance in the LGBF 2018/19.

C. SUMMARY OF IMPLICATIONS

I.	Council Values	<ul style="list-style-type: none">• Focusing on customers' needs• Being honest, open and accountable
II.	Policy and Legal	Compliance with the Code of Corporate Governance requirements.
III.	Implications for Scheme of Delegations to Officers	None
IV.	Impact on performance and performance indicators	The council is required to publish Specified Performance Indicators in accordance with the Local Government (Scotland) Act 2003. This includes comparative performance information from the LGBF.
V.	Relevance to Single Outcome Agreement	The LGBF contains indicators across the main domains of council activities. Some of these indicators are included within the council's performance reporting arrangements for outcomes and priorities.
VI.	Resources (Financial, Staffing and Property)	From existing budget
VII.	Consideration at PDSP/Executive Committee required	A report on the council's comparative performance in the LGBF will be taken to the next meeting of the Performance Committee.
VIII.	Details of consultations	None

D. TERMS OF REPORT

D.1 Local Government Benchmarking Framework Overview

The Local Government Benchmarking Framework (LGBF) is focused on providing a consistent approach to benchmarking local authority performance, with an evolving data set reported each year to the public.

The comparative performance of the 32 Scottish local authorities is published in an annual report that identifies national trends across eight thematic categories of council activity. The report also highlights local challenges and priorities, how this varies across councils and the subsequent impact on performance.

Following the publication of the national report in February 2020, the Improvement Service issued to councils new 2018/19 data in April 2020 and this report contains the high-level analysis of the council's performance in the LGBF.

D.2 LGBF Overview Report 2018/19

The LGBF Overview Report 2018/19 was published by the Improvement Service in February 2020. The report compares Scottish councils' performance across 87 performance indicators, an increase on the 81 performance indicators used for 2017/18. The national process concludes in around April each year, when refreshed data is issued to councils, including some measures that are not available when the national report is published.

The LGBF performance indicators remain grouped under the following eight categories:

People Service categories

- Children's Services
- Adult Social Care
- Housing Services
- Culture and Leisure

Other Services categories

- Corporate Services
- Corporate Assets
- Environmental Services
- Economic Development

The dataset in each category generally focuses on how much councils have spent on particular services, service performance and how satisfied people are with the major services provided by councils.

LGBF Family Groups

LGBF performance is analysed to ensure the variation and causal impact in relation to local priorities and policy choices are understood. This is facilitated by councils working as part of 'family groups' to interrogate the data. These family groups also serve as a forum for learning and knowledge share amongst relevant comparators.

Councils are allocated to a family group of authorities with similar characteristics. The council is a member of family group 3, with the general characteristics set out in table 1:

Table 1: Family Group Allocation		
Categories	Characteristic	Family
People Service categories: <ul style="list-style-type: none"> • Children • Social Work • Housing 	Allocation based on deprivation / affluence	<ul style="list-style-type: none"> • Clackmannanshire • Dumfries and Galloway • Falkirk • Fife • Renfrewshire • South Ayrshire

		<ul style="list-style-type: none"> • South Lanarkshire • West Lothian Council
Categories	Characteristic	Family
Other Services categories:	Allocation based on population	<ul style="list-style-type: none"> • Angus • Clackmannanshire • Inverclyde • East Renfrewshire • Midlothian • Renfrewshire • South Lanarkshire • West Lothian Council
<ul style="list-style-type: none"> • Environmental • Culture and Leisure • Corporate • Property (Corporate) Assets 		

D.3 Analysis of LGBF 2018/19

The 2018/19 ranking performance of the council in the eight LGBF categories, in comparison to the 2017/18, is summarised in table 2:

Table 2: Summary Position of Performance 2017/18 to 2018/19				
Category	Total Number	Improvement	Decline	No change
Adult Social Care	11	6	4	1
Children's Services	*28	17	5	2
Corporate Services	8	4	4	0
Corporate Assets	2	1	1	0
Environmental Services	15	3	7	5
Housing Services	5	1	2	2
Economic Development	10	4	4	2
Culture and Leisure	8	1	6	1
West Lothian Council*	87	37	33	13

*4 new indicators added in 2018/19. There is no comparative information available for these indicators.

The council's actual performance and ranking in each indicator can be viewed on the council [website](#).

Average Ranking 2018/19

The council's average ranking and the top ranked local authority in the eight categories of LGBF have been summarised in table 3.

Table 3: Average Ranking Movement (Refresh 2018/19)			
Category	WLC Ranking 2017/18	WLC Ranking 2018/19	Top Ranked Authority
Adult Social Care	9	12	East Dunbartonshire
Children's Services	5	4	East Renfrewshire
Corporate Services	5	2	Stirling
Corporate Assets	1	1	West Lothian
Environmental Services	13	19	East Lothian
Housing Services	2	2	North Ayrshire
Economic Development	1	2	Aberdeenshire
Culture and Leisure	7	12	Shetland Islands
Overall	1	1	West Lothian

The council ranked an average of first in Scotland overall in 2018/19.

Appendix 1 contains the average ranking of the 32 local authorities in each category.

The top five ranking authorities in Scotland is set out in table 3b and is calculated based on an average of all indicators in the LGBF dataset and are as follows:

Table 3b: Overall top ranking authorities in Scotland		
Top Ranking Authority	Ranking 2017/18	Ranking 2018/19 Refresh
West Lothian	1	1
East Renfrewshire	2	2
East Dunbartonshire	5	3
Inverclyde	9	4
Stirling	6	5

Comparative Analysis

Table 4 provides a breakdown of the number of performance indicators the council has in each quartile in comparison to the position in February 2020. The council continues to have a large proportion of indicators in the top two quartiles.

Table 4: Quartile Ranking Movement (Refresh 2018/19)		
Quartile	2017/18 Number of PIs	2018/19 Number of PIs
Quartile 1	30	31
Quartile 2	22	27
Quartile 3	19	21
Quartile 4	6	8

E. CONCLUSION

The LGBF is intended to support councils to improve performance in key activities, inform strategic planning and forms a critical part of the sector's response to requirements for public performance reporting and benchmarking.

The council continues to perform well in the LGBF dataset and continues to be ranked an average of first overall in Scotland.

F. BACKGROUND REFERENCES

[LGBF 2018/19 overview report](#)

Appendices/Attachments: 1

Appendix 1: LGBF Average Category Ranking 2018/19

Contact Person: Rebecca.kelly@westlothian.gov.uk Phone 01506 281891

Julie Whitelaw
Head of Corporate Services
18 September 2020

COUNCIL WIDE		
Local Authority	2018/19	Rank
West Lothian	12.6	1
East Renfrewshire	12.9	2
East Dunbartonshire	13.2	3
Inverclyde	14.1	4
Stirling	14.2	5
Renfrewshire	14.7	6
North Ayrshire	15.0	7
South Ayrshire	15.0	7
Orkney Islands	15.1	9
Aberdeenshire	15.3	10
Perth & Kinross	15.3	11
West Dunbartonshire	15.4	12
Falkirk	15.5	13
Edinburgh City	15.6	14
Shetland Islands	15.7	15
South Lanarkshire	15.9	16
Angus	16.3	17
North Lanarkshire	16.5	18
East Ayrshire	16.6	19
Dumfries & Galloway	16.8	20
Fife	16.8	21
Moray	16.8	22
East Lothian	16.8	23
Clackmannanshire	17.3	24
Glasgow City	17.5	25
Dundee City	17.6	26
Midlothian	17.8	27
Highland	18.3	28
Aberdeen City	18.4	29
Argyll & Bute	18.7	30
Scottish Borders	19.7	31
Eilean Siar	20.6	32

CHILDREN'S SERVICES		
Local Authority	2018/19	Rank
East Renfrewshire	6.1	1
East Dunbartonshire	7.3	2
Stirling	11.6	3
West Lothian	11.8	4
Renfrewshire	11.8	5
Inverclyde	12.1	6
South Ayrshire	12.3	7
South Lanarkshire	12.3	7
Falkirk	13.6	9
Edinburgh City	13.9	10
North Lanarkshire	14.2	11
Argyll & Bute	14.4	12
Orkney Islands	14.7	13
Angus	16.1	14
Dumfries & Galloway	16.5	15
East Lothian	16.6	16
Shetland Islands	16.9	17
West Dunbartonshire	17.1	18
Perth & Kinross	18.0	19
Glasgow City	18.1	20
East Ayrshire	18.4	21
North Ayrshire	18.4	22
Aberdeenshire	18.4	23
Fife	18.5	24
Scottish Borders	18.8	25
Moray	19.6	26
Eilean Siar	19.7	27
Midlothian	20.1	28
Clackmannanshire	20.2	29
Dundee City	21.9	30
Highland	22.7	31
Aberdeen City	23.8	32

CORPORATE SERVICES		
Local Authority	2018/19	Rank
Stirling	9.3	1
West Lothian	10.4	2
Falkirk	11.3	3
South Ayrshire	11.5	4
Perth & Kinross	11.8	5
Aberdeenshire	11.9	6
East Ayrshire	12.4	7
North Ayrshire	12.4	7
Edinburgh City	13.1	9
Inverclyde	14.0	10
Angus	14.1	11
Glasgow City	14.1	11
West Dunbartonshire	14.8	13
Fife	15.6	14
East Lothian	16.5	15
East Dunbartonshire	16.9	16
Aberdeen City	17.0	17
Midlothian	17.0	17
North Lanarkshire	17.6	19
East Renfrewshire	18.6	20
South Lanarkshire	18.6	20
Shetland Islands	19.3	22
Argyll & Bute	19.6	23
Dumfries & Galloway	19.6	23
Dundee City	20.1	25
Renfrewshire	20.1	25
Highland	20.3	27
Moray	20.3	27
Clackmannanshire	20.8	29
Scottish Borders	22.3	30
Eilean Siar	23.0	31
Orkney Islands	24.0	32

ADULT SOCIAL CARE		
Local Authority	2018/19	Rank
East Dunbartonshire	7.6	1
Dumfries & Galloway	7.9	2
Perth & Kinross	10.3	3
Orkney Islands	10.4	4
Aberdeenshire	11.7	5
Glasgow City	12.6	6
Stirling	13.5	7
West Dunbartonshire	13.5	7
Aberdeen City	14.3	9
Inverclyde	14.3	9
Shetland Islands	14.7	11
West Lothian	15.4	12
Highland	16.2	13
Scottish Borders	16.5	14
Renfrewshire	16.6	15
Moray	16.7	16
Clackmannanshire	16.8	17
Dundee City	17.0	18
North Ayrshire	17.1	19
Falkirk	17.5	20
East Renfrewshire	17.6	21
Fife	18.0	22
East Ayrshire	18.5	23
South Ayrshire	18.8	24
Argyll & Bute	18.9	25
South Lanarkshire	20.2	26
Edinburgh City	21.4	27
East Lothian	21.5	28
Midlothian	21.8	29
Angus	22.9	30
North Lanarkshire	23.0	31
Eilean Siar	24.4	32

CULTURE & LEISURE		
Local Authority	2018/19	Rank
Shetland Islands	7.0	1
Edinburgh City	8.9	2
Orkney Islands	9.3	3
South Ayrshire	12.1	4
Inverclyde	13.1	5
Stirling	13.3	6
East Ayrshire	13.5	7
Angus	14.0	8
North Ayrshire	14.0	8
Moray	14.1	10
Dundee City	14.3	11
Perth & Kinross	14.4	12
West Lothian	14.4	12
Clackmannanshire	14.6	14
Aberdeen City	14.6	15
Highland	14.6	15
West Dunbartonshire	14.6	15
Fife	16.6	18
North Lanarkshire	16.8	19
Renfrewshire	16.8	19
Midlothian	16.9	21
Aberdeenshire	17.3	22
Argyll & Bute	18.1	23
Glasgow City	18.6	24
East Lothian	19.8	25
South Lanarkshire	20.0	26
East Dunbartonshire	20.8	27
East Renfrewshire	22.0	28
Falkirk	22.8	29
Eilean Siar	23.6	30
Dumfries & Galloway	23.9	31
Scottish Borders	28.5	32

ENVIRONMENTAL SERVICES		
Local Authority	2018/19	Rank
East Lothian	12.2	1
Moray	12.3	2
Fife	13.1	3
Highland	13.7	4
Midlothian	13.7	5
Angus	13.8	6
East Renfrewshire	13.9	7
Dundee City	14.0	8
Clackmannanshire	14.1	9
Aberdeenshire	14.3	10
North Ayrshire	14.5	11
South Lanarkshire	14.7	12
Orkney Islands	14.7	13
West Dunbartonshire	14.7	13
Aberdeen City	15.5	15
Perth & Kinross	15.9	16
Shetland Islands	15.9	16
East Ayrshire	16.1	18
West Lothian	16.1	19
East Dunbartonshire	16.3	20
Renfrewshire	16.3	20
Inverclyde	17.2	22
North Lanarkshire	17.5	23
Scottish Borders	18.1	24
Dumfries & Galloway	18.5	25
Falkirk	18.6	26
South Ayrshire	19.9	27
Edinburgh City	20.5	28
Eilean Siar	21.1	29
Glasgow City	21.4	30
Stirling	22.6	31
Argyll & Bute	24.7	32

HOUSING SERVICES		
Local Authority	2018/19	Rank
North Ayrshire	3.6	1
West Lothian	7.2	2
East Renfrewshire	8.4	3
Clackmannanshire	10.6	4
South Ayrshire	11.2	5
East Ayrshire	11.6	6
Stirling	11.6	6
North Lanarkshire	11.8	8
West Dunbartonshire	11.8	8
Highland	12	10
Falkirk	12.8	11
Renfrewshire	13	12
Midlothian	13.2	13
Fife	13.4	14
Moray	13.4	14
Dundee City	14	16
Edinburgh City	14.8	17
Shetland Islands	14.8	17
South Lanarkshire	14.8	17
Perth & Kinross	15.8	20
East Lothian	16.4	21
Angus	17.2	22
Aberdeen City	17.6	23
Aberdeenshire	17.6	23
East Dunbartonshire	18.8	25
Orkney Islands	21.6	26
Argyll & Bute		
Dumfries & Galloway		
Eilean Siar		
Glasgow City		
Inverclyde		
Scottish Borders		

CORPORATE ASSET		
Local Authority	2018/19	Ranks
West Lothian	2.0	1
Angus	7.0	2
Stirling	7.0	2
East Ayrshire	7.5	4
Renfrewshire	8.0	5
North Ayrshire	8.5	6
Inverclyde	9.5	7
Orkney Islands	10.0	8
South Lanarkshire	10.0	8
Clackmannanshire	13.0	10
Falkirk	14.5	11
Glasgow City	14.5	11
Shetland Islands	14.5	11
Aberdeen City	16.0	14
East Lothian	16.0	14
Moray	16.5	16
West Dunbartonshire	16.5	16
East Dunbartonshire	17.0	18
Perth & Kinross	17.0	18
Argyll & Bute	18.0	20
North Lanarkshire	19.5	21
East Renfrewshire	20.0	22
South Ayrshire	20.5	23
Eilean Siar	23.5	24
Dumfries & Galloway	24.0	25
Dundee City	24.0	25
Fife	24.0	25
Scottish Borders	24.0	25
Aberdeenshire	24.5	29
Edinburgh City	25.5	30
Midlothian	27.5	31
Highland	28.0	32

ECONOMIC DEVELOPMENT		
Local Authority	2018/19	Rank
Aberdeenshire	10.3	1
West Lothian	12.2	2
Eilean Siar	12.2	3
Dundee City	12.6	4
Edinburgh City	12.6	4
Falkirk	13.1	6
North Ayrshire	13.9	7
Midlothian	14.9	8
Renfrewshire	14.9	8
North Lanarkshire	15.0	10
Dumfries & Galloway	15.1	11
East Renfrewshire	15.3	12
Perth & Kinross	15.6	13
Inverclyde	16.5	14
West Dunbartonshire	16.5	14
Stirling	16.9	16
South Ayrshire	17.1	17
Fife	17.2	18
Glasgow City	17.2	18
Moray	17.3	20
Aberdeen City	17.5	21
East Lothian	17.5	21
Orkney Islands	17.6	23
Clackmannanshire	17.9	24
Highland	17.9	24
Scottish Borders	17.9	24
East Dunbartonshire	18.5	27
Angus	18.6	28
Shetland Islands	19.3	29
South Lanarkshire	19.9	30
East Ayrshire	20.9	31
Argyll & Bute	21.9	32

DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT SCRUTINY PANEL

REVIEW OF STANDING ORDERS FOR THE REGULATION OF CONTRACTS

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To present proposed revised Standing Orders for the Regulation of Contracts (Contract Standing Orders).

B. RECOMMENDATION

It is recommended that the Panel notes and provides comment upon the proposed revised Contract Standing Orders, attached at Appendix 1, which will be reported to Council Executive for determination.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Public procurement regulations. Local Government (Scotland) Act 1973. Corporate Procurement Strategy.
III	Implications for Scheme of Delegations to Officers	The Scheme of Delegations will be updated where required to reflect the updated roles and responsibilities in the revised Standing Orders
IV	Impact on performance and performance Indicators	The proposed revisions to Contract Standing Orders will support delivery of the Outcomes in the Corporate Procurement Strategy.
V	Relevance to Single Outcome Agreement	Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business.
VI	Resources - (Financial, Staffing and Property)	None.
VII	Consideration at PDSP	P&R PDSP - 18 September 2020.

VIII Other consultations

Procurement Board, Governance Manager and all Service areas as part of a Working Group, including Legal Services.

D. TERMS OF REPORT

D1 Background

The Contract Standing Orders ensure that uniform contracting procedures of the highest standard are laid down for use across the Council to secure competition and compliance within the law with respect to all contracts. They also ensure that the council obtains best value in its procurement and contracting and provide a framework for detailed procurement procedures which can be made by Senior Officers under delegated powers, affording protection to the Council and its staff.

D2 Procurement Considerations

Minor updates to the current Contract Standing Orders were made in March 2019. More recently, a working group from across service areas was established to review Standing Orders. The updated document, attached at Appendix 1, incorporates, along with other minor changes, changes to accommodate Brexit, clarification of Works thresholds, integrate health and social care procurement and to clarify and strengthen the Responsible Officer role in respect of Health and Social Care Partnership Contract Advisory Group around exemptions to tender and ensure an escalation process to Council Executive, where applicable.

The proposed amendments and how these relate to the current Contract Standing Orders are detailed in Appendix 2. Amendments of particular note are at paragraph C2.2 and C2.3 where it is proposed to change the threshold for reporting Works contracts to Committee. Current Standing Orders require all contracts over a £50,000 threshold to be reported to Committee. This is the regulated procurement threshold for supplies and services contracts. Below that threshold officers can progress procurement via Quick Quotes. The regulated procurement threshold for Works contracts is £249,999, below which threshold officers can progress procurement by way of Quick Quote. The proposed change to Contract Standing orders would require both categories of contracts to be reported only where they are over threshold, i.e. supplies and services over £50,000 and Works over £249,999.

There is also an amendment at paragraph C3.3 to delegate authority to the Responsible Officer to determine the tender award criteria.

Further to the review, the Scheme of Delegation will be updated where required to reflect the updated roles and responsibilities in the revised Standing Orders.

It is proposed to present the revised Contract Standing Orders to Council Executive on 6 October for approval.

The Contract Standing Orders attached at Appendix 1 will become effective from 6 October 2020.

E. CONCLUSION

The proposed revised Contract Standing Orders will ensure continued compliance with the law whilst recognising the changing landscape of local authority procurement as a result of Brexit, the integration of health and social care.

F. BACKGROUND REFERENCES

None.

Appendices: One

Appendix 1 – Draft Standing Orders for the Regulation of Contracts (Standing Orders)

Appendix 2 – Amendments to Standing Orders

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Julie Whitelaw

Head of Corporate Services

18 September 2020



STANDING ORDERS

for the

REGULATION OF CONTRACTS

DOCUMENT HISTORY		
24 April 2012	New Standing Orders approved following Corporate Procurement Review	Council Executive (with effect from 1 June 2012)
1 January 2013	Amendment to Clause A.7 in relation to Bribery Act 2010	Head of Finance & Estates in consultation with Chief Solicitor
1 July 2013	Amended to reflect Corporate Procurement Strategy 2013/18	Council Executive, 4 June 2013
31 December 2014	Amended following adoption of Best Value Framework	Council Executive, 5 June 2014
	Amended to reflect changes to procurement and exemption spend thresholds	Council Executive, 19 August 2014
August 2017	Amended under delegated powers to reflect management changes and new legislation	N/A
March 2019	Amended under delegated powers to amend errors in spelling, terminology and formatting	N/A
August 2020	Amended to reflect changes in relation to exit from the European Union, integration health and Social Care and clarification of Responsible Officer role in CAG, along with clarification of Works spend thresholds for tendering and other minor amendments.	P&R PDSP, 18 September 2020 Council Executive, 6 October 2020

CONTENT

A	EXTENT AND INTERPRETATION
B	DEFINITIONS
C	STANDING ORDERS
1	ROLES AND RESPONSIBILITIES
2	APPLICATION AND EXCEPTIONS
3	BEFORE COMMENCING THE PROCUREMENT PROCESS
4	ISSUING DOCUMENTATION AND ADVERTISING
5	RECEIVING QUOTATIONS AND TENDERS

- 6 EVALUATION
- 7 SELECTION AND ACCEPTANCE
- 8 CONTRACT MONITORING
- 9 EXTENSIONS AND RENEWALS
- 10 RECORDS AND REPORTING
- 11 DISPOSALS

APPENDICES

- 1 Current Tender Thresholds (6 October 2020)

A. EXTENT AND INTERPRETATION

1	<p>The purposes of these Standing Orders are:</p> <ul style="list-style-type: none"> • to ensure that uniform contracting procedures of the highest standard are laid down for use throughout the council; • to secure competition and compliance with the law with respect to all contracts; • to ensure the council obtains best value in its procurement and contracting; • to provide a framework for detailed Corporate Procurement Procedures which can be made by Senior Officers under delegated powers; and • to afford protection to the council and its staff
2	<p>The Council makes these Standing Orders in terms of section 81 of the Local Government (Scotland) Act 1973. Section 81 requires the council to make Standing Orders with respect to the making of contracts by or on behalf of the council both for Works and for the supply of goods and materials. Such Standing Orders must include provision for securing competition for such contracts and for regulating the manner in which tenders are invited by the council. Section 81 also gives the council the power to make, if it chooses, Standing Orders for contracts for the supply of services, as distinct from the supply of goods and materials. These Standing Orders also cover contracts for Works and Services, including health and social care services.</p> <p>The Health and Social Care partnership is the name of the umbrella partnership body through which the council and NHS Lothian Health Board co-operate and work together to deliver health and social care services in West Lothian. It takes in delivery of Adult and Older Peoples Services, Children's Services, Criminal and Youth Justice service as directed by the West Lothian Integration Joint Board and the delivery of children's services under direct control of the partners. On 24 April 2012, the Council approved a separate process for health and social care services contracts and decided that approval of contracts covered by the West Lothian Health and Social Care Partnership, which are health and social care services, covered by the schedule in the Procurement (Scotland) Regulations 2016 should be devolved to the Responsible Officer and approval granted with advice and assistance from the Health and Social Care Contracts Advisory Group (CAG). Such contracts are treated differently in public procurement legislation and are of a particular nature where the needs of service users are of over-riding importance. Where applicable, these standing orders make provision for Health and social care contracts to be governed differently and the Corporate procurement procedures provide further information on the procurement and reporting arrangements.</p>
3	<p>These Standing Orders must be interpreted and applied in accordance with the key principles of transparency, equal treatment, non-discrimination and proportionality.</p>
4	<p>These Standing Orders apply to all contracts made by or on behalf of the Council, on or after 6 October 2020, for the procurement of the execution of works, the supply of goods and materials to the Council, and/or for the provision of services, including health and social care services. Where the tender process to make the contracts began prior to the 6 October 2020, the previous Standing Orders will apply.</p>
5	<p>The Standing Orders are subject to the over-riding provisions of public procurement legislation. Officers must also have regard to statutory guidance when using the Standing Orders.</p>

6	<p>Section 81 allows the council to exempt any contract from this requirement for competition where the council decides that it is satisfied that the exemption is justified by special circumstances. However, this exemption from competition can only apply to contracts where the aggregated Estimated Contract Value, for the same procurement requirement, is less than the relevant regulated procurement spend threshold under the applicable public procurement legislation. Even in some of those cases, consideration is still required about the appropriate method and extent of advertising or publicity. These Standing Orders contain procedures for the granting of such exemptions.</p>
7	<p>The Standing Orders must be read in conjunction with (and all Council staff must comply with) the Scheme of Delegation, the Council's Financial Regulations and Corporate Procurement Procedures.</p>
8	<p>Public Procurement legislation regulates the making of contracts by the council. The legislative framework seeks to ensure that public sector bodies such as the council award contracts in an efficient and non-discriminatory manner. It sets out general duties for public bodies to follow and more specific duties for specified types of procurement activity. Public Procurement legislation set out the procedures to be followed at each stage of the procurement process leading to the award of contracts above certain financial spend thresholds (regulated spend thresholds) for works, goods and materials and services, including health and social care services, by the council and other public bodies. They take account of modern techniques such as e-procurement and the provision of framework agreements, as well as the extent to which sustainable procurement and social, economic and environmental issues can be considered during the procurement process.</p> <p>Public Procurement legislation makes provision to exclude some types of spend from its scope and although, grant funding received by the Council, as a grant recipient, may be subject to public procurement legislation when the Council spends it, grant funding paid out by the Council to grant recipients is not subject to public procurement legislation so falls outwith the scope of Standing Orders.</p>
9	<p>In addition, the Local Government in Scotland Act 2003, section 1 requires the council:</p> <ul style="list-style-type: none"> • to secure best value in the performance of its functions; • to balance the quality and cost of the performance of its functions and the cost of council services to service users; • to have regard to efficiency, effectiveness, economy and the need to meet equal opportunity requirements in maintaining that balance; and • to discharge its duty to secure best value in a way which contributes to the achievement of sustainable development. <p>The council has adopted a Best Value Framework to ensure compliance with the relevant legislation and statutory guidance. The Framework applies across the council to all services and areas of activity and is of particular relevance to the procurement process, as part of making the decision to procure goods, materials, services, including health and social care, and works from external providers and in seeking to achieve Best Value procurement. In making decisions about procurement and in applying these Standing Orders, officers must have regard to and comply with that Framework. Best Value procurement is a process that</p>

	<p>considers and returns more than just best price. It is a process that takes account of the whole life cost of buying products, services or works.</p> <p>Best Value includes financial and non-financial elements such as time, administration, sourcing and benchmarking.</p>
10	<p>The council's Scheme of Delegation to Officers sets out the powers which have been delegated by the council to senior officers. Subject to certain general conditions set out in this Scheme, such as the requirement to follow council policies, the day-to-day running of council services is delegated to the Chief Executive and Depute Chief Executives, and also to Head Teachers under the council's Scheme of Devolution of School Management. These senior officers are also authorised to delegate any of their authority to other officers under their direction and who are appropriately qualified and experienced. This means that, in the context of the making of contracts on behalf of the council, the Chief Executive, Depute Chief Executives, Heads of Service, as well as Head Teachers, must ensure that those officers whom they authorise to perform procurement functions and tasks on their behalf have sufficient training, knowledge and experience to determine compliant and relevant procurement issues and are aware of the extent and limitation of their delegated authority. Regardless of any delegations by them, the final responsibility for ensuring compliance with all applicable regulations rests with the "Responsible Officer". The Responsible Officer for all types of procurement by the council is currently the Head of Corporate Services.</p>
11	<p>The Responsible Officer will:-</p> <ul style="list-style-type: none"> • ensure compliance with these Standing Orders; • determine disputes amongst officers engaged in the procurement and contracting process and procedures in accordance with clause A.15, below; • ensure that the award of any regulated contract applying to services is advertised within the relevant legislative timescales and contract award notices published; • include the details of regulated contract awards in the annual statistical returns and Annual Procurement Report to the Scottish Government; • add details of the contract awards into the council's corporate contract register; and • comply with provisions of Standing Orders in relation to delegation and training of officers, procurement strategies, use of standard terms of contract, use of the Corporate Contract Register, use of framework agreements and collaborative arrangements, contract monitoring, and reporting to committee and Policy Development and Scrutiny Panel.
12	<p>All officers exercising delegated powers in relation to procurement and contracting functions must comply with these Standing Orders, with the relevant Procurement Procedure as approved by the Head of Corporate Services, and with the Employee Code of Conduct. They must also be aware of the provisions of the Bribery Act 2010 and the Councils Anti-Money Laundering Policy in relation to giving or accepting a financial or other advantage and the potential for personal and corporate criminal liability. Any failure in or disregard of these requirements may amount to gross misconduct or misconduct under the council's Disciplinary Code and may result in disciplinary action.</p>
13	<p>The council's Scheme of Delegation to Officers applies to the signature of contracts. Simple electronic signatures may be used where appropriate.</p> <p>The council's Corporate Procurement Strategy sets out the framework by which the council will ensure it maximises effective service delivery and the provision of best value for money.</p>

	<p>The Strategy is aligned to the pursuit of the Scottish Government's national performance framework and the Sustainable Procurement Duty. It requires, in particular, the use of a Contract strategy template as defined, and updated from time to time, in the Corporate Procurement Procedures.</p> <p>These Standing Orders should be read in conjunction with the relevant Corporate Procurement Procedure and in the context of the Corporate Procurement Strategy.</p>
14	<p>Amendment or replacement of these Standing Orders requires a decision of full council or committee, except that:</p> <ul style="list-style-type: none"> • The Head of Corporate Services, in consultation with the Chief Solicitor, may make minor administrative changes required from time to time to any part of this document without reference to committee (arising from, for example, changes in legislation or changes in management structures); or • The Head of Corporate Services, in consultation with the Chief Solicitor, may revise and amend this section "(A) – Extent and Interpretation", and the documents comprised in the Appendices.
15	<p>Any dispute arising from the application, operation or interpretation of these Standing Orders and Corporate Procurement Procedures shall be resolved by a decision of the Responsible Officer after discussion with the appropriate Head of Service and after consultation with the Chief Solicitor, Head of Finance & Property Services or Governance Manager, as appropriate to the nature of the dispute.</p>

B. DEFINITIONS

TERM	MEANING
2014 Act	Procurement Reform (Scotland) Act 2014
2015 Regulations	The Public Contracts (Scotland) Regulations 2015
2016 Regulations	Procurement (Scotland) Regulations 2016
Annual Procurement Report	Procurement Reform (Scotland) Act 2014 requires that all Contracting Authorities, who are eligible to prepare and publish a Procurement Strategy, must publish an annual procurement report which reports on actual and planned regulated procurement activities; achievement of community benefits; activity with supported businesses; and any regulated procurement, i.e. above £50,000 for goods and services and £2,000,000 for works contracts, that did not comply with the procurement strategy.
Best Value Framework	The regime adopted at Council Executive to guide the council in securing best value and complying with the relevant legislation and statutory guidance.
Collaborative Contracts	All contracts (including framework agreements) placed in conjunction with other contracting authorities or other public bodies, by the council or another authority or body, or through joint committees, or in partnership with other parties.
Committee	Full council, or the committee established by the council with a remit which includes corporate procurement (presently Council Executive)
Contract	<p>Legislation regulates how contracts can be made by or on behalf of the council. In this context, “contract” means any agreement:</p> <ul style="list-style-type: none"> • with an individual, company or other organisation • for the execution of building and civil engineering works or • for the supply of goods, materials or services, and • which is authorised to be entered into by the council or one of its committees or sub-committees, usually in writing, or • which is entered into, either in writing or verbally, by an officer of the council, acting under their delegated powers to do so, and • which commits the council to the outcome of the agreement and, therefore, is legally enforceable by either the council or the other party or parties to the agreement.

