



West Lothian
Council

Council Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

23 May 2013

A meeting of the **Council Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Tuesday 4 June 2013** at **11:00am**.

For Chief Executive

BUSINESS

1. Apologies for Absence
2. Order of Business, including notice of urgent business
3. 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.

Public Session

4. Confirm Draft Minutes of Meeting of Council Executive held on 21 May 2013 (herewith).

Public Items for Decision

5. Support for Social Enterprises and Social Economy - Report by Head of Area Services (herewith).
6. Proposed Limited Waiting Parking, Bathgate - Report by Head of Operational Services (herewith).
7. Cycling, Walking and Safer Streets Grant 2012/13 - 2014/15, Proposed Pedestrian Crossing Programme, Various Locations, West Lothian -

Report by Head of Operational Services (herewith).

8. Cycling, Walking and Safer Streets Grant 2012/13 - 2014/15 Update - Report by Head of Operational Services (herewith).
9. A904 Newton Village Mitigation Measures, Reporter's Recommendations - Waiting/Loading Restrictions Hearing - Report by Head of Operational Services (herewith).
10. Food Service Plan 2013/2014 - Report by Head of Planning & Economic Development (herewith).
11. Information Management Legislation & Documentation - Report by Head of Corporate Services (herewith).
12. Performance Management - West Lothian Council Corporate Asset Management Plan (Fleet Assets) - Report by Head of Operational Services (herewith).
13. Property Asset Management Plan - Report by Head of Finance and Estates (herewith).
14. Delivering Effective Procurement - Report by Head of Finance and Estates (herewith).
15. Council's Code of Corporate Governance - Annual Review of Compliance 2012/13 - Report by Chief Legal Officer (herewith).
16. Review of Financial Regulations - Report by Head of Finance and Estates (herewith).
17. Update on Strategic Guidance to Community Planning Partnerships in Relation to the Requirements for Community Learning and Development (Scotland) Regulations, 2013 - Report by Head of Area Services (herewith).

Public Items for Information

18. Disabled Persons' Parking Places (Scotland) Act 2009 - Annual Reptot for Period 1 April 2012 to 31 March 2013 (herewith).
19. Councillors's Code of Conduct - Annual Review 2012/13 - Report by Chief Legal Officer (herewith).
20. West Lothian Community Health and Care Partnership Board - Report by Depute Chief Executive, Community Health and Care Partnership (herewith).
21. St John's Hospital Stakeholder Group - Report by Depute Chief Executive, Community Health and Care Partnership (herewith).

DATA LABEL: Public

NOTE **For further information please contact Eileen Rollo on 01506 281621
or email eileen.rollo@westlothian.gov.uk**

MINUTE of MEETING of the COUNCIL EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 21 MAY 2013.

Present – Councillors John McGinty (Chair), Frank Anderson, Tony Boyle (substituting for Cathy Muldoon), Tom Conn, Jim Dixon, Lawrence Fitzpatrick, Carl John (substituting for Peter Johnston), Dave King, Danny Logue, Anne McMillan, Angela Moohan and George Paul

Apologies – Councillors Cathy Muldoon (Vice-Chair) and Peter Johnston

1. DECLARATIONS OF INTEREST

- a) Agenda Item 18 (SLP for Affordable Housing Provision in West Lothian) – Councillor Lawrence Fitzpatrick declared a non-financial interest in that he was a Director of West Lothian Housing Partnership and therefore would not participate in the item of business; and
- b) Agenda Item 15 (SESPlan Update and Budget Ratification) – Councillor Tony Boyle declared a non-financial interest in that he was a council appointed member of SESPlan but would participate in the item of business.

2. MINUTE

The Council Executive approved the Minute of its meeting held on 23 April 2013. The Minute was thereafter signed by the Chair.

3. VETERANS WAGE SUBSIDY PROGRAMME

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services setting out a proposal to introduce a pilot West Lothian Veterans' Wage Subsidy Programme (WWSP) designed to encourage employers to recruit armed forces veterans aged 25–49 into employment.

The Head of Area Services explained that the economic downturn had adversely affected opportunities available for those seeking to enter the labour market and this included veterans trying to find employment that utilised their skills and experience. A veteran was defined by the Scottish Government as "someone who had served for at least one day in Her Majesty's Armed Forces, whether as a Regular or as a Reservist"

The best estimate was that the council currently had in the region of 924 unemployed veterans of working age living in West Lothian which was based upon 3.3% of the 28,000 veterans in Scotland estimated to be out of work.

The West Lothian Council Veterans' Wage Subsidy Programme would be

based on the principles of the Steps N2 Work wage subsidy programme and would help those aged 25-49 who had served in the armed forces to secure employment and help individuals re-adjust to civilian life.

The eligibility for the proposed VWSP were summarised in the report. Participants would work full time for 26 weeks and employment support would be provided by Access2Employment advisors throughout. The VWSP activity and outcomes would be reported on a quarterly basis to the Development and Transport Policy Development and Scrutiny Panel with the effectiveness of the programme being reviewed at the end of 2013-14 with future delivery adjusted if necessary.

A number of organisations who already engaged and supported veterans had been consulted and were fully supportive of the proposed programme. Other organisations had also offered their support to the programme including Poppy Scotland.

It was recommended that the Council Executive :-

- Approve the eligibility as detailed in the report;
- Approve the proposals for a Veterans' Wage Subsidy Programme; and
- Note that if approved the programme would commence delivery in 2013-14

Decision

To approve the terms of the report

4. STRATEGY FOR TACKLING UNDER-AGE DRINKING/DIVERSIONARY ACTIVITIES FOR YOUNG PEOPLE

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services seeking approval for the allocation of funding to support the Strategy for Tackling Under-Age Drinking/Diversinary Activities for Young People.

The Head of Area Services explained that West Lothian Council's Strategy to Tackle Under-age Drinking commenced in 2008 in response to concern expressed over problems in West Lothian related to underage drinking particularly on Friday afternoons amongst young people. A key objective of the strategy was to link the educational message with a programme of diversionary activities. In 2009 specific funds were made available to each ward and Local Area Committees were given responsibility for allocating these.

The allocation process was in two parts :-

- a) An overall allocation was made for each ward and to countywide programmes; and

- b) Ward allocations were made by Local Area Committees based on applications received and recommendations from officers.

The report then provided details of the three countywide programmes, these being Floorwalk, Midnight Football and West Lothian Youth Action Project's Summer Programme and of the allocations of monies to each ward.

The Head of Area Services continued to explain that the Strategy to Tackle Underage Drinking Funding for Diversionary Activities was now included in the commissioning strategy for Tobacco, Drug and Alcohol Services and funded activities were expected to have a greater focus on outcomes that had a wider more discernable impact on drinking behaviour. The outcomes agreed in the commissioning strategy were :-

- Reducing antisocial behaviour;
- Delivery of 1:1 alcohol brief interventions; and
- Changing individual and group attitudes in relation to drinking.

The report concluded that the diversionary funding made available through the Strategy for Tackling Under-age Drinking had contributed to significant reductions in the number of underage drinking instances reported across West Lothian and was now increasingly focussed on raising awareness and changing attitudes of young people in relation to the impact of alcohol use and misuse.

It was recommended that the Council Executive :-

1. The proposed allocation of funding to individual wards for initiatives to be agreed by Local Area Committee's as follows :-

Armadale & Blackridge	£22,610
Bathgate	£31,685
Broxburn, Uphall & Winchburgh	£15,429
East Livingston & East Calder	£29,686
Fauldhouse & Breich Valley	£30,575
Linlithgow	£14,896
Livingston North	£24,351
Livingston South	£28,877
Whitburn & Blackburn	£46,891

2. The proposed allocation to county wide programmes, specifically :-

- Midnight Football - £37,000

- West Lothian Youth Action Project Summer Programme - £18,000

3. It was further recommended that the Council Executive supported the continuation of provision from April to June 2013 through existing programmes and that Local Area Committee's agree new applications to run until 2014.

Decision

To approve the terms of the report

5. WEST LOTHIAN FAIRTRADE DAY 2013 AND FUTURE YEARS

The Council Executive considered a report (copies of which had been circulated) by the Head of Area Services providing an update on the success of West Lothian's first Fairtrade Day on 1 March 2013 and other activities held across West Lothian during Fairtrade Fortnight and to agree to support a West Lothian Fairtrade Day as part of Fairtrade Fortnight in 2014 and future years.

The Head of Area Services explained that West Lothian Fairtrade day took place on 1 March 2013. This involved a range of promotional events across the day, including the launch of a new West Lothian Fairtrade leaflet and directory, photo shoots at Linlithgow Burgh Halls and the Centre, and promotional stalls at a number of council buildings, West Lothian College, the Centre and other local businesses.

West Lothian schools also took part in a number of events on the day and across the fortnight and local faith groups also took part on World Prayer Day.

Over the fortnight other activities also took place across West Lothian with town group events including a penalty shoot-out between Livingston FC and Airdrie and a visit from rice producers from Malawi to local primary schools.

In reviewing the day the West Lothian Fairtrade Zone Steering Group agreed that as the first such day, it had been a success and that it should be built on in future years. Therefore an early decision would enable the Steering Group to plan ahead over a longer period in 2013 and ensure that the Fairtrade Day in 2014 was an even bigger success and would become an established part of West Lothian's calendar of events.

It was recommended that the Council Executive :-

1. Note the success of Fairtrade Day in 2013;
2. Support the idea of a West Lothian wide Fairtrade Day during Fairtrade Fortnight 2014 and future years; and
3. Delegate powers to the Head of Area Services and West Lothian

Fairtrade Zone Steering Group to agree the day and co-ordinate activities.

Decision

To approve the terms of the report

6. 0.10 HECTARES AT FERGUSON WAY, KNIGHTSRIDGE, LIVINGSTON - GROUND LEASE TO KNIGHTSRIDGE NEIGHBOURHOOD NETWORK

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval for the variation of the use of the ground at Ferguson Way, Knightsridge by the Knightsridge Neighbourhood Network.

The Head of Finance and Estates advised that the Council Executive had previously approved to grant a 25-year ground lease of 0.10ha at Ferguson Way to the Knightsridge Neighbourhood Network so the ground could be used for a single-storey prefabricated building, which was to be used as changing rooms for nearby sporting facilities. Missives for the agreement were signed by both parties however the lease document remained unsigned and as yet no changing rooms had been built.

Recently the Knightsridge Neighbourhood Network indicated their plans for the use of the site had changed and they no longer wanted to pursue the provision of changing rooms and approached the council to request permission to develop the site as a "Community Garden".

The Head of Finance and Estates further advised that Planning had already been approached with regard to a potential change of use on the site and had indicated that they anticipated there would be no issues with the change of use.

It was recommended that the Council approve the variation of the use clause in the lease of the ground at Ferguson Way, Knightsridge, Livingston to allow it to be used as a community garden.

Decision

To approve the terms of the report.

7. THE FUTURE OF WEST CALDER WORK SPACE, SOCIETY PLACE, WEST CALDER

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates advising of discussions with West Calder and Harburn Community Council on the future use of the West Calder Work Space at Society Place, West Calder.

At its meeting on 13 November 2012 the Council Executive approved the acquisition of the former surgery at Dickson Street, West Calder to replace the managed business accommodation of the West Calder Work

Space in Society Place. The Executive also approved the closure of the Work Space following the relocation of the tenants to Dickson Street and agreed that officers should report back with options for the future use of the building at Society Place following consultation with the local community and community council.

Therefore contact was made with the West Calder and Harburn Community Council outlining the proposals for the relocation of Dickson Street and the reasons behind it. In particular it was explained that the age, suitability and condition of the building at Society Place and the level of investment to bring them to a standard for any alternative council use, made any future use uneconomic. It was indicated that the council was likely to pursue a sale of Society Place, with marketing to take place while Dickson Street was being converted in order to avoid the building at Society Place being empty for too long a period.

Following the production of set of planning guidelines and which were forwarded to West Calder and Harburn Community Council they indicated that they were very much minded that they would like to retain the Work Space as these buildings were seen as having played a significant role in the village's history. The report provided a summary of the community council's response, which provided three different options. It was noted that there was no support for the demolition of the premises and in fact considerable opposition to any such measure.

In response to the Community Council's comments officers considered that the Work Space was not of a standard suited to modern business use, even if significant investment was made and there was not considered to be sufficient demand to support two managed work spaces in West Calder. It was also understood that the Community Council were investigating the availability of Heritage Lottery and LEADER funding to support the refurbishment of the work space with a view to the property transferring under the council's Community Asset Transfer policy. However a sustainable future use was fundamental to the proposals for asset transfer and in the absence of any substantive proposals, officers were not able to make an assessment as to whether a transfer could be supported.

Therefore it was recommended that the property be marketed for sale in line with planning guidelines but with a clear preference that any redevelopment would retain the buildings. As any successful offer would likely need planning permission this would afford the opportunity for the Community Council to continue to develop their ideas on how they might use the property and allow them to submit these alongside any offers to purchase.

Therefore it was recommended that the Council Executive approve that the property at Society Place be marketed for sale with the stated preference for a sale that ensured the retention and redevelopment of the property to reflect the historical significance in the local community.

Motion

To replace the recommendation of the report with the following :-

“Officers to prepare a formal planning brief for the site which reflects the clear preference of the council for any redevelopment that ensures the retention of the property to reflect the historical significance in the local community.

Following completion of the planning brief that the property at Society Place should be marketed for sale”.

Decision

To unanimously approve the terms of the motion

8. BLACKRIDGE STATION - COMPENSATION SETTLEMENT MESSERS MCNEE, WOODEND FARM, ARMADALE - LAND AT WESTRIGG, NORTH OF BLACKRIDGE RAILWAY STATION, BLACKRIDGE

The Council Executive considered a report (copies of which had been circulated) by the Head of Finance and Estates seeking approval for the payment of statutory compensation in respect of land utilised as part of the works to deliver Blackridge Railway Station, Blackridge.

It was explained that in 2010 the council acquired land from Messrs McNee to facilitate the construction of the car park, access road and associated drainage for the delivery of Blackridge Railway Station as part of its contribution to the project which was delivered in partnership with Network Rail. In addition to the permanent land acquisition a licence agreement was entered into with Messrs McNee, the land owner, to take temporary possession of additional land for the purposes of providing working space and a construction compound.

The terms of both the permanent acquisition and the licence agreement placed obligations on the council that upon completion of the main construction works that all the land occupied under the licence would be reinstated and returned to Messrs McNee. As part of the reinstatement works, new stock proof fences, drainage to prevent flooding from the road run off, water gates to the burn and re-seeding of neighbouring land would be required.

The council let the works contract to undertake the main road construction and associated works to Ritchie Brothers (Scotland) Ltd. However prior to undertaking the reinstatement and snagging works the company went into administration and was subsequently placed in administration. The council had been in discussion with the interim liquidator about outstanding contractual matters but in the meantime agreement was being sought with professional advisors acting on behalf of Messrs McNee on the extent of the reinstatement to be completed.

As part of these negotiations it had been provisionally agreed that to ensure value for money, expedite completion of remaining works and settle the council's remaining obligations, that a financial settlement

equivalent to the costs the council would incur by engaging a new contractor should be paid to the landowner. Agreement had now been reached on the appropriate sum of £24,975 in full. This would be funded from the General Services Capital Programme and had been budgeted for.

It was recommended that the Council Executive authorises the payment of £24,975 to Messrs McNee as full and final settlement to statutory compensation arising from the occupation of land at Westrigg, north of Blackridge Railway Station, Blackridge, used for the construction of the access road, car park and associated drainage.

Decision

To approve the terms of the report.

9. PROPOSED CHANGES TO WAITING RESTRICTIONS, PROVISION OF NEW WAITING RESTRICTIONS AND PROVISION OF DISABLED PARKING SPACES IN LIVINGSTON

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval to initiate the statutory procedures to introduce “no waiting at anytime” restrictions to various lengths of road in Livingston, to update an existing traffic regulation order due to road layout changes and to seek approval to initiate the statutory process to introduce disabled parking bays at Livingston North Station.

The Head of Operational Services explained that over the last three years the council had received many requests for new waiting restrictions and changes to existing traffic regulation orders for which a significant number were for Livingston. Parking was occurring on roads, verges, footways and corners on several roads in Livingston and concerns had been raised by ward members, community groups, businesses and individuals about inconsiderate or obstructive parking.

As a result of these enquiries 16 sites were investigated, details of which were attached to the report at Appendix 1 and some of these schemes were recommended for progressing and some were not. Police Scotland and local ward members were consulted on the proposals and any comments made were detailed in the report.

Therefore it was recommended that the Council Executive :-

1. Approve the initiation of the statutory procedures to promote permanent traffic regulation orders in the following locations :-
 - Muir Road
 - Grange Road and Firth Road
 - Beveridge Square

- Almondvale Business Park
- Carmondean Centre South Road
- Livingston North Train Station
- Alba Campus; and

2. Note that other similar requests had been investigated but no further action was proposed.

Decision

To approve the terms of the report.

10. PROPOSED TRAFFIC CALMING AND 20 MPH SPEED LIMIT AT NEW BREICH PRIMARY SCHOOL

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services seeking approval of the introduction of a 20mph speed limit and associated traffic calming in Woodmuir Place and Rashiehill Crescent, Breich.

The Head of Operational Services explained that a section of road outside the existing Woodmuir Primary School had a speed limit of 20mph with traffic calming and was part of a council wide programme to introduce 20mph speed limit outside schools.

The new primary school was currently being constructed and the location of the access was east of 63 Rashiehill Crescent however there was no reduced speed limit or traffic calming in the surrounding areas.

Therefore in order to address this and adopt a consistent approach it was proposed that the speed limit on Woodmuir Place and Rashiehill Crescent be reduced to 20mph. It was also proposed to supplement the 20mph speed limit with traffic calming measures on Woodmuir Place and Rashiehill Crescent.

The detail of the traffic calming measures would be finalised through consultation with the local community and emergency services. However officers considered that round top road humps would be the most appropriate type of measure.

Both the proposed speed limit and road humps would be advertised and any unresolved objections reported back to the Council Executive. Police Scotland, local ward members and the community council had all been consulted and supported the proposals.

It was recommended that the Council Executive approve:-

- The commencement of the statutory consultation of the necessary traffic regulation order to introduce a 20mph speed limit on

Woodmuir Place and Rashiehill Crescent;

- The introduction of appropriate traffic calming measures in support of the 20mph speed limit; and
- The commencement of the statutory consultation required to introduce traffic calming measures.

Decision

To approve the terms of the report.

11. CONSULTATION ON THE LEGISLATIVE FRAMEWORK GOVERNING ALLOTMENTS

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services advising of a Scottish Government consultation on the legislative framework governing allotments and to seek approval for the submission of a response, a copy of which was attached to the report.

The Head of Operational Services explained that the Scottish Government had brought forward a consultation that explored the possible content of a Community Empowerment and Renewable Bill (CERB) with the consultation specifically seeking views on whether and how current allotments legislation may need to be changed.

The current consultation was seeking to (1) explore ways in which the legislation relating to allotments should be simplified or amended and (2) review the duties placed on local authorities by the current allotment legislation. Responses would be fed directly into the development of a draft Community Empowerment Bill that would be consulted on during the summer.

The consultation was structured to reflect the key points raised during the 2012 consultation on the proposed CERB and included :-

- Reviewing the definition of allotment;
- Reviewing the powers and duties of local authorities in relation to allotments;
- Identify any other areas of the legislation that may need to be updated or simplified; and
- Explore the impact the changes to the current legislative framework could have.

It was recommended that the Council Executive note the content of the proposed consultation response and approve for submission to the Scottish Government.

Decision

To approve the terms of the report

12. SESPLAN UPDATE AND BUDGET RATIFICATION

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development advising of the progress on the Strategic Development Plan and to seek ratification of the proposed operating budget for SESPlan.

The Head of Planning and Economic Development explained that the SESPlan Joint Committee, comprising of representatives from City of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders and West Lothian Councils met on 11 March 2013 to consider a number of issues relating to SESPlan including the SESPlan Finance and Audited Accounts.

The report then provided a summary of the reports that had been ratified by the SESPlan Joint Committee and now required approval by West Lothian Council. Details of the SESPlan operating budget was attached to the report at Appendix 1.

It was recommended that the Council Executive :-

- Endorse the decision by the SESplan Joint Committee to agree the 2012/13 Six Month Provisional Out Turn for SESplan;
- Endorse the decision by the SESplan Joint Committee to agree the proposed operating budget for SESplan over the financial year 2013/14;
- Note the publication of the SESplan annual report for 2011/12;
- Note the publication of Development Plan Scheme No.5 setting out timescales for the various stages of preparing the strategic development plan;
- Note that the report on the Examination of the Proposed Strategic Development Plan was anticipated by 24 June 2013; and

Decision

To approve the terms of the report.

13. VILLAGES IMPROVEMENT FUND

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development setting out proposals for the delivery and operation of the Village Improvement Fund of £1.65m to be phased over 2013-14 to 2017-18.

The Head of Planning and Economic Development explained that the council had agreed to establish a Village Improvement Fund of £1.65m phased over five years. In order to progress with implementation of the scheme a number of matters required to be agreed. It was therefore proposed that the fund would have two work streams these being :-

- A shop frontage/shop improvement scheme; and
- Small scale village improvements and initiatives

Details of the two work streams were summarised in the report and it was noted that assuming a spend of £60,000 on shop/shop-front improvements the total budget for small scale village improvements and initiatives could be £1,590,000.

With 26 eligible communities identified it was proposed that the fund be split as follows :-

- £35,000 each for the top 5 villages per population;
- £15,000 each for the middle 15 villages; and
- £5,000 each for villages with less than 500 population

The report continued to provide information on the assessment criteria that would be used for capital grants and included value for money, justification for the funding and the level of community involvement. Additionally proposals linked to or able to provide employability and training opportunities for young people would be prioritised.

With regards to decision making on any proposals the Head of Planning and Economic Development explained that the shop front improvements which met the defined criteria, as summarised in the report, would be delegated to officers once the qualifying criteria had been approved by the Council Executive. However this delegation would not override the need for planning permissions through the appropriate channels. With regards to shop front applications these would be considered on a rolling programme basis on a first-come-first served basis until such time all the funding had been allocated. Additionally all small scale village improvements would be subject to consultation with the appropriate Local Area Committee with recommendations made being forwarded to the Council Executive for approval.

Attached to the report at Appendix 1 was a list of the identified settlements which could potentially fall into the scope for the fund, with twenty six having been identified and none of which had been supported through the Town Centre Regeneration Fund package. The list had been restricted to defined villages (settlements with a population of less than 10,000) and did not include hamlets or scattered collections of dwellings.

It was recommended that the Council Executive :-

1. Approve the list of eligible areas for the bids into the fund;

2. Approve the two broad elements of the scheme;
3. Approve the assessment criteria for projects; and
4. Note the intention to commence the scheme in June 2013

Decision

To approve the terms of the report.

14. ALMONDVALE PARK STUDY, LIVINGSTON

The Council Executive considered a report (copies of which had been circulated) by the Head of Planning and Economic Development advising of the outcome of consultation on the Almondvale Park Study, Livingston and to advise of development opportunities within the park.

The Head of Planning and Economic Development explained that Aitkens were commissioned to undertake a study of Almondvale Park with the findings being reported to the Livingston South Local Area Committee on 23 September 2011. The study concluded that there was no sense of arrival to the park, access routes were in poor condition and acted as barriers to movement and there were too many entrances. However in terms of strengths the park was in a central location acting as a green corridor and was well located for public transport. In addition the study identified possible funding bodies to carry out improvements and advised that there were opportunities for redevelopment of areas which were currently under-utilised.

The study was subject to public consultation over a nine week period and all community councils in Livingston were contacted and a dedicated web page was set up to allow for the submission of comments. The consultants had made nineteen recommendations for park improvements and interested parties were invited to comment on these and indicate those they would most like to see being carried out.

By far the top priority for improvement was to convert the existing amphitheatre into a natural play area for the park. Other priorities included lighting and decorating underpasses to make them feel safer and the creation plazas for socialising. Additionally as the majority of proposals were mostly directly to the south of Howden Park the idea of linking Almondvale Park with Howden Park to create a larger Town Park for the centre of Livingston was also suggested.

Development opportunities and funding for improvements were also explored in the report and these included a lottery funding application, development of community partnerships and the sell-off of council assets.

The Head of Planning and Economic Development continued to explain that all Livingston members were invited to a site walkover on 17 January and all were generally supportive of the need to make more of the park and improve the environment.

The report concluded that the results of the consultation indicated that there was broad support to undertake park improvements and the favoured option to fund these was to develop partnerships with local groups and seek funding for specific projects. The establishment of such a group would allow for further investigations to be made on funding sources. In the interim it was recommended that a series of tidy up measures be implemented, within the park, subject to availability of funding within existing budgets and that the council's Estate Manager would be asked to explore further the sale of the site number 3.

It was recommended that the Council Executive :-

- Note the contents of the report;
- Support the release of site 3 identified in the Almondvale Park Study for development;
- Agree that a planning brief, complementary to the surrounding park area, be prepared for site 3 identified in the Almondvale Park Study for development, should the council decide to move forward with site disposal;
- Agree to remit to the Head of Operational Services to investigate all possible funding streams for delivery of park improvements and report the outcome back to the Environment PDSP at a future date;
- Agree to remit to the Head of Operational Services to investigate the potential of developing partnerships with local groups and expanding the remit of these groups or setting up of a dedicated group for Almondvale Park and that progress be reported back to the Environment PDSP at a future date; and

Decision

To approve the terms of the report

15. COMMUNITY COUNCIL SPECIAL PROJECT GRANT APPLICATIONS 2013-14

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services inviting consideration of applications for special project grants received from Ecclemachan & Threemiletown, East Calder and Wilkieston and Uphall Community Councils, details of which were attached to the report at Appendix 1.

The Head of Corporate Services advised that a special project grant operated for Community Councils to allow them to carry out projects in their areas and that they could apply for a maximum of £750 special project funding in each financial year. There was no minimum grant.

These were the first applications to be considered by the Council Executive in the current financial year and if the applications were granted

as recommended then the balance remaining would be £1450.

It was recommended :-

1. That the application received from Ecclesmachan & Threemiletown Community Council for £400 towards the costs of purchasing a wheeled trimmer be approved;
2. That the application received from East Calder & Wilkieston Community Council for £750 towards the costs of purchasing and installing a community notice board at the East Calder Health Centre be approved subject to a written confirmation that the land owners were happy to the board to be erected on their land; and
3. That the application received from Uphall Community Council for £400 towards the costs of printing a community council newsletter be approved.

Decision

To approve the terms of the report

16. STRATEGIC LOCAL PROGRAMME FOR AFFORDABLE HOUSING PROVISION IN WEST LOTHIAN

The Council Executive considered a report (copies of which had been circulated) by the Head of Housing, Construction and Building Services advising of additional resources from central government for the Strategic Local Programme (SLP) for affordable housing in West Lothian and to seek agreement on how these resources should be allocated.

The Head of Housing, Construction and Building Services explained that as previously advised the Scottish Government had introduced a new planning system for the supply of affordable housing in the form of a Strategic Local Programme (SLP). The idea was that council and housing association funding streams from central government were brought together into one budget. The programme would cover a three year period from 2012 to 2015.

In March 2013 a further £1.207m was made available by the Scottish Government taking the total programme up to 2015 to £11.927m. The report then provided a list of projects which could be considered for funding. The recommendation was to split the additional funding between council projects and RSL projects which were already on site or which could be delivered quickly. A full summary of the projects funded through the Strategic Local Programme (2012-2015) was provided in Appendix 1 attached to the report. Any new projects which were not funded at this stage would be held on a reserve list along with any new projects that could arise and would be considered for future funding opportunities as and when they arose.

It was recommended that the Council Executive note the additional £1.207m government funding for the West Lothian SLP (2012-2015) and

agree that this should be allocated as follows :-

- West Lothian Council, £300,000 to subsidise 10 houses for social rent at Alderstone Road, Livingston;
- West Lothian Development Alliance, £600,000 to subsidise an additional 16 properties for social rent at Westgate Towers, Bathgate; and
- West Lothian Council, £300,000 to subsidise 10 of the 18 amenity houses for social rent at West Main Street, Broxburn.

Motion

To approve the terms of the report

- Moved by Councillor Paul and seconded by the Chair, Councillor McGinty

Amendment

To use the additional government funding for prudential borrowing purposes so that the additional money could be used to install PV panels in some council housing, which in turn would create more jobs, with priority being given to those council tenants in receipt of housing benefit.

- Moved by Councillor Anderson and seconded by Councillor John

Decision

Following a vote the motion was successful by 9 votes to 2 and it was agreed accordingly.

17. COURT OF THE DEACONS OF THE ANCIENT AND ROYAL BURGH OF LINLITHGOW (TUES 18TH JUNE 2013) - NOMINATION OF COUNCILLORS TO ATTEND LINLITHGOW MARCHES

The Council Executive considered the terms of a letter received from the Clerk to the Court of the Deacons of the Ancient and Royal Burgh of Linlithgow.

The letter invited the Council to nominate up to five elected members to attend the 2013 Riding of the Marches.

Decision

Agreed attendance by Councillors Jim Dickson, Mary Dickson, Anne McMillan, Barry Robertson and Frank Toner.

18. COMMUNITY COUNCIL GRANTS 2013-14

The Council Executive considered a report (copies of which had been

circulated) by the Head of Operational Services advising of the administration and special project grants which had been paid to community councils during the year from 1 April 2012 to 31 March 2013.

The Head of Corporate Services advised that administration grants were paid automatically to community councils on submission of satisfactory audited accounts and were paid at a rate of £7.50 per 100 of the population or £250, whichever was the greater. An additional payment of £35 was also paid with the administration grant to cover the cost of community councils registering with the Scottish Information Commissioner to comply with the terms of the Data Protection Act 1998.

During financial year 2012-13, following the Council Executive's decision in June 2012, to increase the Voluntary Organisations Budget by 10%, each community council received a 10% uplift on their administration grants.

Attached to the report at Appendix 1 was the level of grant available to each community council for the current financial year, audited accounts which had been received and when grants were awarded.

Additionally at the start of each financial year when community councils were notified of their level of administration grant, they were reminded of the availability of the special project grant fund. The special project grant scheme allowed community councils to carry out projects in their areas such as production of newsletters, environmental improvements, park benches, etc. Community Councils could apply for a maximum of £750 special project funding in each financial year and there was no minimum grant.

It was recommended that the Council Executive note the payments made from the Community Council administration and special project grants budget during the financial year 2012-13.

Decision

To note the contents of the report

19. PROCUREMENT - OUT-TURN MONITORING REPORT

The Council Executive considered a report (copies of which had been circulated) providing a monitoring report on procurement activities.

The report advised that following agreement of the Modernising Procurement Review quarterly monitoring reports on procurement activities would be provided to the Council Executive.

The Head of Finance and Estates advised that work had been carried out in provision of new contracts to assist in increasing the percentage of contracted spend. This work had resulted in 34 contracts being let or adopted in the last quarter. Appendix 1 to the report provided a list of these contracts.

Further work to identify and input contracts not included in the Corporate Contract Management System had taken place which resulted in 77.5% of spend being captured. The target for the end of the final quarter had been set at 80%. Work was also continuing in developing a new five year strategy that followed the template recently introduced across the council to standardise the content of all strategy documents.

The report went on to provide a short narrative on the following:-

- Progress Against Procurement Review and Strategy
- Collaborative Arrangements
- Improving Procurement Capabilities and Capacity
- Community Benefits and living wage

In conclusion the report advised that it was the aim of the Corporate Procurement Unit to lead significant improvements in procurement performance over the coming months through the progress to date and the implementation plans that were in place going forward.

It was recommended that the Council Executive :-

1. Note the contracts let since January 2013 and savings achieved to date in 2012-13;
2. Note the work in progress to ensure a new five year strategy document was delivered; and
3. Note the continued work on implementing the actions of the Modernising Procurement Review and ensure community benefits were successfully incorporated into procurement process across Scotland.

Decision

To note the contents of the report.

20. SOCIAL POLICY CONTRACT ACTIVITY UPDATE

The Council Executive considered a report (copies of which had been circulated) by Head of Social Policy providing an update on contracting activity for the provision of care and support services for the period 1 April 2012 to end of March 2013.

The Head of Social Policy advised that under West Lothian CHCP's Health, Care and Support Services Procurement Procedures the Head of Social Policy was required to report bi-annually to the Council Executive on the care and support contracts awarded or extended within the period of reporting and was to include any general update on contract activity.

The report then provided a summary of those Social Policy contracts that had either been awarded or amended under the guidance of the Social Policy Contracts Advisory Group.

It was recommended that the Council Executive :-

- Note the contracting activity for the provision of care and support services for the period 1 April 2012 to 31 March 2013;
- Note the on-going development of clear contractual agreements between the council and providers of care and support services; and
- Note that the contracting period for the Befriending Service was for 1 year with an option to extend up to 2 years.

Decision

To note the contents of the report.

21. COUNCILLORS' LOCAL DISBURSEMENT FUND

The Council Executive considered a report (copies of which had been circulated) advising of expenditure from the Councillors' Local Disbursement Fund for the period 1 April 2012 to 31 March 2013.

The Head of Corporate Services explained that the guidelines for the operation of the fund included a requirement for a summary report of expenditure from the Fund to be submitted to the Council Executive every six months.

The budget for the Fund for 2012-13 was £92,358.00. Members received regular information about sums allocated by them and balances remaining. The budget was divided amongst the then 32 members for the period to the date of the election in May 2012 and for the remaining part of the year after that amongst the 33 councillors elected. All members disbursed their entire allocation during the year.

Members were also reminded that for a disbursement to come within the guidelines for the scheme there should be some evidence in the application of a benefit to the community rather than a benefit to an individual.

The budget for 2013-14 remained unchanged at £92,358 or £2,798.78 per elected member, with this information having already been passed to members.

It was recommended that the Council Executive note the expenditure from the Councillors' Local Disbursement Fund for the period 1 April 2012 to 31 March 2013.

Decision

To note the contents of the report.

22. PUBLICATION OF ELECTED MEMBERS REMUNERATION, EXPENSES AND ALLOWANCE INFORMATION 2012-13

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of the levels of Elected Members Remuneration, Expenses and Allowances paid from 1 April 2012 to 31 March 2013. Details of training undertaken were also provided.

The Head of Corporate Services advised that in accordance with the Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2010, Councils were required to record and publish details of the payments made to elected members in the previous year from 1 April to 31 March, no later than 1 June each year.

A copy of the records of payments made in accordance with the regulations from 1 April 2012 to 31 March 2013 was set out in Appendix 1 attached to the report. All amounts were stated gross before any deductions for Income Tax and National Insurance.

While the levels of salary were fixed depending on the designation, the amounts of travel, subsistence and expenses claimed varied between elected members depending on their activities and duties throughout the year. The analysis also included "other expenses" which had to be disclosed under the scheme and this related to receipted expenditure incurred by the Provost and Depute Provost on civic duties and the costs of conferences and seminars which were paid for directly by the council.

In addition to the levels of payment made, the regulations also required the council to publish details of training undertaken during the reporting period and this was detailed in Appendix 2 attached to the report.

It was recommended that the Council Executive note the terms of the report and to display the attached schedules as per the appendices on the council's website.

Decision

To note the contents of the report.

23. EARLY RETIRAL/VOLUNTARY SEVERANCE - 6 MONTH

The Council Executive considered a report (copies of which had been circulated) by the Head of Corporate Services advising of the number of employees who were granted early retirement/voluntary severance from the council during the 6 month period from 1 October 2012 to 31 March 2013.

The Head of Corporate Services advised that the council's policy on Early Retirement and Voluntary Severance required that reports on the application

of the policy were submitted regularly to Council Executive.

In accordance with the policy all cases approved during the period were dependent on the establishment of a business case which ensured that costs of releasing the employee were recovered within the stipulated timescales. Of the 9 cases approved all fell within the 2 year payback period.

Details of the approved cases were provided in Appendix 1 attached to the report.

It was recommended that the Council Executive note the content of the report which had been prepared in accordance with the reporting requirements of the council's policy on Early Retiral and Voluntary Severance.

Decision

To note the contents of the report

24. PRIVATE SESSION

The committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting during consideration of the following item of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 7A of the Act.

25. SOCIAL WORK COMPLAINTS COMMITTEE RECOMMENDATION

The Council Executive considered a report (copies of which had been circulated) by the Head of Social Policy advising of the outcome of a meeting of the Social Work Complaints Review Committee held on 25 April 2013 and to ask the Council Executive to consider the committee's recommendation.

The Head of Social Policy explained that the council was required by legislation and statutory guidance to have a Social Work Complaints Review Committee in place to deal with complaints by service users about social work services. The committee was made up of one councillor and two independent members who were to have a background in social work, tribunal processes or legal/judicial experience. The committee could not make decisions but could make recommendations as to actions it considered the council should take.

On 25 April 2013 the committee met to consider a complaint which had been made arising from the process assessment of the needs of a looked-after child. The complaint was in relation to an alleged delay in informing the complainer of the outcome of the meeting of the Senior Officer's Review Group (SORG) which was a multi agency forum through which specialist decisions about the need for enhanced support for

children with additional needs and the services provided to meet those needs was made.

The committee recommended that the council should make a payment to the complainer for paying personally for a specialist placement for the period 17 April to 27 June 2012. The committee accepted that the council did require to have processes in place to deal with the assessment of the needs of children, especially in a multi-agency environment and made no criticism of the processes.

It did however decide that more should have been done quickly to tell the complainer that a decision on the matter had been delayed to allow for further information to be obtained pertaining to the case.

It was further noted that if the committee's recommendation was not accepted that the complainer would have the right to raise the matter further through the Ombudsman and the council would be required to provide reasons for that decision.

It was recommended that the Council Executive :-

1. Note that the Social Work Complaints Review Committee on 25 April 2013 recommended that the council should pay to the complainer the cost incurred in relation to the funding of a continued specialist placement for the period from 17 April to 27 June 2012; and
2. Consider the recommendation made and whether or not it should be accepted and implemented.

Decision

To approve the terms of the report



West Lothian
Council

COUNCIL EXECUTIVE

SUPPORT FOR SOCIAL ENTERPRISE AND THE SOCIAL ECONOMY

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to inform Council Executive members of current and proposed activities to support the development of social enterprise in West Lothian.

B. RECOMMENDATION

It is recommended that Council Executive agrees to:

1. Award West Lothian Social Enterprise Network £50,000 for the purposes outlined in this paper.
2. Use £50,000 agreed for a Governance, Capacity and Funding Improvement Programme to support the development of sustainable social economy/enterprise organisations.
3. Confirm that £25,000 received from the Scottish Government be used to support social enterprise development.
4. Note the success of the Partners for Change process and welcome progress in developing a draft Commissioning Improvement Plan.
5. Note progress in the development of a Social Economy Strategy for West Lothian.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; Being honest, open and accountable; Providing equality of opportunities; Making best use of our resources; and Working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The duty of Best Value is set out in the Local Government in Scotland Act 2003. West Lothian Compact.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.

V	Relevance to Single Outcome Agreement	Contributes to SOA Outcome 11 : We have strong, resilient and supportive communities where people take responsibility for their actions and how they affect others
VI	Resources - (Financial, Staffing and Property)	£100,000 from the approved Area Services 2013/14 revenue budget, plus £25,000 from the Scottish Government.
VII	Consideration at PDSP	This report was discussed at the Voluntary Organisations PSDP on 23 May 2013 and recommended to Council Executive for approval.
VIII	Other consultations	Discussion on these proposals was undertaken with the voluntary sector through the Voluntary Sector Gateway West Lothian (VSGWL) and West Lothian Social Enterprise Network (WLSN).

D. TERMS OF REPORT

D.1 Introduction

West Lothian Council is committed to supporting volunteering, voluntary organisations, social enterprises and the development of a more enterprising and sustainable social economy that contributes to key West Lothian Council outcomes.

This report is intended to advise Council Executive of a range of measures including financial support to the West Lothian Social Enterprise Network, investment in learning and training for both council officers and those working in the voluntary and community sector, and increasing awareness and accessing of specialist advice from external organisations and initiatives such as Partners for Change. These will be underpinned by a Social Economy Strategy for West Lothian which will come to Council Executive after the summer recess.

Council previously agreed specific additional time limited funding of £100,000 for one year (2013-14), with £50,000 allocated to support the development of a Social Enterprise Network and £50,000 allocated to fund a Voluntary Organisations, Capacity and Funding Improvement Programme. The Scottish Government has also offered a one-off contribution of £25,000 to support social enterprise development in West Lothian. This funding package is available for one year only as initial investment but endeavours will be made to develop a continuation plan for key elements beyond 2013/14.

This report updates Council Executive on proposals for use of these allocations, and also related work linked to the development of a more enterprising third sector alongside partners within the sector.

D.2 Development of a Social Enterprise Network

There is a West Lothian Social Enterprise Network (WLSSEN) which has recently constituted itself but is not yet incorporated. WLSSEN submitted a request for £50,000 to support their work during 2013-14. The application was itemised as detailed below:-

HEADING	DESCRIPTION	TOTAL
Network Administration	A funded post to undertake the administration including booking and servicing meetings, taking minutes, keeping database up to date etc	£0 (Embedded in Network Co-ordinator)
Network Co-ordinator	Member of staff to develop the network, run programmes, build the membership, encourage joint working etc. Includes admin.	£23,717
Office, admin and equipment costs		£7,950
Branding and marketing.	To strengthen the network and its presence and profile, including materials and web site.	£4,500
Training and member expenses	Member expenses and training	£2,000
Miscellaneous		£1,833
Business Development Contract	Contract to deliver specialist business development (similar to Edinburgh, Fife, Ayrshire, North Lanarkshire and other areas).	£10,000 (Call off contract)
Total		£50,000

The funding will be used to provide co-ordination and administration for the current embryonic WLSSEN, fund promotional and information materials including a dedicated website, and obtain specific business development training for members and local aspiring social enterprises.

It is anticipated that WLSSEN will use this as start-up funding and will seek future funding from the range of grant funds available to them.

A number of draft activities and outcomes for WLSSEN to work towards in 2013-14 have been developed linked to this funding including :-

1. Establish a baseline of social enterprises in West Lothian who meet the general definition of having a social mission, earning 50% or more of income from trading and re-invests all its distributable profit for the purpose of its social mission
2. Membership of the West Lothian Social Enterprise Network (WLSSEN) includes at least 20 of the largest voluntary organisations headquartered in West Lothian (excluding churches) and / or 10 of the largest voluntary organisations headquartered in West Lothian (excluding churches) and funded by West Lothian Council (indicative lists below) .

3. That WLSSEN seeks to balance membership between the larger organisations (see above) and smaller aspiring social enterprises.
4. That all members of WLSSEN set targets for a phased reduction in the percentage of grant income as a total of all income received over the next 3-5 years.
5. Establish a baseline of social enterprises in West Lothian who meet the general definition of having a social mission, earning 50% or more of income from trading and re-invests all its distributable profit for the purpose of its social mission
6. Membership of the West Lothian Social Enterprise Network (WLSSEN) includes at least 20 of the largest voluntary organisations headquartered in West Lothian (excluding churches) and / or 10 of the largest voluntary organisations headquartered in West Lothian (excluding churches) and funded by West Lothian Council (indicative lists below) .
7. That WLSSEN seeks to balance membership between the larger organisations (see above) and smaller aspiring social enterprises.
8. That all members of WLSSEN set targets for a phased reduction in the percentage of grant income as a total of all income received over the next 3-5 years.
9. That all members of WLSSEN agree a minimum target for surpluses and reserves as a percentage of turnover to be implemented for 2014-15.
10. Develop with partners interventions to develop Social Enterprises in West Lothian including improving organisations:-
 - Strategic planning
 - ability to identify future viable market opportunities for social enterprises
 - impact measurement and performance reporting
 - ability to access grant funding, investment funding and working capital
11. Support 100 engagements between social economy organisations in West Lothian and specialist business support organisations (examples given below).
12. Develop a loose support network of 15 private sector companies and / or senior executives prepared to develop mutually beneficial links with social enterprises and / or social entrepreneurs.

D.3 Governance, Capacity and Funding Improvement Programme.

An outline Governance, Capacity and Funding Improvement Programme is suggested below, based on best practice identified through research undertaken into how other local authorities and social enterprise networks were supporting social economy / enterprise development and the methodologies being utilised.

This was used together with the initial research into the local sector to shape a programme incorporating specific targeted support that will result in capacity being built in key areas relevant to securing a growth in successful trading social enterprises. The programme will incorporate the following:-

ACTIVITY	COST
Develop a comprehensive package of training, building on what is currently provided, for staff and volunteers across the sector to enable them to identify and respond to issues around financial and business planning, governance and procurement.	£25,000
Commission a package of training for Link Officers to increase their capacity to identify potential concerns around governance funding and sustainability of organisations and support the organisations in improving these.	£5,000
Mapping of existing training and support available to third sector organisations through Business Gateway, Scottish Business in the Community, Scottish Council for Voluntary Organisations, Voluntary & Childcare Organisations Training Calendar, Voluntary Sector West Lothian and other providers.	£0
Provision of joint “working together learning together” courses between key council staff and social economy leaders to bring about shared understanding and improved communication around terminology related to social economy, development of the Commissioning Improvement Plan and increase trust between the sector and local authority.	£2,500
Work with The Social Audit Network in Scotland (SANiS) and Just the Business to offer practical support to strengthen the social impact social economy organisations make and learn how they can account for the social value they create and how this information can be reported in a credible way.	£2,500
Work with the School for Social Entrepreneurs Scotland to ensure social enterprises from West Lothian can participate in the Lloyds Banking Social Entrepreneurs Start Up course and to secure support from their Price Waterhouse Coopers (PWC) sponsored mentoring programme.	£5,000
Continuing to support the sector and individual organisations to access additional grant / investment funding through dissemination of information, organisation of funding fairs and workshops and offering one-to-one support in reviewing draft applications.	£2,500
Other – to be determined.	£7,500
TOTAL	£50,000

Budgets and priorities for the above will be determined by consultation with the sector, including attendees at the proposed Social Enterprise Scotland event in West Lothian on 21 June.

D.4 Scottish Government funding.

Following a meeting between Chair and Vice-Chair of the Voluntary Organisations PDSP and the Deputy Director of the Scottish Government's Equality Unit and Third Sector Division, an allocation of £25,000 was offered to West Lothian Council to provide additional support and advice, and strengthen relationships between local social enterprises and third sector intermediary organisations.

A draft set of activities and outcomes have been agreed with the Scottish Government, including

1. Allocate £50k, one-off council funding in 2013-14 to support the work of the West Lothian Social Enterprise Network.
2. With the Voluntary Sector Gateway, continue to co-fund PQASSO training for local social enterprises (£20k council contribution).
3. Continue to work with the Scottish Government funded Partners for Change programme (see D.5 below) to improve access to council contracts for social enterprises.

There are several which link to the proposed activities and outcomes for WLSSEN, viz:-

4. Establish a baseline of social enterprises in West Lothian who meet the general definition of having a social mission i.e. earning 50% or more of income from trading and re-investing all its distributable profit for the purpose of its social mission
5. Develop with WLSSEN and other partners interventions to develop Social Enterprises in West Lothian including improving organisations:-
 - strategic planning
 - ability to identify future viable market opportunities for social enterprises
 - impact measurement and performance reporting
 - ability to access grant funding, investment funding and working capital

Plus some additional activities and outcome as listed below.

6. Benchmark social enterprise activity in West Lothian against similar local authority / community planning areas.
7. Develop a West Lothian Social Economy Strategy in consultation with the Voluntary Sector Gateway West Lothian and appropriate sectoral organisations such as SCVO, Voluntary Action Scotland, Social Enterprise Scotland, SENSCOT, Social Firms Scotland, ACOSVO, Ready for Business and Just Enterprise.
8. Research use of Social Accounting as preferred common impact measurement, performance reporting tool.

The allocation of this funding will be determined following agreement of the WLSN work plan, the baseline and benchmarking proposed above and the identification of gaps in knowledge and / or support required to develop a sustainable social economy.

D.5 Partners for Change

“Partners for Change” is a Scottish Government funded programme designed to secure better local outcomes through more effective commissioning and collaboration with the Third Sector. It is based on a previous, very successful programme in England, and West Lothian was one of four local authorities in Scotland to have a Partners for Change programme in 2012-13.

The programme, delivered at no cost to West Lothian Council, involved 20 participants from the Council and the Voluntary Sector, and was facilitated by Community Enterprise in Scotland (CEiS). There were three structured half-day workshops, and CEiS produced update reports from each. A draft Commissioning Improvement Plan was prepared at the final workshop. Further support is available, and consideration will be given as to what would be most useful.

The five priorities identified in the Commissioning Improvement Plan are :-

1. Develop a Commissioning framework for West Lothian Council.
2. Develop and pilot the Public Social Partnership model for the commissioning of targeted West Lothian Council services.
3. Develop a policy for the use of Community Benefits Procedures by West Lothian Council.
4. Build on established Public Sector/Third Sector communication mechanisms to strengthen the type and frequency of communication between both sectors in support of this new commissioning agenda.
5. Build and develop Third Sector resources to support the move towards a commissioning agenda.

Work is already underway on progressing some of the priorities and specific actions in the draft Commissioning Improvement Plan eg the Community Benefits Procedure will be tabled at Council Executive in June 2013 as will the New Procurement Strategy. Implementation of the actions in the draft Commissioning Improvement Plan will continue to be progressed by the identified champions / owners throughout 2013-14.

D6 Social Economy Strategy for West Lothian

The Voluntary Organisations PDSP agreed on 14 March 2013 to the establishment of an officer working group with the remit to produce a draft Social Economy strategy, in consultation with appropriate stakeholders including the West Lothian Social Enterprise Network, Social Enterprise Scotland, and The Voluntary Sector Gateway West Lothian, for consideration by the PDSP after the summer recess.

An initial meeting of this group was held on 11 April 2013 and included representatives from Community Enterprise Lothian, Social Audit Scotland, Social Enterprise Scotland, Voluntary Sector Gateway West Lothian and West Lothian Social Enterprise Network.

D7 PDSP Consideration

This report was considered at Voluntary Organisations PDSP on 23 May 2013. The PDSP agreed to pass the report to the Council Executive with a request that the recommendations be approved.

E. CONCLUSION

A joined up approach is being taken by Council, the sector and Scottish Government to support the creation of a more enterprising social economy in West Lothian. This includes :-

1. Awarding West Lothian Social Enterprise Network £50,000 for the purposes outlined in this report.
2. Using the £50,000 agreed for a Governance, Capacity and Funding Improvement Programme to support the development of sustainable social economy/ enterprise organisations as outlined in this report.
3. Confirming that £25,000 received from the Scottish Government be used to support social enterprise development..
4. Noting the success of the initial Partners for Change process and welcome the development of a draft Commissioning Improvement Plan.
5. Noting progress in the development of a Social Economy Strategy for West Lothian.

Council Executive is asked to welcome these initiatives and agree indicative budgets as set out in sections D2 and D3. These activities will be pulled together in an action plan which will be reported on to the Voluntary Organisations PDSDP.

F. BACKGROUND REFERENCES

Appendices/Attachments: None.

Contact Person: Ian Hepburn, Community Regeneration Manager
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e-mail: ian.hepburn@westlothian.gov.uk

Steve Field
Head of Area Services

Date: 05/06/2013



West Lothian
Council

COUNCIL EXECUTIVE

PROPOSED LIMITED WAITING PARKING, BATHGATE

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval to initiate the statutory procedures to introduce limited waiting parking bays on South Mid Street and Engine Lane, Bathgate.

B. RECOMMENDATION

It is recommended that the Council Executive approves the initiation of the statutory procedures to promote a traffic regulation order to provide areas of limited waiting parking on South Mid Street and Engine Lane, Bathgate as detailed in drawing refs: RSTM/05/W8/004 and RSTM/05/W8/005.

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)	Policy: None Legal: Promotion of a permanent Traffic Regulation Order.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	<ul style="list-style-type: none">Outcome - 12. We value and enjoy our built and natural environment and protect it and enhance it for future generations
VI Resources - (Financial, Staffing and Property)	Financial: Promotion of the traffic regulation order and associated works will be funded from the Road Safety and Traffic Management revenue budget.

Maintenance costs relating to the road markings and signage will require to be accommodated in future revenue budgets.

Staffing: None.

Property: None.

VII Consideration at PDSP

None

VIII Other consultations

Local ward members, 172-178 South Mid Street business operators, Disability West Lothian, Enterprising Bathgate, Bathgate Town Centre Management Group and Police Scotland have been consulted.

D. TERMS OF REPORT

South Mid Street

Following the opening of the new Bathgate train station, concerns have been raised that parking provision within the station car park is insufficient to accommodate the demand for parking generated by the station and that this leads to commuters parking in adjacent streets such as South Mid Street. This has led to a number of complaints being received from business owners operating from 172-178 South Mid Street, who have advised that commuter parking leads to reduced customer parking opportunities and difficulties when taking deliveries. Accordingly, to allow an increased level of parking turnover and to permit customer parking and delivery opportunities for the businesses, it is proposed that 3 limited waiting bays be introduced as per the attached plan ref: (RSTM/05/W8/004).

Given the varied nature of the businesses at this location (garden supplies shop, window and door showroom, clothes shop and Chinese restaurant) it is difficult to meet the needs of all users. However, following informal consultation, it is considered that a restriction of 60 minutes will offer a good compromise for businesses and shoppers, whilst allowing a level of parking turnover.

Engine Lane

Additionally, it is proposed to introduce 4 limited waiting bays at the end of Engine Lane, adjacent to the Balbardie pub (see ref: RSTM/05/W8/005). This seeks to formalise the existing arrangement whereby the single yellow line restriction is not marked at this location, although it remains in the traffic regulation order. This will allow a level of parking turnover not presently experienced as the lack of a SYL marking causes vehicles to be left for long periods of time. It is considered that this is the maximum amount of parking that can be made available without prejudicing the use of the turning point by HGVs and/or blocking access to the proposed bays.

Given the extensive number of shops and services available at this location, it is difficult to meet the needs of all users. However, following informal consultation, it is considered that a restriction of 45 minutes will offer a good compromise for businesses and shoppers, whilst allowing a level of parking turnover.

Rosebery Crescent/Bruce Road

Concerns have been raised about indiscriminate parking at the junction of Rosebery Crescent and Bruce Road blocking sight lines for drivers exiting Bruce Road. However, following a site visit in conjunction with Police Scotland, no evidence of such parking was observed and as such it is not proposed that waiting restrictions be promoted.

CONSULTATION

Police Scotland assisted with initial investigation and following consultation, they have advised that they support the proposals.

Disability West Lothian have been consulted on the proposals. They enquired as to the likely impact of the restrictions on disabled people and were advised that a blue badge holder can park their vehicle without limit of time at either location. As such they are supportive of the proposals.

Enterprising Bathgate have been consulted and are supportive of the proposal.

Bathgate Town Centre Management Group have been consulted and are supportive of the proposal. Furthermore, they suggested that consideration be given to the provision of additional echelon bays (at 45 degrees to the kerb) adjacent to the proposed bays, on the western side of Engine Lane. It is considered that this would prejudice the use of the turning point by HGVs and will restrict access to the proposed bays. Therefore it is not proposed to progress with this suggestion.

Local ward members have been consulted and have commented as follows:

Councillor Boyle has advised that he is supportive of the proposals for both South Mid Street and Engine Lane. However, he would like the number of bays in Engine Lane maximised by way of the provision of additional bays on the west side opposite the turning head.

Officers' response

It is recommended that the existing single yellow line restriction at this location be kept to ensure that appropriate loading and turning facilities are retained. However, all of the restrictions will be kept under review and if there are alterations to loading facilities in Engine Lane, we will revisit this at a future date.

Councillors Cartmill, McGinty and Walker made no adverse comments on the proposals.

E. CONCLUSION

The proposed changes in South Mid Street and Engine Lane will introduce a level of parking turnover, by preventing vehicles from being parked all day. It is anticipated that this will improve access to businesses for both customers and delivery drivers.

F. BACKGROUND REFERENCES

None

Appendices/Attachments:

Appendix 1: Proposed limited waiting bays- South Mid Street, Bathgate (RSTM/05/W8/004)

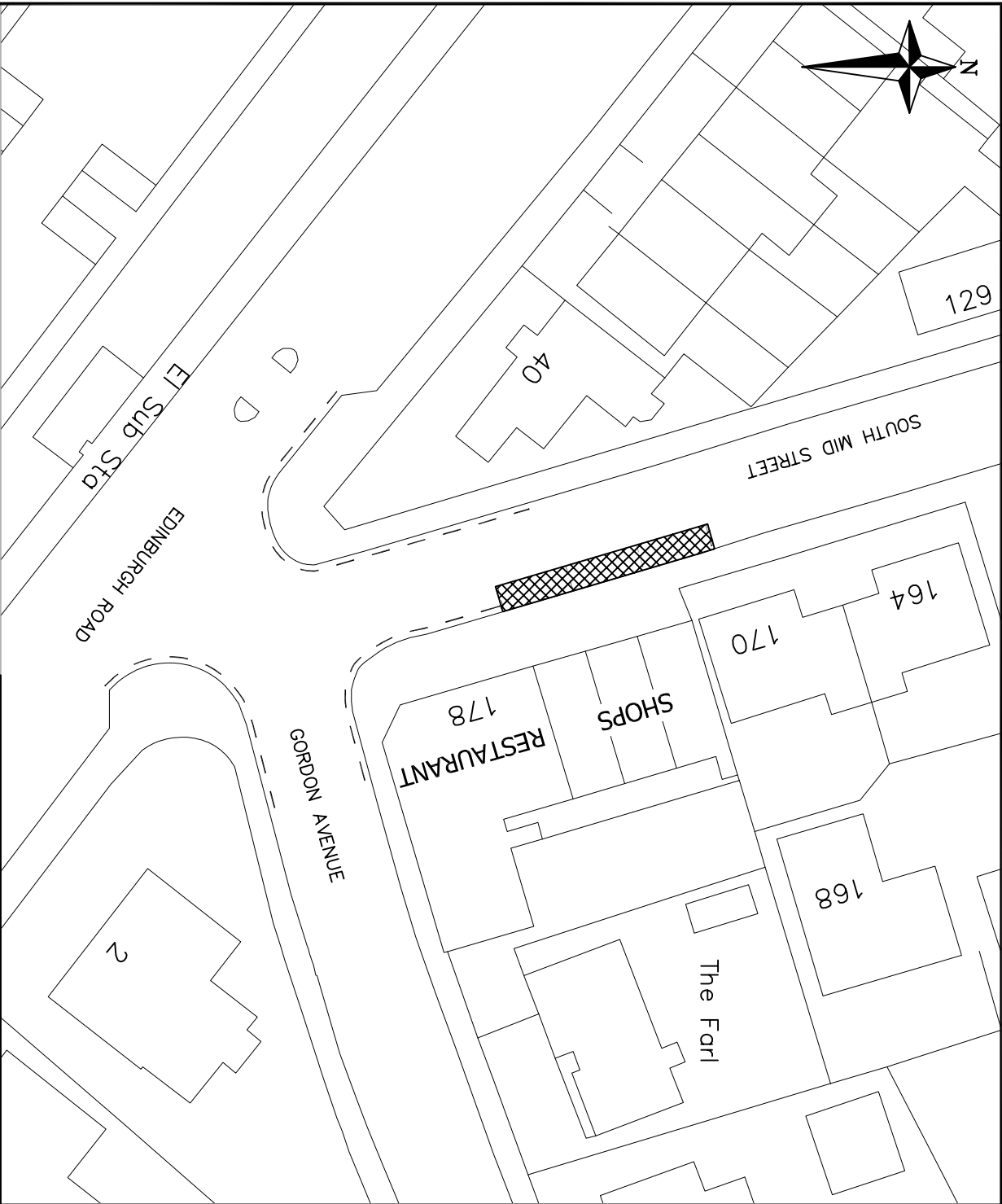
Appendix 2: Proposed limited waiting bays- Engine Lane, Bathgate (RSTM/05/W8/005)

Contact Person: Jason Halliday, Technician, Road Safety and Traffic Management

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Jim Jack, Head of Operational Services

Date: 4 June 2013



KEY

--- EXISTING 'NO LOADING
AT ANY TIME'
RESTRICTION



PROPOSED 3NO. LIMITED
WAITING BAYS. TOTAL
LENGTH 18M, WAITING
RESTRICTED TO 60
MINUTES WITHIN ANY 2
HOURS BETWEEN 9AM TO
5PM, MON-SAT.

DRAWING NAME:- RSTM/05/W8/004

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WEST LOTHIAN COUNCIL OPERATIONAL SERVICES

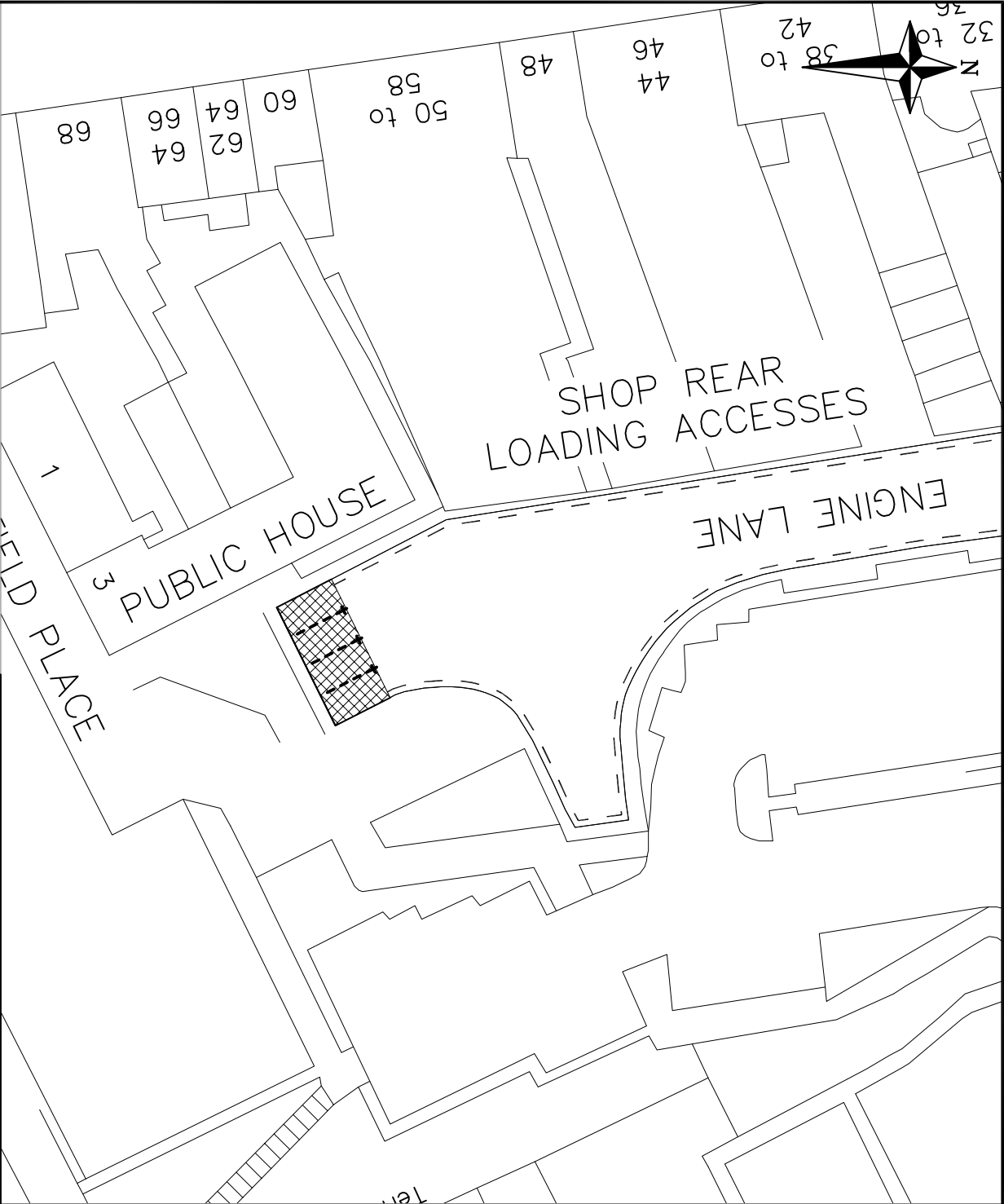
ROADS & TRANSPORTATION MANAGER
WHITEHILL HOUSE
WHITEHILL INDUSTRIAL ESTATE
BATHGATE EH48 2HA
TEL 01506 282351

TRANSPORTATION
ROAD SAFETY &
TRAFFIC MANAGEMENT

PROPOSED LIMITED WAITING BAYS SOUTH MID STREET BATHGATE

DATE:- MAY 2013 DRAWN BY:- JH
SCALE:- 1:500 CHECKED BY:- KH

Drg. No.:- RSTM/05/W8/004



DRAWING NAME:- RSTM/05/W8/005

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TEL 01506 282351

TRANSPORTATION
ROAD SAFETY &
TRAFFIC MANAGEMENT

PROPOSED LIMITED WAITING BAYS
ENGINE LANE
BATHGATE

DATE:- MAY 2013
SCALE:- 1:500
DRAWN BY:- JH
CHECKED BY:- KH

Drg. No.:- RSTM/05/W8/005

KEY

EXISTING 'NO WAITING,
MON-SAT, 9AM-5PM'
RESTRICTION



PROPOSED 4NO. LIMITED
WAITING BAYS, APPROX
2.7M WIDE EACH,
WAITING RESTRICTED TO
45 MINUTES WITHIN ANY
2 HOURS BETWEEN 9AM
TO 5PM, MON-SAT.



West Lothian
Council

COUNCIL EXECUTIVE

CYCLING, WALKING AND SAFER STREETS GRANT 2012/13 – 2014/15
PROPOSED PEDESTRIAN CROSSING PROGRAMME, VARIOUS LOCATIONS, WEST
LOTHIAN

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

On 3 April 2012, the Council Executive approved the Cycling, Walking and Safer Streets programme 2012/13 – 2014/15. As part of the report it was agreed to undertake an assessment of twelve pedestrian crossing sites. These assessments have now been carried out and the findings are included in Appendix 1.

B. RECOMMENDATION

It is recommended that the Council Executive approve the findings of the pedestrian crossing assessments and the programme of schemes as outlined in Appendix 1 and 2.

C. SUMMARY OF IMPLICATIONS

		Focusing on our customers' needs.
I	Council Values	
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy: The programme contributes to improved road safety and increased travel choices. Legal: The council has a statutory responsibility for road safety under the Roads Traffic Act 1988.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	The schemes will contribute to single outcome agreement: 10 – “We live in well-designed, sustainable places where we are able to access the services we need”.

VI Resources - (Financial, Staffing and Property)	The programme will be funded from the Cycling Walking and Safer Streets budget allocation for 2013/14 and 2014/15. The estimated cost of the ten recommended schemes will be £266,000 to be funded from the CWSS capital budget.
VII Consideration at PDSP	At its meeting on 16 May 2013 the Environment PDSP noted the terms of the report and referred it to the Council Executive for approval.
VIII Other consultations	Ward members have been consulted on the proposals and their comments are included in Appendix 1.

D. TERMS OF REPORT

Background

On 3 April 2012, the Council Executive approved the Cycling, Walking and Safer Streets (CWSS) programme 20012/13 – 2014/15. In this report twelve pedestrian crossing sites, including three reserve schemes, were identified for further investigation to assess what type of crossing facility, if any, would be justified. Last financial year pedestrian and vehicle surveys were carried out at all the sites to aid the decision making process.

Assessment of Pedestrian Crossing Sites

The purpose of the pedestrian surveys was to identify desire lines and to examine the numbers of pedestrians crossing at each location. Each pedestrian survey was carried out between 6.30am and 9.30am and 3.30pm and 6.00pm. 24 hour traffic counts over a seven day period were collected at each site using automatic traffic count loops.

The assessments were carried out in accordance with Local Transport Note 1/95, The Assessment of Pedestrian Crossings. This ensured a consistent approach was maintained from previous assessments and enabled the appropriate type of facility to be recommended.

The key survey characteristics considered are identified on the assessment sheets in Appendix 1. These include carriageway and footway width, surrounding amenities, vehicular and pedestrian flow and composition, average crossing time and difficulty, and recorded injury accidents.

Priority Ranking

The assessment process has identified the types of crossing facilities recommended at each location. The types of crossings vary from puffin crossings, pedestrian refuge islands, pedestrian phasing at existing traffic signals and dropped kerb crossings. No further action has been recommended at two locations.

The twelve crossing locations identified for further assessment in last year's Council Executive report did not give any priority ranking. To identify a programme of delivery, a process of prioritising the schemes is required. The ranking system used by officers utilised three main factors which are: pedestrian demand, volume of traffic, and cost. The following calculation combines a PV^2 calculation, which determines pedestrian/vehicle conflict, with the cost of the measure to provide the most cost effective measure at each location.

$$\text{Ranking} = \frac{PV^2}{\text{Cost}}$$

Where:

P is the two-way total hourly flow of pedestrians crossing the road;

V is the two way total hourly flow of vehicles; and

Cost is the cost of the particular measure being recommended.

Worked example using the site at Kirkgate at its junction with Main Street, West Calder

P= 58 peds/hr, V= 145 vehs/hr, Cost = £1,000

$$\text{Ranking} = \frac{58 \times (145)^2}{1,000}$$

$$= \underline{1,219.45}$$

Appendix 2 provides details of the outcome of the ranking.

It is proposed that the delivery of the pedestrian crossing schemes is phased over the next two years (2013/14 and 2014/15).

Consultation

Local ward members have been consulted on the findings of the assessment and officers recommendations. Comments received have been noted on the assessment sheets for the individual schemes. General consultation will be carried out with the local community and relevant parties during the detailed design stage.

E. CONCLUSION

The approval of the programme will allow the implementation of ten new pedestrian crossing facilities throughout West Lothian and will support the objectives of encouraging cycling, walking and improving safety for vulnerable road users.

F. BACKGROUND REFERENCES

Council Executive Committee on 3 April 2012 – Cycling, Walking Safer Streets Grant
Proposed Programme 2012/13 – 2014/15

Appendices/Attachments:

Appendix 1 – Pedestrian Crossing Assessments Sheet

Appendix 2 – Pedestrian Crossing Priority Ranking

Drawing No: TP/B528/1/PD1 - St Ninians Road, Linlithgow

TP/B528/1/PD2 - Mains Road, Linlithgow
TP/B528/2/PD1 – West Main Street, Broxburn
TP/B528/2/PD2 - Blyth Road, Broxburn
TP/B528/3/PD1 - Carmondean Centre Road, Livingston
TP/B528/3/PD2 - Kirkton North Road, Livingston
TP/B528/4/PD1 - Howden South Road, Livingston
TP/B528/4/PD2 - Simpson Parkway, Livingston
TP/B528/6/PD1 - A71 Near West Calder High, West Calder
TP/B528/6/PD2 - Main Street, West Calder
TP/B528/8/PD1 - A89 Glasgow Road, Bathgate
TP/B528/8/PD2 - Whitburn Road, Bathgate

Contact Person: Ronald Fisher, Projects Manager, Project Design and Implementation, Operational Services, Whitehill House, Bathgate. Tel: 01506 776782, email: ronnie.fisher@westlothian.gov.uk

Jim Jack, Head of Operational Services

Date of meeting: 4 June 2013

A706 ST NINIAN'S ROAD, LINLITHGOW (WARD 1)

Location	The site is a two way single lane carriageway, (grid ref: 299416, 677537) 10 metres wide with footways on both sides, 1.8 metres on the east side and 2 metres on the west side. The carriageway running lanes have been reduced in width by central hatching.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 39.4mph is 100 metres. The available visibility on the site is 100 metres to the north when a pedestrian is standing on the east side of the proposed crossing point. Visibility could be further improved by trimming back of existing vegetation.
Complexity	The A706 links Linlithgow with Bo'ness and carries an average traffic volume of 4400 vehicles per day. The speed limit of the A706 changes from 30mph to national speed limit at a distance of approximately 70 metres north of the crossing location. There are plans to introduce a 50mph speed limit in place of the existing national speed limit. There is a nursing home adjacent to the proposed location in addition to three residential access roads that spur off the A706.
Crossing Traffic	Pedestrian surveys were carried out on Tuesday 20 November 2012 and Thursday 22 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 24 pedestrians crossed the carriageway on the 20 November - (an average of 4.4/hr) and 16 pedestrians crossed the carriageway on the 22 November - (an average of 2.9/hr). Crossing time and difficulty of crossing are typical for roads of this character. There is an existing pedestrian refuge island located 80 metres south of the proposed crossing location.
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 4394 vehicles. The % of buses, goods vehicles and HGV'S recorded was 6.4%. The average speed recorded through out the survey was 33.2mph. The speed limit is 30mph. The 85 th percentile speed was 39.4mph.
Road Accidents	There have been no accidents recorded in the last five years.
Recommendation	It is recommended that no crossing be installed at this location. There are not many pedestrians crossing during the day and there is an existing pedestrian refuge island within close proximity.
Comments	No comments received.

A706 MAINS ROAD, LINLITHGOW (WARD1)

Location	The site is a two way single lane carriageway (grid ref: 298648, 676529) 7.5 metres wide with grass verges on both sides of Mains Road. A remote footpath from The Kettilstoun Mains area crosses Mains Road and links in with the footpath network in the Avontoun Park Area.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 33.4mph is 80 metres. The visibility at this location is 80 metres in both directions.
Complexity	There is a 4 arm roundabout to the immediate west of the proposed crossing point. The speed limit changes from 30 mph to national speed limit approximately 40 metres south of the roundabout. There is an existing bus stop and shelter on the eastbound approach to the roundabout and this is located within the national speed limit area. There is a side road of Mains Road which serves Linlithgow Sports Centre.
Crossing Traffic	Pedestrian surveys were carried out on Tuesday 20 November 2012 and Thursday 22 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 38 pedestrians crossed the carriageway on the 20 November - (an average of 6.9/hr) and 52 pedestrians crossed the carriageway on the 22 November - (an average of 9.5/hr). Crossing time and difficulty of crossing are typical for roads of this character. There is an existing drop kerb arrangement located at the proposed crossing location and an additional drop kerb crossing located 40 metres west of the roundabout.
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 5470 vehicles. The % of buses, goods vehicles and HGV'S recorded was 6.6%. The average speed recorded through out the survey was 29.2mph. The speed limit is 30mph. The 85 th percentile speed was 33.4mph.
Road Accidents	There have zero accidents recorded in the last five years.
Recommendation	It is recommended that a pedestrian refuge island installed at this location. Most of the pedestrians in this area are crossing to attend the Sports Centre.
Comments	Cllr Conn responded: I support the proposal.

A899 WEST MAIN STREET, BROXBURN (WARD 2)

Location	The site is a two way single lane carriageway, (grid ref: 307187, 672080) 6.6 metres wide with footway widths generally 4.6 metres wide to the south and 3 metres footpaths to the south. Protected lay-by parking is in operation.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 19.3mph is 50 metres. The visibility at this location is 50 metres in both directions.
Complexity	Extensive parking takes place in the protected parking lay-by areas to the north and south of the carriageway running lanes. There is already an existing pelican crossing near to the junction of Holmes Park. Several businesses and residential properties have frontages that directly access onto West Main Street. Three bus stops are also within the area for investigation and raised bus stop kerbs have also been installed. Broxburn Academy is located a short distance away from the investigation area and there are considerable increases in traffic and pedestrian volumes at school start / finish times.
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 388 pedestrians crossed the carriageway on the 15 November - (an average of 70.5/hr) and 489 pedestrians crossed the carriageway on the 21 November - (an average of 88.9/hr). There is a significant peak in the number of pedestrian's crossing at school start / finish times. The pedestrian survey undertaken was over a section carriageway 300 in length.
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 9103 vehicles. The % of buses, goods vehicles and HGV'S recorded was 7.1%. The average speed recorded through out the survey was 25.0mph. The speed limit is 30mph. The 85 th percentile speed was 19.3mph.
Road Accidents	There has been two slight accident recorded in the last five years, one of these was a pedestrian injury.
Recommendation	It is recommended that a puffin crossing, with anti-skid surfacing on both approaches, be introduced at the above location although there are severe site constraints with installation due to existing bus stops, residential driveways, business access and protected lay-by parking.
Comments	Cllr Boyle responded: I have no objection, to the additional crossing to the immediate west of the Police Station in Broxburn (in fact I welcome it). Cllr Davidson responded: I am happy with the proposal.

BLYTH ROAD, BROXBURN (WARD 2)

Location	The site is a two way single lane carriageway, (grid ref: 307567 - 671883) 7.5 metres wide with footways on both sides 2.0 metres wide.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed. There is an existing zebra crossing on Blyth Road in the investigation area but forward visibility is poor and it is located on a bend.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 32.4mph is 80 metres. The visibility at this location is in excess of 80 metres in both directions.
Complexity	There are two residential roads that spur off Blyth Road. Generally, this section of carriageway is straight with no distinguishing characteristics. School warning / zebra crossing warning signs have been erected due to visibility issues with the existing zebra crossing and the volume of child pedestrians using this route to access the school
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 86 pedestrians crossed the carriageway on the 15 November - (an average of 15.6/hr) and 124 pedestrians crossed the carriageway on the 21 November - (an average of 22.5.9/hr). There is a significant peak in the number of pedestrian's crossing at school start / finish times, mainly using the zebra crossing.
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 3694 vehicles The % of buses, goods vehicles and HGV'S recorded was 4.1%. The average speed recorded through out the survey was 28.3mph. The speed limit is 30mph. The 85 th percentile speed was 32.4mph.
Road Accidents	There have been two slight accidents recorded in the last five years. One of these accidents was a child pedestrian injury accident
Recommendation	It is recommended that the existing zebra crossing is removed and a puffin crossing installed, with anti skid surfacing on both approaches, at a location on Blyth Road where there is adequate visibility. The antiskid material and white road markings at the existing zebra crossing will also have to be removed
Comments	Cllr Boyle responded: I have no objection to the Zebra crossing in Blyth Road being replaced by a Puffin Crossing. Cllr Davidson responded: I am happy with the proposal.

KIRKTON ROAD NORTH, LIVINGSTON (WARD 3)

Location	The site is a two way single lane carriageway (grid Ref: 303306 -667045) 7 metres wide with a 2m wide footway on the south side of the carriageway. There is a small section of footway to the north from the junction of Highfield / Kirkton Road North to an existing bus stop.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 05/95. The required visibility for a road with an 85 th percentile speed of 38mph is 100 metres. The visibility at this location is in excess of 100 metres in both directions.
Complexity	There are 2 bus stops with shelters located in the eastbound and westbound location. There are two residential accesses off the main carriageway. The junction of Millfield / Kirkton Road North has drop kerbs and a pedestrian refuge island installed for pedestrian wishing to travel westbound.
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 16 pedestrians crossed the carriageway on the 15 November - (an average of 3/hr) and 9 pedestrians crossed the carriageway on the 21 November - (an average of 1.6/hr).
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 4109 vehicles. The % of buses, goods vehicles and HGV'S recorded was 6.3%. The average speed recorded through out the survey was 33.3 mph. The speed limit is 30mph. The 85 th percentile speed was 38mph.
Road Accidents	There have been no accidents recorded in the last five years.
Recommendation	It is recommended that that no crossing is to be installed due to very low number of pedestrians crossing the carriageway.
Comments	Cllr De Bold responded: No comments.

CARMONDEAN CENTRE ROAD, LIVINGSTON (WARD 3)

Location	The site is a two way single lane carriageway (grid Ref: 303306 -667045) 7.8 metres wide with a 2m wide remote footways on both sides of the carriageway.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 34mph is 80 metres. The visibility at this location is in excess of 80 metres in both directions.
Complexity	There is a long straight approach to the proposed crossing location for southbound traffic and northbound traffic will approach the proposed crossing after travelling through a signalised junction. There are drop kerbs present which link the two remote footpaths
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 254 pedestrians crossed the carriageway on the 15 November - (an average of 46/hr) and 180 pedestrians crossed the carriageway on the 21 November - (an average of 32/hr).
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 2697 vehicles. The % of buses, goods vehicles and HGV'S recorded was 5.5%. The average speed recorded through out the survey was 29.4 mph. The speed limit is 30mph. The 85 th percentile speed was 34mph.
Road Accidents	There have been no accidents recorded in the last five years.
Recommendation	It is recommended that a puffin crossing, with anti-skid surfacing on both approaches, be installed although some footpath works will be required to ensure the crossing is located far enough away from the junction.
Comments	Cllr De Bold responded: No comments.

HOWDEN SOUTH ROAD, LIVINGSTON (WARD 4)

Location	The site is a two way single lane carriageway, (grid Ref: 305645, 667000) 7.1 metres wide. A 2 metre footway runs down both sides of the carriageway to the access road into business outlets. The footway then continues on the east side only.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed. Waiting restrictions are also present along the route.
Visibility	The desirable visibility standards can be met in accordance with local transport note 02/95. The required visibility for a road with an 85 th percentile speed of 31.1mph is 65 metres. The visibility at this location is in excess of 65 metres in both directions.
Complexity	There are remote footpaths present which carry pedestrians into the town centre area of Livingston and pedestrians cross the carriageway using a refuge island. In addition to this, there are food outlets in the area that are also served by the footpath network. On the approach to the crossing location, there is a heavily utilised car park for the public and West Lothian Council. There is a bus stop in the vicinity for eastbound and westbound traffic and these stops are separated by a traffic splitting island. It should be noted at this location that traffic volume is very high.
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 242 pedestrians crossed the carriageway on the 15 November - (an average of 44/hr) and 138 pedestrians crossed the carriageway on the 21 November - (an average of 25/hr).
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 10831 vehicles. The % of buses, goods vehicles and HGV'S recorded was 5.7%. The average speed recorded through out the survey was 26.6mph. The speed limit is 30mph. The 85 th percentile speed was 31.1mph.
Road Accidents	There have been two pedestrian injury accidents recorded in the last five years.
Recommendation	It is recommended that a puffin crossing is installed, with anti-skid material on both approaches, due to the high number of pedestrians crossing in the area and the high traffic volumes.
Comments	Cllr Fitzpatrick responded: Your proposals as regards Howden South Road and Simpson Parkway, Livingston have my full endorsement. Cllr Johnston responded: I am happy to support the proposals for both sites.

SIMPSON PARKWAY, LIVINGSTON (WARD 4)

Location	The site is a two way single lane carriageway (grid Ref: 303306 -667045) 7.8 metres wide with a 2m wide remote footways on both sides of the carriageway.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 36mph is 80 metres. The visibility at this location is in excess of 80 metres in both directions.
Complexity	There is an existing signalised T junction at the junction of Macintosh Rd / Simpson Parkway but this does not incorporate any pedestrian facilities. There are drop kerbs present which link the two remote footpaths to the north of the signalised junction
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 11 pedestrians crossed the carriageway on the 15 November - (an average of 2/hr) and 16 pedestrians crossed the carriageway on the 21 November - (an average of 3/hr).
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 14073 vehicles. The % of buses, goods vehicles and HGV'S recorded was 4.4%. The average speed recorded through out the survey was 30.9 mph. The speed limit is 30mph. The 85 th percentile speed was 36mph.
Road Accidents	There has been 1 slight accident recorded in the last five years.
Recommendation	It is likely that due to the volume of traffic and the number of turning manoeuvres, it is difficult for pedestrians to cross at the junction. This makes it preferable to cross away from the junction. It is therefore, recommended that a pedestrian phase is provided to improve facilities for pedestrians at the signalised junction at Simpson Parkway and McIntosh Road.
Comments	Cllr Fitzpatrick responded: Your proposals as regards Howden South Road and Simpson Parkway, Livingston have my full endorsement. Cllr Johnston responded: I am happy to support the proposals for both sites.

A71 NEAR WEST CALDER HIGH SCHOOL (WARD 6)

Location	The site is a wide two way single lane carriageway, (grid Ref: 303548, 664455) 9.2 metres wide with footways 2.5m wide on the north and south. Other footpaths on the south side link into West Calder High School
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed. There is a bus stop lay-by near to the proposed crossing location
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 39.6mph is 100 metres. The visibility at this location is 100 metres in both directions.
Complexity	There is an existing pedestrian refuge island that is used at school start / finish times. Out with these times, there are few pedestrians crossing at this location. Pedestrian guardrail is installed on the south footway to guide pedestrian from the traffic island to the remote footpath. There are 2 bus stops located approximately 30 metres to the east and west of the island
Crossing Traffic	Pedestrian surveys were carried out on Thursday 15 November 2012 and Wednesday 21 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 95 pedestrians crossed the carriageway on the 15 November - (an average of 17/hr) and 119 pedestrians crossed the carriageway on the 21 November - (an average of 22/hr).
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 12916 vehicles The % of buses, goods vehicles and HGV'S recorded was 8.2%. The average speed recorded through out the survey was 35.6mph. The speed limit is 40mph. The 85 th percentile speed was 39.6mph.
Road Accidents	There have been two slight accidents recorded in the last five years.
Recommendation	It is recommended that a pedestrian refuge island is removed and replaced with a puffin crossing, with anti skid material on both approaches.
Comments	No comments.

KIRKGATE AT ITS JUNCTION WITH MAIN STREET, WEST CALDER (WARD 6)

Location	The site is a minor two way single lane carriageway road (grid Ref: 301699 - 663138) 6 metres wide with 2.0m footways on both sides.
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed. There is an existing bus lay-by for west bound vehicles
Visibility	The visibility at this location is in excess of 50 metres in all directions.
Complexity	This area is a heavily built up area and several residential properties / businesses have access of Main Street. There is an existing pelican crossing located approximately 75 metres west of the proposed location and another signalised crossing facility 42 metres east. Waiting & loading restrictions have been installed at the junction of Main Street / Kirkgate and a box junction is installed on the eastbound side of the carriageway to assist right turning vehicles out of Kirkgate. There is a bus stop on the east bound carriageway which is opposite the lay by. There is a small area of on-street parking available on the north side of Main Street. The junction of Kirkgate / Main Street is wide and there is a high volume of pedestrians that cross at this location.
Crossing Traffic	Pedestrian surveys were carried out on Thursday 2 May 2013 and Friday 3 May 2013 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 438 pedestrians crossed the carriageway on the 2 May - (an average of 76/hr) and 226 pedestrians crossed the carriageway on the 3 May - (an average of 39/hr).
Vehicles	The average hourly flow taken from the period over which the traffic count was taken is 145 vehicles. There % of buses, goods vehicles and HGV'S recorded was 2.0%. A speed survey was not carried out at this location due to its close proximity to the junction. The speed limit is 30mph.
Road Accidents	There have been three slight accidents and one serious accident recorded in the last 5 years.
Recommendation	<p>Due to the constraints at the junction and the turning movements of large vehicles it is not possible to install a pedestrian refuge island.</p> <p>Also, due to the close proximity of the houses and the high percentage of heavy goods vehicles, it is not recommended that a raised junction feature is introduced at this location. Doing so would lead to complaints of vehicle noise from residents.</p> <p>However, due to the volume of pedestrians that cross at this location it is recommended that the existing dropped kerbs are removed and the crossing point relocated further into Kirkgate. Although this will take pedestrians off the desire line to cross the road, it would give an indication to pedestrians of a more appropriate location to cross the road as the crossing distance will be significantly reduced.</p>
Comments	No comments.

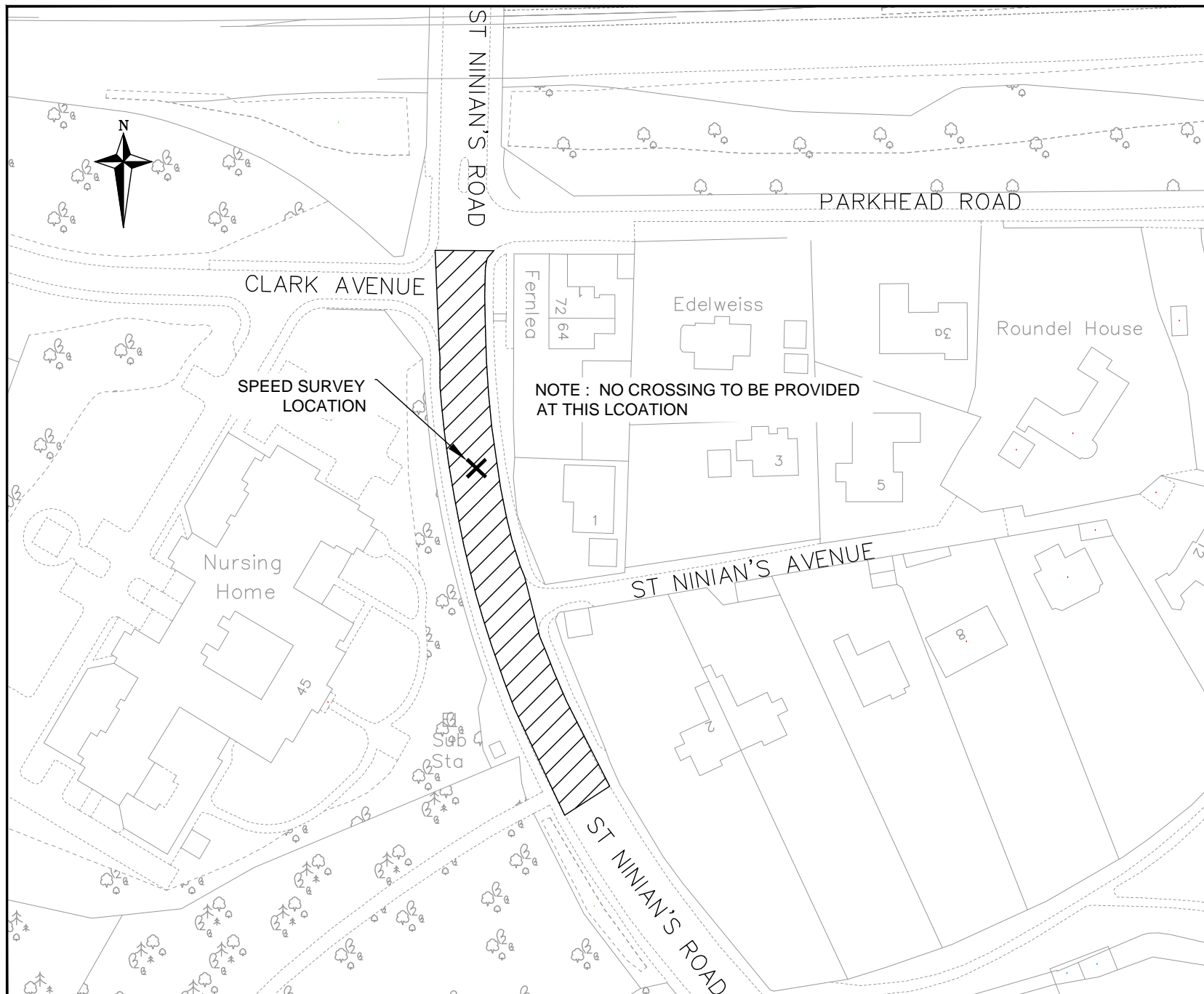
GLASGOW ROAD, BATHGATE (WARD 8)

Location	The site is a two way single lane carriageway, (grid Ref: 296880 - 668831) 8.6 metres wide with footways on both sides varying in width between 4.7 metres on the north side and 5.5 metres on the south side
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 29.5mph is 65 metres. The visibility at this location is in excess of 65 metres in both directions although several cars were witnessed parking on the footway.
Complexity	There is a mix of residential and business properties that access onto Glasgow Road. There is a vehicle and pedestrian access to a recreational park in addition to various residential driveway accesses along the route surveyed. Eastbound and westbound bus stops are present and are extensively used. There is also a local supermarket that has an access off Glasgow Road
Crossing Traffic	Pedestrian surveys were carried out on Tuesday 20 November 2012 and Thursday 22 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 145 pedestrians crossed the carriageway on the 20 November - (an average of 26/hr) and 109 pedestrians crossed the carriageway on the 22 November - (an average of 20/hr). There was no clear pedestrian crossing desire line over the route surveyed and pedestrians were crossing at various locations
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 12252 vehicles. The % of buses, goods vehicles and HGV'S recorded was 6.5%. The average speed recorded through out the survey was 24.8mph. The speed limit is 30mph. The 85 th percentile speed was 29.5mph.
Road Accidents	There have been two slight accidents recorded in the last 5 years.
Recommendation	It is recommended that a puffin crossing, with anti-skid surfacing on both approaches, be installed in this location.
Comments	Cllr Cartmill responded: I welcome your two proposals – both of which will enhance pedestrian safety in Bathgate.



WHITBURN ROAD, BATHGATE (WARD 8)

Location	The site is a two way single lane carriageway (grid Ref: 296682 - 667604) 8 metres wide with footways on both sides 1.8 metres wide on both sides
Highway Facilities	Road lighting is to traffic route standard and no re-arrangement is needed.
Visibility	The desirable visibility standards can be met in accordance with Local Transport Note 02/95. The required visibility for a road with an 85 th percentile speed of 34.7mph is 80 metres. The visibility at this location is in excess of 80 metres in both directions
Complexity	The road is of an urban distributor road with residential access roads spurring off Whitburn Road. There are some properties that take access directly off Whitburn Road and there is a farm access also which is served by this road. There are also bus stops located along the route. Generally the road is very straight in character
Crossing Traffic	Pedestrian surveys were carried out on Tuesday 20 November 2012 and Thursday 22 November 2012 during the times of 06:30 – 09:15 and 15:00 – 17.45. During the specified period, 51 pedestrians crossed the carriageway on the 20 November - (an average of 9/hr) and 29 pedestrians crossed the carriageway on the 22 November - (an average of 5/hr). It should be noted that the area for survey was 240 metres
Vehicles	Traffic data was collected using automatic traffic count loops for 24 hours a day, over a seven day period. There is an average daily flow of 7357 vehicles. The % of buses, goods vehicles and HGV'S recorded was 8.1%. The average speed recorded through out the survey was 30.7mph. The speed limit is 30mph. The 85 th percentile speed was 34.7mph.
Road Accidents	There has been 1 slight accident and 1 serious pedestrian accident recorded in the last 5 years.
Recommendation	It is recommended that a pedestrian refuge island is installed due to the volume of pedestrians crossing the wide carriageway.
Comments	Cllr Cartmill responded: I welcome your two proposals – both of which will enhance pedestrian safety in Bathgate.

Priority	Scheme	Recommendation	Peds/Hr	Vehs/Hr	PV ²	Cost	<u>PV²</u> Cost
1	Kirkgate at its junction with Main Street, West Calder	Dropped kerb crossing to be delivered in 2014/15.	58	145	12.19	£1,000	1219.45
2	A899 West Main Street, Broxburn	Puffin crossing (including build outs) to be delivered in 2013/14.	73	379	104.86	£40,000	262.15
3	Glasgow Road, Bathgate	Puffin crossing to be delivered in 2013/14.	21	510	54.62	£30,000	182.07
4	Howden South Road, Livingston	Puffin crossing (including the removal of traffic island and relocation of bus stops) to be delivered in 2013/14.	32	451	65.09	£40,000	162.73
5	A71 Near West Calder High School	Puffin crossing (including the removal of pedestrian refuge island) to be delivered in 2013/14.	18	538	52.10	£35,000	148.86
6	Whitburn Road, Bathgate	Pedestrian refuge island	7	307	6.60	£10,000	66.00
7	A706 Mains Road, Linlithgow	Pedestrian refuge island (including additional footway) to be delivered in 2013/14.	8	228	4.16	£15,000	27.73
8	Simpson Parkway, Livingston	Pedestrian phase incorporated into existing traffic signals to be delivered in 2014/15.	2	586	6.87	£30,000	22.90
9	Carmondean Centre Road, Livingston	Puffin crossing to be delivered in 2014/15.	36	112	4.52	£30,000	15.07
10	Blyth Road, Broxburn	Puffin crossing to be delivered in 2014/15.	18	154	4.27	£30,000	14.23
					Total	£266,000	



LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION

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CWSS PEDESTRIAN CROSSING INVESTIGATION
ST NINIAN'S ROAD, LINLITHGOW

WEST LoTHIAN COUNCIL
OPERATIONAL SERVICES

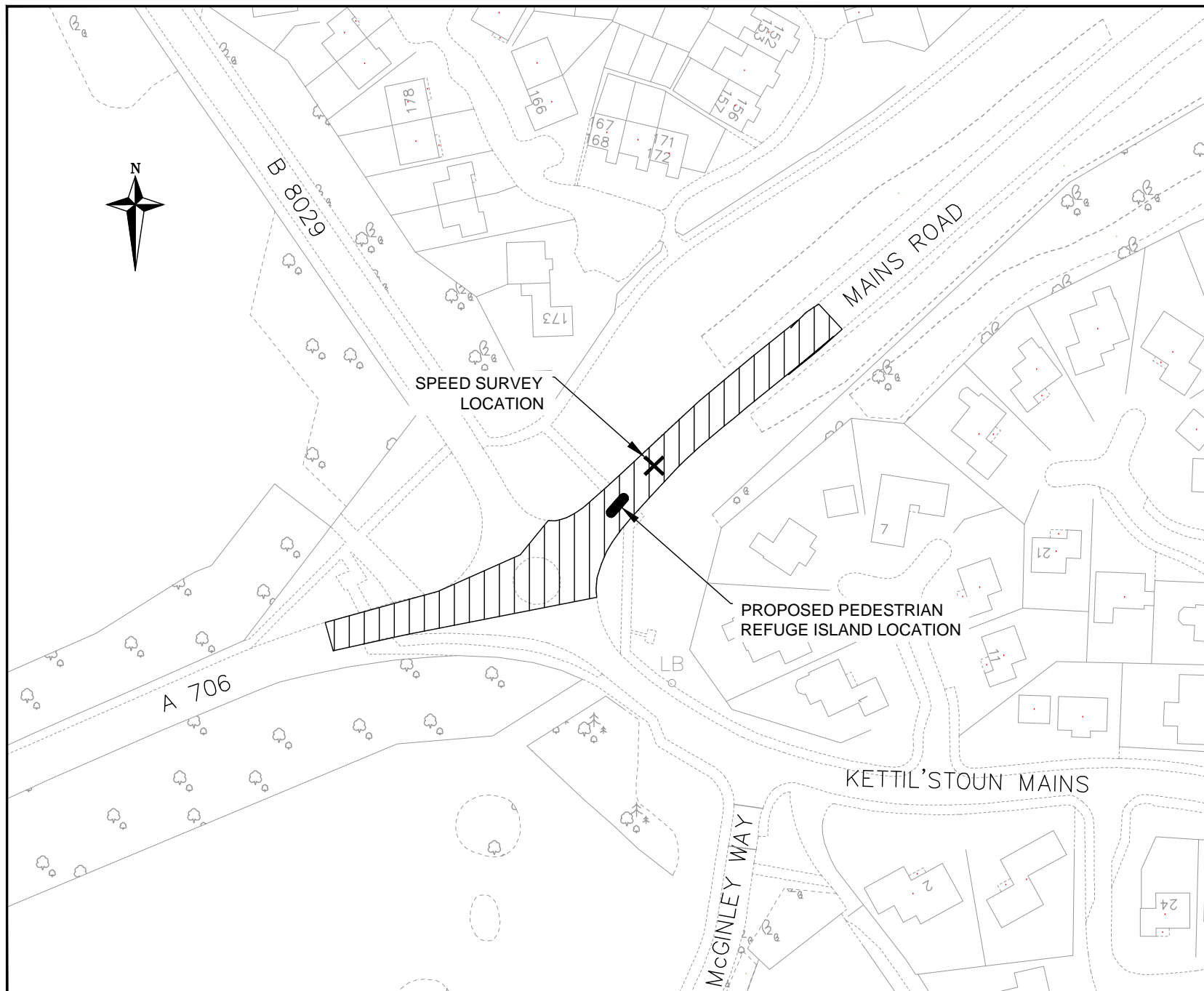
ROADS & TRANSPORTATION MANAGER
WHITEHILL HOUSE
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TEL : 01506 282351

PROJECT DESIGN &
& IMPLEMENTATION




DATE: MAY 2013
SCALE: N.T.S

DRAWN BY: W. CUNNINGHAM
CHECKED BY: R. FISHER

Drg. No. TP/B528/1/PD1



LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION
-  PROPOSED PEDESTRIAN REFUGE ISLAND

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MAINS ROAD, LINLITHGOW

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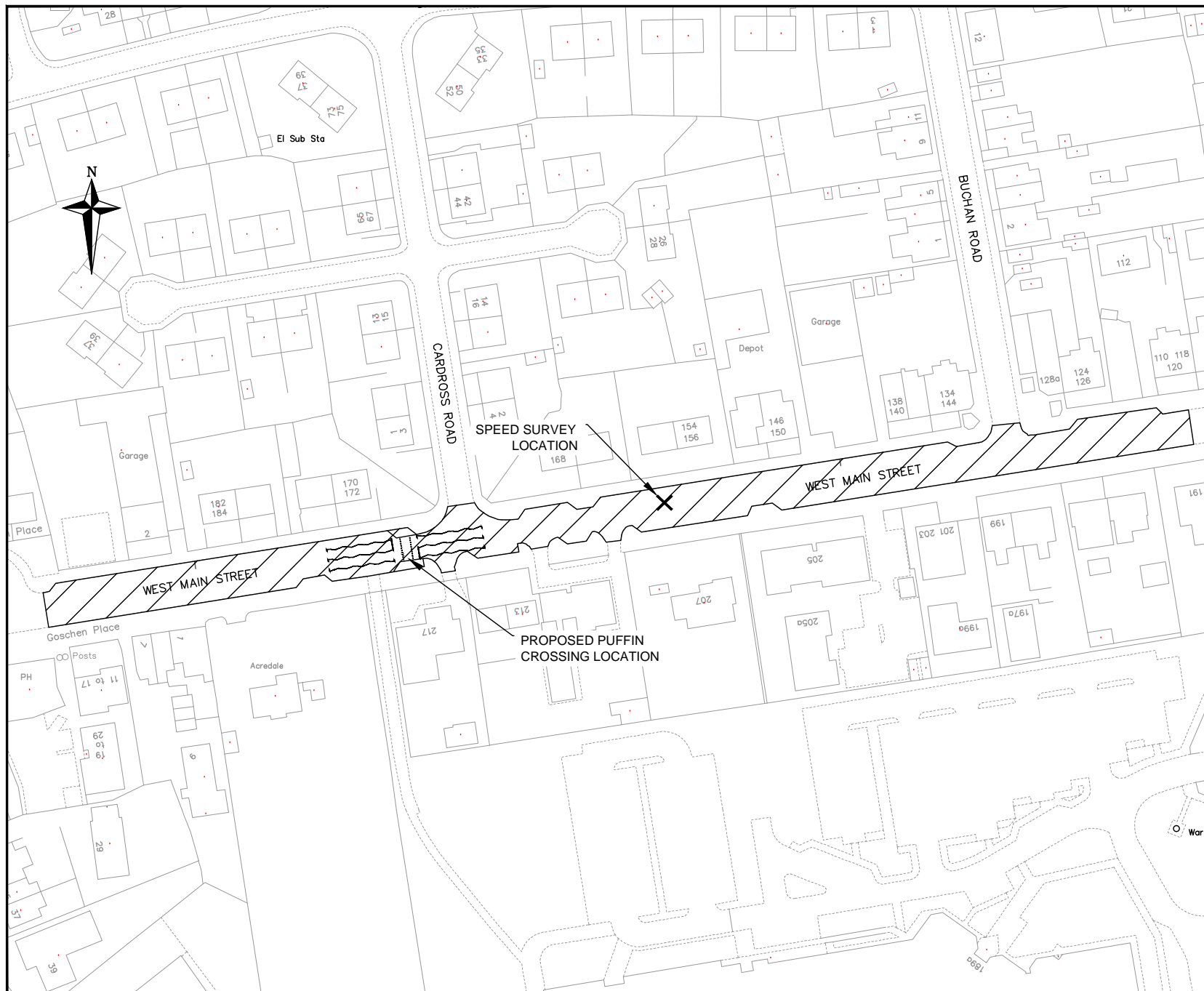
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LEGEND

 AREA FOR PEDESTRIAN SURVEY

X SPEED SURVEY LOCATION

PROPOSED PUFFIN CROSSING

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CWSS PEDESTRIAN CROSSING INVESTIGATION
WEST MAIN STREET, BROXBURN

WEST LoTHIAN COUNCIL
OPERATIONAL SERVICES

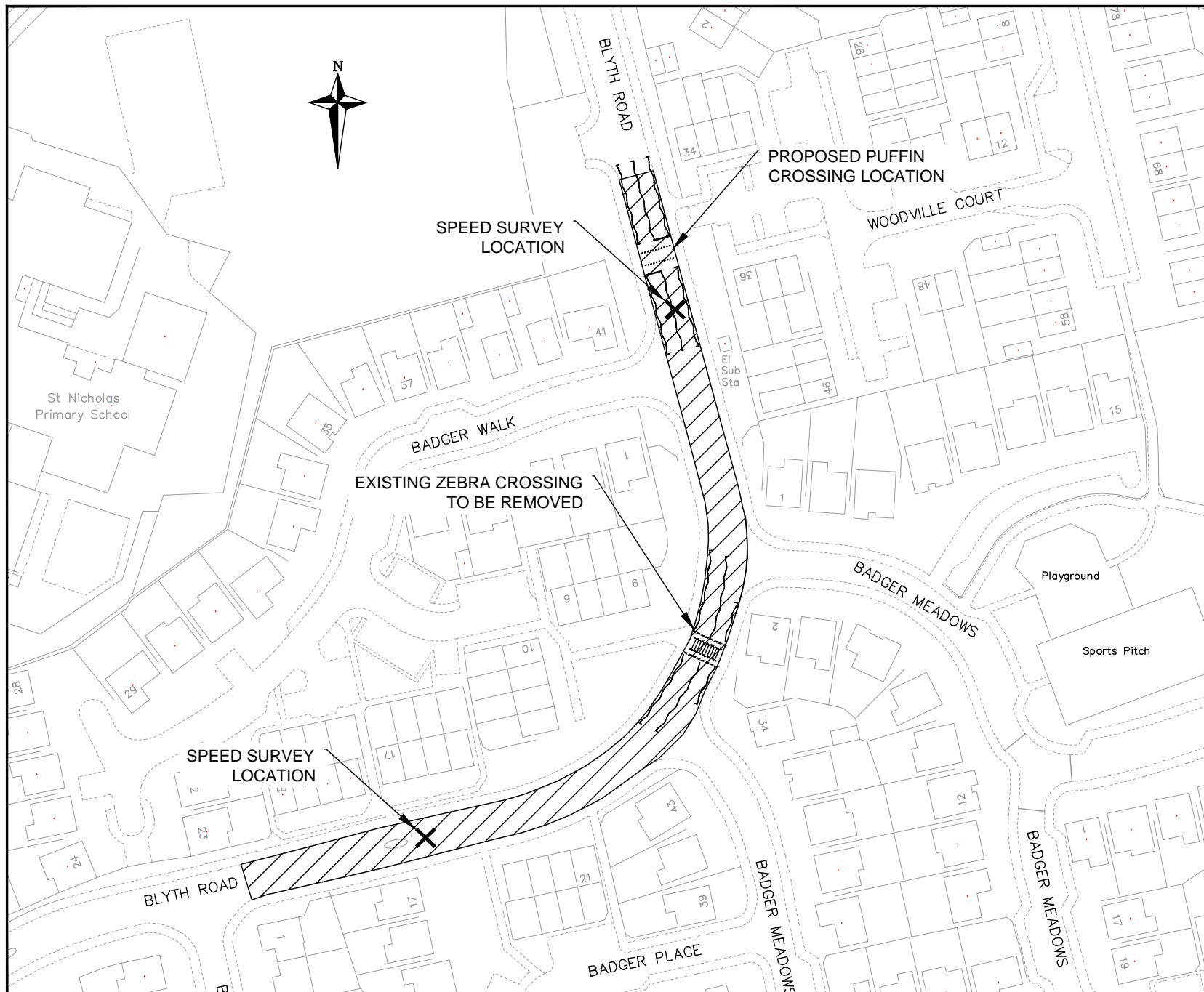
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Drg. No.	TP/B528/2/PD1
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- LEGEND**
- AREA FOR PEDESTRIAN SURVEY
 - SPEED SURVEY LOCATION
 - PROPOSED PUFFIN CROSSING

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CWSS PEDESTRIAN CROSSING INVESTIGATION
BLYTH ROAD, BROXBURN

WEST Lothian Council
OPERATIONAL SERVICES

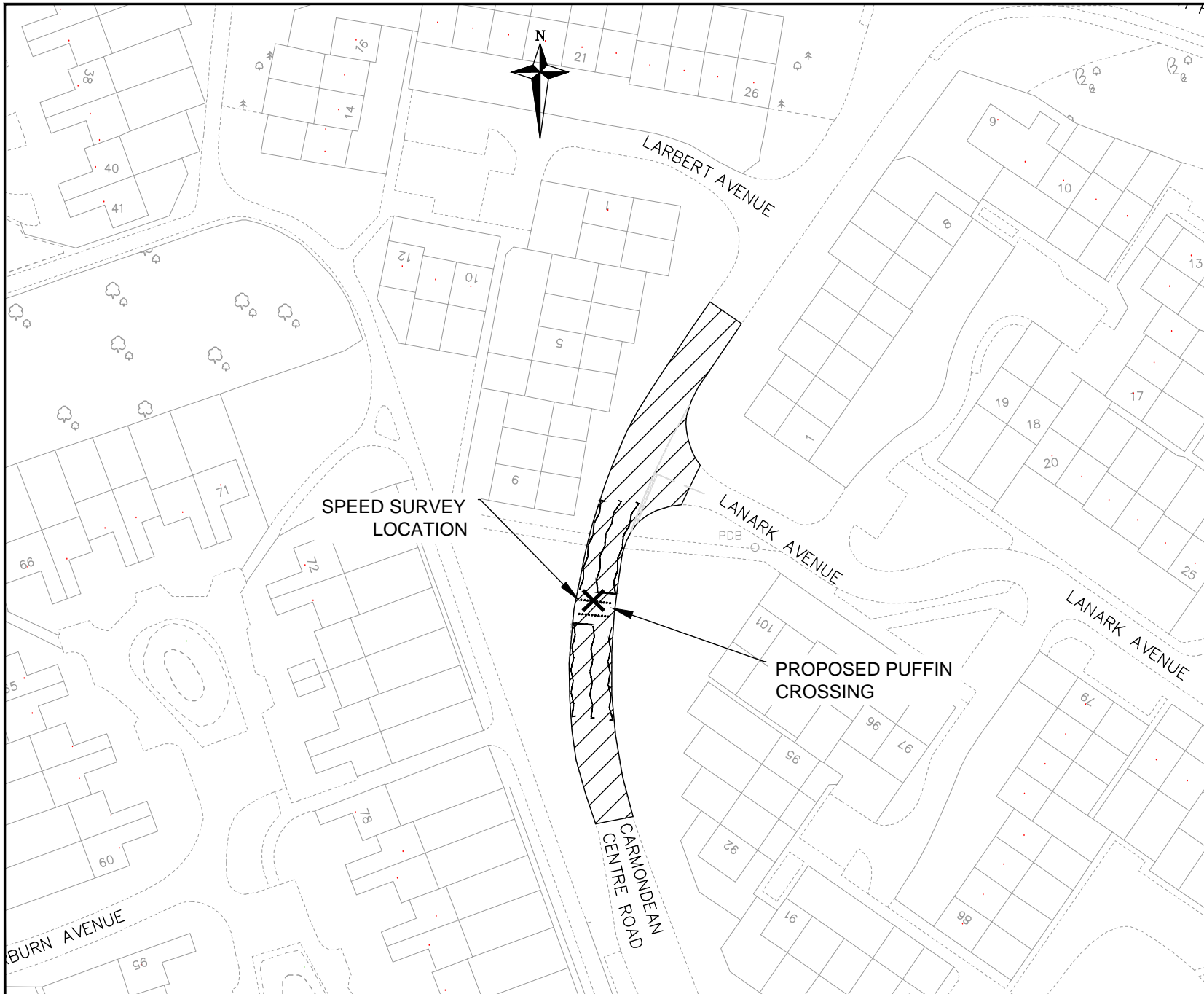
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LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION
-  PROPOSED PUFFIN CROSSING

WEST Lothian Council
Operational Services

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SCALE: N.T.S

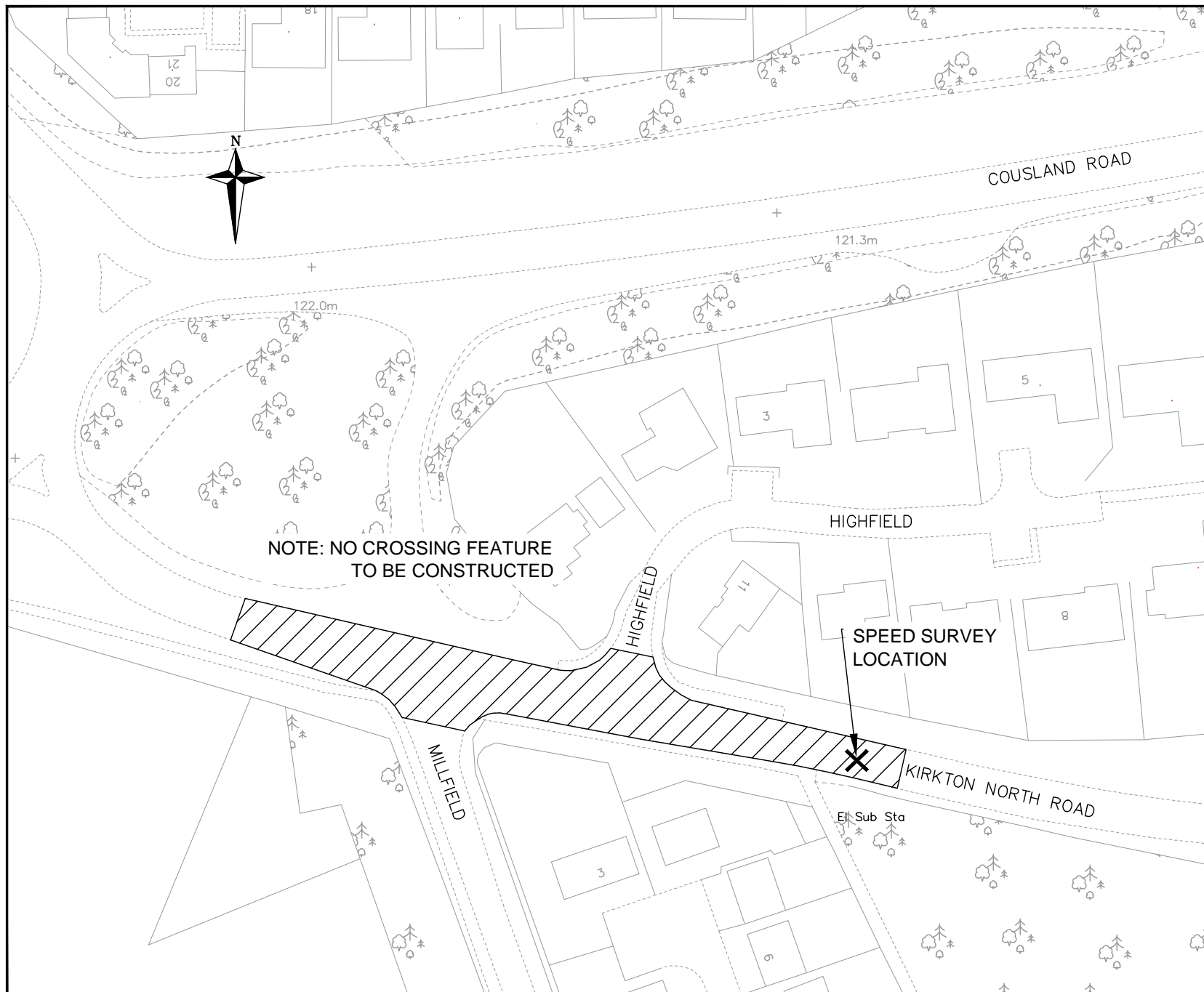
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CWSS PEDESTRIAN CROSSING INVESTIGATION
CARMONDEAN CENTRE ROAD, LIVINGSTON



LEGEND

- AREA FOR PEDESTRIAN SURVEY
- SPEED SURVEY LOCATION

NOTE: NO CROSSING FEATURE
TO BE CONSTRUCTED

SPEED SURVEY
LOCATION

WEST LoTHIAN COUNCIL
OPERATIONAL SERVICES

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PROJECT DESIGN &
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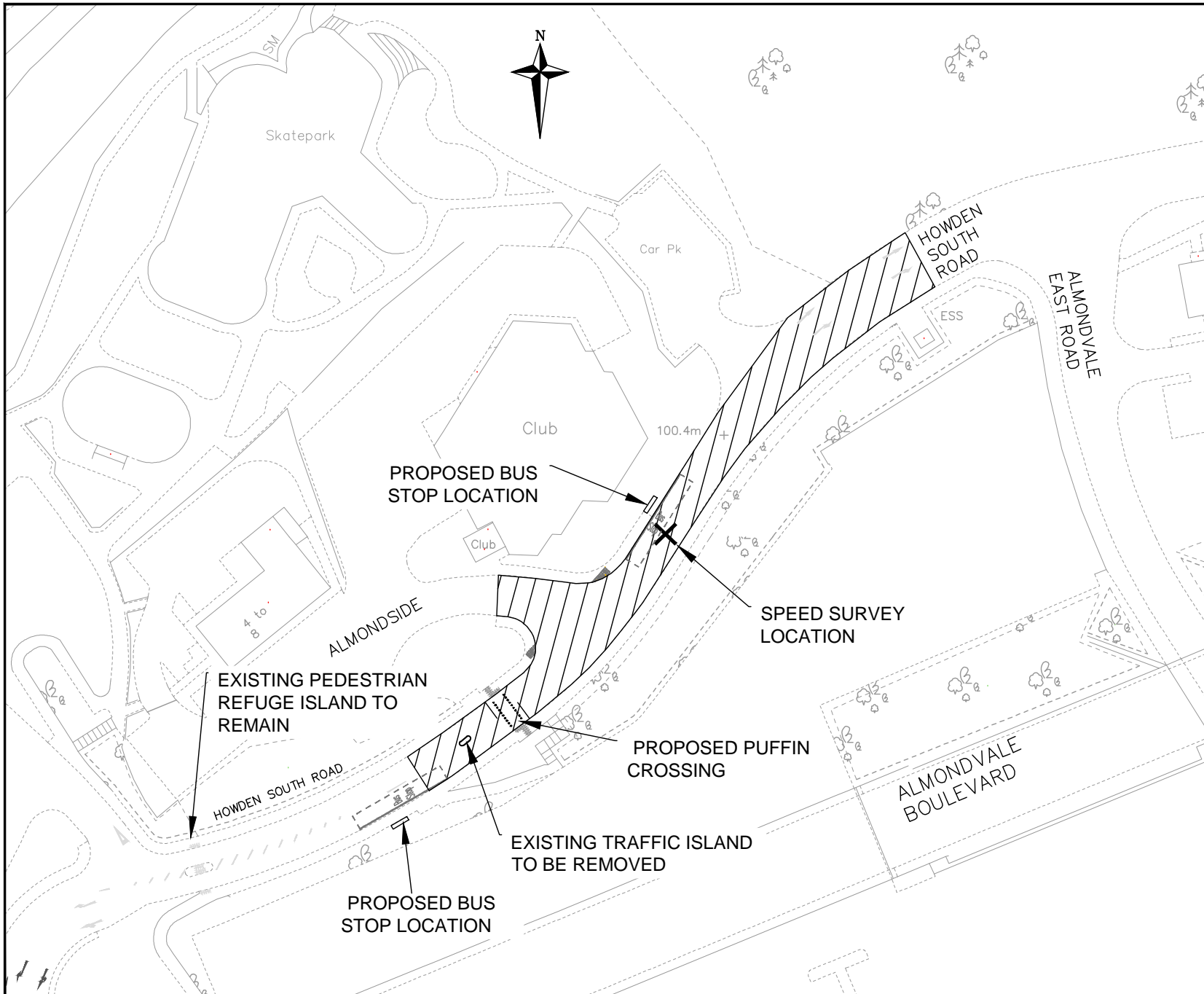
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CWSS PEDESTRIAN CROSSING INVESTIGATION
KIRKTON NORTH ROAD, LIVINGSTON



LEGEND

- AREA FOR PEDESTRIAN SURVEY
- SPEED SURVEY LOCATION
- PROPOSED PUFFIN CROSSING

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CWSS PEDESTRIAN CROSSING INVESTIGATION
HOWDEN SOUTH ROAD, LIVINGSTON

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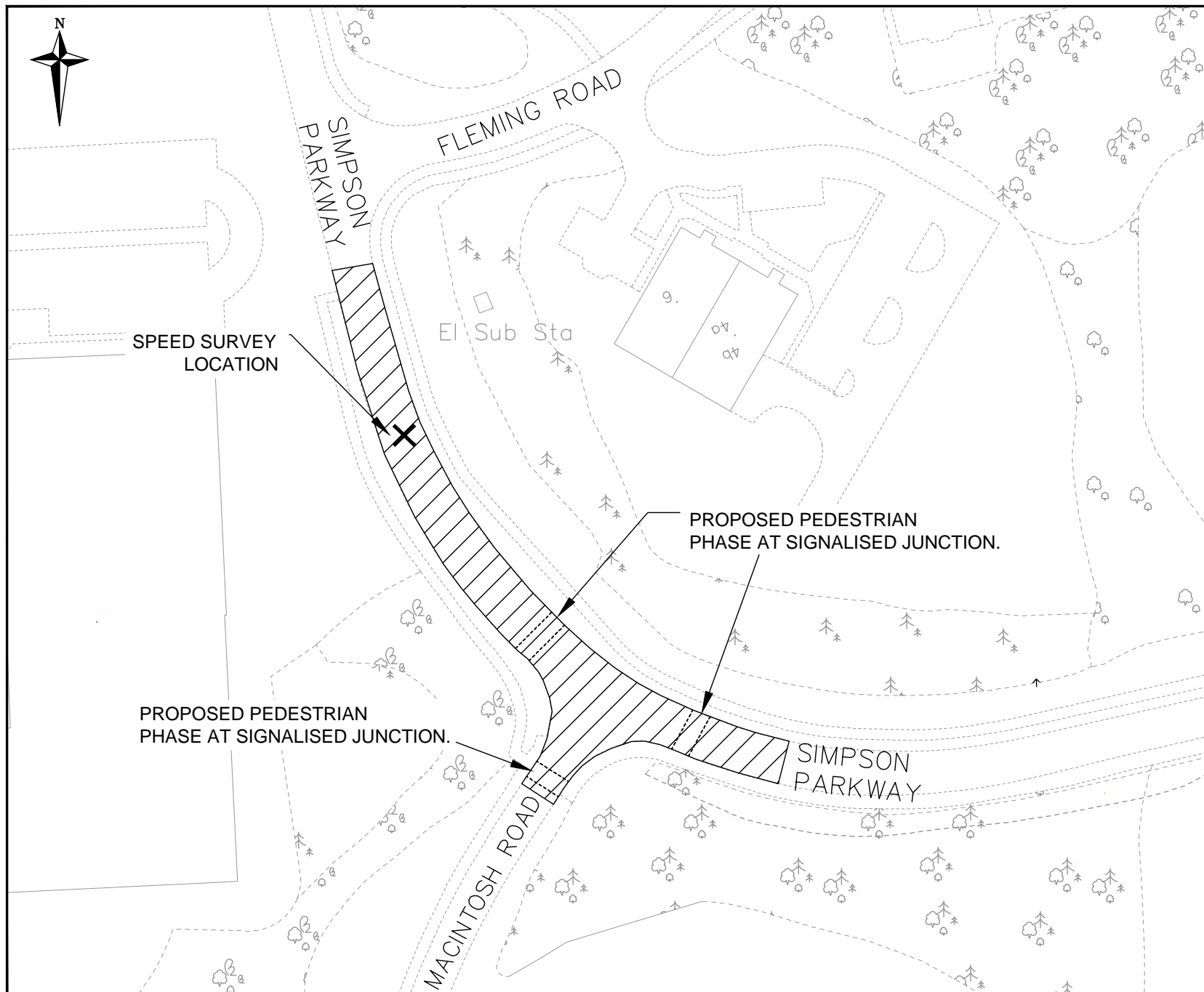
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DATE: MAY 2013
SCALE: N.T.S