TERM	MEANING
Contracting Authority	The term used in public procurement legislation to define those organisations that must comply with it. West Lothian Council is a Contracting Authority.
Contractor	Contractor, also referred to as Supplier and/or service provider in these Standing Orders mean a third party organisation with whom West Lothian Council may contract.
Contract Strategy	A pre-tender template, approved by the Responsible Officer, which is used by officers in carrying out procurement exercises to determine the route to market for regulated tenders, in line with the Sustainable procurement duty. The contract strategy template is defined, and updated from time to time, in the Corporate Procurement Procedures.
Corporate Contract Management System	Council system used to hold information in relation to current and proposed contracts.
Corporate Contract Register	Contract register required, in line with public procurement legislation, which holds information on regulated contracts awarded by the Council.
Corporate Procurement Board	The group of officers chaired by the Depute Chief Executive with responsibility for the oversight and control of the corporate procurement function of the council
Corporate Procurement Procedures	The Corporate Procurement Procedures is a complementary and supportive set of procedures which set out the operational requirements of the Standing Orders for the Regulation of Contracts.
Corporate Procurement Strategy	Council-wide procurement strategy approved at Council Executive
Estimated Contract Value	The aggregate Estimated Contract Value (total Estimated Contract Value), excluding VAT, established prior to tendering, over the entire term of the Contract and use across the whole council, including all options, permitted extensions and variations. (Section 5 of the Procurement Reform (Scotland) Act 2014, Regulation 6 of the Public Contracts (Scotland) Regulations 2015 and Regulation 3 of the Procurement (Scotland) Regulations 2016).
Framework Agreement – External and Internal	<p>An agreement or other arrangement between one or more contracting authorities and one or more suppliers which establishes the terms (in particular the terms as to price and, where appropriate, quantity) under which the supplier will enter into one or more contracts with a contracting authority in the period during which the framework agreement applies (Section 6 of the 2014 Act and Regulations 2(1) and 34 of the 2015 Regulations)</p> <p>An “internal framework agreement” is where the council is the body letting the contract to a number of suppliers, an “external framework agreement” is where another body lets the contract but the council is entitled to participate in the contract</p>

General duties	Generally applicable principles of fairness, equal treatment, non-discrimination and transparency and compliance with the sustainable procurement duty (Sections 8 - 10 of the 2014 Act)
Grant	<p>A grant is awarded to individuals or organisations by public authorities for specific purposes, often covered in legislation, and usually following an application process. Grants are issued, depending on eligibility and funding, where:</p> <ul style="list-style-type: none"> • The public authority has a legal basis to pay the grant and the grant will further the public authority's statutory duty • the project or organisation being funded contributes to the public authority's policy aims • The money will be used to deliver something (which can include goods, services or works) to someone other than the public authority itself. <p>Further guidance can be found in the Scottish Public Finance Manual</p>
Health and Social Care services	As defined by Regulation 12(1) and 13(1) of the Procurement Reform (Scotland) Act 2014 Act, Schedule 3 and Regulations 74 to 76 of the Public Contracts (Scotland) Regulations 2015 Regulations and Regulation 5, along with the associated schedule of The Procurement (Scotland) Regulations 2016.
Health & Social Care Partnership Contracts Advisory Group (CAG)	Contracts for social and health care services in the West Lothian Health & Social Care Partnership for which a separate procedure has been approved by the council, including derogations and variations on some of the provisions of these Standing Orders. CAG advise the Responsible Officer on procurement of Health and Social Care contracts. Further information on the approach is provided in the
International Legislation	Any applicable residual European Procurement Legislation and any subsequent law that replaces it, such as a Government Procurement Agreement.
Negotiated Tender Procedure	A procedure leading to the award of a contract whereby the council negotiates the terms of the contract without prior publication of a contract notice or prior information notice. This may only be used in particular circumstances as identified by Regulations 2(1) and 33 of the 2015 Regulations.
Open Procedure	A procedure leading to the award of a contract whereby all interested suppliers may tender for the contract (Regulations 2(1) and 28 of the 2015 Regulations)

TERM	MEANING
Procurement Legislation in Scotland	The Procurement (Scotland) Regulations 2016 The Public Contracts (Scotland) Regulations 2015 Procurement Reform (Scotland) Act 2014
Public Contracts Scotland	The national advertising website for Scottish public sector organisations to post contracts, including those that are subject to public procurement legislation. It also allows contracting authorities to invite suppliers to submit quotations electronically via the website's secure tender postbox (Section 22 of the 2014 Act) (http://www.publiccontractsscotland.gov.uk/)
Public Procurement Legislation	Any legislation that applies to procurement processes in Scotland.
Quick Quote	An online request for quotation facility provided through the Public Contracts Scotland website, used to obtain competitive quotes for low value/low risk procurement exercises or procurement mini competitions within framework agreements from suppliers who are registered on the website.
Responsible Officer	The Head of Service, currently the Head of Corporate Services, with overall procurement responsibility for all council contracts (works, services - including health and social care services, supply of goods and materials).
Restricted Procedure	A procedure leading to the award of a contract whereby only economic operators selected by the council may submit tenders for the contract (Regulations 2(1) and 29 of the 2015 Regulations)
Scheme of Delegations (to Officers)	The record maintained of all powers enduring for six months or more delegated to council officers by full council or committee
Services (and Services Contracts)	The provision of services by a person engaged by the council to do so but not including works or supplies/materials as described in Regulation 2(1) of The Public Contracts (Scotland) Regulations 2015
Service Provider	Service Provider, also referred to as Supplier and/or contractor in these Standing Orders mean a third party organisation with whom West Lothian Council may contract.
Standstill Period	The standstill period provides for a short (at least 10 calendar day) pause between the point when the contract award decision is notified to bidders, and the final contract conclusion, during which time suppliers can challenge the decision. It is a legal requirement imposed through public procurement legislation.

TERM	MEANING
Supplier	Supplier, also referred to as Contractor and/or service provider in these Standing Orders mean a third party organisation with whom West Lothian Council may contract.
Supplies (and Supplies Contracts)	The purchase or hire of goods, or their siting or installation as defined in paragraph 2(1) of the 2015 Regulations .
Thresholds	<p>Regulated spend thresholds, also known as tender thresholds, are the limits specified in legislation which determine applicable law and procedures (Regulation 5 of the 2015 Regulations) or as updated by Scottish Procurement through Scottish Procurement Policy Notes from time to time which determine which procurement procedure should be followed.</p> <p>West Lothian Council also sets local spend thresholds below the regulated spend threshold values. All thresholds are set out in the Corporate Procurement Procedures. The thresholds in the Corporate Procurement Procedures will be amended from time to time. The current thresholds are at Appendix 1.</p>
Works (and Works Contracts)	The carrying out of a work or works for the council, or under an arrangement whereby the council engages a person to procure by any means the carrying out for the council of a work corresponding to specified requirements Regulation 2(1) and Schedule 2 of the 2015 Regulations .

C. STANDING ORDERS

1. ROLES AND RESPONSIBILITIES

1.1	The Responsible Officer carries ultimate responsibility for the actions of all staff engaged in the procurement and contracting process.
1.2	It is the duty of the Responsible Officer to ensure that all staff engaged in the procurement and contracting process are properly authorised to act, are properly trained and supervised, understand these Standing Orders and related Corporate Procurement Procedures, and that they comply with them.
1.3	All staff engaged in the procurement and contracting process must be properly authorised to act, must be properly trained and supervised, must understand these Standing Orders and related Corporate Procurement Procedures, and must comply with them.
1.4	In carrying out functions and in the procurement and contracting process all staff must have regard to the need to take legal advice, shall ensure that legal advice is timeously taken where required, and shall record and retain a record of the advice requested and provided.
1.5	External specialist procurement advice shall only be purchased when approved by the Responsible Officer in consultation with the Chief Solicitor.
1.6	All staff engaged in the procurement and contracting process must act in accordance with these Standing Orders, with the relevant Corporate Procurement Procedures made from time to time by the Responsible Officer, and with the council's Best Value Framework, and must have regard to the Corporate Procurement Strategy.
1.7	All staff must ensure that all information in relation to a contract or proposed contract is entered when and where required in the Corporate Contract register which is currently held in the Corporate Contract Management System.

2. APPLICATION AND EXCEPTIONS

2.1	These Standing Orders shall apply to the placing of any contract. All such contracts, and extensions to contracts, must be made within the terms of all applicable public procurement legislation and statutory guidance, these Standing Orders and the council's Corporate Procurement Procedures issued by the Responsible Officer. The council's duty at all times will be to achieve best value.
2.2	Except where prohibited by legislation, committee may decide that these Standing Orders, or parts of them, shall not apply to a specific contract or to a specific class or category of contract, if it is satisfied that there are circumstances, such as arising from geographical, sole provider, technical, artistic or urgency factors, to justify the exemption. For supplies/materials and services certain officers may grant such exemptions where the Estimated Contract Value is less than £50,000 (SO2.3) but exemptions where the Estimated Contract Value is £50,000 or more may only be granted by the council committee. For Works certain officers may grant such exemptions where the Estimated Contract Value is less than £250,000 (SO2.3) but exemptions where the Estimated Contract Value is £250,000 or more may only be granted by the council committee. The Responsible Officer, with advice and guidance from The Health and Social Care Partnership Contracts Advisory Group (CAG), will grant any exemption for

	contracts for health and social care services with an estimated contract value of £50,000 or more.
2.3	<p>In exceptional circumstances, such as arising from geographical, sole provider, technical, artistic or urgency factors, where the Estimated Contract Value is less than £50,000 for Supplies/Materials and Services (including Health and Social Care Services), and £250,000 for Works, certain officers may decide that the provisions of Standing Order 4.4 to 4.9 in relation to the obtaining of estimates, quotations or tenders shall not apply. Such exemptions may only be granted as follows:</p> <ul style="list-style-type: none"> (a) For an Estimated Contract Value of less than £1,000 (Standing Order 4.5), no exemption is required or available; (b) For an Estimated Contract Value of between £1,000 and £4,999, by the relevant Head of Service (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of a Head of Service Business Case Exemption and compliance with Corporate Procurement Procedures (Standing Order 4.6) (c) For an Estimated Contract Value of between £5,000 and £49,999 for supplies/materials and services, by the Responsible Officer (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of the Responsible Officer (Head of Corporate Services) Business Case Exemption and compliance with Corporate Procurement Procedures (Standing Order 4.7) (d) For an Estimated Contract Value of between £5,000 and £249,999 for Works, by the Responsible Officer (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of the Responsible Officer Business Case Exemption and compliance with Corporate Procurement Procedures (Standing Order 4.7) (e) For an Estimated Contract Value of £50,000 or more, for supplies/materials and services (excluding Health and Social Care Services), by the council committee on a recommendation from the Responsible Officer (Standing Order 2.2) (f) For an Estimated Contract Value of £50,000 or more, for health and social care services, by the Responsible Officer, with advice and guidance from The Health and Social Care Partnership Contracts Advisory Group (CAG) (Standing Order 2.2) (g) For an Estimated Contract Value of £250,000 or more, for Works, by the council committee on a recommendation from the Responsible Officer (Standing Order 2.2) <p>The officer granting such an exemption shall ensure that a record is kept.</p>
2.4	For spend of £50,000 or more for supplies/materials and services and for Works of £2m or more, except where Scottish Government and Scotland Excel Frameworks for Category A and B spend are utilised, external Framework Agreements may only be used with the prior written approval of the Responsible Officer and as required in accordance with the council's Corporate Procurement Procedures.
2.5	Pilot Schemes set up in accordance with the council's Corporate Procurement Procedures may only be used where approved by the Responsible Officer and

	only when a business case has been prepared and the Pilot Scheme provider has been identified following a competitive tender exercise.
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3. BEFORE COMMENCING THE PROCUREMENT PROCESS

3.1	<p>Heads of Service shall, subject to advice and guidance from the Responsible Officer, ensure compliance with the council's Best Value Framework in relation to the contract strategy and decision, and shall determine:</p> <ul style="list-style-type: none"> • The nature of the contract (wholly works, wholly supplies/materials and services, wholly Health and Social Care Services or, where the contact shall include a mix, the category into which it falls); • Where the contract is for supplies/materials and services, the type of services (whether or not within the category of Health and Social Care Services or, where the contact shall include both, the category into which it falls); • Whether or not the Estimated Contract Value will be less than £1,000; • Whether or not the Estimated Contract Value will be greater than or equal to £1,000 but less than £5,000; • Whether or not the Estimated Contract Value will be greater than or equal to £5,000 but less than £50,000; • Whether or not the Estimated Contract Value will be greater than or equal to £50,000 but less than the relevant regulated spend threshold; • Whether or not the Estimated Contract Value will fall within the regulated spend threshold; • Whether or not the Estimated Contract Value will be greater than the relevant regulated spend threshold; • Whether the Estimated Contract Value is within the regulated spend threshold which indicates that wider advertising is needed; • Whether there are any existing, forthcoming or potential Collaborative Contracts or Framework Agreements, internal or external, which may be utilised. <p>Regardless of any delegations, the final responsibility for ensuring compliance with all applicable public procurement legislation rests with the "Responsible Officer". The Responsible Officer for all types of procurement by the council is currently the Head of Corporate Services.</p>
3.2	For Works, Supplies/Materials and Services contracts (including health and social care contracts), where the Responsible Officer identifies an existing Collaborative Contract or Framework Agreement (Internal or External) this may be utilised provided it is compliant with public procurement legislation and presents best value.
3.3	The Responsible Officer shall determine the quotation or tender award criteria and the proposed contract strategy for the proposed procurement but the Responsible Officer may ask committee to do so if they believe there is good reason.
3.4	The Responsible Officer shall prepare such documentation as is necessary to obtain competitive quotations or tenders for all contracts. The documentation

	shall be prepared and issued in accordance with the council's Corporate Procurement Procedures.
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4. ISSUING DOCUMENTATION AND ADVERTISING

4.1	Officers shall ensure compliance with public procurement legislation and the Sustainable Procurement Duty and shall have regard to guidance relating to the extent of advertising and publicity required which is proportionate to the Estimated Contract Value, under reference to the spend thresholds in Appendix 1.
4.2	The Responsible Officer shall issue contract documents and invitations to quote and to tender for all contracts in accordance with the council's Corporate Procurement Procedures.
4.3	Contract documentation shall utilise the relevant set of the council's standard Terms and Conditions of Contract, and any departure from them must be approved in writing by the Responsible Officer and, where applicable, the Chief Solicitor.
4.4	The Responsible Officer may utilise electronic tendering and electronic auction techniques where appropriate and as required in accordance with the council's Corporate Procurement Procedures.
4.5	Where the Estimated Contract Value is less than £1,000 the procurement shall be carried out in such manner as the relevant Head of Service may determine, subject to the requirements to demonstrate best value and retain adequate records to substantiate the decision.
4.6	Where the Estimated Contract Value is £1,000 or more but less than £5,000, the procurement shall be carried out in such manner as the relevant Head of Service may determine, subject to the requirement to obtain at least two competitive quotations.
4.7	Where the Estimated Contract Value is £5,000 or more but less than £50,000 for Supplies/Materials and Services, the procurement shall be carried out by using Quick Quote and a minimum of three quotations must be sought. For Works, where the Estimated Contract Value is £5,000 or more but less than £250,000, the procurement shall be carried out by using Quick Quote and a minimum of three quotes must be sought.
4.8	Quick Quotes must be carried out through Public Contracts Scotland (PCS) and, except where exempted by public procurement legislation, regulated tenders must be carried out through Public Contracts Scotland Tender (PCS-Tender) but the Responsible Officer shall, in addition, consider and arrange for such additional advertising or publicity as may be required to secure compliance with public procurement legislation.
4.9	<p>(a) For spend up to £999 there is no requirement to seek quotes. However, there is a requirement to ensure best value.</p> <p>(b) For spend between £1,000 and £4,999 a minimum of 2 quotations must be sought.</p> <p>(c) For Supplies/Materials and Services (including Health and Social Care) for spend between £5,000 and £49,999 a minimum of 3 quotes must be sought.</p> <p>(d) For Works spend between £5,000 and £250,000 a minimum of 3 quotes must be sought.</p>

	<p>(e) Except where exempted by public procurement legislation, for spend over £50,000 to £189,329 for regulated contracts for supplies/materials and services (including Health and Social Care), the procurement must be carried out through Public Contracts Scotland-Tender and, where there is a high level of bidders, selecting a minimum of 3 tenders</p> <p>(f) A minimum of 5 tenders should be selected, where there is a high level of bidders, for spend of £189,330 and above.</p> <p>(g) For Works spend between £250,000 to £3.999m, the procurement must be carried out through Public Contracts Scotland-Tender and, where there is a high level of bidders, select a minimum of 3 tenders.</p> <p>(h) For Works spend over £4m, where there is a high level of bidders, a minimum of 5 tenders must be sought.</p>
4.10	If the Estimated Contract Value to carry out work under any one Works Contract is more than £1,000,000 the council shall ask for security for completing the contract. The Head of Service, subject to advice and guidance from the Responsible Officer, shall ensure that the tender and conditions of contract shall set out the nature and amount of the security.
4.11	The council may ask for security on any other contract where considered appropriate and the Head of Service, subject to advice and guidance from the Responsible Officer, shall ensure that the tender and conditions of contract shall set out the nature and amount of the security.
4.12	After due consideration, but only where permitted by law, committee may decide that a tenderer or a contractor shall not be invited to or be allowed to quote or tender for any future contract for any part of the council.

5. RECEIVING QUOTATIONS AND TENDERS

5.1	All quotations and tenders shall be received and opened by the Responsible Officer in accordance with the relevant Procurement Procedure.
5.2	In the event that Public Contracts Scotland or Public Contracts Scotland-Tender has not been utilised, all quotations and tenders not received at the specified return address by the specified closing date and time will not be considered, and shall be returned unopened. Quotations and tenders must be submitted in the form specified.
5.3	In the case of unsatisfactory performance or conduct by any person submitting a quotation or tender before a decision is made as to which should be accepted, the Responsible Officer may, in consultation with the Chief Solicitor, as far as permitted by law, disqualify that person from further participation or reject the quotation or tender, after considering any representations made.

6. EVALUATION

6.1	Quotations and tenders shall be evaluated by the Head of Service, in consultation with the Responsible Officer, in accordance with the Scheme of Delegation and the Corporate Procurement Procedures.
6.2	Quotations and tenders shall be evaluated in accordance with the quotation or tender award criteria and the agreed contract strategy for the proposed

	procurement, and on the basis of establishing which offer is the most economically advantageous and provides Best Value to the council.
6.3	A written record must be maintained outlining the evaluation process, recording the process followed and the criteria applied, and detailing the reasons for the decision.

7. SELECTION AND ACCEPTANCE

7.1	The decision as to which quotation or tender to accept shall be taken by Heads of Service, after consultation with the Responsible Officer, in accordance with the Scheme of Delegation and the Corporate Procurement Procedures, unless the Responsible Officer is required by a decision of the council to refer the decision to committee, or in any other case in which the Responsible Officer decides that committee approval is desirable.
7.2	Quotations and tenders shall thereafter be accepted by Heads of Service, after consultation with the Responsible Officer, in accordance with the Scheme of Delegation and the Corporate Procurement Procedures. In particular, Heads of Service, with advice and guidance from the Responsible Officer, shall observe any standstill period required before acceptance of a quotation or tender.

8. CONTRACT MONITORING

8.1	The Responsible Officer shall ensure that the performance of the contract is monitored and reviewed, and shall maintain a record of those processes which is proportionate in light of the value, duration, subject matter, risk rating and complexity of the contract.
8.2	In a case of unsatisfactory performance or conduct by a contractor following the award of a contract, the Responsible Officer may, in consultation with the Chief Solicitor, and subject to any failure to implement any applicable improvement action by the contractor, take action in terms of the contract to terminate the contract.

9. EXTENSIONS AND RENEWALS

9.1	Subject always to compliance with public procurement legislation and the relevant Corporate Procurement Procedures, the Responsible Officer may vary, alter, extend (but only where the contract allows the council those options) or re-negotiate any part of a contract to achieve best value for the council.
9.2	A Responsible Officer business case, in compliance with the relevant renewal/extension procedure documented in the Corporate Procurement Procedures, justifying the reasons for this course of action together must be prepared and retained before proceeding.
9.3	A detailed written record of all negotiations and discussions with the contractors must be maintained and retained.

10. RECORDS AND REPORTING

10.1	Heads of Service shall report to the Head of Corporate Services all contracts let and other information required under the Corporate Procurement Strategy, and shall comply with the reporting procedures put in place by the Corporate Procurement Board.
10.2	Unless an exception is made by the council for any class or value of contracts, the Responsible Officer shall ensure that reports are brought to the Corporate Procurement Board, on a quarterly basis, on those matters specified in the Corporate Procurement Strategy and otherwise as required by the Council Executive or the Corporate Procurement Board.
10.3	An annual Procurement Strategy review will be conducted and reported annually to the Policy Development and Scrutiny Panel.
10.4	The Annual Procurement Report, as required by the Procurement Reform (Scotland) Act 2014 will be brought to the Council Executive prior to publication. An update, reporting on the first 6 month of the financial year, will also be reported to Council Executive.
10.5	As well as ensuring amendments and updates are made as required, the Responsible Officer shall carry out a review of these Standing Orders at least once in each administrative term and shall report the outcome to PDSP and Council Executive.
10.6	Reporting on H&SCP contract activity will be carried out as follows:- <ul style="list-style-type: none"> • Annually to the Council Executive on the regulated contracts awarded, extended or renewed as a result of recommendations from the Health and Social Care Partnership Contract Advisory Group. • Biannually to Social Policy Policy Development and Scrutiny Panel on the regulated contracts awarded, extended or renewed as a result of recommendations from the Health and Social Care Partnership Contract Advisory Group.
10.7	The Responsible Officer shall maintain a corporate contract register, comply with the statutory requirements for annual procurement reports, and comply with publication duties, all in accordance with the 2014 Act.

11. DISPOSALS

11.1	The Head of Finance and Property is responsible for disposing of assets and materials (including land and buildings) which are not needed on behalf of all council services, except for the disposal of IT hardware and software which is the responsibility of the Depute Chief Executive (Corporate, Operational & Housing Services).
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11.2	All disposals of assets and materials except for IT hardware and software shall be undertaken in accordance with procedures approved by committee or issued by the Head of Finance and Property under delegated powers.
11.3	All disposals of IT hardware and software shall be undertaken in accordance with the procedure issued by the Depute Chief Executive Corporate, Operational & Housing Customer and Building and Services).

Appendix 1

WEST LOTHIAN COUNCIL TENDER THRESHOLDS

Supplies/Materials and Services (including Health and Social Care)*

Procurement Type	Aggregate Estimated Contract Value**	Tender Advertising Requirement	Minimum No of Quotations/Tenders Sought
Informal Quotation/PECOS Order	£0-£999	N/A	Requirement to ensure best value
Informal Quotation	£1,000-£4,999	N/A	Two Quotes
Quick Quote	£5,000 to £49,999	PCS - Quick Quotes	Three Quotes
Tender	£50,000 to £189,329	PCS – Tender	Three Tenders
Tender	£189,330 and above	PCS – Tender	Five Tenders

Works

Procurement Type	Aggregate Estimated Contract Value**	Tender Advertising Requirement	Minimum No of Quotations/Tenders Sought
Informal Quotation/PECOS Order	£0-£999	N/A	Requirement to ensure best value
Informal Quotation	£1,000-£4,999	N/A	Two Quotes
Quick Quote	£5,000 to £249,999	PCS - Quick Quotes	Three Quotes
Tender	£250,000 to £3.999m	PCS – Tender	Three Tenders
Tender	£4m and above	PCS – Tender	Five Tenders

*Some Health and Social Care tenders may be exempt, in line with public procurement legislation, from these tendering requirements.

**Updated from time to time in line with regulatory amendments.

Amendments to Standing Orders for the Regulation of Contracts

Appendix 2

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
1	Contents, Appendices	<p>APPENDICES</p> <p>1 Contract Strategy Template 14 (A.9)</p> <p>2 Business Case Template for 23 Renewal or Extension (SO9.2)</p> <p>3 Cross Border Interest and 24 Adequate Advertising (SO3.1, SO4.7)</p> <p>4 Health & Social Care 26 Partnership Contracts Advisory Group (A.3)</p>	<p>APPENDICES</p> <p>1 Current Tender Thresholds (6 October 2020)</p>
2	Paragraph A2	<p>Legislation regulates how contracts can be made by or on behalf of the council. In this context, "contract" means any agreement:-</p> <ul style="list-style-type: none"> • with an individual, company or other organisation • for the execution of building and civil engineering works or • for the supply of goods, materials or services, and • which is authorised to be entered into by the council or one of its committees or sub-committees, usually in writing, or • which is entered into, either in writing or verbally, by an officer of the council, acting under their delegated powers to do so, and • which commits the council to the outcome of the agreement and, therefore, is legally enforceable by either the council or the other party or parties to the agreement. 	<p>This wording has been moved to Section B, definitions under "Contracts".</p>
3	Paragraph A3	<p>In particular, the Local Government (Scotland) Act 1973, section 81 requires the council to make Standing Orders with respect to the making of contracts by or on behalf of the council for both works and for the supply of goods and materials. Such Standing Orders must include provision for securing competition for such contracts and for regulating the manner in which tenders are invited by the council. Section 81 also gives the council the power to make, if it chooses, Standing Orders for contracts for the supply of services, as distinct from the supply of goods and materials. These Standing Orders cover contracts for services as well.</p> <p>Section 81 allows the council to exempt any contract from this requirement for competition where the council decides that it is satisfied that the exemption is justified by special circumstances. However, this exemption from competition can only apply to contracts where the aggregated estimated cost is less than the relevant regulated procurement threshold under the procurement regulations in Scotland or the European Procurement Directives. Even in some of those cases, consideration is still required about the appropriate method and extent of advertising or publicity. These Standing Orders contain procedures for the granting of such exemptions.</p>	<p>Now Paragraph A2:</p> <p>The Council makes these Standing Orders in terms of section 81 of the Local Government (Scotland) Act 1973. Section 81 requires the council to make Standing Orders with respect to the making of contracts by or on behalf of the council both for Works and for the supply of goods and materials. Such Standing Orders must include provision for securing competition for such contracts and for regulating the manner in which tenders are invited by the council. Section 81 also gives the council the power to make, if it chooses, Standing Orders for contracts for the supply of services, as distinct from the supply of goods and materials. These Standing Orders also cover contracts for Works and Services, including health and social care services.</p> <p>The Health and Social Care partnership is the name of the umbrella partnership body through which the council and NHS Lothian Health Board co-operate and work together to deliver health and social care services in West Lothian. It takes in delivery of Adult and Older Peoples Services, Children's Services, Criminal and Youth Justice service as directed by the West Lothian Integration Joint Board and the delivery of children's services under direct control of the partners. On 24 April 2012, the Council approved a</p>

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
		<p>The council has in particular decided that contracts covered by the West Lothian Health & Social Care Partnership which are health and social care services, covered by the Schedule in The Procurement (Scotland) Regulations 2016 should be exempt from the full rigour of these Standing Orders. The Health & Social Care Partnership is the name of the umbrella partnership body through which the council and NHS Lothian Health Board cooperate and work 3</p> <p>together to deliver health and social care services in West Lothian. It takes in delivery of adult and older people's services as directed by the West Lothian Integration Joint Board and the delivery of children's services under direct control of the partners. Such contracts are treated differently in procurement legislation and regulations, and are of a particular nature where the needs of service users are of over-riding importance. They are governed by a separate set of procurement and reporting arrangements (Appendix 4).</p>	<p>separate process for health and social care services contracts and decided that approval of contracts covered by the West Lothian Health and Social Care Partnership, which are health and social care services, covered by the schedule in the Procurement (Scotland) Regulations 2016 should be devolved to the Responsible Officer and approval granted with advice and assistance from the Health and Social Care Contracts Advisory Group (CAG). Such contracts are treated differently in public procurement legislation and are of a particular nature where the needs of service users are of over-riding importance. Where applicable, these standing orders make provision for Health and social care contracts to be governed differently and the Corporate procurement procedures provide further information on the procurement and reporting arrangements.</p> <p>Now Paragraph A6: Section 81 allows the council to exempt any contract from this requirement for competition where the council decides that it is satisfied that the exemption is justified by special circumstances. However, this exemption from competition can only apply to contracts where the aggregated estimated contract value, for the same procurement requirement, is less than the relevant regulated procurement spend threshold under the applicable public procurement legislation. Even in some of those cases, consideration is still required about the appropriate method and extent of advertising or publicity. These Standing Orders contain procedures for the granting of such exemptions.</p>
4	Paragraph A4	<p>European legislation also regulates the making of contracts by the council. Some is of direct effect and some is translated into UK and Scots law by domestic legislation. This legislative framework seeks to ensure that public sector bodies such as the council award contracts in an efficient and non-discriminatory manner. It sets out general duties for public bodies to follow and more specific duties for specified types of procurement activity. Regulations set out the procedures to be followed at each stage of the procurement process leading to the award of contracts above certain financial thresholds for works, supplies/materials and services by the council and other public bodies. They take account of modern techniques such as e-procurement and the provision of framework agreements, as well as the extent to which sustainable procurement and social and environmental issues can be considered during the procurement process.</p>	<p>Now Paragraph A3: These Standing Orders must be interpreted and applied in accordance with the key principles of transparency, equal treatment, non-discrimination and proportionality.</p> <p>Now Paragraph A8: Public Procurement legislation regulates the making of contracts by the council. The legislative framework seeks to ensure that public sector bodies such as the council award contracts in an efficient and non-discriminatory manner. It sets out general duties for public bodies to follow and more specific duties for specified types of procurement activity. Public Procurement legislation set out the procedures to be followed at each stage of the procurement process leading to the award of contracts above certain financial spend thresholds for works, goods and materials and services, including health and social care services, by the council and other public bodies. They take account of modern techniques such as e-procurement and the provision of framework agreements, as well as the</p>

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
			<p>extent to which sustainable procurement and social, economic and environmental issues can be considered during the procurement process.</p> <p>Public Procurement legislation makes provision to exclude some types of spend from its scope and although, grant funding received by the Council, as a grant recipient, may be subject to public procurement legislation when the Council spends it, grant funding paid out by the Council to grant recipients is not subject to public procurement legislation so falls outwith the scope of Standing Orders.</p>
5	Paragraph A5	<p>In addition, the Local Government in Scotland Act 2003, section 1 requires the council:</p> <ul style="list-style-type: none"> to secure best value in the performance of its functions; to balance the quality and cost of the performance of its functions and the cost of council services to service users; to have regard to efficiency, effectiveness, economy and the need to meet equal opportunity requirements in maintaining that balance; and to discharge its duty to secure best value in a way which contributes to the achievement of sustainable development. <p>The council has adopted a Best Value Framework to ensure compliance with the relevant legislation and statutory guidance. The Framework applies across the council to all services and areas of activity and is of particular relevance to the procurement process, as part of making the decision to procure goods, materials, services, including health and social care, and works from external providers and in seeking to achieve Best Value procurement. In making decisions about procurement and in applying these Standing Orders, officers must have regard to and comply with that Framework. Best Value procurement is a process that considers and returns more than just best price. It is a process that takes account of the whole life cost of buying products, services or works. Best Value includes financial and non-financial elements such as time, administration, sourcing and benchmarking.</p>	<p>This wording has been moved to Paragraph A9.</p>
6	Paragraph A6	<p>The council's Scheme of Delegation to Officers sets out the powers which have been delegated by the council to senior officers. Subject to certain general conditions set out in this Scheme, such as the requirement to follow council policies, the day-to-day running of council services is delegated to the Chief Executive and Depute Chief Executives, and also to Head Teachers under the council's Scheme of Devolution of School Management. These senior officers are also authorised to delegate any of their authority to other officers under their direction and who are appropriately qualified and experienced.</p>	<p>Now Paragraph A10: The council's Scheme of Delegation to Officers sets out the powers which have been delegated by the council to senior officers. Subject to certain general conditions set out in this Scheme, such as the requirement to follow council policies, the day-to-day running of council services is delegated to the Chief Executive and Depute Chief Executives, and also to Head Teachers under the council's Scheme of Devolution of School Management. These senior officers are also authorised to delegate any of their</p>