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LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION

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SIMPSON PARKWAY, LIVINGSTON

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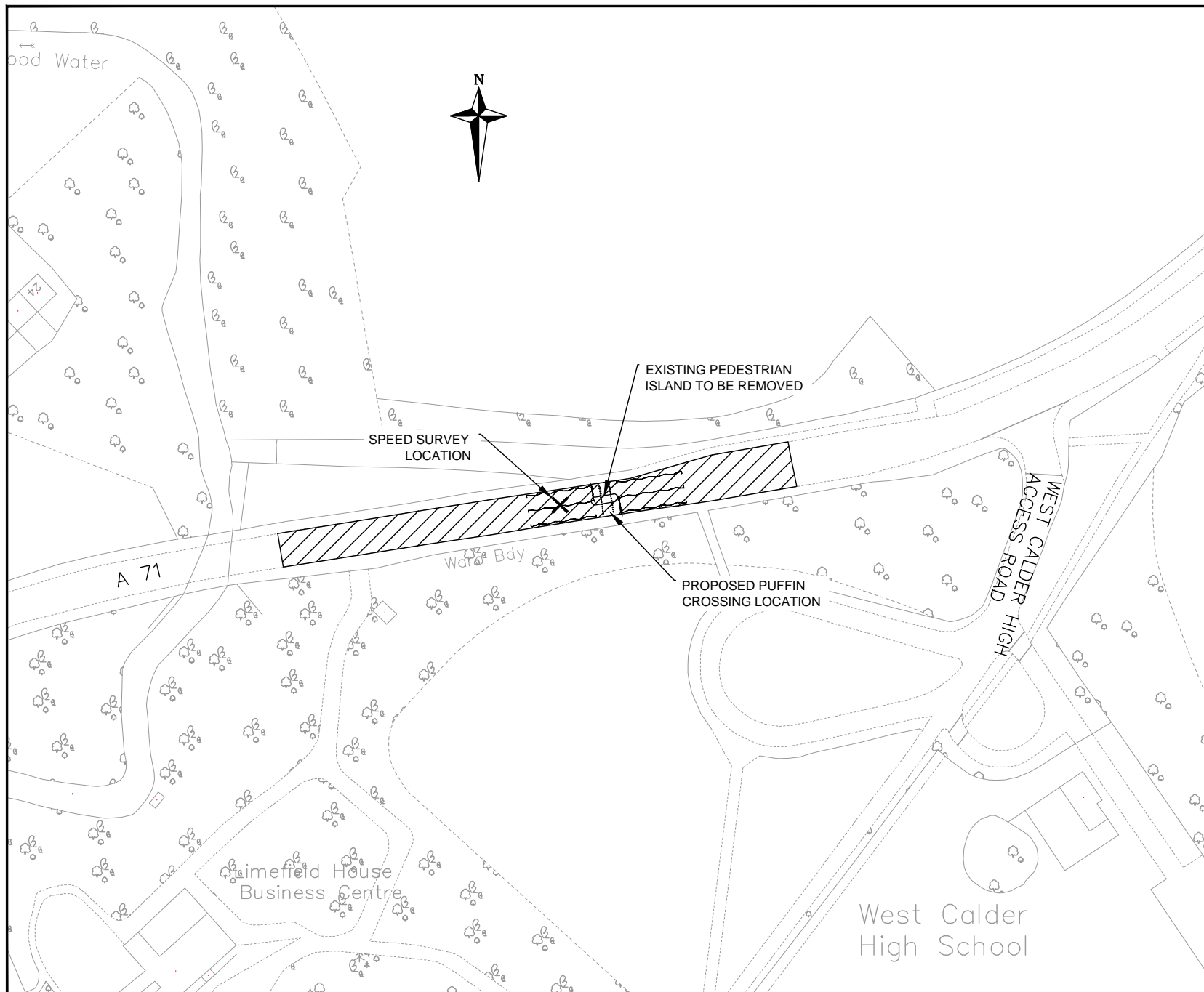
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LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION
-  PROPOSED PUFFIN CROSSING

WEST LoTHIAN COUNCIL
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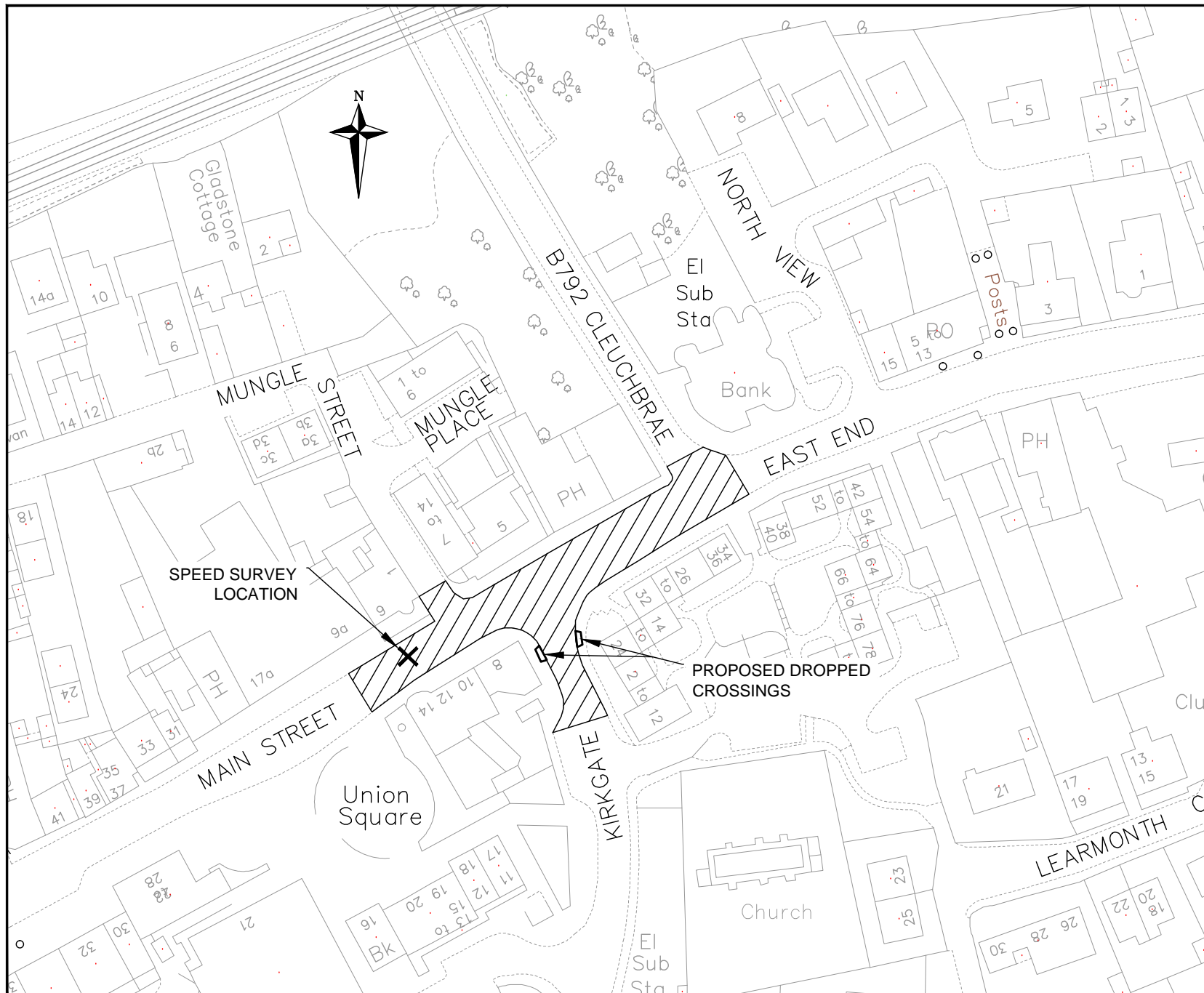
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CWSS PEDESTRIAN CROSSING INVESTIGATION
A71 NEAR WEST CALDER HIGH SCHOOL



- LEGEND**
-  AREA FOR PEDESTRIAN SURVEY
 -  SPEED SURVEY LOCATION
 -  PROPOSED DROPPED CROSSING

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CWSS PEDESTRIAN CROSSING INVESTIGATION
MAIN STREET / KIRKGATE JUNCTION, WEST CALDER

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OPERATIONAL SERVICES

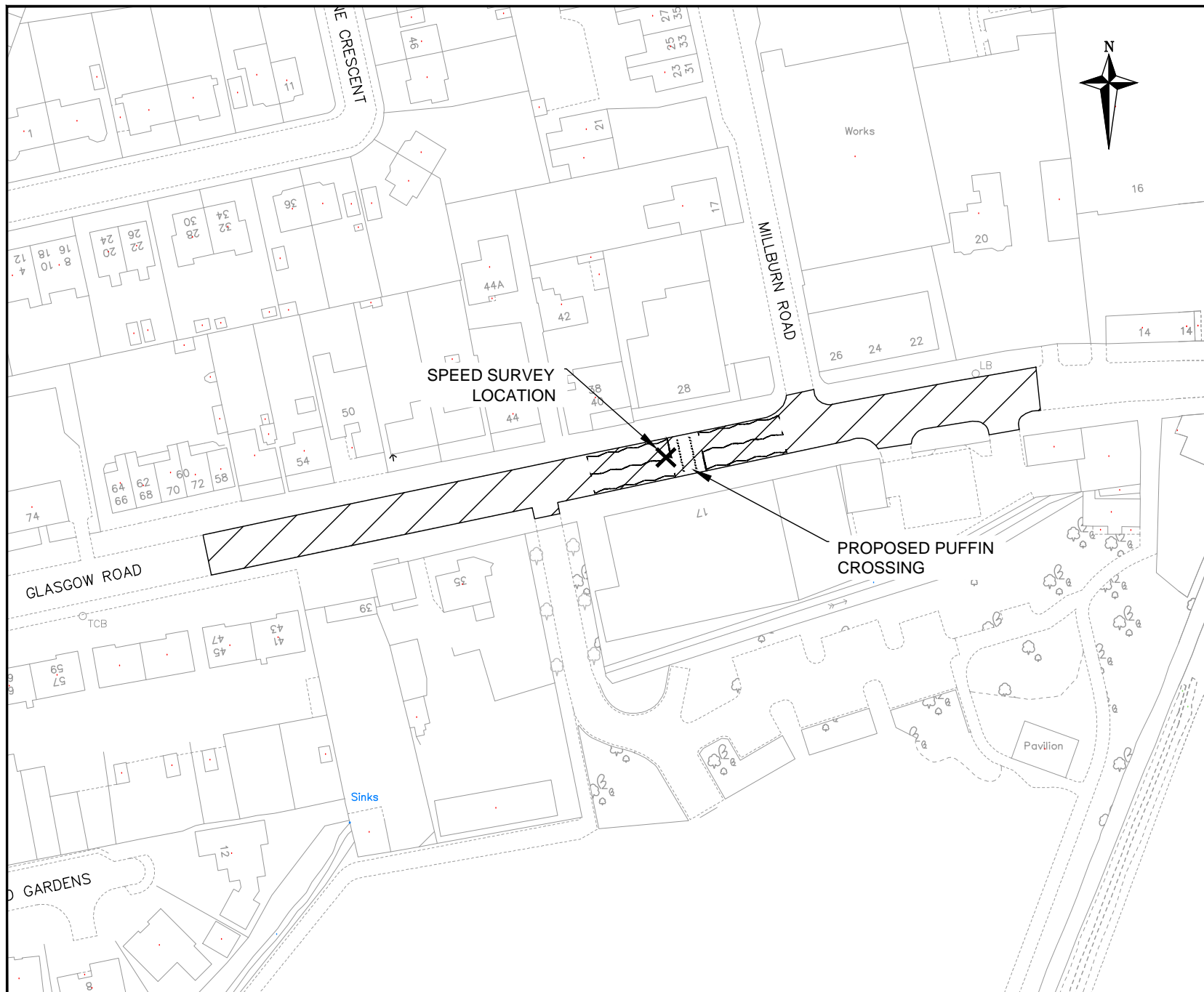
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LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION
-  PROPOSED PUFFIN CROSSING

WEST LoTHIAN COUNCIL
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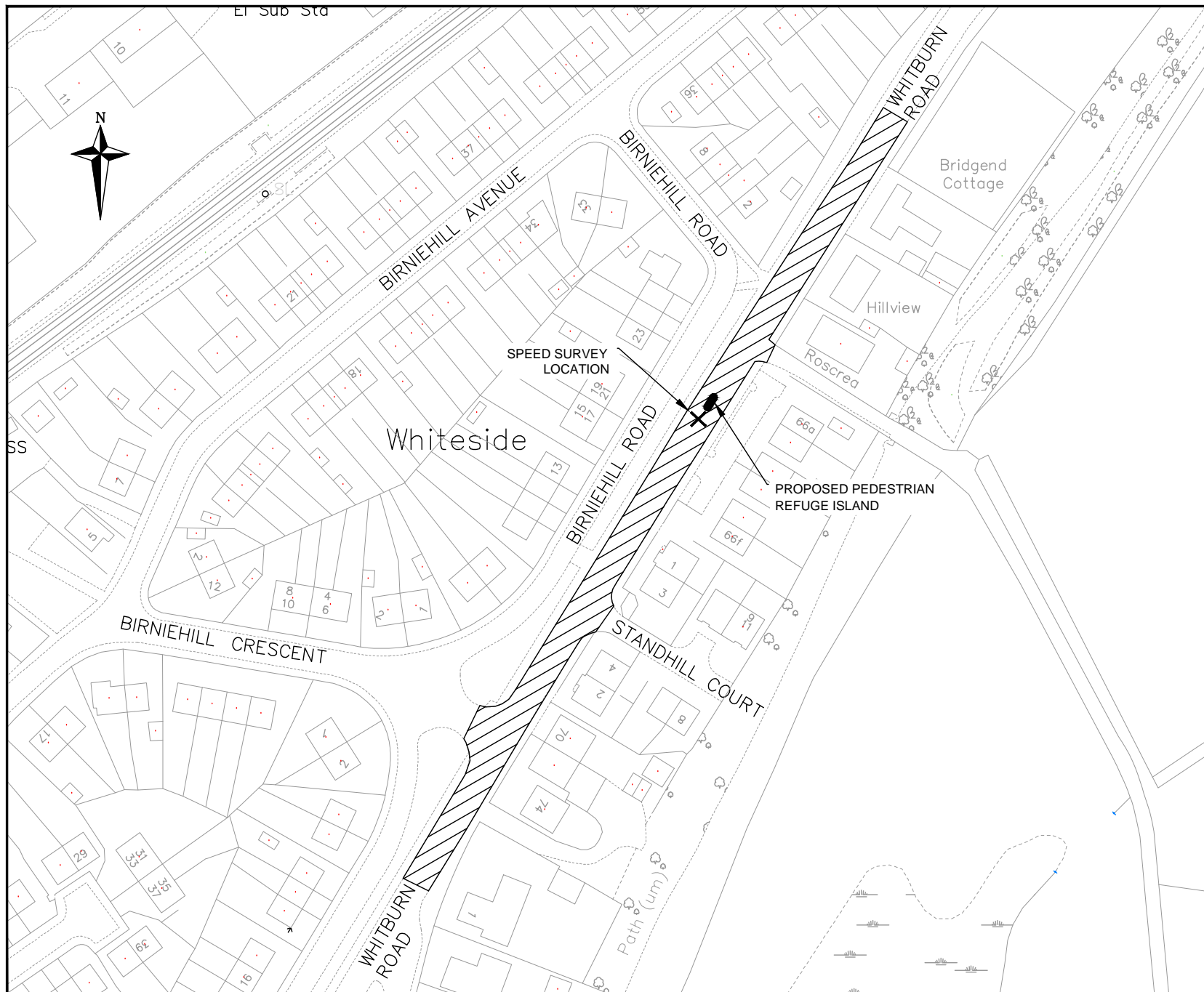
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CWSS PEDESTRIAN CROSSING INVESTIGATION
A89 GLASGOW ROAD, BATHGATE



LEGEND

-  AREA FOR PEDESTRIAN SURVEY
-  SPEED SURVEY LOCATION
-  PROPOSED PEDESTRIAN REFUGE ISLAND

WEST Lothian Council
Operational Services

ROADS & TRANSPORTATION MANAGER
WHITEHILL HOUSE
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CWSS PEDESTRIAN CROSSING INVESTIGATION
WHITBURN ROAD, BATHGATE



West Lothian
Council

COUNCIL EXECUTIVE

**CYCLING, WALKING AND SAFER STREETS GRANT 2012/13 – 2014/15
UPDATE REPORT**

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to update the Council Executive on the works undertaken in 2012/13 and outline the proposed budget for the 2013/14 and 2014/15 Cycling, Walking and Safer Streets (CWSS) programmes.

B. RECOMMENDATION

It is recommended that the Council Executive:

- approve the proposed 2013/14 and 2014/15 programme; and
- note the efforts of officers to acquire additional funding from Sustrans and SESTran enabling the delivery of more schemes.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources; and working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Policy: The schemes contribute to improved road safety. Legal: The council has a statutory responsibility for road safety under the Road Traffic Act 1988.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	The schemes will contribute to single outcome agreement: 9 – “We live our lives free from crime, disorder or danger”; and 10 – “We live in well-designed, sustainable places where we are able to access the services we need”.

VI Resources - (Financial, Staffing and Property)	The programme of schemes will be funded from Cycling, Walking and Safer Streets, Sustrans and SESTran capital grants.
VII Consideration at PDSP	At its meeting on 16 May 2013 the Environment PDSP noted the terms of the report and referred it to the Council Executive for approval.
VIII Other consultations	Consultation with ward members and members of the public will be carried out during the design stage of individual schemes.

D. TERMS OF REPORT

Background

The three year programme for CWSS was identified in the Council Executive report of 3 April 2012. This was based on the anticipated grant funding to be received from the Scottish Government over the three year period.

Scheme/Block	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total £'000
Cycling Schemes	80	74	108	262
Footpath Schemes	65	-	70	135
Pedestrian Crossings	35	90	72	197
School Travel Schemes	20	20	20	60
Total	200	184	270	654

2012/13 Programme

In addition to the CWSS grant allocated from the Scottish Government, officers were able to secure additional partnership funding from Sustrans and SESTran. The successful acquisition of additional grant funding has meant that more works could be progressed than was originally planned in April 2012.

Both phases of the cyclepath along the A89 between Bangour Village Hospital and Deans Roundabout have been completed. The provision of footways at Robertson Way, Livingston and Mill Road, Armadale are also complete.

Pedestrian/traffic surveys have been carried out at the twelve sites identified for further investigation for the requirement for pedestrian crossings. This includes the three sites identified as reserve schemes. A separate report will be presented to the Council Executive detailing the assessment and officer's recommendation.

The on going initiatives, such as ParkSmart, Walk to School Weeks and support for working buses is being continued with the assistance of the budget allocated to School Travel Schemes. This has also allowed surveys of existing advisory school keep clear zig-zag road markings to be progressed to enable these markings to be made legally enforceable. All of which is contributing to the safety of children going to and from schools.

The progress of schemes in 2012/13 is detailed in Appendix 1.

2013/14 and 2014/15 Proposed Budget

The continual provision of funding for the CWSS budget has allowed officers to negotiate additional funding provision in partnership with Sustrans. The outcome of these negotiations is that match funding has been secured to the value of £160,000 for cycling schemes to:

- deliver the provision of a cyclepath between Boghall Roundabout and Wester Inch; and
- progress the design of key links to the canal towpath from Linlithgow Academy and Linlithgow Sports Centre.

In addition, funding to the value of £250,000 is being made available through Sustrans to provide additional links to stations along the Airdrie to Bathgate railway line:

- deliver an upgraded cyclepath on the NCR75 between Bathville and Armadale station;
- progress the design of an upgraded cyclepath along the NCR75 at Blackridge; and
- progress the feasibility design of key links to Armadale station along the B8084 from Whitburn.

The following table shows the anticipated spend for 2013/14 and 2014/15 in the areas identified in the CWSS programme. It includes additional funding secured to help deliver the programme and is draft for 2014/15 as a report will be presented on the 2014/15 budget to the PDSP and Council Executive in Spring 2014 for consideration and approval. Slippage from the 2012/13 capital programme is not included in the budget figures, as this will be managed during the budget roll forward process that will be reported to the Council Executive for approval in June 2013.

Scheme/Block	2013/14 £'000	2014/15 £'000
Cycling Schemes	404	44
Footpath Schemes	-	110
Pedestrian Crossings	170	96
School Travel Schemes	20	20
Total	594*	270

* Funded £184,000 Scottish Government CWSS grant and £410,000 Sustrans grant.

E. CONCLUSION

The approval of this report will allow the progress of the CWSS programme and the delivery of safer environment for pedestrian and cyclists and provide key links between communities, public transport and local community facilities.

The key schemes to be undertaken during 2013/14 are:

Cycling Schemes

- Upgrade path to cyclepath between Lower Bathville, Armadale and NCR75 (including the pedestrian/cycle ramp).
- Provision of cyclepath from A7066 Boghall to Wester Inch.
- Design of NCR75 at Blackridge to provide a link to the new station.
- Design of key links to the canal towpath from Linlithgow Academy and Linlithgow Sports Centre.
- Feasibility design of key links to Armadale station along the B8084 from Whitburn.

Pedestrian crossings Schemes

- Kirkgate at its junction with Main Street, West Calder
- A899 West Main Street, Broxburn
- Glasgow Road, Bathgate
- Howden South Road, Livingston
- A71 Near West Calder High School
- Whitburn Road, Bathgate
- A706 Mains Road, Linlithgow
- Simpson Parkway, Linlithgow (2014/15)
- Carmondean Centre Road, Livingston (2014/15)
- Blyth Road, Broxburn (2014/15)

The report notes the welcomed partnership contributions towards schemes from both Sustrans and SESTran.

F. BACKGROUND REFERENCES

Council Executive Committee on 3 April 2012 – Cycling, Walking Safer Streets Grant
Proposed Programme 2012/13 – 2014/15

Appendices/Attachments: Appendix 1 – CWSS Programme Update

Contact Person: Ronald Fisher, Projects Manager, Project Design and Implementation, Operational Services, Whitehill House, Bathgate. Tel: 01506 776782, email: ronnie.fisher@westlothian.gov.uk
Jim Jack, Head of Operational Services

Date of meeting: 4 June 2013

Schemes	Ward	Officer Recommendation (CE report 3 April 2012)	Progress	Outcome met
Cycle Schemes				
A89 Phase 1 - Cyclepath from Bangour Village Hospital to Nellburn Path	2, 3, 8	Implementation dependant on securing partnership funding.	Works complete	Delivered through partnership funding from Sustrans and SESTran. Total additional funding secured.
A89 Phase 2 - Cyclepath from Nellburn Path to Deans Roundabout	2, 3, 8	Implementation dependant on securing partnership funding.	Works complete	Delivered through partnership funding from Sustrans and SESTran. Total additional funding secured.
Contribution to the extension of hard surfacing of the Union Canal towpath in Linlithgow	1	Implement year 1 or 2 (subject to partners delivery programme).	Scottish Canals have secured partnership funding from Sustrans to deliver scheme.	Will be delivered in 2013/14.
Upgrade of the pedestrian/cycle ramp south of Armadale	9	Implement year 1.	Officers have secured partnership funding from Sustrans to deliver scheme.	Will be delivered in 2013/14 and will include the upgrade of the path to between Lower Bathville, Armadale and NCR75.
Realignment of NCR75 at Blackridge to provide a link to the new station	9	Enter discussions with Sustrans to see if project can be part of its programme.	Officers have secured partnership funding from Sustrans to progress design of scheme.	Funding secured will allow design to progress, including submission of a planning application, and allow negotiations with land owner to commence.
Upgrade path to cyclepath between Lower Bathville, Armadale and NCR75	9	Enter discussions with Sustrans to see if project can be part of its programme.	Officers have secured partnership funding from Sustrans to deliver scheme.	Will be delivered in 2013/14 and will include the upgrade pedestrian cycle ramp south of Armadale.

Schemes	Ward	Officer Recommendation (CE report 3 April 2012)	Progress	Outcome met
Footpath Schemes				
Robertson Way to The Loan Path, Livingston – Provision of Footpath	3	Implement year 1	Works complete	Scheme delivered.
Mill Road, Armadale – Provision of Footway link to Millburn Area	9	Implement year 1	Works complete	Scheme delivered.
Murieston Road, Livingston – Provision of Footway link to Murieston East Road	4	Implement year 3	Works programmed for year 3	To be delivered 2014/15.
Macintosh Road, Livingston - Provision of Footpath	4	Reserve Scheme	Progression of scheme will depend on funding available.	Scheme placed in reserve.
Newpark Road, Livingston – Footway Widening	4	Reserve Scheme	Progression of scheme will depend on funding available.	Scheme placed in reserve.
Pedestrian Crossings				
12 locations identified in Appendix 3 of Council Executive report dated 3 April 2012.	1, 2, 3, 4, 6, 8	Further Investigation	<p>Assessments of sites complete. The ten recommended schemes are:</p> <ul style="list-style-type: none"> • Kirkgate at its junction with Main Street, West Calder • A899 West Main Street, Broxburn • Glasgow Road, Bathgate • Howden South Road, Livingston • A71 Near West Calder High School • Whitburn Road, Bathgate • A706 Mains Road, Linlithgow • Simpson Parkway, Livingston • Carmondean Centre Road • Blyth Road, Broxburn 	Assessment and officer's recommendation taken to Env. PDSP as separate report. Will be delivered in 2013/14 and 2014/15.



West Lothian
Council

COUNCIL EXECUTIVE

A904 NEWTON VILLAGE MITIGATION MEASURES

REPORTER'S RECOMMENDATIONS – WAITING/LOADING RESTRICTIONS HEARING

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek approval of the recommendations made by the Reporter in connection with the hearing of the objection to the proposed waiting and loading restrictions on the A904 in Newton Village.

B. RECOMMENDATION

It is recommended that the Council Executive approves the:

1. recommendation of the Reporter to modify the Order by substituting a reduced or less stringent measure for the proposed prohibition on waiting and loading on the east side of Duddingston Terrace.
2. recommendation of the Reporter to confirm the Order as modified.
3. progression of the scheme to implementation, based on the above modifications to the waiting and loading restrictions.
4. recommendation of the Reporter to consider making an Order to ensure that the three parking spaces to be formed on the A904 are restricted to short-stay use. It is therefore recommended that Council Executive approve the initiation of statutory procedures to introduce short-stay use at this location.

C. SUMMARY OF IMPLICATIONS

I Council Values	<ul style="list-style-type: none">• Focusing on our customers' needs; and• being honest, open and accountable;
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>Policy: The scheme contributes to road safety.</p> <p>Legal: The modification to the waiting and loading restriction order to which the objection relates does not require any further consultation, but requires to be confirmed in a notice in the media. Restricting the three parking spaces on the A904 for short-stay use requires the promotion of another traffic regulation order.</p>
III Implications for Scheme of Delegations to Officers	None

IV	Impact on performance and performance Indicators	None
V	Relevance to Single Outcome Agreement	The scheme will contribute to outcomes: 9 – “We live our lives free from crime, disorder or danger”. 10 – “We live in well-designed, sustainable places where we are able to access the services we need”.
VI	Resources - (Financial, Staffing and Property)	The promotion of the additional traffic regulation order and implementation of the measures will be funded by Transport Scotland as part of the Forth Replacement Crossing scheme.
VII	Consideration at PDSP	None
VIII	Other consultations	Ward members, Newton Community Council, Police Scotland and Transport Scotland have been consulted on the recommendations made by the Reporter.

D. TERMS OF REPORT

Background

On 24 April 2012, the Council Executive approved traffic mitigation measures to assist in alleviating the impact of any increase in traffic through Newton village as a result of the construction of the new Forth Replacement Crossing.

This included the initiation of the statutory procedures to promote a traffic regulation order to introduce various waiting and loading restrictions on the A904 Main Street and Duddingston Terrace and permit parking within the proposed lay-by on the A904, Main Street, Newton

Extensive consultation had been carried out between Transport Scotland and Newton Community Council in the early development of the scheme. Transport Scotland asked the council as roads authority to finalise the design, procure and supervise the construction.

However, during the statutory consultation for the waiting/loading restrictions an objection was received. Although discussions took place with the objector, the objection was not withdrawn and therefore in terms of the Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999 a public hearing was required to be held.. The resulting hearing was held in Newton Village Community Centre on 30 January 2013 and was attended by West Lothian Council, Lothian and Borders Police, Newton Community Council and private individuals.

Reporter's Recommendations

A copy of the report from the Directorate for Planning and Environmental Appeals dated 2 May 2013 has been made available prior to the Council Executive meeting and is held by Committee Services. It contains the details of the public hearing and the Reporter's recommendations which were:

1. The council modify the Order by substituting a reduced or less stringent measure for the proposed prohibition on waiting and loading on the east side of Duddingston Terrace.
2. The council confirm the Order as modified.
3. The council gives consideration to making an Order to ensure that the three parking spaces to be formed on the A904 are restricted to short-stay use.

The reduction in the length of loading restriction on the east side of Duddingston Terrace would provide an additional car parking space at the kerbside. As this recommendation is less stringent there is no requirement to re-advertise the proposals as officers can modify the order under delegated powers. It is therefore recommended that council executive approves the alterations to the advertised traffic regulation order as shown on drawing and make the order as modified.

However, as the introduction of short-stay parking on the A904 is more stringent statutory consultation is required to be carried out to make this alteration. Officers recommend that the period for short stay parking is 30 minutes with no return within two hours Monday to Saturday between 8.00am to 6.00pm.

In considering whether to accept the Reporter's recommendation to introduce short-stay car parking in the proposed lay-by on the A904, it should be noted that it is likely that objections will be received from residents in the properties adjacent to the lay-by on the A904, as this will restrict their use of the lay-by.

Consultation

Transport Scotland has been consulted and support the recommendations made by the Reporter.

Ward members have been consulted:

Cllr Conn commented – "I would support the proposals".

Cllrs Day and Kerr made no comment.

Newton Community Council is supportive of the recommendations.

Police Scotland commented: "On behalf of the Chief Constable, I can advise you that Police Scotland have no issues with proposals made by Clive Christopherson (Reporter appointed by West Lothian Council) contained within the attached document".

E. CONCLUSION

The recommendations made by the Reporter do not adversely affect the operational impact or safety aspects of the proposed traffic signal scheme.

Officers should proceed with the implementation of the measures taking on board the recommendation to reduce the length of loading restriction on the east side of Duddingston Terrace.

However, as the introduction of short-stay parking on the A904 requires further statutory consultation, this recommendation should progress separately to allow the mitigation measures to be implemented without any further delay.

F. BACKGROUND REFERENCES

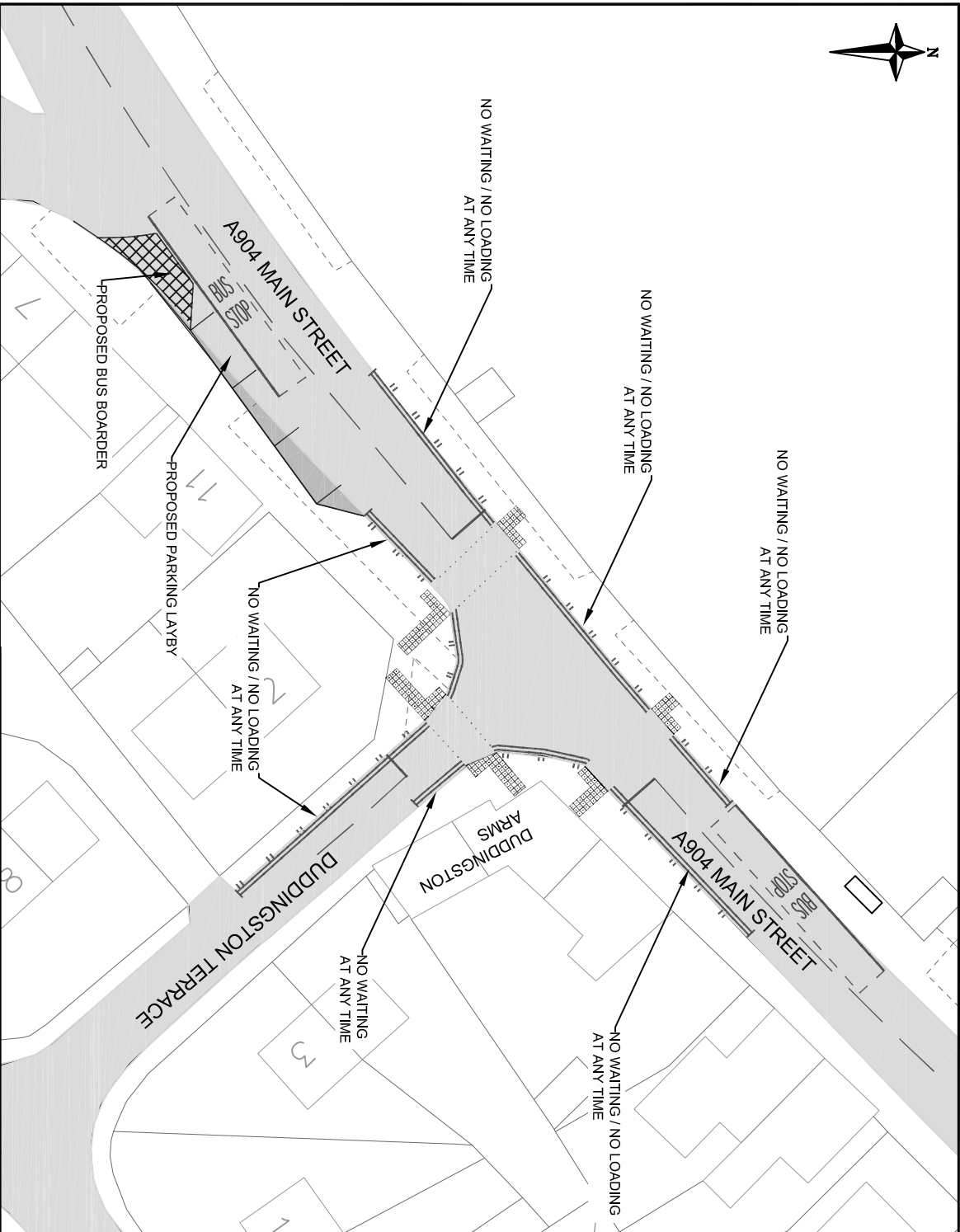
Report to West Lothian Council – Road Traffic Regulation Act 1984 by Directorate for Planning and Environment Appeals, dated 2 May 2013 (Held by Committee Services)

Appendices/Attachments:

Drawing No. TP/B493/1/CONS 3 – Modified Waiting / Loading Restrictions

Contact Person: Ronald Fisher, Projects Manager, Project Design and Implementation, Operational Services, Whitehill House, Bathgate. Tel: 01506 776782, email: ronnie.fisher@westlothian.gov.uk
Jim Jack, Head of Operational Services

Date of meeting: 4 June 2013



LEGEND

- PROPOSED ROAD MARKINGS
- PROPOSED BUS STOP MARKINGS
- PROPOSED LAYBY
- PROPOSED BUS BOARDER
- PROPOSED TACTILE PAVING

NOTE

1.) EXISTING ROAD MARKINGS HAVE BEEN OMITTED FOR CLARITY.

DATA LABEL		PUBLIC		Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No.: LA09052L	
WEST LOTHIAN COUNCIL				MODIFIED WAITING & LOADING RESTRICTIONS	
OPERATIONAL SERVICES				A904 MAIN ST / DUDDINGSTON TERR, NEWTON	
ROADS &TRANSPORTATION MANAGER WHITEHILL HOUSE WHITEHILL INDUSTRIAL ESTATE BATHGATE EH48 2HA		TRANSPORTATION PROJECT DESIGN & IMPLEMENTATION		DATE:- MAY 2013 SCALE:- 1:500 @ A4	
				DRAWN BY:- W/C CHECKED BY:-R.F	
				Drg. No.:- TP/B493/1/CONS/3	

Report to West Lothian Council

ROAD TRAFFIC REGULATION ACT 1984

Report by Clive Christopherson, a Reporter appointed by West Lothian Council

- DPEA Case reference: IQC/30/60
- West Lothian Council reference : PTO/12/06
- Objections to the West Lothian Council (A904 Main Street and Duddingston Terrace, Newton) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 2012
- Date of hearing: 30 January 2013

Date of this report and recommendation: 2 May, 2013

I recommend that:

1. The Council modify the Order by substituting a reduced or less stringent measure for the proposed prohibition on waiting and loading on the east side of Duddingston Terrace; and
2. The Council confirm the Order as modified.
3. I also recommend that the Council gives consideration to making an Order to ensure that the three parking spaces to be formed on the A904 are restricted to short-stay use.

Directorate for Planning and
Environmental Appeals
4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

Mr Jim Jack
Head of Operational Services
West Lothian Council

File reference: IQC/30/60

Dear Mr Jack

**West Lothian Council (A904 Main Street and Duddingston Terrace, Newton)
(Prohibition and Restriction of Waiting, Loading and Unloading) Order 2012**

Further to my appointment by the Council on 27 November 2013, I held a public hearing in respect of the prohibition and restriction of waiting order proposed for the Main Street and Duddingston Terrace, Newton. The hearing was held in the Newton Community Centre, Newton on 30 January 2013. Prior to, and after, the hearing I made several unaccompanied site inspections of Newton, in particular of the roads directly affected by the order, during the morning and evening rush hours and also in the early evening. At the conclusion of the hearing I also made an accompanied inspection of the junction of Duddingston Terrace and Main Street and also of the environs of the Duddingston Arms public house.

Those taking part and recorded as attending the hearing were:

West Lothian Council: Mrs Fiona Hannay, senior solicitor, Legal Services, Mr Ronnie Fisher Projects Manager, Transportation, Mr Graeme Malcolm, Transportation Manager, Mr William Cunningham, Technician, Transportation

The Lothian and Borders Police: Constable Alistair Shepherd, Traffic Management Section

Newton Community Council: Ms Evelyn Woollen, Secretary, Ron Jamieson, Kay Blair, Jock Blair

Private individuals: Mr Alan Cochrane (Newton newsagent shop), David Gourlay (Duddingston Arms), Ellen Harrison, Agnes Rennie, George Berry

Mrs Joyce Moss, Programme Officer (solicitor, legal section West Lothian Council).

Documents submitted in evidence to the hearing are listed in the Appendix to this report.

Chapter 1 of this report sets out the general background to the order; chapter 2 summarises the cases for the Council, the Newton Community Council, and the private individuals respectively; chapter 3 contains my reasoning, conclusions and recommendation.

CHAPTER 1. General Background

Description of Newton

1.1 Newton is a small settlement of some 85 dwellings situated approximately 2.4 km from the western edge of South Queensferry. The A904 passes through the northern part of the village. It has a petrol station, a public house (The Duddingston Arms), a newsagent (Newton Newsagent), with a small food retail outlet (Costcutter) attached to the petrol station, all fronting Main Street (A904). A community hall (the Newton Community Education Centre) is situated on the south side of the village.

1.2 The southern half of the village is accessed from Duddingston Crescent, which joins Main Street towards the eastern end of the village. Duddingston Terrace is more centrally placed, linking Main Street and Duddingston Crescent. The public house is situated on the eastern side of the junction of Main Street with Duddingston Terrace.

1.3 There are two bus stops both with passenger shelters. The east bound (north side of Main Street) lies just beyond the westernmost house to the north side of Main Street. The west bound (south side of Main Street) is close to the newsagents and next to the access from the A904 into the petrol station.

1.4 There is an uncontrolled pedestrian crossing over Main Street, near to the west bound bus stop in the centre of the village.

1.5 There is a shortage of parking spaces in the village. In Main Street, informal, mostly short stay parking occurs in the bus lay by, in front of the petrol station, within the grounds of the petrol station, and partly on the footway in front of houses. In Duddingston Crescent and Duddingston Terrace there is some off-street parking to the side and fronts of houses. There is also on-street parking. There is no dedicated customer car park for the Duddingston Arms, although there is a driveway capable of accommodating three cars off the Main Street next to the public house. The Community Education Centre has a small informal car park to the rear capable of accommodating around 14-15 vehicles.

1.6 Most of the houses fronting Main Street are set only a few metres behind the rear of a relatively narrow footway, in most cases being separated by very short gardens. The footway broadens on the south side of Main Street west of Duddingston Crescent and is supplemented by a wide grassed verge, while the road also widens to provide a bus lay-by. An informal parking area continues in front of the petrol station and also on its western exit onto the A904. From the junction with Duddingston Crescent to the bus stop, the outer edge of the grass verge is heavily worn from vehicle wheels tracking across it.

1.7 A 30mph speed limit applies to the A904 as it passes through Newton (a distance of some 450m).

1.8 The A904 through Newton carries a large volume of traffic, providing the most direct link between Junction 2 on the M9 (Philipstoun junction) west of Newton, and the Forth Road Bridge. Additionally, the A904 is part of the Forth Valley Tourist route and provides access to towns and villages on the south side of the Firth of Forth, including Blackness, Boness and Grangemouth.

1.9 There are various sources of statistics for the traffic flows through Newton, the Department of Transport (DoT), Transport Scotland, the Forth Replacement Crossing, and the Council's 2008 survey. Not all are comparable and the DoT figures have built in adjustments to provide comparable data across the UK. The most detailed information available is that provided by the 2008 study which also took in vehicle speeds. There is no survey or analysis of vehicle movements at the two main junctions in the village, those of Main Street with Duddingston Terrace and Duddingston Crescent.

1.10 I observed the traffic passing through Newton over the morning and evening rush hour periods in late January this year, with particular attention to the number of vehicles entering and leaving Duddingston Terrace. I have also observed the availability of parking space in the village in the early evening, in late April.

Government Advice and Policy

1.11 The Scottish Government's guidance on speed limits is set out in Enterprise, Transport and Lifelong Learning Department (ETLLD) Circular 1/2006: Setting Local Speed Limits. Circular 1/2006 states it is government policy that, where appropriate, a 30 mph speed limit should be the norm in villages. The length of the road to which the limit would apply should be a minimum of 600 metres (although this may be reduced in exceptional circumstances to 300 metres).

1.12 The Design Manual for Roads and Bridges (DMRB), TD42, Figure 2/2 recommends against simple priority junctions where the major road flows exceed 13,000 AADT.

1.13 The Register of Commitments and Undertakings which accompanied the Forth Crossing Bill included the commitment of Scottish Ministers to deliver and fund traffic management measures at Newton.

The Council Pedestrian Crossings Report and the Jacobs Arup Traffic Study

1.14 There are two reports relevant to the hearing. In 2008 as part of its Cycling, Walking and Safer Streets programme 2008/09-2010/11, the Council carried out an assessment of potential pedestrianised crossings in 10 settlements across West Lothian. One of the sites assessed was Main Street, Newton. The traffic surveys indicated total daily flows of traffic were in excess of 15,000 vehicles, of which 15% were HGVs, and that the average speed of vehicles was a little over 30mph, the 85th percentile being 36 mph. The report noted the A904 was a highly used route but there were not many pedestrian crossings during the day, and there had been no accidents in the last four years. It was concluded that no crossing be installed.

1.15 The second report, Newton Traffic Mitigation Feasibility Study, was prepared by Jacobs Arup Joint Venture in 2010. This report was a consequence of concerns raised by Newton Community Council with Transport Scotland during the parliamentary process for the Forth Replacement Crossing. The concerns regarded the effect of the FRC on traffic volumes passing through Newton. In response to these concerns Transport Scotland commissioned Jacobs Arup Joint Venture to consider what measures could be implemented to reduce the impact of any increase in traffic through Newton village.

1.16 The Feasibility Study refers to Transport Scotland's assessment of traffic growth in association with the Forth Replacement Crossing (FRC). This indicated the Annual Average Daily Traffic (AADT) volume of traffic passing through Newton would reach 18,500 vehicles by 2017, the year of anticipated opening of the FRC. Growth in traffic through the village was anticipated notwithstanding the changes to M9 Junction 1A which would provide a trunk road route for traffic moving between the M9 and the FRC, bypassing Newton. This would have comparable journey times and less stress but the A904 through Newton nevertheless would remain the shorter route and it was therefore expected that a significant number of vehicles would continue to use this road.

1.17 The Jacobs Arup study found that the most significant issue for the local community was the predicted volume of traffic using the A904 between the M9 and the proposed FRC, with related concerns for road safety, and the negative impact of such traffic levels on air quality, noise and vibration. The consultants described the A904 as primarily a rural route with traffic speeds generally high. They noted Newton is only 450m long and there is little to encourage drivers to obey the 30mph speed restriction.

1.18 The consultants identified five objectives against which to test any mitigation measures. These were:

- the control of speed through Newton;
- the provision of pedestrian crossing facilities on the A904 in Newton's Main Street;
- to facilitate traffic movements in and out of Duddingston Crescent and/or Duddingston Terrace;
- the improvement of parking facilities in Newton; and
- the discouragement of marginal through traffic on the A904 by use of environmentally efficient means.

1.19 Having considered a number of options against the five objectives, the consultants recommended the following mitigation measures:

- 'dragon's teeth' road markings be installed at each gateway on the entrance to the village;
- the junction of Duddingston Terrace and the A904 Main Street be signalised; and
- the parking spaces at a relocated westbound bus-stop be formalised, with one additional parking space provided (3 in all).

1.20 The proposed measures were considered by the Newton Community Council who provided publicity for the proposals within the local community, including the organisation of an exhibition and public meeting to consider them. The community council confirmed its support for the measures to both Transport Scotland and the Council.

1.21 Transport Scotland agreed to fund the mitigation measures and asked the Council, as Road Authority, to take forward their implementation which the Council agreed to in April 2012. The decision included the promotion of the necessary traffic orders required to introduce waiting and loading restrictions around the Duddingston Terrace and Main Street junction, and to allow parking on Main Street without penalty or restriction in the proposed lay-by.

The Order

1.22 The proposed West Lothian Council (A904 Main Street and Duddingston Terrace, Newton)(Prohibition and Restriction of Waiting, Loading and Unloading) Order 2012, which I refer to in the remainder of this report as ‘the Order’ would, in broad terms, impose the following restrictions.

There would be no waiting, no loading and unloading at any time:

- in Duddingston Terrace, from its junction with Main Street, on the south-west side of the Terrace for a distance of 27 metres, and on the north-east side of the Terrace for a distance of 8 metres;
- on the south eastern side of Main Street, from its junction with Duddingston Terrace, south-westwards for a distance of 14 metres and north eastwards for a distance of 26 metres; and
- on the north-western side of Main Street from a point 24 metres southwest of the projected south-western kerb line of Duddingston Terrace, north-eastwards for a distance of 44 metres.

There would be no waiting at any time, and no loading and unloading between 7.00am to 9.00am and 4.00pm to 6.00pm, Monday to Fridays inclusive, on the north-east side of Duddingston Terrace, from a point 8 metres south-east of its junction with Main Street, for a distance of 13 metres.

1.23 The restrictions do not prevent a vehicle waiting for as long as may be necessary to allow a person to board or alight from a vehicle. Similarly they do not prevent a vehicle from waiting, should any other road not be so convenient, if required in connection with any building operations or demolition, removal of any traffic obstruction, works to the road, in pursuance of statutory powers and duties, or if required for fire brigade, ambulance or police force purposes.

1.24 The restrictions that would apply to the north-east side of Duddingston Terrace from a point 8 metres south-east of its junction with Main Street, for a distance of 13 metres, do not in general terms apply to a disabled person’s vehicle.

Consultation and public response

1.25 The Local Authorities’ Traffic Orders (Procedures) (Scotland) Regulations 1999, which I refer to hereafter as the ‘regulations’, require that the local authority give public notice of a proposed order and that a number of statutory consultations be carried out.

4 The Courtyard, Callendar Business Park, Falkirk, FK1 1XR
DX557005 Falkirk www.scotland.gov.uk/Topics/Planning/Appeals



1.26 Further to the Council's formal consultation and publicity regarding the Order, the Traffic Commissioners responded advising they had no comment to make on the proposal and the Lothian and Borders Police advised they had no issues with the proposed Order. One objection was received and not subsequently withdrawn. As provided for by the regulations the Council proceeded to a hearing to consider these objections.

CHAPTER 2 - SUMMARY OF CASES

Main points of case for the Council

2.1 The Council intends that the Order, in conjunction with the introduction of traffic signals, would facilitate the safe passage of traffic. The proposed order is an integral part of the measures designed to mitigate the effects of increased traffic flows through the village following the bringing into use of the FRC.

2.2 Although it is the case that there had been a fall in traffic volumes as a consequence of the economic recession following the banking crisis of 2008, traffic figures have in recent years settled once more. The projections for the traffic volumes in 2017 were based on traffic modelling for central Scotland. They took account of estimates for traffic growth, economic development, regional and national growth. They also took into account intelligent management of the strategic road system approaching the FRC, north and south. This would increase the efficiency of the network, and in itself would attract additional traffic. On this basis it could be reasonably expected that traffic passing through Newton would increase in volume with the opening of the new bridge.

2.3 The particular measures proposed stem from the Jacobs Arup report on the behalf of Transport Scotland. This considers the likely effects on the village as a consequence of the new Forth Replacement Crossing. The report's recommendations were a consequence of consultation with the Newton Community Council and the Council.

2.4 Transportation Scotland has asked the Council as road authority to design and thereafter seek to implement the proposals.

2.5 The proposed Order was the subject of wide consultation as well as statutory publicity. No adverse responses were received from consultees and only one objection, from Mr Cochrane, resulted from the publicity given to the order.

2.6 The Council has, in its detailed adjustment to the design of the proposals, taken into account the concerns of businesses while still providing an improved facility for bus users. The way in which the proposals would be implemented can take into account the particular concerns of the businesses which the council is keen to assist.

2.7 The proposals are designed to reduce the impact of anticipated greater traffic volumes by improving pedestrian safety, reducing vehicle speeds and improving parking off the A904. In particular they are designed to enable safe vehicular access from Duddingston Terrace to the A904. There have been two accidents recorded by the Lothian and Borders Police in the last five years, both at the junction of Duddingston Terrace and Main Street. It is likely one of these would have been avoided if the junction had been signalised. It is accepted that with the signalisation of the junction, there may be a reduction in the ease with which vehicles can presently exit Duddingston Terrace. The traffic lights will however help as traffic volumes increase on Main Street.

2.8 The pedestrian crossing phase of the lights would operate on the basis of pedestrian demand. The software available for the programming of traffic light controlled junctions are now very sophisticated with variation in phasing possible on different days, and during

different hours of the day. The traffic light equipment could incorporate a MOVA (Microprocessor Optimisation Vehicle Actuation) system to take into account the concerns about high vehicle speeds. For example when a vehicle was detected approaching the village 30mph signs at high speeds the system would adjust the signalling phase at the junction to switch the lights to red before the vehicle would reach them. The commissioning of the traffic lights phasing would be carried out over an initial period 2-4 weeks, with more detailed adjustment over a six month period as environmental monitoring data in the village (regarding noise, fumes and vibration) became available and feed-back from the village residents also became available. It was possible that particularly during the peak periods traffic might queue back eastwards to reach the Duddingston Crescent junction. If that did occur then it would be necessary to make it a box junction, to ensure traffic was able to exit towards South Queensferry.

2.9 Two approaches could be taken to the programming of the lights. They could be set to keep the traffic flowing efficiently, while allowing access to Duddingston Terrace and opportunities for safe crossing of the road by pedestrians. Alternatively, the traffic lights could be programmed as a deterrent to the use of the A904 as route linking the M9 with the Forth Road Bridge, and later, the FRC traffic. This would involve more, and prolonged, red light sequences on the A904.

2.10 Introducing a signalised junction was not expected to materially worsen the conditions in the village from a noise or pollution perspective. Advanced technology and the demands on more efficient driving techniques in order to save fuel were notable deterrents to heavy braking and hard acceleration, especially as regards HVG traffic. It was accepted that there may be some increase in noise for road frontagers from vehicles stopping and starting.

2.11 Of the measures proposed only the signalised junction is dependent on the restrictions proposed in the Order. Without the restrictions to waiting and unloading proposed in the Order the signalised junction however will not perform satisfactorily. It would still be possible to provide a controlled pedestrian crossing although Transport Scotland would have to authorise such a change to the mitigation measures, which would be far less effective in terms of the objectives of deterring traffic through the village and facilitating better opportunities for vehicles to exit Duddingston Terrace.

2.12 Regarding the objections to the Order: the use of public funds for these proposals is directly related to the anticipated effects of the Forth Replacement Crossing on Newton and has been carefully considered. Traffic volumes through Newton are expected to continue to rise notwithstanding the opening of the M9 1A junction: delaying the introduction of the traffic mitigation measures pending the opening of the Forth Replacement Crossing is consequently not justified.

2.13 If not funded by Transport Scotland it is unlikely that the project would proceed in the foreseeable future. The pedestrian crossing was previously not supported because other projects had a higher priority, given the Council's limited resources. The budget remains constrained and although the mitigation measures in Newton are worthy of support other projects presently have a higher priority for the Council. Costs in the future would likely be higher, and there is a limited window within which the measures could be guaranteed to be funded by Transport Scotland (perhaps up to 2017).

2.14 It is not possible to simulate the traffic lights signalling system with temporary lights as suggested by Mr Cochrane other than at a very high cost. Such lights are normally far less sophisticated than the permanent system proposed. It is unlikely the additional expenditure (perhaps £50,000) would be approved by Transport Scotland.

Main points of case for Newton Community Council

2.15 The Order is supported in the broader context of the works it enables. Resolution to the heavy traffic passing through Newton has been actively sought for some considerable period. As a consequence of the community council's action in filing an objection to the Forth Crossing Bill in 2010 a commitment has been made by the Scottish Ministers to deliver traffic management improvements at Newton as agreed with us and the Council.

2.16 The present mitigation proposals are a revision of those first presented by Jacobs Arup, following a public meeting in Newton, and further discussions with ourselves. The proposals have been inevitably contentious in the community, particularly for local traders and residents with homes located directly on the A904. Further to strong objections the community council held a public exhibition, made all views available on its website and conducted and published a full district survey. Taking all views into consideration the community council were subsequently unanimous in their decision to support the Transport Scotland mitigation proposals.

2.17 It is our preference that traffic should be discouraged from diverting off the M9 and using the A904 as a short cut route to the FRC. Consequently we would support measures which would slow down traffic passing through Newton, and hopefully the programming of the new traffic lights could go some way to this end. It is accepted that both the Duddingston Arms and Newton Newsagent are dependent on passing trade, and also that these businesses are important assets to the village which should receive encouragement. The level of traffic passing through the village however is excessive. The predictions are that it would become much more so in the near future as a consequence of the FRC.

2.18 The funding available through the aegis of the FRC means measures can be taken before traffic levels increase. Hopefully this would also reduce the volumes of traffic which otherwise would be attracted to the A904. It was important to establish in drivers' minds, before the FRC was completed, that the M9 route following the new M9 junction 1a route to the Forth Road Bridge was a preferable route to the A904, albeit a little longer. The route to the FRC crossing from the M9 via the A904 would be shorter than to the Forth Road Bridge, in simple mileage terms it was bound to be more attractive.

2.19 It is accepted that the Council has limited resources to tackle problems, and that elsewhere in West Lothian are projects which presently rank more highly in priority for Council funding than the situation in Newton. The advantage of the Transport Scotland funding of the proposals is that they can act in anticipation of events whereas the Council is forced through circumstances in this case to be reactive, allowing the extreme situation to occur before funding will be directed to the traffic problems in the village. For this reason the Council would inevitably be only able to react to the situation of even heavier traffic flows through the village following the opening of the FRC, after the predicted, worsening conditions had become a reality.

Lothian and Borders Police

2.20 The Order should be supported. The signalised junction would introduce a speed control element not currently present, particularly if used in conjunction with a MOVA system.

2.21 The A904 is a recognised diversion route for the M9. Abnormal loads will use this route in the event of an incident on the M9.

Main points of case for Mr Cochrane, the maintained objector

2.22 The public expenditure involved in the proposed traffic measure is not justified.

2.23 The existing bus stop is effective and there is no need for new bus stops, especially when the Council's budget for the bus service is being reduced.

2.24 The proposed measures are detrimental to local businesses, and will result in a loss of custom. The Jacobs Arup report, upon which the measures are based, took no account of their likely effect on local businesses. Most of the shop's trade is from outwith the village – the latter provides only around 10%. The shop is very heavily dependent on passing trade, and ease of parking. Restrictions of any kind on the free flow of traffic (even a two minute delay from traffic lights) would have an immediate impact on turnover.

2.25 The proposed parking bays on the A904 do not answer the need for improved parking in Newton and additionally may be used as a long stay car park, contrary to their intention.

2.26 The proposed traffic lights are not justified by any existing difficulty of vehicular access from Duddingston Terrace onto the A904: there is no history of road accidents at the junction which warrant a traffic light controlled junction.

2.27 The introduction of traffic lights will result in stop/start traffic with consequent increases in noise and pollution.

2.28 Although a pedestrian controlled crossing on the A904 would appear justified the Council rejected such a proposal in 2008.

2.29 The purpose of the proposed scheme appears to be to reduce traffic volumes: it is not the amount of traffic which is the cause of concern but the speed of traffic through Newton.

2.30 The basis for the introduction of these measures is an assumed increase in traffic as a consequence of the opening of the Forth Replacement Crossing. Since this is not for five years there is sufficient time to carry out a three month trial using temporary traffic lights. Monitoring the consequences of such a temporary measure would allow a proper assessment to see if the permanent measures are justified. Additionally, the statistical basis for the assumed increase in traffic was suspect. Traffic volumes had fallen and there was a subjective basis to the modelling used.

Main points of case for Mr David Gourlay

2.31 Mr Gourlay and his brother Mr James Gourlay have run the Duddingston Arms since 2002. The pub is in the Good Beer Guide but operates primarily a food business, being able to cater for up to 60 people. It is a family business, employing 12-14 people, 4-6 on a full time basis and 8 as part-time. Some of the employees live in Newton, others in South Queensferry. They operate as a destination business, catering particularly for customers from the local towns (South Queensferry, Linlithgow, and Winchburgh) as well as walkers.

2.32 Duddingston Arms does not have a dedicated car park. There is an extended drive to the east side of their building which could accommodate 3 staff cars but was not suitable for customer parking. The business has arrangements with local taxi firms in South Queensferry to provide reduced fares, and customers also arrive by hired coach. The proposed restrictions contained within the Order are of great concern to the operation of the business, both from the perspective of servicing the premises and providing for the convenience of their customers. Their business is highly dependent on access. They have found previously when Main Street was subject to restrictions because of road works that they had suffered a severe loss of trade. It is very difficult to organise deliveries to avoid the rush hour period. Parking spaces are very limited in Newton, the loss of even two or three spaces, because they are so convenient for their premises could be critical to the business.

2.33 Mr James Gourlay had voiced their concerns about the mitigation measures proposed to the Community Council in 2011. They had not formally opposed the Order when advertised by the Council. This did not mean they considered the Order would not have an adverse effect on their interests. It was difficult to see that the mitigation proposals would make any material reduction in traffic volumes or speed. They reduced the amount of parking space available and were likely to increase the noise from traffic. The proposals did however jeopardise their business.

CHAPTER 3 REASONING, CONCLUSIONS AND RECOMENDATION

3.1 The objections raised in connection with the Order are as set out in paragraphs 2.22-2.33, and are principally the concerns raised by Mr Cochrane and Mr Gourlay.

Preliminary matter

3.2 A preliminary matter was the relevance of objections which went beyond the specifics of the Order. These have effect only in regard to the restrictions imposed on waiting and loading. There was agreement that the signalised junction was dependent upon the restrictions imposed by the Order. But for some uncertainty over the question of controlled pedestrian crossing it was agreed that the Order would not be required other than to facilitate the signalised junction. I therefore found that consideration should be given to the perceived merits of the signalisation of the junction so that they may be balanced against the concerns regarding the restrictions on waiting and loading the Order placed on Main Street and, in particular, on Duddingston Terrace.

3.3 I am satisfied that the proposed Order meets the requirements of the legislation, and from my assessment of the evidence before me, including my site inspections I therefore consider the principal issues raised by the objections are as follows.

- Whether the anticipated benefits of the signalisation of the junction in reducing traffic speed and traffic volumes outweigh the loss of informal parking and servicing spaces important to local businesses, the possible adverse effects to residents from noise vibration and reduced air quality, and inconvenience to drivers in their use of the signalised junction.
- Whether any modification to the proposed Order or other steps which the Council might consider could lessen the perceived adverse impacts.

The adverse effects and benefits of the Order

The Duddingston Arms

3.4 The restrictions in the Order will remove the opportunity to park along the Duddingston Terrace frontage of the Duddingston Arms. This section of road is used for customers of the premises. In this connection, from my own observations, it is used both for dropping off, and short and longer stay parking. It is also used as a collection point by taxis for taking local children to school. Up to three cars occupy the frontage with the third vehicle very close to the junction. This activity would be displaced by the Order. During my site inspections there was very limited road parking space available on the remaining section of the east side of Duddingston Terrace, perhaps space for one at most two vehicles. The west side of Duddingston Terrace appears little used for on street parking. Because of the relatively narrow width of the street, it cannot accommodate parking to both sides of the terrace. Some on street parking space was available in Duddingston Crescent, although this could be very limited particularly at times during rush hour periods.

3.5 The opportunity to make additional parking spaces available within the village appears very restricted. There is also little, if any, scope to provide off-road parking on the

site of the Duddingston Arms. Although there was reference at the hearing to a proposed increase in the number of parking spaces available at the Community Education Centre I have been advised subsequently the Council has decided not to pursue this plan. Such spaces however would only have been of value in the context of the hearing had they been public parking spaces or otherwise available by special arrangement for use by the Duddingston Arms customers.

3.6 I think it likely that the Order's no waiting restrictions to the Main Street will have little impact on the operation of the Duddingston Arms. There is some evidence of parking in Main Street but this appears to be residents seeking to park close to their properties and involves vehicles partly mounting the pavement.

3.7 Although only 2 or 3 parking spaces at most are involved I think their loss along the frontage of the Duddingston Arms will have a detrimental impact on the attraction of the premises to customers. I similarly accept that reducing the periods when provisions to the premises can be delivered outwith the rush hours will also adversely affect the operation of the business. It is however unclear to what extent these changes will be critical to the continuation of what appears an otherwise successful business employing local people, and for which the owners have plans to further invest.

Newton Newsagent

3.8 Although the Order does not directly bear on the mitigation measures proposed on the A904 opposite the Newton Newsagent I consider it may indirectly have an adverse effect. I accept Mr Cochrane's evidence that his business is heavily dependent upon passing trade and the ease with which his customers can find convenient parking space close to his shop. I accept it may be the case that the tolerance of his customers to interruptions in their journey may impact on their stopping to visit his shop if they have already been delayed through waiting at traffic lights. I find this latter argument however more plausible in the case of delays caused through road works, which can involve long periods of waiting, subject to the length of road affected, than the likely delays caused by vehicles emerging from Duddingston Terrace or pedestrians crossing Main Street, further to the signalisation of the junction.

3.9 The most convenient place for east bound drivers to park for the Newton Newsagent Store is presently in the bus lay-by and area immediately adjoining at the start of the access into the adjacent filling station. While this informal area is convenient for the shop it is plainly suited only for very short-term parking. The mitigation proposals include the formalisation of three parking spaces close to Mr Cochrane's shop and a realignment of the entrance into the petrol station to provide the proposed bus boarder. The effect of this will be to remove the present areas used for parking, which by their nature feel suitable only for a very short-term stay to three parallel parking spaces which would acceptably provide long-stay parking. I do not consider it inconceivable that, as argued by Mr Cochrane, these spaces may therefore be occupied by long stay users.

Environmental impact

3.10 Although the main direction of concern by the objectors has been towards the impact on business interests they have also levelled concern at the possible adverse effects for

frontagers of stopping and starting traffic, the effects of which may be increased noise, vibration and poorer air quality. Although it is the case that environmental monitoring has been carried out for some time by the Council for air quality, monitoring for noise and vibration has only recently begun, in association with the FRC. No detailed evidence on these issues was available to the hearing. It may be the case, as argued by the Council, that advances in technology and the pressures, particularly on commercial drivers, to drive efficiently will reduce any adverse effects from slowing down, stopping and accelerating likely to result from the signalisation of the junction. It may also be possible, as suggested by the Council that as a consequence of careful monitoring it will be possible to adjust the programming of the lights at the signalised junction optimally to minimise any adverse unintended environmental effects from the mitigation proposals. In the absence of any detailed evidence however I make no conclusions on this issue.

Reduction in Traffic Volumes

3.11 The underlying basis to the Council's and Newton Community Council's case is that traffic volumes through Newton are likely to increase from present levels, perhaps significantly by 2017 (or earlier assuming the FRC advances its completion date). That the increase in traffic volumes is both likely to occur and to have an adverse impact on the village is endorsed by the Scottish Ministers commitment to fund the proposed mitigation measures.

3.12 Notwithstanding by what extent traffic levels may or may not increase in the future there is a strong subsidiary argument that present traffic volumes warrant intervention. In this regard I agree that signalisation of the Duddingston Terrace and Main Street junction may to a degree influence drivers' choice of route between the Forth Road Bridge and the M9. The extent to which the choice of route can be shifted would appear to be dependent on the delay imposed on the route. It follows in my view that to achieve noticeable reductions in traffic volumes may necessitate exposing the residents of Main Street to significantly more stopping and starting traffic movements than would otherwise be necessary to meet the needs of vehicles wishing to leave Duddingston Terrace or pedestrians wanting to cross Main Street. Delay would also be caused to traffic which is not re-routable by this means, having origins and destinations not involving the M9. I consider that these factors may limit the delays which can reasonably be imposed. Consequently, I consider the success of the signalised junction in lowering future traffic volumes through Newton is likely to be marginal.

Traffic Speed

3.13 The Council's 2008 survey of traffic in Newton provides the most up to date statistics available to the hearing on vehicle speeds. Although five years old I have no evidence to suggest the data does not remain broadly representative of current conditions and anecdotal comments to the hearing complain about the speed of traffic going through the village. The 2008 survey shows that notwithstanding the speed limit through the village is 30 mph, the majority of the traffic passes through Newton without observing this limit. The figures also indicate that although being a small percentage of the total (between 0.8% and 1.5%) in the region of one hundred vehicles per day travel at excessive speeds (above 46mph) through the village.

3.14 In this regard section 6.3 of Circular 1/2006 states that “Fear of traffic can affect people's quality of life in villages and it is self-evident that villages should have comparable speed limits to similar roads in urban areas. It is, therefore, government policy that where appropriate a 30 mph speed limit should be the norm in villages”.

3.15 The value of a signalised junction using a MOVA system to contain speed is in my view a strong argument in favour of the council's proposals.

Improvement to junction efficiency

3.16 Advice to the hearing from the Council is that the 2010 AADT was 13,000, the traffic volume on the major road at which the Design Manual for Roads and Bridges recommends against simple priority junctions, such as in this case.

3.17 On the days I observed the rush hour traffic, vehicles leaving Duddingston Terrace to join the A904 were not subject, by and large, to excessive delay. Small numbers of vehicles were leaving Duddingston Terrace, and these usually spaced out by at least several minutes before arriving at the junction. There were a few instances of drivers suffering no delay, and one or two cases when the wait for a gap was excessive (several minutes). I accept that the Transport Scotland statistics for the A904 indicate January to be a month of relatively low volumes and that at other times of the year there will be increased delay as volumes of traffic increase. There will be added delays also as traffic volumes increase through Newton as a consequence of the FRC. Outwith the peak periods my experience matches that of the objectors to the Order, namely that exiting Duddingston Terrace does not present unusual difficulties. I conclude on this issue therefore there would be some advantage to the users of Duddingston Terrace of a signalised junction, provided they had priority over traffic on the A904. Such advantages would be most noticeable during the peak periods.

Possible Modifications to the Order and other changes

Adjustment to the restrictions on waiting and loading in Duddingston Terrace

3.18 If the Duddingston Terrace and Main Street junction is signalised the Council is of the view that it is also necessary that waiting and loading be avoided along the initial sections of both roads back from the junction. Duddingston Terrace is relatively narrow, of insufficient width to accommodate three vehicles abreast. Consequently, if vehicles are held at the stop line on the west side of Duddingston Terrace waiting for a green light and there is a parked vehicle in the opposite lane, then a vehicle turning into Duddingston Terrace off Main street would not be able to pass. The turning vehicle would have to wait for the lights to change to allow the road to become clear on the west side to allow the manoeuvre past the stationary vehicle. There is therefore the potential for a queue to form of vehicles turning off Main Street, this backing round onto the Main Road, forming an obstacle to west moving traffic on the main road.

3.19 Since sight lines around the bend approaching from the east are poor there is also the possibility of collision with a vehicle parked too close to the corner. A driver waiting to turn right off Main Street arguably should be aware of such a conflict and would therefore delay their manoeuvre or proceed eastwards to turn into Duddingston Crescent.

3.20 This potential for conflict at the junction exists at the moment. Although there was some anecdotal evidence to the hearing of difficulties caused at the junction through parked vehicles the accident record at the junction is very low, and of the two minor injury accidents in the five year period it appears only one might have been avoided if the junction had been signalised. This appears in my view likely to be a consequence of the low number of vehicles entering and leaving Duddingston Terrace, and the familiarity of those users with the probability of parked vehicles close to the junction. Such factors would continue with a signalised junction. The probability of a turning vehicle finding its route blocked by both a parked vehicle and a car waiting at the stop line will remain very low provided the signalisation priorities give immediate priority for traffic wishing to exit Duddingston Terrace. In my view therefore there is a reasonable case for reviewing the length of the roadway on the east side of Duddingston Terrace to which the no waiting and loading restrictions would apply or limiting the period when the applied. A reduction of 10 metres would be necessary to give any benefit to the Duddingston Arms since the final part of the proposed restriction passes across a driveway, an area of the road in practice unavailable for roadside parking.

The proposed parking spaces on Main Street

3.21 Whether or not the Council considers it necessary or otherwise to promote a traffic regulation order to allow parking on the A904 is unclear. The papers to the hearing indicated this would be the case but evidence at the hearing suggested otherwise. Relative to the objections raised by Mr Cochrane regarding the new parking spaces it appears to me that these may be overcome to some reasonable extent by placing a limitation on the length of time the spaces may be parked in to ensure they remained available for short stay use. I accept this may raise enforcement issues.

Conclusions

3.22 I conclude from the above paragraphs that the Order has both positive and adverse effects on Newton. Since as indicated above I consider it not possible to draw conclusions on the likely environmental impact on residents fronting the Main Street it is also difficult to conclude that these would be outweighed by the potential advantages arising from the Order in reducing traffic volumes via the signalised junction. It appears possible to pursue all of the mitigation measures, excluding the signalisation of the junction without the Order and there would be some merit in doing so if the Order was not confirmed. A clear advantage to the signalisation of the junction however is the potential to combine it with a MOVA system, thereby introducing a measure of control over vehicle speeds through the village. I consider the balance therefore lies in favour of the Order. This is particularly so if the Council, on further consideration, finds it is able to relax the extent of waiting and loading restrictions applied to the east side of Duddingston Terrace and also employs means of ensuring the new parking spaces on the A904 are available for short stay parking.

Recommendation

3.23 I recommend that:

- the Council modify the Order by substituting a reduced or less stringent measure for the proposed prohibition on waiting and loading on the east side of Duddingston Terrace; and
- the Council confirm the Order as modified.
- I also recommend that the Council gives consideration to making an Order to ensure that the three parking spaces to be formed on the A904 are restricted to short-stay use.

Clive Christopherson

Reporter

2 May 2013

APPENDIX

I was provided with the following in advance of the hearing.

1. Copies of the Order, relevant advertisements, consultations, letters of support and objection.
2. The Council's documents, WLC1-24.
3. The Council's Speed Survey 2008
4. The Council's Pedestrian Crossing Report 2008
5. A plan of the proposed Order applied to an OS base.
6. The Community Council web site provided letters of objection to the Arup proposed measures and details of a survey carried out in connection with resident's response to the proposed mitigation measures.

I was provided with the following during the hearing.

The Council and Newton Community Council referred to DoT and Transport Scotland traffic surveys data for the A904 and other strategic roads which are made available on the internet. I referred to these with regard to traffic flows in the last three recorded years subsequent to the hearing.

I was provided with the following after the hearing.

Confirmation by email from the Council of the decision not to provide improved and enlarged parking facilities for the Newton Education Community Centre.



West Lothian
Council

COUNCIL EXECUTIVE

FOOD SERVICE PLAN 2013 / 2014

REPORT BY HEAD OF PLANNING & ECONOMIC DEVELOPMENT

A. PURPOSE OF REPORT

The purpose of this report is to make the Council Executive aware of the Food Service Plan 2013/2014 and request that it be approved. This is a requirement of the framework agreement on local authority food law enforcement.

B. RECOMMENDATION

It is recommended that the Council Executive:

1. Notes the content of the report.
2. Approves the Food Service Plan 2013/2014.

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)	The preparation and council approval of the food service plan is a requirement of the framework agreement on food law enforcement introduced by the Food Standards Agency.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on Performance and Performance Indicators	<p>The food service plan identifies how work will be prioritised to ensure a high level of performance in work that has greatest impact on protecting public health.</p> <p>Performance indicators are reported publically through covalent.</p>
V	Relevance to Single Outcome Agreement	Outcome 6: We live longer, healthier lives.

VI Resources - (Financial, Staffing and Property)	The service plan can be delivered within current resources.
VII Consideration at PDSP	The food service plan was presented to the Environment PDSP on 16 May 2013. The panel recommended that the food service plan should be presented to the Council Executive for approval.
VIII Other consultations	None.

D. TERMS OF REPORT

The Food Standards Agency (FSA) is responsible for all strategic and policy aspects of food standards and food safety.

A key initiative of the agency was to create a framework agreement in order to audit the standards of food law enforcement by local authorities. The framework agreement requires local authorities to produce a food service plan outlining how food safety and animal feeding stuffs will be monitored and controlled.

A copy of the proposed plan for 2013/2014 is available from committee services.

The structure of the food service plan is based on the guidance contained within the framework agreement. It identifies the main issues affecting the work-load and performance of environmental health and trading standards in relation to food safety and feeding stuffs. It also highlights other issues and activities addressed by the food team.

D1 Performance

2012/2013 has been a challenging year for the food service requiring a re – distribution of workloads between food safety, public health and workplace safety activities. Officers and management have addressed these changes constructively, and through a mixture of reviewed priorities, effective work planning and delivery, the service has ensured good performance in a number of areas. The table in appendix 1 of this report highlights some of this.

The enforcement demands are continuing to increase. 2012/13 was the first year the use of remedial action notices was extended to all food premises. This is an effective and necessary enforcement sanction, but does require additional officer input and time. The number of registered premises has also increased for the fifth year in a row.

There was a drop in the percentage of premises which are deemed broadly compliant for hygiene standards. This demands an appropriate response from the officers who are required to ensure follow up action is taken to address the failings in the businesses. This included 73 witnessed visits, an increased number of revisits from last year, increased use of hygiene improvement notices, notices to stop food production and business operation, reports to the Procurator Fiscal, and seizure and destruction of food.

There is a growing demand on the service from new business start ups. In 2009 the service registered 76 new businesses, compared with 209 in 2012. In terms of the food law code of practice there is an expectation that these businesses would be inspected within 28 days of registration. This is not possible for the service to achieve, and the policy is to appoint an inspection date within 3 to 6 months of registering depending on the nature of the business.

Officers have taken on more work in relation to sampling, infectious disease investigations, and workplace safety. There remain a number of issues to address in regard to workplace safety in many of the establishments visited. 182 workplace safety inspections were combined with food safety enforcement inspections. This demonstrates the important role officers have in terms of other aspects of environmental health.

Other positive aspects of team work addressed during 2012/2013 include:

- Agreement by Food Standards Agency to close the 2010 audit action plan. This was reported to Environment PDSP on 31 January 2013.
- Investigations into local and national food incidents, including horsemeat and undeclared meat species in food products.
- Contribution to national discussion on new food body for Scotland.
- Council approval of an updated enforcement policy for Environmental Health and Trading Standards.
- Discussion and contribution to zero waste strategy impacting on food businesses at a local and national level.
- Ongoing assistance for new businesses.
- Contribution to Audit Scotland's protecting consumers report – food safety.
- Meeting with local care inspectorate team to discuss and agree issues of consistency in West Lothian care settings.

D2 Priorities

The purpose of the service is to intervene and prevent the human and financial costs of foodborne illness impacting downstream on society, businesses, health care services etc. The financial costs are estimated to impact substantially on the UK economy and NHS (£1.5 billion annually), with 500 deaths, and 20,000 hospital admissions*. Food borne illness has a significant impact on lost working days, and for small food businesses it can be financially disastrous. The focus of the food service in West Lothian is to do everything possible within available resources to minimise that impact.

*Food Standards Agency – Foodborne Disease Strategy 2010 – 2015.

Service priorities have been in place for a number of years to ensure the best practical service in addressing the food safety and public health protection needs of our communities. They also reflect guidance issued by Scottish Food Enforcement Liaison Committee and Food Standards Agency Scotland in regard to prioritising food inspections. Workplace health and safety enforcement priorities are also included to reflect the combined work undertaken by officers.

The priorities are as follows:

1. Emergencies and threats to public health (food alerts, serious accidents, fatalities, outbreaks / incidents and infectious disease notifications, revisits, formal action to protect public health – hygiene emergency prohibition, remedial action notice, prohibition notice, high priority food & water complaints and monitoring, serious health and safety complaints).
2. Planned highest risk inspections (food hygiene – A, B and approved establishments, unrated where there are cross contamination considerations; food standards – category A; health and safety focused interventions).
3. Planned high risk inspections and advice / licensing to high risk establishments (food hygiene – C where potential risk of cross contamination, unrated hygiene and standards – limited risk, advice to new potentially high risk establishments, and licensing of street trader vehicles.)
4. Planned inspection of lower risk establishments (food hygiene – category C where no real risk of cross contamination anticipated, category D rated catering type operations; food standards - category B; and health and safety unrated).
5. All other work and lowest rated establishments (category E hygiene, and C food standards) inspected by means of alternative enforcement, projects etc.

D3 Challenges for 2013/14

The following have been identified as the key challenges for 2013/2014:

- Ongoing demands on officers from challenging premises and incidents in terms of food safety and workplace safety issues.
- Ensuring that officers are supported in dealing with challenging, time consuming and high risk workload.
- Establishing and targeting workload priorities with available resources which deliver and maintain the best achievable levels of public health protection.
- Managing customer expectations for service requests and complaints in line with service priorities.
- Further development of alternative approaches to business engagement to attain maximum benefit for the council and businesses.
- Introduction of the food hygiene information scheme to West Lothian.
- Implementation of the new food information regulations.
- Being able to provide help and support to new and existing businesses aimed at protecting public health and avoiding expensive and time consuming legal action.

There are no specific projects identified for attention in 2013/2014. However, it is part of the plan for the service to be in a position to launch the food hygiene information scheme by October 2013. A report on this was submitted to the Environment PDSP at the end of 2011/2012. It is hoped that this “scores on the doors” scheme will be an encouragement to good businesses and also provide members of the public with more confidence on where to eat out.

The biggest demand on the food service remains dealing with risks to public health balanced against an increasing workload. The challenge and demand continues to be positively managed and also supported by officers with established work priorities, improving efficiency and effectiveness in work planning and actions, ensuring appropriate and balanced enforcement action, supporting businesses where possible to work safely, and supporting officers in dealing with difficult and complex enforcement work. The focus remains on outcomes and not just output. This approach has been in place for many years with some adjustments and refinements over time.

The plan for 2013/2014, and beyond, is to ensure the service focuses resources at priority areas of work, and takes the correct action to protect public health when risks are identified.

E. CONCLUSION

The Food Service Plan 2013/14 aims to reflect the ongoing work of Environmental Health & Trading Standards in protecting food safety and public health in West Lothian.

F. BACKGROUND REFERENCES

1. Report to Council Executive – Food Service Plan 2012/2013, 18 September 2012.

2. Report to Environment Policy Scrutiny & Development Panel – Food Service Plan 2013/2014, 16 May 2013.

Appendices/Attachments: Appendix 1 – Performance and workload table;

Contact Person: Craig Smith, Principal EHO, 01506 282385, craig.smith@westlothian.gov.uk

Craig McCorriston, Acting Head of Planning & Economic Development.

Date of meeting: 4 June 2013.

Appendix 1.

Activity	2009/2010		2010/2011		2011/2012		2012/2013	
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food hygiene inspections	657	64	630	130	870	55	663	145
(By alternative enforcement)	36	0	128	0	60	0	18	52
Food standards inspections	309	37	414	61	470	50	327	64
(By alternative enforcement)	33	0	96	0	54	0	14	50
Revisits	245		343		503		566	
Number of premises	1371		1389		1431		1537	
Broadly Compliant Hygiene	86.7%		86.3%		90.8%		87.2%	
Broadly Compliant Standards	95.7%		95.6%		99.5%		99.5%	
Food hygiene inspection performance indicators (inspections completed by due date) <i>** Indicator now measures %age completed within the year.</i>	Category	% on time	Category	% on time	Category	% on time	Category	% on time
	Approved	100	Approved	95	Approved	100	Approved	100
	6 months	100	6 months	96	6 months	100	6 months	100
	12 months	96.8	12 months	97.7	12 months	98.8	12 months	100
	> 12 months	87.2	> 12 months**	76.5	> 12 months**	91.1	> 12 months**	76
Food standards inspection performance (inspections completed by due date) <i>** See food hygiene</i>	A	100	A	100	A	100	A	100
	B	76.9	B	76.5	B**	81.25	B & C (Lower risk)**	41.4
	C	75.5	C	86.4	C**	68.5		
	Unrated	91.9	Unrated	73.3	Unrated	88.9	Unrated	70.5
Number of enquiries	476		434		458		436	
% Enquiries responded to in 2 days (Target 90%)	83%		85.9%		91.3%		86.2%	
Number of food complaints	40		40		51		22	
Number of premises complaints	126		126		181		147	
Food alerts	33		8*		1*		6*	
Advisory visits	71		26		30		22	
Infectious disease investigations	234		237		177		207	
Export certificates	26		23		44		44	
Food condemnations	1		2		0		0	
Samples taken	Type	No.	Type	No.	Type	No.	Type	No.
	Food Chem	376	Food Chem	286	Food Chem	171	Food Chem	190
	Food micro	330	Food micro	290	Food micro	225	Food micro	321
	Milk radiation	6	Milk radiation	0	Milk radiation	0	Milk radiation	0
	Water mains	27	Water mains	4	Water mains	1	Water mains	3
	Water private	29	Water private	39	Water private	33	Water private	23
	Swimming pool	72	Swimming pool	81	Swimming pool	64	Swimming pool	1
Reports to fiscal	6		2		1		3	
Hygiene improvement notices	14		24		34		40	
Remedial action notices							8	
Emergency Closures (including voluntary)	8		13		11		5	
Number of staff available	6		7		6.85		6.2	
£ Cost / Head of population / year (Per Week)	£2.90 (£0.06)		£2.85 (£0.06)		£2.39 (£0.05)		£2.18 (£0.04)	

*The system of classification has changed resulting in significant drop number of alerts requiring action.

FOOD SERVICE PLAN 2013/14

Environmental Health & Trading Standards

Planning & Economic Development



WEST LoTHIAN COUNCIL DELIVERS SERVICES TO THE COMMUNITY



**West Lothian
Council**

OVERVIEW:

In order to meet the requirements of the Framework Agreement on Local Authority Food Law Enforcement, West Lothian Council is required to develop and approve an annual food service plan. The structure of the food service plan is determined by the guidance contained within the framework agreement.

The plan outlines how food safety and animal feedingstuffs will be monitored and controlled. Food safety is the responsibility of environmental health. Animal feedingstuffs and hygiene at primary production are the responsibility of trading standards.

The service plan covers seven sections:

- food team aims and objectives;
- authority background;
- service delivery;
- resources;
- quality assessment;
- service plan and operational plan review; and
- animal feedingstuffs and hygiene at primary production.

The majority of the service plan relates to the work covered by the food team within environmental health. Section 7 covers the specific work undertaken by trading standards.

SECTION 1 ~ FOOD TEAM AIMS AND OBJECTIVES

1.1 Mission Statement

To protect public health and contribute to a healthy community in West Lothian by ensuring the safety, wholesomeness and quality of food and water through education and enforcement.

1.2 Corporate Plan & Single Outcome Agreement Links

Priority 7: Delivering positive outcomes on health.

Priority 8: Protecting the built and natural environment.

(web link http://www.westlothian.gov.uk/Council_and_government/695/)

We live longer, healthier lives (Single Outcome Agreement)

1.3 Aims and Objectives

Our priority partners for the work we undertake are the public and businesses within West Lothian. We also support the following objectives of the Food Standards Agency as outlined in their *Strategic Plan to 2015; Safer food for the nation*, namely:

1. Food produced or sold in the UK is safe to eat.
2. Imported food is safe to eat.
3. Enforcement is effective, consistent, risk – based, proportionate and is focused on improving public health.

The objectives of the food team are as follows:

1. *To ensure the safety of food by means of a programme of inspections designed to check compliance with current laws and codes of practice, and to educate, train and motivate all parts of the food industry. To enforce the law when necessary in the interests of public health.*
2. *To protect the public and ensure the quality and safety of food and drink in West Lothian by inspection and sampling for analysis and examination. To inspect premises to ensure food standards legislation is being applied and improve compliance through a balance of education and enforcement.*
3. *To react to emergencies and immediate threats to public health. To investigate food related enquiries and complaints. Reacting to food safety alerts issued by FSA and other bodies to secure the withdrawal of any suspect foods from premises within West Lothian. To ensure that food not meeting food safety requirements is removed from sale to the public. To issue appropriate export certification in relation to food being exported to countries out with the EU.*
4. *To provide guidance and raise awareness of food safety within the business community and general population of West Lothian to ensure compliance with food law and help develop a better educated population.*
5. *To work together with colleagues in West Lothian Council, other local authorities, professional bodies, central government and other interested parties to ensure a co – ordinated approach to food related matters. To provide relevant reports and statistics as required regarding the operation of the food service.*
6. *To ensure the wholesomeness, safety and quality of drinking and pool waters in West Lothian.*
7. *To be proactive and reactive in controlling and investigating instances of food or water – borne diseases and infections within West Lothian. To provide appropriate information to patients and work with partners in public health medicine to control the further spread of infection.*



8. To ensure activities which are necessary to support, compliment and develop the work of the food service are carried out (e.g. staff development and health and safety, performance monitoring and reporting service prioritisation, balancing better regulation and public health protection).

1.4 Our priorities

1. Emergencies and threats to public health (food alerts, serious accidents, fatalities, outbreaks / incidents and infectious disease notifications, revisits, formal action to protect public health – hygiene emergency prohibition, remedial action notice, prohibition notice, high priority food & water complaints and monitoring, serious health and safety complaints).
2. Planned highest risk inspections (food hygiene – A, B and approved establishments, unrated where there are cross contamination considerations; food standards – category A; health and safety focused interventions).
3. Planned high risk inspections and advice / licensing to high risk establishments (food hygiene – C where potential risk of cross contamination, unrated hygiene and standards – limited risk, advice to new potentially high risk establishments, and licensing of street trader vehicles.)
4. Planned inspection of lower risk establishments (food hygiene – category C where no real risk of cross contamination anticipated, category D rated catering type operations; food standards - category B; and health and safety unrated).
5. All other work and lowest rated establishments (category E hygiene, and C food standards) inspected by means of alternative enforcement, projects etc.

These priorities have been established to ensure the best practical service in addressing the food safety and public health needs of our communities. They also reflect guidance issued by the Scottish Food Enforcement Liaison Committee and Food Standards Agency Scotland in regard to prioritising food inspections. Health and safety enforcement priorities have been included to reflect the combined work undertaken by officers.

The purpose of the service is to intervene and prevent the human and financial costs of foodborne illness impacting downstream on society, businesses, health care services etc. The financial costs are estimated to impact substantially on the UK economy and NHS (£1.5 billion annually), with 500 deaths, and 20,000 hospital admissions*. Food borne illness has a significant impact on lost working days and, for small food businesses, it can be financially disastrous. The focus of the food service in West Lothian is to do everything possible within available resources to minimise that impact.

*Food Standards Agency – Foodborne Disease Strategy 2010 – 2015.



SECTION 2 ~ AUTHORITY BACKGROUND

2.1 Profile

West Lothian is a mixed rural and urban authority covering a geographical area of 42,504 Ha. The population is approximately 172,080. The Environmental Health & Trading Standards service is located in County Buildings, Linlithgow. There are approximately 1617 food premises within the area ranging from farms, retailers and caterers, to large manufacturers.

2.2 Organisational Structure

The service structure is as per appendix 1.

The food team is part of the Environmental Health & Trading Standards service which is part of Planning and Economic Development .

The authority has appointed Public Analyst Scientific Services to provide analytical and food and feed examination services.

The Trading Standards team within Environmental Health & Trading Standards service undertakes animal feedingstuffs enforcement. The team will also undertake hygiene inspections of primary producers as part of a Food Standards Agency funded inspection programme.

2.3 Scope of the Food Service

The scope of the food service and feedingstuffs enforcement is set out in appendix 2.

2.4 Demands on the Service

The food team services are available from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00pm Friday. The team, however, has to accommodate working outwith these times due to operating times of businesses. Evening, early morning, and weekend working is necessary to carry out the inspection and sampling programmes. A 24-hour emergency out of hours service is available to address food alerts for action.

There are six approved premises in terms Regulation (EC) 853/2004 (premises dealing with manufacture of food products of animal origin). A number of premises currently meet the exemption criteria for approval but may well require to be approved in the future. There is a regular turnover in many of the catering businesses with new owners and changes in operation of the business. There is an increasing number of ethnic language food workers which requires the assistance of interpretation and translation services during visits to premises.

In line with the enforcement policy, officers are required, when necessary, to take appropriate enforcement action. This may include service of notices, closure of premises,



and reports to the Procurator Fiscal leading to prosecutions and time in court. The level of action required has been increasing in recent years. Previous case studies of enforcement action on one premises equate the time taken as equivalent to approximately 5 routine inspections.

The principles of better regulation have been a key aspect of how the food service is delivered for a number of years. As well as food hygiene and food standards, officers in the food team will also carry out a number of workplace safety and smoking enforcement inspections. This is done to ensure best use of resources and avoid unnecessary additional visits to premises. It is encouraging to note the positive feedback from business consultation exercises in relation to their experience of inspections and enforcement activities.

It is, however, vitally important to remember that the principal purpose of the food service in West Lothian is public health protection. In previous years a number of changes were made to the approach taken to inspections e.g. prioritisation of workload, changes in inspection reporting and recording, changes to inspection and workload allocation and geographical distribution, better use of flexible working and council buildings. These will continue and be further refined in 2013. We will ensure that attention continues to be given to premises presenting a risk to public health and that outcomes and follow up action are better recorded. Some of these issues are highlighted in 6.3.

The food service (food safety) cost per head of population has remained constant in recent years even though West Lothian's population continues to increase. Most recent government figures (2010)¹ estimate that the UK public spend £39.23 per person per week on food and drink. The inspecting, sampling, monitoring, enforcing and all other services provided by the service cost the West Lothian population £0.04 per person per week. ¹Family food 2010 – A national statistics publication by DEFRA.

2.5 Enforcement Policy

In terms of the framework agreement on food law enforcement there is a written enforcement policy, which has undergone an equality impact assessment, is approved by the Council and is followed by officers. A copy of this policy is available to any business on request and is also available on the West Lothian Council website.

Alternative enforcement arrangements are allowed within the code of practice for certain risk rated food hygiene and food standards inspections. It is the policy of this service to visit all premises within these risk ratings. All visits are carried out in accordance with internal procedures.

SECTION 3 ~ SERVICE DELIVERY

All officers in the food team contribute to the development and implementation of this plan. In line with the framework agreement on food law enforcement the following work areas of the team plan have been highlighted. Framework policies and procedures relating to animal feeding stuffs inspections, sampling etc. are implemented and monitored by officers in trading standards. These matters are discussed in section 7.

3.1 Food Premises

There are currently 1617 food premises within West Lothian which require to be inspected by the team. Inspections will be carried out for food hygiene and food standards (composition, labelling etc.). Inspection frequencies are determined by the nature of the business and performance against specific criteria set out in the food law code of practice.



To ensure that food standards inspections are properly targeted they are linked, where possible, to the food hygiene inspections due and are set as an internal performance indicator.

Food premises profiles, inspection targets and revisit information is outlined in Appendix 3.

The approach to premises inspections has been reviewed and new procedures have been introduced. The purpose is to ensure better recording of activities following inspection and also ensure that significant failures are followed up appropriately. This allows officers to target problem premises. An overview of the "Food Safety Interventions Policy" can be found in appendix 5.

3.2 Food Complaints

The food team receives a number of complaints about unsatisfactory food or food premises. These are investigated in line with our procedures on dealing with complaints.

Investigating food complaints can be quite involved and often requires working with colleagues in other local authorities. This, along with the time taken to receive reports from the public analyst etc., can increase the time taken to resolve the complaint. Complaints about food very rarely result in formal action, mainly due to the lack of evidence which could be relied on in court. However, they do help identify failings in food processing and handling which require to be rectified to prevent further problems occurring in the future.



3.3 Home Authority Principle / Primary Authority Partnership

West Lothian Council has no arrangements in place for being home authority or primary authority (not relevant in Scotland at this time) with any business activity.

3.4 Advice to Business

All officers will be involved in giving advice to businesses on food safety and workplace safety issues. This is an important aspect of work as it helps to ensure that businesses which request help can be set up complying with the necessary legal requirements. It has been established as one of our higher priorities for higher risk food establishments and fits the model of targeting upstream intervention.

The ongoing work with established businesses is assisted by a number of helpful information sheets, guidance booklets, and other educational resources. Much of the information used is produced within the team and aims to give businesses the necessary information for complying with the law and improving hygiene and safety standards. We aim to include all new premises in our inspection programme within three to six months of registering, dependant on nature of the business. Appendix 3 shows a comparison of enquiries received over recent years.

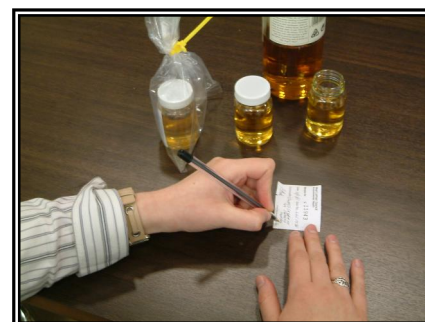
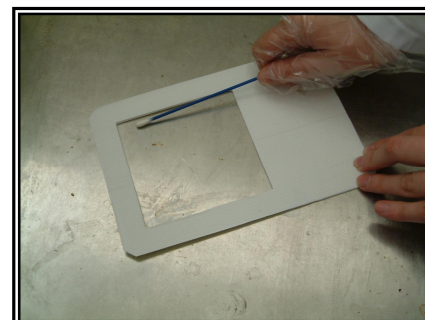
3.5 Sampling – Food and Drink

The team develops an annual sampling plan. Sampling is done to help monitor the quality and safety of food and drink being produced and sold within West Lothian. Sampling of food prior to a hygiene inspection is a useful indicator of how the business is operating.

The range of samples taken is split into chemical and microbiological. The current target for chemical samples is 0.83 samples per 1000 population and for microbiological the target is 1.16 samples per 1000 population.

Previous targets of 2.4 per thousand, and 2 per thousand, respectively were financially unsustainable.

Appendix 3 has details of samples taken. The sampling plan for 2013/2014 is found in appendix 6.



Case Study 1

In November 2012, officers were involved in the removal and destruction of thousands of fish balls being produced in a disused takeaway business. (The fish balls were a mixture of minced eel, pork and other ingredients). The hygiene standards were poor, and the business was operating without appropriate approval. Immediate action was taken to stop the production, and remove the product from the premises for destruction. As the end supply of the products was not clear officers contacted the Food Standards Agency Scotland who issued a food alert for action to all Scottish Local Authorities.

The person operating the business was directed to the council's business enterprise team to get advice and support in establishing the business correctly, and in suitable premises. The priority for officers is to ensure public health is protected. However, this incident also highlighted that officers were willing to provide further assistance to the business operator in the hope that he would get the proper support and help to set up a safe and successful business.

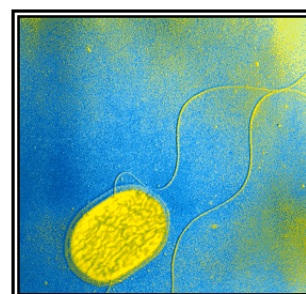
3.5.1 Sampling – Water Quality

Sampling of drinking and recreational water is also undertaken. This involves sampling mains and private water, as well as swimming pools, spa pools etc. The private water regulations place a requirement upon local authorities, and those responsible for private supplies, to ensure drinking water standards meet those of public water. The team is involved in sampling and monitoring local private supplies and undertaking risk assessments on them. Sampling is required on an ongoing annual basis which has increased the amount of work previously undertaken by the team. An annual return on sampling, enforcement and water quality standards is made to the Scottish Government.

In 2010 routine samples of mains water were stopped and complainants directed to Scottish Water and the Drinking Water Quality Regulator. This was necessary to accommodate other workload and sampling plan priorities. The council does however, retain the right to sample if required.

3.6 Control and Investigation of Outbreaks of Food Related Infectious Disease

Controlling and preventing the further spread of infectious disease is a key part of the service provided by the food team. This work is done in partnership with Lothian NHS and the Consultant in Public Health Medicine. Notifications of food poisonings and infectious diseases such as, *salmonella*, *campylobacter*, *cryptosporidium*, *E. coli* O157 etc., are passed to the team by Lothian NHS. The role of the service is to investigate all cases looking for possible sources, or outbreaks, and in doing so take preventative measures to stop the further spread of infection. Recent statistics are shown in appendix 3.



A major outbreak plan has been developed by Lothian NHS and the local authorities of West Lothian, Edinburgh, Midlothian and East Lothian. Procedures for dealing with sporadic cases are also in place. As part of the review of sporadic procedures it has been agreed that cases



of campylobacter will no longer be investigated routinely by this service. Notified cases will be sent guidance and information about the illness by Lothian NHS, Health Protection Team. Statistics will be reported to the team annually by Lothian NHS. Case numbers will be reviewed regularly and any issues will be discussed between Lothian NHS and the local authorities.

3.7 Food Emergencies and Safety Incidents

Food safety emergencies and incidents which pose a serious risk to public safety are identified as a priority issue for the food team. Procedures are in place to ensure that warnings issued by the Food Standards Agency, and local incidents which need to be reported to the FSA, are dealt with properly.

Most alerts are for information only but a number of press releases and trade notifications have to be completed by the team in relation to the warnings. As well as food alerts, the FSA has a system for notifying local authorities of allergy alerts. These were previously part of the main alert scheme. The main reasons for such alerts is the failure to declare the presence of one of the many allergens now listed in the food labelling regulations.

The team has ensured that the out of hours emergency service has procedures to follow should food alerts for action be received out with normal working hours.

Case Study 2

In January 2013, a food alert for action was received following the closure, for food safety concerns, of a sandwich producer in Glasgow. The business was supplying a range of products to small retail shops throughout central Scotland. Given the potential food safety danger to public health, and the short shelf life of the products involved, officers were involved in making direct contact with potential outlets in West Lothian. This involved telephone contact, and where necessary site visits to ensure the product was removed from sale. These types of incidents require an immediate response, and require officers to be removed from routine duties until the actions are complete. It highlights that food safety is not limited to local authority boundaries, and that the closure of a food business can result in a significant amount of further action and investigation depending on the nature of that business and the nature and supply of food from that business. We were able to identify a number of the effected products and ensure they were removed from sale. The co – operation from West Lothian retailers was good. However there were complicating factors, as different products with similar names or addresses were identified. This required clarification with Glasgow and the Food Standards Agency, resulting in updates and amendments to the food alert, and further contact and visits to businesses.

3.8 Liaison with Other Organisations

It is important to realise that the food team does not work in isolation from other internal services or external organisations. Internally, the team works with planning, building standards, economic development, licensing, legal, education, occupational health,

corporate communications, social policy, and the community health care partnership to provide a joined up service.

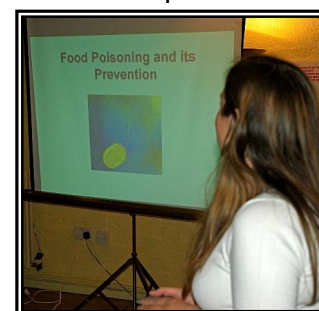
Externally, the team works with other local authorities, through Lothian and Borders Food Liaison Group, and Scottish Food Enforcement Liaison Committee's Food Safety sub-group and Food Standards sub-group. The team maintains links with Lothian NHS and Scottish Water through the EHO / HPT group. A good working relationship has been developed with the Procurator Fiscal service. The service works with the Care Inspectorate in the registration of care facilities. It is audited by the Food Standards Agency Scotland.

Appendix 4 lists the team's main customers, partners and stakeholders.

3.9 Food Safety and Standards Promotion

It is clear that inspection of premises and enforcement of the law will not in itself bring about the necessary improvements in public health. There needs to be a balance of education with enforcement. Although limited, the team's input to education and promotion of food safety is recognised as an important tool and will be provided as resources permit.

We are a registered training centre for the REHIS elementary food hygiene certificate, and our officers have assisted other training providers in the delivery of their courses. We have also tailored training to the specific needs of different groups as required. Our involvement in training is always balanced against other workload commitments.



We will continue to work with our colleagues in the Community Health Care Partnership to assist catering establishments introduce healthier options onto their menus.

Ten businesses in West Lothian hold the Eatsafe award for hygiene standards. We hope more businesses will be able to meet these requirements in coming years.

Our food hygiene DVD "Food Safety is Everybody's Business" continues to be used with catering businesses to help them train staff. It is currently available in English, Polish, Italian, Urdu, Punjabi and Cantonese.



Case Study 3

The objective of the service is to ensure businesses comply through education as well as enforcement. The service works with local authority colleagues in the Lothian and Borders Food Liaison Group, and also others at a national level, to ensure a consistent approach to matters of enforcement. One project which the group completed, was to establish guidelines for the licensing and operating of street trader vehicles. Many of these businesses operate across different local authority areas. The group also works together on joint food and drink sampling projects. One such project a number of years ago looked at the safety of water used in street trader vehicles. In 2012/13 it was agreed to revisit this survey. Prior to taking the water samples we sent a mail shot to all our street trading vehicles to remind them of the controls which should be in place to ensure that water supplies, storage containers etc. were hygienically acceptable. Following this, water samples were taken. A number of these failed and required follow up action. Whilst most businesses are willing to take advice and steps to comply, there will always be others who ignore the chance to get it right, and require further formal action.

SECTION 4 ~ RESOURCES

4.1 Financial Allocation

The annual budget for current and previous financial year:

	Budget 12/13	Budget 13/14
Staff	£350,804	£352,719
Travel and Subsistence	£0	£0
Equipment	£1,500	£500
Sampling	£32,000	£22,000
Feedingstuffs	£600	£600
Total	£384,904	£375,819

4.2 Staffing

The service is staffed as per the structure indicated in appendix 1.

Food safety is only one element of the role of environmental health. The pressures on the whole service increase year on year with changes in legislation, increasing population and demand on the service having to be managed on a priority basis. We therefore addressing target priority areas of work, and continue to work as effectively as possible to protect public health.



4.3 Staff Development Plan

The Food Law Code of Practice (Scotland) requires a minimum of 10 hours food safety training to be completed by every officer annually. Officers who are members of the Royal Environmental Health Institute of Scotland are also required to complete 20 hours training and development every year as part of the Continuous Professional Development scheme. Four officers within the food team have achieved chartered status.

The development of officers, as well as being a legal requirement, is an essential component of providing a quality service to West Lothian. The 10 hours training requirement for officers involved in food safety work was met. Training and development needs however have to be prioritised service wide and opportunities for training are sometimes limited. Training requirements are currently being met due to the low cost training programme provided by the Food Standards Agency.

Staff development has also been assisted through accompanied visits, peer review visits, involvement in working groups, special projects etc. It is hoped to continue this type of development activity in 2013/2014.

Training and development needs are assessed during individual Performance Review and Personal Development Planning meetings held twice a year in accordance with the council's Investor in People accreditation.

SECTION 5 ~ QUALITY ASSESSMENT

5.1 Quality Assessment

The Environmental Health & Trading Standards service is participating in the West Lothian Assessment Model. This is West Lothian Council's adaptation of the European Foundation for Quality Management. This is being used to help deliver continuous improvement of the service in years to come. The service holds the Customer Service Excellence award.



The food safety and animal feeding stuffs work is subject to audit by the Food Standards Agency Scotland. All audit reports can be found at www.food.gov.uk. The service was last audited in May 2010. However, a remote desk top audit of our food standards activities was carried out by the agency in February 2013. The report is still awaited.

Internal monitoring of procedures and customer feedback regarding hygiene inspections and food complaints is also used to assess the quality of the service provided. Customer consultation is a key development issue and a customer and business consultation survey is carried out once a year. At the conclusion of all food complaints customers receive a questionnaire which can be returned to allow further action to be taken where concerns are expressed.



SECTION 6 ~ SERVICE PLAN AND OPERATIONAL PLAN REVIEW

6.1 Review against Service Plans and Team Plans.

The work and commitments of the food team are determined in consultation with officers and team members.

The food service plan will be reviewed in six months.

6.2 Identification of any Variance from the Service Plan

2012/2013 has been a challenging year for the food service requiring a re – distribution of workloads between food safety, public health and workplace safety activities. Officers and management have addressed these changes constructively, and through a mixture of reviewed priorities, effective work planning and delivery, the service has ensured good performance in a number of areas.

Due to a long term absence, the service had to employ a food safety officer on a short term contract to assist with the inspection workload. The majority of these were lower risk establishments.

The enforcement demands are continuing to increase. 2012/13 was the first year the use of remedial action notices was extended to all food premises. This is an effective and necessary enforcement sanction, but does require additional officer input and time. The number of registered premises has also increased for the fifth year in a row.

There was a drop in the percentage of premises which are deemed broadly compliant for hygiene standards. This demands an appropriate response from the officers who are required to ensure follow up action is taken to address the failings in the businesses. This included 73 witnessed visits, an increased number of revisits from last year, increased use of hygiene improvement notices, notices to stop food production and business operation, reports to the Procurator Fiscal, and seizure and destruction of food.

There is a growing demand on the service from new business start ups. In 2009 the service registered 76 new businesses, compared with 209 in 2012. In terms of the food law code of practice there is an expectation that these businesses would be inspected within 28 days of registration. This is not possible for the service to achieve, and the policy is to appoint an inspection date within 3 to 6 months of registering depending on the nature of the business.

Officers have taken on more work in relation to sampling, infectious disease investigations, and workplace safety. There remain a number of issues to address in regard to workplace safety in many of the establishments visited. 182 workplace safety inspections were combined with food safety enforcement inspections. This demonstrates the important role officers have in terms of other aspects of environmental health. The diagram found in appendix 2a highlights the direct and linked public health input that officers have through food safety controls in premises. This was developed from a similar diagram produced as part of the review of food enforcement currently being undertaken by the Food Standards Agency.



Whilst it is essential that risks to public health are prioritised the consequence continues to be a backlog of missed inspections carried into the next years' programme.

The service entered into a new contract for the provision of food examination and analytical services during 2012. The contract has been working well to date, and will continue during 2013/14, and possibly 2014/15. There are ongoing discussions at a national level regarding a possible unified scientific service for the whole of Scotland. This development will be watched with interest. It is essential that future sampling and analysis is able to be delivered in the most efficient and financially justifiable way, if pressure on financial resources continues.

Other positive aspects of team work addressed during 2012/2013 include:

- Agreement by Food Standards Agency to close the 2010 audit action plan. Reported to Environment PDSP.
- Contribution to national discussion on new food body for Scotland.
- Updating and council approval of enforcement policy for Environmental Health and Trading Standards.
- Discussion and contribution to zero waste strategy impacting on food businesses at a local and national level.
- Ongoing assistance for new businesses.
- Contribution to Audit Scotland protecting consumers report – food safety.
- Meeting with local care inspectorate team to discuss and agree issues of consistency in West Lothian care settings.

Performance and workload comparisons are made in Appendix 3.

6.3 Areas for Improvement / Challenges.

The following have been identified as the key challenges for 2013/2014:

- Ongoing demands on officers from challenging premises and incidents in terms of food safety and workplace safety issues.
- Ensuring that officers are supported in dealing with challenging, time consuming and high risk workload.
- Establishing and targeting workload priorities with available resources which deliver and maintain the best achievable levels of public health protection.
- Managing customer expectations for service requests and complaints in line with service priorities.
- Further development of alternative approaches to business engagement to attain maximum benefit for the council and businesses.
- Introduction of the food hygiene information scheme to West Lothian.
- Implementation of the new food information regulations.
- Being able to provide help and support to new and existing businesses aimed at protecting public health and avoiding expensive and time consuming legal action.



There are no specific projects identified for attention in 2013/2014. However, it is part of the plan for the service to be in a position to launch the food hygiene information scheme by October 2013. A report on this was submitted to the Environment PDSP at the end of 2011/2012. It is hoped that this "scores on the doors" scheme will be an encouragement to good businesses and also provide members of the public with more confidence on where to eat out.

The biggest demand on the food service remains dealing with risks to public health balanced against an increasing workload. The challenge and demand continues to be positively managed and also supported by officers with established work priorities, improving efficiency and effectiveness in work planning and actions, ensuring appropriate and balanced enforcement action, supporting businesses where possible to work safely, and supporting officers in dealing with difficult and complex enforcement work. The focus remains on outcomes and not just output. This approach has been in place for many years with some adjustments and refinements over time.

The plan for 2013/2014, and beyond, is to ensure the service focuses resources at priority areas of work, and takes the correct action to protect public health when risks are identified.

SECTION 7 ~ ANIMAL FEEDING STUFFS AND PRIMARY PRODUCTION

7.1 Service Delivery

The control and monitoring of animal feeding stuffs is undertaken by Trading Standards. 0.3 FTE staff are responsible for registration, inspection and sampling activities in relation to all feedstuffs establishments within West Lothian. There are currently 114 premises that have applied for registration/approval or made a declaration of conformity.



7.2 Inspection

The inspection procedure is as detailed in the document "West Lothian Council, Planning and Economic Development Services, Feeding Stuffs Inspection Procedure". Feeding stuff premises are currently subject to the LACORS premises risk assessment scheme and (in relation to primary production) Annex 10 of the Food Law Code of Practice, which determine the risk category and inspection frequency. The LACORS premises risk assessment scheme is in the process of being replaced by a revised scheme developed by the Association of Chief Trading Standards Officers in consultation with the Society of Chief Officers of Trading Standards in Scotland, although it is not anticipated to drastically alter our premises profile. During 2012/13, a total of 10 programmed visits were made to primary producers where joint food and feed hygiene inspections were carried out as per agreement with the FSA. No major non-compliances were discovered. Trading Standards staff plan to undertake a further 10 programmed visits to primary producers in 2013/14.



7.3 Staffing

The Trading Standards section currently comprises four Trading Standards Officers, two Advisors and three Enforcement Officers.

All Trading Standards Officers and Enforcement Officers are authorised to enforce the Agriculture Act 1970 and subordinate and associated legislation, with 0.3 FTE staff specifically allocated to this function.

Appendices:

Appendix 1 – Service structure.

Appendix 2 – Scope of food service.

Appendix 2a – Extended public health links from food safety controls.

Appendix 3 – Workload comparisons.

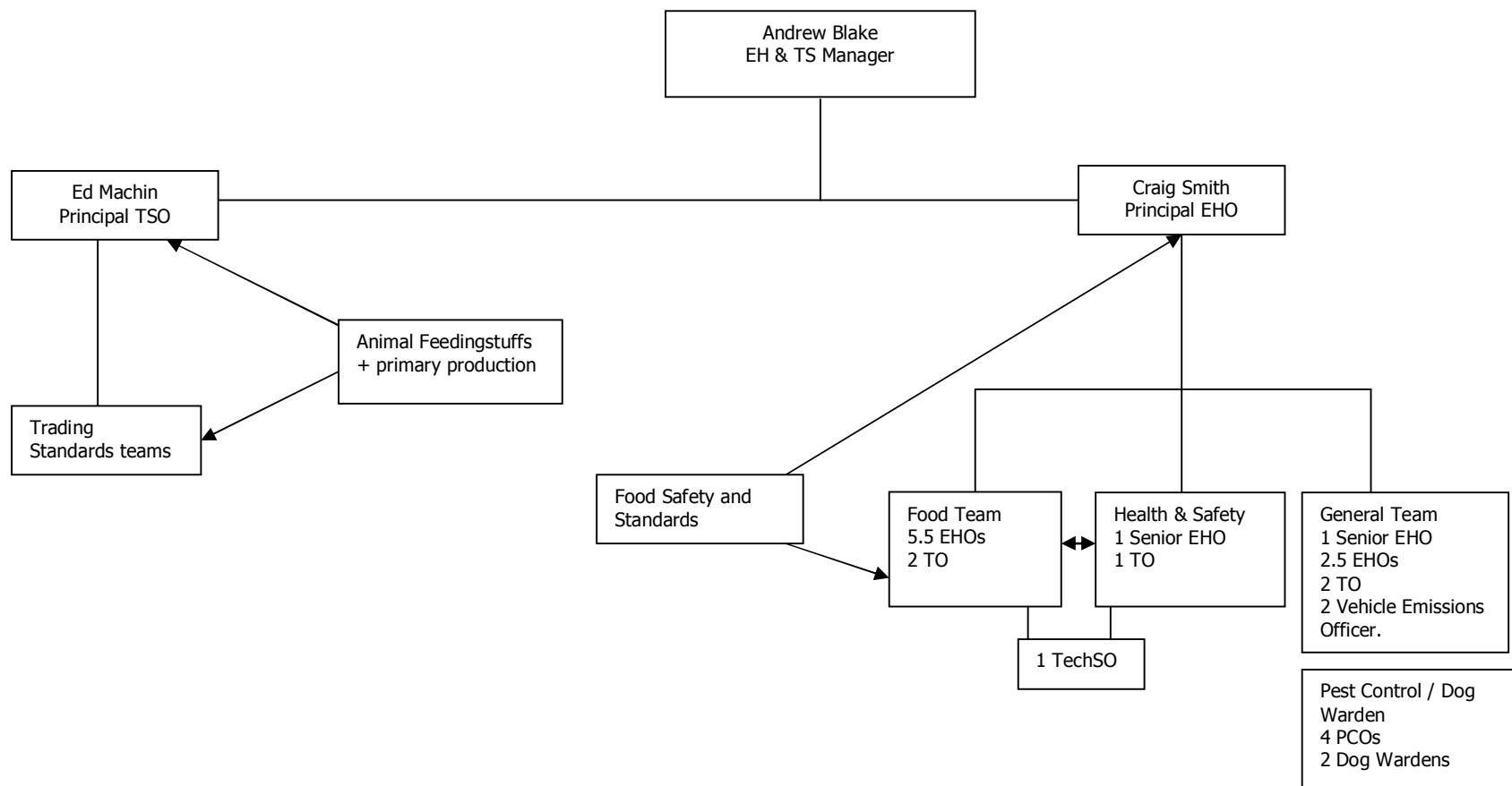
Appendix 4 – List of customers / partners / stakeholders.

Appendix 5 – Overview of food interventions policy.

Appendix 6 – Food sampling plan 2013/2014.

Appendix 7 – Service requests / complaints – service standards and prioritisation.

Appendix 1 – Environmental Health and Trading Standards Structure (April 2013)





Appendix 2 – Scope of Food Service

Function	Activities
Food hygiene	<ul style="list-style-type: none"> To inspect premises in line with The Food Law Code of Practice (Scotland) and prioritise the inspection of premises on a basis of high to low risk. To adhere to relevant team policies and procedures. To ensure compliance with the law by means of education, training, motivation and enforcement. To ensure that re – visits are made to premises when necessary, and in line with our inspection procedures. To ensure compliance with legal requirements in terms of licensing and approval of premises.
Food safety and standards	<ul style="list-style-type: none"> To inspect premises in line with The Food Law Code of Practice (Scotland). To adhere to relevant team policies and procedures. To ensure compliance with the law by means of education, training, motivation and enforcement. To ensure that re – visits are made to premises when necessary. To ensure that a sampling programme is devised and followed.
Food enquiries and investigations	<ul style="list-style-type: none"> To react to emergencies and immediate threats to public health. React to and investigate, where appropriate, enquiries and complaints relating to food safety and quality, and hygiene in food premises. React to and respond appropriately to food alerts. To adhere to team policies and procedures. When necessary seize, detain and arrange for condemnation of food not meeting food safety requirements. Respond to requests for verification of voluntary surrender of food for condemnation. Respond to requests for export certificates.
Business and consumer advice	<ul style="list-style-type: none"> Carry out visits to premises to give guidance or to follow up complaints. Provide guidance and advice to new businesses to help comply with food law. Provide training and education for trade and other groups in West Lothian. Deal with general enquiries for help and guidance on relevant food matters.
Reporting and liaison – working together	<ul style="list-style-type: none"> To ensure that policies and procedures are in place and followed as per the Framework Agreement on Food Law enforcement. Prepare reports and returns to various groups and agencies. Work together with others to improve food safety and the service provided. Work together as a team.
Water quality and safety	<ul style="list-style-type: none"> To ensure that a sampling plan is in place and carried out to measure the safety and quality of private and public drinking water supplies in West Lothian. To ensure that a sampling plan is in place and carried out to measure the safety and quality of recreational water, such as swimming pools, spas etc. To ensure that appropriate follow up action is taken when problems are identified with water safety and quality. To respond to requests, where appropriate, from people concerned about the safety and quality of water in West Lothian.
Infectious disease control	<ul style="list-style-type: none"> To investigate notified cases of food poisoning, and food or water – borne disease. To notify Public Health Medicine of possible outbreaks. To adhere to relevant team policies and procedures. To provide good advice to patients and public to prevent further spread of infection. To be involved in any incident or outbreak control team.
Support activities and miscellaneous	<ul style="list-style-type: none"> To manage the work of the food team. To provide technical and administrative support. To instigate special projects and initiatives to tackle particular food related issues. To use and maintain a system database to manage the inspection programme and process service requests. To maintain the competence of inspection staff and develop their skills and knowledge, by means of peer review, training and monitoring. To ensure that premises files are updated with appropriate information.
Feedingstuffs	<ul style="list-style-type: none"> To ensure the registration of feedingstuffs premises. To ensure registered premises are inspected. To ensure that feedingstuffs are sampled. To respond to complaints and concerns regarding quality and safety of feedingstuffs. To ensure compliance with all legal requirements in relation to feedingstuffs.