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
		This means that, in the context of the making of contracts on behalf of the council, the Chief Executive, Depute Chief Executives, Heads of Service, as well as Head Teachers, must ensure that those officers whom they authorise to perform procurement functions and tasks on their behalf have sufficient training, knowledge and experience to determine relevant procurement issues and are aware of the extent and limitation of their delegated authority. Regardless of any delegations by them, the final responsibility for ensuring compliance with the "Responsible Officer". The Responsible Officer for all types of procurement by the council is presently the Head of Corporate Services.	authority to other officers under their direction and who are appropriately qualified and experienced. This means that, in the context of the making of contracts on behalf of the council, the Chief Executive, Depute Chief Executives, Heads of Service, as well as Head Teachers, must ensure that those officers whom they authorise to perform procurement functions and tasks on their behalf have sufficient training, knowledge and experience to determine compliant and relevant procurement issues and are aware of the extent and limitation of their delegated authority. Regardless of any delegations by them, the final responsibility for ensuring compliance with all applicable regulations rests with the "Responsible Officer". The Responsible Officer for all types of procurement by the council is currently the Head of Corporate Services.
7	Paragraph A7	All officers exercising delegated powers in relation to procurement and contracting functions must comply with these Standing Orders, with the relevant Procurement Procedure as approved by the Head of Corporate Services, and with the Employee Code of Conduct. They must also be aware of the provisions of the Bribery Act 2010 in relation to giving or accepting a financial or other advantage and the potential for personal and corporate criminal liability. Any failure in or disregard of these requirements may amount to gross misconduct or misconduct under the council's Disciplinary Code and may result in disciplinary action.	Now Paragraph A12 All officers exercising delegated powers in relation to procurement and contracting functions must comply with these Standing Orders, with the relevant Procurement Procedure as approved by the Head of Corporate Services, and with the Employee Code of Conduct. They must also be aware of the provisions of the Bribery Act 2010 and the Councils Anti-Money Laundering Policy in relation to giving or accepting a financial or other advantage and the potential for personal and corporate criminal liability. Any failure in or disregard of these requirements may amount to gross misconduct or misconduct under the council's Disciplinary Code and may result in disciplinary action.
8	Paragraph A8	<p>The council's Scheme of Delegation to Officers sets out which officers can sign formal deeds to which the council is a party. Apart from certain named officers for deeds dealing with particular council functions, the Chief Solicitor and senior colleagues in Legal Services are the officers designated to sign formal deeds on behalf of the council. This means that these officers must sign contracts where they are constituted on the basis of requiring formal execution, such as a minute of agreement. The majority of contracts, however, do not require such formal signature and can be signed by the Chief Executive, relevant Depute Chief Executive, or Head Teacher, or any officer to whom they have delegated authority to do so.</p> <p>The council's Corporate Procurement Strategy 2019/23 sets out the framework by which the council will ensure it maximises effective service delivery and the provision of best value for money through a corporate and strategic approach to procurement.</p> <p>The Strategy is aligned to the pursuit of the Scottish Government's objectives of promoting collaborative procurement opportunities and the implementation of</p>	<p>Now Paragraph A13: The council's Scheme of Delegation to Officers applies to the signature of contracts. Simple electronic signatures may be used where appropriate.</p> <p>The council's Corporate Procurement Strategy sets out the framework by which the council will ensure it maximises effective service delivery and the provision of best value for money.</p> <p>The Strategy is aligned to the pursuit of the Scottish Government's national performance framework and the Sustainable Procurement Duty. It requires, in particular, the use of a Contract strategy template as defined, and updated from time to time, in the Corporate Procurement Procedures.</p> <p>These Standing Orders should be read in conjunction with the relevant Procurement Procedure and in the context of the Corporate Procurement Strategy.</p>

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
		<p>leading practice whilst promoting economic wellbeing and sustainable development. It requires in particular the use of a Contracts Strategy Template (Appendix 1).</p> <p>These Standing Orders should be read in conjunction with the relevant Procurement Procedure and in the context of the Corporate Procurement Strategy.</p>	
9	Paragraph A9	<p>Amendment or replacement of these Standing Orders requires a decision of full council or an appropriate committee, except that:</p> <ul style="list-style-type: none"> The Head of Corporate Services, in consultation with the Chief Solicitor, may make minor administrative changes required from time to time to any part of this document without reference to committee (arising from, for example, changes in legislation or changes in management structures) The Head of Corporate Services, in consultation with the Chief Solicitor, may revise and amend this Introduction section (A), and the documents comprised in the Appendices. 	<p>Now Paragraph A14: Amendment or replacement of these Standing Orders requires a decision of full council or committee, except that:</p> <ul style="list-style-type: none"> The Head of Corporate Services, in consultation with the Chief Solicitor, may make minor administrative changes required from time to time to any part of this document without reference to committee (arising from, for example, changes in legislation or changes in management structures); or The Head of Corporate Services, in consultation with the Chief Solicitor, may revise and amend this section "(A) – Extent and Interpretation", and the documents comprised in the Appendices.
10	-	-	<p>New Paragraph A4: These Standing Orders apply to all contracts made by or on behalf of the Council, on or after 6 October 2020, for the procurement of the execution of works, the supply of goods and materials to the Council, and/or for the provision of services, including health and social care services. Where the tender process to make the contracts began prior to the 6 October 2020, the previous Standing Orders will apply.</p>
11	-	-	<p>New Paragraph A5: The Standing Orders are subject to the over-riding provisions of public procurement legislation. Officers must also have regard to statutory guidance when using the Standing Orders.</p>
12	-	-	<p>New Paragraph A7: The Standing Orders must be read in conjunction with (and all Council staff must comply with) the Scheme of Delegation, the Council's Financial Regulations and Corporate Procurement Procedures.</p>
13	-	-	<p>New Paragraph A11: The Responsible Officer will:-</p> <ul style="list-style-type: none"> ensure compliance with these Standing Orders; determine disputes amongst officers engaged in the procurement and contracting process and procedures in accordance with Paragraph A.15, below; ensure that the award of any regulated contract applying to services is advertised within the relevant legislative timescales

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
			<ul style="list-style-type: none"> and contract award notices published; include the details of regulated contract awards in the annual statistical returns and Annual Procurement Report to the Scottish Government; add details of the contract awards into the council's corporate contract register; and comply with provisions of Standing Orders in relation to delegation and training of officers, procurement strategies, use of standard terms of contract, use of the Corporate Contract Register, use of framework agreements and collaborative arrangements, contract monitoring, and reporting to committee and Policy Development and Scrutiny Panel.
14	-	-	New Paragraph A15: Any dispute arising from the application, operation or interpretation of these Standing Orders and Corporate Procurement Procedures shall be resolved by a decision of the Responsible Officer after discussion with the appropriate Head of Service and after consultation with the Chief Solicitor, Head of Finance & Property Services or Governance Manager, as appropriate to the nature of the dispute.
15	-	-	New Paragraph A15: Any dispute arising from the application, operation or interpretation of these Standing Orders and Corporate Procurement Procedures shall be resolved by a decision of the Responsible Officer after discussion with the appropriate Head of Service and after consultation with the Chief Solicitor, Head of Finance & Property Services or Governance Manager, as appropriate to the nature of the dispute.
16	B - Definitions	-	Alphabetical and numerical order.
17	B - Definitions	Current:	New or Updated
		Contract Strategy Template	Contract Strategy
		Contract Value	Estimated Contract Value
		Social and Other Specific Services	Health and Social Care Services
		Corporate Procurement Strategy 2019/23	Corporate Procurement Strategy
		Responsible Officer	Responsible Officer (Amended wording only)
		-	Service Provider
		-	Standstill Period
		Health and Social Care Advisory Group (CAG)	Health and Social Care Advisory Group (CAG) (Amended wording only)
		-	2016 Regulations
		-	Annual Procurement Report
		-	Contract
		-	Contracting Authority
		-	Contractor
		-	Contract Strategy
		-	Corporate Contract Management System
		-	Corporate Contract Register
		-	Corporate Procurement Procedures
		-	Grant
		-	International Legislation
		-	Public Procurement Legislation
		-	Supplier

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
18	B - Definitions	Current: Cross Border Interest OJEU or Official Journal	New: Removed Removed
19	Paragraph C1.6	All staff engaged in the procurement and contracting process must act in accordance with these Standing Orders, with the relevant Procurement Procedures made from time to time by the Head of Corporate Services, and with the council's Best Value Framework, and must have regard to the Corporate Procurement Strategy 2019/23.	All staff engaged in the procurement and contracting process must act in accordance with these Standing Orders, with the relevant Corporate Procurement Procedures made from time to time by the Responsible Officer, and with the council's Best Value Framework, and must have regard to the Corporate Procurement Strategy.
20	Paragraph C2.1	These Standing Orders shall apply to the placing of any contract. All such contracts, and extensions to contracts, must be made within the terms of the relevant legislative framework and statutory guidance, the EU procurement rules, these Standing Orders and the council's Procurement Procedures issued by the Head of Corporate Services. The council's duty at all times will be to achieve best value.	These Standing Orders shall apply to the placing of any contract. All such contracts, and extensions to contracts, must be made within the terms of all applicable public procurement legislation and statutory guidance, these Standing Orders and the council's Corporate Procurement Procedures issued by the Responsible Officer. The council's duty at all times will be to achieve best value.
21	Paragraph C2.2.	Except where prohibited by legislation, committee may decide that these Standing Orders, or parts of them, shall not apply to a specific contract or to a specific class or category of contract, if it is satisfied that there are circumstances, such as arising from geographical, sole provider, technical, artistic or urgency factors, to justify the exemption. Certain officers may grant such exemptions where the contract value is less than £50,000 (SO2.3) but exemptions where the contract value is £50,000 or more may only be granted by the relevant council committee.	Except where prohibited by legislation, committee may decide that these Standing Orders, or parts of them, shall not apply to a specific contract or to a specific class or category of contract, if it is satisfied that there are circumstances, such as arising from geographical, sole provider, technical, artistic or urgency factors, to justify the exemption. For supplies/materials and services certain officers may grant such exemptions where the estimated contract value is less than £50,000 (SO2.3) but exemptions where the estimated contract value is £50,000 or more may only be granted by the council committee. For Works certain officers may grant such exemptions where the estimated contract value is less than £250,000 (SO2.3) but exemptions where the estimated contract value is £250,000 or more may only be granted by the council committee. The Responsible Officer, with advice and guidance from The Health and Social Care Partnership Contracts Advisory Group (CAG), will grant any exemption for contracts for health and social care services with an estimated value of £50,000 or more.
22	Paragraph C2.3	In exceptional circumstances, such as arising from geographical, sole provider, technical, artistic or urgency factors, where the contract value is less than £50,000 certain officers may decide that the provisions of Standing Order 4.4 to 4.8 in relation to the obtaining of estimates, quotations or tenders shall not apply. Such exemptions may only be granted as follows:- a) For a contract value of less than £1,000 (Standing Order 4.4), no exemption is required or available b) For a contract value of between £1,000 and £4,999, by the relevant Head of Service (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of a	In exceptional circumstances, such as arising from geographical, sole provider, technical, artistic or urgency factors, where the estimated contract value is less than £50,000 for Supplies/Materials (including health and social care services) and Services, and £250,000 for Works, certain officers may decide that the provisions of Standing Order 4.4 to 4.9 in relation to the obtaining of estimates, quotations or tenders shall not apply. Such exemptions may only be granted as follows: a) For an estimated contract value of less than £1,000 (Standing Order 4.5), no exemption is required or available; b) For an estimated contract value of between £1,000 and £4,999,

			by the relevant Head of Service (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of a Head of Service Business Case Exemption and compliance with Corporate Procurement Procedures (Standing Order 4.6)
		<p>c) Head of Service Business Case Exemption form and compliance with Corporate Procurement Procedures (Standing Order 4.5)</p> <p>d) For a contract value of between £5,000 and £49,999, by the Head of Corporate Services (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of the Head of Corporate Services Business Case Exemption form and compliance with Corporate Procurement Procedures (Standing Order 4.6)</p> <p>e) For a contract value of £50,000 or more, by the relevant council committee on a recommendation from the Head of Corporate Services (Standing Order 2.2)</p> <p>The officer granting such an exemption shall ensure that a record is kept.</p>	<p>c) For an estimated contract value of between £5,000 and £49,999 for supplies/materials and services, by the Responsible Officer (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of the Responsible Officer (Head of Corporate Services) Business Case Exemption and compliance with Corporate Procurement Procedures (Standing Order 4.7)</p> <p>d) For an estimated contract value of between £5,000 and £249,999 for Works, by the Responsible Officer (and by no other officer on his or her behalf, except in his or her absence from the service, the appropriate Depute Chief Executive) on completion of the Responsible Officer Business Case Exemption and compliance with Corporate Procurement Procedures (Standing Order 4.7)</p> <p>e) For an estimated contract value of £50,000 or more, for supplies/materials and services (excluding Health and Social Care Services), by the council committee on a recommendation from the Responsible Officer (Standing Order 2.2)</p> <p>f) For an Estimated Contract Value of £50,000 or more, for health and social care services, by the Responsible Officer, with advice and guidance from The Health and Social Care Partnership Contracts Advisory Group (CAG) (Standing Order 2.2)</p> <p>g) For an estimated contract value of £250,000 or more, for Works, by the council committee on a recommendation from the Responsible Officer (Standing Order 2.2)</p> <p>The officer granting such an exemption shall ensure that a record is kept.</p>
23	Paragraph C2.4	External Framework Agreements may only be used with the prior written approval of the Responsible Officer (except for Health & Social Care Partnership Contracts Advisory Group Contracts) and as required in accordance with the council's Procurement Procedures.	For spend of £50,000 or more, except where Scottish Government and Scotland Excel Frameworks for Category A and B spend are utilised, external Framework Agreements may only be used with the prior written approval of the Responsible Officer and as required in accordance with

			the council's Corporate Procurement Procedures.
24	Paragraph C3.1	<p>The Responsible Officer shall ensure compliance with the council's Best Value Framework in relation to the procurement strategy and decision, and shall determine:-</p> <ul style="list-style-type: none"> • The nature of the contract (wholly works, wholly supplies/materials and services, or, where the contact shall include both, the category into which it falls) • 	<p>Heads of Service shall, subject to advice and guidance from the Responsible Officer, ensure compliance with the council's Best Value Framework in relation to the contract strategy and decision, and shall determine:</p> <ul style="list-style-type: none"> • The nature of the contract (wholly works, wholly supplies/materials and services, wholly Health and Social

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
		<ul style="list-style-type: none"> • Where the contract is for supplies/materials and services, the type of services (whether or not within the category of social and other specific services, or, where the contact shall include both, the category into which it falls) • Where the contract is for social or health care services, whether or not it is a Health & Social Care Partnership Contracts Advisory Group Contract • Whether or not the Contract Value will be less than £1,000 • Whether or not the Contract Value will be greater than £1,000 but less than £5,000 • Whether or not the Contract Value will be greater than £5,000 but less than £50,000 • Whether or not the Contract Value will be greater than £50,000 but less than a relevant threshold • Whether or not the Contract Value will be greater than the relevant threshold • Whether there is Cross Border Interest (Appendix 3) which indicates a wider advertising is needed despite the value of the contract being below the relevant EU threshold <p>Whether there are any existing, forthcoming or potential Collaborative Contracts or Framework Agreements, internal or external, which may be utilised</p>	<p>Care Services or, where the contact shall include a mix, the category into which it falls);</p> <ul style="list-style-type: none"> • Where the contract is for supplies/materials and services, the type of services (whether or not within the category of Health and Social Care Services or, where the contact shall include both, the category into which it falls); • Whether or not the estimated Contract Value will be less than £1,000; • Whether or not the estimated Contract Value will be greater than £1,000 but less than £5,000; • Whether or not the estimated Contract Value will be greater than £5,000 but less than £50,000; • Whether or not the estimated Contract Value will be greater than £50,000 but less than the relevant regulated threshold; • Whether or not the estimated Contract Value will fall within the regulated threshold; • Whether or not the estimated Contract Value will be greater than the relevant regulated threshold; • Whether the estimated contract value is within the regulated threshold which indicates that wider advertising is needed; • Whether there are any existing, forthcoming or potential Collaborative Contracts or Framework Agreements, internal or external, which may be utilised. <p>Regardless of any delegations, the final responsibility for ensuring compliance with all applicable public procurement legislation rests with the "Responsible Officer". The Responsible Officer for all types of procurement by the council is currently the Head of Corporate Services.</p>
25	Paragraph C3.2	Where the Responsible Officer identifies an existing Collaborative Contract or Framework Agreement (Internal or External) which may be utilised then (except for Health & Social Care Partnership Contracts Advisory Group Contracts) that must be used unless the	For Works, Supplies/Materials and Services contracts (including health and social care contracts), where the Responsible Officer identifies an existing Collaborative Contract or Framework Agreement (Internal or External) this may

		Responsible Officer obtains committee approval to proceed in another way.	be utilised provided it is compliant with public procurement legislation and presents best value.
26	Paragraph C3.3	Committee approval must be obtained for the tender award criteria and the proposed strategy for the proposed procurement for all contracts where the contract value is over the relevant threshold (other than those which are Health & Social Care Partnership Contract Advisory Group Contracts).	The Responsible Officer shall determine the quotation or tender award criteria and the proposed contract strategy for the proposed procurement but the Responsible Officer may ask committee to do so if they believe there is good reason.

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
27	Paragraph C3.4	In all other cases, the Responsible Officer shall determine the quotation or tender award criteria and the proposed strategy for the proposed procurement but the Responsible Officer may ask committee to do so if he believes there is good reason.	See Paragraph C3.3: The Responsible Officer shall determine the quotation or tender award criteria and the proposed contract strategy for the proposed procurement but the Responsible Officer may ask committee to do so if they believe there is good reason.
28	Paragraph C3.5	The tender award criteria may include price, period for completion, running costs, profitability, technical merit, health and safety competence, and social, economic and environmental sustainability, community benefits or any other permitted criteria which committee or the Responsible Officer choose to adopt.	See Paragraph 3.3 The Responsible Officer shall determine the quotation or tender award criteria and the proposed contract strategy for the proposed procurement but the Responsible Officer may ask committee to do so if they believe there is good reason.
29	Paragraph C3.6	The Responsible Officer shall prepare such documentation as is necessary to obtain competitive quotations or tenders for all contracts. The documentation shall be prepared and issued in accordance with the council's Corporate Procurement Procedures.	This wording has been moved to Paragraph C3.4
30	-	-	New Paragraph C4.1: Officers shall ensure compliance with public procurement legislation and the Sustainable Procurement Duty and shall have regard to guidance relating to the extent of advertising and publicity required which is proportionate to the estimated contract value, under reference to the thresholds in Appendix 1.
31	Paragraph C4.1	The Responsible Officer shall issue contract documents and invitations to quote and to tender for all contracts in accordance with the council's Corporate Procurement Procedures.	This wording has been moved to Paragraph 4.2
32	Paragraph C4.2	Contract documentation shall utilise the relevant set of the council's standard Terms and Conditions of Contract, and any departure from them must be approved in writing by the Responsible Officer.	This wording has been moved to Paragraph 4.3
33	Paragraph C4.3	The Responsible Officer may utilise electronic tendering and electronic auction techniques where appropriate and as required in accordance with the council's Procurement Procedures.	This wording has been moved to Paragraph 4.4
34	Paragraph C4.4	Where the estimated contract value is less than £1,000 the procurement shall be carried out in such manner as the relevant Head of Service may determine, subject to the requirements to demonstrate best value and retain adequate records to substantiate the decision.	This wording has been moved to Paragraph 4.5
35	Paragraph 4.5	Where the estimated Contract Value is £1,000 or more but less than £5,000, the procurement shall be carried out in such manner as the relevant Head of Service may determine, subject to the requirement to obtain at least two competitive quotations.	This wording has been moved to Paragraph 4.6
36	Paragraph 4.6	Where the Contract Value is £5,000 or more but less than £50,000, the procurement shall	Now Paragraph 4.7: Where the estimated Contract Value is £5,000 or more but less than £50,000 for

		be carried out by using Quick Quote and a minimum of three quotations must be sought.	Supplies/Materials and Services, the procurement shall be carried out by using Quick Quote and a minimum of three quotations must be sought. For Works, where the value is £5,000 or more but less than £250,000, the procurement shall be carried out by using Quick Quote and a minimum of three quotes must be sought.
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Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
37	Paragraph C4.7	Where the Contract Value is £50,000 or more but below the relevant threshold the procurement (except for Health & Social Care Partnership Contracts Advisory Group Contracts) must be carried out through Public Contracts Scotland, seeking a minimum of three tenders, but the Responsible Officer shall in addition consider and arrange for such additional advertising or publicity as may be required to secure compliance with the law in relation to Cross Border Interest (Appendix 3).	Now Paragraph 4.8: Quick Quotes must be carried out through Public Contracts Scotland (PCS) and, except where exempted by public procurement legislation, regulated tenders must be carried out through Public Contracts Scotland Tender (PCS-Tender) but the Responsible Officer shall, in addition, consider and arrange for such additional advertising or publicity as may be required to secure compliance with public procurement legislation.
38	Paragraph C4.8	Except for CHCP Health, Care and Support Services Contracts Advisory Group contracts, where the Contract Value is over the relevant threshold), the procurement must be carried out through Public Contracts Scotland, seeking a minimum of five tenders for use of the open and restricted procedures and three for use of the negotiated procedure and the competitive dialogue procedure. By using Public Contracts Scotland or otherwise, the Responsible Officer shall advertise the commission in the Official Journal and ensure that the procurement process complies with the appropriate EU procurement rules and the council's Procurement Procedures.	Now Paragraph 4.9: (a) For spend up to £999 there is no requirement to seek quotes. However, there is a requirement to ensure best value. (b) For spend between £1,000 and £4,999 a minimum of 2 quotations must be sought. (c) For Supplies/Materials and Services (including Health and Social Care) for spend between £5,000 and £49,999 a minimum of 3 quotes must be sought. (d) For Works spend between £5,000 and £250,000 a minimum of 3 quotes must be sought. (e) Except where exempted by public procurement legislation, for spend over £50,000 to £189,329 for regulated contracts for supplies/materials and services (including Health and Social Care), the procurement must be carried out through Public Contracts Scotland-Tender and, where there is a high level of bidders, selecting a minimum of 3 tenders (f) A minimum of 5 tenders should be selected, where there is a high level of bidders, for spend of £189,330 and above. (g) For Works spend between £250,000 to £3.99m, the procurement must be carried out through Public Contracts Scotland-Tender and, where there is a high level of bidders, select a minimum of 3 tenders. (h) For Works spend over £4m, where there is a high level of bidders, a minimum of 5 tenders must be sought.
39	Paragraph C4.9	If the estimated cost of carrying out work under any one Works Contract is more than £1,000,000 the council shall ask for security for completing the contract, and the tender and conditions of contract shall set out the nature and amount of the security.	Now Paragraph C4.10: If the estimated cost of carrying out work under any one Works Contract is more than £1,000,000 the council shall ask for security for completing the contract. The Head of Service, subject to advice and guidance from the Responsible Officer, shall ensure that the tender and conditions of contract shall set out the nature and amount of the security.

40	Paragraph C4.10	The council may ask for security on any other contract where considered appropriate and the tender and conditions of contract shall set out the nature and amount of the security.	The council may ask for security on any other contract where considered appropriate and the Head of Service, subject to advice and guidance from the Responsible Officer, shall ensure that the tender and conditions of contract shall set out the nature and amount of the security.
41	Paragraph C4.11	After due consideration, but only where permitted by law, committee may decide that a tenderer or a contractor shall not be invited to or be allowed to quote or tender for any future contract for any part of the council.	This wording has moved to Paragraph C4.12.

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
42	Paragraph C5.2	In the event that Public Contracts Scotland has not been utilised, all quotations and tenders not received at the specified return address by the specified closing date and time will not be considered, and shall be returned unopened. Quotations and tenders must be submitted in the form specified.	In the event that Public Contracts Scotland or Public Contracts Scotland-Tender has not been utilised, all quotations and tenders not received at the specified return address by the specified closing date and time will not be considered, and shall be returned unopened. Quotations and tenders must be submitted in the form specified.
43	Paragraph C5.3	In the case of unsatisfactory performance or conduct by any person submitting a quotation or tender before a decision is made as to which should be accepted, the Responsible Officer may, in consultation with the Chief Solicitor, disqualify that person from further participation or reject the quotation or tender, after considering any representations made.	In the case of unsatisfactory performance or conduct by any person submitting a quotation or tender before a decision is made as to which should be accepted, the Responsible Officer may, in consultation with the Chief Solicitor, as far as permitted by law, disqualify that person from further participation or reject the quotation or tender, after considering any representations made.
44	Paragraph C6.1	Quotations and tenders shall be evaluated by the Responsible Officer in accordance with relevant Procurement Procedure.	Quotations and tenders shall be evaluated by the Head of Service, in consultation with the Responsible Officer, in accordance with the Scheme of Delegation and the Corporate Procurement Procedures.
45	Paragraph C6.2	Quotations and tenders shall be evaluated in accordance with the quotation or tender award criteria and the agreed strategy for the proposed procurement, and on the basis of establishing which offer is the most economically advantageous and provides Best Value to the council.	Quotations and tenders shall be evaluated in accordance with the quotation or tender award criteria and the agreed contract strategy for the proposed procurement, and on the basis of establishing which offer is the most economically advantageous and provides Best Value to the council.
46	Paragraph C7.1	The decision as to which quotation or tender to accept shall be taken by the Responsible Officer, unless the Responsible Officer is required by a decision of the council to refer the decision to committee, or in any other case in which the Responsible Officer decides that committee approval is desirable.	The decision as to which quotation or tender to accept shall be taken by Heads of Service, after consultation with the Responsible Officer, in accordance with the Scheme of Delegation and the Corporate Procurement Procedures, unless the Responsible Officer is required by a decision of the council to refer the decision to committee, or in any other case in which the Responsible Officer decides that committee approval is desirable.
47	Paragraph C7.2	Quotations and tenders shall thereafter be accepted by the Responsible Officer, in accordance with EU rules, Procurement Legislation in Scotland and the relevant Procurement Procedure. In particular, the Responsible Officer shall observe any standstill period required before acceptance of a quotation or tender.	Quotations and tenders shall thereafter be accepted by Heads of Service, after consultation with the Responsible Officer, in accordance with the Scheme of Delegation and the Corporate Procurement Procedures. In particular, Heads of Service, with advice and guidance from the Responsible Officer, shall observe any standstill period required before acceptance of a quotation or tender.
48	Paragraph C8.2	In a case of unsatisfactory performance or conduct by a contractor following the award	In a case of unsatisfactory performance or conduct by a contractor following the

		of a contract, the Responsible Officer may, in consultation with the Chief Solicitor, take action in terms of the contract to terminate the contract.	award of a contract, the Responsible Officer may, in consultation with the Chief Solicitor, and subject to any failure to implement any applicable improvement action by the contractor, take action in terms of the contract to terminate the contract.
49	Paragraph C9.1	Subject always to compliance with EU procurement rules, Procurement Legislation in Scotland and the relevant Procurement Procedures, the Responsible Officer may vary, alter, extend (but only where the contract allows the council those options) or renegotiate any part of a contract to achieve best value for the council.	Subject always to compliance with public procurement legislation and the relevant Corporate Procurement Procedures, the Responsible Officer may vary, alter, extend (but only where the contract allows the council those options) or re-negotiate any part of a contract to achieve best value for the council.

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
50	Paragraph C9.2	A written business case (Appendix 2) justifying the reasons for this course of action together must be prepared and retained before proceeding.	A Responsible Officer business case, in compliance with the relevant renewal/extension procedure documented in the Corporate Procurement Procedures, justifying the reasons for this course of action together must be prepared and retained before proceeding.
51	Paragraph C10.2	Unless an exception is made by the council for any class or value of contracts, the Responsible Officer shall ensure that reports are brought to committee in months 4, 6, 9 and 12 of each financial year on those matters specified in the Corporate Procurement Strategy and otherwise as required by the Council Executive or the Corporate Procurement Board. The Responsible Officer shall maintain a contracts register, comply with the statutory requirements for annual procurement reports, and comply with publication duties, all in accordance with the 2014 Act.	Unless an exception is made by the council for any class or value of contracts, the Responsible Officer shall ensure that reports are brought to the Corporate Procurement Board, on a quarterly basis, on those matters specified in the Corporate Procurement Strategy and otherwise as required by the Council Executive or the Corporate Procurement Board.
52	-	-	New Paragraph C10.3: An annual Procurement Strategy review will be conducted and reported annually to the Policy Development and Scrutiny Panel.
53	-	-	New Paragraph C10.4 The Annual Procurement Report, as required by the Procurement Reform (Scotland) Act 2014 will be brought to the Council Executive prior to publication. An update, reporting on the first 6 month of the financial year, will also be reported to Council Executive.
54	-	-	New Paragraph C10.5 As well as ensuring amendments and updates are made as required, the Responsible Officer shall carry out a review of these Standing Orders at least once in each administrative term and shall report the outcome to PDSP and Council Executive.
55	-	-	New Paragraph C10.6 Reporting on H&SCP contract activity will be carried out as follows:- <ul style="list-style-type: none"> Annually to the Council Executive on the regulated contracts awarded, extended or renewed as a result of recommendations from the Health and Social Care Partnership Contract Advisory Group.

			<ul style="list-style-type: none"> • Biannually to Social Policy Policy Development and Scrutiny Panel on the regulated contracts awarded, extended or renewed as a result of recommendations from the Health and Social Care Partnership Contract Advisory Group.
56	-	-	<p>New Paragraph C10.7</p> <p>The Responsible Officer shall maintain a corporate contract register, comply with the statutory requirements for annual procurement reports, and comply with publication duties, all in accordance with the 2014 Act.</p>

Ref	Current Document Reference	Current Wording	Proposed Wording/Amendments
57	Paragraph C11.1	The Head of Finance and Estates is responsible for disposing of assets and materials (including land and buildings) which are not needed on behalf of all council services, except for the disposal of IT hardware and software which is the responsibility of the Depute Chief Executive (Corporate, Operational & Housing Services).	The Head of Finance and Property is responsible for disposing of assets and materials (including land and buildings) which are not needed on behalf of all council services, except for the disposal of IT hardware and software which is the responsibility of the Depute Chief Executive (Corporate, Operational & Housing Services).
58	Paragraph 11.2	All disposals of assets and materials except for IT hardware and software shall be undertaken in accordance with procedures approved by committee or issued by the Head of Finance and Estates under delegated powers.	All disposals of assets and materials except for IT hardware and software shall be undertaken in accordance with procedures approved by committee or issued by the Head of Finance and Property under delegated powers.
59	Appendix 1	Contract Strategy Template	Include in Corporate Procurement Procedures
60	Appendix 2	Business Case Template for Renewal or Extension	Include in Corporate Procurement Procedures
61	Appendix 3	Cross Border Interest and Adequate Advertising and Publicity	Removed
62	Appendix 4	Remit and Scope of the Health and Social Care Partnership Contracts Advisory Group	Some wording merged into main standing order Paragraphs. Include relevant information in Corporate Procurement Procedures, as applicable.
63	-	-	New Appendix 1 – West Lothian Council Tender Thresholds

DATA LABEL: OFFICIAL



POLICY AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

PARENTAL BEREAVEMENT LEAVE AND PAY

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To present to the Panel, proposed amendments to the Leave for Family Care Purposes Policy which would enhance the statutory requirements contained within the Parental Bereavement Leave and Pay Act 2018.

B. RECOMMENDATION

It is recommended that the panel:

- a) Notes the statutory provisions of the Parental Bereavement Leave and Pay Act 2018 which came into effect from 6 April 2020;
- b) Considers the proposed enhancement to the statutory provisions with a view to referral to Council Executive for approval; and
- c) Considers the draft amendments to the Leave for Family Care Purposes Policy outlining the enhanced policy position.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|--|
| I Council Values | <ul style="list-style-type: none">• Focusing on our customers' needs• being honest, open and accountable• providing equality of opportunities• making best use of our resources |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | There is a minimum requirement that the council comply with the statutory provisions of the Parental Bereavement Leave and Pay Act 2018 with effect from 6 April 2020. |
| III Implications for Scheme of Delegations to Officers | None |

IV	Impact on performance and performance Indicators	The proposals for enhancement of the statutory provisions have the potential to minimise related sickness absence figures.
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	Enhancing the statutory provisions to allow up to two weeks paid parental bereavement leave (at the employee's normal pay) will have a financial impact.
VII	Other consultations	The recognised trade unions have been consulted on the draft policy amendments.

D. TERMS OF REPORT

D.1 BACKGROUND

As part of the UK Government's Good Work Plan the Parental Bereavement Leave and Pay Act 2018 received Royal Assent in September 2018 and came into force on 6 April 2020.

The Act introduced a new provision for bereaved parents of a child, to allow them to be absent from work with pay for up to 2 weeks.

A parent is defined as any individual who has primary care responsibilities for the child.

A child is defined as a person under the age of 18 including a stillborn child born after 24 weeks of pregnancy.

D.2 SUMMARY OF STATUTORY PROVISIONS

The statutory provisions of the legislation are summarised below and form the minimum requirements implemented with effect from 6 April 2020:

- Statutory Parental Bereavement Leave will be available to all employees who are bereaved parents (including adoptive parents, those who are fostering to adopt, legal guardians and most foster parents – except those in short term fostering arrangements).
- Leave will be available to all employees from day 1 of employment (there is no minimum service requirement).
- Statutory Parental Bereavement Pay will be available to employees with 26 weeks continuous service.
- Where more than one child dies, the parent will have a statutory entitlement to leave and pay in respect of each child.
- The leave must be taken as a single block of 2 weeks, or 2 separate blocks of 1 week.

- The leave can be taken at any time up to 56 weeks from the date of the death of the child (this extended period is intended to allow bereaved parents to take leave around the time of the first anniversary of the child's death).
- Notice to take leave will not be required when the leave is taken immediately after the death of the child. Leave taken at a later date will require notice.
- Bereaved parents will be required to complete a written declaration of eligibility to receive Statutory Parental Bereavement Pay.
- Statutory Parental Bereavement Pay will be paid at the same rate as Maternity/Paternity/Shared Parental Pay, currently £148.88 per week.

D.3 CURRENT BEREAVEMENT LEAVE PROVISIONS

The council currently makes provision for paid bereavement leave of up to 5 working days at the discretion of the Depute Chief Executive or nominated officer. This provision is open to all employees and there is no minimum service requirement.

D.5 PROPOSED ENHANCEMENT TO STATUTORY PROVISIONS

The Government is encouraging employers to extend the statutory right further and provide employees with more than 2 weeks leave, and/or offer full pay for some or all of their absence.

Officers have considered whether the new statutory provisions should be enhanced in line with Government recommendations and whether those provisions should be combined with or additional to the council's existing bereavement leave provisions. It is recommended that, in addition to current bereavement leave provisions, bereaved parents will be entitled to up to two weeks paid parental bereavement leave at normal pay with no minimum service requirement.

It is considered that the proposed enhanced provision constitutes a compassionate and supportive approach which would give bereaved parents the opportunity to take up to 3 weeks paid bereavement leave (made up of 5 days bereavement leave at normal pay and up to two weeks parental bereavement leave at normal pay). In line with statutory provisions, where more than one child dies, the parent will be entitled to leave and pay in respect of each child.

It is acknowledged that bereavement in these circumstances is an extreme life event that is normally likely to result in the bereaved parent taking an extended period of sickness absence. Giving employees the option of taking up to 3 weeks paid bereavement leave not only supports bereaved parents to cope during an extremely difficult time but may also minimise the amount of sickness absence taken.

E. CONCLUSION

The introduction of the Parental Bereavement Leave and Pay Act 2018 provides the council with the opportunity to further promote the organisation as a caring and supportive employer.

The proposed amendments to the council's current Leave for Family Care Policy and Procedure reflect the proposal to enhance the statutory provisions and is designed to support staff through what would be an extreme life event.

F. BACKGROUND REFERENCES

- Parental Bereavement Leave and Pay Act 2018
- Leave for Family Care Purposes Policy and Procedure

Appendices/Attachments: Appendix 1 – Draft revisions to the Leave for Family Care Purposes Policy and Procedure

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Julie Whitelaw
Head of Corporate Services
18 September 2020

EXTRACT FROM LEAVE FOR FAMILY CARE PURPOSES POLICY

DRAFT AMENDMENTS

63. BEREAVEMENT

- 63.1 Where a dependant or a family member dies, the Depute Chief Executive or nominated representative has discretion to grant paid leave for a maximum of five working days. In exercising discretion the Depute Chief Executive or nominated representative will take account of:
- the circumstances which justify leave to attend the funeral
 - the requirement for an employee to make funeral arrangements
 - the requirement for an employee to travel over long distances (for travel outside the UK the absence may be part paid and part unpaid)
- 63.2 Where there are special circumstances unpaid leave may be granted for longer periods than five working days and the Depute Chief Executive should judge these cases on their merits.
- 63.3 Where a close friend, West Lothian Council colleague or former colleague dies, the Depute Chief Executive or nominated representative has discretion to grant employee(s) paid leave to attend the funeral.
- 63.4 Requests for Bereavement Leave must be made on an 'Application for Special Leave' form and submitted to the line manager/Head Teacher.
- 63.5 Application forms are available on-line or from Human Resources.

64. PARENTAL BEREAVEMENT LEAVE

- 64.1 In addition to bereavement leave outlined in section 63 above, parents of a child who dies under the age of 18 including a stillborn child born after 24 weeks of pregnancy, will be entitled to up to 2 weeks paid parental bereavement leave.
- 64.1 A parent is defined as any individual who has primary care responsibilities for the child (including adoptive parents, those who are fostering to adopt, legal guardians and most foster parents – except those in short term fostering arrangements).
- 64.3 Parental Bereavement Leave must be taken as a single block of 2 weeks, or 2 separate blocks of 1 week at any time up to 56 weeks from the date of the death of the child.
- 64.4 Parental Bereavement Pay will be equal to normal pay.
- 64.5 Where more than one child dies, the parent will be entitled to leave and pay in respect of each child.
- 65.5 Notice to take leave will not be required when the leave is taken immediately after the death of the child. Leave taken at a later date will require 2 weeks' notice and can be requested on an 'Application for Special Leave' form and submitted to the line manager/Head Teacher.

DATA LABEL: PUBLIC



PARTNERSHIP & RESOURCES POLICY DEVELOPMENT & SCRUTINY PANEL

REVIEW OF DECISION-MAKING ARRANGEMENTS – WEBCASTING AND RECORDING MEETINGS

REPORT BY GOVERNANCE MANAGER AND HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To consider proposed changes to Standing Orders in relation to recording and webcasting council and committee meetings.

B. RECOMMENDATIONS

To consider the following recommendations that will be reported to full council for determination:-

1. To note that Council Executive on 20 August 2019 instructed officers to bring forward proposals through Partnership & Resources PDSP in relation to extending the audio webcasting and recording of meetings
2. To note the present terms of Standing Order 24 on Public and Press – Access (Appendix 1)
3. To agree the proposed reworking of Standing Order 24 to extend the audio webcasting and recording to all meetings of bodies in the Scheme of Administration where technology allows (Appendix 3)
4. To agree a further change to Standing Order 24 to remove the current restriction on the audio recording of meetings by others (Appendix 3)

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable; making the best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973; Coronavirus (Scotland) Act 2020; Standing Orders
III	Implications for Scheme of Delegations to Officers	None at this stage
IV	Impact on performance and performance Indicators	N/a
V	Relevance to Single Outcome	N/a

Agreement

VI Resources - (Financial, Staffing and Property)	N/a
VII Consideration at PDSP	These issues were considered in general terms at Partnership & Resources PDSP on 24 August and 5 October, both 2018, and 1 February 2019
VIII Other consultations	Elected members; Committee Services

D. TERMS OF REPORT

1 Background

- 1.1 Part of council's decision on the revenue budget report on 13 February 2018 was "to review the economy, efficiency and effectiveness of its present decision-making arrangements and to report to Partnership and Resources PDSP for consideration of possible changes". Reports were considered at several PDSP meetings in 2018 and 2019. Council Executive on 20 August 2019 decided how officers should proceed. Several of the issues covered have been determined already at council or committee. One of the issues still to be considered is the extension of the current arrangements for webcasting and recording council and committee meetings. It was in Appendix 4 to that report, one of a list of issues which had not attracted any disagreement or political controversy throughout the process of consultation and discussion and consideration at PDSP and committee.
- 1.2 The council's decision-making arrangements are mainly, but not exclusively, found in Standing Orders. The element affected by these proposed changes is Standing Orders for the Regulation of Meetings. They can only be amended by full council.

2 Legal rules and Standing Order 24

2.1 Legislation provides as follows:-

- The public has a right of admission to meetings of council, committees and sub-committees unless lawfully excluded for private business (yellow paper reports)
- During the coronavirus emergency period the right to be admitted in the physical sense to meetings has been removed and no provision made requiring an alternative means of access
- The council does not have to allow photographs or video or audio broadcasting or recording but may choose to do so
- If it chooses to do so, the council may determine how that should be allowed to be done (e.g., for all meetings or some meetings; for committees but not PDSPs; by any or all of audio, video or still photography)

2.2 Standing Order 24 (Appendix 1) provides as follows:-

- For meetings of full council (which always take place in the council chamber if being held in a physical location) audio webcasting and recording are default provisions but video and photography are only allowed if the meeting agrees

- Recording or webcasting the meetings of other bodies is not allowed unless the meeting agrees
- Nothing is recorded or webcast when private business is being considered and the public has been excluded
- All is subject to any restrictions necessary in relation to confidential or exempt information, data protection, freedom of information, including environmental information, or offensive or defamatory conduct or language
- If the technology fails the meeting proceeds without it

3 Options and considerations

- 3.1 Only bodies in the council's Scheme of Administration should be covered by any extension. The council administers other bodies under partnership arrangements but they are not covered by Standing Orders and so are beyond the council's direct control. Within the Scheme, it would be possible to differentiate between committees and PDSPs. However, since PDSPs were established council's position has been that the same principles of public access that apply to committee meetings should apply to them as well.
- 3.2 Committee's instruction was to bring forward proposals about extending audio recording and webcasting, not video or photography. The cost of using video would be prohibitive. It would require capital investment in technology and revenue expenditure in contracting with a service provider and allocating staff resources. Effective video broadcasting from a round meeting room, for a physical meeting, is problematic and costly. Consideration of any form of video recording or webcasting will require a fresh committee or council decision and instruction to officers.
- 3.3 For physical meetings, a sound system of some sort is required to connect with the webcasting and recording technology. Other Civic Centre meeting rooms do not have that facility. Almost all the bodies in the Scheme of Administration meet in the chamber. The only regular exceptions are Licensing Committee and five of the nine LACs which hold some meetings away from the Civic Centre. It makes financial sense that only physical meetings in the chamber should be covered.
- 3.4 The technology currently used for full council meetings is now familiar and works well. It relies on a wifi connection but it is very close to being "plug and play". There has been an occasional issue with a live webcast but recordings of all meetings since the facility was introduced are available. Extending the coverage under the current provider will not require any additional technology or capital outlay. That would not be possible for physical meetings taking place in other locations since the necessary sound system would not be present.
- 3.5 The emergency coronavirus legislation removed the public right to be physically present at a meeting of any sort. It made no provision for any other form of access. After the resumption of meetings by remote participation, meetings were webcast, allowing the public to listen live through the council's website. That required the agreement of every meeting under the present version of Standing Order 24. Recordings were not made available because to do so would have contravened Standing Order 24. In order to facilitate public access during the coronavirus period, and after, it is proposed that the default position is that meetings of bodies in the Scheme of Administration, where conducted by remote participation, should be webcast and recorded with the recordings made available on the internet.

- 3.6 The annual cost for full council meetings is currently £1,800. The additional cost for covering all and any meetings of council bodies taking place in the council chamber is approximately £2,100. The total annual cost for covering all meetings in the Chamber would therefore be approximately £3,900. In 2019/20 a total of 141 meetings of bodies in the Scheme of Administration, open to the public, took place in the council chamber. Full council meetings accounted for 7 of those so the additional annual cost would be spread over approximately 135 extra meetings.

4 Usage of the current facility

- 4.1 Statistics for 12 month period to March 2020 for webcast full council meetings are in Appendix 2. They show the number of live listeners and the total number of minutes the live listeners listened to. They show the total number of listeners to recordings (archive listeners) and the total number of minutes heard. They show the average live and the average archive duration. They show the peak number of live listeners and archive listeners and the relevant meeting dates. Appendix 2 also shows figures to date for live listeners to post-lockdown meetings conducted by remote participation.
- 4.2 Figures are significantly higher for budget-setting meetings which may reflect the significance and relevance to the public of the business being covered. It may be that figures will be higher for some committee business, such as Development Management Committee or Council Executive meetings. Figures may also increase if some publicity and awareness raising were to be carried out.
- 4.3 Comparisons with other councils are not straightforward due to differences in systems used, what is webcast, how it is webcast and due to population and geographic factors. In very broad terms experience elsewhere has been similar.

5 Recordings by others

- 5.1 Standing Orders currently prohibit the recording (audio, video and still photography) of meetings by the public unless the meeting is asked and agrees. That has been the position for many years. Policing that rule in relation to audio recording is almost impossible with the advent of mobile phones and tablets.
- 5.2 Since that cannot be regulated and enforced it is proposed to remove the prohibition on audio recording. The prohibition (unless expressly permitted) would remain in place for video and still photography since it is more obvious when those activities are underway, it can be more readily enforced, it is more distracting and it is potentially intrusive in relation to data protection issues.

6 Next steps

- 6.1 The proposal is therefore to retain the prohibition on video recording and webcasting but to extend audio webcasting and recording to all physical meetings of all bodies in the Scheme of Administration that take place in the council chamber and to all meetings conducted by remote participation. Those provisions will be subject always to a caveat in relation to the availability and reliability of the technology.
- 6.2 A revised version of Standing Order 24 is shown in Appendix 3, first with tracked changes and then as a clean copy. If PDSPs are included then a small addition will be required to Standing Order 50(4) to cover those. Additional definitions will be required, for example, of "physical meetings" and "remote participation". It is intended to report to full council seeking an amendment to Standing Orders in these terms.

E. CONCLUSION

- 1 Consideration by the Panel will enable the review instructed by council to be progressed towards conclusion. For this issue a report to full council is needed.

F. BACKGROUND REFERENCES

- 1 Local Government (Scotland) Act 1973
- 2 Coronavirus (Scotland) Act 2020
- 3 Council's Standing Orders - <http://intranet.westlothian.gov.uk/article/6941/Councils-Standing-Orders-and-Corporate-Governance>
- 4 Partnership & Resources PDSP, 24 August and 5 October 2018, and 1 February 2019
- 5 Council Executive, 26 March and 20 August 2019

Appendices/Attachments:

1. Existing Standing Order 24
2. Usage figures
3. Proposed new Standing Order 24

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Date of meeting: 18 September 2020

APPENDIX 1

EXISTING STANDING ORDER 24

24 PUBLIC AND PRESS - ACCESS

C S

- (1) Except where this Standing Order says otherwise, every meeting of the Council, its Committees, Sub-Committees and PDSPs shall be open to the public and press.
- (2) The public shall not be admitted to a meeting when an item of business is being dealt with if it is likely that they would hear:-
 - Confidential information
 - Exempt information
- (3) Meetings of full council shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. Otherwise, no form of audio or visual recording, photography or transmission of the proceedings of any meeting will be allowed, unless the meeting so agrees.
- (4) No broadcast shall be made when the public is excluded under this Standing Order.
- (5) Broadcasts and the availability of recordings are subject to the controls and restrictions the Clerk deems necessary in relation to:-
 - confidential or exempt information
 - data protection
 - freedom of information, including environmental information
 - offensive or defamatory conduct or language
- (6) Where broadcasting and recording is permitted under these Standing Orders, meetings shall proceed even if recording or broadcasting equipment fails or is otherwise not available.

APPENDIX 2

WEBCAST AND RECORDED COUNCIL MEETINGS FOR 12 MONTHS TO MARCH 2020

Month	4/19	5/19	6/19	7/19	8/19	9/19	10/19	11/19	12/19	1/20	2/20	3/20
Live Minutes	20	898	9	9	0	0	0	0	0	0	3460	0
Archive Minutes	93	341	95	49	6	223	145	121	27	45	874	407
Total Minutes	113	1239	104	58	6	223	145	121	27	45	4334	407
Live Listeners	4	357	3	3	0	0	0	0	0	0	87	0
Archive Listeners	42	50	15	17	4	70	89	10	27	50	142	87
Total Listeners	46	407	18	20	4	70	89	10	27	50	229	87
Average Live Duration	5.00	2.52	3.00	3.00	0	0	0	0	0	0	39.77	0
Average Archive Duration	2.21	6.82	6.33	2.88	1.50	3.19	1.63	12.10	1.00	0.90	6.15	4.68

Peak Live Listeners	349	West Lothian Council	14-05-2019
Most Listeners to recorded meeting	169	West Lothian Council	24-09-2019

- Live Minutes - the number of minutes streamed live to listeners during meeting webcast
- Archive Minutes - the number of minutes of audio played from the meeting archive
- Total Minutes - the sum of the above
- Live Listeners - the number of listeners connected to live webcasts
- Archive Listeners - the number of listeners connected to the meeting archive
- Total Listeners - the sum of the above
- Average Live Duration - the average time spent listening to live meetings
- Average Archive Duration - the average time spent listening to audio from the meeting archive

Month	6/20	7/20	8/20
Live Minutes	3387	825	2633
Archive Minutes	308	20	7
Total Minutes	3695	845	2640
Live Listeners	140	88	79
Archive Listeners	70	5	9
Total Listeners	210	93	88
Average Live Duration	24.19	9.38	33.33
Average Archive Duration	4.40	4.00	0.78

Peak Live Listeners	88	Development Management Committee	08-07-2020
Most Listeners to recorded meeting	N/A	N/A	N/A

- Live Minutes - the number of minutes streamed live to listeners during meeting webcast
- Archive Minutes - the number of minutes of audio played from the meeting archive
- Total Minutes - the sum of the above
- Live Listeners - the number of listeners connected to live webcasts
- Archive Listeners - the number of listeners connected to the meeting archive
- Total Listeners - the sum of the above
- Average Live Duration - the average time spent listening to live meetings
- Average Archive Duration - the average time spent listening to audio from the meeting archive

APPENDIX 3

PROPOSED NEW STANDING ORDER 24

24 PUBLIC AND PRESS - ACCESS

C S

- (1) Except where legislation or this Standing Order says otherwise, every meeting of the Council, its Committees, Sub-Committees and PDSPs shall be open to the public and media. press.
- (2) However, The public and media shall not be admitted to a meeting when an item of business is being dealt with if it is likely that they would hear:-
- Confidential information
 - Exempt information and the meeting so agrees
- (3) Meetings of ~~full council~~ Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels held physically in the council chamber shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. ~~Otherwise, n~~No form of ~~audio or~~ visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (4) Meetings of Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels conducted by remote participation shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. No form of visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (45) No broadcast or recording shall be made when the admission of the public is excluded by law or under this Standing Order.
- (56) Broadcasts and the availability of recordings are subject to the controls and restrictions the Clerk deems necessary in relation to to ensure compliance with the law and Standing Orders, including:-
- confidential or exempt information
 - data protection
 - freedom of information, including environmental information
 - offensive or defamatory conduct or language
- (6) Where broadcasting and recording is permitted under these Standing Orders, meetings shall proceed even if recording or broadcasting equipment fails or is otherwise not available.

24 PUBLIC AND PRESS - ACCESS

C S

- (1) Except where legislation or this Standing Order says otherwise, every meeting of the Council, its Committees, Sub-Committees and PDSPs shall be open to the public and media.
- (2) However, the public and media shall not be admitted to a meeting when an item of business is being dealt with if it is likely that they would hear:-
 - Confidential information
 - Exempt information and the meeting so agrees
- (3) Meetings of Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels held physically in the council chamber shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. No form of visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (4) Meetings of Council, Committees, Sub-Committees and Policy Development & Scrutiny Panels conducted by remote participation shall be broadcast live (sound only) through the internet and sound recordings shall be made available on the council's website. No form of visual recording, photography or transmission of the proceedings of any such meeting will be allowed, unless the meeting so agrees.
- (5) No broadcast or recording shall be made when the admission of the public is excluded by law or under this Standing Order.
- (6) Broadcasts and the availability of recordings are subject to the controls and restrictions the Clerk deems necessary to ensure compliance with the law and Standing Orders, including:-
 - confidential or exempt information
 - data protection
 - freedom of information, including environmental information
 - offensive or defamatory conduct or language
- (7) Where broadcasting and recording is permitted under these Standing Orders, meetings shall proceed even if recording or broadcasting equipment fails or is otherwise not available.

DATA LABEL: PUBLIC



PARTNERSHIP & RESOURCES POLICY DEVELOPMENT & SCRUTINY PANEL

FAMILY LEAVE PROVISIONS – ELECTED MEMBERS

REPORT BY GOVERNANCE MANAGER AND HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To consider the implementation of COSLA Guidance on Family Leave for Elected Members and related resources that may be made available to members

B. RECOMMENDATIONS

To consider the following recommendations that will be reported to Council Executive and to full council, as appropriate, for approval:-

1. To note the updated Guidance on Family Leave for Elected Members circulated to Scottish Councils (Appendix 1)
2. To consider the proposed draft Family Leave Scheme for Elected Members to provide a mechanism for Elected Members to access family leave provisions.
3. To note the additional provision for surrogacy leave which goes beyond the COSLA guidance.
4. To note the additional provisions not specifically referenced in the scheme, the reasons for that and how Elected Members may access such provisions.
5. To agree the changes required, if the Scheme is adopted, to Standing Orders for the Regulation of Meetings, the Scheme of Administration, the Scheme of Delegations and the Scheme of Elected Member Remuneration, Allowances and Reimbursement of Expenses

C SUMMARY OF IMPLICATIONS

I Council Values	Being honest, open and accountable, providing equality of opportunities, making best use of our resources
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	No legal right to family leave currently exists for people in elected office. Local Government (Scotland) Act 1973; Local Governance (Scotland) Act 2004; Local Governance (Scotland) Act 2004

		(Remuneration) Regulations 2007 (“the remuneration rules”)
III	Implications for Scheme of Delegations to Officers	The Scheme of Delegations will be amended to include responsibility for administering the Family Leave Scheme
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	Costs arising will be absorbed into existing budgets
VII	PDSP consideration	Ongoing
VIII	Other Consultations	COSLA policy development team

D TERMS OF REPORT

D.1 Background

On 27 September 2019, Council Leaders endorsed Family Leave Guidance with a view to increasing the diversity of experience, age and background of councillors by removing barriers to participating in local government and public office. It aims to set out key principles to support elected members during periods of maternity, paternity, shared parental and adoption leave. The Family Leave Guidance subsequently updated in April 2020 was circulated to Scottish councils for adoption on a voluntary basis. The updated Guidance is in Appendix 1.

Following discussion at PDSP on 7 February 2020 to consider the adoption and implementation of such Family Leave provisions, a draft Family Leave Scheme for Elected Members (Appendix 2) has been developed to provide Elected Members with a mechanism to access the leave provisions outlined in the COSLA guidance.

D.2 Family Leave Scheme for Elected Members

While there is no legal right to family leave of any kind for people in elected public office, the objective of the scheme is to ensure that as far as possible, Elected Members can take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio holders and others in receipt of Senior Councillor payments during any period of leave taken.

The provisions of this guidance confer no contractual or worker/employment status and can be amended or withdrawn at any time. Councillors continue to retain their status as office holders.

As proposed in the COSLA guidance leave has been limited to 6 months with the requirement in mind that elected members have a legal duty to attend at least one qualifying meeting in a period of six months.

The leave provisions covered by the proposed scheme are summarised in the table below:

Type of Leave	Provision
Maternity Leave	Up to 6 months (26 weeks) leave from 28 days before the expected due date. In the event of premature birth (before the 37 th week of pregnancy), maternity leave may be extended by a period equivalent to the period between the date of birth and the expected due date.
Paternity Leave	Up to 2 weeks leave for the father or nominated carer of the mother.
Shared Parental Leave	Up to 6 months (26 weeks) shared parental leave where maternity leave is appropriately curtailed. Leave is limited to 6 months (26 weeks) in total even where both parents are elected members.
Adoption Leave	Up to 6 months (26 weeks) leave from the date of placement.
Surrogacy Leave	Up to 6 months (26 weeks) leave from the date of placement or from a fixed date up to 14 days before the expected date of placement.

Surrogacy Leave is not included in the COSLA guidance but it was felt appropriate to include surrogacy leave as a provision for Elected Members to allow those becoming parents by means of a surrogate access to the same provisions as other new parents. The provisions of surrogacy leave will largely mirror those of maternity leave. Where an Elected Member acts as a surrogate, the Elected Member will be entitled to maternity leave provisions.

D.3 Pay Provisions

The basic councillor remuneration is guaranteed by legislation and all members will continue to receive their basic allowance in full while on maternity, paternity, shared parental, adoption or surrogacy leave.

The challenges to continuity of senior councillor payments as presented in the report to PDSP on 7th February have been addressed with effect from 1 April 2020 by changes to the remuneration rules, referred to in the updated COSLA guidance. Elected Members entitled to a Senior Councillor Payment, and Provosts and Council Leaders, will continue to receive their additional pay during a period of maternity, paternity, shared parental, adoption or surrogacy leave for a period of up to six months, or until the date when the member taking the leave stands for re-election, whichever date is sooner. If re-elected, the position will be reviewed and may, where appropriate, be extended to allow the member to remain on leave for the remainder of the 6 month period with the appropriate remuneration.

An Elected Member appointed to replace the Senior Councillor on maternity, paternity shared parental, adoption or surrogacy leave will also receive the relevant senior councillor payment until the return of the Member on leave or until that Member stands for re-election, whichever date is sooner.

Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one senior councillor payment shall apply.

D.4 Member Responsibilities During Leave

Any member taking a period of maternity, paternity, shared parental, adoption or surrogacy leave retains their legal duty under the Local Government (Scotland) Act 1973 to attend a qualifying meeting within a six-month period unless the reason for the failure to attend is accepted by the council. Attendance at outside bodies to which members have been appointed by the council count as qualifying meetings. It is therefore not felt to be an onerous task for members on leave to avoid such a period of absence from meetings.

Arrangements should be made prior to a period of leave for other duties to ensure there is minimal impact on the relevant ward. This may include arranging for another councillor to attend surgeries to represent and pursue constituents' interests, or arranging substitutes for committee meetings as permitted by council standing orders. In making such arrangements consideration must be taken of data sharing legislation in relation to constituents' personal information.

In relation to committee and PDSP meetings, Standing Orders permit the attendance of substitutes for almost all meetings. For those, a member on leave can ask for another councillor to attend. The bodies where substitutes are not allowed are Development Management Committee, Local Review Body, Asset Transfer Committee, Asset Transfer Review Committee, and Local Area Committees. It is possible for replacement members to be appointed at meetings of full council and that could be attended to when notice is given of the start of a leave period.

Substitutes are not possible at meetings of full council and only members present (physically or, subject to conditions, remotely) may vote. Councils are generally finely balanced in political terms and the absence of a member on leave may have a significant impact on decisions taken in their absence. However, even if a councillor has taken a period of leave there is nothing to prevent them from carrying out some of their duties such as attending and voting at full council meetings.

Attending council meetings or undertaking other duties whilst on leave will not affect the period of leave which has been agreed or bring it to an end prematurely. Similarly, any time spent on duties during the period of leave will not extend the period of leave beyond the maximum period.

D.5 Additional provisions for the benefit of members

With the exception of surrogacy leave, the additional provisions currently extended to employees of the council, and as considered in the February report to PDSP, have not been included in the Elected Members Family Leave Scheme. They fall out with the COSLA Guidance. Those provisions however are further addressed below.

Special Leave

It is considered that leave extended to employees of the council for the purposes of the planned health care of a young child, care of an ill dependant and bereavement are all short term (limited to five working days) and could be accommodated by Elected Members through the management of their workload and diary commitments without the need for specific leave provisions.

Leave to care for a seriously ill dependant could be extended to an employee of the council for up to 12 months however this is unpaid leave and it is considered that it would not be possible to adopt such provisions for Elected Members.

Employee Assistance Programme

The Employee Assistance Programme (EAP) is a telephone based counselling service which is available to staff 24 hours a day, 7 days a week. As there would be no requirement for contractual amendment to allow Elected Members access to the EAP, it is proposed that this provision be extended to Elected Members.

To ensure access via self-referral Elected Members would need to be added as a staffing group for the purposes of recharging.

Elected Members would need to be informed of this provision and arrangements for accessing the services of the EAP but it would not be necessary to include this provision in the Family Leave Scheme.

Physiotherapy Services

It is considered appropriate to extend access to physiotherapy services to Elected Members, however access to this service is by management referral only. It is therefore necessary to identify an officer responsible for management referral and it is proposed that this role be undertaken by an officer delegated by the Head of Corporate Services who will have overall responsibility for the administration of the new scheme.

As with the Employee Assistance Programme, there would be no need for contractual amendment however Elected Members would need to be added as a staffing group for the purposes of recharging.

Elected Members would need to be informed of this provision and arrangements for accessing the physiotherapy services but it would not be necessary to include this provision in the Family Leave Scheme.

Further information on how to access the Employee Assistance Programme and Physiotherapy Services is contained in appendix 3.

D.6 Changes to Standing Orders, etc.