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graph LR
    FSC[Food Safety Controls] --- FR[Fire & Rescue]
    FSC --- FS[Fire Safety]
    FSC --- LEH[Late / early hours operation]
    FSC --- VS[Ventilation Systems]
    FSC --- N[Noise]
    FSC --- O[Odour]
    FSC --- HPE[Health promoting establishments]
    FSC --- TIC[Training for caterers]
    FSC --- HPT[Health Improvement Team – partnership]
    FSC --- HLA[Healthy living award]
    FSC --- EFW[Exclusion of food workers]
    FSC --- HBCPHM[Health Board, Consultant Public Health Medicine]
    FSC --- IO[Investigating outbreaks & sporadic cases]
    FSC --- CS[Contamination and interruption to supplies]
    FSC --- PS[Private supplies]
    FSC --- SWDWQR[Scottish Water DWQR]
    FSC --- HS[Hygiene advice]
    FSC --- WD[Water safety]
    FSC --- RA[Reports to Procurator Fiscal]
    FSC --- N1[Notices]
    FSC --- CA[Court Appearances]
    FSC --- WLS[Work with legal services]
    FSC --- FSD[Food seizures and destruction]
    FSC --- PC[Prohibition and closures]
    FSC --- IEPCC[Internal / external pest control contractors]
    FSC --- S[Source of nuisance]
    FSC --- GE[Gas & Electrical, Safe use of equipment]
    FSC --- STF[Slips, trips, falls from height.]
    FSC --- BSCD[Burns, scalds, cuts, dermatitis.]
    FSC --- HSE[HSSE for non – LA enforced premises]
    FSC --- L[Licensing]
    FSC --- F[Dairy]
    FSC --- TB[TB control]
    FSC --- FSA[Food Standards Agency, Government Veterinary Services]
    FSC --- TS[Trading standards animal health. Biosecurity – foot and mouth. Feedingstuffs.]
    FSC --- EC[Export certificates]
    FSC --- AG[Advice, guidance, training]
    FSC --- WBE[Work with business enterprise]
    FSC --- BS[Business Support]
    FSC --- S[Sampling]
    FSC --- CN[Composition, & nutrition,]
    FSC --- M[Microbiological]
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    FSC
```

Appendix 3 – Workload Comparisons

Activity	2009/2010		2010/2011		2011/2012		2012/2013	
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food hygiene inspections	657	64	630	130	870	55	663	145
(By alternative enforcement)	36	0	128	0	60	0	18	52
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food standards inspections	309	37	414	61	470	50	327	64
(By alternative enforcement)	33	0	96	0	54	0	14	50
Revisits	245		343		503		566	
Number of premises	1371		1389		1431		1537	
Broadly Compliant Hygiene	86.7%		86.3%		90.8%		87.2%	
Broadly Compliant Standards	95.7%		95.6%		99.5%		99.5%	
Food hygiene inspection performance indicators (inspections completed by due date) <i>** Indicator now measures %age completed within the year.</i>	Category	% on time	Category	% on time	Category	% on time	Category	% on time
	Approved	100	Approved	95	Approved	100	Approved	100
	6 months	100	6 months	96	6 months	100	6 months	100
	12 months	96.8	12 months	97.7	12 months	98.8	12 months	100
	> 12 months	87.2	> 12 months**	76.5	> 12 months**	91.1	> 12 months**	76
Food standards inspection performance (inspections completed by due date) <i>** See food hygiene</i>	A	100	A	100	A	100	A	100
	B	76.9	B	76.5	B**	81.25	B & C (Lower risk)**	41.4
	C	75.5	C	86.4	C**	68.5		
	Unrated	91.9	Unrated	73.3	Unrated	88.9	Unrated	70.5
Number of enquiries	476		434		458		436	
% Enquiries responded to in 2 days (Target 90%)	83%		85.9%		91.3%		86.2%	
Number of food complaints	40		40		51		22	
Number of premises complaints	126		126		181		147	
Food alerts	33		8*		1*		6*	
Advisory visits	71		26		30		22	
Infectious disease investigations	234		237		177		207	
Export certificates	26		23		44		44	
Food condemnations	1		2		0		0	
Samples taken	Type	No.	Type	No.	Type	No.	Type	No.
	Food Chem	376	Food Chem	286	Food Chem	171	Food Chem	190
	Food micro	330	Food micro	290	Food micro	225	Food micro	321
	Milk radiation	6	Milk radiation	0	Milk radiation	0	Milk radiation	0
	Water mains	27	Water mains	4	Water mains	1	Water mains	3
	Water private	29	Water private	39	Water private	33	Water private	23
	Swimming pool	72	Swimming pool	81	Swimming pool	64	Swimming pool	1
Reports to fiscal	6		2		1		3	
Hygiene improvement notices	14		24		34		40	
Remedial action notices							8	
Emergency Closures (including voluntary)	8		13		11		5	
Number of staff available	6		7		6.85		6.2	
£ Cost / Head of population / year (Per Week)	£2.90 (£0.06)		£2.85 (£0.06)		£2.39 (£0.05)		£2.18 (£0.04)	

*The system of classification has changed resulting in significant drop number of alerts requiring action.

Appendix 3 Workload Targets

Inspection Workload

Table 1. Food Hygiene Inspections 2013/2014.

COP Risk Category	Total No in Category	Required Inspection Frequency	Planned Inspections for 13/14
A	13	every 6 months	13
B	162	every 12 months	162
C	600	every 18 months	445
D	175	every 24 months	103
E	554	every 36 months	231
Newly registered	87		87
Alternative Enforcement	14	Every 36 months	6
TOTALS	1605		1047

Table 2. Food Standards Inspections 2013/2014.

COP Risk Category	Number in Category	Required inspection frequency	Planned inspections 13/14
A	2	12 months	2
B	179	24 months	99
C	1313	60 months	143
Newly registered	103		103
Alternative enforcement	20	60 months	8
TOTALS	1617		355

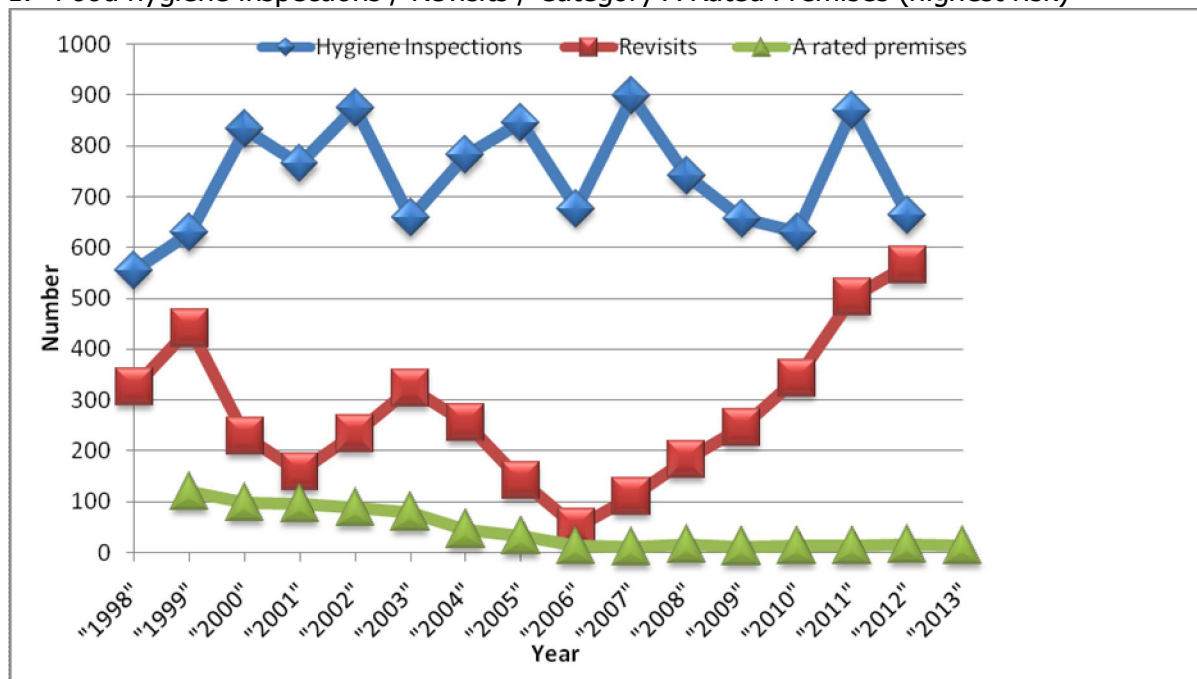
Table 3. Approved premises inspections 2013/2014.

Type of premises	Number in category	Planned inspections
Meat products	2	2
Fishery products	4	4
Dairy products (production holdings)	16	2



Appendix 3 – Workload Comparisons

1. Food hygiene inspections / Revisits / Category A Rated Premises (highest risk)

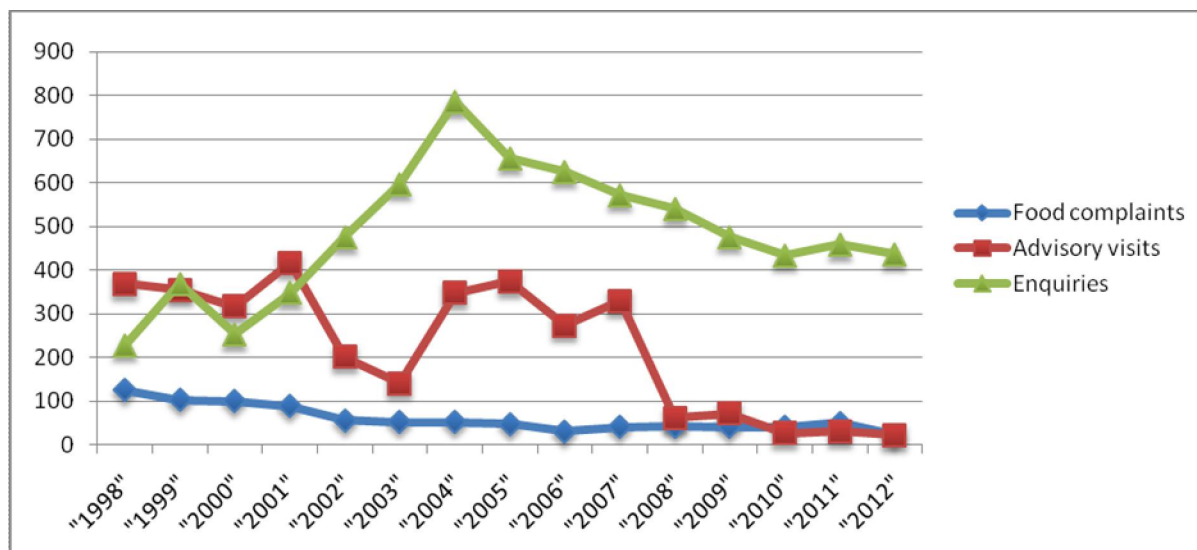


2. Food standards inspections completed.

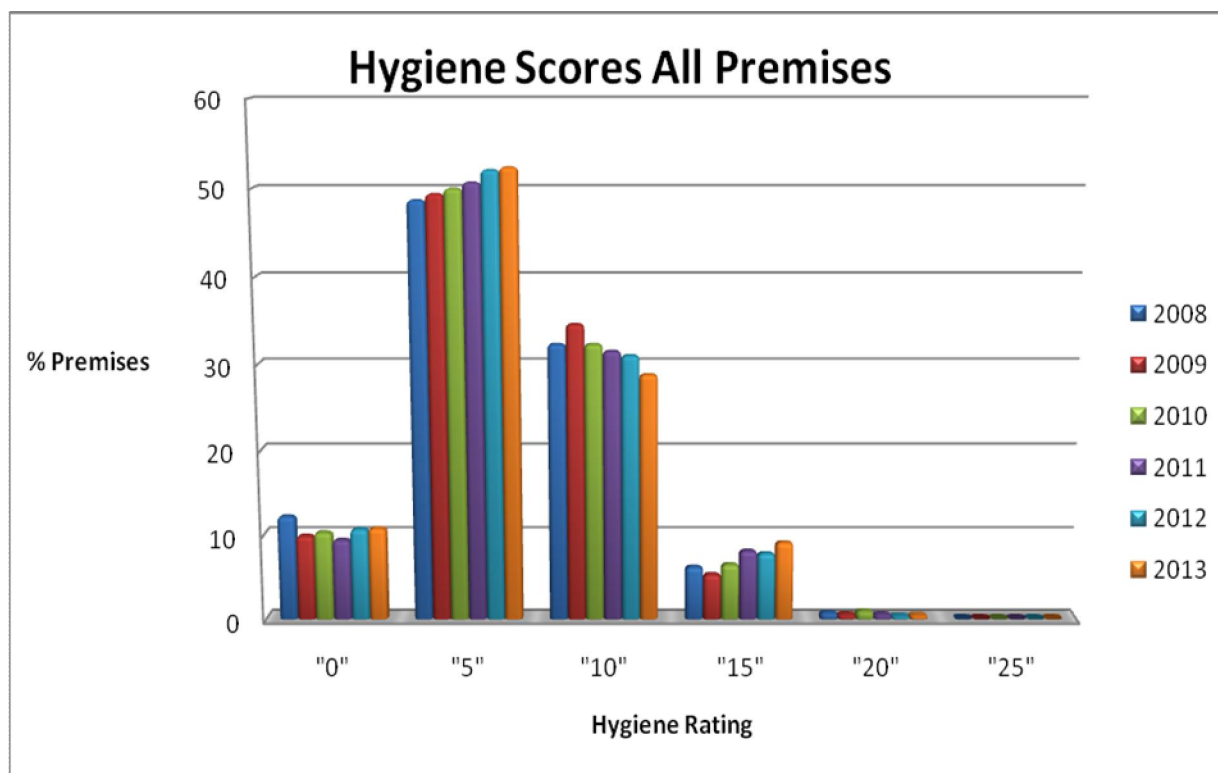




3. Food complaints / advisory visits / general enquiries

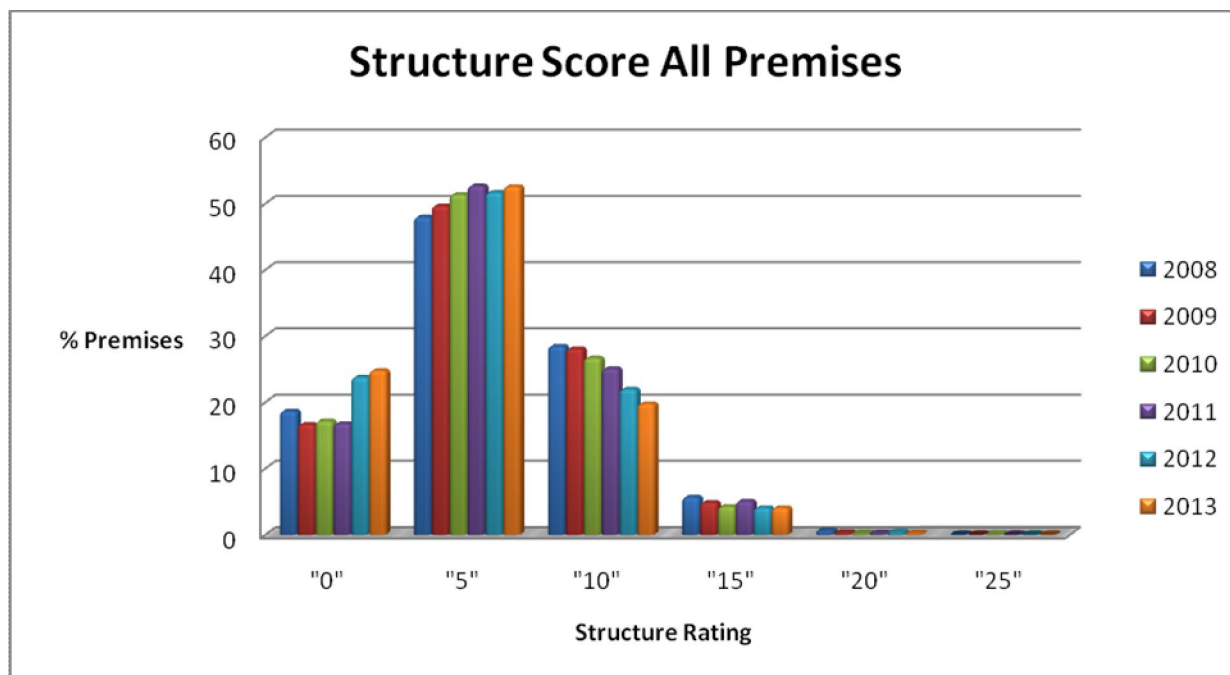


4. Hygiene Scores – All Premises (0 best and 25 worst)

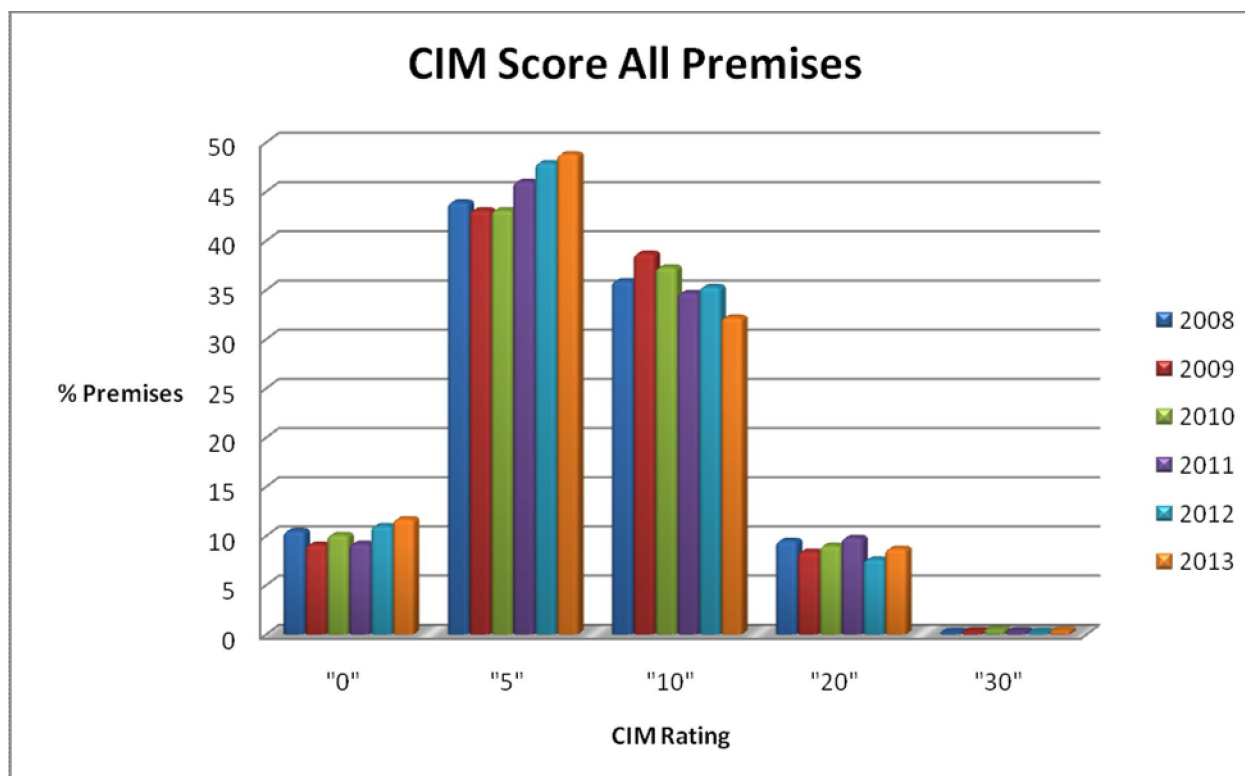




5. Structure Scores – All Premises (0 best and 25 worst)

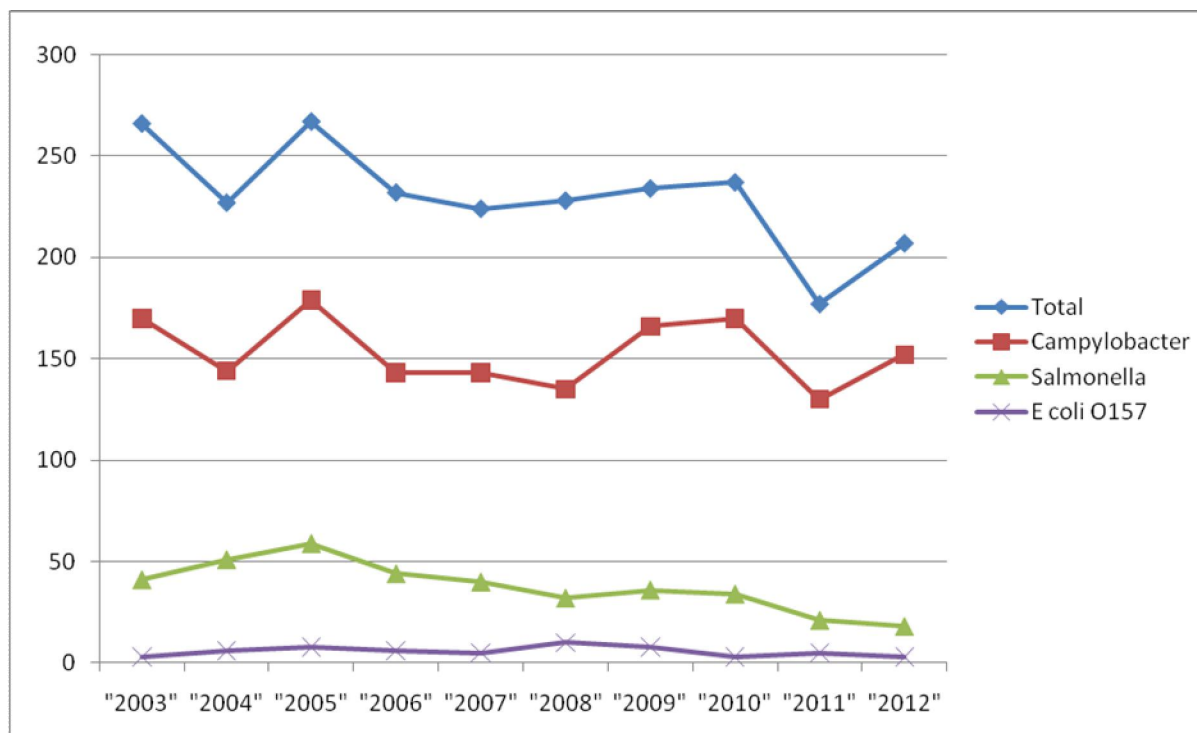


5. Confidence in management score – All Premises (0 best and 30 worst)





7. Infectious Disease Notifications





Appendix 4 – Customers / Partners / Stakeholders

GROUP	RELATIONSHIP	COMMUNICATION EXAMPLES	PROPOSED FOR 2013/2014
Businesses within West Lothian	Inspections; application of legislation; advisory activities; investigation into incidents, sampling, education, training, enforcement, motivation. New business support.	Provide guidance, training, technical information, guidance notes, information leaflets, talks, seminars. Use of Interpretation and Translation for ethnic languages, press releases, mail shots etc. Consultation – e.g. new inspection reports, dairy guidance, hygiene inspections evaluation. Use of interpretation and translation and improve training opportunities for non-English speaking food handlers. Improved communication in relation to new hygiene regulations, cooksafe, animal by products, illegal meat / imported food. Greater focus on new businesses.	Establish mail shots on regular basis to keep businesses aware of issues for their attention.
Public	We protect them. We investigate complaints on their behalf. We provide guidance and information.	Press releases, infectious disease information sheets. Customer feedback on food complaints.	Consider options for providing hygiene performance information of local food businesses online for benefit of public.



FSA	They provide direction and guidance on a partnership basis. We report to them annually. They audit our performance.	Audit reports. We consult them on technical guidance and policy. They consult with us on legal, policy and technical matters.	No change to current approach.
Elected Members (Councillors)	We respond to complaints and enquiries and provide information as required.	Reports to Environment PDSP, and Council Executive. Advice to licensing board. Annual Service Plan is presented to Council Executive for approval. Email local members when premises in area is closed.	No change to current approach.
Other LA Services – Planning, Building Standards, Economic Development, Legal & Licensing, Facilities Management, Education services, Community Health Care Partnership, Social policy.	Act as statutory consultee. Provide and receive guidance and support. Work in partnership in specific areas of interest.	Planning and building warrant application comments. Licensing applications and comments. Reports as required. Meetings e.g. Food & Health Steering Group. Meetings with facilities management, as required, to discuss common issues from inspections. Highlight implications of Welsh E coli inquiry with other council services providing food. Developed social policy food safety and infection control procedures document.	Ongoing communication where changes in legislation or policy likely to impact on services.
Lothian NHS	We work together on investigation	EHO/HPT meetings.	No change to current approach.



	and control of infectious diseases.	Sporadic and outbreak plans. Agreed joint health protection plan.	
Other local authorities	Share information and best practice. Sampling initiatives.	Liaison groups	No change to current approach.
PF and legal system.	Take legal action based on reports sent by us.	We send reports. Work together on content of report. We provide technical guidance. Send reports electronically.	No change to current approach.
Care Inspectorate	Act as Consultee / Advisor	Written reports and telephone calls to Care Commission Officers	No change to current approach.



Appendix 5

Overview of food interventions policy:

The Food Law Code of Practice (Scotland) advocates achieving compliance through the use of a range of interventions and allows local authorities some flexibility in the type of intervention used at a food business.

West Lothian Council recognises that different approaches are required to ensure a business complies with the law in terms of food hygiene and food standards. It is however important to recognise that the approach used by officers will be determined by the circumstances identified at the time of a visit and not in advance.

It is recognised that the code of practice expects a risk based approach to inspections is put in place by local authorities. With this in mind West Lothian Council has always established a priority basis for workload, as follows:

1. Emergencies and threats to public health (food alerts, serious accidents, fatalities, outbreaks / incidents and infectious disease notifications, revisits, formal action to protect public health – HEPN, RAN, prohibition notice, high priority food & water complaints and monitoring, serious health and safety complaints).
2. Planned highest risk inspections (food hygiene – A, B and approved establishments, unrated where there are cross contamination considerations; food standards – category A; health and safety focused interventions).
3. Planned high risk inspections and advice / licensing to high risk establishments (food hygiene – C where potential risk of cross contamination, unrated hygiene and standards – limited risk, advice to new potentially high risk establishments, and licensing of street trader vehicles.)
4. Planned inspection of lower risk establishments (food hygiene – category C where no real risk of cross contamination anticipated, category D rated catering type operations; food standards - category B; and health and safety unrated).
5. All other work and lowest rated establishments inspected by means of alternative enforcement, projects etc.

The priorities reflect the combined work areas of food safety and workplace safety.



Food Hygiene

Category	Inspection target	Intervention
A	By due date (+ 28days)	Inspection
B	By due date (+ 28days)	Inspection
C	Within financial year.	Inspection*
D	Within financial year	Inspection
E	Within financial year	Alternative enforcement**
Unrated	Within 3 months*** or 6 months of registration	Inspection
853/2004 establishment	As per code of practice determined frequency	Inspection
<p>*Priority being given to premises where there is potential cross contamination issues. **Includes premises with no inspectable risk (already categorised as alternative enforcement) ***Premises handling open high risk foods, e.g. catering.</p>		

Food Standards

Category	Inspection target	Intervention
A	By due date (+28 days)	Inspection
B	Within financial year	Inspection
C	Within financial year	Alternative enforcement
Unrated	Within 6 months of registration.	Inspection

Inspections and Interventions

All inspections and interventions will be carried out in accordance with West Lothian Council's inspection procedures and enforcement policy. Inspections will be conducted in accordance with chapter 4.2 of the Food Law Code of Practice (Scotland) and will utilise the appropriate West Lothian Council inspection aide memoire. Not all inspections are able to be targeted by the due date as required by the code of practice.

Alternative Enforcement – Food Hygiene & Food Standards

In line with the principles of the Food Law Code of Practice (Scotland) West Lothian Council ensures that priority is given to food premises which present a greater risk to public health and food safety. In order to do this a hierarchical approach to inspections and visits has been established. In order to ensure the best use of the staff resources we have available and also ensure that we maintain a level of intelligence regarding premises within our area it has been appropriate to remove a number of food premises from our routine inspection programme and target them through an alternative enforcement approach.

Premises which are subject to alternative enforcement have been identified above.



Officers undertaking alternative enforcement within such premises will not need to be qualified as per code of practice requirements. The purpose of this approach will be to establish the operating arrangements of such premises and distribute appropriate guidance to food business operators. A record of such visits will be completed and held electronically. Should there be a change in the business operation likely to change the inspection rating of the premises then such matters will be referred back for a qualified officer to pursue.

The purpose is to link in with work already being done by other non food officers and ensure a better system for gathering information and maintaining business contact.

Where the premises is deemed to be operating in a way which requires no further intervention by a qualified officer then a rating will be applied to maintain the premises within its current category and ensure a further visit is made within the time frame for such premises outlined in the code of practice – i.e. 3 years for food hygiene, and 5 years for food standards.

This approach will be kept under review.

Non – Broadly Compliant Premises

Following an inspection any premises which does not meet the broadly compliant criteria should be subject to further intervention. Such action should be implemented no later than 1 month after the initial inspection. Officers will determine the most appropriate action giving consideration to the West Lothian Council enforcement policy and inspection procedures.

Interventions will be recorded by officers, and may include:

- further inspection and audit;
- verification and surveillance;
- advice and education; and
- formal sampling.

Change of Ownership / Premises

An officer will inspect a changed premises for food hygiene, food standards, and health and safety irrespective of what the initial planned inspection was for. Risk ratings will be applied against the new premises details.

Appendix 6

Draft Food Sampling Plan 2013/2014

Food Chemical Samples	Number
Complaints	12
Local Butchers pastries	12
Local butchers sausages/burgers	12
Local bakers pastries	3
Local bakers colours	6
HA Meat products	10
HA colours	6
HA crisps	6
HA biscuits	10
HA cakes	5
HA nutritional profile	12
Miscellaneous/reactive	9
Surveys	40
FSA work*	TBC

HA = Home authority

Total Chemical **143**
Target *143*

Food Micro Samples	Number
F01 related	116
F01 related (rice dishes)	38
Ice cream	6
Surveys	40
FSA work	0

F01 = hygiene inspection

Micro totals **200**
Target *200*

*Awaiting further confirmation from FSA.



Appendix 7

Service Requests and complaints – service standards and prioritisation:

Response times and updates:

We will aim to respond to all enquiries within 2 working days of receipt. We will aim, if required, to update customers of progress within 28 days of receipt. Our response may be by phone, mail or email.

New business advice

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

Further assistance such as review of plans, or site visits will no longer be possible for routine new business work due to other workload demands.

Licensed premises – Section 50 Certificates

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

There will be no routine site visits. Final site visits will be carried out only after notification that the appropriate building warrant has been issued and premises are in finished condition ready for operation. The site visit will be carried out within 15 working days of request by the customer to the appropriate officer. If the premises is visited and not complying with requirements then further visits will be carried out. Revisits will be carried out within 15 working days of notification by the customer that works have been completed.

The timeframes reflect the need to balance other higher priority workload within the service.

Street trader application – Vehicle inspections – New Licences

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.



Inspections of new vehicles to issue a hygiene certificate will be carried out within 15 working days of the customer requesting a visit with the appropriate officer. These inspections will only take place on a specified afternoon or morning once a week.

The timeframes reflect the need to balance other higher priority workload within the service.

Investigation of complaints – food and drink, premises etc.

Complaints will be prioritised and addressed relevant to the nature of the concern.

The following types of concern are examples of those considered high priority:

- Cases of confirmed food poisoning linked to food establishment or food stuff.
- Numbers of unconfirmed illness associated with food establishment or food stuff.
- Foods subject to serious contamination or in a condition likely to be a risk to public health.
- Complaints regarding poor hygiene conditions within premises likely to give rise to contamination of food being prepared.
- Complaints regarding illness or infection associated with drinking or recreational water.

The following types of concern are examples of those considered low priority. They are likely to be subject to referral to a future inspection or other intervention:

- Complaint of out of date food being sold. Unless there is a poor history within the premises, or after a number of similar complaints in a short period of time.
- Complaints about front of house hygiene conditions in premises. Unless there is a poor history within the premises, or after a number of similar complaints in a short period of time.
- Complaints about drinking and recreational water not linked to illness or infection. Complaints about mains water will be referred to Scottish Water and the Drinking Water Quality Regulator.
- Complaints regarding quality and nature of food and drink sold in food premises. Unless there is a poor history within the premises, or after a number of similar complaints in a short period of time.



**West Lothian
Council**

COUNCIL EXECUTIVE

INFORMATION MANAGEMENT LEGISLATION & DOCUMENTATION

REPORT BY HEAD OF CORPORATE SERVICES

A. PURPOSE OF REPORT

To provide the Council Executive with a package of documentation that will assist the council with meeting its obligations and priority outcomes relating to the management of information.

A new information strategy provides a framework for the handling and management of information within the council in line with the council's Corporate Plan 2013/17.

Legislative changes have also necessitated the introduction of a records management plan and a revision of the council's records management policy and publication scheme.

B. RECOMMENDATION

The Council Executive approves:

- i. Information Strategy
- ii. Records Management Plan
- iii. Revised Records Management Policy

and notes the revisions to:

- iv. Publication Scheme

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)

The strategy, policy and plan support the legal framework that governs the Council's information assets. This is broadly indicated by the following legislation:

- Public Records (Scotland) Act 2011
- Data Protection Act 1998
- Freedom of Information (Scotland) Act 2002

Equality Relevance Assessments have been completed for all 4 documents.

III	Implications for Scheme of Delegations to Officers	Any subsequent implications will be incorporated into the Scheme of Delegations in conjunction with the Chief Legal officer.
IV	Impact on performance and performance Indicators	The outcomes of the Strategy Action Plan will be inclusive of Performance indicators across all service areas.
V	Relevance to Single Outcome Agreement	Improvements in the use and sharing of information supports all outcomes and is particularly relevant to Outcome - 15 "Our public services are high quality, continually improving, efficient and responsive to local people's needs"
VI	Resources - (Financial, Staffing and Property)	All activity is financed within existing service budgets and resource allocations.
VII	Consideration at PDSP	P&RPDSP 24 May 2013
VIII	Other consultations	<p>Consultation with a wide ranged stakeholders including:</p> <ul style="list-style-type: none"> • Information Management Working Group • ICT Programme Board • Council Services • Trades Unions • Records Management Society (Scotland) • National Records of Scotland • Information Commissioners Office Scotland (Data Protection) • Office of the Scottish Information Commissioner (Freedom of Information)

D. TERMS OF REPORT

D1 Background:

The services delivered by the Council are becoming increasingly information dependent. Effective management, understanding and sharing of this information can offer service improvements and efficiencies. However, such information is increasingly subject to legislation, Government guidelines, scrutiny, audit, risks and threats.

The Information Strategy provides a framework for the management and handling of information that will be created, obtained, used and shared in delivering the council's priority outcomes.

The recent introduction of the Public Records (Scotland) Act requires that the council submits and publishes a Records Management Plan and an updated Records Management Policy.

The council is required to update its current Publication scheme under the Freedom of Information (Scotland) Act 2002. The updated scheme is required in electronic format and accessed via the council's web site.

The Strategy, Policy, Records Management Plan and Publication Scheme (set out in Appendices 1 – 4) establish principles for the management of the Council's information assets ensuring legal compliance, public confidence and best practice.

D2 Information Strategy:

The strategy in **Appendix 1** focuses on Information Management as an enabler for improving efficiency across the Council, reducing information risk, achieving greater compliance with legislation and helping service areas and delivery partners in *Delivering Better Outcomes* as set out in the council's *Corporate Plan 2013/17*.

It sets out what must be done to ensure the council can make best use of its information into the future – helping us to develop the culture, tools and capability to manage information effectively. It recognises that the information we create is an important corporate resource and also that we are entrusted with citizen data that brings with it inherent responsibilities.

D3 Records Management Plan:

The Public Records (Scotland) Act 2011 came into effect in January 2013 and requires the council, along with other public sector organisations, to demonstrate that they have arrangements in place for the effective management of records.

The council is required to collect evidence of reliable and accurate record keeping in the form of a 'Records Management Plan', **Appendix 2**. This plan is submitted for approval to the 'Keeper of Records', Head of National Records of Scotland (NRS) on 7th June 2013.

The council's Records Manager and Information Strategy and Security Manager have been working closely with officers from the National Records of Scotland to develop a robust Records Management Plan for the council.

D4 Records Management Policy:

The council's Records Management policy has been updated to reflect the requirements of the new Public Records (Scotland) Act 2011. The new updated policy is attached as **Appendix 3**.

D5 West Lothian Council Publication Scheme:

One of the requirements of the Freedom of information (Scotland) Act 2002 is that the council provides a 'Publication Scheme' (a guide and directory of the information that the council provides to the public). The scheme is updated regularly and a new scheme is submitted to the Information Commissioner every 4 years.

The Office of the Scottish Information Commissioner has provided a new format for the publication scheme and the council's scheme has been updated to comply with the new layout.

The scheme now takes the form of a series of web pages that makes up a 'Guide to Information' that will be made available on the council's web site. This is also available in document form attached as **Appendix 4**

The guide includes 8 new 'classes' of information that is already published by service areas throughout the council:

- Class 1: About West Lothian Council
- Class 3: How we take decisions and what we have decided
- Class 4: What we spend and how we spend it
- Class 5: How we manage our Human, Physical and Information Resources
- Class 6: How we procure goods and services from external providers
- Class 7: How we are performing
- Class 8: Our Commercial Publications

As required of the publication scheme, IT Services and Procurement have developed a Contracts Database for publication on the council's web site.

D6 PDSP Consideration

This report as considered at Policy and resources PDSP on 24 May 2013. The PDSP agreed to forward the report to the Council Executive for approval of the recommendations.

E. CONCLUSION

The new Information Strategy, Records Management Plan, Records Management Policy and Publications scheme will ensure ongoing compliance with legislation and regulation. They will also provide a framework for the efficient and effective use and sharing of information that will, in turn, support the Councils Corporate Plan and desired outcomes.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: **4**

- 1. Information Strategy**
- 2. Records Management Plan**
- 3. Revised Records Management Policy**
- 4. Revised Publication Scheme**

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Report Submitted by: **Julie Whitelaw, Head of Corporate Services** (Acting)

Date of meeting: 4 June 2013

Data Label: PUBLIC

West Lothian Council

Information

Strategy 2013/17



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Council

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1 Overview

1.1 Foreword

The West Lothian Council Information Strategy introduces a unified approach and purpose for managing information across the council over the next 4 years.

This strategy focuses on Information Management as an enabler for improving efficiency across the Council, reducing information risk, achieving greater compliance with legislation and helping service areas and delivery partners in Delivering Better Outcomes as set out in the council's Corporate Plan 2013/17.

It sets out what must be done to ensure the council can make best use of its information into the future – helping us to develop the culture, tools and capability to manage information effectively. It recognises that the information we create is an important corporate resource and also that we are entrusted with citizen data that brings with it inherent responsibilities and sets out the council's commitment in managing citizen's information.

The strategy addresses our need to share good quality information across services within the council, with partners, agencies and the wider public sector in order to deliver reliable, joined up services. However, it also recognises the need to ensure that any risks around using and sharing our information are assessed effectively and that we achieve the appropriate balance between protecting and sharing our information.

In the immediate future this activity will take place in an increasingly challenging financial environment where there will be more demands on us to achieve greater value for money from our information capability.



**Councillor
John McGinty
Leader of the
Council**



**Graham Hope
Chief Executive**

1.2 Context

Information comes in many forms – policy documents, case files, reports, minutes, operational data and personal data – and is held in a variety of printed and electronic formats. Across the council we use this information in our daily working lives as we work to achieve our own objectives and those of the council – be it when delivering services, formulating policy, managing budgets, holding meetings, teaching pupils or managing staff.

To maximise the potential benefit from our information we need to manage it effectively, re-use it where we can, share it appropriately and ensure that it is adequately protected.

Throughout the public sector, information sharing and cross agency working creates further opportunity to streamline services and drive operational efficiencies. Good information management practices will best place the council to engage in collaborative working and take advantage of potential efficiencies.

Developments in technology offer both opportunities and challenges for the council. For example, the growth in social media and mobile technologies present new efficient ways of interacting with customers. However, in working beyond the traditional boundaries of the council's computer network, it is vital that we understand and manage the risks to the information in our care.

In addition, there is now more external scrutiny of how councils manage their information and a move towards greater openness and transparency around the information that we hold. For example, the Data Protection Act 1998 and Public Records (Scotland) Act 2011 requires that the council has more controls in place when managing information whilst the Freedom of Information Scotland Act 2002 requires us to be more transparent and proactive in ensuring access to our information.

1.3 Strategy Development

This strategy has been developed in conjunction with key stakeholders including national Records of Scotland, National Archives, Scottish Information Commissioner, Office of the Scottish Information Commissioner, Corporate Managers, Heads of Service, Service Managers, Information Liaison Officers and Systems Administrators. It aligns with the council's Corporate Plan (2013-2017) and supporting strategies.

1.4 Ownership and Scope of the Strategy

All employees of the Council need information every day in order to do their jobs - the Council cannot function or meet its objectives without it. This strategy isn't just for those working in "information roles": it is for all Council staff – for every role, every grade, in every part of the Council. It outlines what 'we' as the Council need to do to manage our information better.

It is vital to this strategy that all service areas adopt the principles of information management in all operational activities, decision making processes and internal/external exchanges of information.

The strategy relates to all council information, in all its forms e.g. paper records, electronic mail, databases, drawings, teaching materials, IT systems, web pages, audio and video recordings, social media and archives.

Specific responsibilities are listed below:

Information Asset Owner - is the Head of Service who is responsible for ensuring that the Information Management principles are implemented and adopted by staff and for the assets within their service. They are also owners of the Information Management Risks and for ensuring that the risks are managed in accordance with council policy.

System Owner - is the service manager who is the custodian of the information asset and is responsible for ensuring staff training and awareness of this strategy and that the systems under their management adhere to the aims and objectives of the strategy.

Project Management Staff – are responsible for ensuring that Information Management criteria are adhered to in the specification, implementation and development of Information systems. They are also responsible for identifying and logging and managing information risks associated with projects and the systems involved.

Information Strategy and Security Manager – is responsible for the implementation, communication and reporting on the progress of this strategy

Records Manager – is responsible for creating, developing and implementing standards relating to records management

Systems Administrators – are responsible for ensuring that the information contained in systems adheres to council standards including the quality and the security of information.

Information Liaison Officers – are responsible for communicating and developing Information Management within their services and representing their service on the Information Management Working Group.

Local Records Officers – are responsible for developing file plans and promoting best practice in Information Management

All Staff – are responsible for recording information in the appropriate format; to adhere to data standards; to label and handle information appropriately and share information in accordance with agreed procedures. This includes contract and voluntary staff.

Partner Organisations, Suppliers and other 3rd Parties – are responsible for adhering to agreed standards when accessing, handling and processing council information.

Governance

Governance over Information Management is built in to normal council processes e.g. line management, service management and project management. Formal governance over this strategy is set out in the table below.

Governance		
Group	Governance/Scrutiny Role	Reporting Frequency
Information Management Working Group	Developing and implementing policies and procedures relating to the strategy and monitoring/reporting progress across service areas	Quarterly
ICT Programme Board	Reviewing and implementing policies, procedures and standards. Monitoring projects relating to this strategy	Quarterly
Modernisation Board	Monitor s this strategy	Annual
Partnership and Resources Policy Development and Scrutiny Panel	Scrutinise and review strategies, policies and progress	Annual
Council Executive	Approve strategies and policies	Annual

2 Council Priorities

The council has set 8 priorities in the current Corporate Plan (2013/17) in consultation with the local community, partners, stakeholders and our staff. These priorities, along with the 3 enablers themes, represent all the vital activities that the council will undertake in order to achieve better outcomes for West Lothian.

The information strategy contributes to the Corporate Plan by supporting all council priorities and by directly contributing to the identified enablers of:

- Delivering corporate governance and risk strategy outcomes by “Ensuring that effective policies and procedures are implemented to secure and manage information and that compliance is monitored across the council” Corporate Plan (2013/17) p27
- Modernisation and improvement strategy outcomes by supporting “Secure and confidential sharing of information between professionals both within the council and with partner organisations”. Corporate Plan (2013/17) p28

Figure 1 illustrates where the Information Strategy will directly contribute to a council priority or enabler.

The Information Strategy provides a framework for the management and handling of information that will be created, obtained, used and shared in delivering the council’s priority outcomes. As council services are information dependant, the strategy is also a vital component of the enablers that underpin these priorities.

Council Priorities	Information Strategy
1. Improving the employment position in West Lothian	✓
2. Improving attainment and positive destinations for school children	✓
3. Delivering positive outcomes and early intervention for early years	✓
4. Improving the quality of life for older people	✓
5. Minimising poverty, the cycle of deprivation and promoting equality	✓
6. Reducing crime and improving community safety	✓
7. Protecting the built and natural environment	✓
8. Delivering positive outcomes on health	✓

Enablers	
Financial planning	✓
Corporate governance and risk	✓
Modernisation and improvement	✓

Figure 1: Council priorities and the Information Strategy

3 Strategy Outcomes

The Information Strategy supports council objectives by providing staff access to comprehensive and reliable information, at the point of need, where everyone understands the importance of handling it correctly, sharing it appropriately and protecting it from improper use.

There are a number of outcomes that benefit the council, staff and customers.

3.1 Benefits to the council

- Enables the council to provide a more effective service to its customers with greater transparency around the information it holds
- Preserves its public reputation and enables it to meet public expectation of how it will manage their information
- Builds trust in the quality of its information both for staff and the public
- Supports informed decision and policy making
- Ensures compliance with legal requirements
- Preserves for the public record decisions being made now which will become our history in the future
- Increases its efficiency by enabling it to get the most out of the information it holds, avoiding duplication and promoting re-use where appropriate
- Reduces levels of information-related risk and ensures that council information is protected and secure

3.2 Benefits for staff

Improving the way service areas manage their information brings a number of benefits both to the individual and to the council. Good information management provides staff with the following benefits:

- Finding the information when needed quickly and easily
- Better quality of information that also makes it more trustworthy
- Knowing what to keep and what to dispose of – removing duplication and the i'll keep it "just in case" approach
- Knowing where to keep it and how to save it
- Working more efficiently, making best use of resources - re-using information created and not re-inventing the wheel

- Working more collaboratively - making best use of skills and knowledge
- Knowing what to share and with whom
- Providing assurance that everyone is complying with responsibilities under legal requirements
- Knowing how to handle and protect information

3.3 Benefits for customers

- Information is captured once and not repeatedly
- Information is more accurate and reliable and accessible
- Assurance that information relating to them is protected and handled appropriately
- That when they give consent to share information, that consistent standards will be applied
- That the council manages information appropriately and efficiently
- Customer transactions with the council are more responsive and processed quicker.

In summary the strategy outcomes are:

- To create a culture which values information
- Improving access to information through technology, processes and tools
- Ensure best use of information by developing opportunities for sharing and re-use
- Compliance with information management legislation, policies, standards, codes of practice and other guidance

Outcome 1: To create a culture which values information

Purpose

The strategy aim is to create an organisational culture which values information and works to remove barriers to managing information effectively. We will communicate our vision and culture to all staff and stakeholders, resulting in a high level of awareness due to effective messages around Information Management.

Changing culture and behaviours is a long process but we will continue building a culture:

- Which values sharing information and knowledge and recognises the consequences of not sharing;
- Which values protecting information appropriately;
- Where staff have confidence and trust in the quality of the information they manage and use;
- Where good information management is everyone's responsibility and part of how people do their jobs every day;
- Where managing information is viewed positively – as an enabler to our business and not an additional responsibility;
- Where we anticipate future information management requirements, planning proactively to improve our efficiency and effectiveness and not just react when things go wrong;
- Where policies are accessible, understood and followed by staff;
- Which values collaborative working and discourages silo working;
- Which values corporate benefits over individual benefits.

Activities

The main activities that will be undertaken in 2013/17 to achieve this priority outcome are:

- Create a clear governance structure for information management
- Develop and implement records management policies, procedures and guidance
- Implement an appropriate training and awareness programme
- Develop and implement a Customer Information Charter

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012/13 Performance	2016/17 Target	Service	Responsible Officer
% Staff Trained Information Management	95%	100%	All Service Areas	Heads of Service
% Information Management Policies, Procedures & Guidelines	100% complete, relevant and up to date	100% complete, relevant and up to date	Corporate Services	Head of Corporate Services

Outcome 2: Improve access to information through technology, processes and tools

Purpose

There has never been a more important time for the council to focus on how it manages information. The council now has more information and is conducting more integration between systems than ever before. The IT Capabilities that are and will be needed in the future will be driven by the need for information. The benefits of Information driven IT transformation to the staff and the Council are:

- A shared IT infrastructure will make it easier for staff to access, reuse and share information across organisational or network boundaries where there is a business need to do so;
- It will enhance security, providing increased protection for information;
- Allow for the centralisation and consolidation of systems currently used within the council;
- Facilitate collaborative working, support remote working and also provide significant cost savings.

To achieve the aims of this strategy we need to ensure our Information Management and IT requirements are aligned and that Information Management needs are a key factor in the making of IT decisions. This will cover: the planning and acquisition of new systems; the implementation and management of systems; the management of legacy systems and the secure disposal of information and IT equipment. We must focus on the availability, integrity and confidentiality of information within systems and not the systems alone.

All Information Management tools need to:

- Support effective retrieval and re-use;
- Support the needs of the business and adapt to changing requirements;
- Allow for an increase in the quality of documentation by ensuring standard templates are used across the council;
- Support flexible, remote and collaborative working;
- Protect information and provide information security;
- Support compliance with standards, policies and legislation such as the Public Records (Scotland) act 2011;
- Provide continued access to digital information;
- Provide reliable management information to inform decision making.

We will work towards a situation where our business information is held in an appropriate corporate repository - and not stored in a multitude of email inboxes, applications, filing cabinets and personal drives. We will develop existing systems to support local 'champions'

(Information Liaison Officers, Local Records Officers) capable of meeting business, user and Information Management needs.

The council has already invested in a corporate wide EDRMS (Electronic Document and Records Management System) and has a number of advantages for the individual and the Council:

- Information can be shared where appropriate and re-used;
- Scanning, reducing paper;
- Reduces the risk of duplication – a single copy of a document is held centrally, rather than multiple copies held locally;
- The latest version of a document is easily identifiable;
- Appropriate retention and disposal rules can be applied;
- Information is stored securely and protected via permissions settings;
- Information is not lost when a member of staff changes roles or leaves the council;
- Using an appropriate corporate repository means less money is spent on individual business-specific solutions.

Activities

The main activities that will be undertaken in 2013/17 to achieve this priority outcome are:

- Linking, sharing and consolidating council IT systems and networks
- Implement a corporate document and records repository
- Implement appropriate tools to allow remote working, collaboration and sharing
- Developing paperless transactions within the council and with customers

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012/13 Performance	2016/17 Target	Service	Responsible Officer
% of Corporate Staff handling electronic records who actively use EDRMs	90%	100%	All Service Areas	Heads of Service
% Volume Paper Records sent to Archive	100%	50%	All Service Areas	Heads of Service
% Volume of Duplicate Documents	10%	1%	All Service Areas	Heads of Service

Outcome 3: Ensure best use of information by developing opportunities for sharing and re-use

Purpose

Information and knowledge are key corporate assets and by reusing and sharing them we release their value and maximise benefits to the business.

The council recognises the need to share information and knowledge with colleagues, business partners, stakeholders and others as appropriate – and the benefits that this brings. Sharing and protecting information are both essential to working together to serve the public.

Further, sharing information and building professional relationships with partners and agencies will aid in the development of a joined up approach to public services. Information Sharing Agreements will provide staff with the security and confidence to know that what they are doing is correct.

At a time when we are under pressure to do more with less the council cannot afford to reinvent the wheel but must make the most of the knowledge and information it already has.

In order to achieve the above, this strategy advocates:

- Development of a clear picture of where information and knowledge reside across the organisation
- Identifying who the council needs to share information with, e.g. Stakeholders and suppliers, and manage this in a responsible way
- Establish common data sharing principles and agreements, and work to embed these across the council
- A risk-based approach to sharing to ensure information and knowledge are shared responsibly
- Active sharing and re-use of information to meet the business need
- Sharing of appropriate information with the public to meet government commitments on transparency and accountability, facilitating the re-use of data to increase economic and social value

Activities

The main activities that will be undertaken in 2013/17 to achieve this priority outcome are:

- Implementation and maintenance of a central register of information
- Development and Implementation of standard sharing protocols and agreements
- Develop opportunities for sharing between council services
- Develop opportunities for sharing with partner organisations

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012/13 Performance	2016/17 Target	Service	Responsible Officer
% Systems Risk Assessed	80%	100% complete, relevant and up to date	All Service Areas	Heads of Service
% Systems with sharing/processing agreements in place	75%	100%	All Services	Head of Service

Outcome 4: Compliance with information management legislation, policies, standards, codes of practice and other guidance

Purpose

There are many Information Management-related requirements; some of these are external and others are internally generated. While some are wholly focused on Information Management, others are not, for example, those on technology or security.

We are legally obliged to comply with some requirements such as the Data Protection Act (1988), Freedom of Information (Scotland) Act 2002, Public Records (Scotland) Act 2011, Re-use of Public Sector Information Regulations 2005, INSPIRE (Scotland) Regulations 2009 and Environmental Information (Scotland) Regulations 2004.

The aim of this strategy is to:

- Bring together and maintain those Information Management requirements with which we must comply. These requirements will be prioritised according to the potential impact and associated risks;
- Rationalise the differing requirements of standards, legislation etc to better understand our obligations;
- Build these requirements into our ways of working by embedding them in our next generation IT infrastructure and developing our corporate Information Management policy framework;
- Be aware that compliance requirements will vary across the council and, through a project management framework, consider resources required to achieve compliance;
- Be aware that requirements will change over time and that our responses must change too;
- Use a measured, risk-based approach to determine the degree of compliance required.
- Report regularly on the uptake and statistics for online security training and security breaches;
- Establish internal auditing processes and align these with external audit requirements, such as Information Management Assessments by The National Archives;
- Ensure that we are clear about who is responsible and accountable for compliance, e.g. All staff are required to comply with the DPA.

The council must work to balance any “risk averse culture”, where some staff have a fear of sharing information, to a “risk aware culture” giving staff the confidence to share information. While ensuring that information is properly protected, we will appropriately and effectively share information in order to protect the public. It is essential that we communicate to staff

that protection and sharing are not opposing principles. A corporate approach to information security will:

- Ensure that everyone who handles council information receive information security training and remain aware of the standard methods of handling council information.
- Ensure that everyone is aware of the west lothian council information charter when information is being collected and processed on their behalf.
- Develop and maintain an information security management system (isms) within the council that provides a framework for managing information security, including the policies, procedures, processes, products, people and tools.
- Actively identify any shortfalls in security and manage each instance to a point where remedial actions are taken to prevent breaches in security.
- Ensure that standards of destroying information e.g. Shredding documents, is consistent across the organisation.
- Ensure that the owners and administrators apply the corporate standards to all it systems and applications managed within service areas.

Activities

The main activities that will be undertaken in 2013/17 to achieve this priority outcome are:

- Implement an accessible central information management policy framework
- Align systems, processes and procedures with legislative requirements
- Further develop information security standards, practices and awareness
- Identify and manage information risks

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012/13 Performance	2016/17 Target	Service	Responsible Officer
% of upheld complaints to the Information Commissioner	0%	0%	Corporate Services	Heads of Corporate Services
% FOI/SAR/EIR Requests completed on time	85%	90%	All Service Areas	Heads of Service

Appendix A

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Implementation of EDRMs	Completion of roll out of Electronic Document and Records Management System and connected technologies e.g. scanning, email management etc.	Central, compliant information repository	Roberto Riaviz	March 2013	March 2014	Active
Implementation of intranet/extranets part of new web strategy	Web interfaces connected to EDRM and other council systems	Web based collaborative web sites for staff	Karen Cawte	July 2013	July 2015	Planned
Annual review of Records Management Plans in compliance with the Public Records Scotland Act 2011	Submission and subsequent maintenance of the council's Records Management Plan in line with legislation	Complaint Records Management procedures in all service areas	Roberto Riaviz	May 2011	May 2017	Active
Annual review of the council's Publication Scheme in line with the Freedom of Information (Scotland) Act 2002	Update the publication scheme in line with latest requirements – valid until May 2017	Web based guidance to the council's published information	Roberto Riaviz	Jan 2013	May 2017	Active
Implementation of an Information Charter	An Information Charter sets out the standards applied to the handling of customer information	Customers are aware of the charter when providing information to the council	Graeme Struthers	April 2013	December 2013	Active
Roll out of email management system compliant with the Data Protection Act 1998	Implementation in all service areas of central system of managing public email addresses	Compliant management of public email addresses in all service areas	Roberto Riaviz	May 2011	May 2014	Active
Teachers Email System	Implementation of an email system compliant with Data Protection, Freedom of Information and Public Records	An email system that can be used for transmission and sharing of personal information	Elaine Cook	April 2013	August 2013	Active

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
	(Scotland) Act					
Upgrade and optimisation of IT Networks at schools	Improve bandwidth and internet facilities for West Lothian schools	Improve access to information by school pupils	Jennifer Milne	April 2013	March 2017	Active
Review of the council's Data Protection Policy and procedures	Ensuring that policy and procedures are up to date with current legislation and guidelines	Robust policy and procedures	Graeme Struthers	July 2012	December 2013	Active
Implementation of on-site shredding facilities at all council sites	Installation of shredders compliant with European Standards	Secure on site destruction of confidential and sensitive paper documents	Jennifer Milne	January 2013	May 2013	Active
Electronic Mail Room/ Centralisation of Admin facilities	Central delivery, scanning and electronic distribution of mail to all services	Reduction of paper records in all service areas	Anne Jack	August 2013	September 2014	Planned
Implementation of a Corporate GIS	Consolidating Graphical Information Systems (GIS) into one central system	All service areas and clients will be able to access information from once central system	Jim Jack	April 2012	April 2015	Active
Self Directed Support in Social Policy	Self management of services by social policy clients	Improved access to information about services	Jennifer Scott	April 2014	April 2015	Planned
Children & Young Persons Bill (GIRFEC)	Shared Planning & Community Services for Children & Families across the Community & Health Partnership	Sharing of information, plans, case files and resources for CHCP clients	Jennifer Scott	April 2013	April 2014	Active
Delivery of outputs from the Council's Corporate Plan 2013/17 from the Delivering Better Outcomes consultation	Identification and planning for the outputs that relate to information management and systems	Identify a programme of work relating to information management that will underpin the delivery of the corporate plan	Graeme Struthers	April 2013	April 2014	Planned

West Lothian Council

Information Strategy 2013/17

Graeme Struthers
Head of Corporate Services

April 2013

For more information:

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Data Label: PUBLIC

West Lothian Council

Records

Management Plan

2013/14



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West Lothian
Council

Document Control Sheet

AUTHOR(S): Roberto Riaviz (Information Strategy and Security Manager)
Carol Dunn (Records Manager)

DOCUMENT TITLE: West Lothian Council Records Management Plan 2013/14

Review/Approval History

Date	Name	Position	Version Approved
28/02/2013	National Records of Scotland	PRSA Implementation Team	1.0
06/03/2013	Information Management Working Group	N/A	2.0
13/03/2013	ICT Programme Board	N/A	2.0
24/04/2013	Corporate Management Team	N/A	2.0
24/05/2013 *	Partnership and Resources Policy Development and Scrutiny Panel	N/A	2.0
04/06/2013 *	Council Executive	N/A	

* Planned Dates

Change Record Table

Date	Author	Version	Status	Reason
26/02/2013	Roberto Riaviz	1.0	Draft	Initial draft
28/02/2013	Roberto Riaviz	2.0	Final	Following consultation with NRS

Status Description:

Draft - These are documents for review and liable to significant change.

Final - The document is complete and is not expected to change significantly. All changes will be listed in the change record table.

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1 Overview

1.1 Background

The Public Records (Scotland) Act 2011 (hereafter referred to as 'the Act') came fully into force in January 2013. The Act obliges West Lothian Council and other public authorities to prepare and implement a records management plan (RMP). The RMP sets out proper arrangements for the management of records within the council. The plan is agreed with the Keeper of the Records of Scotland (the Keeper) and reviewed by the council on an annual basis.

The West Lothian Council Records Management Plan is based on the Keeper's published Model Records Plan. The model plan has 14 Elements.

The 14 Elements are:

1. [Senior management responsibility](#)
2. [Records manager responsibility](#)
3. [Records management policy statement](#)
4. [Business classification](#)
5. [Retention schedules](#)
6. [Destruction arrangements](#)
7. [Archiving and transfer arrangements](#)
8. [Information security](#)
9. [Data protection](#)
10. [Business continuity and vital records](#)
11. [Audit trail](#)
12. [Competency framework for records management staff](#)
13. [Assessment and review](#)
14. [Shared information](#)

West Lothian Council has provided the Keeper with evidence of policies, procedures, guidance and operational activity on all elements of the plan.

The plan was agreed with the Keeper 28/06/2013 and will be reviewed 28/05/2014.

The West Lothian Council RMP relates to records throughout their lifecycle, from creation and acquisition to archive and destruction. It encompasses all records across all council service areas. The plan also incorporates records held by West Lothian Licensing Board and West Lothian Schools. The plan excludes Joint Boards who, under the Act are required to submit individual RMPs.

For more information about the Public Records (Scotland) Act 2011, visit the website of the National Records of Scotland:

www.nas.gov.uk/recordKeeping/publicRecordsActIntroduction.asp

A copy of the Act can be viewed online via the National Archives website:

<http://www.legislation.gov.uk/asp/2011/12/part/1/enacted>

1.2 Records management in West Lothian Council

The records of West Lothian Council constitute an auditable account of the authority's activities, which provides evidence of the business, actions, decisions and resulting policies formed by the council.

Records represent a vital asset, which support the daily functions of the council and protect the interests and rights of staff, and members of the public, who have dealings with the council. Effective record keeping supports efficiency, consistency and continuity of work and enables the council to deliver a wide range of sustainable services. It ensures that the correct information is: captured, stored, maintained, retrieved and destroyed or preserved in accordance with business need, statutory and legislative requirements.

Records management is an essential part of enabling the council to achieve priority outcomes that reflect what is most important to the people and communities of West Lothian as set out in the council's [Corporate Plan 2013-2017](#) and in the [Information Strategy 2013-2017](#). West Lothian Council maintains a [Records Management Policy](#), procedures and practices across all its service areas. These are based upon the requirements of the Public Records (Scotland) Act 2011, records management best practice and the principles detailed below.

1.3 Records management principles

The following principles will drive activities relating to records management:

- Records are a **valuable resource** and must be managed as such;
- Records are maintained in accordance with **legislation**;
- Records are stored within **record keeping systems**, rather than in personal filing;
- Records are **shared** and **not duplicated**;
- Records are stored in a **consistent** manner that reflects council functions;
- Records are appropriately **secured**;
- Records are easily **accessible** for as long as they are required;
- Records that are identified as **vital** are **protected**;
- Records that are identified as of **historical significance** are **preserved**;
- Records are **disposed of** in accordance with approved Records Retention Schedules;
- Records management procedures are understood by all staff and staff are appropriately **trained**;
- Records are created, stored and managed **electronically** within the corporate EDRMs unless specifically required in paper format;
- Records management is a **responsibility** of all staff;
- Records management practices **adhere to corporate policy, procedures and standards**;
- Records keeping systems are compliant with the requirements to **manage records throughout their lifecycle**;
- Records management practices will **support the council values** of being honest, open, and accountable and making the best use of resources.

1.4 Records covered by this plan

In line with the Act, **all** records created in the carrying out of the council's functions (whether directly or by third parties) are public records. Part 1, section 3.1 of the Act states that:

“... “public records”, in relation to an authority, means—

- (a) records created by or on behalf of the authority in carrying out its functions,*
- (b) records created by or on behalf of a contractor in carrying out the authority's functions,*
- (c) records created by any other person that have come into the possession of the authority or a contractor in carrying out the authority's functions.”*

1.5 Records Management systems in the council

West Lothian Council uses three main types of records management systems:

- Manual Filing Systems (where it is necessary to keep paper and other physical records)
- IT applications and databases (that process records for specific functions e.g. HR, Purchasing, Housing Management etc.)
- Corporate Electronic Documents and Records Management System (EDRMs)

All records management systems are subject to the records management policy, procedures, guidelines and elements of this plan.

2.0 Elements of the Plan

2.1 Element 1: Senior Management Responsibility

Senior Management responsibility for the Records Management Plan lies with **Graeme Struthers, Head of Corporate Services**. For enquiries relating to the Records Management Plan please contact:

The Customer Service Centre
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian EH54 6FF
Tel: 01506 775000
Email: customer.service@westlothian.gov.uk

2.2 Element 2: Operational Records Management Responsibility

The point of contact for the operation of records management within the council is **Roberto Riaviz, Information Strategy and Security Manager**. For enquiries relating to the operational aspects of Records Management please contact:

The Customer Service Centre
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian EH54 6FF
Tel: 01506 775000
Email: customer.service@westlothian.gov.uk

2.3 Element 3: Records Management Policy Statement

West Lothian Council's commitment to effective records management is set out in the corporate [Records Management Policy](#) and the [Information Strategy 2013-2017](#). Both are subject to ongoing monitoring and annual review.

Online guidelines and procedures are available to all staff e.g. Data Labelling, Email Management, File Naming Conventions, and Scanning etc. This is supported by online training and local experts within each service area.

West Lothian Council has implemented an Electronic Documents and Records Management System (EDRMs) as a central corporate repository. The EDRMs is compliant with the European MoReq2 standard for the collection of information within records management systems. Read more about MoReq2 at <http://www.moreq2.eu/faqs>.

2.4 Element 4: Business Classification

West Lothian Council have adapted the Local Government Classification Scheme (LGCS) as a basis to its business classification scheme. The LGCS is developed in a structure that supports the business activities of the authority. The LGCS hierarchy is structured in three tiers:

- Level 1: functions
- Level 2: activities
- Level 3: transactions

West Lothian Council have expanded upon this to include further levels (levels 4-6) detailing sub-groupings of records types and years. The deployment of EDRMs in the council has required that file plans are developed to accommodate strict security models, whilst facilitating information sharing, and the application of retention scheduling.

'Information Liaison Officers' and 'Local Records Officers' and are defined roles that manage and maintain local file plans for their service areas.

The LGCS was developed by the Information & Records Management Society. Details of the LGCS can be viewed on their website: <http://www.irms.org.uk/resources/information-guides/198-local-government-classification-scheme-v203>

2.5 Element 5: Retention Schedules

West Lothian Council have adopted the Scottish Council for Archives Records Retention Schedule (SCARRS) model as the basis to the councils approved retention schedules. These retention schedules are endorsed by each Head of Service (as appropriate) and applied to both electronic records and paper records.

More information on SCARRS can be found on the Scottish Archives website: <http://www.scottisharchives.org.uk/projects/toolsstandards/retentionschedules>

In addition, West Lothian Council have implemented paper records inventories and detailed the retention schedule requirements for each record set aligned to (approved) retention schedules.

West Lothian Council Archives service provides a centralised resource for long-term storage of both operational records (non-current) and preservation of historical records. This resource manages the retention and disposal of these records and works with services to identify records for archival, preservation or destruction.

Standards for records retention are built into contracts and agreements with third parties who share or process information on the council's behalf.

2.6 Element 6: Destruction Arrangements

West Lothian Council have contracts in place for the bulk destruction of paper records and IT equipment containing electronic records.

Secure Shred Scotland – Provides a confidential shredding service for paper records
Company website: <http://www.secureshredscotland.co.uk/>

CCL North Ltd – Provides a secure hardware destruction service (to UK Government standards). Company website: <http://www.cclnorth.com/secure-data-destruction.html>

In addition, West Lothian Council uses on site paper/CD/DVD shredders which ensure that paper and optical media is destroyed to European security standards (2 x 15 mm particles)

Standards for records destruction arrangements are built into contracts and agreements with third parties who handle or process records on the council's behalf.

2.7 Element 7: Archiving and Transfer Arrangements

West Lothian Council operate an in-house archive facility that provides facilities for preservation of both historical and long-term operational records. Archiving and transfer arrangements are detailed within policies, procedures and guidelines and within approved records retention schedules.

More information on the Archives service is available on the council's website:
<http://www.westlothian.gov.uk/tourism/libservices/ices/ves/>

Link to the Archives and Records Management Policy on the council's website:
<http://www.westlothian.gov.uk/sitecontent/documentlist/1846926/armspolicy>

2.8 Element 8: Information Security

The council operates an Information Security Management System (ISMS) in accordance with the international standard ISO27001. The council's [Information Security Policy](#) complies with this standard and provides a framework for all services.

All staff receive information security awareness training and are reminded of the importance of security via direct emails and local awareness sessions.

Procedures and processes such as the [Information Handling Procedure](#) are in place to deal with threats, risks and breaches of security.

Compliance with security requirements is assessed and reviewed as per the governance model described in Element 13.

More information on ISO27001 can be found on the British Standards Institute website.
<http://www.bsigroup.co.uk/en-GB/iso-27001-information-security/>

2.9 Element 9: Data Protection

In order to deliver services to the various communities in West Lothian, the West Lothian Council requires gathering and processing personal data about residents, staff and other individuals. The Data Protection Act 1998 regulates the processing of personal data by the West Lothian Council. The Data Protection Act gives individuals the right to be advised of and receive copies of any personal data relating to them which is held by West Lothian Council.

The Data Protection Act is enforced and promoted by the Information Commissioner, who provides guidance and advice on complying with the terms of the Act and investigates complaints regarding possible breaches of the obligations contained within the Act.

The Information Commissioner maintains a register of Notifications listing all Data Controllers in the UK. Data Controllers are required to register the types of personal data processed by them, the purposes of that processing and the third parties with whom the personal data may be shared. West Lothian's registration can be viewed on the Information Commissioner's website, www.ico.gov.uk Registration number **Z6925127**.

The Data Protection Act 1998 sets out 8 data protection principles which must be complied with when the council is processing personal data. The 8 principles require that personal data :-

- must be processed fairly and lawfully
- must be processed for specified and lawful purposes
- must be adequate, relevant and not excessive,
- must be accurate and update to date,
- must not be kept longer than necessary
- must be processed in accordance with the data subject's rights
- be held and processed securely
- must not be transferred to countries outwith the EEC without suitable safeguards.

The Head of Corporate Services is the Council's Data Protection officer and has responsibility for monitoring data protection compliance throughout the council. Each Head of Service has nominated an Information Liaison Officer who is responsible for providing routine advice on Data Protection to the Head of Service and other officers within the service and for co-ordinating responses to Subject Access Requests made to that service. The Information Liaison Officer will also act as the Service representative on the Council's Information Management Working Group, which is chaired by the Data Protection Officer.

The Council has a [Data Protection Policy](#) to ensure that the Council's complies with the requirements of the Data Protection Act. The Policy will be regularly reviewed by the Data Protection Officer and Information Management Working Group. In addition, the council has developed General Guidelines for officers to ensure compliance with the responsibilities of the council when processing personal data and also policies and procedures for the use of mobile electronic devices, the use of council e-mail and internet systems, the application of passwords to electronic information, the disposal of IT hardware and a general records management policy.

The Council will enter into a Data Processing Agreement where a third party requires to be provided with personal data to allow it to deliver a service on behalf of the council. The Council will also ensure that Information Sharing Protocols are entered into when the council

is proposing to share personal data in circumstances which are permitted in terms of the data protection principles.

All council officers are required to undertake data protection and information security training to ensure that personal data is processed in accordance with the data protection principles.

2.10 Element 10: Business Continuity and Vital Records

West Lothian Council have identified their vital records through the business classification schemes (file plans) and paper inventories of each service.

This feeds the Business Continuity and Disaster Recovery planning process for each service area.

2.11 Element 11: Audit Trail

The EDRMs (Electronic Documents and Records Management System) provides electronic audit trails as evidence of viewing, modifying, and deletion of records.

IT systems and databases provide audit logs that record usage and updates to records.

Paper records of an operational nature are maintained on site and identified within the paper records inventories. Movement of these paper records are controlled through a method of check-out/in deployed within each service area.

In addition, archiving procedures ensure that paper records are tracked from local storage to long term archive/preservation.

2.12 Element 12: Competency framework for Records Mgt Staff

West Lothian Council employ staff who have specific responsibilities for information Management and Records Management. Role descriptions are available for the [Information Strategy and Security Manager](#), [Records Manager](#) and [Archivist and Records Manager\(s\)](#), [Information Liaison Officers](#), [Local Records Officers](#).