Amendments will be needed to Standing Orders for the Regulation of meetings and other internal rules and procedures, as follows:-

- The definitions in Standing Order 1 will be amended to add "Acting Executive Councillor", "Acting Provost" and "Acting Council Leader". The amended definitions and underlying procedures will require the member taking leave to make a nomination, to communicate that to the Clerk to the Council and then for that to be communicated off-line to members and confirmed at the earliest available meeting of council
- Standing Order 12 (minutes) will be amended to require an absence or apology of a member on leave under the proposed scheme to be noted in those terms, and, if that is done, the reason for non-attendance will be deemed to have been accepted by the council for the purposes of the six-month absence rule

- The Scheme of Administration shall be amended to include relevant references to those in “acting” positions, and, where necessary and competent, to clarify if the chair will be taken by the Vice-Chair or the member acting up
- The Scheme of Delegations will be amended to add the administration of the new scheme to the responsibilities of the Head of Corporate Services
- The Scheme of Elected Member Remuneration, Allowances and Reimbursement of Expenses will be amended to reflect the new legal provisions and the council’s adoption of the new scheme. The annual Publication of Elected Members Remuneration, Expenses and Allowance Information will include information about its use and will show any additional sums paid to “acting” members

The proposed changes to Standing Orders for the Regulation of Meetings and the Scheme of Administration can only be made by full council. The adoption of the scheme and approval of the other recommendations can be competently done by Council Executive.

E. CONCLUSION

The council is supportive of COSLA aims to encourage participation as councillors by individuals who may otherwise have been unable or reluctant to do so and therefore the panel are requested to consider the attached Family Leave Scheme for Elected Members for referral to Council Executive for approval.

In addition, approval is sought to proceed with proposals to arrange access for Elected Members to the provisions of the Employee Assistance Programme and Physiotherapy Services.

F. BACKGROUND REFERENCES

Family Leave Guidance for Councils – COSLA

Appendices / Attachments: 1. Family Leave Guidance for Councils – COSLA
2. Draft Family Leave Scheme for Elected Members
3. EAP and Physiotherapy Services – Elected Member Access

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18 September 2020

Family Leave Guidance for Councils

The Family Leave Guidance outlined below was endorsed by Council Leaders in September 2019 for circulation to Scottish Councils for adoption on a voluntary basis. Subsequently guidance was updated in April 2020 to reflect amendments to the Local Government (Scotland) Act 1973.

The term Special Responsibility Allowances (SRA) is used within the document to describe allowances paid to Council Leaders, Civic Head, Senior Councillors, Conveners and Vice Convener etc. where a Councillor receives a higher remuneration due to a specific role undertaken on behalf of the Council.

Introduction

This Guidance sets out some key principles which Local Authorities may wish to adopt to support Elected Members during periods of maternity, paternity, shared parental and adoption leave. **There is no legal right to family leave of any kind for people in elected public office.**

The objective of this guidance is to ensure that insofar as is possible, Elected Members can take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

This Guidance is to be implemented on a voluntary basis and confers no contractual, nor worker / employment status. The Guidance can be amended or withdrawn at any time. Councillors continue to retain their status as office holders. The rights as set out in this Guidance extend to (1) maternity, paternity, shared parental and adoption leave and (2) pay during maternity, paternity, shared parental and adoption related leave only. Individuals who are employees or workers of the Local Authority will be entitled to any additional rights associated with family leave by virtue of their employment status and associated policies. No such additional rights, over and above what is set out in this Guidance, shall apply to Elected Members and nothing in this Guidance shall render Elected Members as employees or workers.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of Local Authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from 28 days before their due date.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period.

1.3 Members shall be entitled to take a maximum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.4 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from the Council.

1.5 Where both parents are Members leave may be shared up to a maximum of 26 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.6 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months' adoption leave from the date of placement.

1.7 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1973 to attend a meeting of the Council within a six-month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six-month period.

1.8 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return. (It is recommended that a minimum of 28 days' notice is provided to take leave. A MatB1 form or an adoption matching certificate should be provided when applying for maternity and adoption leave respectively).

1.9 Any Member taking leave should ensure that they respond to reasonable requests for information from the Council as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

1.10 In the event of an Elected Member taking family-related leave, Councils are encouraged to consider:

- how to ensure there is minimal impact on the relevant ward by arranging, where possible, reasonable and appropriate cover to ensure the needs of constituents continue to be met; and
- providing what additional support may be required to facilitate an Elected Member's return from family related leave to ensure they feel supported and ready to return to the Council.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 The payment of SRA, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date when the Member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six-month period.

3.3 Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.

3.4 Unless the Member taking leave is removed from their post whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.



FAMILY LEAVE SCHEME FOR ELECTED MEMBERS

1. Introduction

- 1.1 While there is no legal right to family leave of any kind for people in elected public office, the objective of this guidance is to ensure that as far as possible, Elected Members can take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio holders and others in receipt of Senior Councillor payments during any period of leave taken.
- 1.2 The provisions of this guidance confer no contractual or worker/employment status and can be amended or withdrawn at any time. Councillors continue to retain their status as office holders.

2. Leave Provisions

- 2.1 The provisions of this guidance extend to Maternity, Paternity, Shared Parental, Adoption and Surrogacy Leave only as detailed below:

Type of Leave	Provision
Maternity Leave	<p>Up to 6 months (26 weeks) leave from 28 days before the expected due date.</p> <p>In the event of premature birth (before the 37th week of pregnancy), maternity leave may be extended by a period equivalent to the period between the date of birth and the expected due date.</p> <p>In the event of a stillbirth or death of a child after 24 weeks of pregnancy, the Elected Member will retain the entitlement to Maternity Leave.</p>
Paternity Leave	Up to 2 weeks leave for the father or nominated carer of the mother.
Shared Parental Leave	Up to 6 months (26 weeks) shared parental leave where maternity leave is appropriately curtailed. Only any unused statutory maternity leave will be available to be taken as shared parental leave up to a maximum of 6 months (26 weeks). Leave is limited to 6 months (26 weeks) in total even where both parents are elected members.
Adoption Leave	Up to 6 months (26 weeks) leave from the date of placement.

	Where a couple jointly adopt a child or children, they must decide which partner will take leave as the main carer. The Elected Member will only be granted adoption leave under these provisions if their partner is not also taking a period of adoption leave.
Surrogacy Leave	Up to 6 months (26 weeks) leave from the date of placement or from a fixed date up to 14 days before the expected date of placement.

3. Pay Provisions

- 3.1 All members will continue to receive their basic remuneration in full while on maternity, paternity, shared parental, adoption or surrogacy leave.
- 3.2 Members entitled to a Senior Councillor Payment and the Provost and Council Leader will continue to receive their additional remuneration during a period of maternity, paternity, shared parental, adoption or surrogacy leave for a period of up to six months, or until the date when the member taking the leave stands for re-election, whichever date is sooner. At such a point, the position will be reviewed and may, where appropriate, be extended by council to allow the member re-elected to remain on leave for the remainder of the 6 month period with the appropriate additional remuneration.

4. Notice Requirements

- 4.1 A minimum of 4 weeks notice is required prior to a Member taking maternity, paternity, shared parental, adoption or surrogacy leave. The Elected Member Family Leave Notification form can be used for this purpose.
- 4.2 Notification must be accompanied by the following certification as appropriate:

Type of Leave	Certification Required
Maternity Leave	Maternity Certificate (MATB1)
Adoption Leave	Matching Certificate
Shared Parental Leave	Confirmation of the curtailment of maternity leave.
Surrogacy Leave	Parental Order and copy of the Maternity Certificate (MATB1)

5. Member Responsibilities during Leave

- 5.1 Any member taking a period of maternity, paternity, shared parental, adoption or surrogacy leave retains their legal duty under the Local Government (Scotland) Act 1973 to attend a qualifying meeting of the Council or an outside body within a six-month period unless the reason for non-attendance is accepted by the council. Absence whilst on family leave taken under this Scheme will be deemed to be an acceptable reason for non-attendance.
- 5.2 Arrangements should be made prior to a period of leave for other duties to ensure there is minimal impact on the relevant ward. This may include arranging for another councillor to attend surgeries to represent and pursue constituents' interests, or

arranging substitutes for committee meetings as permitted by council standing orders. In making such arrangements consideration must be taken of data sharing legislation in relation to constituents' personal information.

- 5.3 Members on maternity, paternity, shared parental, surrogacy or adoption leave may choose to attend council meetings or undertake other duties during their period of leave. Doing so will not affect the period of leave which has been agreed or bring it to an end prematurely. Similarly, any time spent on duties during the period of leave will not extend the period of leave beyond the maximum period.

6.1 Senior Councillor Substitution

Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one senior councillor payment shall apply.

Members appointed to replace the Member on maternity, paternity, shared parental or adoption leave will continue to receive the additional remuneration until the return of the Member on leave or until that Member stands for re-election, whichever date is sooner.

7. Return from Leave

- 7.1 Unless the Member taking leave is removed from their post whilst on leave they will return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.
- 7.2 If a Member decides not to return at the end of their leave and so to resign as a councillor they must notify the council in writing with at least 4 weeks' notice. All allowances will cease from the effective resignation date.
- 7.3 If an election is held during a Member's leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and senior councillor payment, if appropriate, will cease from the date they cease to be a councillor.

8. Administration and Review

- 8.1 The Head of Corporate Services is responsible for the administration of the Scheme.
- 8.2 The Scheme shall be reported to the statutory first meeting of full council after each local government election for re-adoption as part of the approval of the Scheme of elected Member Remuneration, Allowances and Reimbursement of Expenses.



EMPLOYEE ASSISTANCE PROGRAMME AND PHYSIOTHERAPY SERVICES

ELECTED MEMBER ACCESS

Employee Assistance Programme

You can self-refer for employee assistance services by calling Help EAP on 0800 0285 148. This helpline service is free and available 24 hours a day, 365 days per year and is highly confidential. No report is provided to the council and all consultations remain strictly private.

Further information on the services available through the employee assistance programme can be accessed [here](#).

Physiotherapy Services

Physiotherapy Services are provided by Connect Health Ltd. You cannot self-refer for physiotherapy, services must be accessed via the Human Resources Manager by emailing Lesley.henderson@westlothian.gov.uk who will complete the necessary paperwork. You will then be required to call Connect Health on 0330 1245 741 where you will speak with a trained physiotherapist.

The physiotherapist will triage you to the most appropriate intervention which may include a face to face appointment. Normally, physiotherapy sessions are held at Strathbrock Partnership Centre in Broxburn. The Human Resources Manager will receive initial, interim and discharge reports from the physiotherapist following your consultation.

You will be given a total of 4 treatment sessions including treatment/consultation but excluding telephone consultation. If the Physiotherapist recommends further sessions, authorisation will be required from the Human Resources Manager although this will not be unduly withheld. There is no limit on how many times you can access this service, however should you fail to attend or cancel with less than 48 working hours on two or more occasions, your right to access these services will be withdrawn for a 6 month period.



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

HORIZON SCAN

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES AND HEAD OF PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of this report is to provide the Panel with:

1. A summary of the latest UK economic indicators and announcements, particularly regarding the implications of the Covid-19 pandemic;
2. An update of the latest potential implications of the UK's exit from the European Union (EU);
3. An update on the estimated revenue budget position facing the council as a result of ongoing unavoidable spending pressures and government funding constraints, including highlighting budget model risks and uncertainties.

B. RECOMMENDATIONS

It is recommended that Panel notes:

1. The results of the horizon scan for the UK, Scotland, West Lothian and West Lothian Council;
2. That officers will be undertaking a detailed review of the budget model for 2021/22 and 2022/23, in advance of the revenue budgets being presented to Council in early 2021, to take account of changes in circumstances and updated forecasts, especially in relation to the Covid-19 pandemic.

C. SUMMARY OF IMPLICATIONS

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|--|---|
| I. Council Values | Being honest, open and accountable, focusing on our customers' needs, making the best use of our resources, working in partnership |
| II. Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | <p>The council is required to approve a balanced revenue budget for each financial year. Audit Scotland and CIPFA best practice guidance recommends medium term financial plans are prepared a five year period.</p> <p>The Covid-19 pandemic and the UK exit from the EU are likely to have significant implications for West Lothian, the local economy, communities and the council.</p> |
| III. Implications for Scheme of Delegations to Officers | No implications at this stage. |
| IV. Impact on performance and performance indicators | The current EU programmes to 2020 support business development, community regeneration and employment projects. Ongoing government restraint has implications for the council's budget and performance. |

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|---|---|
| V. Relevance to Single Outcome Agreement | The revenue budget provides the resources necessary to help deliver the Single Outcome Agreement. Effective prioritisation of resources is essential to achieving key outcomes. |
| VI. Resources (Financial, Staffing and Property) | Anticipated Scottish Government grant funding is not sufficient to meet increasing costs and demand for services, meaning savings have to be found on an ongoing basis. |
| VII. Consideration at PDSP | This report is part of the regular horizon scan updates to the Panel. |
| VIII. Other consultations | Heads of Service and Depute Chief Executives. |

D. TERMS OF REPORT

D.1 BACKGROUND

Horizon scan and budget model updates are provided to to the Partnership and Resources PDSP on a quarterly basis and set out latest information on the UK, Scottish, West Lothian and council economic position, and the potential impact on the council's medium-term financial strategy.

This report provides an update on the latest UK economic indicators and announcements, including the implications of the Covid-19 pandemic. It also includes key developments and potential implications following the UK exit from the EU. The report includes the latest update on economic factors that could have an influence on the council's financial strategy. The report also provides an update on the council's approved revenue financial plan for the period as well as setting out the budget model risks and uncertainties.

D.2 HORIZON SCAN – UK

Covid-19 Pandemic

The UK is currently experiencing a public health emergency as a result of the Coronavirus (Covid-19) pandemic. The UK went into full-scale lockdown on March 23, three days after the government instituted restrictions on select businesses. Measures included closing all non-essential shops & business, schools, universities, restaurants, pubs and leisure facilities. People were only allowed to go out once daily for exercise and travel was only allowed if essential which created an immediate and significant disruption to the UK economy.

Lockdown measures that began in March have eased gradually. In order to keep Covid-19 under control, other measures have been introduced such as compulsory face coverings on public transport and in supermarkets, shops, petrol stations, cinemas, museums, churches and mosques. A spike or cluster in coronavirus cases could result in a local lockdown, with the potential to close pubs, bars and restaurants and requests for residents to remain home where possible.

As well as serious implications for people's health, the NHS, social care and other public services, coronavirus is having a significant impact on businesses and the economy. On 12 August 2020 it was confirmed the UK is now facing a severe recession following two quarterly contractions in a row, the first time the UK has been in recession for 11 years.

Implications of the UK Exit from the EU

The UK left the EU on 31 January 2020 and is now in a transition period. During this period the UK effectively remains in the EU's customs union and single market and continues to follow EU rules. However, it is no longer part of the political institutions.

Negotiations on a trade deal with the EU are proceeding. At this stage, agreement is still to be reached on a post-Brexit trade deal with the EU. The UK Government has ruled out extending the December deadline to reach an agreement. On 1 January 2021, the UK will regain its political and economic independence and can start new trading relationships with the EU and rest of the world.

UK Economic Update

Debt and Borrowing

The most recent forecast from the Office for Budget Responsibility (OBR) on 14 July 2020 provided updated UK borrowing forecasts. The OBR forecast public sector net borrowing of £56.6 billion for 2019/20, then £322 billion in 2020/21, £153.7 billion in 2021/22, £132 billion in 2022/23 and £123.3 billion in 2023/24. Public sector net borrowing of £322 billion or 16.4% of GDP for 2020/21, is the highest level in at least 300 years. The budget deficit roughly halves in 2021/22 then shrinks more slowly thereafter, but it still remains above £100 billion in every year.

Public sector net debt rises sharply in 2020/21, reflecting higher borrowing and the fall in GDP. Public Sector Net Debt is expected to increase from 88.5% of GDP in 2019/20 to 104.1% in 2020/21, then 103.6% in 2021/22, 104.7% in 2022/23 before increasing further to 106.1% in 2023/24. Higher cash borrowing and a smaller economy push public sector net debt above 100% of GDP for the first time since the early 1960s.

Economic Growth

The most recent update from the International Monetary Fund (IMF) in June 2020 was the World Economic Outlook. Growth estimates have been revised down for the UK given the Covid-19 pandemic, with the IMF expecting growth to slow from 1.4% in 2019 to -10.2% in 2020, and increase to 6.3% in 2021. The Covid-19 pandemic has had a negative impact on activity in the first half of 2020, and the recovery is projected to be more gradual than previously forecast. There is a higher than usual degree of uncertainty around this forecast.

The baseline projection rests on key assumptions about the fallout from the pandemic. In economies with declining infection rates, the slower recovery path in the updated forecast reflects persistent social distancing into the second half of 2020; greater scarring from the larger than anticipated hit to activity during the lockdown in the first and second quarters of 2020; and a decline in productivity as surviving businesses ramp up necessary workplace safety and hygiene practices.

The Office for National Statistics (ONS) released economic growth figures on 12 August 2020. The economy is in a technical recession after Quarter 2 (April to June) 2020 saw a record fall of 20.4%, following a significant shock since the start of the Covid-19 pandemic, this follows a fall of 2.2% during Quarter 1 (January to March) 2020. Monthly GDP rose by 8.7% during June 2020 but it is 17.2% below February 2020 levels. Services experienced widespread growth in June 2020, where the easing of lockdown measures, most notably in England, had the most positive impact, with nearly half of growth from the wholesale and retail trade; repair of motor vehicles and motorcycles sector. Manufacturing and construction saw widespread growth during June 2020, primarily because of increased demand and the recommencement of work, as businesses managed to operate while adhering to social distancing measures.

The Bank of England decreased its UK growth forecast from 1.5% in 2019 to -9.5% in 2020, 9.0% in 2021 and 3.5% in 2022. The severity of the contraction in 2020 reflects social distancing measures being widespread across the UK's major trading partners for a large part of the quarter. Further ahead, strong GDP growth is expected in the four quarters to 2021 Q3, as output recovers from the sharp falls this year.

Exports and Inward Investment

In the immediate wake of the EU referendum, sterling fell sharply making the goods the UK buys from abroad more expensive, affecting the cost of living, but can also help to support UK exports. The pound has been making a very slow recovery against the dollar and, on 1 September 2020, the pound was \$1.34 against the dollar and €1.12 against the euro.

The British Chamber of Commerce (BCC) published its Quarterly Economic Survey in July 2020. The latest survey found that UK economic conditions deteriorated at an unprecedented rate in the second quarter of 2020. The service sector saw 11 of the 14 key indicators, including sales, orders and cashflow, drop to their lowest levels on record. Similarly, in the manufacturing sector, 9 of the 14 key indicators drop. The vast majority of indicators dropped to historic lows, with declines far exceeding those seen at the height of the global financial crisis. Business confidence dropped to its lowest level on record among services firms and declined to its lowest level since Q1 2009 for manufacturers.

Inflation

Consumer Prices Index (CPI) inflation rose to 1% in July, up from 0.6% in June. Prices started to rise more quickly in July as the UK economy opened up after lockdown and measures to contain the virus added to business costs. The jump in CPI was bigger than expected as firms such as hairdressers and dentists embedded their new delivery models to incorporate health and safety requirements. The Office for National Statistics said clothing and footwear prices were the biggest contributor to the rise

The Bank of England August 2020 Monetary Policy Report stated that twelve-month CPI inflation increased to 0.6% in June from 0.5% in May. CPI inflation is expected to fall further below the 2% target and average around 0.25% in the latter part of the year, largely reflecting the direct and indirect effects of Covid-19. These include the temporary impact of lower energy prices and cut in VAT, as well as downward pressure from spare capacity in the economy. CPI inflation is expected to be around 2% in two years' time.

Interest Rates

The Bank of England Monetary Policy Committee (MPC) voted unanimously to maintain the Bank Rate at 0.1% on 4 August 2020. At this meeting the MPC sets monetary policy to meet the 2% inflation target, which is intended to assist in sustaining growth and employment. In that context, its challenge at present is to respond to the economic and financial impact of the Covid-19 pandemic. The Committee will continue to monitor the situation closely and stands ready to adjust monetary policy accordingly to meet its remit. The MPC will keep under review the range of actions that could be taken to deliver its objectives. The Committee does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% inflation target sustainably.

Unemployment

The latest figures published on 11 August 2020 show the UK unemployment rate was estimated at 3.9% over the period April to June 2020, with no change on the quarter and no change on the year. There were an estimated 32.9 million people in employment for April to June 2020, 220,000 less than last quarter which represents the largest drop in a decade.

House Prices

The latest ONS House Price Index published on 20 May 2020 showed that, in the year to March 2020, average house prices in the UK increased by 2.1%, up from 2.0% in the year to February 2020. The coronavirus greatly reduced the number of housing transactions in April 2020, making it very difficult to produce a true measure of UK house prices. The ONS and the joint producers have taken the decision to temporarily suspend the UK House Price Index (HPI) publication from the April 2020 index (due to be released 17 June 2020) until further notice.

D.3 HORIZON SCAN – SCOTLAND

Covid-19 Pandemic

The Scottish economy is being significantly affected by the Covid-19 pandemic. A recession has just been confirmed, following two quarterly contractions in a row. As the economy has started to grow during May and June, it is expected growth will continue. The impact of the pandemic on Scotland's labour market is continuing to emerge. The furlough scheme has continued to be a key support to the labour market, supporting around 30% of employees in Scotland, however unemployment is expected to increase as the scheme ends.

EU Implications

The Scottish economy is likely to be affected by the UK's exit from the EU, in a similar way to that of the UK in general terms, however changes to the tax system now means that Scotland's own economic performance will have a more direct impact on the Scottish Budget.

Scottish Economic Update

Economic Growth

The Scottish economy contracted by 19.7% in quarter two of 2020, following a contraction in Q1 of 2.5%. Two quarterly contractions in a row mean a recession is confirmed. Across the two quarters of contraction, output is estimated to have fallen by a total of 21.7% compared to 2019 Q4. Spain is the only country in the EU or G7 to see a bigger contraction since the end of last year.

The latest GDP data for Scotland shows the scale of the impact on output from lockdown restrictions with GDP falling 18.9% in April alone. However, this was followed by 1.5% growth in May suggesting that April may be the low point for GDP during the pandemic. The economy has started to grow during May and June, just as official confirmation was received that Scotland is in recession. It is expected growth will continue in the economy through July and August, as more businesses open up. The impact of local lockdowns, at their current scale at least, will act as a drag on growth but is unlikely to outweigh the activity of businesses starting up again.

Unemployment

The Scottish Government's latest Labour Market Briefing was published in August 2020. This showed that between April 2020 and June 2020, the unemployment rate was 4.5%, with 124,000 people unemployed. There were 2.651 million people employed, meaning the rate of employment is 74.3%.

House Prices

The ONS publication for House Price Index showed that the average house price in Scotland increased by 1.5% in the year to March 2020 to stand at £152,000.

Accounts Commission Report on Local Government Challenges and Performance

The Accounts Commission published their annual local government challenges and performance report on 23 June 2020. This report provides a summary of their views on how councils are managed and their performance, including how they are meeting challenges and achieving best value.

A full report detailing the Accounts Commission's findings, including officer comments on the elected member checklist, will be presented to the Audit Committee in October. In summary the key points from the report are:

- Core Scottish Government revenue funding to councils has reduced in real terms over the period 2013/14 to 2020/21 by 3.3% (this excludes additional funding in response to the Covid-19 pandemic). The flexibility in how funding is used is reducing with funding dedicated to national policy initiatives. The strain on budgets is evident as councils continue to dip into their reserves.
- Demand for services continues to grow as population pressures grow, the population over 65 and over 75 is expected to increase. West Lothian, Midlothian and East Lothian are forecast to have the highest increases across both older age groups.
- Spending on education continues to rise, while spend in most other service areas is falling. With increasing need from population changes, statutory and policy requirements, over two thirds of council spending is on education and social care.
- The current landscape involves significant unknowns such as the impact of Covid-19 on the economy and public bodies and the impact of EU exit which makes medium and longer-term forecasting challenging.
- The full potential of collaborative working with partner organisations and communities is not yet being realised. Councils need to demonstrate strong leadership and collaborate with partners, this is essential if they are to make best use of local resources, including the workforce, and demonstrate Best Value.

D.4 HORIZON SCAN – WEST LOTHIAN

Covid-19 Pandemic

West Lothian's key economic strengths are located in several key sectors (biotechnology, logistics/distribution, food & drink, electronics, retail, engineering and construction). Around 70% of West Lothian's young dynamic workforce are employed in these fast-growing sectors and that percentage looked set to grow as more and more companies relocated to West Lothian. However, the Covid-19 pandemic has impacted on businesses and employment throughout West Lothian, in July 2020 the Social Market Foundation (SMF) quoted West Lothian as the area in Scotland facing the most severe impact on jobs (71%).

West Lothian Economic Update

House Completions

Completions for April to June 2020 (Q2) were 30 compared to 311 for the same period in 2019. Lockdown has impacted on the construction industry's capacity during this period. Completions in June 2020 were 19, but saw a rise to 51 in July as Covid-19 restrictions were loosened.

The latest figures available from Land Registry identify the number of homes sold in West Lothian in February 2020 was 193 compared to 180 in February 2019. The Land Registry has not produced recent figures due to Covid-19 lockdown and incomplete data and has provisionally indicated that figures will come out early September, however the data published may be more limited than in previous releases.

Unemployment

Unemployment at local authority level is measured by the proportion of working age people not in work. In West Lothian this is 5.9% for July 2020 which is lower than the Scottish rate (6.4%) and less than the British rate (6.5%). It is an increase of 0.4% from June. Youth unemployment figures were 1,495 (10.4%), an increase of 0.6% from June the same increase as at a national level.

The data in the following table was published on 11 August by Office for National Statistics. It looks at the position across Scotland based on the claimant count change across the region. From February to March there was very little change reflecting the fact that the pandemic had not yet had an impact on the economy as the lock down only started.

Councils		Working Age People Not in Work						% Change	
		Feb 20	Mar 20	Apr 20	May 20	Jun 20	Jul 20	Feb -Jul	Jun -Jul
Edinburgh	Count	7,105	7,285	13,980	17,775	17,635	18,515	161%	5%
	Rate	2.0	2.0	3.9	4.9	4.9	5.1		
East Lothian	Count	1,765	1,720	3,185	3,680	3,495	3,675	108%	5%
	Rate	2.7	2.6	4.9	5.6	5.4	5.6		
Fife	Count	8,765	8,810	13,690	15,050	14,955	15,880	81%	6%
	Rate	3.8	3.8	5.9	6.5	6.4	6.8		
Midlothian	Count	1,470	1,495	2,735	3,160	2,995	3,110	112%	4%
	Rate	2.6	2.6	4.8	5.6	5.3	5.5		
Scottish Borders	Count	1,860	1,900	3,325	3,735	3,610	3,885	109%	8%
	Rate	2.7	2.8	4.9	5.5	5.3	5.7		
West Lothian	Count	3,425	3,450	5,600	6,645	6,405	6,855	100%	7%
	Rate	2.9	3.0	4.8	5.7	5.5	5.9		
South East		24,390	24,660	42,515	50,045	49,095	51,920	113%	6%

D.5 HORIZON SCAN – WEST LOTHIAN COUNCIL

The scale of the economic shock from the Covid-19 pandemic is still being realised, stabilisation is starting to show in economic activity as parts of the economy have reopened. Economic implications from Covid-19 still remain highly uncertain and may not be clear for some time.

In addition, the council has funding confirmed for 2020/21 only, however it is likely that the pandemic will continue to have implications for the council beyond the current financial year. There is no information on future funding at this point given the uncertainty around the full impact of Covid-19 on the economy and government spending.

As the council has approved revenue budgets for the period to 2022/23, it is in as strong as possible a position in the current climate to address ongoing challenges in public sector funding. Economic and budget announcements will continue to be reviewed and taken into consideration to ensure that the approved financial strategy remains reflective of current assumptions. In particular officers will continue to monitor key announcements in relation to public spending, interest rates, CPI forecasts and economic risks, in order to assess the likely impact on the council's budget position for 2020/21 to 2022/23.

D.6 BUDGET PLANNING SCENARIO AND CHANGES TO THE BUDGET MODEL

Detailed revenue budgets for 2021/22 and 2022/23 were approved by Council on 28 February 2020. In addition to agreeing time limited investment to 2022/23 to support outcomes in priority areas, budget savings of £19.6 million were approved to ensure balanced budgets for each year.

Since approval of the three-year budgets, the Covid-19 pandemic has had major implications for the council, both in terms of service delivery but also in relation to the council's financial position. Updates on the financial outlook for 2020/21 have been presented to the Council Executive in May, June and August. In particular the month three monitoring report considered by Council Executive on 18 August 2020 noted a net projected overspend of £4.334 million in 2020/21 after accounting for confirmed funding from the Scottish Government. As outlined in the report there are a number of potential options to manage the anticipated pressures in the current financial year.

The council currently only has Scottish Government funding confirmed for one year, 2020/21, however it is becoming apparent that the pandemic will continue to have implications for the council beyond the current financial year. Commentators are attempting to analyse the impact on public sector funding, however given the unprecedented nature of the pandemic, and its impact on government spending and the economy more widely, the outlook for non-protected areas of the Scottish budget remain uncertain.

Officers are continuing to analyse announcements and economic analysis, but at this stage no clear or definitive information is available to help refine and identify future funding levels for local government. This is further complicated by the continued uncertainty regarding the UK exit from the EU and the possibility that the council will only receive a one-year funding settlement for 2021/22.

Detailed revenue budgets for the two years 2021/22 and 2022/23 will be presented to Council for approval in early 2021. Preparatory work is being undertaken in advance of the local government finance settlement to review and update the budget model assumptions. Acknowledging the implications of the pandemic, and in line with existing budgetary practice, officers will update the budget model to reflect known circumstances and changes. Areas which will be reviewed in depth, incorporating potential effects from the Covid-19 pandemic, include housebuilding assumptions and associated income and expenditure items, council tax collection, reduced income from fees and charges, potential revisions to service delivery, deliverability of agreed budget savings and indexation and inflation provisions.

D.7 HORIZON SCAN BUDGET MODEL RISKS AND UNCERTAINTIES

There are a number of risks and uncertainties in the long-term financial assumptions underlying the budget model, which have intensified with the pandemic. These include the risk that the increase in costs associated with demand led services, such as social care, is greater than assumed and the increased incidence of ring-fenced funding and the new policy or legislative changes by the UK or Scottish governments which restrict the council's flexibility to decide how to deliver services locally.

The largest risk in the immediate term is the impact of the pandemic on council expenditure, fees and charges income and Scottish Government funding. Although the council has a number of options to balance the budget in 2020/21, including potential national fiscal flexibilities that are being considered by COSLA and the Scottish Government, there is a risk that there are longer term impacts on the council's budget model assumptions.

The nature of forecasting means it is challenging to identify with any certainty expenditure pressures and income. Some of the more general risks and uncertainties which continue to be monitored by officers include:

- Impact of constrained economic growth on public spending levels due to the impact it has on Scottish tax receipts.
- Funding not being provided to fully cover the costs of introducing new legislation.
- Policy changes by the UK or Scottish governments which restrict the council's flexibility to decide how to deliver services locally.
- Ring fencing of grant funding, constraining how local authorities allocate resources.
- EU withdrawal having a potential impact on the cost of goods in the short term and having wider economic implications for public finances in the longer term.

Until grant funding is confirmed for 2021/22 and 2022/23, there is uncertainty regarding the quantum of grant funding for future years and the level of ring fencing of funding limiting councils' core funding. The Covid-19 pandemic is one of the most important risks facing the council as continued economic uncertainty and constrained growth could have an ongoing impact on public spending. The updated detailed revenue budgets for 2021/22 and 2022/23 will consider and incorporate all of the risk areas outlined above.

E. CONCLUSION

The report provides a high-level overview of the latest economic indicators and other announcements likely to have a financial impact on the council, predominantly as a result of the covid-19 pandemic. Economic implications resulting from covid-19 remain uncertain and the UK, Scottish, West Lothian and council position will continue to be reported on a quarterly basis as part of the horizon scanning of factors that could have an impact on the council's medium-term financial strategy.

F. BACKGROUND REFERENCES

2020/21 General Fund Revenue Budget - Month 3 Monitoring Report - Report by Head of Finance and Property Services to Council Executive on 18 August 2020

Accounts Commission Report on Local Government Challenges and Performance 2020
<https://www.audit-scotland.gov.uk/report/local-government-in-scotland-overview-2020>

Fraser of Allander <https://fraserofallander.org/>

Office of National Statistics
<https://www.ons.gov.uk/economy/economicoutputandproductivity/productivitymeasures/articles/gdpandthelabourmarket/apriltojune2020>

Office for National Statistics Labour Market Statistics <https://www.nomisweb.co.uk/>

Appendices/Attachments:

Appendix 1 – Fraser of Allander: Scotland is in recession 19 August

Appendix 2 – Office of National Statistics: Labour market update 11 August

Appendix 3 – Fraser of Allander: A review of today's labour market data 13 August

Appendix 4 – Fraser of Allander: Latest data on the Scottish Economy 28 August

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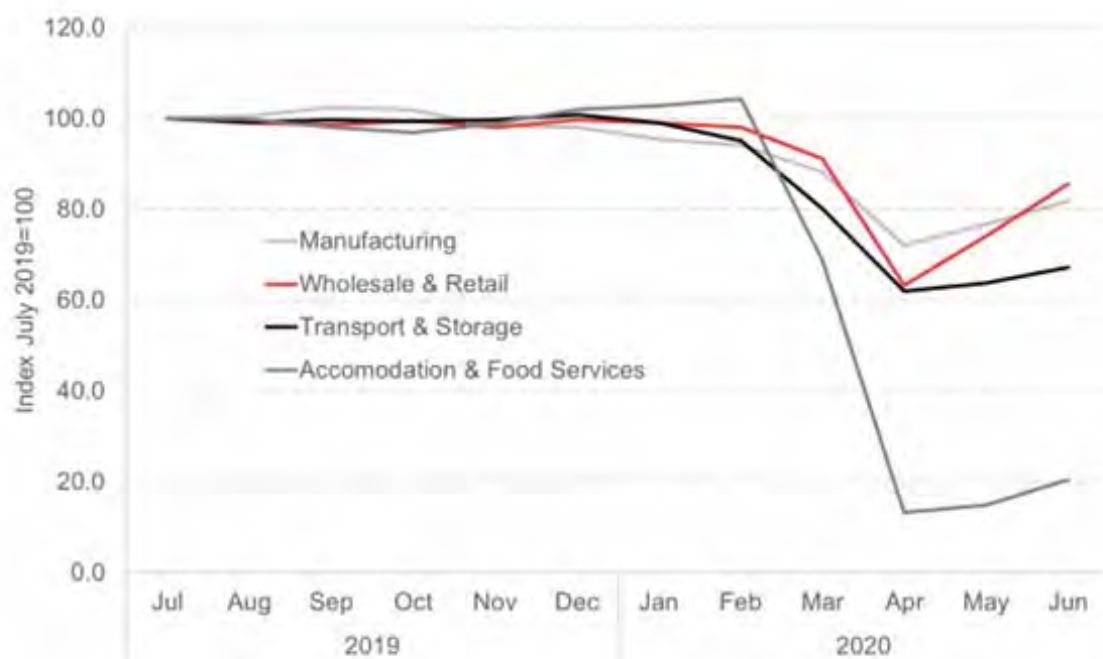
Donald Forrest
Head of Finance and Property Services

Craig McCorriston
Head of Planning, Economic Development and Regeneration

Date of Meeting: 18 September 2020

Appendix 1 – Fraser of Allander: Scotland is in recession – 19 August

- Monthly GDP statistics published by the Scottish Government confirm that the economy contracted by 19.7% in Q2, following a contraction in Q1 of 2.5%. These figures are very similar to the contractions at the UK level.
- Two quarterly contractions in a row mean a recession is confirmed.
- The Scottish economy expanded 5.7% in June as a result of easing of restrictions, this was less than the 8% at the UK level.
- Recovery from the pandemic is likely to be slow, and reflecting on Scottish GDP between April and June 2020, recovery is unlikely to follow the “V” shape mentioned at the beginning of the pandemic.
- The following chart shows the sectors that have been hit the hardest by the pandemic, highlighting the scale of the challenge and how slowly they are recovering. Accommodation and food services has been the hardest hit sector, with output falling 87% between February and April 2020. Accommodation and food services and transport in particular are going to take many months, and probably years, to get back to pre-crisis levels.

Chart: Scottish GDP Index, Selected Sectors (July 2019 = 100)

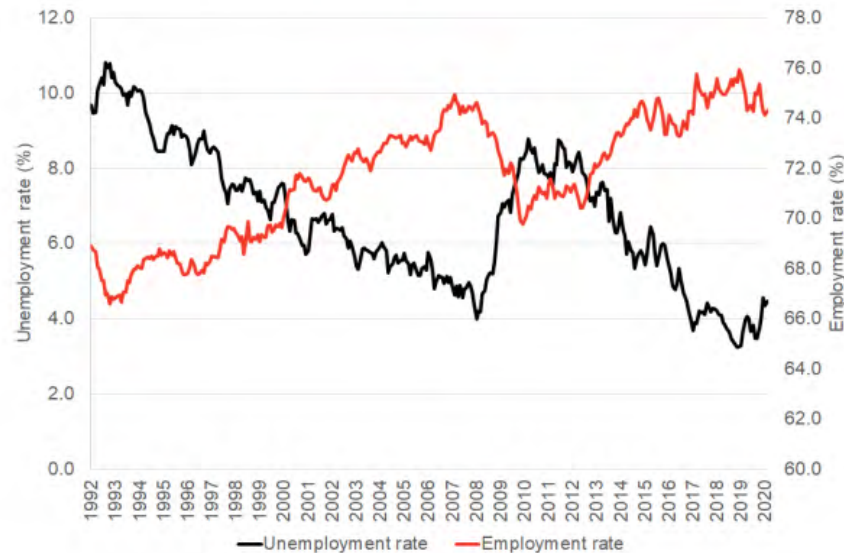
Appendix 2 - Office of National Statistics: Labour market update – 11 August

- The latest Labour Force Survey (LFS) estimates for April to June 2020 indicate that the unemployment rate increased, the employment rate decreased and economic inactivity rate increased.
- The LFS indicated that Scotland's unemployment rate (16+) increased over the quarter (0.4%) and increased over the year (0.8%) to 4.5% (124,000 people). The UK rate was 3.9%.
- The proportion of people aged 16-64 in work decreased over the quarter (0.4%) and decreased over the year (1.1%) to 74.3% (2.65 million people). The UK rate was 76.4%.
- The number of people aged over 16 in employment in Scotland fell by 15,000 over the quarter while the number of people classed as "out of work" rose by 11,000.
- The economic inactivity rate increased over the quarter (0.1%) and increased over the year (0.5%) to 22.2%. The UK rate was 20.4%.
- The experimental Claimant Count includes Jobseeker's Allowance Claimants and those claimants of Universal Credit who were claiming principally for the reason of being unemployed. In July 2020 there were 222,300 claimants, an increase of 9,100 (4.3%) over the month and 112,500 (102.4%) over the year. The Scottish claimant count unemployment rate in July 2020 was 7.9%. The UK rate was 7.5%.

Appendix 3 - Fraser of Allander: A review of today's labour market data – 13 August

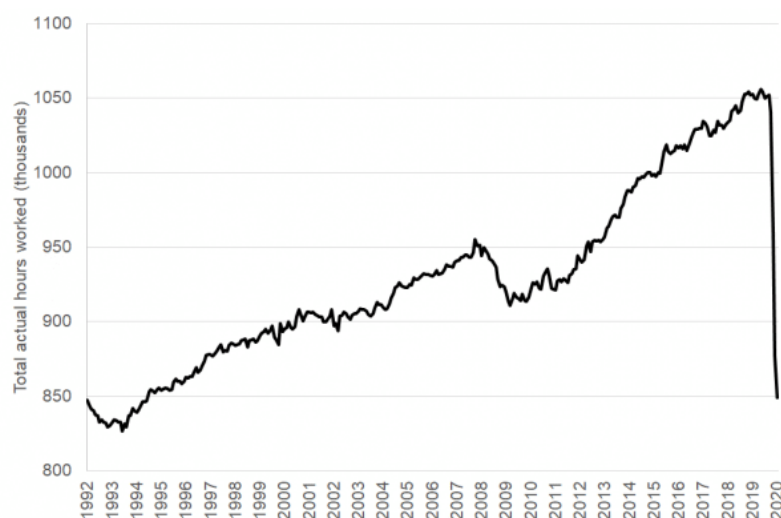
- Employment in the UK dropped by the largest amount in a decade, 220,000, in the three months to the end of June. This represents a drop in the UK employment rate of -0.2% points.
- In Scotland, employment dropped by 15,000, with the employment rate dipping -0.4% points in three months to June 2020, and now sitting at 74.3%. Scottish unemployment rose by 11,000 to a rate of 4.5%, up 0.4 points on three months ago.

Chart 1: Employment and unemployment in Scotland



- Hours worked hit a record low with the largest quarterly decrease in actual weekly hours since records began in 1971. The chart below shows that in early 2020 the total actual hours worked by all employees in the UK fell by over 200,000. This reflects the lockdown, the furlough scheme and a reduction in individual's hours, especially where people have low contracted hours.

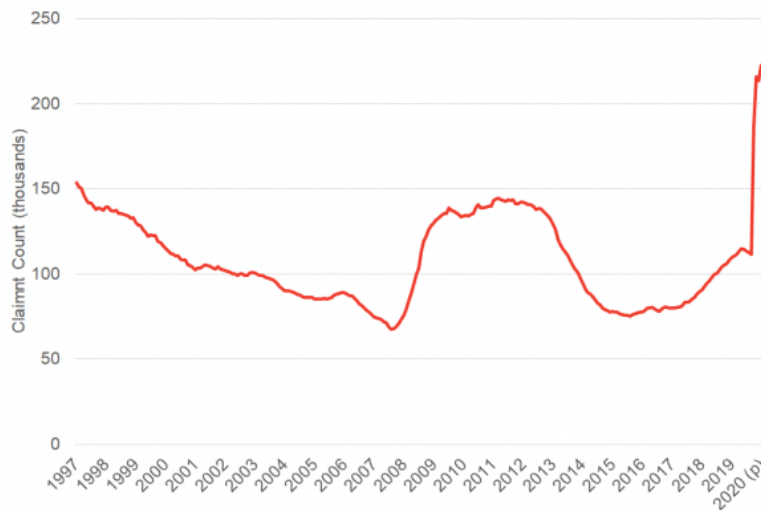
Chart 2: Total actual hours worked, UK



- Employment among those over 65 decreased at a record quarterly rate, after growing rapidly since the global financial crisis.
- The number of people in self-employment has fallen at a record rate.

- There is a rise in zero-hour contracts, with the number of people with a zero-hour contract in the UK exceeding 1 million for the first time.
- According to the Office for National Statistics (ONS), it is now estimated that 222,000 people in Scotland are claiming unemployment-related benefit support at the end of July 2020. This is more than double the number in this position at this time last year.

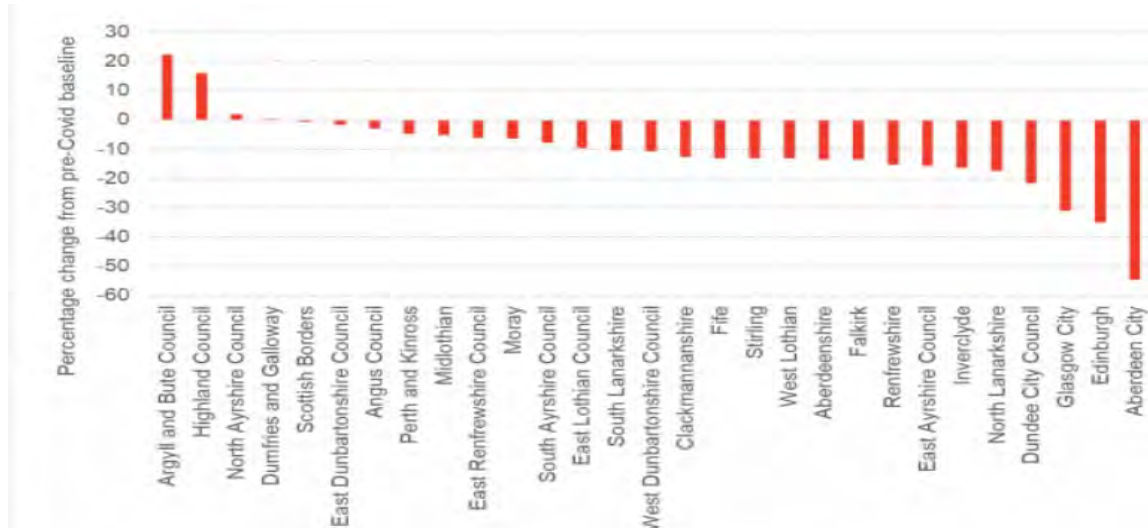
Chart 6: ONS claimant count in Scotland



- Universal Credit statistics suggest a flattening out in demand following the big spikes at the start of the crisis. Things are not currently getting worse but nor are they getting better.
- New claims for Universal Credit have stabilised so it can be assumed that those who started Universal Credit at the start of the crisis remain on the benefit.
- There is a considerable degree of uncertainty regarding how the unwinding of the job retention scheme will impact on employment, particularly as some businesses may reassess their workforce needs.
- Over 27,000 more people in the UK were made redundant in the three months to June than in the first three months of 2020.
- There are early indications that the crisis is reshaping the age profile of the labour market, as well as the nature and volume of the work available.

Appendix 4 – Fraser of Allander: Latest data on the Scottish Economy – 28 August

- Indications at the start of the second half of 2020 show that activity is improving, but still below pre-Covid baselines in many cases.
- Trends in retail and recreation mobility in the seven days to 23 August vary across local authorities. City local authorities have mobility far below trend, whereas more rural areas are seeing above average mobility. This may reflect demand for tourism related service in these areas.



Source: Google Mobility Trends

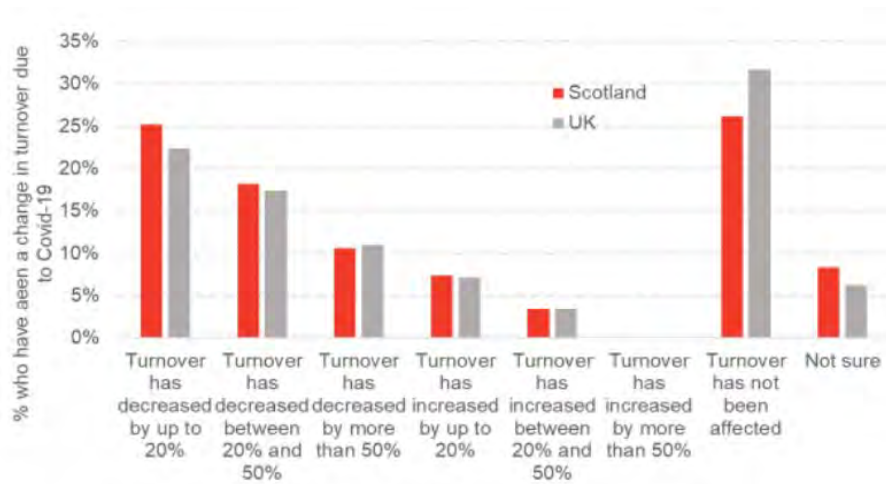
Note: Data is not available for Na h-Eileanan an Iar, Orkney or Shetland.

- Following below trend diner numbers in July the below graph shows that the Eat out to Help Out scheme, which offers discounting dining on Mondays, Tuesdays and Wednesdays, has had an impact in August.



Source: Open Table data across all channels: online reservations, phone reservations and walk-ins

- Just over half of businesses operating in Scotland reported reduced turnover in the two weeks to 9 August.



Source: ONS BICS, 27th July to 9th August

- Of businesses with Scottish sites that have not permanently stopped trading, over 96% of firms surveyed are now open.

DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

2019/20 FINANCIAL PERFORMANCE – MONTH 12 MONITORING REPORT

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To provide the Panel with an update on the financial performance of the Partnership and Resources portfolio.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes the financial performance of the Partnership and Resources portfolio in 2019/20;
2. Notes that the Partnership and Resources portfolio position at month 12 was part of the overall council budget position reported to Council Executive on 23 June 2020;
3. Notes actions to be taken by Heads of Service and budget holders to manage spend within available resources.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on customers' needs, being honest, open and accountable, making best use of resources, working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973, Section 95; Local Government in Scotland Act 2003, section 1-14.
III Implications for Scheme of Delegations to Officers	No implications at this stage.
IV Impact on performance and performance indicators	Effective budget management is an essential element of service performance. Additional financial reporting provides elected members with information to allow for proper scrutiny of performance of services.
V Relevance to Single Outcome Agreement	The revenue budget provides resources necessary to help deliver the Single Outcome Agreement. Effective prioritisation of resources is essential to achieving key outcomes.
VI Resources – (Financial, Staffing and Property)	An underspend of £2.199 million was the position for the Partnership and Resources portfolio revenue budget in 2019/20. There was net accelerated spend of £2.304 million on the capital programme for the portfolio area.

VII Consideration at PDSP

A financial performance report will be presented to the Panel twice yearly on an ongoing basis.

VIII Other Consultations

Depute Chief Executives, Head of Operational Services, Head of Corporate Services and Head of Housing, Customer and Building Services

D. TERMS OF REPORT

D.1 Introduction

This report provides an update on the general fund revenue financial performance in respect of the Partnership and Resources Policy Development and Scrutiny Panel (PDSP) portfolio of services. The council's revenue budget is operationally managed at a Head of Service level, and the financial position included within this report formed part of the overall council position reported to Council Executive on 23 June 2020. This report also includes the position on the delivery of approved budget reduction measures relevant to the Partnership and Resources portfolio for 2019/20.

The budget monitoring process is undertaken in line with the council's budgetary control framework and procedures, which place particular focus on a risk based and pro-active approach to budget monitoring.

This report focuses on the financial performance of council services which further enhances the information presented to elected members to allow scrutiny of service and financial performance. The report contains reference to key performance measures for service areas which are contained within Service Management Plans and referenced in the 2018/19 Local Government Benchmarking Framework (LGBF) data-set. LGBF data for 2019/20 will be collated by the Improvement Service and will be made available later in the financial year.

D.2 Financial Outturn for 2019/20

The table below summarises the position in relation to service expenditure for the portfolio area. As part of the monitoring exercise, a number of key risks and service pressures have been identified and these are noted in the narrative for the relevant service area.

Service	Budget £'000	Outturn Position £'000	Variance £'000
GENERAL FUND REVENUE			
Chief Executive, Finance and Property Services			
Chief Executive and Elections	1,317	1,293	(24)
Finance	3,615	3,059	(556)
Anti-Poverty	7,119	7,071	(48)
Construction Services	400	400	0
Estates	30,513	30,381	(132)
Total	42,964	42,204	(760)
Corporate Services			
Corporate Procurement	439	395	(44)
Information Technology	7,499	7,365	(134)
Performance & Improvement	906	895	(11)
Corporate Communications	502	502	0
Legal Services	1,084	1,132	48
Human Resources and Support Services	5,799	5,920	121
Total	16,229	16,209	(20)
Operational Services			
Facilities Management	10,132	10,496	364

Fleet Management	1,195	1,261	66
Total	11,327	11,757	430
Housing, Customer and Building Services			
Customer Service Centre	1,673	1,463	(210)
Customer & Community Services	3,562	3,493	(69)
Total	5,235	4,956	(279)
Joint Boards			
Joint Boards	1,154	1,154	0
Total	1,154	1,154	0
Non Service Expenditure			
Non Service Expenditure	10,924	9,576	(1,348)
Total	10,924	9,576	(1,348)
Funding			
Council Tax	(82,608)	(82,830)	(222)
Total	(82,608)	(82,830)	(222)
TOTAL GENERAL FUND REVENUE P&R PDSP	5,225	3,026	(2,199)
GENERAL SERVICES CAPITAL			
Property	18,382	20,910	2,528
ICT	4,351	4,127	(224)
TOTAL GENERAL SERVICES CAPITAL P&R PDSP	22,733	25,037	2,304

D.3 Summary of Main Issues in Service Expenditure Budgets and Impact on Performance

D.3.1 General Fund Revenue – Chief Executive, Finance and Property Services

The revenue budget for Chief Executive, Finance and Property Services was underspent by £760,000. This was largely due to a one off £540,000 windfall from the appeals process for Non Domestic Rates. There are emerging pressures within the Anti Poverty service which will be an ongoing challenge in 2020/21 relating to clothing grants and the ongoing consequences of the current Covid pandemic. Property maintenance expenditure continues to be a risk, as does the collection of commercial rents if premises become vacant in coming months.

The LGBF includes a number of key indicators that relate to Finance and Property Services including percentage of invoices paid within 30 days and the cost per dwelling of collecting council tax. The LGBF data shows that West Lothian's performance for 2018/19 was 95.8% of invoices were paid within 30 days and ranked seventh in Scotland. This is an increase in performance compared to 2017/18, and an improved ranking of five places. The data for council tax collection for 2018/19 indicates that West Lothian ranks fourth lowest for cost per dwelling for collecting council tax. West Lothian's cost of support services as a proportion of total council expenditure is ranked seventh lowest out of the 32 Scottish local authorities.

D.3.2 General Fund Revenue – Corporate Services

Corporate Services had an underspend of £20,000 for 2019/20, with early delivery of 2020/21 approved savings within IT offsetting pressures elsewhere within the service, in particular, occupational health costs.

In terms of available benchmarking information from LGBF, as noted above, West Lothian Council ranks seventh lowest in Scotland with regard to the cost of support services as a percentage of gross budget.

D.3.3 General Fund Revenue – Operational Services

Expenditure within Operational Services reporting to the Partnership and Resources portfolio relates to Facilities Management (facilities management within schools, building cleaning and various central functions) as well as Fleet Management (general Fleet Services and Green Travel).

Pressures within Facilities Management were largely as a result of levels of sickness absence. Mitigating actions have been taken to seek to address this issue.

In terms of performance, the cost of cleaning and delivering a facilities management service will increase year on year, due to increases in the pay award for staffing and this is fully provided for within the council's approved budget. Benchmarking information, in particular through the LGBF is contained within support services and cost per pupil performance indicators.

Pressures within Fleet Management relate to £44,000 of general fleet costs and a £22,000 overspend in electricity charges for electric vehicles. The Green Travel fleet assists the council in delivering approved budget reductions in business mileage and this has largely been the case with year on year reductions being achieved.

D.3.4 General Fund Revenue – Housing, Customer and Building Services

Expenditure within Housing, Customer and Building Services relating to the Partnership and Resources portfolio includes Customer and Community Services and the Customer Service Centre. There was an underspend of £210,000 within the Customer Service Centre due to staffing savings and an underspend of £69,000 within Customer & Community Services due to staffing savings that were partly offset by an under recovery of Registration income.

Performance information for Customer and Community Services and for the Customer Service Centre indicates that, for 2019/20, the percentage of customers who rated the overall quality of service as good or excellent was above target for both areas at 99.4% and 96.8% respectively.

D.3.5 General Fund Revenue – Joint Boards

A break-even position was achieved.

D.3.6 General Fund Revenue – Non Service Expenditure

There was an underspend of £370,000 on the Council Tax Reduction Scheme (CTRS) which was largely due to a small reduction in uptake levels for the scheme. There are a variety of factors which are impacting on uptake levels and a focus group continues to work on maximising the uptake. The roll-out of Universal Credit resulted in a small reduction in the level of applications for CTRS in 2019/20. An Improvement Group is regularly reviewing the processes to ensure Council Tax collection is not adversely impacted. Since the start of the Covid-19 pandemic there has been a considerable increase in CTRS claims and this trend is likely to continue throughout 2020/21.

Following the completion of the appeals process for non-domestic rates (NDR) for a number of council properties, there was a net one-off refund of £392,000 relating to NDR payments made by the council in previous years and a one-off payment in the current year of £144,000 under the Business Rates Incentivisation Scheme (BRIS) due to the council exceeding BRIS income targets in 2017/18.

In addition, treasury savings were generated from the reprofiling of the loans fund principal of £608,000.

D.3.7 General Fund Revenue – Council Tax Income

The final outturn for Council Tax income was an over recovery of £222,000. There has been additional income generated through new houses. The budget assumed that 900 new houses would be build, however the actual number of new houses was over 1,000. Council tax income is facing an under recovery on 2020/21 due to the impact of Covid-19.

D.3.8 General Services Capital

The final outturn position for Property and ICT asset categories was net accelerated spend of £2.304 million for the financial year.

Property

Outturn expenditure for property in 2019/20 was £20.910 million against a budget of £18.382 million.

During 2019/20, significant property projects were undertaken including the first phase of works for the extension and reconfiguration of Ogilvie Additional Support Needs (ASN) School. Good progress was made with Early Learning and Childcare (ELC) projects with a range of kitchen improvements and the extension to Polkemmet Primary school completed. Works on the redevelopment of the Ability centre to create the new Livingston North partnership centre also commenced during the year.

Planned Improvements and Statutory Compliance reported a net accelerated position of £2.956 million with a net slippage position of £442,000 for property projects.

In Planned Improvements there was accelerated spend of £147,000 for the science labs upgrade in Linlithgow Academy, £200,000 for the cladding replacement at Inveralmond Community High School, £145,000 for toilet improvements at St Ninian's Primary School, with roof replacements at Winchburgh and Greenrigg Primary Schools and St Kentigern's Academy reporting acceleration of £200,000, £93,000 and £88,000 respectively.

The main areas of slippage within the projects category, were Whitburn Partnership Centre, Ogilvie ASN school, the new ELC Blackridge Primary school and the ELC St Mary's Primary School new build project.

ICT

The final outturn for ICT in 2019/20 was £4.127 million which represents slippage of £224,000 against budget. Although ICT reported a net slippage position, good progress was made with work on the Antivirus Malware Microsoft Office refresh and the rollout of Windows 10 projects all completed during the financial year.

The slippage for ICT can mainly be attributed to the Social Care Administration (SWIFT) replacement, technology enabled care programme internal infrastructure, social policy electronic call monitoring and the HR and Payroll replacement projects.

The Swift system replacement project reported slippage of £62,000 for 2019/20. The procurement process for this was stopped as a result of challenges made by suppliers regarding eligibility criteria.

The HR and Payroll replacement system slipped £206,000 of the total 2019/20 budget due to payments being withheld until delivery milestones were satisfactorily achieved. As the new payroll system is operational, the remaining expenditure will be paid during 2020/21.

The Social Policy Electronic Call Monitoring slipped the total budget of £105,000 for 2019/20 due to a delay in the initial roll out of the contract. The project has been rescheduled to be undertaken during 2020/21.

E. SUMMARISED BUDGET POSITION FOR 2019/20

The month 12 outturn position in 2019/20 was an underspend of £2.199 million within the General Fund Revenue budget for the Partnership and Resources portfolio. The month 12 position was reported to Council Executive on 23 June 2020. Capital projects have accelerated spend of £2.304 million.

F. FUTURE BUDGET ISSUES AND RISKS

West Lothian Council approved a four year revenue budget strategy from 2019/20 to 2022/23 on 19 February 2019 which included approved savings measures for 2019/20 of £14.674 million. The significant level of approved savings, in addition to the impact of constrained funding and the financial consequences of the current Covid-19 pandemic, is resulting in an increased risk of overspends across council services and on the ability to deliver approved budget reductions. In addition, there are currently recurring pressures of around £974,000, as reported to Council Executive on 18 August 2020. Mitigating actions have been agreed and are being implemented to ensure these pressures are managed on a recurring basis.

Council Executive has provided with a number of updates reports on the financial implications of the current Covid-19 pandemic on 26 May 2020, 23 June 2020 most recently on 18 August 2020 as part of the 2020/21 General Fund revenue budget monitoring exercise for period 3. There is an estimated revenue pressure of approximately £4.334 million in 2020/21 even after confirmed additional funding is accounted for. Taking account of this pressure, Council Executive agreed the £994,000 over and above the minimum approved General Fund Balance level of £2 million should be ear-marked for managing the projected 2020/21 overspend and considered the potential actions available to manage and mitigate the financial pressures. Council Executive also agreed that officers should continue to monitor the financial impact of Covid-19 and engage with the Scottish Government and COSLA around further government funding for the council to mitigate the significant additional costs being incurred by the council. Further updates will be provided to Council Executive to allow consideration of the latest position and any action required to manage to the financial implications of the virus, the next of which will be included within the month four budget monitoring exercise to be reported to Council Executive in October 2020.

The overall position reflects the very challenging financial context the council is now facing after many years of funding constraints and requirements to make significant savings with demand for services continuing to grow. There are considerable risks and uncertainties around various aspects of council spending and income, particularly the impact of Covid-19, including the costs of demand led services especially in social care, the level of inflationary increases in budgeted expenditure and the waste recycling market. There are also major risks connected to the future level of UK and Scottish Government funding and of policy changes that impact on local government in Scotland.

Specifically for the Partnership and Resources portfolio, the key risks and uncertainties include the impact of Covid-19 on Council Tax collection and the Council Tax Reduction scheme, delivery of significant staffing savings which will require restructures and changes to the way staff operate. Sickness absence levels and above inflationary contractual price changes are risks that can affect services across the portfolio area and are monitored closely.

The council's risk based approach to budget monitoring will ensure that effective action is taken to manage risks during the course of the financial year. Officers will continue to provide updates on risks as part of the quarterly budget monitoring reporting to Council Executive at period 4, 6 and 9.

G. CONCLUSION

The 2019/20 position for the Partnership and Resources portfolio was an underspend of £2.199 million. As noted, the position for the Partnership and Resources portfolio is part of the overall outturn position for 2019/20 which was reported to Council Executive on 23 June

2020. There was net accelerated spend of £2.304 million on the capital programme for the portfolio area.

H. BACKGROUND REFERENCES

1. 2020/21 General Fund Revenue Budget – month 3 monitoring - Report by Head of Finance and Property Services on 18 August 2020
2. Draft 2019/20 General Fund Revenue Budget Outturn - Report by Head of Finance and Property Services on 23 June 2020
3. Revenue Budget 2020/21 to 2022/23 – report by Head of Finance & Property Services on 28 February 2020
4. Revenue Budget 2019/20 to 2022/23 – report by Head of Finance & Property Services on 19 February 2019
5. Local Government Benchmarking Framework

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Date: 18 September 2020

DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

SCOTTISH WELFARE FUND: UPDATE ON SCOTTISH WELFARE FUND DURING COVID-19 CRISIS

A. PURPOSE OF REPORT

The purpose of this report is to update the Panel on the Scottish Welfare Fund performance and the response during the Covid-19 Crisis. The report also informs the Panel of the publication of the Poverty and Inequality Commission Briefing entitled "The role of the Scottish Welfare Fund during the Covid-19 pandemic" published on 31 August 2020.