All staff within West Lothian Council must complete mandatory online training in Information Security Awareness, Data Protection, Freedom of Information and Records Management. Access to council systems is revoked for staff who do not complete this training.

Local training modules have been put in place for service areas who routinely deal with more sensitive personal and/or confidential information.

An internal monthly e-bulletin (i-matters) ensures that staff remain aware of records management requirements and best practice.

2.13 Element 13: Assessment and Review

The Records Management Plan, Information Strategy and Records Management Policy are subject to the council's standard governance, monitoring and review process. The plan is formally audited and reviewed on an annual basis.

Formal governance over this plan is set out in the table below.

Governance		
Group	Governance/Scrutiny Role	Reporting Frequency
Information Management Working Group	Developing and implementing policies and procedures relating to the plan and monitoring/reporting progress across service areas	6 Weekly
ICT Programme Board	Reviewing and implementing policies, procedures and standards. Monitoring projects relating to this plan	6 Weekly
Partnership and Resources Policy Development and Scrutiny Panel	Scrutinise and review the plan and supporting strategies, policies and progress	Annual
Council Executive	Approval of the plan and associated strategies and policies	Annual

All service areas are required to monitor, self audit and report on performance on an ongoing basis. Service level plans are put in place for the continued development and improvement of records management practice in each area.

The plan is subject to audit by the council's internal audit unit which adopts a risk based approach. An audit has been included in the 2013/14 annual audit plan.

2.14 Element 14: Shared Information

West Lothian Council identify all instances of information sharing between service areas and where information is shared with or processed by a third party. This is governed by the council's [Data Sharing Code of Practice](#) and in agreements with third parties such as Data Sharing Agreements, Data Processing Agreements and Data Processing Information Handling Standards.



West Lothian
Council

WEST LOTHIAN COUNCIL RECORDS MANAGEMENT POLICY

Data Label: Public



RECORDS MANAGEMENT POLICY

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1. POLICY STATEMENT

The records of West Lothian Council constitute an auditable account of the authority's activities, which provides evidence of the business, actions, decisions and resulting policies formed by the council.

Records represent a vital asset, which support the daily functions of the council and protect the interests and rights of staff, and members of the public, who have dealings with the council. Effective record keeping supports efficiency, consistency and continuity of work and enables the council to deliver a wide range of sustainable services. It ensures that the correct information is: captured, stored, maintained, retrieved and destroyed or preserved in accordance with business need, statutory and legislative requirements.

Records management is an essential part of enabling the council to achieve priority outcomes that reflect what is most important to the people and communities of West Lothian as set out in the council's Corporate Plan 2013-2017. West Lothian Council will maintain records management policy, procedures and practices across all its service areas. These will be based upon the requirements of the Public Records (Scotland) Act 2011, records management best practice and the principles detailed below.

2. PRINCIPLES

The following principles will drive activities relating to records management:

- Records are a **valuable resource** and must be managed as such;
- Records are maintained in accordance with **legislation**;
- Records are stored within **record keeping systems**, rather than in personal filing;
- Records are **shared** and **not duplicated**;
- Records are stored in a **consistent** manner that reflects council functions;
- Records are appropriately **secured**;
- Records are easily **accessible** for as long as they are required;
- Records that are identified as **vital** are **protected**;
- Records that are identified as of **historical significance** are **preserved**;
- Records are **disposed of** in accordance with approved Records Retention Schedules;
- Records management procedures are understood by all staff and staff are appropriately **trained**;
- Records are created, stored and managed **electronically** within the corporate EDRMs unless specifically required in paper format;
- Records management is a **responsibility** of all staff;
- Records management practices **adhere to corporate policy, procedures and standards**;
- Records keeping systems are compliant with the requirements to **manage records throughout their lifecycle**;

- Records management practices will **support the council values** of being honest, open, and accountable and making the best use of resources.

Definitions

Record: A record is recorded information, in any form, including data in systems, created, received and maintained by the council and kept as evidence of such activity.

Format: A record can be in any format including (but not limited to): paper files, email, audio/visual, electronic documents, systems data, databases, digital images and photographs.

Records Management: The control of the council records during their lifetime, from creation to storage and retention until eventual archival or destruction.

Vital records: Records without which an organisation would be unable to function, or to prove that a key activity has taken place.

Record Keeping Systems: System or procedure by which the records of the council are created, captured, secured, maintained and disposed of.

EDRMs – The corporate Electronic Documents and Records Management System is the authority's primary record keeping system.

3. OBJECTIVES

The key objectives of this policy are to establish:

- awareness of records management principles and individual responsibilities within the council;
- a common and consistent approach to Records Management throughout all service areas;
- compliance with legislation relating to records management e.g. Public Records (Scotland) Act 2011, The Data Protection Act 1998, Freedom of Information (Scotland) Act 2002;
- corporate and service based standards for records keeping;
- a defined and clear governance structure for monitoring and reporting on records management.

4. SCOPE

This policy applies to all aspects of Council operations including:

- All West Lothian Council staff and those performing a function on behalf of the council;
- All records of West Lothian Council created, received and maintained by Council employees, partners and third parties in the course of council business;

- Records of all types regardless of the medium;
- Business information systems used to create, store, maintain and archive or dispose of records.

5. OWNERSHIP & RESPONSIBILITIES

West Lothian Council is the only true and official owner of the records produced and/or received in the course of business. All processes and procedures relating to records must adhere to and support this policy.

Heads of Service – accepts overall responsibility for ensuring records management principles are implemented and adopted by all staff, and associated third parties, across all record keeping systems. They are also responsible for approving changes to the Records Retention Schedules relating to the business functions and activities within their service areas.

Service Managers – ensure that employees understand their responsibilities for record keeping, are appropriately trained in managing records and implement the procedures for maintaining records in accordance with this policy and associated guidance. In addition, they are also responsible for ensuring that record keeping procedures within their service areas comply with this policy and corporate records management standards and guidance.

Elected Members – acting in their capacity as members of the council, are subject to the same corporate responsibilities as employees for the management of records.

Records Manager – creating, maintaining and implementing records management standards, procedures and guidance. In addition, the Records Manager will provide support to service areas on the development of corporate and local records management practice.

Information Strategy and Security Manager – responsible for development, maintenance and communication of this policy.

Records Keeping Systems Owner (electronic and paper) – ensuring that all records keeping systems adhere to records keeping principles and are managed and maintained in accordance with this policy and associated guidance.

Systems Administrator – ensure appropriate procedures for managing records keeping systems are designed, implemented and are auditable.

Information Liaison Officers – consists of nominated representatives from each service to assist with Records Management and the Archives Services in promoting and coordinating records management practices throughout the Council. They are also responsible for developing the Records Retention Schedules relating to the business functions and activities within their service areas.

Local Records Officers – implement and manage local file plans and aid in the development of local records management guidance. Support the roll out

of records management procedures and provide local records management support to their assigned service areas.

All West Lothian Council Employees - have a responsibility to ensure they create, manage and dispose of records in accordance with relevant policies and procedures. All West Lothian Council employees must follow this policy and associated guidelines and procedures for records management.

All council staff and third parties responsible for projects must ensure records management requirements are addressed during the planning, design and implementation of records management systems and must consider this policy and associated procedures at decision making stages.

Third Parties - This policy and the associated guidance and procedures must be adhered to by all third parties, contractors, volunteers and not for profit organisations performing a function on behalf of the Council.

6. **LEGISLATIVE AND STANDARDS FRAMEWORK**

This policy and the associated records management guidance have been developed within the context of national legislation, professional standards and codes of practice. As far as is practical, this policy will address the records management principles defined within:

Legislation:

- Public Records (Scotland) Act 2011;
- The Data Protection Act 1998;
- Local Government (Scotland) Act 1994;
- Freedom of Information (Scotland) Act 2002;
- Environmental Information (Scotland) Regulations 2004;
- Inspire (Scotland) Regulations 2009;
- Re-use of Public Sector information Regulations 2005.

Standards and Codes of Practice:

- BS ISO 15489 - Information and documentation. Records management. *Assures that policies and procedures are in place.*
- PD 0010 - The principles of good practice for information management. *For implementing new methods and technologies for managing information.*
- BIP 0025 - Effective Records Management. *For introducing best practice; quality initiatives; legal and regulatory compliance in the management of records.*
- BS 10008:2008 – Evidential weight and legal admissibility of electronic information. *Where significant amounts of an organisation's information is in electronic format this standard is relevant.*
- Code of Practice on Records Management issued under section 61 of the Freedom of Information (Scotland) Act 2002.

7. MONITORING & REPORTING

Monitoring activities will be carried out by Services on an annual basis. Compliance must be monitored as part of the statement of compliance of the Council within its Code of Corporate Governance. Where non-compliance to this policy is discovered suitable remedial and long term actions will be implemented to ensure resolution.

Significant changes to Records Management will be reported via Council programme and project management procedures. Progress and status, at an enterprise level, will be reported to the Corporate Management Team on an annual basis.

Review of operational activities and records management projects will be conducted through the Information Management Working Group and ICT Programme Board.

8. RELATED POLICIES

West Lothian Council Data Protection Policy
West Lothian Council Information Security Policy
West Lothian Council Archives and Records Management Policy
West Lothian Council Freedom of Information Guidance

9. REVIEW

Date of Review: May 2014
To be reviewed by: Records Manager



WEST LOTHIAN COUNCIL

**GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION
SCHEME 2013**

May 2013

Data Label: Public

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1.0 INTRODUCTION

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and what it might cost.

West Lothian Council has adopted the **Model Publication Scheme 2013** produced by the Scottish Information Commissioner. The scheme has the Commissioner's approval until 31 May 2017.

You can see this scheme on our website at www.westlothian.gov.uk or by contacting us at the address below.

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

We will also be pleased to advise you how to ask for information that we do not publish, or how to complain if you are dissatisfied with any aspect of this publication scheme.

The purpose of this Guide to Information is to:

- allow you to see what information is available (and what is not available) in relation to each class.
- state what charges may be applied.
- explain how you can find the information easily.
- provide contact details for enquiries and to get help with accessing the information.
- explain how to request information we hold that has not been published.

1.1 Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this).

Most downloadable documents are in standard "Portable Downloadable Format" (.pdf) format. Information held on web pages can be printed using your own web browser's print function. Further information on accessibility and how to download a pdf viewer is on the **help** section of the council's website (<http://www.westlothian.gov.uk/help>)

1.2 Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we may remove or redact the information before publication but we will explain why.

2.0 COPYRIGHT

West Lothian Council holds the copyright for the vast majority of information in this publication scheme. All of this information can be copied or reproduced (but not reused - see below) without our formal permission, provided it is copied or reproduced accurately, is not used in a misleading context, and provided that the source of the material is identified.

The publication scheme may however contain information where the copyright holder is not West Lothian Council. In most cases the copyright holder will be obvious from the documents. In cases where the copyright is unclear, however, it is the responsibility of the person accessing the information to locate and seek the permission of the copyright holder before reproducing the material or in any other way breaching the rights of the copyright holder.

Information about Crown copyright material is available on the website of the Queens Printer for Scotland: www.oqps.gov.uk. The council can provide you with a copy of this information if you do not have internet access.

2.1 Re-Use of Public Sector Information

Access to the information does not mean that copyright has been waived, nor does it give the recipient the right to re-use the information for a commercial purpose. If you intend to re-use information obtained from the scheme, and you are unsure whether you have the right to do so, you are advised to make a request to West Lothian Council to re-use the information. Your request will be considered under the Re-Use of Public Sector Information Regulations 2005 (RPSIs) for which a charge may be imposed. In the event that a charge is payable, you will be advised what this is and how it has been calculated. If you would like more information on the re-use of information, please contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

Guidance on the RPSI regulations can also be found on the Office of Public Sector Information (OPSI) website at <http://www.opsi.gov.uk/advice/psi-regulations/index.htm>

3.0 CHARGES

Unless otherwise indicated, all information contained within our publication scheme is available from us free of charge where it can be downloaded from our website or where it can be sent to you electronically by email.

Each class of information will clearly show if a charge may apply to information within that class. Unless otherwise stated in the 'Charges' column in section 13, the charges which apply will be based on the charging policy set out below. In the event that a payment is required for the information you want, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

We reserve the right to impose charges for providing information in paper copy or computer disc / alternative formats. West Lothian Council is mindful of its obligations under equality and anti-discrimination legislation when setting charges for alternative formats. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below.

Reproduction costs	
<i>Black and white copy</i>	<i>10p per A4 sheet</i>
<i>Colour copy</i>	<i>30p per A4 sheet</i>
Alternative formats	
<i>CD-ROM / DVD</i>	<i>£1 per disc</i>
Postage	
<i>Charged at the cost to the Council of sending the information by first class post</i>	

There are a small number of pre-printed publications for which West Lothian Council makes a charge e.g. *West Lothian Local Plan* (£50). These publications will be charged according to how much it actually cost the Council to have them professionally printed.

For example, if West Lothian Council has produced a formal report, and it costs us £500 to print a stock of 100 reports, then the actual printing cost paid by the council is £5 per report. We therefore reserve the right to charge you up to £5 each for a copy of the report – plus actual postage costs, as charged by the Royal Mail – but no more than this.

Please note that, if you are interested in a large printed document, we can provide you with copies of selected relevant pages rather than charge you for a full printed copy of the document. The copying charges that would apply are as set out in the table above. Our staff can advise you.

If we make any charges for documents within our information classes which do not comply with this charging policy, these will be approved on a case by case basis by the Scottish Information Commissioner. We will publish the value and details of such charges on the council website.

This charging schedule does not apply to our commercial publications (see Class 8 below). These items are offered for sale through retail outlets such as book shops, academic journal websites or museum shops and their price reflects a 'market value' which may include the cost of production.

4.0 CLASSES OF INFORMATION

We publish information online that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years (where available).

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information

CLASS 1: ABOUT WEST LoTHIAN COUNCIL
Class description: Information about West Lothian Council who we are, where to find us, how to contact us, how we are managed and our external relations
CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES
Class description: Information about our work, our strategy and policies for delivering functions and services and information for our service users.
CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED
Class description: Information about the decisions we take, how we make decisions and how we involve others
CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT
Class description: Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent
CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES
Class description: Information about how we manage the human, physical and information resources of West Lothian Council
CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS
Class description: Information about how we procure goods and services, and our contracts with external providers
CLASS 7: HOW WE ARE PERFORMING
Class description: Information about how we perform as an organisation, and how well we deliver our functions and services
CLASS 8: OUR COMMERCIAL PUBLICATIONS
Class description: Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g. bookshop, museum or research journal.

5.0 ACCESSING INFORMATION UNDER THE SCHEME

Information available under our publication scheme will normally be available through the routes described below. *Classes of Information* provides more details on the information available under the scheme, along with additional guidance, where relevant, on how the information falling within each 'class' may be accessed.

5.1 Online:

Most information listed in our publication scheme is available to download from our website. West Lothian Council's website (www.westlothian.gov.uk) is based on the Scottish Navigation List, and is classified in a similar way – this should make it easier for scheme users to locate the information described in classes, where it is available online.

A hyperlink within the format / availability column in the Classes of Information will direct you to the relevant page or document.

If you are still having trouble finding any document listed under our scheme, please contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

If the information you seek is listed in our publication scheme but is not published on our website, we will usually be able to send the information to you by email. When requesting information from us, please provide a telephone number so that we can contact you to clarify details, if necessary.

5.2 By phone:

Information can also be requested from us over the telephone. Please call **01506 280000** to request information available under this scheme.

5.3 By post:

All information under the scheme will normally be available in paper copy form. Please address your request to:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

When writing to us to request information, please include your name and address, full details of the information or documents you would like to receive, and any fee applicable (see *Section 3: Our Charging Policy* for further information on fees). Please also include a telephone number so we can contact you to clarify any details, if necessary.

5.4 Advice and assistance:

If you have any difficulty identifying the information you want to access, then please contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

who will be happy to help.

6.0 ACCESS TO INFORMATION NOT AVAILABLE UNDER THE SCHEME

If the information you are seeking is not available under this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a general right of access to the information we hold, subject to certain exemptions.

The Environmental Information (Scotland) Regulations 2004 (EIRs) provide a right of access to the environmental information we hold, and the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold about you. Again, these rights are subject to certain exceptions or exemptions.

Together these three pieces of legislation provide rights of access to most information held by the Council. However, there are other acts or regulations which provide a right of access to specific types of information held by local authorities, or which require registers to be publicly available. This includes information held on school pupils and social work client files. More information on this can be found on the Information Commissioner's website at:

6.1 Pupil information:

http://www.ico.gov.uk/for_the_public/topic_specific_guides/schools/pupils_info.aspx

6.2 Social work records:

http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/subject_access_-_right_of_access_to_social_services_records.pdf

Should you wish to request a copy of any information that we hold that is not available under this scheme, please contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

6.3 Charges for information which is not available under the scheme

The current council policy is not to charge for information requests made under the Freedom of Information (Scotland) Act, the Environmental Information (Scotland) Regulations, Pupils' Educational Records (Scotland) Regulations, or Subject Access Requests under the Data Protection Act 1998. However, if this policy changes then the charging schedules set out below would apply.

The charges for information which **is** available under this scheme are set out under Section 3 – Our Charging Policy. If you submit a request to us for information which **is not** available under the scheme the charges will be based on the following calculations:

6.4 General information requests under FOISA:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, that calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

6.5 Charges for environmental information under the EIRs:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for providing the information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you. Charges are calculated on the basis of the actual cost to the authority of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- The first £100 worth of information will be provided to you without charge.

Where information costs between £100 and £600 to provide you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, that calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

6.6 Charges for your own personal data under the DPA:

Under the Data Protection Act 1998, an individual can request a copy of the information held about them. This is known as a Subject Access Request. Where you make a subject access request under the Data Protection Act we may impose a charge of up to £10. There is a 40 day statutory maximum period for responding to a Subject Access Request.

6.7 Charges for pupils educational records:

Under the Pupils' Educational Records (Scotland) Regulations 2003, a parent or guardian has the right to access their child's educational record. A request must be made in a permanent form. There is no charge for inspection of an educational record but we may impose a fee to provide a copy. This will depend on the number of pages contained in the educational record. This may range from a maximum of £1 for 1-19 pages to a maximum of £50 for 500 or more pages. Requests under the Regulations from parents for information that is for the official educational record must receive a response within 15 school days. Unless the request is simply to see the official educational record, schools and authorities are entitled to receive any fee first. A form to make a request is available on our website at:

<http://www.westlothian.gov.uk/sitecontent/documentlist/educationpolicy/DataProtection>

6.8 Making a request for information:

To make any request for information contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

7.0 OTHER INFORMATION

There is a range of other information which is available from the Council which is not 'published' via the publication scheme. It cannot be requested under the scheme, but the council will still facilitate access to it. Reference to this information is included here to assist scheme users who might be interested in access to such information.

7.1 Information which is publicly accessible, but is not 'published'

This covers information or material which is held by the Council but is not accessible via the publication scheme. It will not be included under the classes listed in Section 4.0.

Information which falls into this category would include e.g. the content of library, museum and archive collections. Some of these may be held by the Council on behalf of others e.g. deposited collections in local museums.

Although these materials themselves are not described in the scheme, guides to archives and catalogues such as lists of content and guides to finding information **are** available via the publication scheme, and can be accessed in the classes found in Section 4.0.

Local examples include:

7.2 Archives

The council archives include minutes, reports, building warrant registers, drawings, correspondence, school registers and logbooks. They relate to the current West Lothian Council as well as prior local authorities and the Livingston Development Corporation.

While inspection of historical information is free, there may be a charge for providing photocopies of a document. In addition, remote enquiries requiring specialist research by archive staff may attract a flat rate research fee. Details of charges are available on request.

7.3 Local History

The council also holds a great deal of local history information. This includes a range of photographs, maps, newspapers and books relating to West Lothian's places and people.

For more information on how to access such information please contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

7.4 Local information provided by third parties

The Council acts as a focal point for enquiries from people wanting to know more about the local area. In many cases the Council will have community information which it publishes. This information is covered in our information classes.

Sometimes, the Council may not actually have information itself, but will direct enquiries to it e.g. via links to external websites. Where this happens, the information is not available through the publication scheme.

This is a valuable information resource for local people, who expect to be able to access this information via their local Council. However, the information cannot be requested from the Council under FOISA.

Local information available from West Lothian Council includes:

- Details of local clubs, groups and organisations operating in, and around, the West Lothian area. This information is available on West Lothian Council's website: www.westlothian.gov.uk/localgroup simply select your town and category.
- Examples of types of information on local area, clubs and events include: arts and culture; beliefs and faiths; children; classes and education; community information; health and wellbeing; and sports and recreation - to find exactly what you're looking for. You can also have the results sent to your own e-mail address. Submit your own group's details by using the Group form.

You can access this information through the Council's website at www.westlothian.gov.uk/localgroup or www.westlothian.gov.uk/events-list or by contacting:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston

West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

Please note that West Lothian Council is not responsible for the content of external websites recommended or referred to in these publications, or in any information provided via the Council by third parties.

7.5 'Added Value' information

This covers information which is held by the Council but has to be analysed or packaged in some way in response to a specific enquiry for it. Such packaged information does not pre-exist the request and cannot be said to be 'published' – therefore it is not available via the publication scheme. The following are 4 examples of value added information:

7.6 Property Enquiry Certificates (PECs):

While the some of the 'raw' information required to compile PECs is held in publicly available registers, and is therefore published (and can therefore be requested via the publication scheme), an individual PEC requires the extraction of, analysis and packaging of data in response to a specific request. Information about PECs (e.g. how to apply for a PEC) is published, however, and can be found in Class 2 - Housing or Planning and the environment. Enquiries for this information should be directed to:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

7.7 Analysis of the contents of public registers

The contents of statutory public registers are available as indicated under the information classes in this scheme. However, where the Council performs any analysis of the contents of a register in response to an enquiry, the resulting information did not pre-exist the request and is therefore not included in the publication scheme.

Enquiries for this information should be directed to:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

7.8 Genealogy Services

This is an example of the processing of data from publicly available registers. The 'raw' data held in publicly available registers and can be accessed via the publication scheme, but any specific analysis created in response to enquiries to the service is new information and is not published for the purposes of the publication scheme.

Enquiries for this information should be directed to:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

7.9 Archive or library searches

The 'raw' contents of archives, museums and libraries may be publicly accessible, although they are not included in a publication scheme. Similarly, information created as a result of any specific interrogation, analysis and packaging of material from the archives, libraries or museum collections which in effect creates new information which did not pre-exist the request, is not available via the publication scheme.

Enquiries for information from West Lothian Council archive should be directed to:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

8.0 RECORDS MANAGEMENT

Records are one of the Council's most vital assets. They support decision making, document activities, provide evidence of policies, decisions and transactions, and underpin the daily work of the Council.

To ensure that records are managed properly, the Council aims to conform to the Code of Practice on Records Management which has been issued by Ministers in accordance with Section 61 of the Freedom of Information (Scotland) Act 2002 and has adopted a Records Management Policy detailing how it intends to manage its records. This details

the Council's commitment to ensuring that records are accurate and reliable, can be retrieved easily and are kept for no longer than is absolutely necessary.

In accordance with the Public Records (Scotland) Act 2011, the council publishes a Records Management Plan that sets out the records management arrangements. This plan is published on the council website: www.westlothian.gov.uk

For enquiries regarding records management, the council's Records Management Policy and Records Management Plan, please contact:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

8.1 Archived information

Council records that are of historical interest or that have been identified for permanent preservation are transferred to the custody of the Council's Archives Service.

The contents of archives are not included in the publication scheme, although supporting information such as lists of content and guidance to finding information are. However, the contents of our archives are made accessible to the public and requests for access should be directed to:

Customer Services
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
Email: customer.service@westlothian.gov.uk
Telephone: 01506 280000

The **Archives and Records Centre** is located at:
9 Dunlop Square
Deans Industrial Estate
Livingston
EH54 8SB
Phone: **01506 773770**
E-mail: archive@westlothian.org.uk
Website: www.westlothian.gov.uk/content/leisure/heritage

Opening hours - 9am to 12pm, and 2pm to 5pm Monday to Thursday; 9am to 12pm and 2pm to 4pm on Friday.

Library and Heritage Services have 14 community libraries across West Lothian. A list of our libraries, including contact details and opening hours can be found on our website (<http://www.westlothian.gov.uk/education/libservices/findalib/>).

If you are unable to access the internet please contact Customer Services (details above)

The **Local History Library** is located at :

County Buildings

High Street

Linlithgow

EH49 7EZ

Phone : **01506 282491**

E-mail : **sybil.cavanagh@westlothian.gov.uk**

Opening hours

Library Headquarters – Monday to Thursday 8.30am to 5pm and Fridays 8.30am to 4pm

Local History Library – is open one Saturday a month between 9am and 1pm

9.0 COMPLAINTS

9.1 Complaints about the publication scheme

Our aim is to make our publication scheme as user-friendly as possible, and we hope that you can access all the information we publish with ease. If you do wish to complain about any aspect of the publication scheme please contact us and we will try to resolve your complaint as quickly as possible. You can contact:

Customer Services

West Lothian Council

West Lothian Civic Centre

Howden South Road

Livingston

West Lothian

EH54 6FF

Email: customer.service@westlothian.gov.uk

Telephone: 01506 280000

The council's complaints procedure can be accessed on the website:

<http://www.westlothian.gov.uk/media/downloadaddoc/1799465/makecomplaint>

Alternatively pick up a 'How to make a complaint' leaflet from any Customer Information Service office (CIS) or library. Once the form is complete, either post it (there is no need for a stamp) or drop it into your nearest CIS office. You can also speak to the staff there about your complaint.

Whatever method you choose to make your comments/complaints, the matter will be dealt with in the same way.

9.2 Appealing to the Scottish Information Commissioner

You have legal rights to access information under this scheme and a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our response.

These rights will apply only to publication scheme requests made in writing* or another recordable format. If you are unhappy with our responses to your request you can ask us to review it and if you are still unhappy, you can make an appeal to the Scottish Information Commissioner.

This same three-step right of appeal applies if you make written requests for information which is not included in the publication scheme, and are unhappy with the response you receive. Section 7.0 provides guidance on how to request information which is not available under the scheme.

The Commissioner's website has a guide to this three step process, and she operates an enquiry service on Monday to Friday from 9:00am to 5:00pm. Her office can be contacted as follows:

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464610
Email: enquiries@itspublicknowledge.info
Website: www.itspublicknowledge.info



West Lothian
Council

COUNCIL EXECUTIVE

**PERFORMANCE MANAGEMENT – WEST LOTHIAN COUNCIL CORPORATE ASSET
MANAGEMENT PLAN (FLEET ASSETS)**

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to seek Council Executive approval for the Fleet Asset Management Plan.

B. RECOMMENDATION

It is recommended that Council Executive approves the Fleet Asset Management Plan.

C. SUMMARY OF IMPLICATIONS

I Council Values	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)	The council is required to demonstrate Best Value through a structured framework for the management of its fleet assets.
III Implications for Scheme of Delegations to Officers	N/A
IV Impact on performance and performance Indicators	The implementation of the Fleet Asset Management Plan will sustain and where appropriate improve the performance measures highlighted in the plan.
V Relevance to Single Outcome Agreement	<p>Outcome 12 – We value and enjoy our built and natural environment and protect it and enhance it for future generations</p> <p>Outcome 14 – We reduce the local and global environmental impact of our consumption and production</p> <p>Outcome 15 – Our public services are high quality, continually improving, efficient.</p>

VI Resources - (Financial, Staffing and Property)	Agreed revenue budget will support the implementation of the Fleet Asset Management Plan.
VII Consideration at PDSP	The Fleet Asset Management Plan was approved by PRPDSP on 24 May 2013.
VIII Other consultations	N/A

D. TERMS OF REPORT

The proposed Fleet Asset Management Plan (FAMP) sets out the council's approach to the management of our fleet assets for the period 2013 / 2014 to 2017 / 2018. The management of our fleet assets involves a number of significant elements including the provision of suitable and high quality vehicles, compliance with the terms and conditions of the Council's Operator Licence (OM 11821) and other legislative requirements, and the day to day management and maintenance of vehicles.

The purpose of the FAMP is to ensure that fleet assets continue to play an active role in the delivery of our services and are fit for purpose by being managed effectively and efficiently whilst reflecting our corporate priorities.

It supports the delivery of the council's priorities by:

- Outlining our approach to the management of our corporate fleet assets and forms the basis for any future plans;
- Presenting an overview of the extensive fleet assets owned by the Council;
- Highlighting our corporate outcomes and priorities and how they will be supported through the management of our fleet assets;
- Identifying the internal and external influencing factors and challenges; and
- Identifying activity themes to improve the performance of fleet asset management.

Six performance outcomes have been developed as part of the Corporate Asset Management Strategy to help demonstrate the Council manages its assets consistently while supporting service and corporate priorities. Specific fleet management performance indicators have been developed for each outcome and will be reported on an annual basis. The six corporate performance outcomes are:

- Compliance
- Condition
- Suitability
- Sufficiency
- Accessibility
- Sustainability

This Fleet Asset Management Plan sets out activity themes that will be undertaken over the next 5-years to support the achievement of the corporate priorities, the asset management outcomes and modernisation of service delivery. These include:

- Internal Transport Review
- Sustainable Fleet
- Vehicle Telematics
- Benchmarking
- Employee Vehicle Use Policy
- Driver Check Audit

A structured strategic management hierarchy has been developed which clearly defines the decision making process in relation to the management of fleet assets.

The financial resources deployed in the management of the council's fleet assets form part of the approved 2-year revenue budget. Budget provision is made for all aspects of fleet related costs and is summarised below:

	2013/14	2014/15
	<u>£'000</u>	<u>£'000</u>
Total Budget Provision	10,027	9,735

This significant financial resource enable the implementation of the proposed FAMP and demonstrates the Council's commitment to ensuring fleet assets support service delivery and are fit for purpose.

On 24 May 2013, the PRPDSP considered the Fleet Management Asset Management Plan and recommended that it should be approved by council executive.

E. CONCLUSION

The proposed Fleet Asset Management Plan has been prepared to reflect and support our corporate plan and asset management strategies priorities. It sets out a framework for the next five years to ensure we manage our property assets effectively and efficiently whilst supporting and enabling excellent service delivery.

F. BACKGROUND REFERENCES

Asset Management Strategy and General Services Capital Programme 2013/14 to 2017/18 Report approved 29th January 2013.

Appendix: Fleet Asset Management Plan

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Jim Jack

Date: 4 June 2013



Delivering **Better Outcomes**
Fleet Asset
Management Plan
2013/14 to 2017/18

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1 Foreword

West Lothian Council is committed to managing its fleet assets effectively and efficiently. The provision, maintenance and appropriate use of fleet assets can help ensure excellent service delivery.

This plan sets out the council's proposed framework for the management of the council's fleet asset portfolio for the next 5 years and establishes the basis for future plans. It has been produced in accordance with national guidance and recognises good practices to support the delivery of our corporate priorities.

The plan recognises the outcomes of the Corporate Plan and the recent Delivering Better Outcomes consultation and in particular the importance that is placed upon ensuring our fleet assets are managed in a sustainable manner. It also builds upon the approved Corporate Asset Management Strategy which sets out the main outcomes we will use to demonstrate that our fleet assets are managed efficiently and effectively.

It is widely recognised that the application of modern asset management practices can enable improved resource deployment, service modernisation, long term financial planning and effective risk management. This fleet plan builds upon the approved Corporate Asset Management Strategy which sets out the main outcomes we will use to demonstrate that our fleet assets are managed efficiently and effectively. In these challenging times it is essential that the council embraces this approach and strives to ensure that we invest as wisely as possible.

Significant resources are deployed in the management and maintenance of our fleet assets and therefore it is essential that these resources are deployed to deliver the best possible outcomes for West Lothian's Communities. This plan forms an important part of the council's commitment to achieve this.



Joe Drew
Fleet and Community Transport Manager

2 Introduction and Background

2.1 Introduction

Welcome to the Fleet Asset Management Plan (FAMP). This plan sets out the council's plans for the management of our fleet assets for the period 2013 / 2014 to 2017 / 2018. The management of our fleet assets involves a number of significant elements including the provision of suitable and high quality vehicles, compliance with the terms and conditions of the Council's Operator Licence (OM 11821) and other legislative requirements, and the day to day management and maintenance of vehicles.

The Council has an approved Corporate Plan, which sets out eight priorities that have been developed in consultation with our local communities, partner organisations, stakeholders and staff. These priorities together with three enabler themes represent all the vital activities that the Council will undertake in order to achieve the successful delivery of better outcomes for West Lothian. Successful management of fleet assets will be critical to ensure the delivery of these priorities. Asset Management and making best use of our resources were also identified as key priorities from the consultation.

To ensure a consistent approach to the management of our assets the Council has approved a Corporate Asset Management Strategy that sets out a number of performance outcomes within the context of our vision *"to manage assets efficiently and effectively to support the achievement of corporate priorities and outcomes"*.

The purpose of this management plan is to ensure that fleet assets continue to play an active role in the delivery of our services and are fit for purpose by being managed effectively and efficiently whilst reflecting our corporate priorities.

This Fleet Asset Management Plan sets out the council's approach to the management of its fleet assets. It supports the delivery of the council's priorities by:

- Outlining our approach to the management of our corporate fleet assets and forms the basis for any future plans;
- Presenting an overview of the extensive fleet assets owned by the Council;
- Highlighting our corporate outcomes and priorities and how they will be supported through the management of our fleet assets;
- Identifying the internal and external influencing factors and challenges; and
- Identifying activity themes to improve the performance of fleet asset management.

A 5-year framework for revenue budget management together with detailed 2-year budgets has been formally established. This has enabled Fleet Services to set up a service vehicle replacement programme which ensures fleet assets continue to facilitate service delivery. By having the Asset Management Strategy, Capital and Revenue resources agreed for the next 5-years the Council has established a sound basis for aligning our resource deployment with corporate priorities.

2.2 Background - Fleet Assets

Fleet assets are essential to all the services delivered by West Lothian Council. Managing these assets is a structured process that seeks to ensure best value, comply with legislative requirements and support corporate priorities and service delivery.

Effective asset management assists Fleet Services in delivery of its vision "to provide West Lothian Council Services with a high quality, safe, efficient and sustainable transport fleet".

It is recognised that:

- Managing fleet assets effectively is a key element of supporting service delivery;
- Compliance with the terms of the Council's Operators Licence (OM 11821) is essential to ensure continuation of service across all Council services;
- Resources employed in the management and maintenance of our fleet assets are significant and therefore the efficiency of their deployment is critical; and
- The value of fleet assets is significant.

West Lothian Council currently has a wide ranging fleet of 1,006 vehicles which supports the varying needs of all Council services. This can be broken down as follows:

■ Refuse Collection Vehicles	27
■ HGV Vehicles over 3.5 tonne GVM	82
■ Large Road Sweepers	3
■ Compact Road Sweepers	8
■ Car and Car Derived Vans up to 3.5 tonne GVM	391
■ Accessible Buses	21
■ Minibuses	33
■ Pool Vehicles	305
■ Tractors	52
■ Specialist Winter Maintenance Support Vehicles	30
■ Miscellaneous Plant	54

The current replacement value of the fleet is £19 million.

Sector Treasury Services conducted an exercise for West Lothian Council which determined which finance arrangement would deliver best value for the financing of the Council fleet. The vast majority of the Council's fleet assets are now financed on operating leases on a five year replacement cycle with any new vehicle replacements adopting this framework. This was identified as the most cost effective approach for the Council in relation to fleet asset financing.

2.3 Background – Management and Responsibilities

Management and maintenance of all the Council's fleet assets falls under Operational Services and is the responsibility of Fleet Services overseen by the Fleet and Community Transport Manager. The main responsibilities are:

Fleet Asset Management

- Lead on scope and direction of this Fleet Asset Management Plan
- To ensure compliance with the terms of the Council's Operators Licence (OM 11821) and with other legislative requirements;
- To provide a comprehensive maintenance service that ensures all fleet assets are maintained to VOSA (Vehicle Operator Services Agency) standard;
- To ensure fleet assets are fit for purpose and support service delivery;
- To provide guidance and professional services to all Council services that relates to the management of fleet assets;
- To consult regularly with service users;
- To ensure continuation of service delivery by operating an effective vehicle replacement programme;
- To ensure fleet assets are sustainable;

Individual services are considered the custodians of the fleet assets they use for the delivery of services. The general responsibilities of services are as follows:

Services Operational Responsibilities

- Ensuring fleet asset are used utilised efficiently for activities that support service delivery and corporate plan priorities;
- Operating vehicles in line with legislation and the terms of the Council's operating licence;
- Ensuring vehicles are used for activities that support service delivery and corporate plan priorities;
- The use of vehicles does not damage them other than fair wear and tear
- Vehicles are not used for illegal purposes or uses that represent a reputation or any other risk to the Council or the asset;
- Report vehicle defects to Fleet Services immediately upon identification.

2.4 Background - Influencing factors

The management of our fleet assets is influenced by a variety of factors, these can be summarised as follows:

External

- Changes in legislation relating to driving licences and the driving entitlements associated with each licence type can influence what vehicles are purchased.
- The current economic climate means there is pressure on resources within all local authorities and this extends to the management and maintenance of fleet assets.
- Industry developments in relation to engine emissions and sustainability will influence vehicle specification.

Internal

- Service modernisation and new ways of working means that fleet assets need to be more adaptable or vehicles specifications/requirements will change.
- Fleet assets are utilised further incurring additional maintenance requirements and costs.
- The Council is committed to reducing carbon emissions from fleet assets and this will impact upon vehicle specification.

This introduction and background section has set out the rationale for a Fleet Asset Management Plan, the types of fleet assets we manage, how we manage these assets as corporate resources and the factors that need to be considered in our management approach.

3 Council Corporate Plan Priorities

The council has set 8 priorities in the current Corporate Plan (2013/14 to 2017/18) in consultation with the local community, partners, stakeholders and our staff. These priorities, along with the 3 enabling themes, represent all the vital activities that the council will undertake in order to achieve better outcomes for West Lothian.

Figures 1 and 2 below illustrate where fleet assets contribute to the delivery of the council's priorities and/or enablers.

1. Delivering positive outcomes and early intervention for early years	✓	Fleet Services works closely with and supplies suitable vehicles to family centres throughout West Lothian to assist with the early intervention provision.
2. Improving the employment position in West Lothian	✓	The vehicle wash and valet framework set up for Council vehicles is made up of local businesses, supporting the employment position in West Lothian. Fleet Services also employs staff through the Modern Apprentice Scheme.
3. Improving attainment and positive destinations for school children	✓	Fleet Services provides vehicles for schools and outdoor education establishments within West Lothian to help support delivery of the national curriculum. Fleet Services also facilitates the delivery of school meals to all schools across West Lothian.
4. Improving the quality of life for older people	✓	The Council operates a fleet of accessible buses which provides a transport service for older people to allow them to access services across West Lothian.
5. Minimising poverty, the cycle of deprivation and promoting equality	✓	The Council operates a fleet of accessible buses which provides a transport service for people with accessibility limitations to allow them to access services across West Lothian.
6. Reducing crime and improving community safety	✓	Fleet Services has worked with the police through the Community Planning Partnership to help provide vehicles for partnership run initiatives. The police also use the Council's fuel stocks to help achieve best value. Fleet Services work with the Criminal Justice Team to provide specialist vehicles to assist with offender rehabilitation.
7. Delivering positive outcomes on health	✓	The introduction of low emission and electric vehicles reduces carbon emissions, improves the air quality of West Lothian Communities and has a positive impact on health.
8. Protecting the built and natural environment	✓	Initiatives such as the use of Euro 5 and Euro 6 engines, the installation of speed limiters and the introduction of electric vehicles lowers carbon emissions and increases the sustainability of the fleet.

Figure 1: Council Priorities

Enablers		
Financial planning	✓	The significant resources employed in fleet assets means that financial planning is required to allocate resources effectively and ensure best value when assets are replaced.
Corporate governance and risk	✓	We ensure that the Council can operate a fleet of vehicles and our fleet assets are safe for use and fit for purpose by ensuring compliance with the terms of the Council's Operating Licence and other legislative requirements.
Modernisation and improvement	✓	Effective management of fleet assets and a robust vehicle replacement process ensures vehicles can support modernisation and improvement of service delivery (i.e. vehicle specification, adopting new vehicle emission technology).

Figure 2: Council Enablers

4 Corporate Asset Management Strategy – Fleet Performance Outcomes

The corporate asset management plan sets out that we will manage our assets efficiently and effectively to support the delivery of our service and corporate priorities. To demonstrate this six performance outcomes have been developed for all asset categories. The table below shows how fleet assets link with these performance outcomes and the primary performance indicator relating to each outcome:

Strategy Outcome	Primary Performance Indicators	Activity Aims
Compliance	■ Percentage of vehicles passing their MOT test first time (FTS008_9b.1a)	Ensures the Council complies with the terms of its Operators Licence and other legislative requirements.
Condition	■ Percentage of vehicles maintained monthly as per the maintenance schedule (FTS007_9a.2a)	Ensures vehicles are safe, roadworthy and meet legislative requirements.
Suitability	■ Percentage of customers who rate the vehicles they receive as suitable (PI to be created)	Demonstrates the vehicles provided by Fleet Services are suitable and effectively support the delivery of Council Services.
Sufficiency	■ The number of temporary and short term hire vehicle required to support service delivery (FTS009_9b.1a)	Demonstrates that the number of vehicles within the Council owned fleet is sufficient to support effective service delivery.
Accessibility	■ Percentage of wheelchair accessible buses (PI to be created)	Ensures the Community Transport function is accessible to as many clients as possible.
Sustainability	■ Total annual carbon emissions from transport (CMP002_9a.1)	Demonstrates the impact of carbon emissions from transport has on the environment and consideration is given to sustainability when replacing vehicles.

Figure 3: Corporate Asset Management Strategy – Fleet Performance Outcomes

5 Fleet Asset Management Plan

5.1 Strategic Hierarchy

Fleet assets are managed within an integrated strategic framework that has at its highest level the Corporate Plan where direct and enabling service priorities are identified. These are reflected in the Corporate Asset Management Strategy that sets out the primary outcomes required to ensure effective and efficient asset management takes place. At this level financial resources are considered within the context of the Council's financial management strategy which sets the framework for the prioritised deployment of revenue and capital resources for the different asset categories. This Fleet Asset Management Plan builds upon these and sets out the direct requirements for Fleet Services to support the delivery of the corporate level outcomes and priorities. The following illustration shows the strategic hierarchy for the Fleet Asset Management Plan.

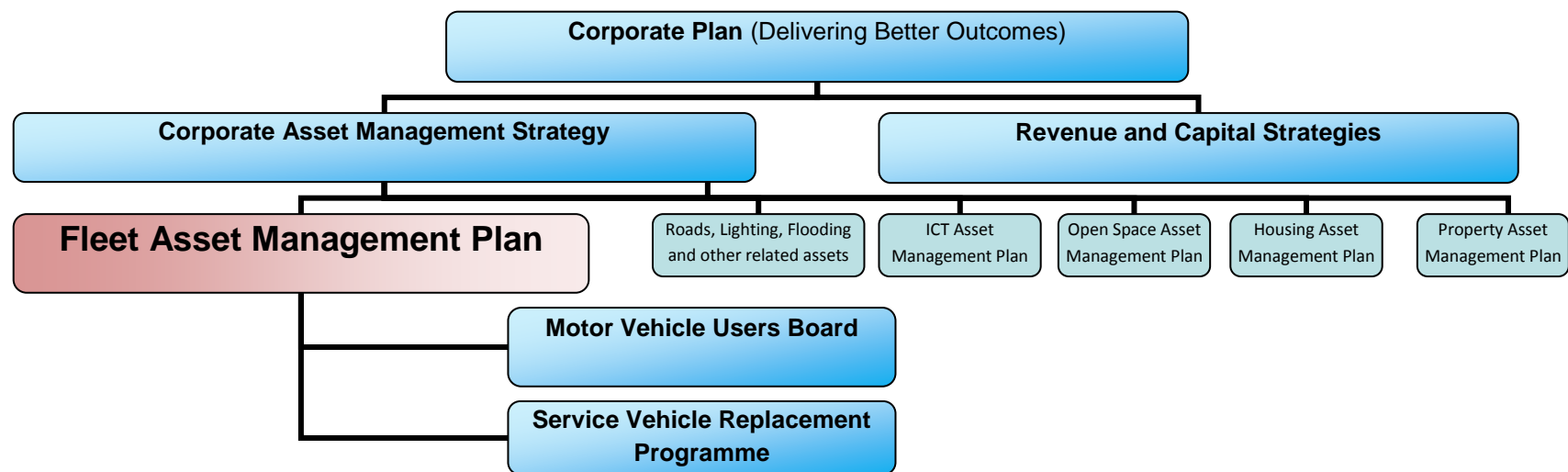


Figure 4: Fleet Asset Management Plan – Strategic Hierarchy

Motor Vehicle Users Board

The Motor Vehicle Users Board was set up in April 2012 and consists of representatives from each of the main vehicle user groups. The group meets on a quarterly basis and provides a forum for discussion on topics relating to the effective management of the Council's fleet assets while contributing to the overall objectives of the Fleet Asset Management Plan. The main responsibilities and objectives of the group are to:

- Ensure a consistent approach is taken across all services towards the operation of Council vehicles.
- Share examples of best practice with other vehicle user groups.
- Improve communication and consultation between Fleet Services and vehicle user groups.
- Look at ways to reduce vehicle insurance claims through better asset management.
- Provide the opportunity to remind users of existing legislative and Council requirements and procedures relating to the management and use of fleet assets.
- Take forward and assist with the implementation of new policies, systems and recommendations.

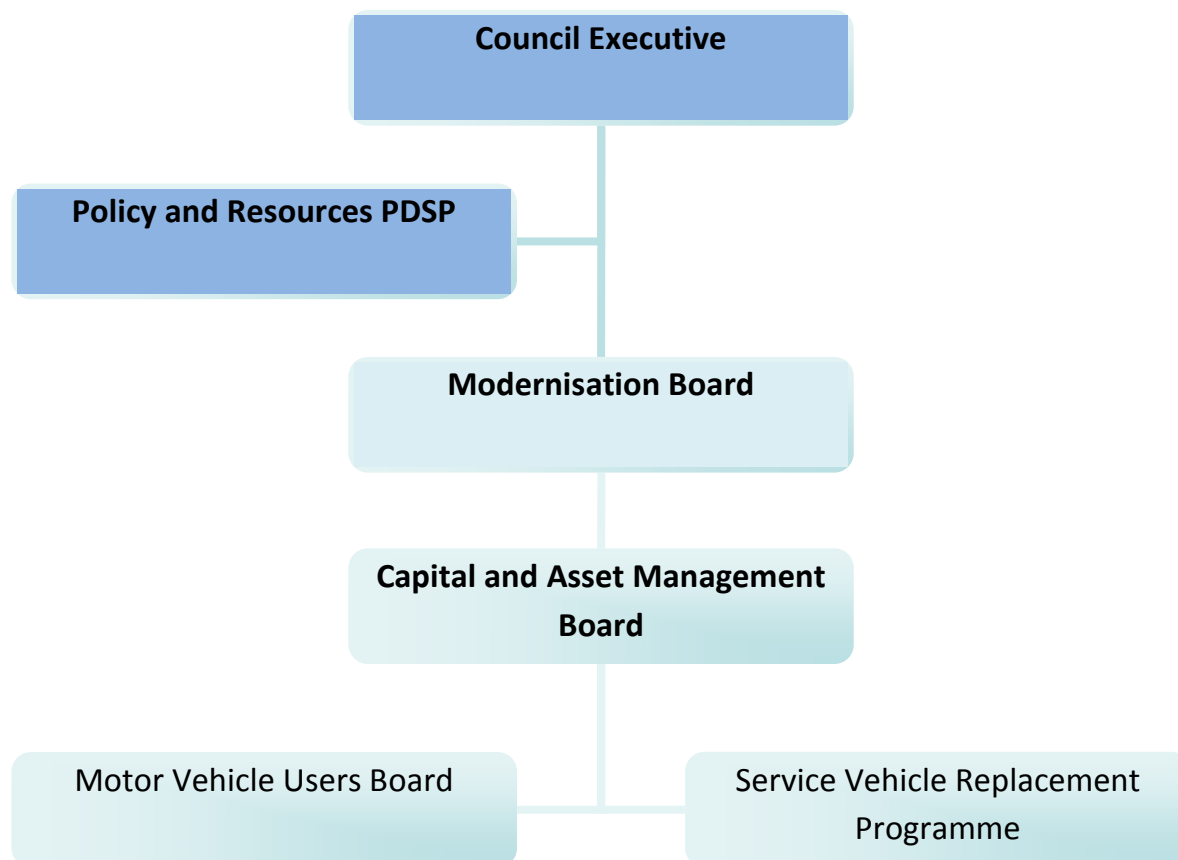
Service Vehicle Replacement Programme

The Service Vehicle Replacement Programme has been established to ensure a structured approach is taken towards the replacement of fleet assets. This process supports the Fleet Asset Management Plan by:

- Providing a framework for regular consultation with services
- Developing an annual timetable for vehicle replacement which considers the timescales required to ensure vehicles are replaced on time
- Ensuring vehicles are suitable and will meet the needs of the service while complying with legislative requirements

5.2 Fleet Asset Management Plan Decision Making Hierarchy

To ensure that fleet assets are management consistently within a decision making framework that facilitates effective and efficient management the following structure has been established for dealing with matters that do not fall within individual officer schemes of delegation.



Each of these groups remit and responsibility is shown on the following table.

Level	Group Name	Remit and Responsibility	Frequency / Attendance
1.Elected Members	Council / Council Executive	<ul style="list-style-type: none"> • Approval of Corporate and Fleet Asset Management Strategies • Approval of General Services Capital Programme • Approval of fleet asset management reports that require decisions by elected members 	Quarterly (as required)
1.Elected Members	Partnership and Resources PDSP	<ul style="list-style-type: none"> • Consideration of asset management and General Services capital • Fleet Project reports that require consideration by elected members 	Annually (as required) / Elected Members
2.Senior Officer	Modernisation Board	<ul style="list-style-type: none"> • Key office decision making body for modernisation projects. • Responsibility for reviewing, approving and monitoring modernisation activity 	Monthly
2.Senior Officer	Corporate and Asset Management Board	<ul style="list-style-type: none"> • Responsibility for the direction and scope of the Corporate Asset Management Strategy and Fleet Asset Management Plan. • Oversee the coordination of corporate asset management projects and initiatives. 	Monthly / Head of Finance and Estates, Asset Lead Officers and Service Representatives
3.Officer	Motor Vehicle Users Board	<ul style="list-style-type: none"> • Contribute to the successful implementation and development of the Fleet Asset Management Plan • Facilitate communication between Fleet Services and the main vehicle user groups • Reduce vehicle insurance claims through improved asset management • Assist with the implementation and development of new policies, systems and recommendations 	Quarterly (as required) /, Fleet and Community Transport Manager, service representatives from all vehicle user groups, representative from Risk and Insurance.

Level	Group Name	Remit and Responsibility	Frequency / Attendance
3.Officer	Service Vehicle Replacement Programme	<ul style="list-style-type: none"> • Provide a structured approach towards the replacement of fleet assets • Develop annual timetable for vehicle replacement • Ensure new vehicles are suitable and will ensure continued service delivery 	Annually (as required) / Fleet and Community Transport Manager, Vehicle User Group Representatives

Figure 5 – Fleet Asset Management Decision Making Groups Hierarchy

6 Fleet Asset Management Activity Themes

The Corporate Plan sets the service delivery priorities that we should prioritise for support through the use of our assets. The Corporate Asset Management Strategy sets the higher level performance outcomes that are used to measure that we are effectively and efficiently managing our assets and resources in pursuit of these priorities.

This Fleet Asset Management Plan in addition sets out activity themes that will be undertaken over the next 5-years to support the achievement of the corporate priorities, the asset management outcomes and modernisation of service delivery.

The key activity areas services involved in summary are as listed in the table below.

Activity Theme	Activity Description	Services
Internal Transport Review	<ul style="list-style-type: none"> Ensure best value is being achieved from the operation of the Council fleet. 	<i>Council Wide</i>
Sustainable Fleet	<ul style="list-style-type: none"> Adopt new vehicle emission technology and monitor use of electric vehicles with a view to reducing carbon including the introduction of Euro 6 engines and the use of electric vehicles 	<i>Fleet Services</i>
Vehicle Telematics	<ul style="list-style-type: none"> Assess how the implementation of vehicle telematics could improve the use and condition of fleet assets 	<i>Fleet Services</i>
Benchmarking	<ul style="list-style-type: none"> Implement a programme of regular benchmarking against APSE targets to ensure best value is being achieved. 	<i>Fleet Services</i>
Employee Vehicle Use Policy	<ul style="list-style-type: none"> Develop a comprehensive employee vehicle use policy which sets out the responsibilities of employees at all levels with regards to the use of fleet assets. 	<i>Fleet Services, HR, Health and Safety</i>
Driver Check Audit	<ul style="list-style-type: none"> Implement and monitor the recommendations contained within the audit of driver's daily checks. 	<i>Fleet Services</i>

Figure 6: Corporate Asset Management Strategy – Fleet Performance Outcomes

7 Corporate Plan, Corporate Asset Management Strategy and Fleet Asset Management Plan Correlation

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Internal Transport Review	Ensure best value is being achieved from the operation of the Council fleet.	Sufficiency, Suitability, Condition	Improvement	Quarterly	Fleet and Community Transport Manager	Apr-13	Mar-18
Sustainable Fleet	Introduce Euro 6 engines in new vehicles and consider the use of electric vehicles where appropriate.	Sustainability	Improvement	None	Fleet and Community Transport Manager	Apr-13	Mar-18
Vehicle Telematics	Investigate and assess how the introduction of telematics could improve the utilisation and condition of fleet assets.	Condition, Compliance	Improvement	None	Fleet and Community Transport Manager	Apr-13	Mar-15
Benchmarking	Benchmark vehicle lease and maintenance costs against APSE targets to ensure best value is being achieved.	None	Sustain	Annually	Fleet and Community Transport Manager	Apr-13	Mar-18
Employee Vehicle Use Policy	Develop a comprehensive vehicle use policy	Compliance, Condition	Improvement	None	Fleet and Community Transport Manager	Apr-13	Mar-14

Driver Check Audit	Implement recommendations contained within the audit report of driver's daily checks.	Compliance, Condition	Improvement	Annually	Fleet and Community Transport Manager	Apr-13	Sep-13
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8 Financial Resources

Significant financial resources are deployed in the management and operation of the Council's fleet assets. Revenue budget provision is made which covers all fleet related costs including lease, maintenance and fuel. The Council has a 5-year framework for revenue budget management along with a detailed and Council approved 2-year budget. A breakdown of the approved 2-year budget in relation to the operation of the fleet is below:

FLEET ASSETS – APPROVED REVENUE BUDGET 2013/14 TO 2014/15

	2013/14 £'000	2014/15 £'000
Internal Vehicle Hire (Leasing)	4,248	3,947
Maintenance	2,379	2,379
Fuel	2,480	2,489
External Vehicle Hire	300	300
Employee Mileage	728	728
Third Party Fuel	(108)	(108)
Total	10,027	9,735

9 Customer Demand, Consultation and Expectations

In the development and implementation of this Fleet Asset Management Plan it is important for us to ensure that we are aware of our unique customers groups, their needs and expectations. The following table highlights the customer consultation methods that will give customers and service users the opportunity to influence any changes to the plan as it is deployed over the next 5-years.

Customer Consultation Schedule				
Customer Group	Survey Method	Frequency	Responsible Officer	Feedback Method
Service Users	On-line Questionnaire	Annually	Fleet Manager	Annual Report
Service Users	Vehicle Suitability Questionnaire/Survey	Ongoing	Fleet Manager	Annual Report

10 Risks to Fleet Asset Management Plan

In the delivery and implementation of this plan there are a number of risks that require to be mitigated. These include the following:

- Managerial – It is vital to the success of the Fleet Asset Management Plan that high level managerial support is in place across all services;
- Legislative - Loss of the Council's operating licence would disrupt service delivery and could result in financial penalties for the Council. Procedures are in place to help ensure compliance.
- Staff Resources – To progress the various activity themes and projects within the scope of this plan, the appropriate staff resource is required.
- Operational/Corporate – Risk of fire in the vehicle yard and Community Transport garage would result in vehicle loss and disrupt service delivery. Vehicles are now parked over different sites to mitigate this risk.

Operation Services Fleet Asset Management Plan 2013/14 to 2017/18

**Joe Drew
Fleet and Community Transport Manager**

May 2013

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West Lothian
Council

COUNCIL EXECUTIVE

PROPERTY ASSET MANAGEMENT PLAN

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

The purpose of the report is to consider the Property Asset Management Plan 2013/14 to 2017/18.

B. RECOMMENDATION

It is recommended that the Council Executive approves the Property Asset Management Plan 2013/14 to 2017/18, as set out in the appendix.

C. SUMMARY OF IMPLICATIONS

I Council Values	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)	The council is required to demonstrate Best Value through a structured framework for the management of its property assets. The establishment of this plan will support achievement of this.
III Implications for Scheme of Delegations to Officers	N/A
IV Impact on performance and performance Indicators	The implementation of the Property Asset Management Plan will sustain and where appropriate improve the performance measures highlighted in the plan.
V Relevance to Single Outcome Agreement	<p>The Property Asset Management Plan supports activities under a number of outcomes including the following:</p> <p>Outcome 1 -We make West Lothian an attractive place for doing business in Scotland.</p> <p>Outcome 3 – we are better educated, more successful, renowned for our research and</p>

	innovation
	Outcome 10 – we live in well designed, sustainable places where we are able to access the services we need
	Outcome 12 – we value and enjoy our built and natural environment and protect it and enhance it for future generations
	Outcome 14 – we reduce the local and global environmental impact of our consumption and production
	Outcome 15 - Our public services are high quality, continually improving, efficient.
VI Resources - (Financial, Staffing and Property)	Corporate property revenue and general services capital investment will support the implementation of the Property Asset Management Plan.
VII Consideration at PDSP	Considered at Partnership and Resources Policy Development and Scrutiny Panel on 24 May 2013. No reservations were raised.
VIII Other consultations	Consultations have been undertaken with affected service areas and the Capital and Asset Management Board.

D. TERMS OF REPORT

At its meeting on 29 January 2013 Council approved the Corporate Plan, The Corporate Asset Management Strategy and a new five year general services capital programme (2013/14 to 2017/18).

The proposed Property Asset Management Plan included in the appendix builds upon these and establishes a framework to support the outcomes and prioritised deployment of resources these contain. The overall aim of the Plan is to manage our property assets efficiently and effectively whilst continuing to improve performance.

Property assets of the correct type, size and condition in the right location can make the difference between good and poor service delivery. Properties owned and managed by the Council are high in our community's perception of the Council and the services we deliver from them. It is therefore essential that they are looked after to ensure that they benefit future generations.

The Plan sets out the Council's approach to the management of its property assets. It supports the delivery of the Council's priorities by:

- Establishing a corporate framework for the management of our property assets;
- Highlighting corporate outcomes and priorities and how they will be supported through the effective and efficient management of property assets;

- Presenting an overview of the extensive property assets owned by the Council;
- Identifying the internal and external influencing factors and challenges affecting property;
- Identifying a number of activity themes to improve the performance of property asset management; and
- Outlining the investment we will make in our property assets over the next 5-years.

The monitoring of performance is critical to measuring the success of the Plan's implementation. The key performance measures which reflect the Corporate Asset Management Strategy are:

- Compliance;
- Condition;
- Suitability;
- Sufficiency;
- Accessibility; and
- Sustainability

Specific performance indicators that relate to each of these are detailed in the appended Plan. These will be reported on an annual basis throughout the life of the Plan.

Management and decision making processes will also require to be structured and effective. The Plan sets a management hierarchy that incorporates both elected member decision making and officer level delegated authority.

To drive improvement in performance a number of themes have been identified which will concentrate on specific activities and property types. In summary these areas follows:

- Office Modernisation – Activities in this area will continue the ongoing process of modernising, rationalising and improving utilisation of our office and administrative accommodation;