B. RECOMMENDATION

It is recommended that the Panel notes:

1. The current position of the Scottish Welfare Fund in West Lothian and the impact of the Covid-19 pandemic on the scheme
2. The publication of a Briefing by the Poverty and Inequality Commission on the role of the Scottish Welfare Fund during the Covid-19 pandemic (Appendix A) and the response to the observations raised and recommendations made
3. The intention to write to the Poverty and Inequality Commission to request a meeting to discuss the findings of their Briefing in more detail, and
4. The intention to fully utilise the Scottish Welfare Fund budget in 2020/21.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our applicants' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Welfare Reform Act 2012 provided for significant changes to Housing Benefit, a Benefit Cap, the introduction of the Council Tax Reduction scheme and the Scottish Welfare Fund, both administered by local authorities in Scotland. In addition, further Department for Work and Pensions (DWP) led welfare changes are continuing to be introduced. The Scotland Act 2016 also devolved certain aspects of welfare in Scotland to the Holyrood Parliament.
III Implications for Scheme of Delegations to Officers	None.

IV Impact on performance and performance Indicators	Corporate and service performance indicators are being reviewed as implications of the reforms become clear.
V Relevance to Single Outcome Agreement	<ul style="list-style-type: none"> • Our children have the best start in life and are ready to succeed. • We live in resilient, cohesive and safe communities. • People most at risk are protected and supported to achieve improved life chances. • We live longer, healthier lives and have reduced health inequalities.
VI Resources - (Financial, Staffing and Property)	Officers will continue to assess the ongoing financial and staffing implications for the council.
VII Consideration at PDSP	Regular updates on welfare reform have been reported to the Panel since 2012.
VIII Other consultations	With services, and ongoing consultations with the voluntary sector and other partners.

D. TERMS OF REPORT

D.1 Background

The Scottish Welfare Fund (SWF) is a national scheme, administered by 32 local authorities on behalf of Scottish Government. It is a discretionary scheme which offers grants and support in the form of Crisis Grants (CG) and Community Care Grants (CCG). The purpose of this support is as follows:

- Crisis Grants provide emergency financial assistance where there is an immediate threat to an individual or their families health and safety. Grants are awarded in cash for food, gas and electricity.
- Community Care Grants help individuals and/or families to live independently in the community or to ease exceptional pressures experienced by those living in poverty. These grants are mainly fulfilled by providing household items such as beds, white goods, carpets etc.

D.2 Scottish Welfare Fund Delivery in West Lothian

The SWF service is delivered by the council's Anti-Poverty Service, supported by the Customer Service Centre and provides a holistic approach when considering an application for a CG or CCG. There is one Senior Section Leader and six full time staff in the SWF team, however, they are supported by an additional nine Benefit and Support Officers who provide support daily to meet the growing demand on the service.

Applicants can apply in a variety of ways: online, assisted support via the Contact Centre, paper application and, pre Covid-19, at a local CIS office. CG must be awarded within 24 hours of an application being made but, at the very latest within 48 hours. Despite the increase in Crisis Grant applications during Covid-19, no CG applicant to the SWF was paid out with 48 hours. Scottish Government relaxed the qualifying rules for CG during lockdown by lifting the three-rule condition allowing applicants who were affected by Covid-19 to get more than three CG within a twelve-

month period. This relaxation in the number of grants has allowed the team to continue to help individuals and families who would otherwise have been refused help.

Community Care Grants should be awarded within fifteen working days and this reflects the complexity of the grant; the gathering of evidence and the decision-making process. The number of people applying for a CCG during Covid-19 reduced significantly. This was because no one was moving tenancy as a result of lockdown. These restrictions have now been lifted and CCG applications are on the increase again.

A key component of the holistic approach taken by officers, is to listen to the particular circumstances the applicant finds themselves in. Whether or not an SWF award can be made, the team will use their extensive knowledge of local support, advice and advocacy services to help the applicant to be able to work their way through the crisis. The SWF service has signed up to West Lothian's online referral and tracking tool (FORT) which allows SWF staff to track any referrals made by the service to other support agencies working within West Lothian. By being part of this system, the service can take advantage of the directory of support which allows them to see at a glance the organisations that have also signed up to use the referral and tracking tool and what types of support they can provide. Currently there are 33 organisations signed up to FORT and, since signing up on 2 June 2020, the SWF team have referred 110 applicants for additional help and support.

All of these factors result in low numbers of applicants coming back seeking to review the decision made on their claim. In 2019/20 there were 186 applications for review and 53 were upheld.

In 2019/20 the SWF received 11,468 applications and awarded 6,443 grants totalling £1,236,284 fully utilising both Scottish Government funding of £1,067,475 and additional top up funding from West Lothian Council of £168,809.

D.3 Scottish Welfare Fund Budget 2020/21

Total Scottish Budget	WLC Scottish Government funding		WLC Top up
	Programme Funding	Administration Funding	
£40,873,000	£1,148,053	£173,947	£400,000
	£712,000		

On 26 March 2020 Scottish Government announced an additional £22,000,000 funding across Scotland in recognition of the additional demand on the fund as a consequence of the Covid-19 pandemic. West Lothian was allocated £712,000 for Scottish Welfare Fund spend, no additional administrative funding was allocated.

Acting under delegated powers, the Chief Executive agreed to an additional £400,000 being allocated to the Scottish Welfare Fund from the West Lothian Hardship Fund. Given this additional funding the total funding for Scottish Welfare Fund spend in West Lothian for 2020-21 is £2,260,053.

Council has received £173,947 to administer the Scottish Welfare Fund however this does not cover the full costs of administration. The council spends approximately £412,000 on the SWF team and support to the customer service centre for SWF related queries. On top of this nine benefits and support officers have been trained to also support the SWF team to manage demand. Therefore, to effectively manage the SWF, council requires a significant increase in resources to fully fund the administration of the fund.

D.4 Impact of COVID-19 on the Scottish Welfare Fund in West Lothian

Crisis Grants

The Covid-19 pandemic has had a major impact with demand for CG increasing significantly. The table below outlines the increase in applications for CG for the period 1 March 2020 to 31 August 2020 when compared to the same period in 2019.

	01/03/19 -1/08/19	01/03/20 – 31/08/20	% Increase
CG applications	4163	6175	48

The total spend on CG for the period 1 March 2020 to 31 August 2020 increased sharply when compared to the same period in 2019.

	01/03/19 -1/08/19	01/03/20 – 31/08/20	% Increase
CG spend	£171,456	£371,866	117

Although the table shows a significant increase in spend in 2020/21 compared to 2019/20, the majority of this increase is as a result of lockdown in April to June. The number of CG applications being received has stabilised however with the current economic climate, there is an expectation that numbers are likely to increase over the remainder of 2020/21.

Community Care Grants

CCG are made to assist those who need financial help to live independently in the community or to ease exceptional pressures on themselves or their family. A significant proportion of grants are made to assist those in temporary accommodation to move to secure tenancies by providing furniture and assistance with removal costs. Due to Covid-19 national lockdown restrictions, house moves were suspended for the period 24 March 2020 to 3 June 2020 with only essential house moves taking place during this period. Applicants were still able to apply for a CCG at this time but awards made were reduced as the majority of requests were made for singular items to sustain applicants in their current home.

The table below indicates the reduction in CCG applications for the period 24 March 2020 to 3 June 2020 when compared to the same period in 2019.

	24/03/19 -03/06/19	24/03/20 – 03/06/20	% Reduction
CCG applications	566	466	17%

The total spend on CCG also decreased significantly for the period 1st March 2020 to 31 August 2020 when compared to the same period in 2019 illustrating the impact of COVID-19 restrictions:

	24/03/19 -03/06/19	24/03/20 – 03/06/20	% Reduction
CCG spend	£160,848	£93,840	41%

However, from 4 June 2020 the impact of Covid-19 restrictions began to ease and the table below illustrates the applications received for the period 4 June 2020 to 31 August 2020 when compared to the same period in 2019 showing applications returning to pre Covid-19 restriction levels.

	04/06/19 -31/08/19	04/06/20 – 31/08/20	% Reduction
CCG applications	687	683	0.5%

The table below illustrates CCG spend for the period 4 June 2020 to 31 August 2020 compared to the same period in 2019. There has been an increase in CCG spend.

	04/06/19 -31/08/19	04/06/20 – 31/08/20	% Increase
CCG spend	£180,874	£238,893	14%

Without an increase in demand, if the application rate remained at the current monthly level, it is projected there would be an approximate spend of £1.6million of the £1,860,053 Scottish Government allocation. However, the following factors are likely to quite dramatically increase the number of people needing to access SWF:

- Furlough scheme coming to an end
- Increasing unemployment
- Those in employment receiving less hours of work
- Potential impact of the UK leaving the EU
- Potential food shortages
- Increased number of Covid-19 cases over the remainder of the year
- Increasing cost of living, especially essential items such as food and fuel
- Extreme bad weather over winter

It is therefore planned and expected that the overall budget will be fully spent for the financial year 2020/21.

D.5 Poverty and Inequality Commission Briefing

The Poverty and Inequality Commission published a briefing on 31 August 2020 (Appendix A) which reviewed the Scottish Welfare Fund's role in supporting people during the Covid-19 pandemic. The Commission identifies that the Scottish Welfare Fund is "arguably the next most important Scottish Government policy to prevent people in poverty being pulled under during the pandemic" and it noted that, at the start of lockdown, the Scottish Government announced it was adding £45 million to the Scottish Welfare Fund. To date, £22 million of this has been allocated to local authorities. Local authorities were given more flexibility in how it is used to ensure they can fully support people in financial crisis.

During the pandemic, the briefing estimates that 280,000 households in Scotland were in serious financial difficulty and a further 432,000 were struggling to make ends meet. It is clear that many people found themselves in need of support and the briefing looked at how the SWF fund was deployed over the March to June period. In particular, it examined the spend by local authority on both CG and CCG over April and May. As this data only covers two months of the year, the Commission expected to see 17% of budgets spent if spending was proportionate. On average local authorities had spent 10% of the allocated budget. West Lothian spent 11%. It should be noted that annual budgets are not spent in a linear way but are managed to ensure that there is sufficient budget to cover the full year, taking into account expected surges of activity at specific times, ie over the winter months. West Lothian Council fully spent its SWF budget in 2019/20 including additional spend from council's own funds and it is expected that the SWF budget will be fully spent for 2020/21.

Whilst the Poverty and Inequality Commission has used data received from the Scottish Government to undertake its analysis, it notes there are caveats with the data. The Commission did speak to third sector organisations regarding SWF but did not involve any local authority or CoSLA to gain insight or understanding from a local authority perspective nor did it utilise the experience of those accessing and administering the SWF at a local level.

The Briefing, however, does put forward five possible reasons why more grants are not being provided to people in need.

Suggested Reasons for Poor Uptake of SWF

The briefing suggested five possible reasons for this low proportion of spend:

- Lack of knowledge and awareness of the Scottish Welfare Fund
- Variation in how local authorities promote the Scottish Welfare Fund
- Barriers in applying for the Scottish Welfare Fund
- Apparent suspension of Community Care Grants
- Local authorities not having the resources to properly administer the Scottish Welfare Fund during the crisis

The Poverty and Inequality Commission considers a cash first approach is the most dignified way of helping those in need and that it should be easily accessible to all, regardless of the local authority you live in. The briefing makes five recommendations which it believes will lead to the Scottish Welfare Fund operating more effectively, namely:

1. The Scottish Government should provide more money to local authorities to administer the Scottish Welfare Fund to a high standard. The Scottish Government should consult local authorities to determine the budget needed. In return for this additional help, local authorities should be expected to improve their communication and publicising of the fund, application processes and administration of the fund to specified standards.
2. The Scottish Government should set a legal duty for basic minimum standards for local authorities to meet on the Scottish Welfare Fund. This should cover minimum requirements around publicising of the fund and clear communication of its purpose; training and awareness of staff to ensure potential applicants are treated with dignity and respect; and accessibility and ease of applying for the fund – i.e. people should be able to apply for the fund in a range of ways that suit them, and should not be restricted to making online applications.
3. The Scottish Government should set minimum award amounts for Crisis Grants and take a cash-first approach.
4. The Scottish Government needs to improve its monitoring and evaluation of the Scottish Welfare Fund. The current approach is not sufficient to ensure that best practice is being delivered across Scotland. Local authorities should be required to provide standardised data to support this monitoring and evaluation. Where issues are identified, the Scottish Government should raise this with local authorities and provide additional support to overcome these issues, where required.
5. The Scottish Government should work with CoSLA to develop a national policy on the provision of support to those with no recourse to public funds through local authorities.

The briefing paper also identifies other issues with the fund. It questions whether the fund is currently fit for purpose and whether the overall design of the fund is meeting the needs of those requiring its assistance. It also questions how the fund is administered given that the statutory landscape has changed since the SWF was introduced. It suggests that at the time of inception there was not a national body

which could administer the fund and therefore local authorities were given the responsibility, however, there is now a national body – Social Security Scotland.

Response to the Recommendations

Council notes the five recommendations outlining areas of improvement for Scottish Government which in turn would assist local authorities to fully resource SWF teams. In turn there would be an expectation on local authorities to better publicise the fund; increase take up; train staff to a minimum standard; support additional application methods and also suggests that robust monitoring processes should be introduced and where it is identified that a local authority is underperforming, provide additional support.

It is accepted that these measures would complement the service West Lothian Council currently provides. It should be noted, however, that significant progress has been made since the introduction of the scheme in West Lothian and, in particular over the Covid 19 crisis, additional work has been done to reach and assist those in crisis.

The administration of SWF in West Lothian has been embedded into partnership work since starting in 2013. The holistic approach taken ensures not only a cash first approach but also that other forms of help, support, advice and advocacy are at the core of the response to individual circumstances. The third sector along with other CPP services are part of the wider network of help which is available. It is vital if SWF is to really help those who are in a crisis to not just receive financial help but the help to deal with the crisis, then local knowledge, local services and local authorities are still best placed to administer the fund.

In response to the five recommendations:

1. The Scottish Government should provide more money to local authorities to administer the Scottish Welfare Fund to a high standard:

The council would agree with this recommendation. As stated earlier in this report, the funding for the administration of SWF is significantly below the actual spend. West Lothian Council has utilised its own funds to ensure that the service is resourced. However, it should be noted that increased funding on top of what is already allocated would be needed to be confirmed in order to meet all of the recommendations contained in the briefing.

2. The Scottish Government should set a legal duty for basic minimum standards for local authorities to meet on the Scottish Welfare Fund. This includes publicising the fund and accessibility:

West Lothian Council would welcome the opportunity to work in partnership with Scottish Government and other local authorities to agree minimum standards. It is suggested this would also be an opportunity to revisit the criteria for making awards. It should be noted that this may have budget resource implications and would need to be fully funded.

West Lothian Council has always considered accessibility as key in ensuring removal of barriers to apply and has taken steps to enable applicants to receive support. Various application methods are available – online; assisted by telephone; paper or, pre Covid-19, at a CIS office. During the Covid-19 crisis it was clear that considerable numbers of people did make use of the online facility but there were a significant number of applicants who required help because they had never found themselves in financial hardship previously and needed support in applying. To address the

increased demand in supported applications, the SWF team were assisted by colleagues who would normally work at the front line in the CIS and in the Advice Shop. These staff called applicants and completed applications with them over the phone. During April to July 2020, staff supported 646 people to apply for a Crisis Grant.

It would be beneficial if the Scottish Government was to consider a national campaign to improve uptake of the SWF, however, locally there has always been significant promotional activity undertaken within West Lothian highlighting the availability of the Scottish Welfare Fund scheme. Through the Covid-19 period there have been extensive social media posts, partnership working to encourage applications from those applicants working with Social Work, Advice Shop, Housing and third sector organisations.

3. The Scottish Government should set minimum award amounts for Crisis Grants and take a cash-first approach:

West Lothian provides cash to those awarded a CG and has done so since 2013. It was recognised that during lockdown, access to the two local payment offices was a barrier due to travelling restrictions and reduced opening hours. As a result, PayPoint was introduced: grants can now be collected at 111 Paypoint outlets in West Lothian, most being open seven days a week from 6am to 10pm. To assist those that were in self isolation, electronic BACs payments direct to bank accounts were made and those that were visiting either Arrochar Housing or Bathgate Partnership Centre for other reasons, were given the option to pick up their cash award at one of those offices.

Whilst minimum award amounts may help to reduce the variation across local authorities regarding the average crisis grant award, it should be noted that the award is based on individual circumstances which can vary widely and therefore more guidance on discretion would help support decision making. Through consultation and agreement on minimum award amounts, this may well help to encourage more people to apply. There would be a need to ensure the budget allocation reflected this approach.

4. The Scottish Government needs to improve its monitoring and evaluation of the SWF and local authorities should be required to provide standard data to support this monitoring:

It would be useful to explore with local authorities and Scottish Government the effectiveness of the software currently used and whether it is still fit for purpose. There have been frustrations at a local level when trying to better analyse who is applying for an award and why. This would enable the service to better target resources and work more closely with partners to provide additional support.

5. The Scottish Government should work with CoSLA to develop a national policy on the provision of support to those with no recourse to public funds through local authorities:

West Lothian Council would support this recommendation.

Development Activity 2020/21

The Anti-Poverty service recognises the importance of removing barriers to accessing Scottish Welfare Fund and wishes to meet with the Poverty and Inequality Commission to discuss the briefing in more detail. It would be proposed to take the learning from this meeting and consolidate the findings with the development activity already planned for this year:

- In partnership with Nourish Scotland and West Lothian's Anti-Poverty Practitioners Network co-produce a referral pathway toolkit. A key component of the toolkit is to increase awareness of CG and CCG. 5,000 paper copies and on-line presence will be part of this delivery.
- Challenge Poverty Week which takes place from the 5 -11 October 2020 deliver a webinar "Supporting People in Crisis" which will be open to all community planning partners, third sector and local authority representatives. During the webinar SWF service will provide an update, giving the service a platform for to raise awareness and understanding of CG and CCG.
- Work with Corporate Communications to improve the accessibility of the SWF information.
- Utilise the expertise of our Experts by Experience Panel which consists of citizens with lived experience of poverty sharing their insights and knowledge to consider the language used in how SWF is promoted.
- Work with staff to increase confidence in using 'discretion' to increase individual awards of Crisis Grants budget

E. CONCLUSION

During COVID-19, 16 officers and managers worked tirelessly to process SWF applications within timescales. Throughout that period no claim was paid out with the Scottish Government's guidelines of 48 hours. There were increased numbers of applications and those that needed further assistance were supported quickly and referred on to other organisations which could help them work through their financial pressures.

The Poverty and Inequality Commission briefing makes five recommendations which, if implemented by the Scottish Government, could improve the consistency of approach to the administration of the fund. It is proposed that Officers discuss the contents of the briefing in more detail with the commission and will write to the commission to request a meeting. If the recommendations were enacted, it would require a considerable budget allocation from Scottish Government.

The council does not receive sufficient budget to administer the Scottish Welfare Fund. Council received £173,947 and spends approximately £412,000 to cover the costs of administration. In order to effectively manage the administration of the fund, council requires a significant increase in resource.

It is noted that the Poverty and Inequality Commission has suggested that a national body may be better placed to administer the fund. West Lothian Council is clear that local authorities are best placed to continue to offer a holistic approach which, not only meets the financial crisis, but offers local support and services to address wider personal issues.

The administration of the scheme is constantly under review, particularly in relation to the available budget. Given the anticipated downturn in the economy, it is expected that the SWF budget will be fully spent for 2020/21.

F. BACKGROUND REFERENCES

Appendix A: The role of the Scottish Welfare Fund during the COVID-19 pandemic

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Donald Forrest
Head of Finance and Property Services
18 September 2020
Appendix A



The role of the Scottish Welfare Fund during the COVID-19 pandemic

Introduction

In March 2020, the Poverty and Inequality Commission set up a working group to look at short term responses to COVID-19. Our initial work focused on emergency food aid and ensuring people had dignified access to food during the pandemic. Now we are focusing on the Scottish Welfare Fund, arguably the next most important Scottish Government policy to prevent people in poverty being pulled under during the pandemic.

Background

The Scottish Welfare Fund provides support to people in crisis and to people who need help to live independently in the community. It is a national scheme which is provided by local authorities. It pays out two types of grant, a crisis grant (provided to people who have an immediate financial need as a result of an emergency or a disaster) and a community care grant (for those who need financial help to assist them to live independently in the community or to ease exceptional pressures on themselves or their family).

Local authorities have extensive discretion over how the scheme is delivered in their area, from taking and processing applications to fulfilment of grants. This is to allow the scheme to be tailored to specific local needs.

At the start of lockdown, the Scottish Government announced it was adding £45 million to the Scottish Welfare Fund. So far £22 million of this has been allocated to local authorities. Local authorities were given more flexibility in how it is used to ensure they can fully support people in financial crisis, including workers in the 'gig economy'.

Scottish Welfare Fund During COVID-19 crisis

The impact of this pandemic on people on low incomes is stark. Standard Life's Financial Tracker¹, estimated that, across the UK in April, around 3.1 million households were in serious financial difficulty and a further 4.6 million were struggling to make ends meet. As 9% of these households were reported to be in Scotland, this equates to a rough estimate of around 280,000 households in Scotland in serious financial difficulty and a further 432,000 struggling to make ends meet. The Independent Food Aid Network reported a 246% increase in food parcels given out by food banks in April 2020 compared with April 2019.² Aberlour has seen a 1400% rise in applications to its own Urgent Assistance Fund during the pandemic, and since mid-April One Parent Families Scotland have provided 3500 emergency energy grants to single parents. Clearly, many people found themselves

¹ https://www.standardlifefoundation.org.uk/_data/assets/pdf_file/0030/57486/COVID-19-Financial-Impact-Tracker-April-2020-FINAL.pdf

² <https://uploads.strikinglycdn.com/files/378499b3-c557-4d97-879e-a3a1692bed01/Scotland%20breakdown%20for%20IFAN%20data%20release%20June%20160620V2.pdf>

in desperate need of assistance to meet even their basic living costs and to prevent them becoming further trapped in poverty.

The Scottish Government provided the extra funding for the Scottish Welfare Fund, precisely to help meet this need. To explore how the fund was deployed over this time period, we have examined the most recent published data which provides information on applications and expenditure of the Scottish Welfare Fund up to June 2020.

Table 1: Scottish Welfare Fund applications and expenditure April – June 2020³

	Apr	May	Jun	% change Apr-Jun 2019- Apr-Jun 2020
Community care grant applications	4,811	4,790	5,349	-21%
Community care grant expenditure	£1,110,641	£906,853	£1,430,575	-49%
Crisis grant applications	33,106	23,855	21,709	54%
Crisis grant expenditure	£2,406,238	£1,442,583	£1,310,839	75%

Reflecting the high numbers of people trapped in poverty during this pandemic, the table shows that applications and expenditure for Crisis Grants were considerably higher in April – June 2020 than for the same period in 2019. In contrast, applications and expenditure for Community Care Grants were lower in 2020 compared with the same period in 2019.

Overall, the total expenditure on the Scottish Welfare Fund was £8.6 million in April, May and June 2020. Although this is higher than the same period in 2019, it is only 15% of the £57.6 million available for 2020/21. If spending were proportionate, we would have expected to see 25% of the budget spent. We are shocked that more of the funding available was not used to provide a much-needed lifeline for people battling hardship during this pandemic.

We recognise that the £57.6 million available is for the whole 2020/21 financial year and that local authorities will want to keep some funds in reserve in case of a second wave or to help combat further unemployment and crises that families are likely to face the longer this pandemic goes on. There is also likely to be a time-lag between applications and expenditure, particularly on Community Care Grants which take longer to process. Nevertheless, in the 3 months at the epi-centre of the biggest public health crisis in over a century, it does not seem right that the money allocated to the Scottish Welfare Fund is not being used to maximum benefit.

Table 1: Use of Scottish Welfare Fund in April and May 2020 by local authority

	% of budget spent in 20/21 (April/ May)	% of applications awarded for Crisis Grants during Apr/May	% of applications awarded for CCG during Apr/May	Average award amount for Crisis Grants Apr/May	Average award amount for CCG Apr/May
Aberdeen City	17%	60%	90%	£75	£273
Aberdeenshire	7%	65%	31%	£91	£272
Angus	9%	70%	45%	£89	£449
Argyll & Bute	5%	55%	47%	£104	£390
Clackmannanshire	15%	65%	42%	£132	£440

³ Data from this table was taken from the spreadsheet available at <https://www.gov.scot/publications/swf-monthly-management-information/>

Dumfries & Galloway	11%	73%	58%	£95	£273
Dundee City	11%	69%	63%	£98	£534
East Ayrshire	8%	61%	60%	£62	£368
East Dunbartonshire	12%	92%	62%	£97	£318
East Lothian	12%	68%	66%	£98	£462
East Renfrewshire	4%	72%	34%	£97	£435
Edinburgh, City of	18%	78%	32%	£84	£386
EileanSiàir	4%	87%	*	£99	*
Falkirk	9%	60%	45%	£93	£693
Fife	17%	80%	95%	£111	£314
Glasgow City	8%	75%	36%	£106	£146
Highland	7%	61%	61%	£67	£385
Inverclyde	10%	85%	89%	£100	£443
Midlothian	9%	72%	55%	£94	£277
Moray	8%	51%	52%	£117	£535
North Ayrshire	7%	56%	55%	£79	£416
North Lanarkshire	7%	77%	68%	£90	£337
Orkney Islands	10%	*	81%	*	£250
Perth & Kinross	16%	72%	64%	£106	£577
Renfrewshire	11%	81%	64%	£97	£430
Scottish Borders	8%	66%	55%	£80	£915
Shetland Islands	4%	*	*	*	*
South Ayrshire	9%	62%	51%	£127	£416
South Lanarkshire	9%	42%	40%	£93	£842
Stirling	12%	72%	59%	£100	£316
West Dunbartonshire	12%	89%	48%	£68	£225
West Lothian	11%	72%	55%	£80	£363
Scotland total	10%	72%	54%	£94	£389

Notes on table:

This table was compiled from data provided by the Scottish Government to the Poverty and Inequality Commission on 21 July 2020 and from data available at <https://www.gov.scot/publications/scottish-welfare-fund-statistics-update-to-31-march-2020/>.

The Scottish Government made us aware of certain caveats with the data.

Figures marked with a * have been suppressed for disclosure control.

Main data quality issues as described in the monthly MI publication.

<https://www.gov.scot/publications/swf-monthly-management-information/>

Some local authority data is missing and has been estimated based on the % change in the other local authorities.

Estimates are highlighted in grey.

This holds true across almost all local authorities (see Table 1). Spend in local authorities ranges from 4% to 18% of their annual budget in April and May (local data is currently only

available for these two months).⁴ As this data only covers two months of the year, we would expect to see 17% of budgets spent if spending was proportionate. However, only three local authorities spent 17% or over of their budget. (Note that there are caveats with this data which are noted at the bottom of Table 1).

Looking at the data does not show a clear pattern for why the spend varies. For example, some of the local authorities with low expenditure have a high proportion of successful applicants. Others do appear to be turning down high numbers of applicants.

The table also shows variation across local authorities in the value of grants which are given out. For Crisis Grants the average grant value for local authorities ranges from £62 to £132. Given that some local authorities have relatively low average award values, it would also be helpful to see the range of awards given out for each individual local authority.

The range is greater across local authorities for Community Care Grants, however, this may be due to the different ways in which local authorities provide support. What is more striking here is the low success rate of applicants, with just over half of applicants receiving a Community Care Grant across the whole of Scotland.

Potential reasons why a low proportion of the Scottish Welfare Fund was spent during April - June

The Poverty and Inequality Commission has been speaking to a range of third sector organisations who have similar concerns about the Scottish Welfare Fund. Some of these are working closely with the individuals and families who have either accessed or tried to access the fund, and have provided insight into how the fund is operating. We have also conducted our own analysis of local authority websites to explore how well they are promoting the fund. Based on these combined sources of evidence, we have identified five possible reasons why more grants are not being provided to people in need.

1. Lack of knowledge and awareness of the Scottish Welfare Fund

There is a lack of awareness of the Scottish Welfare Fund, among those who are in need of financial assistance but also among organisations and people who are in a position to advise those seeking financial assistance.

The Independent Food Aid Network⁵ has reported that many more people have been supported by food banks during this crisis than during the same period last year. They believe that many people who might be eligible for a crisis grant have been referred or are self-referring to food banks without making an application because referral agencies and people in the community are unaware a) of the Fund's existence or b) any changes to the Fund during this exceptional circumstance to make it more accessible. In some cases, food bank teams themselves are not aware of the Scottish Welfare Fund or how it could be used to provide more appropriate support for people needing their support and usually facing a financial emergency.

During the pandemic, food bank managers and volunteers have reported mixed experiences of how their local authority has promoted the Fund, especially regarding

⁴ Local data is provided at <https://www.gov.scot/publications/scottish-welfare-fund-statistics-update-to-31-march-2020/>

⁵ Figures for April 2020 as compared to April 2019 show a 184% percentage rise in the number of people supported. From March 2019 to March 2020 they show a 77% rise and from February 2019 to February 2020 the increase was 14%. (<https://uploads.strikinglycdn.com/files/378499b3-c557-4d97-a3a1692bed01/Scotland%20breakdown%20for%20IFAN%20data%20release%20June%20160620V2.pdf>)

communication about changes made to improve access to this cash-first measure (e.g. three award guidance not in operation).

2. Variation in how local authorities promote the Scottish Welfare Fund

The Commission's own analysis found differences in how local authorities are promoting the Scottish Welfare Fund on their websites. This is presented in full in Annex A.

We found that while almost all local authorities have created dedicated Covid-19 pages providing information about help and assistance, there were some which did not have information about Scottish Welfare Fund Crisis Grants on dedicated Covid-19 pages. Many local authorities were also not clearly communicating the changes to the Scottish Welfare Fund as a result of coronavirus (e.g. the expectation that more than three Crisis Grants could be given out in a year).

The language used to talk about the fund on websites can be unnecessarily complex. This leads us to conclude that in many local authority areas people in need would be unlikely to easily find out about the Scottish Welfare Fund if they didn't already know it existed.

3. Barriers in applying for the Scottish Welfare Fund

Third sector organisations tell us that, in some local authorities, the application process for the Scottish Welfare Fund is creating further barriers. Some local authorities appear to have moved to online applications only. However, we know that those who are likely to be digitally excluded are the very ones who are most likely to require assistance from the fund. The Scottish Household survey tells us that, in 2018, over one in four (27%) disabled people do not use the internet. Similarly, one in three (31%) households with an income of under £10K pa had no access to the internet at home.⁶

Other local authorities are reported to be processing telephone only applications. However, the people trying to access the fund say that phone lines are regularly busy and advisors unavailable. Furthermore, not all phone numbers are freephone numbers creating further costs to families already struggling financially.

4. Apparent suspension of Community Care Grants

There have also been reports that Community Care Grants were suspended during the early months of this pandemic in some local authorities. Amongst the families Aberlour has supported who have unsuccessfully applied to the Scottish Welfare Fund for Community Care Grants, most were refused due to that element of the fund reportedly being closed. Many supporting organisations are also reporting that they were hearing by word of mouth that this is the case, and therefore were not advising or supporting families to apply to the Scottish Welfare Fund.

5. Local authorities not having the resources to properly administer the Scottish Welfare Fund during the crisis

When the extra £45 million was made available for the Scottish Welfare Fund, it was made clear to local authorities that this money was to be used for grants, and was not to cover costs of administering the fund. It is not clear what impact this had on local authorities ability to successfully administer the fund. However, at the beginning of lockdown local authorities were facing substantial pressures, so it is likely their ability was somewhat hampered which may have impacted on the number of grants they were able to award.

⁶ <https://www.gov.scot/publications/scotlands-people-annual-report-results-2018-scottish-household-survey/pages/7/>

Recommendations

The Poverty and Inequality Commission believe that a cash first approach is the most dignified way of helping those in need and that it should be easily accessible to all, regardless of the local authority you live in. Therefore, we are making five recommendations which we believe will lead to the Scottish Welfare Fund operating more effectively as the essential lifeline it has the potential to be during this pandemic.

Our recommendations are:

- 1. The Scottish Government should provide more money to local authorities to administer the Scottish Welfare Fund to a high standard. The Scottish Government should consult local authorities to determine the budget needed. In return for this additional help, local authorities should be expected to improve their communication and publicising of the fund, application processes and administration of the fund to specified standards.**
- 2. The Scottish Government should set a legal duty for basic minimum standards for local authorities to meet on the Scottish Welfare Fund. This should cover minimum requirements around publicising of the fund and clear communication of its purpose; training and awareness of staff to ensure potential applicants are treated with dignity and respect; and accessibility and ease of applying for the fund – i.e. people should be able to apply for the fund in a range of ways that suit them, and should not be restricted to making online applications.**

A fundamental reason for the fund not being fully utilised during this crisis is the variation that is present across local authorities. There needs to be greater consistency across local authorities in how the fund is promoted, the application procedures and administration of the fund.

We are also concerned about reports that local authorities are requiring applications to be made online, particularly when we know that many people remain digitally excluded.

- 3. The Scottish Government should set minimum award amounts for Crisis Grants and take a cash-first approach.**

We were surprised at the considerable variation in the average Crisis Grant values across local authorities. The amount of support that someone receives should not be dependent on their postcode. Therefore, as part of the legal duty referenced in recommendation 2, we recommend that there should also be standardised minimum award amounts for Crisis Grants. This should be applied formulaically with a minimum spend set per day, per adult and per child. The calculation should be irrespective of when the applicant is next due to get money.

- 4. The Scottish Government needs to improve its monitoring and evaluation of the Scottish Welfare Fund. The current approach is not sufficient to ensure that best practice is being delivered across Scotland. Local authorities should be required to provide standardised data to support this monitoring and evaluation. Where issues are identified, the Scottish Government should raise this with local authorities and provide additional support to overcome these issues, where required.**

A large investment of an additional £45 million was put into the Scottish Welfare Fund at the start of the crisis. Therefore, there needs to be systematic monitoring and robust evaluation to ensure that it is operating as it should. Given the range of challenges we have identified with the fund, it is clear that the Scottish Government's monitoring and evaluation needs to do better in picking up potential issues and making adjustments to rectify them. It is

concerning for example, that some local authorities were “closing” applications for Community Care Grants.

5. The Scottish Government should work with CoSLA to develop a national policy on the provision of support to those with no recourse to public funds through local authorities.

Concluding comments

We make these recommendations with a view to them leading to immediate and rapid change in how the fund gets money into the pockets of those who need it during this pandemic. We urge the Scottish Government to take appropriate action in response.

During the course of our investigation of the Scottish Welfare Fund, we have identified some more fundamental issues with the fund. This pandemic provides us with the opportunity to tackle questions such as whether the fund is currently fit for purpose and whether the overall design of the fund, i.e. two types of grant offered for different purposes, is meeting the needs of those requiring its assistance. As part of this, we think that how the fund is administered could be further explored. Essentially we need a system where the people who need financial assistance know where to go to get it and can then access it easily and with dignity. We think it is worth noting how quickly the third sector have risen to the challenges presented by this pandemic and how rapidly they have provided emergency support to those in need. It is also relevant that the statutory landscape has changed since the Scottish Welfare Fund was introduced. At that time there was not a national body which could administer the fund, hence local authorities were given the responsibility. We now have such a national body – Social Security Scotland. We have not yet reached a position on these issues but they are things we would like to discuss exploring further with the Scottish Government.

Annex A: Promotion of the Scottish Welfare Fund across local authority websites

The Commission analysed all local authority websites to explore how well the fund was being promoted by investigating the following:⁷

- How many layers of the website do you have to click through to find information?
- How clear is the communication about the fund on local authority websites – would people be able to find help if they didn't already know it existed?
- Is information about the fund tailored to a Covid-19 context?
- Are councils communicating changes to the fund in response to Covid-19?
- What sort of help are councils providing?

Table 2 shows our findings.

It needs to be easy for people to find information quickly when they're experiencing a crisis. The more layers of a website that people have to search through, the less likely they are to find what they need. We found that almost all local authorities have created dedicated Covid-19 pages providing information about help and assistance. More specifically:

- 26 local authorities have information about SWF Crisis Grants on the dedicated Covid-19 pages.
- Information about the Scottish Welfare Fund could be found within two clicks on 18 local authorities, on 4 websites it was possible with one click
- Among the 6 local authorities don't have information about Scottish Welfare Fund Crisis Grants on dedicated Covid-19 pages, 1 didn't have dedicated Covid-19 pages, the other 5 didn't carry information despite having pages with titles such as "support for people", "coronavirus: benefits and welfare advice" and "financial support for individuals".

When experiencing a crisis people need to find information that that is clear and simple to understand. We found:

- Communication about the fund in plain language is uncommon. In many local authority areas people in need would be unlikely to easily find out about the Scottish Welfare Fund if they didn't already know it existed.
- Some local authorities actively seek to draw people into their Scottish Welfare Fund pages with questions and statements such as "What financial support is available?", "Money worries?" and "We know that many households may be struggling financially at this time..."
- Others simply provide a link saying "Scottish Welfare Fund" with no explanation of what or who it might be for.
- Other still introduce the fund with complex or process-focused statements such as "Given the government's recent announcement for people to stay at home we have changed the way we process Scottish Welfare Fund applications.", "Note that council advice services and the Scottish Welfare Fund continue to provide essential services through the Covid-19 crisis"
- Running the website text through a readability testing tool (<https://readabilityformulas.com/free-readability-formula-tests.php>) finds only 1 local authority has Scottish Welfare Fund information that s "fairly easy" to read, a further 7 are "standard/average". Most are fairly difficult (14) or difficult (10).

Given the scale of the coronavirus pandemic, we were also keen to explore whether the fund was tailored to a Covid-19 context. Making the connection between the Crisis Grants and impacts of Covid-19 clear will help people to quickly find the information they need. Some local authorities have sought to contextualise the Scottish Welfare Fund in light of the

⁷ This analysis was conducted at the beginning of June 2020.

Covid-19 pandemic by including statements such as “if you’re no longer able to work or had hours reduced because of Covid-19...” and “Some examples include: your circumstances have changed due to redundancy or a change in income...”

The Scottish Government has increased funding for the Scottish Welfare Fund and relaxed the rules about only being able to receive 3 Crisis Grants in one year (other than in exceptional circumstances). This is important information for people to know – especially those that have already received Crisis Grants. Are councils communicating changes to the fund in response to Covid-19?

- Only 5 local authorities state that the amount of funding available has increased.
- Only 3 state the rules around the maximum number of grants in one year have been relaxed, and 16 still reference the old rules.

Providing cash is usually the most dignified way to help people in times of crisis. Nine local authorities state that Crisis Grants will be cash (often a code so cash can be withdrawn from a PayPoint), one explicitly will not give cash, one will only give cash in “exceptional circumstances” and the remainder either do not state their policy or simply say the grant could be in the form of cash, vouchers or goods.

Table 2: Scottish Welfare Fund: Local authority website analysis

	Number of clicks from local authority homepage to information about SWF	Communication rating*	Provides information on COVID-19 updates to Scottish Welfare Fund	Stated what help was available
Aberdeen City	2	Green	Yes	Cash (paypoint code)
Aberdeenshire	2	Amber	No	Not stated
Angus	2	Green	No	Could be cash vouchers or goods
Argyll and Bute	*	Red	No	Cash (paypoint code)
Clackmannanshire	1	Amber	No	Could be cash vouchers or goods
Dumfries and Galloway	2	Amber	No	Could be cash vouchers or goods
Dundee City	3	Red	No	Could be cash or in kind depending on circumstances
East Ayrshire	2	Red	Yes	Goods vouchers or "cash in certain circumstances"
East Dunbartonshire	2	Amber	No	Cash or goods depending on circumstances
East Lothian	3	Amber	No	Cash or in-kind
East Renfrewshire	1	Amber	No	Not stated
Edinburgh	4	Green	Yes	Cash (electronic transfer or paypoint code)
Eilean Siar	2	Red	No	Not stated
Falkirk	4	Amber	No	Vouchers or goods, no cash
Fife	1	Green	No	Pre-payment card, goods or vouchers
Glasgow	2	Red	No	Not stated
Highland	2	Red	No	Not stated
Inverclyde	*	Red	No	Not stated
Midlothian	2	Amber	Yes	Not stated
Moray	2	Red	No	"Financial help" or goods
North Ayrshire	**	Red	No	Cash (paypoint code)
North Lanarkshire	3	Amber	No	Not stated
Orkney Islands	4	Red	No	Cash, voucher or goods
Perth and Kinross	2	Amber	Yes	Cash (electronic transfer or paypoint code)

Renfrewshire	3	Amber	No	Cash
Scottish Borders	2	Green	No	Cash (via paypoint code, otherwise vouchers)
Shetland Islands	**	Red	No	Cash, voucher or goods
South Ayrshire	**	Red	No	cash
South Lanarkshire	1	Amber	No	Cash, voucher or goods
Stirling	**	Amber	No	Payment card or goods
West Dunbartonshire	2	Red	Yes	Cash (paypoint code)
West Lothian	3	Red	No	Not stated

* The Communication rating is a subjective rating based on whether the first mention of the SWF explains clearly what it is, whether plain language is used to describe the SWF, on the readability of the text about the SWF and whether the information is presented on the website or requires downloading further documents.

**On these websites it was not possible to find information on SWF by clicking through from the main homepage

DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

WEST LOTHIAN DEVELOPMENT TRUST ANNUAL REPORT

REPORT BY HEAD OF PLANNING ECONOMIC DEVELOPMENT AND REGENERATION

A. PURPOSE OF REPORT

The purpose of the report is to provide an update on the activity and performance of the West Lothian Development Trust up until 31 March 2020.

B. RECOMMENDATION

It is recommended that the committee notes that:

1. as of 31 March 2020, a total of £1,672,429.59 had been received in community benefit contributions;
2. £1,529,762.84 has been paid out to 59 local organisations; and
3. 22 organisations have received funding, totalling £328,346.34 in 2019 /20.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Developing our economy and working in partnership.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Wind farm community benefit policy, as agreed by Council Executive in 2007. Benefits are negotiated, in part, through Section 75 of the Town & Country Planning (Scotland) Act 1997.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	We live in resilient, cohesive and safe communities. We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.

VI	Resources - (Financial, Staffing and Property)	Community benefit payments from operational wind farms at Pateshill and Black Law.
VII	Consideration at PDSP	Reports previously received at Partnership and Resources PDSP in June 2011, April 2012, December 2012, December 2013, November 2014, December 2015, December 2016, March 2017, April 2018 and April 2019.
VIII	Other consultations	None.

D. TERMS OF REPORT

D.1 Introduction

This report provides an update on the activity and performance of the West Lothian Development Trust (WLDT) during the financial year 2019/20.

D.2 Background

In June 2006, West Lothian Council agreed a framework for engaging with developers on the community benefit potentially associated from wind farms and other developments. The adopted policy required that any community benefit received from wind farms should be distributed within 10km of the development (70% within 5km and the remaining 30% within 10km). It was agreed that a trust would distribute all community benefit payments. The trust representation was to comprise of a third of representatives from the council, a third from the local communities and up to a third from developers.

In December 2007, the Council Executive agreed to the establishment of the West Lothian Development Trust (WLDT) in line with the council's wind farm community benefit policy. Four elected members were appointed to the trust in line with the policy. Four community representatives were also appointed through an external application process.

In this reporting period there were five wind farms in West Lothian which provided community benefit payments to the WLDT - Black Law, Pateshill, Harburnhead, Tormywheel and Pearie Law.

D.3 Wind Farm Developments

There have been no new windfarm developments, or community benefit packages agreed during the reporting period.

D.4 Community Benefit

Voluntary organisations and charities operating in the area of benefit can apply to the trust for a small grant of up to £2,000 or to the main grant fund for awards of up to £25,000. Applications for up to three years funding can be made to the main grant fund and a maximum of 70% of project costs can be funded.

Community benefit payments were first received in October 2007 and the first grants were awarded by the trust in 2009. As of 31 March 2020, £1,672,429.59 in community benefit contributions have been received by the trust and a total of £1,529,762.84 has been awarded to 59 separate organisations. WLDT received

£343,253.18 from five operational wind farms in 2019/20. A total of 22 organisations were awarded grants by the trust in this period and the total value of these grants was £328,346.34.

Examples of the projects funded by WLDT in 2019/20 include the following:

- Open Door is a charity established in 1986 to support young people who are homeless, or at risk of becoming homeless. They provide support to young people to address any issues they present with working towards them obtaining sustainable housing and living independently. Open Door was awarded £25,000 to deliver a Community Outreach Project. The project targets young people in West Lothian who are already at risk of ongoing homelessness. The community outreach service provides each young person with an identified worker who can provide them with ongoing support to support them through the homeless process. In addition to the provision of support, during homeless process, the project also provides resettlement support once the young person has a tenancy. Support is then provided to establish their tenancy and ensure they have the skill to sustain it in the longer term such as a bill and money management. The worker also supports the young person to work towards obtaining and securing employment and links into employability services while supporting the young person's journey through them. The overall aim of the project is to work with young people with chaotic lifestyles until they can be linked in with appropriate services, then to work with them towards removing the barriers to education or employment.
- Women's Aid is a charity offering information, support and safe temporary accommodation to women, children and young people experiencing domestic abuse. Women's Aid was awarded £2,000 to delivery counselling services to women experiencing domestic abuse. As a result of the funding the service is able to offer up to 14 sessions and quarterly group support for clients engaged with Women's Aid or those who have been referred for support. The counselling and group sessions provide the opportunity for clients to share their experiences in a safe environment, to explore the impact of domestic abuse and to create strategies to improve self-care, wellbeing and resilience for clients. Engaging in the project will give clients the time to process their experiences, increase their knowledge and understanding of dynamics of domestic abuse and support their recovery. The increased understanding is essential to rebuild confidence and resilience to support them to not re-engage in further abusive relationships.
- The Larder aims to make a positive difference to the lives of young people, aged 14 plus who are experiencing multiple barriers to employment. The organisation uses food as a means to nurture, inspire and overcome barriers by delivering training to young people that builds skills and confidence; moving them closer to and into work in the hospitality sector. The Larder was awarded £25,000 to support their training café opened at Fauldhouse Partnership Centre in 2018. The project provides a Hospitality Training centre at Fauldhouse Partnership Centre, delivering employability services for senior phase secondary school students and employability Fund students who are aged 16+ but not in a positive destination. The project provides on the job training in a real work environment both in the kitchen and customer service, for all trainees that engage. All participants are provided with the opportunity to gain SQA qualifications and build their confidence and employability skills. The Larder's Food poverty project is supported through the café, which will provide access to food and drinks to those who are struggling as well as linkages to service that can support

them. The funding provided in January 2020, will enable to operate, to increase its opening hours and enable income generated through sales to support delivery in 2021. During the Cov-19 pandemic the Larder became one of 33 community food providers which have been working collaboratively through the West Lothian Food Network to provide food parcels, meal making parcels, chilled and frozen meals to support households experiencing food insecurity. There has been an increase in those needing support due to the COVID19 pandemic and, the network support around 4,000 people each week. Staff previously based at Fauldhouse have been supporting this delivery.

- The Polbeth Community HUB has been supporting the development of activities within the community of Polbeth especially within the Polbeth Village Hall. The organisation has been working with Partners to produce a Community Action Plan for Polbeth. While developing the plan community engagement highlighted challenges in the local area with a lack of social interaction opportunities and support for elderly, disabled, and those people vulnerable through poverty and inequality. The Community Action Plan highlighted three key areas; Poverty, Health and Wellbeing, Environment and Feeling Safe and Recreation and Facilities. To assist in delivering elements of the Polbeth Community Action Plan, the organisation applied to the West Lothian Development Trust for two years of funding at £24,990 per annum for a project manager, which was approved. The manager will work with the local community to deliver element of the community action plan and to further develop the social enterprise model for the organisation to ensure the HUB becomes a more sustainable organisation. They will explore the development of the Community Shop, increase let capacity within the building to generate income, explore the option of increasing desk hire and scope options for longer term funding for the HUB. They will also continue to attempt to maximise any funding opportunities available to the area, and will support other local organisations to also do so. The manager will continue to work in partnership with a range of West Lothian Council services and Development Trust Association Scotland to deliver the project.

Appendix 1 provides a full list of all funded projects.

E. CONCLUSION

The West Lothian Development Trust has the potential to make a substantial difference to communities in West Lothian, both now and over the remaining lifespan of the wind farms.

The West Lothian Development Trust, supported by council officers, will continue to ensure that the maximum benefit is obtained and distributed to support future regeneration opportunities in West Lothian.

F. BACKGROUND REFERENCES

Reports have previously been considered by the Partnership and Resources PDSP on the following dates:

05 April 2019, 16 March 18, 16 December 2016, 04 December 2015, 28 November 2014, 10 December 2013, 7 December 2012, 20 April 2012, 17 June 2011.

Appendices/Attachments: One

Appendix 1 – West Lothian Development Trust, Grants Awarded 2009 - March 2020

Contact Person: Clare Stewart, Employability Manager, Tel: 01506 281100,
Clare.stewart@westlothian.gov.uk

Craig McCorriston
Head of Planning, Economic Development and Regeneration

18 September 2020

Total funds received by WLDT 2009-2020	£1,672,429.59
Total grants awarded by WLDT 2009-2020	£1,529,762.84

Total received from Pateshill 2011-2020	£655,200.00
Total awarded from Pateshill 2011-2020	£604,895.61

PATESHILL	Funding	Date
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2019/20

Polbeth Community Hub	£24,990.00	Apr-19
West Calder and Harburn Community Development Trust	£17,815.00	Jun-19
Food Train	£12,500.00	Jan-20
Central Scotland Forest Trust - Polbeth	£12,500.00	Jan-20
West Calder Community Education Association	£15,782.20	Jan-20
Total 2019/20	£83,587.20	

2018/19

MOOD	£21,338.00	May-18
Bathgate Stroke Support group	£1,970.00	May-18
Addiewell	£1,980.00	Oct-18
Polbeth Management committee	£21,959.00	Dec-18
Harperrig Community Defibrillator	£1,975.00	Dec-18
The Larder	£7,500.00	Jan-19
West Calder & Harburn Community Development Trust	£12,355.00	Jan-19
Total 2018-19	£69,077.00	

2017/18

SMILE Counselling	£10,000.00	Jan-18
Stoneyburn & Bents Future Vision Group	£890.00	Jan-18
School Bank West Lothian	£9,800.00	Mar-18
The Larder	£17,500.00	Mar-18
Signpost	£6,342.00	May-17
Total 2017-18	£44,532.00	

2016/17

Stoneyburn & Bents Future Vision Group	£12,890	May-16
Signpost	£6,157	May-16
Polbeth & West Calder Community Garden	£24,796.51	Sep-16
SMILE Counselling	£10,000	Jan-17
Fauldhouse Community Development Trust	£23,000	Mar-17
Longridge Community Association	£4,000	Mar-17
West Lothian Foodbank	£8,200	Mar-17
Total 2016-17	£89,043.51	

2015/16		
Whitburn Brass Band	£10,000.00	May-15
Stoneyburn Community Council	£1,200.00	May-15
West Lothian Foodbank	£11,186.00	Sep-15
The Pitstop	£9,800.00	Sep-15
West Calder & Harburn Community Development Trust	£11,197.20	Jan-16
Murieston Community Council	£1,200.00	Jan-16
Breich Community Association	£10,000.00	Mar-16
Harburn Village Hall Association	£2,000.00	Mar-16
Fauldhouse Community Development Trust	£13,500.00	Mar-16
Total 2015-16	£70,083.20	
2014/15		
West Lothian Foodbank	£11,186.00	Jun-14
Fauldhouse Community Development Trust	£12,400.00	Jul-14
Stoneyburn & Bents Future Vision Group	£15,915.00	Aug-14
BLES	£3,192.00	Aug-14
Harburn Village Hall Association	£15,280.00	Jan-15
Signpost	£5,978.00	Mar-15
Total 2014-15	£63,951.00	
2013/14		
Fauldhouse Community Development Trust	£10,000.00	May-13
West Lothian Food Bank	£11,186.00	May-13
Stewart Court Residents Association	£300.00	May-13
West Calder & Harburn Community Council	£4,783.00	May-13
CFINE	£19,026.00	Nov-13
West Calder Utd 97s	£1,258.00	Nov-13
West Calder Community Council	£456.00	Nov-13
West Calder & Harburn Community Development Trust	£11,879.20	Mar-14
Total 2013-14	£58,888.20	
2012/13		
Fauldhouse Community Development Trust	£10,000.00	Jul-12
Stoneyburn & Bents Future Vision Group	£20,000.00	Jul-12
Central Scotland Forest Trust	£11,578.00	Jan-13
Total 2012-13	£41,578.00	
2011/12		
Answer Project	£6,940.50	Dec-11
Stoneyburn & Bents Future Vision Group	£2,800.00	Dec-11
Stoneyburn & Bents Future Vision Group	£8,000.00	Feb-12
Central Scotland Forest Trust	£17,603.00	Feb-12
Breich Park - Central Scotland Forest Trust	£20,000.00	Feb-12
Harburn Village Hall Association	£1,462.00	Feb-12
Whitburn Community Development Trust	£5,350.00	Feb-12
West Calder and Harburn Community Council	£2,000.00	Feb-12
The Pitstop	£20,000.00	Feb-12
Total 2011-12	£84,155.50	

Total received from Blacklaw 2009-2020	£541,634.81
Total awarded from Blacklaw 2009-2020	£475,498.16

BLACKLAW	Funding	Date
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2019/20

Homestart	£4,680.00	Apr-19
Whitburn Community Development Trust	£24,750.00	Apr-19
Bathgate Stroke Support Group	£1,170.00	May-19
Columba 1400	£2,000.00	May-19
Women's Aid	£2,000.00	May-19
Open Door	£25,000.00	May-19
SMILE Counselling	£23,194.00	May-19
Fauldhouse and Breich Valley Community Development Trust	£10,500.00	Sep-19
Fauldhouse Pop Skool	£6,550.00	Oct-19
Fauldhouse Community Development Trust	£1,999.94	Nov-19
Talking Newsletter	£2,000.00	Nov-19
Food Train	£12,500.00	Jan-20
Total 2019/20	£116,343.94	

2018/19

Fauldhouse Community Development Trust	£23,000.00	Apr-18
Fauldhouse Community Development Trust	£22,400.00	Apr-18
Children First	£25,000.00	Apr-18
HomeAid	£23,730.00	May-18
SMILE Counselling	£23,194.00	May-18
Stoneyburn Vision Group	£15,945.72	May-18
Greenburn Golf Club	£2,000.00	Oct-18
CSGNT - Greenrig	£13,866.00	Dec-18
SMILE Counselling	£10,000.00	Jan-19
School Bank West Lothian	£11,000.00	Mar-19
Fauldhouse Community Development Trust	£22,400.00	Mar-19
Total 2018/19	£192,535.72	

2017/18

The Pitstop	£21,350.00	Jan-18
Total 2017/18	£21,350.00	

2016/17

Answer project	£530	May-16
Longridge Community Association	£11,000	Mar-17
Total 2016-17	£11,530	

2015/16		
Redmill Fundraisers	£2,000.00	May-15
Answer Project	£1,800.00	Sep-15
Fauldhouse Community Development Trust	£9,500.00	Mar-16
Total 2015-16	£13,300.00	
2014/15		
Blackfaulds Court	£500.00	May-14
Fauldhouse Community Development Trust	£10,000.00	Jul-14
Whitburn Trojan ASC	£2,000.00	Mar-15
Total 2014-15	£12,500.00	
2013/14		
Fauldhouse Community Development Trust	£22,400.00	Jul-13
Total 2013-14	£22,400.00	
2012/13		
Fauldhouse Community Development Trust	£12,400.00	Jul-12
Total 2012-13	£12,400.00	
2011/12		
Whitburn Community Development Trust	£2,000.00	Feb-12
Central Scotland Forest Trust	£5,000.00	Apr-11
Total 2011-12	£7,000.00	
2010/11		
Whitburn Community Development Trust	£4,772.00	Aug-10
Fauldhouse Community Development Trust	£19,000.00	Dec-10
Total 2010-11	£23,772.00	
2009/10		
Fauldhouse Community Development Trust	£20,998.00	Sep-09
Blackburn and Seafield Credit Union	£11,796.00	Sep-09
Central Scotland Forest Trust	£5,000.00	Dec-09
Fauldhouse Community Development Trust	£2,000.00	Dec-09
West Lothian Retired Miners	£600.00	Dec-09
Fauldhouse Village Cemetery Restoration	£1,972.50	Dec-09
Total 2009-10	£42,366.50	

Total received from Harburnhead 2016-2020	£96,113.18
Total awarded from Harburnhead 2016-2020	£95,813.00

HARBURNHEAD	Funding	Date
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2019/20		
Harburn Golf Club	£1,500.00	May-19
Beekeepers Association	£2,000.00	Jan-20

Total 2019/20	£3,500.00
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2018/19

Harburn Village Hall Association	£2,000.00	May-18
West Calder & Harburn Community Development Trust	£8,916.00	May-18
Harburn Village Hall Association	£25,000.00	Dec-18
Signpost	£11,859.00	Jan-19
Total 2018-19	£47,775.00	

2016/17

Kirknewton CDT	£14,740	Mar-17
The Pitstop	£8,729	Mar-17
School Bank West Lothian	£2,150	Mar-17
West Calder & Harburn Community Development Trust	£18,919	Mar-17
Total 2016-17	£44,538	

Total received from PearieLaw 2017-2020	£247,169.71
Total awarded from PearieLaw 2017-2020	£229,409.09

PEARIELAW	Funding	Date
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2019/20

Community Action Blackburn	£5,000.00	Apr-19
Crofthead Playgroup	£2,005.20	Sep-19
Craigshill Good Neighbour Network	£1,960.00	Sep-19
The Larder	£15,000.00	Nov-19
School Bank	£30,450.00	Nov-19
Harburn Village Hall Association	£25,000.00	Dec-19
Total 2019/20	£79,415.20	

2018/19

West Calder & Harburn Community Development Trust	£28,808.83	Sep-18
Community Action Blackburn	£2,000.00	Oct-18
Fauldhouse Pop Skool	£7,130.00	Oct-18
West Calder Community Education Association	£10,000.00	Dec-18
Citizen's Advice Bureau	£17,065.00	Dec-18
Answer Project	£3,839.00	Jan-19
Total 2018-19	£68,842.83	

2017/18

West Calder & Harburn Community Development Trust	£28,500.00	Jun-17
Fauldhouse Penguins	£6,974.06	Jun-17
TCV	£9,422.00	Jun-17
Stoneyburn Old Folks Treat	£2,000.00	Jun-17
Harburn Village Hall Association	£3,922.00	Jun-17

WL Foodbank	£8,333.00	Jun-17
Stoneyburn & Bents Future Vision Group	£22,000.00	Jan-18
Total 2017-18	£81,151.06	

Total received from Tormywheel 2016-2020	£132,311.89
Total awarded from Tormywheel 2016-2020	£124,146.98

TORMYWHEEL	Funding	Date
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2019/20

Fauldhouse Community Development Trust	£10,500.00	Apr-19
The Larder	£10,000.00	Nov-19
Fauldhouse and Breich Valley Community Development Trust	£25,000.00	Jan-20
Total 2019/20	£45,500.00	

2018/19

The Larder	£10,000.00	Jan-19
Fauldhouse Community Development Trust - Timebank	£20,000.00	Oct-18
Answer project	£579.98	May-18
Longridge Community Association	£2,000.00	May-18
CSGNT	£23,432.00	May-18
Total 2018/19	£56,011.98	

2017/18

West Calder & Harburn Community Development Trust	£12,635.00	Jan-18
Total 2017/18	£12,635.00	

2016/17

Stoneyburn & Bents Future Vision Group	£10,000	May-16
Total 2016/17	£10,000	

**PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL
WORKPLAN TO 18 SEPTEMBER 2020**

	Agenda Item	Lead Officer	P&R PDSP Date / Month
1.	Code of Conduct Annual Report	Chief Executive	Annually December 2020
2.	Lothian Valuation Joint Board Annual Report	Chief Executive	Annually April 2021
3.	West Lothian Development Trust Annual Report	Head of Planning, Economic Development & Regeneration	Annually April 2021
4.	Annual Complaints Report	Depute Chief Executive, Corporate, Operational and Housing Services	Annually August 2021
5.	Social Security, Benefits and Welfare Reform update	Head of Finance and Property Services	Bi-annually December 2020
6.	Quarterly Performance Report	Depute Chief Executive, Corporate, Operational and Housing Services	Quarterly December 2020 February 2021 June 2021 August 2021
7.	Horizon Scan Report	Head of Finance and Property Services	Quarterly December 2020 February 2021 June 2021 August 2021
8.	Quarterly Sickness Absence Update	Head of Corporate Services	Quarterly December 2020 February 2021 June 2021 August 2021
9.	Economic Recovery in West Lothian	Chief Executive	Future meeting date TBC
10.	Armed Forces Policy Forum	Head of Planning, Economic Development & Regeneration	Future meeting date TBC
11.	Review of the Community Council Scheme	Head of Corporate Services	Future meeting date TBC
12.	Draft funding conditions for the award of capital grants to community groups	Head of Finance and Property Services	Future meeting date TBC

DATA LABEL: PUBLIC

	Agenda Item	Lead Officer	P&R PDSP Date / Month
13.	Revised PDSP Remits	Chief Executive	Future meeting date TBC
14.	Corporate Plan	Depute Chief Executive, Corporate, Operational and Housing Services	Future meeting date TBC
15.	Corporate Procurement Strategy	Head of Corporate Services	Future meeting date TBC
16.	People Strategy	Head of Corporate Services	Future meeting date TBC
17.	Customer Services Strategy	Head of Housing, Customer and Building Services	Future meeting date TBC
18.	Improvement Strategy	Head of Corporate Services	Future meeting date TBC
19.	Digital Transformation Strategy	Depute Chief Executive, Corporate, Operational and Housing Services	Future meeting date TBC
20.	ICT Strategy	Head of Corporate Services	Future meeting date TBC
21.	Internal Audit and Counter Fraud Strategy	Head of Finance and Property Services	Future meeting date TBC
22.	Risk Management Strategy	Head of Finance and Property Services	Future meeting date TBC
23.	Corporate Asset Management Strategy	Head of Finance and Property Services	Future meeting date TBC
24.	IT Asset Management Strategy	Head of Corporate Services	Future meeting date TBC
25.	Review of the Community Council Scheme	Head of Corporate Services	January / February 2021
26.	Lothian Valuation Joint Board minutes	Chief Executive	As available

Graham Hope
Chief Executive

DATA LABEL: PUBLIC