- Service Support Accommodation – This theme area will concentrate on modernising, rationalising and improving utilisation of our service support accommodation (i.e. depots and stores);
- Tenanted non-residential property portfolio – Activities in this area will seek to improve the overall financial performance of our commercial properties whilst continuing to support economic development;
- Locality based service delivery – This theme encompasses a number of individual projects with the initial focus being on the integration of customer information services and libraries within single locations;
- Property services consolidation – This activity area will seek to consolidate the services that involved in the management of our property assets;

- Risk management and compliance – Activities in this area will concentrate on implementing a comprehensive framework for managing risks associated with our property assets and prioritising statutory compliance;
- Information Management – This theme will seek to increase the use of Information and Communication Technology (ICT) to improve the management of information relating to our property assets. Core to this will be the Atrium asset management system;
- Financial Management and Resource Deployment – This theme will concentrate on improving the effectiveness and efficiency of the financial and staff resources we deploy in the management of our property assets;
- Partnership working – Activities in this area will concentrate on establishing a formal framework for the management and development of existing and new property assets with our partners; and
- Energy and Sustainability – This activity area will encompass a number of projects and initiatives to reduce our energy usage, increase our generation from renewable sources and ensure buildings meet their expected life.

Timescales and performance impacts for the individual activities within each of the themes outlined above are highlighted within the proposed Plan. The Plan also highlights the capital investment that will be made in our property assets, and which totals approximately £110m. This includes a number of key areas:

- School estate planned improvements of over £20m
- School projects (core funded) of over £15.5m
- School projects (developer funded) of approximately £15.3m
- Operational buildings projects of over £28.6m
- Compliance and Access Works of over £8.1m
- Energy and renewable projects of approximately £3.9m

These significant resources demonstrate the Councils commitment to sustaining and improving property assets and will enable the implementation of the proposed Plan. The Plan has been produced in accordance with national guidance and recognises good asset management practices to support the delivery of our corporate priorities.

The plan was considered at Partnership and Resources Policy Development and Scrutiny Panel on 24 May 2013. During discussions the Community Asset Transfer Policy was raised by the Voluntary Sector Gateway West Lothian. Officers will discuss the implementation of the Community Asset Transfer Policy further with the group. No reservations on the plan were raised.

E. CONCLUSION

The Property Asset Management Plan has been prepared to reflect and support the priorities of the Corporate Plan and Asset Management Strategy. It sets out a framework for the next five years to ensure we manage our property assets effectively and efficiently whilst ensuring we seek continuous improvement. The plan will make a major contribution to the delivery of high quality property assets and has been considered at Partnership and Resources Policy Development and Scrutiny Panel. The Council Executive is therefore asked to approve the plan.

F. BACKGROUND REFERENCES

Asset Management Strategy and General Services Capital Programme 2013/14 to 2017/18 report to Council approved 29 January 2013.

Performance Management - West Lothian Council Corporate Asset Management Plan (Property Assets) report to Partnership and Resources Policy Development and Scrutiny Panel dated 24 May 2013

Appendix: Property Asset Management Plan 2013/14 to 2017/18

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Date: 4 June 2013



Delivering **Better Outcomes**
Property Asset
Management Plan
2013/14 to 2017/18

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1 Foreword

West Lothian Council is committed to managing its property assets efficiently and effectively. The appropriate use of property assets in the right location can make the difference between good and poor service delivery. Property assets are high in our community's perception of the Council and the services we deliver from them. It is therefore essential that we look after property assets and ensure that they benefit future generations.

This plan sets out the Council's proposed framework for the management of our property assets over the next five years. It has been produced in accordance with national guidance and recognises good practices to support the delivery of our corporate priorities.

The plan recognises the outcomes of the Corporate Plan and the Delivering Better Outcomes consultation and, in particular, the importance that is placed upon ensuring our property assets are managed in a sustainable manner. It also builds upon the approved Corporate Asset Management Strategy which sets out the main outcomes we will use to demonstrate that our property assets are managed efficiently and effectively.

It is widely recognised that the application of modern asset management practices can enable efficient resource deployment, service modernisation, long term financial planning and improved risk management. In these challenging times, it is essential that the Council embraces this approach and strives to ensure that we invest as wisely as possible and ensure our property assets are fit for purpose.

Significant resources are deployed in the management, maintenance and construction of our property assets and therefore it is essential that these are deployed to deliver the best possible outcomes for West Lothian's Communities. This plan forms an important part of the Council's commitment to achieve this.



Paul Kettrick
Asset Lead Officer (Property)

2 Introduction and Background

2.1 Introduction

Welcome to the Property Asset Management Plan (PAMP).

This plan sets out the Council's plans for the management of our property assets for the period 2013 / 14 to 2017 / 18. This builds upon the achievements of the previous plan that was widely recognised as being at the forefront of good asset management in local authorities. The management of our property assets involves a number of significant elements including the day to day management of their use and maintenance, to significant renovation and new construction projects.

The Council has an approved Corporate Plan, which sets out eight priorities that have been developed in consultation with our local communities, partner organisations, stakeholders, staff and trade unions. These priorities, inform the activities that the Council will undertake in order to achieve better outcomes for West Lothian. Successful management of property assets will be critical to ensure the delivery of these properties. Effective and efficient asset management was also identified as a key priority from the Delivering Better Outcomes consultation.

To ensure a consistent approach to the management of our assets, the Council has approved a Corporate Asset Management Strategy that sets out a number of performance outcomes within the context of our vision *"to manage assets efficiently and effectively to support the achievement of corporate priorities and outcomes"*.

The purpose of this Property Asset Management Plan is support this vision and ensure our property assets continue to play an active role in the delivery of our services. The aim of the plan is to facilitate fit for purpose property that will support the services delivering our corporate priorities.

This Property Asset Management Plan sets out the Council's approach to the management of its property assets. It supports the delivery of the Council's priorities by:

- Establishing a corporate framework for the management of all our property assets;
- Highlighting our corporate outcomes and priorities and how they will be supported through the effective and efficient management of our property assets;
- Presenting an overview of the extensive property assets owned by the Council;
- Identifying the internal and external influencing factors and challenges affecting property;

- Identifying a number of activity themes to improve the performance of property assets management; and
- Outlining the investment we will make in our property assets over the next five years.

The Council has approved a five year general services capital programme that has been formulated based on our corporate priorities, managing risks, ensuring asset management best practice and adherence to the prudential code. By having the asset management strategy, capital and revenue resources agreed for the next five years the Council has established a sound basis for aligning our resource deployment with corporate priorities.

This approach has enabled us to commit to a number of significant investments over the next five years that will substantially improve the performance of our property assets and support achievement of our corporate priorities. These include:

- Undertaking school estate planned improvements of over £20m;
- Extending West Calder High School at a cost of approximately £10m;
- Implementing operational property planned improvements of £5.7m;
- Developing partnership centres in Blackburn, East Calder, Winchburgh, Armadale and Whitburn with investment totalling £9.3m;
- Improving our Special School Projects with works totalling £2.4m;
- Building new housing for the elderly at Rosemount Court, Bathgate investment totalling £6.3m; and
- Undertaking Access and accessibility improvements of £4.6m.

These investments, together with a wide range of other works to improve the performance of our property assets, clearly demonstrate the commitment of the Council to ensuring our buildings are fit for purpose for supporting service delivery for our communities.

2.2 Background - Property Assets Overview

Property assets are essential to the services delivered by West Lothian Council. Managing these assets is a structured process that seeks to ensure best value; continuous improvement in performance; achievement of our corporate priorities; and service modernisation.

It is recognised that:

- Managing property assets effectively is a key element of supporting service delivery;
- Resources employed in the management of our property assets are significant and therefore the efficiency of their deployment is critical;
- Property assets can be a key driver of service transformation and modernisation;
- The value of property assets owned by the Council is significant; and
- Properties are at the centre of public perception of our local authority.

West Lothian Council manages a property portfolio of over 700 properties plus development land, which consists of two distinct types of property:

Operational Properties

Operational properties are those that are used to support Council service delivery, including those operated by West Lothian Leisure and managed by partner organisations. There are currently 310 operational properties, with 283 managed directly by the Council.

Non-Operational Properties

Non-Operational properties are those used to stimulate economic development and provide the Council with a stable revenue income stream (the tenanted non-residential property portfolio) and in addition surplus assets for disposal to support capital programmes and strategic development land.

A breakdown by property type is shown in Appendix A.

Given the foregoing, the influence that property has in supporting service delivery is hugely significant. To ensure that these assets are fit for purpose, significant resources are deployed. Against a backdrop of tight public finances it is important that we continue to manage our resources more efficiently and effectively.

2.3 Background – Management

Management of all the Council's property assets sits within Finance and Estates as part of the Property Management and Development Service. This role primarily consists of the following main activities:

- Leading on the scope and direction of this Property Asset Management Plan;
- Responsibility for ensuring that services use property assets effectively and efficiently;
- Prioritising and managing the deployment of revenue resources for statutory compliance, cyclical and reactive maintenance;
- Prioritising and managing the deployment of capital resources to support and undertake planned improvements, statutory compliance works, and to deliver new property projects;
- Managing the capital receipts programme;
- Providing professional services to the Council and partners relating to the management of property assets;
- Operational management of the Councils administrative buildings
- Managing the Council's tenanted non-residential property (TNRP) portfolio; and
- Leading on Corporate Asset Management initiatives

Individual Council Services the custodians of property assets they use for the delivery of services. The general parameters of this role are as follows:

- Ensuring properties are used for activities that support service delivery and corporate plan priorities;
- Ensuring service use is appropriate for the type and size of property available;
- Preventing use for illegal purposes or uses that represent a reputation, financial or legal risk to the Council or the property;
- Identify and maintaining contact details of responsible persons at all properties occupied in liaison with Construction Services;
- Ensuring compliance records are maintained on site and updated as required in liaison with Construction Services;
- Reporting any maintenance and repair requirements to Construction Services ;
- Not undertaking, any works other than those expected as part of normal janitorial services to any property, without consulting Construction Services; and
- Not entering in to any contracts conveying property interests without consent of Property Management and Development

2.4 Background - Influencing factors

The management of our property assets is influenced by a variety of factors, these can be summarised as follows:

External

- The current economic climate means that not only do we have fewer resources to deploy in the management and maintenance of property, but also we generate lower receipts from the sale of surplus assets;
- Regulatory and statutory changes at both UK and Scottish Government level will occur throughout the life of this plan. These will need to be responded to and will affect how we manage and improve our property assets;
- Demographic changes mean that West Lothian population will grow in the future and the age profile will become older and our long term property requirements will change as a result;
- Best practice guidance issued by professional organisations or other relevant bodies will be considered; and
- Property requirements of strategic partners will influence the delivery of joint projects;
- Costs for energy, construction materials and professional advice will vary during the plan period and therefore need to be considered on an ongoing basis.

Internal

- Service modernisation and new ways of working mean that existing properties all need to evolve and be flexible in use;
- Efficiencies in resource usage will require to be achieved to reduce long term operating costs;
- New properties and extensions will be required to facilitate service delivery in areas where population increases occur. This means additional running costs;
- The Council is committed to reducing carbon and improving the energy efficiency of our buildings. This will influence our planned improvements and the construction of new assets.

3 Council Corporate Plan Priorities

The Council has set eight priorities in the current Corporate Plan (2013/14 to 2017/18) in consultation with the local community, partners, stakeholders, staff and trade unions. These priorities, along with the three enabling themes, represent all the vital activities that the Council will undertake in order to achieve better outcomes for West Lothian. Figures 1 and 2 below illustrate where property assets *directly* contribute to, or are influenced by, the delivery of the Council's priorities and/or enablers:

1. Delivering positive outcomes and early intervention for early years	✓	The Council has a number of early years facilities and will support these further through improvements to our nursery schools and partnership centre development.
2. Improving the employment position in West Lothian	✓	The investment in property assets is significant and supports employment directly in the Council through Building Services and indirectly through the engagement of local contractors. The tenanted non residential property portfolio supports business space and local small businesses.
3. Improving attainment and positive destinations for school children	✓	Schools represent a significant proportion of our operational property portfolio. Ensuring these are in good condition and fit for purpose is a key objective and creates a positive environment for learning.
4. Improving the quality of life for older people	✓	The Council owns and operates a number of care homes and developments for housing for the elderly are supporting a better quality of life for older people.
5. Minimising poverty, the cycle of deprivation and promoting equality	✓	Our property assets, by providing accommodation for services in communities with multiple deprivations support this priority. Significant investment is also made in improving accessibility, thereby supporting equal access to our services.
6. Reducing crime and improving community safety	✓	Property assets are used for youth projects thereby providing support to alleviate anti-social behaviour. Large proportions of our assets have secure access and provide safe environments.
7. Delivering positive outcomes on health	✓	Our partnership centres enable the coordination of services with the NHS, and the use of our properties to deliver services relating to physical activity and sports has a positive impact on community health.
8. Protecting the built and natural environment	✓	By investing in our property assets and ensuring they are managed in a sustainable manner we ensure that there is a vibrant environment in West Lothian impact on the environment is minimised.

Figure 1: Council Priorities

Enablers

Financial planning	✓	The significant resources employed in property assets mean that financial planning is required to allocate resources where they are most required and identify investment needs over the longer term
Corporate governance and risk	✓	We ensure that our property assets are compliant in terms of statutory and legislative requirements, safe for use and fit for purpose in terms of condition, thereby mitigating risks of building failure and closure.
Modernisation and improvement	✓	Through pro-active management our property assets act as a catalyst for modernisation and improvement of service delivery (i.e. office modernisation)

Figure 2: Council Enablers

4 Corporate Asset Management Strategy – Property Performance Outcomes

The corporate asset management plan sets out that we will manage our assets efficiently and effectively to support the delivery of our service and corporate priorities. To demonstrate this six performance outcomes have been developed for all asset categories including property. The following table demonstrates how these relate to property and sets out appropriate high level performance indicators.

Strategy Outcome	Primary Performance Indicators	Activity Aims
Compliance	<ul style="list-style-type: none"> ■ Percentage of buildings with responsible persons identified ■ Percentage of buildings that are fully compliant in terms of having a current fire safety risk assessment, up to date asbestos register, legionella testing and management processes in place. 	<p>Demonstrating that our property assets comply with statutory and regulatory requirements.</p> <p>Ensuring properties are safe and available for use to deliver services by having them regularly inspected and retaining compliance logs.</p>
Condition	<ul style="list-style-type: none"> ■ Percentage of properties in satisfactory or better condition (specified performance indicator) ■ Percentage of gross internal floor area (m²) that is in satisfactory or better condition ■ Number of days school properties are closed due to building condition failure 	<p>Demonstrating that our property assets are maintained in satisfactory or better condition to support service delivery</p> <p>Minimising the number of days our buildings are not available for service delivery</p>
Suitability	<ul style="list-style-type: none"> ■ Percentage of properties that are considered satisfactory or better in terms of suitability (specified performance indicator) 	<p>Demonstrating that our property assets are fit for purpose in terms of accommodation type and layout to support the delivery of services.</p>
Sufficiency	<ul style="list-style-type: none"> ■ Percentage of properties that are considered satisfactory or better in terms of sufficiency, utilisation and usage to support service delivery 	<p>Demonstrating that our property assets are sufficient for service delivery and utilised as much as possible by our communities. Under-utilised properties being subject to comprehensive review to determine if fit for purpose and they are needed for service delivery.</p>

Strategy Outcome	Primary Performance Indicators	Activity Aims
Accessibility	<ul style="list-style-type: none"> ■ Percentage of properties that are considered accessible (specified performance indicator) ■ Percentage of gross internal floor area (m²) that is accessible 	Demonstrating that our property assets provide accommodation that is accessible for all service users and staff
Sustainability	<ul style="list-style-type: none"> ■ Total carbon emissions from corporate property assets (CO² tonnes) ■ KWh of energy used per m² in the operation of our corporate property assets ■ Percentage properties with EPC rating of D or better. 	<p>Demonstrates the impact our consumption of energy has on the environment.</p> <p>The energy performance of our property assets is monitored, and improvements undertaken where financially viable and technically feasible.</p>

Figure 3: Corporate Asset Management Strategy – Property Performance Outcomes

Additional management performance indicators will, where appropriate, also be reported within annual updates of this Property Asset Management Plan. These support the higher level performance measures.

5 Property Asset Management Plan

5.1 Strategic Hierarchy

Property assets are managed within an integrated strategic framework that has, at its highest level, the Corporate Plan where direct and enabling service priorities are identified. These priorities are reflected in the Corporate Asset Management Strategy that sets out the primary outcomes required to ensure effective and efficient asset management. At this level financial resources are considered within the context of the Council's financial management strategy, which sets the framework for the prioritised deployment of revenue and capital resources for the different asset categories. This Property Asset Management Plan builds upon these and sets out the direct requirements for property to support the delivery of the corporate level outcomes and priorities. The following illustration shows the strategic hierarchy for the Property Asset Management Plan.

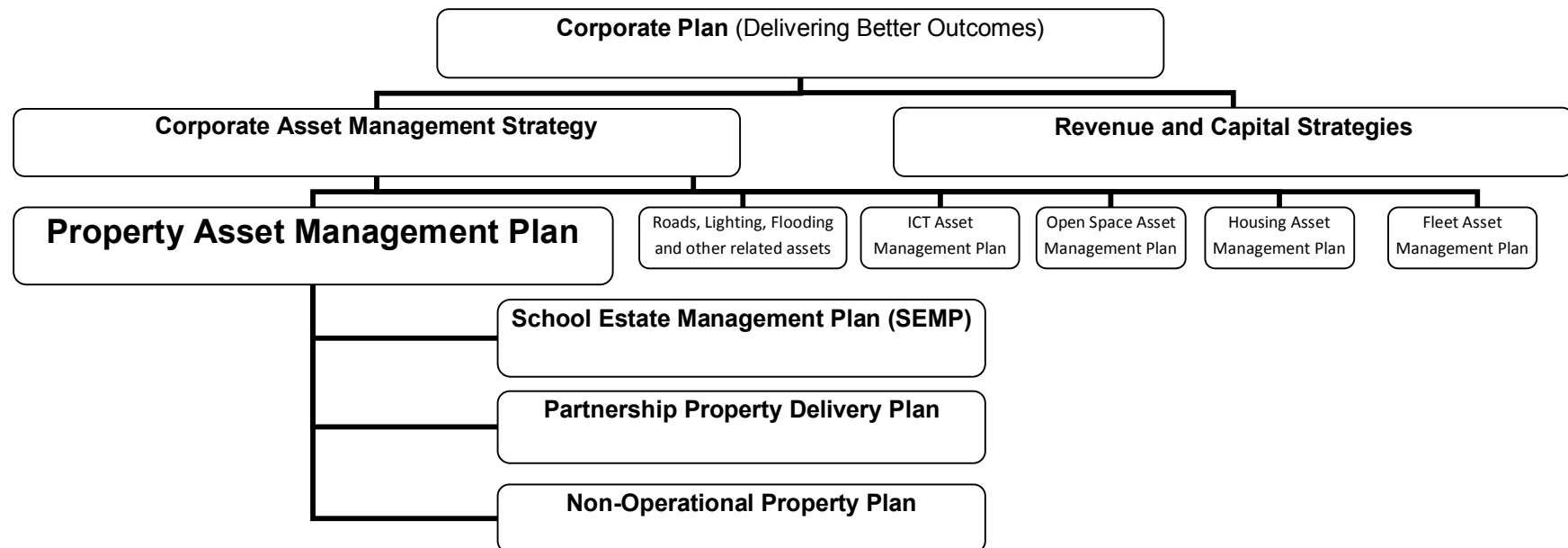


Figure 4: Property Asset Management Plan – Strategic Hierarchy

The Property Asset Management Plan establishes the framework for other property focused plans for the school estate, non-operational property (including the Tenanted Non-Residential Property portfolio) and partnership properties. There are separate School Estate Management and Partnership Property Delivery Plans as these represent significant operational activity areas that have additional specific requirements. The Non-Operational Property portfolio has its own plan as it is managed to support economic development and to generate capital and revenue income.

Whilst all priorities and outcomes from the Corporate Asset Management Strategy and Property Asset Management Plan are applicable to these three supplementary plans, there are additional requirements that are relevant. In summary these are as follows:

School Estate Management Plan

The School Estate Management Plan sets out the framework for the management of our educational estate to support the Scottish Governments “Building Our Future” vision for 21st century schools. This aims to provide well designed, well built and well managed schools that support national and local priorities and inspire children, young people and communities. In addition to the core Corporate Asset Management Strategy and Property Asset Management Plan, the School Estate Management Plan has a number of key aims for the future of our educational establishments. These are:

- Putting pupil development and attainment at the centre of our decision making;
- Ensuring management is flexible enough to meet the needs of individual children;
- Ensuring our school estate establishments meet our aspirations; and
- Managing the school estate to build in flexibility so that it can evolve to address future needs.

The School Estate Management Plan will be reported on in autumn 2013 with updates provided annually.

Partnership Property Delivery Plan

The Council is committed to working with our strategic partners, organisations, communities and businesses to deliver property assets that support our corporate and service priorities to meet community aspirations and needs.

The current Community Health and Care Partnership joint premises strategy, which also covers primary care provision, is titled “West Lothian Community Health and Care Needs of a Growing Population”. Although this strategy covers the period 2008-18 it is soon to be reviewed and updated. This will link into the Partnership Property Delivery Plan.

At the centre of the Partnership Property Delivery Plan will be partnership centres. In addition to existing properties at Fauldhouse, Bathgate, Strathbrock (Broxburn) and

Almondbank (Craigshill) additional partnership centres will be delivered at Blackburn, Armadale, Whitburn, Winchburgh, Linlithgow and East Calder. The partners and services involved in future partnership centre developments will be scoped and agreed on a location by location basis.

Further opportunities for shared premises and integrated service delivery will continue to be considered. To achieve this, and to establish a formal framework for the management of existing facilities and the delivery of new opportunities, a Partnership Property Delivery Plan will be developed by the property asset manager and representative of the Community Health and Care Partnership. This will be reported on in winter 2013 and will seek to establish clearly the future opportunities for partnership working, the integration of service delivery and a framework for delivery.

The basic activities of the Partnership Property Delivery Plan are as follows:

- Developing a joint approach to property asset management and clearly establishing existing and future service demand in order to identify accommodation requirements;
- Identifying resources required and timescales for delivery of the agreed projects;
- Establishing specific delivery models that are fit for purpose and meet all partners requirements;
- Developing a framework for the management of existing and future partnership property projects from development to physical delivery and ongoing facilities management;
- Establishing and progressing key service integration opportunities that could be accommodated within shared property assets; and
- Clearly identifying benefits; demonstrating best value and outcomes that will be achieved; and monitoring performance through the life of an asset.

Annual updates will be provided on the plan and to monitor performance.

Non-Operational Property Plan

The Non-Operational Property Portfolio comprises of three main asset types, these are Tenanted Non-Residential Properties, Strategic Land and Surplus Assets.

The TNRP portfolio comprises of a range of individual lettable properties to support economic development. It also generates a gross annual income of approximately £4.2m. The portfolio covers a diverse range of uses including retail, industrial, office properties and development land.

The portfolio has developed organically and it is important to the local economy, with the Council being one of the largest commercial property owners and providers of business

space in the area. The Council also offers locations, flexible lease terms and small sized units that the majority of the private sector do not consider attractive. The basic aims of the TNRP Portfolio Plan are as follows:

- Identifying new opportunities for the creation of additional business space to support economic development;
- Improving the level of net annual income generated from existing TNRP assets;
- Improving the recovery of rents, insurance and service charges;
- Identifying new opportunities to produce income;
- Developing a plan to change the balance and profile of the portfolio, resulting in a dynamic portfolio capable of providing sustained improvement in rental income, together with the removal and reduction of risk within the portfolio; and
- Developing processes to improve the effectiveness and efficiency of the portfolio's management

The TNRP portfolio performance together with modernisation proposals will be reported on annually.

Strategic land is held by the Council to support long term development aspirations and economic development. Surplus assets are those where the Council no longer has an operational requirement for them and intends to dispose. These will be reported on an annual basis.

5.2 Property Asset Management Plan Decision Making Hierarchy

To ensure that property assets are management consistently, within a clear decision making framework that facilitates effective and efficient management, the following structure has been established.

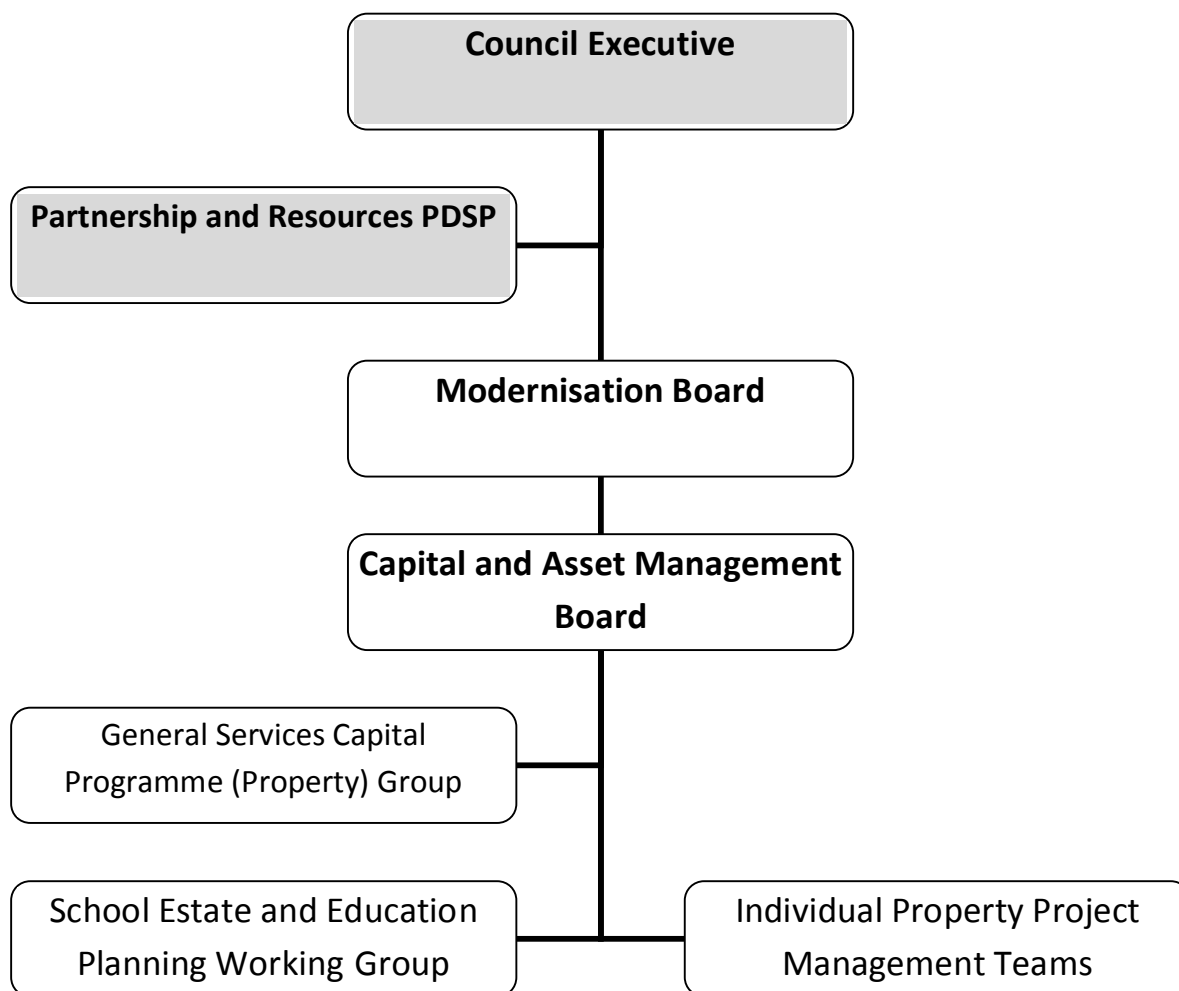


Figure 5 – Property Asset Management Structure

Each of these groups remit and responsibility is shown on the following table.

Level	Group Name	Remit and Responsibility	Frequency Attendance /
1.Elected Members	Council / Council Executive	<ul style="list-style-type: none"> • Approval of Corporate and Property Asset Management Strategies • Approval of General Services Capital Programme • Approval of General Services (Property) capital programme monitoring reports. • Approval of property asset management policy and project reports that require decisions by elected members 	Quarterly (as required)
1.Elected Members	Partnership and Resources PDSP	<ul style="list-style-type: none"> • Consideration of Property Asset Management Performance reports. • Consideration of asset management and General Services capital • Property policy reports that require consideration by elected members. 	Annually (as required) / Elected Members
2.Senior Officer	Modernisation Board	<ul style="list-style-type: none"> • Key office decision making body for modernisation projects. • Responsibility for reviewing, approving and monitoring modernisation activity 	Monthly
2.Senior Officer	Capital and Asset Management Board	<ul style="list-style-type: none"> • Responsibility for the direction and scope of the Corporate Asset Management Strategy and Property Asset Management Plan. • Corporate monitoring of general services capital programme and consideration of variances. • Evaluation of emerging investment requirements and strategic outline business cases (SOBCs). • Oversee the coordination of corporate asset management projects and initiatives. 	Seven times per annum / Head of Finance and Estates, Asset Lead Officers and Service Representatives

Level	Group Name	Remit and Responsibility	Frequency Attendance /
3.Officer	General Services Capital Programme (Property) Group	<ul style="list-style-type: none"> • Management of General Services Capital Programme (Property) • Responsibility for the implementation of the Property Asset Management Plan. • Reviewing project management of property projects and considers post project evaluations • Initial evaluation of emerging investment requirements and SOBCs. • Facilitate service liaison on specific property asset projects and general operational property management issues. • Monitoring performance and progress on initiatives relating to Property Assets • Oversees the coordination of corporate property projects. 	Monthly, Property Asset Lead Officer Construction and Design Manager and appropriate service representatives.
4.Officer	School Estate and Education Planning Working Group*	<ul style="list-style-type: none"> • Responsible for developing the scope and direction of the school estate management plan • Managing school estate capacity and coordination of related projects 	Monthly / Development Planning Manager, Education Strategic Resource Manager, Planning and Information Manager and representatives from both Construction and Property Management.
5.Officer	Individual Property Project Groups*	<ul style="list-style-type: none"> • Management of Specific Projects and Initiatives 	As appropriate / variable depending upon project

Figure 6 – Property Asset Management Decision Making Groups Hierarchy

6 Property Asset Management Activity Themes

The Corporate Plan sets the service delivery priorities that we will support through the use of our assets. The Corporate Asset Management Strategy sets the higher level performance outcomes that are used to measure that we are effectively and efficiently managing our assets and resources in pursuit of these priorities.

This Property Asset Management Plan insets out activity themes that will be undertaken over the next five years to support the achievement of the corporate priorities; the asset management strategy outcomes: and the modernisation of services.

The key activity areas services involved in summary are as listed in the table below.

Activity Theme	Activity Description	Services
Office Modernisation	<ul style="list-style-type: none"> Modernise and rationalise our administrative office accommodation 	<i>Property Management, Construction and IT Services</i>
Service Support Accommodation	<ul style="list-style-type: none"> Modernise and rationalise our support service accommodation (i.e. depots and stores) 	<i>Operational Services, Property Management and Construction Services</i>
Tenanted Non-Residential Property Portfolio Modernisation	<ul style="list-style-type: none"> Modernise our tenanted non-residential property portfolio to improve financial performance whilst continuing to support economic development 	<i>Property Management</i>
Locality based service delivery	<ul style="list-style-type: none"> Place based review – modernised property provision to reflect changed service delivery, particularly but not exclusively CIS and libraries Review of community and third party assets 	<i>Property Management, Services Area and Construction Services</i>
Property Services Consolidation	<ul style="list-style-type: none"> Consolidate management of our property assets. 	<i>Property Management, Construction, Operational, Area and Education Services.</i>

Activity Theme	Activity Description	Services
Risk Management and Compliance	<ul style="list-style-type: none"> Implement comprehensive compliance and risk management monitoring and works prioritisation framework for property assets. 	<i>Construction & Property Management Construction, Health and Safety</i>
Information Management	<ul style="list-style-type: none"> Greater use of IT systems (Atrium, GIS, Autocad, web-based systems etc) to improve the recording of management information and access. 	<i>Property Management, Construction Services & Custodian Services</i>
Financial Management and Resource Deployment	<ul style="list-style-type: none"> Improve the efficiency and effectiveness of financial and staff resources deployed in the management of property assets 	<i>Construction Services, Property Management and Custodian Services</i>
Partnership Working	<ul style="list-style-type: none"> Seek to establish a partnership property deliver plan to establish more shared facilities, standardise their management and delivery with partner agencies (i.e. NHS, Police, Fire, Ambulance and other government agencies) 	<i>Property Management, Community Health and Care Partnership, Community Planning and Construction Services</i>
Energy Sustainability and	<ul style="list-style-type: none"> Reduce our consumption and increase our self generation of energy from sustainable sources. 	<i>Property</i>

Figure 7: Corporate Asset Management Strategy – Property Performance Outcomes

These themes represent the main modernisation activity areas for the management of our property assets. There are, however, other significant areas of operation involved in the ongoing day to day management of our property assets which are covered within the appropriate service management plans. These are reported separately, together with their appropriate performance measures. The activity themes will impact on the service management plans as resources are required to manage and deliver the activities outlined in this plan.

Throughout the five year life of this plan additional modernisation opportunities will arise and these will be incorporated and reported within annual monitoring performance reports, as appropriate.

The impact that the theme activities will have in terms of the outcomes varies from project to project. The following table provides an indication of the cumulative impact that activities within themes will have on the outcomes.

	Property Asset Management Plan Activity Themes Impact										
Corporate Asset Management Outcomes	Office Modernisation	Service Support	TNRP Modernisation	Place Based Review	Property Consolidation	Risk Management	Information	Resource Deployment	Partnership Working	Energy	Planned Improvements
Compliance	4	2	6	5	1	1	1	2	3	5	1
Condition	3	3	2	4	4	2	2	1	4	3	2
Suitability	2	1	1	1	3	3	3	3	1	4	4
Sufficiency and Utilisation	1	4	3	2	2	5	4	6	2	2	6
Accessibility	5	5	4	3	5	4	6	4	5	6	3
Sustainability	6	6	6	6	6	6	5	5	6	1	5

Figures denote level of impact on outcome (1=largest, 6 = smallest)

7 Financial Resources

7.1 Capital Investment

Significant resources are employed in the management and improvement of our property assets. The table included in Appendix B highlights the new investment being made to support corporate priorities and deliver improvements in the asset management outcomes.

This includes the following investment over the next 5 years:

Capital Budget Category	5-Year Budget Allocation (£'000)
School Estate Planned Improvements	20,338
Operational Buildings Planned Improvements	5,680
Operational Office / Admin Buildings Planned Improvements	936
Tenanted Non-Residential Portfolio Planned Improvements	950
General Statutory Compliance (including accessibility)	8,111
School Projects	15,674
School Projects (Developer Funded)	15,300
Operational Buildings Projects	26,869
Office Modernisation	5,800
Energy and Spend to Save Renewables	3,898
Miscellaneous Projects (including Local Infrastructure Fund)	6,282
Total Investment 2013/14 to 2017/18	109,838

7.2 Revenue Budget

Whilst capital investment is predominantly used to improve the performance of our property assets whether through new projects or planned improvements significant revenue resources are also employed in the general ongoing day to day management activities. The table below outlines the revenue budgets employed for corporate properties.

Budget Description	Annual Budget (£'000)
Administrative Buildings	1,940
Corporate Property & Property Management	12,338
Tenanted Non-Residential Property*	-3,208
Property Support and Energy	674
Total:	11,744

These revenue budgets cover a number of expenditure items including utilities costs, reactive repairs, cyclical works (servicing and testing), non-domestic rates charges, staff costs, legal and other professional fees, carbon reduction credit allowances and software licences.

*Tenanted Non-Residential Property portfolio is a net income to the council

8 Customer Consultation

In the development and implementation of this property asset management plan it is important for us to ensure that we are aware of our unique customers groups, their needs and expectations. The following table highlights the customer consultation schedule that will be implemented which will influence any changes to the plan as it is deployed over the next five years and will form part of periodic reviews and updates.

Customer Consultation Schedule				
Customer Group	Survey Method	Frequency	Responsible Officer	Feedback Method
Members of Public (recent survey as part of Delivering Better Outcomes)	On-line and Physical Questionnaire		Corporate	
Custodian Services	Face to Face Interviews and Feedback	Annually	Asset Manager	Annual Report
Service Users	Questionnaire	Annually	Custodian Services	Annual Reports
Individual Project Customers (communities, elected members, partner organisations and all other interest parties)	Questionnaires, face to face, group meetings, workshops and public meetings	As appropriate	Individual Project Managers	Project Reports
Civic Centre and Administrative Buildings Occupier Survey	Questionnaire	Annually	Estates Manager	Annual Report
TNRP Tenant Survey	Questionnaire	Annually	Estates Manager	Annual Report
Property Management and Development Customer satisfaction survey	Questionnaire	Annually	Estates Manager	Annual Report
Construction Services Customer satisfaction survey	Questionnaire	Annually	Construction and Design Manager	Annual Report

9 Risks to Property Asset Management Plan

In the delivery and implementation of this plan there are a number of risks that require to be mitigated. These include the following:

- **Political** – Ensuring that there is appropriate political approval is essential to the success of the Plan;
- **Managerial** – It is vital to the success of the Property Asset Management Plan that high level managerial support is in place across all services;
- **Budgetary** – In dealing with construction projects and maintenance there is considerable expenditure on items where the price is influenced by external factors. These include fuel costs, material costs and professional fees. Unforeseen increases in these could lead to the full implementation of this plan being compromised;
- **Legislative** - changes in statutory compliance regulation may mean that certain properties are no longer compliant for use. This would mean unplanned increased costs to make them compliant, or the potential closure of buildings. There could also be changes that affect construction standards thereby increasing costs;
- **Staff Resources** – To progress the various activity themes and projects within the scope of this plan, the appropriate staff resources require to be available.

In terms of scale, each of these risks would have a significant effect on the successful implementation of the Plan. Each has been considered and there are appropriate controls in place to mitigate risks. Whilst it is recognised that there will be instances where each of these will have some impact, whether on specific projects or activity themes, these are not considered to be highly likely, or insurmountable to the overall implementation and success of the plan.

APPENDICES

APPENDIX A - Property Assets Breakdown

The following table details the type and number of properties owned and managed by the Council which are covered by this management plan.

Operational Property

Property Use / Type	No of Properties
Care Homes	4
Cemetery Buildings	17
Civic Amenity Buildings	6
Community Centres and Wings, Village Halls and Community Resources	45
Country Park Buildings	14
Depots & Operational Stores and Industrial Units	24
Day and Disability Centres	5
Family Centres	4
Libraries	7
Nursery Schools and Early Years	12
Operational Offices	12
Partnership Centres	5
Primary Schools	65
Residential Units	5
Secondary Schools	11
Special Schools	5
Sports Pavilions	34
Theatres	2
Homeless and Hostels	14
Miscellaneous	10
West Lothian Leisure	9

Tenanted Non-Residential Property Portfolio (non-operational)

Property Use / Type	No of Properties
Industrial	284
Offices	38
Retail	108

APPENDIX B - Corporate Asset Management Strategy and Property Asset Management Plan Activities and Performance

The following table is provided to identify how the activity themes contained in this plan relate to our corporate priorities and asset management outcomes. The table also identifies the performance impact, when activities are estimated to complete, and who is the responsible officer for their delivery.

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Office Modernisation	Ongoing reviews and modernisation of office accommodation	N/A	N/A	Annually	Estates Manager	Apr-13	Mar-18
Office Modernisation	New Cheviot House; Relocation of vacation of building at lease termination	Sufficiency - Office Accommodation	Improvement	Annually	Estates Manager	Apr-13	Dec-15
Office Modernisation	St David House, Bathgate; renovation	Sufficiency, Suitability & Condition - Office Accommodation	Improvement	Annually	Estates Manager	Apr-13	Apr-14
Office Modernisation	Linlithgow Partnership Centre	Sufficiency, Suitability and Condition - Office Accommodation	Improvement	Annually	Estates Manager	Apr-13	Mar-15

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Office Modernisation	Lomond House, Livingston; Decant usage to support St David House and County Buildings Linlithgow then vacation and demolition	Sufficiency, Suitability and Condition - Office Accommodation	Improvement	Annually	Estates Manager	Apr-13	Mar 15
Office Modernisation	Implementation of further phases of Office Modernisation derived from reviews	Sufficiency, Suitability and Condition - Office Accommodation	Improvement	Annually	Estates Manager	Apr-13	Mar-18
Service Support Accommodation	Review and Design of Service Support Accommodation (Depots and Stores) to develop action plan	N/A	N/A	Annually	Economic Property Development Manager	Apr-13	Mar-14
Service Support Accommodation	Implementation of Action Plan	Condition - Service Support Accommodation	Improvement	Annually	Economic Property Development Manager	Apr-14	Mar-18
Non-Operational Property (Tenanted Non-Residential Property Portfolio)	Review of Tenanted Non-Residential Property Portfolio and development of modernisation plan for different asset types	N/A	N/A	Annually	Estates Manager	Apr-13	Mar-14

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Locality based Service Delivery	Comprehensive review of assets and service delivery requirements. Design of service needs based on localities. Development of implementation plan.	N/A	N/A	Annually	EPD Manager	Apr-13	Mar-14
Locality based Service Delivery (Place Based Review)	Implementation of place based review CIS, Library and Local Housing Offices integration & modernisation projects	Suitability, Sufficiency and Condition	Improve	Annually	EPD Manager	Apr-14	Mar-18
Locality based Service delivery	Review of community assets, third sector property and implementation of community asset transfer policy	Sufficiency	Improve	Annually	Head of Area Services	Oct-13	Mar-18

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Property Services Consolidation	Information collation on property assets, their management, IT systems and resource usage.	N/A	N/A	N/A	Construction and Design Manager	Apr-13	Mar-14
Property Services Consolidation	Reporting and Phased Implementation of consolidation of property related services	N/A	N/A	N/A	Construction and Design Manager	Apr-14	Mar-15
Risk Management & Compliance	Establishing comprehensive compliance logs for all properties	Compliance	Improvement	Annual	Construction and Design Manager	Apr-13	Mar-18
Risk Management & Compliance	Ensuring responsible persons are identified and trained for all property assets	Compliance	Improvement	Annual	Construction and Design Manager	Apr-13	Mar-18
Risk Management & Compliance	Ensuring responsible persons and compliance frameworks are in place for properties owned by the Council but managed by third parties.	Compliance	Improvement	Annual	Estates Manager	Apr-13	Mar-18
Risk Management & Compliance	Implementation of risk based prioritisation of planned and reactive maintenance works	Condition	Improvement	Annual	Construction and Design Manager	Apr-13	Mar-15

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Risk Management & Compliance	Co-ordination of implementation of Council insurers and loss adjusters report recommendations to mitigate risks from ownership and management of property assets as required	Compliance and Condition	Improvement	Annual	Asset Manager	Apr-13	Mar-18
Information Management	Full implementation of Atrium asset management software phase 1 (asset register and capital accounting)	N/A	N/A	Annual	Asset Manager	Apr-13	Oct-13
Information Management	Complete development and implementation of Atrium asset management software phases (compliance, assessment, helpdesk works delivery, valuation and performance etc)	N/A	N/A	Annual	Asset Manager	June-13	Mar-15
Information Management	Full implementation of corporate GIS based property terrier records (ownership)	N/A	N/A	Annual	Asset Manager (* corporate IT project)	Apr-13	Mar-15
Information Management	Development of whole life approach to management of property assets	N/A	N/A	Annual	Asset Manager	Apr-14	Mar-18

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Resource Deployment and Financial Planning	Development and Implementation of consistent corporate property project management approach (incorporating key stage reviews, budget monitoring and post project evaluation) for property asset projects (including training) as appropriate	N/A	N/A	Annual	Asset Manager	Apr-13	Mar-15
Resource Deployment and Financial Planning	Identify and develop consistent maintenance standards and processes	Condition	Improvement	Annual	Construction and Design Manager	Oct-13	July-14
Resource Deployment and Financial Planning	Review of reactive maintenance prioritisation (link to PAM6)	Condition	Sustain	Annual	Construction and Design Manager	Apr-13	Mar-14
Resource Deployment and Financial Planning	Review of cyclical maintenance contracts (i.e. PAT, Gas Safety etc)	Compliance	Sustain	Annual	Construction and Design Manager	Apr-13	June-14
Resource Deployment and Financial Planning	Review building maintenance costs to ensure value for money	Sustainability	Improve	Annual	Construction and Design Manager	Apr-13	Mar-18

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Resource Deployment and Financial Planning	Development and implementation of warranty and guarantee database within Atrium for all works and link to works delivery instructions (PAM7)	Sustainability	Improve	Annual	Construction and Design Manager	Apr-14	Mar-15
Resource Deployment and Financial Planning	Development and implementation of standardised design, specification and installation of components	Sustainability	Improve	Annual	Construction and Design Manager	Apr-14	Mar-18
Resource Deployment and Financial Planning	Review and implementation of standardised procedures for property changes (i.e. rates, utilities bills)	N/A	N/A	Annual	Economic Property Development Manager	Apr-14	Mar-15
Partnership Working	Development of Partnership Property implementation plan	Sustainability	Improve	Annual	Asset Manager	Apr-13	Mar-14
Partnership Working	Development and implementation of shared property assets management protocols	Compliance	Improve	Annual	Asset Manager	Apr-13	Mar-15

Activity Theme Performance and Timescales							
Activity Theme	Activity Description	Main Corporate Asset Management Performance Outcomes	Performance Impact	Progress / Performance Reported	Owner	Start	End
Energy and Sustainability	Development and implementation of a suite of policies and projects to reduce energy consumption in property assets	Sustainability	Improve	Annual	Energy Manager	Apr-13	Mar-18
Energy and Sustainability	Development and implementation of a suite of policies and projects to increase sustainable energy generation utilising property assets.	Sustainability	Improve	Annual	Energy Manager	Apr-13	Mar-18

APPENDIX C – General Services Capital Programme 2013/14 to 2017/18 (Property)

PROPERTY ASSETS - CAPITAL BUDGET 2013/14 TO 2017/18

	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017-18 £'000	Total £'000	Outcome	Corporate Priority
<u>Planned Improvements and Statutory Compliance</u>								
<u>Schools Planned Improvements</u>								
Nursery Schools	100	116	100	150	216	682	Condition & Suitability	3. Improving attainment and positive destinations for school children
Primary Schools	2,205	2,250	2,400	2,400	2,400	11,655		
Secondary Schools - Total	500	961	1,050	1,300	2,200	6,011		
Special Schools - Total	160	349	200	400	381	1,490		
School Estate Wide Improvements	100	100	100	100	100	500		
Schools Planned Improvements - Total	3,065	3,776	3,850	4,350	5,297	20,338		
<u>Operational Buildings Planned Improvements</u>								
Arts Venues	20	50	20	20	20	130	Condition and Suitability	8. Protecting the built and natural environment
Care Homes	10	180	180	260	200	830		4. Improving the life of older people
Cemeteries	10	10	10	10	10	50		8. Protecting the built and natural environment
Civic Amenity Sites	14	0	0	0	0	14		8. Protecting the built and natural environment
Community Centre & Halls	365	310	310	310	310	1,605		8. Protecting the built and natural environment

	Budget	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000	Outcome	Corporate Priority
Country Parks		60	45	20	20	20	165		8. Protecting the built and natural environment
Depots		0	0	0	100	100	200		8. Protecting the built and natural environment
Disability Day Centres		10	50	50	50	100	260		7. Delivering positive outcomes on health
Family Centres		22	20	30	30	30	132		1. Delivering positive outcomes and early intervention for early years
Refuge Hostels		10	30	30	30	30	130	Condition and Suitability	6. Reducing crime and improving community safety
Libraries - Total		10	10	30	30	40	120		8. Protecting the built and natural environment
Operational Industrial / Business Units		25	100	25	25	25	200		8. Protecting the built and natural environment
Partnership Centres		246	146	150	150	150	842		7. Delivering positive outcomes on health
Youth Residential Units		20	20	20	20	20	100		8. Protecting the built and natural environment
Sports Pavilions		10	20	30	50	100	210		7. Delivering positive outcomes on health
Miscellaneous Properties		136	136	140	140	140	692		8. Protecting the built and natural environment
Operational Buildings Planned Improvements - Total		968	1,127	1,045	1,245	1,295	5,680		
Operational Offices		100	100	200	216	320	936	Condition and Suitability	8. Protecting the built and natural environment
Tenanted Non Residential Properties Planned Maintenance		100	100	200	250	300	950		8. Protecting the built and natural environment
Planned Improvements Total		4,233	5,103	5,295	6,061	7,212	27,904		

	Budget	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000	Outcome	Corporate Priority
<u>General Statutory Compliance</u>									
Air Quality		40	40	40	40	40	200	Compliance	8. Protecting the built and natural environment
Asbestos Management		100	100	100	100	100	500	Compliance	8. Protecting the built and natural environment
Chimney Safety Inspections & Lightning Protection		25	25	25	25	25	125	Compliance	8. Protecting the built and natural environment
Control of Legionella		100	100	100	100	100	500	Compliance	8. Protecting the built and natural environment
Disability Discrimination Act Compliance / Additional Support Needs		200	550	800	1,123	1,263	3,936	Accessibility	8. Protecting the built and natural environment
Door Access Systems		50	100	100	225	225	700	Compliance	8. Protecting the built and natural environment
Electricity at Work		100	100	100	50	50	400	Compliance	8. Protecting the built and natural environment
Fire Precautions		250	250	250	250	250	1,250	Compliance	8. Protecting the built and natural environment
Gas Network Safety		50	50	50	50	50	250	Compliance	8. Protecting the built and natural environment
Hazardous Substances Detection		25	25	25	25	25	125	Compliance	8. Protecting the built and natural environment
Pressure Vessels		10	10	10	10	10	50	Compliance	8. Protecting the built and natural environment
Water Quality and Hydrants		15	15	15	15	15	75	Compliance	8. Protecting the built and natural environment
General Statutory Compliance Total		965	1,365	1,615	2,013	2,153	8,111		
Planned Improvements and Statutory Compliance Total		5,198	6,468	6,910	8,074	9,365	36,015		

	Budget	2013/14	2014/15	2015/16	2016/17	2017/18	Total	Outcome	Corporate Priority
		£'000	£'000	£'000	£'000	£'000	£'000		
<u>Property Projects</u>									
<u>Schools</u>									
Schools General Projects									
Beatlie School, Craigshill		100	100	400	400	0	1,000	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Burnhouse School, Whitburn		100	0	0	0	0	100	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Cedarbank		10	470	0	0	0	480	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Howden St Andrews School Improvements		0	250	0	0	0	250	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Meldrum Primary School		207	0	0	0	0	207	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
New School Breich		1,200	0	0	0	0	1,200	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Pinewood		10	700	90	0	0	800	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Renewables (School Estate)		273	284	0	0	0	557	Sustainability	8. Protecting the built and natural environment
School Estate Suitability Assessments		80	0	0	0	0	80	Suitability	3. Improving attainment and positive destinations for school children
St Mary's Primary School Bathgate		0	0	0	1,000	0	1,000	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
Sports Provision		50	300	9,650	0	0	10,000	Condition & Sufficiency	3. Improving attainment and positive destinations for school children
West Calder High School									
Schools General Projects - Total		2,030	2,104	10,140	1,400	0	15,674		

	Budget	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000	Outcome	Corporate Priority
Schools Projects - Developer Funded									
Armadale Primary School Extension		735	0	0	0	0	735	Sufficiency	3. Improving attainment and positive destinations for school children
Balbardie Primary School, Bathgate, Extension		1,648	0	0	0	0	1,648	Sufficiency	3. Improving attainment and positive destinations for school children
Bathgate Academy School Capacity		0	0	0	0	1,340	1,340	Sufficiency	3. Improving attainment and positive destinations for school children
Boghall Primary School Extension		754	0	0	0	0	754	Sufficiency & Suitability	3. Improving attainment and positive destinations for school children
East Calder Primary School Extension		0	0	0	0	750	750	Sufficiency	3. Improving attainment and positive destinations for school children
New Primary School, South Armadale		500	1,500	1,430	0	0	3,430	Sufficiency	3. Improving attainment and positive destinations for school children
New Primary School, South Armadale, Phase 2 - Nursery Extension		0	0	0	0	1,000	1,000	Sufficiency	1. Delivering positive outcomes and early intervention for early years
Parkhead Primary School, West Calder		0	0	800	0	0	800	Sufficiency	3. Improving attainment and positive destinations for school children
Simpson Primary School Fit Out, Bathgate		200	70	0	0	93	363	Suitability	3. Improving attainment and positive destinations for school children
St Anthony's Primary School, Armadale, Phase 1 - nursery & phase 1a access road		427	0	0	0	0	427	Sufficiency and Accessibility	1. Delivering positive outcomes and early intervention for early years

PROPERTY ASSETS | MANAGEMENT PLAN 2013/14 to 2017/18

St Anthony's Primary School, Armadale, Phase 2 - extension / hall & classroom	0	0	0	1,300	0	1,300	Sufficiency and Suitability	3. Improving attainment and positive destinations for school children
St Nicholas Primary School , Broxburn, Extension	260	700	800	0	0	1,760	Sufficiency Sufficiency and Accessibility	3. Improving attainment and positive destinations for school children
St Pauls Primary School, East Calder, Phase 1 - Extension & Footpath	0	120	0	0	0	120	Sufficiency and Suitability	3. Improving attainment and positive destinations for school children
Winchburgh / Holy Family Extension	0	0	0	0	500	500	Sufficiency and Suitability	3. Improving attainment and positive destinations for school children
Winchburgh Secondary School Feasibility	25	0	0	0	0	25	Sufficiency Suitability and Accessibility	3. Improving attainment and positive destinations for school children
Windyknowe MUGA and Improved Access	60	288	0	0	0	348	Sufficiency Suitability and Accessibility	3. Improving attainment and positive destinations for school children
Schools Projects - Developer Funded - Total	4,609	2,678	3,030	1,300	3,683	15,300		
Schools Total	6,639	4,782	13,170	2,700	3,683	30,974		

	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000	Outcome	Corporate Priority
Operational Buildings								
Armadale Partnership Centre	50	950	0	0	0	1,000	Sufficiency and Suitability	1. Delivering positive outcomes and early intervention for early years
Beebraigs Visitor Centre	25	175	0	0	0	200	Condition	8. Protecting the built and natural environment
Blackburn Partnership Centre	50	1,000	1,883	0	0	2,933	Condition and Suitability	7. Delivering positive outcomes on health
Boghall Community Wing	1,200	0	0	0	0	1,200	Sufficiency and Suitability	1. Delivering positive outcomes and early intervention for early years
Community Property Integration and Modernisation	100	450	750	650	550	2,500	All	All
East Calder Partnership Centre	25	100	1,319	1,243	0	2,687	Sufficiency and Suitability	7. Delivering positive outcomes on health
KGV Pavilion, Whitburn	0	900	0	0	0	900	Condition and Sufficiency	7. Delivering positive outcomes on health
Kirknewton Changing Pavilion	0	0	0	550	0	550	Sufficiency	7. Delivering positive outcomes on health
Knightsbridge Changing Facility, Livingston	60	0	0	0	0	60	Sufficiency and Suitability	7. Delivering positive outcomes on health
Linlithgow Partnership Centre	450	50	0	0	0	500	Suitability and Sufficiency	8. Protecting the built and natural environment
Livingston Registry Office	20	0	0	0	0	20	Suitability	8. Protecting the built and natural environment
Lowport	0	500	0	0	0	500	Condition and Suitability	7. Delivering positive outcomes on health

	Budget	2013/14	2014/15	2015/16	2016/17	2017/18	Total	Outcome	Corporate Priority
		£'000	£'000	£'000	£'000	£'000	£'000		
Outdoor Changing Pavilions - Armadale		0	974	0	0	0	974	Sufficiency	7. Delivering positive outcomes on health
Rosemount Court, Bathgate		1,970	4,375	0	0	0	6,345	Sufficiency and Suitability	4. Improving the life of older people
Stoneyburn Community Centre		0	150	0	0	0	150	Condition and Suitability	8. Protecting the built and natural environment
Uphall KGV Changing Pavilion		0	200	0	0	0	200	Suitability	7. Delivering positive outcomes on health
Uphall Station Changing Pavilion		0	100	0	0	0	100	Sufficiency and Suitability	7. Delivering positive outcomes on health
Whitburn Partnership Centre		0	0	750	1,500	2,750	5,000	Suitability and Condition	7. Delivering positive outcomes on health
Winchburgh Partnership Centre		0	0	0	0	1,000	1,000	Sufficiency and Suitability	7. Delivering positive outcomes on health
Youth Theatre, Craigshill		50	0	0	0	0	50	Condition	8. Protecting the built and natural environment
Operational Buildings Projects - Total		4,000	9,924	4,702	3,943	4,300	26,869		
Office Modernisation Projects - Total		650	2,300	2,550	250	50	5,800	Compliance, Condition & Suitability	8. Protecting the built and natural environment
Energy Savings and Spend to Save - Total		339	1,197	1,245	1,097	20	3,898	Sustainability	8. Protecting the built and natural environment

	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000	Outcome	Corporate Priority
Miscellaneous Projects								
Armadale Community Families Project	105	0	0	0	0	105	Sufficiency	1. Delivering positive outcomes and early intervention for early years
Asset Management Plan - Atrium, new asset register	13	0	0	0	0	13	Compliance	8. Protecting the built and natural environment
Craigsfarm Community Asset Transfer	25	100	0	0	0	125	Condition	8. Protecting the built and natural environment
Local Infrastructure Fund	1,000	1,200	1,200	1,200	876	5,476	Sufficiency	8. Protecting the built and natural environment
Tenanted Non Residential Property Portfolio (Spend to Invest)	282	281	0	0	0	563	Suitability	8. Protecting the built and natural environment
Miscellaneous Projects - Total	1,425	1,581	1,200	1,200	876	6,282		
Property Projects Total	13,053	19,784	22,867	9,190	8,929	73,823		
TOTAL PROPERTY ALLOCATION	18,251	26,252	29,777	17,264	18,294	109,838		

Finance and Estates **Property Asset Management Plan** **2013/14 to 2017/18**

Donald Forrest
Head of Service

April 2013

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West Lothian
Council

COUNCIL EXECUTIVE

DELIVERING EFFECTIVE PROCUREMENT

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

The purpose of the report is to allow the Council Executive to consider proposals relating to the Delivering Effective Procurement workstream.

B. RECOMMENDATIONS

It is recommended that the Council Executive:

- a) Approves the Corporate Procurement Strategy, as set out in Appendix 1 of the report
- b) Agrees that officers should prepare a five year procurement delivery plan, and more detailed annual delivery plans, as set out in section 3 of the report
- c) Agrees that a report of the delivery plans should be presented to the Partnership and Resources Policy Development and Scrutiny Panel (PDSP) after the summer recess, that progress against the delivery plan should be reported to the PDSP annually and that the annual plans for the forthcoming year should be reported to the PDSP in advance of the start of the financial year
- d) Approves the Community Benefits Procedure, as set out in Appendix 2 of the report, noting that it will be added as an appendix to the Corporate Procurement Procedures
- e) Agrees the recommendations set out in section 5.1 of the report relating to Social Policy procurement and works procurement
- f) Approves the following recommendations, as set out in section 5.1, reflecting the proposed change to one responsible officer for procurement:
 - Approves the necessary changes to the council's Standing Orders for the Regulation of Contracts to reflect the transfer of all procurement activity into the Corporate Procurement Unit, in particular the change from three Responsible Officers for services, works and CHCP contract procurement to one (Head of Finance & Estates)
 - Authorises the Chief Solicitor, in consultation with the Head of Finance and Estates, to make those necessary amendments to the council's Standing Orders for the Regulation of Contracts, and to publish those changes, to take effect from 1 July 2013

- Approves a corresponding change to the Scheme of Delegation to Officers
- g) Approves the category management structure set out in section 5.2 of the report
- h) Notes that changes proposed to the council's Standing Orders for the Regulation of Contracts in relation to low value contracts and exemptions from Standing Orders, as set out in section 5.3, shall be subject to and form part of a fuller review of those Standing Orders to be carried out through Working Group on Contracts Standing Orders and the Corporate Procurement Board
- i) Approves the process for supplier financial reviews, as set out in section 5.4 of the report
- j) Approves a review of approval levels for contracts, as set out in section 5.5 of the report

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; making the best use of our resources; working in partnership.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The proposals in the report will assist in ensuring that the council complies with procurement legislation.
III	Implications for Scheme of Delegations to Officers	Under the proposed move to a fully corporate procurement system, the Head of Finance and Estates would become responsible for all procurement activity in the authority. Appropriate changes would be required to the scheme of delegation and the Standing Orders for Contracts.
IV	Impact on performance and performance indicators	The Corporate Procurement Strategy sets out a range of performance indicators that will be used via Covalent to monitor performance.
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)	The proposed strategy provides a framework for procurement from 2013/14 to 2017/18. Total target savings of £2.9 million are proposed for the five years.
VII	Consideration at PDSP	The strategy, plans, procedures and proposed modernisation changes were considered by the Partnership and Resources PDSP on 24 May 2013.

The PDSP was content for the report to proceed to the Council Executive. Following feedback from the PDSP, information on the types of community benefits that could be aimed for has been added to the community benefit procedure.

A report on the implications of incorporating a living wage into council contracts was considered by the Partnership and Resources PDSP in September 2011. The PDSP noted the advice set out in the report that it would not be legal for the council to include a general requirement for a living wage in council contracts.

VIII Other consultations

The proposals in this report build on the Delivering Effective Procurement workstream which was included in the Delivering Better Outcomes consultation. The proposals have been subject to consultation with council services.

D. TERMS OF REPORT

1. Introduction and Background

Following the Delivering Better Outcomes consultation, the Council in January 2013, approved a Corporate Plan that was based on eight priorities. The Corporate Plan outlined that the priorities would be delivered via nine workstreams, one of which was Delivering Effective Procurement.

The Council also approved a revenue budget strategy in January 2013 which included agreement that officers should further develop the nine workstreams, as part of the council's financial strategy.

As set out in the revenue budget report, the council buys a large variety of goods, services and works from many different suppliers and providers. It was noted that the council would continue to review what it purchases to make sure that the appropriate quantity and quality of supplies, services and works are purchased, at the right price. This was to include the development of a corporate procurement approach throughout the council and preparation of five years plans for procurement.

The development of future plans for procurement builds on previous activity designed to improve procurement performance. A report to the Partnership and Resources PDSP outlined the progress that was made to March 2013 in meeting the recommendations of the modernising procurement review agreed by Council Executive in June 2011 and the objectives of the Procurement Strategy for 2011 to 2014.

The report showed that the majority of the recommendations and objectives were achieved and noted that the outstanding items had been taken into account in the strategy from 2013 onwards.

As agreed by Council in January 2013, officers have been working on a procurement strategy and other proposals that will enable the council to successfully deliver effective procurement. This report sets out for consideration by the Council Executive a corporate procurement strategy, a methodology for procurement delivery plans, a community benefits procedure, and other proposed changes designed to assist in securing a modernised, comprehensive and fully corporate approach to procurement by the council.

2. Corporate Procurement Strategy

Using the standard template, officers have developed a Corporate Procurement Strategy for 2013/14 to 2017/18 that is intended to provide the overall framework for advancing the Delivering Effective Procurement workstream. The strategy has been developed in line with the Corporate Plan, and has been influenced by the Delivering Better Outcomes consultation.

Recognising that effective and efficient procurement will positively support West Lothian Council in achieving its priorities, the strategy provides a corporate vision, direction and focus for all the procurement activities in the authority.

The strategy document is in three sections:

- Overview
- Council Priorities
- Strategy Outcomes

The overview provides information on the context, how the strategy has been developed and on the ownership and scope of the strategy.

The priorities section demonstrates how the procurement strategy will contribute the council's eight priorities.

The strategy outcomes section sets six outcomes that will support the council's vision for procurement which is 'to achieve superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders'. The six strategy outcomes are:

- Savings – target savings of £2.9m are proposed over the five years
- Contracts – ensuring that there is a contract in place for all spending that can be influenced by procurement
- Compliance – ensuring that procurement complies with statutory and regulatory requirements and council standing orders
- Accessibility – improving opportunities for local businesses, micro, small and medium enterprises, voluntary organisations and social enterprises
- Community Benefits – maximising the benefits to the community through procurement activities
- Sustainability – ensuring the council maximises the benefits delivered from Sustainable Procurement, including promoting the Living Wage

In relation to the sixth strategy outcome on sustainability, officers have taken account of the previous report to Partnership and Resources PDSP in September 2011 on the living wage and council contracts, which outlined that EU procurement rules and EU Treaty principles mean that it would not be legal to place a general requirement on suppliers to pay a living wage. Accordingly, the strategy and associated actions will focus on ways of encouraging suppliers to pay a living wage.

The delivery of the six outcomes will be progressed via key activities and will be monitored by appropriate performance indicators. The strategy includes an action plan showing the work that will be undertaken to advance each outcome.

The proposed strategy is attached in Appendix 1 for consideration.

3. Procurement Delivery Plans

3.1 Purpose of the plans

To facilitate the implementation of the procurement strategy, it is proposed that five year delivery plans will be produced for each procurement category, with a more detailed annual plan also being prepared.

The purpose of the plans is to establish a coherent, consistent and achievable programme of procurements to support the council's aims and objectives. The plans will provide a summary of the analysis that has been performed with regard to the future procurement contracting activity within the council

3.2 Preparation and Content of the Plans

Before considering individual procurement requirements, service areas will plan and develop their own service plans or commissioning strategies which will determine the overall direction for that service.

The category management procurement structure that is now in place means that procurement officers are dedicated to a particular category with responsibility for specific commodities. This enables service areas to have specific contacts within the Corporate Procurement Unit and ensures that Corporate Procurement is fully involved in service developments. It also enables the Corporate Procurement to promote the benefits of procurement in service areas and encourages consideration of procurement activity from the very outset.

To help both service areas and the Corporate Procurement Unit to identify the current provision and future requirements of supply, service and works contracts, the Corporate Procurement Unit has been working with services to develop the five year delivery plans.

This includes identifying all procurement requirements, recording all planned cashable savings and identifying where community benefits can be delivered.

The plans are being generated from data contained within the Corporate Contract Management System, general ledger spend classified through the Scottish Government's Spikes Cavell system, and information provided by services.

Considerations have been given to the following:

- A detailed analysis of all council expenditure with external providers, which can be influenced by procurement activity
- Identification of existing council contracts and analysis of their use
- Identification of spend not contributed to a contract
- Plan of future procurement activity and the identification of potential procurement cashable savings
- Identification and implementation of potential Community Benefit clauses for use within contracts

All council officers with responsibility for creating contracts have been involved in agreeing these plans.

3.3 Review and Monitoring of the Plans

If the Corporate Procurement Strategy and other associated proposals within this paper are approved by Council Executive, the intention would be to report further information on the procurement delivery plans to the Partnership and Resources PDSP after the summer committee recess, including the annual plans for 2013/14.

In future, it would be proposed to report to the PDSP on progress and review the five year delivery plan each year, and also to set out the proposed annual plan for the forthcoming year in advance of the start of the financial year.

Corporate procurement activity updates, including progress against the annual plans, will continue to be reported on a quarterly basis to the Council Executive.

In conclusion, the procurement delivery plans will represent a major step forward in pro-active planning of procurement activity in the council.

4. Community Benefits

The council is committed to maximising Community Benefits from its procurement activities and considering Community Benefits in line with Corporate Plan priorities.

The council's Corporate Procurement Procedures took effect from 1 June 2012 and stipulate a mandatory requirement that a Contract Strategy be created for each new contract.

The aim of the Contract Strategy is to facilitate best practise and to assist with the maximisation of procurement benefits. Community benefits can take multiple forms, e.g. targeted recruitment and training, supply chain initiatives, community consultation, local events and local sponsorship. Subsidies may also be provided through public sector partnership to support recruitment and training.

Although examples of Community Benefits are listed within the Contract Strategy Development Guidance, it has been recognised that further support is required to enable officers to deliver Community Benefits through procurement contracts.

To gain an understanding of incorporating Community Benefits within procurement contracts, consultations have taken place with Fife Council, Falkirk Council and North Lanarkshire Council due to their extensive work completed to date in this area. Ready for Business, an organisation funded by the Scottish Government to help develop markets for Third Sector providers and increase the number of Public Sector contracts arranged with social value content, has also provided assistance through Community Benefit workshop facilitation, and further consultation will take place with Ready for Business on developing future contracts with increased social value content

As part of these deliberations, a Community Benefit Lead Officer has been established within the Corporate Procurement Unit and a 'Community Benefits in Procurement' procedure has been created which it is proposed would apply to all contracted spend of £50,000 and above. This would cover an estimated 86% of all contracted spending and takes account of best value considerations in balancing potential community benefit against the time and cost that would be incurred with smaller value contracts.

The community benefits in procurement procedure includes seven sections as follows:

- Introduction
- Community Benefits Commitment
- Identifying Potential Community Benefits
- Transparency and Non-Discrimination
- Inclusion of Community Benefits
- Implementation of Community Benefits
- Monitoring the Delivery of Community Benefits

Within the procedure there is a separate process for construction contracts, where it is proposed to adopt the National Skills Academy for Construction Client Based approach. The proposed procedure is attached in Appendix 2 for consideration.

To assist officers in the identification of suitable benefits and the incorporation of such requirements within the formal tendering process, the Community Benefits in Procurement procedure identifies options for including community benefits within contracts.

The procedure also refers to officers within the council that can support the identification and ongoing monitoring of Community Benefit implementation.

If agreed by the Council Executive, it would be proposed that the Community Benefits in Procurement is added as an appendix to the Corporate Procurement Procedures.

Details of the Community Benefits delivered through contracts will be reported in the quarterly procurement report to the Council Executive.

5. Modernisation of Procurement

To properly support the effective delivery of the corporate procurement strategy, the procurement delivery plans and the community benefits procedure, it is essential that the council's structure and processes relating to procurement continue to be modernised. In this regard, various developments are proposed and these are set out below.

5.1 Corporate Procurement

As part of the previous Modernising Procurement Review in 2011, it was agreed that the position for Social Policy and Works procurement would be reviewed to assess scope for further moves to a corporate structure. Detailed consideration and analysis has been undertaken for both areas and a summary of the proposals is set out below:

Social Policy

During the review it has been agreed by all involved that there is clear distinction between, procurement, commissioning and contract monitoring and this has informed the key recommendations for Social Policy procurement, which are set out below:

- A roles and responsibilities procedure should be agreed between Social Policy and Corporate Procurement, setting out who is responsible for activities
- It is proposed that procurement work required as part of a tendering exercise should be carried out by the procurement professional, allowing for consistency whilst complying with policy, governance legislative requirements. Accordingly, it is proposed that procurement of Social Policy contracts form part of the Corporate Procurement Unit.
- It is also proposed that Social Policy remain involved in the drafting of any tender, by providing the specification and assisting with the selection and award criteria and evaluation.
- Commissioning and Contract Monitoring are activities which deal with the service an individual or service requires and, as this is clearly a Social Policy remit, it is recommended that it remains with Social Policy
- The existing Contracts Advisory Group is assessed as working effectively and it is recommended that this remains in place

Works

Discussions in this area focussed around procurement within Housing, Construction and Building Services and Operational Services. The key recommendations for procurement in these areas are set out below:

- A roles and responsibilities procedure should be agreed between Housing, Construction and Building Services, and Operational Services and Corporate Procurement, setting out who is responsible for activities.
- It is proposed that procurement work required as part of a tendering exercise should be carried out by the procurement professional, allowing for consistency whilst complying with policy, governance legislative requirements. Accordingly, it is proposed that procurement of Housing, Construction and Building Services procurement forms part of the Corporate Procurement Unit, noting that for some areas of work this is likely to require an appropriate lead in time.
- Similarly to Social Policy, it is proposed that the Corporate Procurement Unit is responsible for procurement tasks and that the key service related activity remains with the service.
- A Contracts Advisory Group should be set up to cover Housing, Construction and Building Services, and Operational Services contracts

If the proposed developments in procurement in relation to Social Policy and works are agreed, appropriate alterations would be required to the scheme of delegation, standing orders for contracts and the annual statements of compliance in relation to procurement. An immediate change would be made to Standing Orders and the Scheme of Delegations to Officers to reflect the incorporation of all procurement activity into the Corporate Procurement Unit and the designation of the Head of Finance & Estates as the sole “Responsible Officer”.

Related recommendations about the change to one Responsible Officer are as follows:-

- To approve the necessary changes to the council’s Standing Orders for the Regulation of Contracts to reflect the transfer of all procurement activity into the Corporate Procurement Unit, in particular the change from three Responsible Officers for services, works and CHCP contract procurement to one (Head of Finance & Estates)
- To authorise the Chief Solicitor, in consultation with the Head of Finance & Estates, to make those necessary amendments to the council’s Standing Orders for the Regulation of Contracts, and to publish those changes, to take effect from 1 July 2013
- To approve a corresponding change to the Scheme of Delegations to Officers

Any changes to service structures and staffing arrangements would be made in accordance with agreed council policies and procedures and with the appropriate consultation with trade unions and staff. The move to a new structure will also take account of a range of operational factors such as the need for training, proper deployment of resources and so on.

5.2 Category Management Structure

Taking account of the proposed move to a fully corporate procurement unit, the following category structure is recommended. This would eliminate any overlap within category teams, would ensure services work with a single category manager, and links clearly with the council service structure.

<i>Current Responsibility</i>	<i>Category</i>	<i>Proposed Category Responsibility</i>
<i>Transport, Environment and Leisure</i>		<i>Operational Services</i>
<i>Construction and Facilities Management</i>		<i>Housing, Construction and Building Services</i>
<i>Social Policy & Education</i>		<i>Education & Libraries</i>
<i>Social Policy & Education</i>		<i>Social Policy (new Category Manager)</i>
<i>Corporate</i>		<i>Corporate</i>

As part of the arrangements, regular meetings would take place between Corporate Procurement and relevant senior management within each service area to ensure they are aware of the work which is being undertaken by Corporate Procurement in partnership with their teams. These meetings would include an update on the target and achieved savings, the programme of procurement works for the year, risks to contract delivery, including mitigation of risk, purchase to pay issues (if applicable) and other relevant issues.

5.3 Spend Levels

Within Contract Standing Orders, the process for dealing with spend between £1,000 and £49,999 is to obtain three quotations from the Public Contract Scotland's Quick Quote facility. Spend below £1,000 requires two quotes to be obtained. This provides requisite competition, however if the service has identified that there is only one supplier who can provide a quotation, an exemption to standing orders is required, including for spend under £1,000. The processing of exemptions for relatively small value expenditure is low risk and not a good use of valuable resource time.

As part of the Delivering Better Outcomes Survey, many responses were received in relation to the level set for quick quotes and the time involved in obtaining these. For such a small amount of spend, this process appears to cause a lot of additional work, potentially not best value for low spend.

It is therefore proposed that, at the next review of Standing Orders, in addition to other operational issues which may have been identified, that all spend from £1,000 to £5,000 is carried out by obtaining three quotes. These quotations do not have to be obtained through Quick Quote, but should be obtained in writing or e-mail and recorded.

All spend from £5,000 to £49,999 would continue to require three quotes to be sought via the Quick Quote facility.

It is also proposed that the responsibility for approving exemptions from Standing Orders for spend under £5,000 is transferred from the Chief Executive to the relevant Head of Service. To ensure an adequate level of control of the relaxed procedure, only Heads of Service would have the power to do so, and they would not be permitted to delegate that power to other officers in their service. Such authorisations would be subject to similar safeguards as presently exist in relation to the Chief Executive's exercise of that power under Standing Order 2.3.

These changes to procurement of low value contracts are not proposed to take effect immediately, and do not require an immediate amendment to Standing Orders. The intention is that the changes proposed to the council's Standing Orders for the Regulation of Contracts in relation to low value contracts and exemptions from Standing Orders shall be subject to and form part of a fuller review of those Standing Orders to be carried out through Working Group on Contracts Standing Orders and the Corporate Procurement Steering Board

5.4 Supplier Financial Reviews

Within the council's Corporate Procurement Procedures which supplement the standing orders it states that:

"A full financial appraisal must be carried out on the winning bidder(s) for all medium and high risk contracts prior to the award of the contract. The financial stability of medium and high risk contract suppliers must also be carried out during the course of the contract. The Financial Management Unit must be given notification at the start of the contract when scheduled checks will take place."

It is recommended that control in this area will be improved by ensuring that there is a clear documented definition of 'risk' so that financial evaluations are consistently carried out. It is also proposed that at either Pre Qualification Questionnaire (PQQ) stage or stage 1 of the selection criteria of an invitation to tender (ITT), a financial level is set by using the Dun and Bradstreet financial ratings. This shall be documented in the contract notice and within the PQQ or ITT to ensure suppliers are aware of this requirement. A financial level / risk level would be set to allow the Corporate Procurement Unit to use the Dun and Bradstreet web site to check the financial status of each supplier. If the supplier is not at the level required, it is proposed that the Financial Management Unit would verify a supplier's financial stability.

5.5 Council Procurement Systems– Approval levels / approval of contracts

The council uses a number of systems to place orders with suppliers, e.g. PECOS, AXIM, Recorder and, in the near future, OPEN Contractor and Trapeze. In each system, a requisitioner completes an order which is passed for approval prior to being transmitted to the supplier. To assist with control, it is recommended that the procurement systems should consistently stipulate financial limits to which an approver can authorise. It is also proposed that Audit and Risk review all approvers within the council's procurement systems, to ensure that only authorised staff are authored to approve spend and purchase orders/ requisitions in line with their financial limits set by the council.

The proposals in this report were discussed at the Partnership and Resources PDSP on 24 May 2013, which noted the intention to report to the Council Executive for approval. Following discussion at the PDSP, examples of the type of community benefits that will be targeted have been added to the community benefit procedure.

E. CONCLUSION

The report sets out a proposed Corporate Procurement Strategy, a methodology for Procurement Delivery Plans, a Community Benefits Procedure and developments that are aimed at further modernising procurement, all of which are intended to enable the council to progress the Delivering Effective Procurement workstream in a pro-active way. The Council Executive is accordingly asked to approve the recommendations.

F. BACKGROUND REFERENCES

Delivering Effective Procurement – Report by Head of Finance and Estates to Partnership and Resources PDSP 24 May 2013

Modernising Procurement Review and Corporate Procurement Strategy 2011 to 2014 Final Update – Report by Head of Finance and Estates to Partnership and Resources PDSP 24 May 2013

Corporate Plan – Report by Chief Executive to Council 29 January 2013

Revenue Budget 2013/14 and 2014/15 – Report by Head of Finance and Estates to Council 29 January 2013

Living Wage Condition within Council Contracts – Report by Head of Finance and Estates to Partnership and Resources PDSP 16 September 2011

Appendices / Attachments:

Appendix 1: Corporate Procurement Strategy 2013/18

Appendix 2: Community Benefits in Procurement Procedure

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Donald Forrest
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Date: 4 June 2013

West Lothian Council

Corporate Procurement Strategy 2013/18

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1 Overview

1.1 Foreword

Recognising that effective and efficient procurement will positively support West Lothian Council in achieving its priorities, this strategy provides a corporate vision, direction and focus for all procurement activities in the authority.

The council's vision for procurement is *"to achieve superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders"*. The council's Corporate Procurement Strategy will therefore help to demonstrate best value, continuous improvement, sound performance management, partnership working, community benefits and sustainable development.

This strategy has been developed in line with Council's Corporate Plan which sets West Lothian Council's strategic direction and priorities. Influenced by the consultation the council has undertaken, Delivering Better Outcomes, our Corporate Plan and Procurement Strategy reflect the views, needs and aspirations of the West Lothian community. The plan identifies the outcomes that we aim to achieve, explains how we will deliver these outcomes and sets out the main challenges that we will face across the next four years.

As with all public sector organisations, West Lothian Council is facing significant financial pressures. Council procurement activity will be paramount in delivering service provision that has the greatest positive impact upon the citizens of West Lothian. The Corporate Procurement Strategy provides a clear and consistent framework to ensure that procurement activity supports all services to meet the council's priorities. This strategy advocates the positive role that robust procurement activity has in allowing the council to continue to deliver effective and efficient services.



John McGinty
Leader of West Lothian Council



Graham Hope
Chief Executive West Lothian Council

1.2 Context

To ensure that West Lothian continues to be a great place to live, work, visit and do business, eight priorities have been identified to ensure that investment in service delivery has the biggest and most positive impact on the community.

Following employee costs, procurement activity represents the majority of council expenditure. This places a great emphasis on ensuring that appropriate contracts are in place and deliver best value. West Lothian Council is committed to developing and improving its procurement practices to ensure that procurement activities are as effective and efficient as possible.

The Scottish Government supports this commitment, and their Public Procurement Reform Programme aims to make a positive impact upon public sector purchasing. Now in its third phase, the programme places emphasis on accelerating the pace of procurement change and the delivery of benefits, and embedding improvement initiatives into 'business as usual'. At its heart is the concept of value for money in procurement being an informed balance between cost, quality and sustainability. The current phase of the programme 'Transforming Procurement: Accelerating Delivery' focuses on four key priorities:

- Maximising efficiency and collaboration
- Delivering and demonstrating real cash savings across the public sector
- Improving access to public sector contracts, particularly for small and medium enterprises and the voluntary sector
- Embedding sustainable procurement at the heart of the reform agenda

The Procurement Reform Delivery Group oversees implementation of the Public Procurement Reform Programme. It drives pursuit of the work and changes required to achieve successful delivery of public procurement reform in Scotland. One of the objectives of the procurement reform programme championed by the delivery group is the annual assessment of public procurement capability. Initially assessed in 2009, West Lothian Council has increased its procurement performance year on year. Having been assessed with a "Conformance" status in 2012, the council strives to achieve "Improved Performance" and, eventually, "Superior Performance" over the coming years.

This Corporate Procurement Strategy is vital in delivering the council's procurement activities that support services to contribute to the council's eight priorities. Through the adoption of a strategic approach to procurement, the council will integrate procurement planning as part of the overall business planning process.

1.3 Strategy Development

The Corporate Procurement Strategy has been designed to ensure that procurement contributes to the achievement of the outcomes identified within the council's Corporate Plan, and takes account of the views expressed by the community, partners and stakeholders in the Delivering Better Outcomes consultation.

The priorities within the strategy have been developed based on best practice guidance for procurement within the public sector, as prescribed through Scotland's Public Procurement Reform Programme, whilst also acknowledging the role of procurement in supporting service delivery and realising council priorities.

This strategy provides a framework for the Council to meet the targets defined by the Council and Scottish Government. The Council aims to meet these targets by committing to the following National and Council objectives -

- a. The McClelland Review of Public Sector Procurement in Scotland published in 2006.
- b. The National Best Practice Indicators (BPI's).
- c. The Procurement Capability Assessment (PCA).
- d. Delivering Better Outcomes - The overarching aim is to drive more efficient and effective use of the Council's assets and resources. Nine workstreams, including Procurement, have been identified where redesign, standardisation and sharing, will lead to improvements in efficiency and/or quality.
- e. Procurement Reform Bill

As part of the process to develop the council's five year procurement delivery plan, service users have been consulted to determine their priorities. Through training provided by the Corporate Procurement Unit, services are aware of the role they have in helping to deliver council priorities through procurement activity.

The approach adopted in developing this strategy ensures that it provides sound governance and a framework for the council's Procurement Improvement Plan that will detail the actions necessary to support the continuous improvement in the council's procurement capability, processes and ultimately performance.

1.4 Ownership and Scope of the Strategy

The Corporate Procurement Strategy covers all categories of procurement activity within the council. The council's supplier expenditure has been analysed and assigned to one of five procurement categories covering supplies, services and works. Assigning spend in this manner has led to better engagement and more effective planning of procurement activity, offering opportunities for internal collaboration and greater best value potential.

The council's revenue and capital budgets ensure that supplies, services and works are procured to support service delivery. Details of available budgets for each procurement category are included within the five year procurement delivery plans.

Due to the large and diverse nature of the council's service provision, nearly every citizen, visitor, employee and organisation within West Lothian will be impacted by supplies, services and works procured by the council. Further information on specific procurement activity can be found on the council's website: <http://www.westlothian.gov.uk/business/tendersandcontracts/>.

The Head of Finance and Estates is the owner of the Corporate Procurement Strategy and is responsible for effective and efficient procurement activity at a corporate level. The Head of Finance and Estates also has other key responsibilities in relation to procurement as follows:

- Ultimate responsibility for the actions in relation to procurement of all staff engaged in the procurement and contracting process for all supplies, services and works.
- Ensuring that all staff engaged in the procurement and contracting process are properly authorised to act, are properly trained and supervised, and understand Standing Orders and related Corporate Procurement Procedures, and their compliance.
- Owner of the Corporate Procurement Procedures that complement and support the council's Standing Orders and provide guidance to officers in procuring in accordance with public procurement legislation.

In support of the Head of Finance and Estates role, each procurement category has a Procurement Lead Officer with the following areas of responsibility:

- Approving procurement delivery plans – procurement activity covering five years for their category
- Approving contract strategies for spend >£50,000
- Performance monitoring and management
- Monitoring resource deployment

Heads of Service have ultimate procurement responsibility within their service area although they may delegate their responsibility to a direct report to ensure that day to day management responsibilities are clear and that delegated decision making is undertaken at the appropriate level. The Responsible Officers are as follows:

Procurement Responsible Officers	
Procurement Category	Responsible Officer
Corporate	Head of Corporate Services
Housing, Construction and Building Services	Head of Housing, Construction and Building Services
Operational Services	Head of Operational Services
Social Care	Head of Social Policy
Education & Libraries	Head of Education Development and the Head of Education Quality Assurance

The governance of the Corporate Procurement Strategy is summarised as follows:

Governance		
Group	Governance/Scrutiny Role	Reporting Frequency
Procurement Board	<ul style="list-style-type: none"> Responsible for the direction and scope of the Corporate Procurement Strategy 2013-18 and the Procurement Improvement Plan. Approves all strategies, processes and procedures Monitors the council's performance, progress and performs an annual review against the Strategy's outcomes, actions and activities and improvement plan Approves the council's Five Year Procurement Delivery Plan and Annual Procurement Delivery Plan Monitors the council's progress against the proposed contracts within the Annual Procurement Delivery Plan. Receives and interprets compliance reports with regard to Standing Orders and Corporate Procurement Procedures across the council Promotes the development of the procurement capability of the council 	Quarterly
Working Group for Contract Standing Orders	<ul style="list-style-type: none"> Responsible for the review and update of contract Standing Orders as required by changes to procurement legislation and regulation or as a result of an approved change in council policy / procedure. 	As Required

Governance		
Group	Governance/Scrutiny Role	Reporting Frequency
CHCP Contracts Advisory Group	<ul style="list-style-type: none"> Responsible for the prioritisation and scope of Social Care and Support Services procurement, commissioning and monitoring. Takes action to promote and enforce compliance by the providers of Care and Support Services with qualitative and quantitative contractual standards Considers position regarding the termination or continuation of contracted services 	Six Weekly
Works Contracts Advisory Group	<ul style="list-style-type: none"> Responsible for the prioritisation and scope of Works procurement and contract monitoring. Takes action to promote and enforce compliance with Standing Orders and Corporate Procurement Procedures for Works contracts 	Six Weekly
Working Group for Serious and Organised Crime	<ul style="list-style-type: none"> Responsible for the review of police protocol for sharing of information Takes action to enforce compliance Identifies contracts which will require a focus by the police to try and ensure that no contract is awarded to an offender of serious and organised crime. 	Two Monthly
Partnership and Resources PDSP	<ul style="list-style-type: none"> Consideration of Corporate Procurement Strategy, Five Year Procurement Delivery Plan and Annual Procurement Delivery Plan 	Annually
Council Executive	<ul style="list-style-type: none"> Approval of Corporate Procurement Strategy, Five Year Procurement Delivery Plan, Annual Procurement Delivery Plan and Community Benefits Procedure. Approval of the Corporate Procurement Quarterly Monitoring reports. Approval of contract criteria, as required by Standing Orders. 	Annually / Quarterly/ As Required
Scottish Government	<ul style="list-style-type: none"> Receives and interprets Best Practice Indicator results submitted through the Spikes Cavell hub and monitors West Lothian Council's procurement progress and effectiveness. 	Quarterly
Scotland Excel	<ul style="list-style-type: none"> Assesses the council's progress against the Annual Procurement Capability Assessment Monitors the council's performance against the Corporate Procurement Strategy's outcomes, actions and activities 	Annually

2 Council Priorities

The council has agreed eight priorities in the current Corporate Plan (2013/17) in consultation with the local community, partners, stakeholders and our staff. These priorities, along with three enabler themes, represent all the vital activities that the council will undertake in order to achieve better outcomes for West Lothian.

Figure 1 illustrates where the Corporate Procurement Strategy will *directly* contribute to a council priority or enabler.

Council Priorities	Corporate Procurement Strategy
1. Improving the employment position in West Lothian	✓
2. Improving attainment and positive destinations for school children	✓
3. Delivering positive outcomes and early intervention for early years	✓
4. Improving the quality of life for older people	✓
5. Minimising poverty, the cycle of deprivation and promoting equality	✓
6. Reducing crime and improving community safety	✓
7. Protecting the built and natural environment	✓
8. Delivering positive outcomes on health	✓
Enablers	
Financial planning	✓
Corporate governance and risk	✓
Modernisation and improvement	✓

Figure 1: Council priorities and the Corporate Procurement Strategy

Corporate Procurement can be directly linked with all eight of the council's priorities, as procurement activity will be performed to some extent in their delivery. The council's eight priorities will be supported by Corporate Procurement in the following ways:

Council Priority	Supporting Procurement Categories
1. Delivering positive outcomes and early intervention for early years	<i>Education & Libraries</i> – children and parents within West Lothian are supported by Corporate Procurement through the delivery of contracts that meet their pre-school educational needs.
2. Improving the employment position in West Lothian	<i>All Procurement Categories</i> – the council's five year procurement delivery plan identifies significant expenditure through supplies, services and works contracts. Each contract will have its own strategy developed in compliance with the council's standing orders and corporate procurement procedures and through use of the community benefits procedure will identify community benefits that can be delivered through the implementation of the contract.
3. Improving attainment and positive destinations for school children	<p><i>Education & Libraries</i> – through the provision of contracts for educational IT software, text books, multi-media products and other supplies and materials covering the school curriculum.</p> <p><i>Social Care</i> – development of contracts that support the council in meeting the needs of pupils with additional support for learning requirements in special schools and classes, and in mainstream establishments.</p> <p><i>Housing, Construction and Building Services</i> – arranging contracts for the building, repairs and maintenance of the school estate, open spaces and routes to school supports the investment of quality resources that provide children with an effective learning environment.</p> <p><i>Operational Services</i> – providing contracts that enable access to a free breakfast club for all primary pupils and for secondary pupils with free meal entitlement.</p>
4. Improving the quality of life for older people	<p><i>Social Care</i> – through the provision of contracts Corporate Procurement help to support the high quality health and social care service needs commissioned for West Lothian's older people.</p> <p><i>Housing, Construction and Building Services</i> – arranging contracts for the building, repairs and maintenance of the council's care homes, housing for the elderly, sheltered housing and community facilities that are used by older people.</p>
5. Minimising poverty, the cycle of deprivation and promoting equality	<p><i>Operational Services</i> – providing contracts that enable vehicular access to transport clients that have accessibility limitations.</p> <p><i>Housing, Construction and Building Services</i> – arranging contracts for the building of new homes that are fully accessible for those with disabilities, as well as providing housing for those west Lothian residents on lower incomes.</p>

Council Priority	Supporting Procurement Categories
6. Reducing crime and improving community safety	<i>All Procurement Categories</i> – through partnership working with Police Scotland, Corporate Procurement will share information intelligence and co-ordinate resources to prevent instances of and deter those involved in serious and organised crime. Support will also be provided in the development of contracts that help with the prevention and reduction of crime related acts.
7. Delivering positive outcomes on health	<i>Social Care</i> – through the provision of contracts Corporate Procurement will positively contribute and support the improved outcomes for the citizens of West Lothian <i>Housing, Construction and Building Services</i> – contracts for the building, repair and maintenance of West Lothian partnership centres in conjunction with NHS Lothian and other community health partners.
8. Protecting the built and natural environment	<i>Housing, Construction and Building Services</i> – arranging contracts for the building, repair, maintenance and improvement of social housing, customer service, community facilities and roads appropriate to the needs and preferences of West Lothian residents. <i>Operational Services</i> – delivering transport and contracts that support and sustain economic and population growth help in minimising traffic congestion and environmental deterioration. Waste management contract provision helps West Lothian to improve its waste recycling rates as prescribed in the Scottish Government's Zero Waste Strategy. <i>Corporate</i> – through the provision of contracts for low carbon and renewable energy solutions to support the delivery of council services which have a reduced environmental impact and help to meet the challenging targets for reduced energy consumption and carbon emissions. <i>Education & Libraries</i> - supporting the delivery of contracts library service provision will help to encourage the public to take an active interest in cultural services.

3 Strategy Outcomes

The council's vision for procurement is *“to achieve superior procurement performance through advanced sustainable procurement practices for the benefit of the council and its stakeholders”*. Corporate procurement strategy outcomes are required to enable superior procurement performance in support of achieving corporate priorities and outcomes.

To ensure delivery of each corporate procurement outcome, a number of activities will be performed. A Procurement Improvement Plan will be developed to allocate resources in support of the activities that will deliver the outcomes. This will also help to ensure that activities are prioritised to generate the greatest impact in achieving the desired outcomes.

To demonstrate that activities are being performed, a number of performance indicators will be established and monitored. These indicators will cover all procurement categories.

3.1 Outcome Benefits

A number benefits will be delivered through the corporate procurement strategy outcomes.

3.1.1 Benefits to the Council

- provides a more effective service to customers with greater transparency
- financial and non-financial savings
- preserves public reputation and meets public expectation regarding how contracts are delivered
- builds trust in the quality of information available internally and externally
- supports informed decision and policy making
- ensures compliance with legal requirements
- increases efficiency by ensuring use of standard procurement documentation
- reduces risk of non-compliance and challenge

3.1.2 Benefits for Customers

- all procurements managed appropriately and efficiently
- best value obtained for all procurement requirements
- access to required information quickly and easily
- availability of improved quality and trustworthy information
- more efficient working, making best use of resources
- increases collaborative working- making best use of skills and knowledge
- corporate compliance with responsibilities under legal requirements

The following outcomes demonstrate the effective implementation of the Corporate Procurement Strategy and can be summarised as follows:

- **Savings** - ensuring that the savings identified for the next five years can be achieved through effective procurement activity
- **Contracts** - ensuring that all spend that can be positively influenced by procurement activity has a corresponding contract
- **Compliance** - ensuring that all procurement activity complies with statutory and regulatory requirements
- **Accessibility** - ensuring that contracts can be structured in such as way as to assist wherever practical, local suppliers, micro, small and medium enterprises and the third sector to tender for council business
- **Community Benefits** - ensuring that all relevant contracts are arranged to include community benefits
- **Sustainability** - ensuring that all relevant contracts are arranged to include sustainable procurement requirements

Outcome 1: Savings

Purpose

To ensure that target savings of £2.9 million for the next five years can be achieved through effective procurement activity.

Activities

The main activities that will be undertaken in 2013/18 to achieve this priority outcome are:

- Establishing and managing contracts to ensure delivery of savings targets
- Identifying cashable savings targets for contracts and measure their delivery
- Increasing use of collaborative contracts with other public sector organisations
- Developing and implementing more efficient order and invoice processing techniques

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Percentage of all council expenditure covered by contracts.	77.7%	90%	Finance and Estates Services	Christine Leese-Young
Value of procurement savings achieved through arranged contracts.	£934,000	£2,900,000 (over five years)	Finance and Estates Services	Christine Leese-Young
Percentage of Category A & B contracts that demonstrate Best Value.	N/A	100%	Finance and Estates Services	Christine Leese-Young
Number of collaborative opportunities explored as a percentage of all contracts implemented.	N/A	100%	Finance and Estates Services	Christine Leese-Young

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Number of invoices received electronically as a percentage of the total invoices processed.	39.7%	75%	Finance and Estates Services	Merle Stevenson
Percentage of customers who rated their involvement in planning efficiencies and improvements as good or excellent.	N/A	95%	Finance and Estates Services	Christine Leese-Young

Outcome 2: Contracts

Purpose

To ensure that all spend that can be positively influenced by procurement activity has a corresponding contract and those contracts and their suppliers are managed effectively.

Activities

The main activities that will be undertaken in 2012/18 to achieve this priority outcome are:

- Establishing and managing contracts that meet council requirements and procurement regulations
- Developing opportunities for establishing collaborative contracts with partner organisations
- Implementing framework contracts to increase Best Value
- Developing and implementing supplier and contract management

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Percentage of all council expenditure covered by contracts.	77.7%	90%	Finance and Estates Services	Christine Leese-Young
Percentage of Category A & B contracts that demonstrate Best Value.	N/A	100%	Finance and Estates Services	Christine Leese-Young
Number of collaborative opportunities explored as a percentage of all contracts implemented.	N/A	100%	Finance and Estates Services	Christine Leese-Young
Number of contracts awarded as a framework as a percentage of all contracts implemented.	N/A	20%	Finance and Estates Services	Christine Leese-Young
Percentage of suppliers being managed.	N/A	100%	Finance and Estates Services	Christine Leese-Young
Percentage of suppliers who rated the clarity of contract performance measures as good or excellent.	N/A	90%	Finance and Estates Services	Christine Leese-Young

Outcome 3: Compliance

Purpose

To ensure that all procurement activity complies with statutory and regulatory requirements and the council's standing orders.

Activities

The main activities that will be undertaken in 2013/18 to achieve this priority outcome are:

- Investigating all contract spend to ensure full contract compliance
- Interfacing all legacy systems with PECOS
- Developing and implementing a council wide procurement training strategy
- Utilising the intranet to communicate procurement information across the council

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Percentage of all council expenditure covered by contracts.	77.7%	90%	Finance and Estates Services	Christine Leese-Young
Number of Contract Strategies generated as a percentage of all contracts arranged by West Lothian Council	N/A	100%	Finance and Estates Services	Christine Leese-Young
Number of orders processed through the Corporate Procurement System (PECOS) as a percentage of the total number of orders transmitted to suppliers.	60.8%	100%	Finance and Estates Services	Merle Stevenson
Number of invoices processed through the Corporate Procurement System (PECOS) as a percentage of all invoices processed.	72.2%	100%	Finance and Estates Services	Merle Stevenson
Number of invoices received electronically as a percentage of the total invoices processed.	39.7%	75%	Finance and Estates Services	Merle Stevenson
Performance				

Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Percentage of customers who rated the delivery of procurement fundamentals and EU legislation training and awareness sessions as good or excellent.	N/A	90%	Finance and Estates Services	Christine Leese-Young
Percentage of customers who rated the accessibility of procurement training and awareness sessions as good or excellent.	N/A	90%	Finance and Estates Services	Christine Leese-Young
Percentage of Corporate Procurement Unit staff satisfied with learning and development and performance.	N/A	90%	Finance and Estates Services	Christine Leese-Young
Percentage of customers who rated the ease of access to council contract information as good or excellent	N/A	90%	Finance and Estates Services	Stuart Saunders / Merle Stevenson

Outcome 4: Accessibility

Purpose

To improve opportunities for procurement contract awards to supporting local businesses, micro and small and medium enterprises (SMEs), voluntary organisations and social enterprises.

Activities

The main activities that will be undertaken in 2013/18 to achieve this priority outcome are:

- Promoting tender opportunities and procurement information to the supply chain to reduce barriers to doing business with the council
- Structuring contracts to allow easier access to SMEs, voluntary organisations and social enterprises
- Delivering tender training to SMEs, voluntary organisations and social enterprises

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Percentage of suppliers who rated the ease of access to information about council contract opportunities as good or excellent	N/A	90%	Finance and Estates Services	Christine Leese-Young
Percentage of suppliers who rated the quality and clarity of information contained within tenders as good or excellent	N/A	90%	Finance and Estates Services	Christine Leese-Young
Percentage of suppliers who rated the delivery of procurement training and awareness sessions as good or excellent.	N/A	90%	Finance and Estates Services	Christine Leese-Young

Outcome 5: Community Benefits

Purpose

To ensure that the council is committed to maximising the benefits to its community through its procurement activities and those contracts awarded, Community Benefit clauses are to be included as a consideration at a contract strategy stage, where relevant.

Activities

The main activities that will be undertaken in 2013/18 to achieve this priority outcome are:

- Considering community benefit inclusion for spend equating to £50,000 and above
- Implementing an appropriate training and awareness programme
- Monitoring the delivery of all community benefits, and identifying the local impact

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Number of contract strategies incorporating community benefits as a percentage of all contracts strategies.	N/A	90%	Finance and Estates Services	Christine Leese-Young
The percentage of customers who rated the content of training relating to the delivery of community benefits as good or excellent.	N/A	90%	Finance and Estates Services	Christine Leese-Young
The number of community benefits delivered as a percentage of the target.	N/A	90%	Finance and Estates Services	Christine Leese-Young

Outcome 6: Sustainability

Purpose

To ensure that the council is committed to maximising the benefits delivered from Sustainable Procurement through its procurement activities and those contracts awarded to achieve value for money on a whole life basis in terms of generating benefits, not only to the procuring organisation, but also to society and the economy, whilst minimising damage to the environment.

Activities

The main activities that will be undertaken in 2013/18 to achieve this priority outcome are:

- Considering sustainable procurement for spend equating to £50,000 and above
- Implementing an appropriate training and awareness programme
- Achieving Level 4 within the Scottish Government's Sustainability Framework Assessment
- Promoting the payment of the Living Wage

Performance

The following performance indicators will be used to monitor progress in the outcome for the life span of the strategy:

Performance				
Performance Indicator Name	2012 Performance	2018 Target	Service	Responsible Officer
Number of contract strategies incorporating sustainable procurement elements as a percentage of all contracts strategies.	N/A	90%	Finance and Estates Services	Christine Leese-Young
The percentage of customers who rated the content of training relating to the delivery of sustainable procurement as good or excellent.	N/A	90%	Finance and Estates Services	Christine Leese-Young
Sustainability Framework Assessment score assigned to West Lothian Council.	Level 2	Level 4	Finance and Estates Services	Christine Leese-Young

Appendix A

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Outcome 1 Contract Development	Develop contracts for each area of spend identified through the five year procurement delivery plans and resulting annual procurement delivery plans	Ensure Best Value across the council for all procurement requirements	Christine Leese-Young	April 2013	March 2018	Active
Outcome 1 Increase Contract Collaboration	Increase the number of contract collaboration opportunities with other public sector organisations	Increased use of collaborative contracts where Best Value can be delivered	Christine Leese-Young	April 2013	March 2018	Active
Outcome 1 Contract Cashable Savings	Ensure that all contracts have cashable savings targets and that actual figures are consistently measured and recorded	Meet the Corporate Procurement Unit financial savings targets	Christine Leese-Young	April 2013	March 2018	Active

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Outcome 1 Efficient Ordering and Invoicing	Implement more efficient ordering and invoicing techniques to encourage better payment performance for invoices and reduce the costs to the council and its suppliers for the purchase to pay process	Increased ordering and invoicing performance	Merle Stevenson	April 2013	March 2015	Active
Outcome 1 Cashable Savings Meetings	Meetings between the Corporate Procurement Unit and services to discuss cashable savings targets and progress towards their achievement	Establish positive working relationship with Services to help meet the Corporate Procurement Unit financial savings targets	Christine Leese-Young	April 2013	March 2018	Active
Outcome 2 Category A, Category B and UK Government contracts	Review the relevance and best value delivery of: <ul style="list-style-type: none"> Scottish Procurement and Commercial Directorate Category A 	Increased use of collaborative contracts where Best Value can be delivered	Christine Leese-Young	April 2013	March 2018	Active

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
	contracts, <ul style="list-style-type: none"> Scotland Excel's Category B contracts Government's Procurement Service contracts. 					
Outcome 2 Framework Contracts	Evaluate the option of using framework contracts to ascertain if they will deliver best value	Increased use of framework contracts where Best Value can be delivered	Christine Leese-Young	June 2013	March 2018	Active
Outcome 2 Collaborative Contract Opportunities	Contact other public sector organisations to determine if there are any collaborative opportunities available for Category C1 contracts	Increased use of collaborative contracts where Best Value can be delivered	Christine Leese-Young	April 2013	March 2018	Active
Outcome 2 Supplier Contract KPIs and SLAs	Agree contract KPIs and SLAs with suppliers to enable enhanced performance.	Improved supplier performance for council contracts	Christine Leese-Young	July 2013	March 2018	Planned

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Outcome 2 /3 /4 Update of Internet and Intranet	Perform regular updates to the internet and intranet to ensure that suppliers and internal customers are aware of the appropriate procurement routes and contracted suppliers.	Greater accessibility of Council Procurement information for both internal and external customers	Stuart Saunders / Merle Stevenson	July 2013	March 2018	Planned
Outcome 3 Compliance Review - High Value and High Risk Contracts	Review of high value and high risk contracted suppliers spend to ensure compliance with standing orders and the corporate procurement procedures	Increased levels of compliance with council standing orders and procurement procedures for high value and high risk contracts	Stuart Saunders	June 2013	March 2018	Planned
Outcome 3 Supplier Rationalisation Exercise	Review of spend against non-contracted suppliers and a regular supplier rationalisation exercise to reduce their availability and ensure compliance with contracted suppliers	Decreased levels of spend against non-contracted suppliers	Merle Stevenson	Aug 2013	March 2018	Planned

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Outcome 3 System Interfaces	Interface all legacy systems with PECOS to ensure a consistent use of procurement systems and availability of management information	Procurement systems used consistently across the council	Merle Stevenson	Dec 2013	March 2014	Active
Outcome 3 Contract Strategies	Completion of contract strategies for all tender opportunities, including community benefits, market research, financial review, defining need and specification review.	Comprehensive contract strategies in place for all council procurement requirements	Christine Leese-Young	Jan 2013	March 2018	Active
Outcome 3 Procurement Training Strategy	A Procurement Training Strategy will be developed to ensure that suitable training provision is delivered.	Greater competence and skill levels of staff carrying out procurement activities	Christine Leese-Young	August 2013	September 2018	Planned
Outcome 3 Online Training	Online training courses will be developed and implemented to provide	Increased accessibility to procurement training for all council staff	Stuart Saunders	July 2013	September 2013	Planned

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
	procurement fundamentals training across the council					
Outcome 3 Procurement Competency Framework	A Procurement Competency Framework will be used to identify procurement skills gaps across the council	Continued development of Corporate Procurement Unit staff skills and competences	Christine Leese-Young	April 2013	March 2018	Active
Outcome 4 Procurement Surgeries	Monthly procurement surgeries to continue	Increased information and awareness to suppliers regarding local authority procurement	Tom Henderson	Jan 2013	March 2018	Active
Outcome 4 Small Lots	'Small Lot' provision will be used where appropriate to provide local suppliers and SMEs with contract opportunities	Increased number of Small Lot provisions where Best Value can be delivered	Christine Leese-Young	July 2013	March 2018	Active
Outcome 4 Reserved Contracts	'Reserved Contract' arrangements will be considered.	Increased number of Reserved Contract provisions where Best Value can be delivered	Christine Leese-Young	Sept 2013	March 2018	Planned

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Outcome 4 Supplier Development Programme	Supplier Development Programme training events to be attended by corporate procurement unit representatives, providing presentations to SMEs regarding local authority procurement.	Increased information and awareness to SMEs regarding local authority procurement	Christine Leese-Young	February 2013	March 2018	Active
Outcome 4 Third Sector Working Group	Further development of a working group with local third sector organisations to review any potential working partnerships	Improved joint working relationships between the Corporate Procurement Unit and third sector organisations	Stuart Saunders	July 2013	March 2018	Active
Outcome 4 Reducing Barriers to Doing Business	Consult with local and SME business community through an annual survey to identify and reduce barriers to doing business	Increased contract opportunities for local and SME businesses	Stuart Saunders	April 2013	March 2108	Planned Active
Outcome 5 Contract Strategies -	Completion of contract strategies for all contracts, in line with the	Community Benefits taken into account for all contract strategies	Christine Leese-Young	January 2013	March 2018	Active

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Community Benefits	Community Benefits Procedure, to include the following Community Benefits considerations.					
Outcome 5 Community Benefits Training	Training will be provided to all relevant service area staff to ensure that community benefits is integrated into major purchasing decisions, to ensure they understand the reasons and benefits of implementing the Community Benefit Procedure.	Increased understanding and compliance with the Community Benefits Procedure	Stuart Saunders	August 2013	December 2013	Planned
Outcome 5 Monitoring Community Benefits	Set up a process to monitor the delivery of the Community Benefit Procedure including the local impact.	Information available to report to Procurement Board on the local impact of Community Benefit achieved and will assist in delivering future procurement requirement.	Stuart Saunders	September 2013	November 2013	Active

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
Outcome 6 Contract Strategies – Sustainability	Completion of contract strategies for all contracts.	Social, Environmental and Economic considerations taken into account for all contract strategies	Christine Leese-Young	Jan 2013	March 2018	Active
Outcome 6 Sustainable Procurement Training	Sustainable procurement awareness and training, including whole life costing will be promoted to ensure that procurement professionals integrate sustainability into major purchasing decisions	Increased awareness of sustainable procurement by staff	Christine Leese-Young	October 2013	January 2014	Planned
Outcome 6 Sustainable Procurement Supplier Engagement and Partnership Events	Supplier training will be delivered to encourage and guide businesses to adopt sustainable development principles and practices. Support will also be provided for the implementation of sustainable procurement	Increased awareness and use of sustainable development principles and practices by West Lothian businesses	Caitlin Hamlett / Tom Henderson	October 2013	January 2014	Planned

Action Plan						
Action	Description	Planned Outcome	Owner	Start	End	Status (Planned, Active, Complete)
	practices throughout the council and supply chains					
Outcome 6 Sustainable Action Plan	Actions from the West Lothian Council Sustainable Action Plan will be implemented to ensure that the council achieves level four within the Sustainability Flexible Framework Assessment	Achieve level four within the Scottish Government Sustainability Flexible Framework Assessment	Caitlin Hamlett / Tom Henderson	January 2013	March 2018	Active
Outcome 6 Living Wage	Promote the implementation of payment of the Living Wage through a West Lothian Council webpage.	Increased awareness and uptake of the Living Wage by West Lothian businesses	Stuart Saunders	July 2013	July 2013	Planned

West Lothian Council

Corporate Procurement Strategy
2013/14 to 2017/18

Donald Forrest
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May 2013

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West Lothian Council

Community Benefits in Procurement Procedure

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1.0 INTRODUCTION

- 1.1 West Lothian Council is committed to maximising Community Benefits from its procurement activities. This will be achieved through the inclusion of specific clauses within procurement contracts known as Community Benefit Clauses.
- 1.2 Community Benefit Clauses are contractual requirements which deliver wider benefits in addition to the core purpose of the contract. These clauses can be used to build a range of economic, social or environmental conditions into the delivery of council contracts. Such social, economic and environmental benefits are hereinafter referred to as “Community Benefits”. The officer to whom the task of carrying out each procurement exercise is delegated is referred to as the “Procurement Professional”.
- 1.3 The Local Government in Scotland Act 2003, the Public Contracts (Scotland) Regulations 2012 and European Procurement Directives enable public bodies to include Community Benefits in the procurement process, in certain circumstances. This procedure provides guidance for Procurement Professionals within West Lothian Council to legally incorporate Community Benefits within the tendering process. In line with the council's [Corporate Procurement Procedures](#), Legal Services must always be consulted prior to incorporating Community Benefits within any tender.
- 1.4 This procedure outlines the council's two approaches to incorporating Community Benefits; one process for construction projects and one process for non-construction projects. A Community Benefits Flowchart and a Community Benefits Checklist has been prepared for both processes. The Community Benefits Contact List in Appendix K provides contact details for the Community Benefits Lead Officer and other relevant officers involved in both Community Benefits processes.
- 1.5 In line with the council's Corporate Procurement Procedures, Community Benefits information must be recorded in accordance with ‘Section Four’ of the ‘Corporate Contract Strategy’ (See Appendix D of the council's [Corporate Procurement Procedures](#)).

2.0 COMMUNITY BENEFITS COMMITMENT

- 2.1 The council is committed to maximising Community Benefits from its procurement activities and all Community Benefits will be considered in line with the council's [Corporate Plan](#) priorities.
- 2.2 In accordance with Standing Orders, any supplies, services or works contract with an estimated aggregate purchase value of £50,000 and over must be tendered. Procurement Professionals must consider the inclusion of Community Benefits on a case by case basis from the outset of each tendering process for all Category C and C1 contracts.
- 2.3 Procurement Professionals will aim to obtain Community Benefits in Category A and Category B contracts where Community Benefits have been included in the tender process. Procurement Professionals will continue to work with the Scottish Procurement and Commercial Directorate and Scotland Excel to incorporate Community Benefits into as many Category A and Category B contracts as possible.
- 2.4 There is no formal requirement for the consideration of Community Benefits in contracts with an estimated aggregate purchase value of less than £50,000. However non-evaluated Community Benefits may still be sought where Procurement Professionals are satisfied that the requirement to achieve Best Value can still be met.

Construction Projects

- 2.5 For construction projects, Procurement Professionals should note that the council has adopted the [National Skills Academy for Construction Client Based Approach](#). The National Skills Academy guidance provides a toolkit to deliver targeted recruitment and training Community Benefits (e.g. apprenticeships, jobs, leadership training etc.) across a variety of construction project values and construction project types (e.g. residential houses, highways and roads, schools, house repairs etc.).
- 2.6 A flowchart, checklist and supporting documentation for achieving Community Benefits via the National Skills Academy approach is provided in Appendices A to E of this procedure.

Non-Construction

- 2.7 For non-construction projects, Procurement Professionals should always aim to evaluate Community Benefits proposals as part of contract award criteria and include Community Benefits as a contractual requirement for all Category C and C1 contracts. A flowchart, checklist and supporting documentation for achieving this aim is provided in Appendices F to J of this procedure.

3.0 IDENTIFYING POTENTIAL COMMUNITY BENEFITS

Construction Projects

- 3.1 Procurement Professionals should complete Section One of the Community Benefits Checklist in Appendix B when identifying potential Community Benefits for construction projects.
- 3.2 Procurement Professionals should liaise with the Community Benefits Lead Officer to implement the National Skills Academy approach and identify relevant targeted recruitment and training Community Benefits for the construction project.
- 3.3 Procurement Professionals should ensure that all Community Benefits being considered are in line with at least one of the council's [Corporate Plan](#) priorities and represent Best Value for the council.

Non-Construction

- 3.4 Procurement Professionals should complete Section One of the Community Benefits Checklist in Appendix G when identifying potential Community Benefits.
- 3.5 Procurement Professionals should consider the various examples of Community Benefits provided within Appendix L.
- 3.6 Potential Community Benefits should always be discussed in the first instance with the Community Benefits Lead Officer.
- 3.7 Procurement Professionals should ensure that all Community Benefits being considered are in line with at least one of the council's [Corporate Plan](#) priorities and represent Best Value for the council.

4.0 TRANSPARENCY AND NON-DISCRIMINATION

- 4.1 The principles of transparency and non-discrimination are critical to ensuring that Community Benefits are legally incorporated within the tendering process. These overriding principles apply to both construction and non-construction procurement projects.

Community Benefits In Procurement Procedure

- 4.2 The aim of achieving Community Benefits as part of the council's tendering processes must be made clear from the outset. Procurement Professionals should issue a Community Benefits statement within the Contract Notice indicating that the contract to be awarded may include provisions to achieve Community Benefits. A sample Contract Notice for construction projects is provided in Appendix D and a sample Contract Notice for non-construction projects is provided in Appendix I.
- 4.3 Procurement Professionals should also ensure that the inclusion of Community Benefits does not directly or indirectly disadvantage or discriminate against tendering suppliers outwith West Lothian. It is also essential that Community Benefits do not directly or indirectly discriminate against individuals and groups covered under the protected characteristics of the Equality Act 2010.

5.0 INCLUSION OF COMMUNITY BENEFITS

Construction Projects - National Skills Academy Approach

- 5.1 Once suitable targeted recruitment and training Community Benefits have been identified via the National Skills Academy guidance, Procurement Professionals should aim to complete Section Two (a) of the Community Benefits Checklist in Appendix B.
- 5.2 Procurement Professionals should liaise with the Community Benefits Lead Officer to implement the National Skills Academy approach and include Community Benefits requirements within the construction project tender documentation.
- 5.3 It is essential that Community Benefits are directly related to the 'core purpose' of the contract. For example, it is not appropriate to include Community Benefits requiring suppliers to provide training across all of their operations when only one of their operations is relevant to the delivery of the contract.
- 5.4 Sample wording guidance for construction projects is provided in Appendix C of this procedure. As per Corporate Procurement Procedures, Legal Services must always be consulted prior to incorporating Community Benefits within the tender process.

Construction Projects - Proposals Approach

- 5.5 In some circumstances, implementing the National Skills Academy guidance may not be appropriate for a construction project. For example, where requirements in Section Two (a) of the Community Benefits Checklist in Appendix B cannot be met.
- 5.6 As an alternative, the council will seek non-evaluated Community Benefits proposals from bidders as part of the tendering documentation. Sample wording for non-evaluated Community Benefits in construction projects is provided in Appendix E.
- 5.7 For this process, Procurement Professionals should ensure that Community Benefits proposals within a bidders submission are not scored, evaluated or taken into account when determining the winning tender. However, where a contract is awarded to a bidder whose Tender Submission includes Community Benefits, these will be enforceable as part of the contract.

Non-Construction – Evaluation or Non-Evaluation Approaches

- 5.8 Once suitable Community Benefits have been identified, Procurement Professionals must then decide how best to include them within the tendering process by choosing from one of the following two options:

Community Benefits In Procurement Procedure

- **(a)** Evaluate Community Benefits proposals as part of contract award criteria and include as a contractual requirement.
- **(b)** Do not evaluate Community Benefits proposals as part of contract award criteria. However Community Benefits proposals offered will be accepted and included as a contractual requirement.

5.9 The Community Benefits Checklist in Appendix G should be completed in order to aid this decision.

Non-Construction: Option (a) Community Benefits Proposals – Evaluated

- 5.10 For each tender, Procurement Professionals should aim to complete Section Two (a) of the Community Benefits Checklist in Appendix G and evaluate Community Benefits proposals as part of contract award criteria.
- 5.11 When evaluating Community Benefits as part of the tendering process, Procurement Professionals should set a specific weighting for Community Benefits proposals within the defined contract award criteria (e.g. 10% Community Benefits). Further guidance regarding contract award criteria is detailed in Section 11 of the council's [Corporate Procurement Procedures](#).
- 5.12 In order for Community Benefits to be evaluated against objective criteria, Procurement Professionals should stipulate specific and quantifiable Community Benefits proposals within the tendering documentation. This will also ensure that performance against these proposals is measurable during contract monitoring post award.
- 5.13 It is essential that Community Benefits are directly related to the 'core purpose' of the contract. For example, it is not appropriate to include Community Benefits requiring suppliers to provide training across all of their operations when only one of their operations is relevant to the delivery of the contract.
- 5.14 Sample wording guidance for Community Benefits is provided in Appendix H of this procedure. As per [Corporate Procurement Procedures](#), Legal Services must always be consulted prior to incorporating Community Benefits within the tender process.
- 5.15 Procurement Professionals should also discuss any decision to evaluate Community Benefits proposals with the Community Benefits Lead Officer.

Non-Construction: Option (b) Community Benefits Proposals – Not Evaluated

- 5.16 The decision to evaluate Community Benefits as part of contract award criteria should be considered on a case by case basis. In some circumstances, the evaluation of Community Benefits proposals may not be appropriate. For example, where requirements in Section Two (a) of the Community Benefits Checklist in Appendix G cannot be met.
- 5.17 As an alternative, the council will seek to include contractual Community Benefits provisions without evaluating these as part of contract award criteria. Sample wording for the non-evaluation of Community Benefits is provided in Appendix J.
- 5.18 For this process, Procurement Professionals should ensure that Community Benefits proposals within a bidders submission are not scored, evaluated or taken into account when determining the winning tender. However, where a contract is awarded to a bidder whose Tender Submission includes Community Benefits, these will be enforceable as part of the contract.

6.0 IMPLEMENTATION OF COMMUNITY BENEFITS

- 6.1 Procurement Professionals must ensure that robust arrangements are in place in order to monitor the Community Benefits element of the contract. The following monitoring information should be requested and included in the contract documentation:
- a single point of contact within the contracting organisation who will be responsible for ensuring the delivery of the Community Benefit proposal;
 - a clear statement of the actual outputs to be monitored;
 - the frequency of monitoring information arrangements;
 - the format of monitoring information arrangements;
 - a means of verifying the monitoring information.
- 6.2 Procurement Professionals may contact the relevant officers within the Community Benefits Contact List in Appendix K to seek assistance with monitoring the implementation of Community Benefits. For example, Procurement Professionals should contact the Access 2 Employment service for assistance with monitoring all targeted recruitment and training Community Benefits.
- 6.3 The approach to monitoring the Community Benefits requirements should be no less rigorous than that applied to other core elements of the contract. Without robust monitoring arrangements in place, the council will be unable to track progress or check whether the contractor has fulfilled their obligations. Subsequently, the council may be open to legal challenge from bidders that were not awarded the contract if procedures are not in place to monitor the winning contractor's performance on the Community Benefits element of the contract.

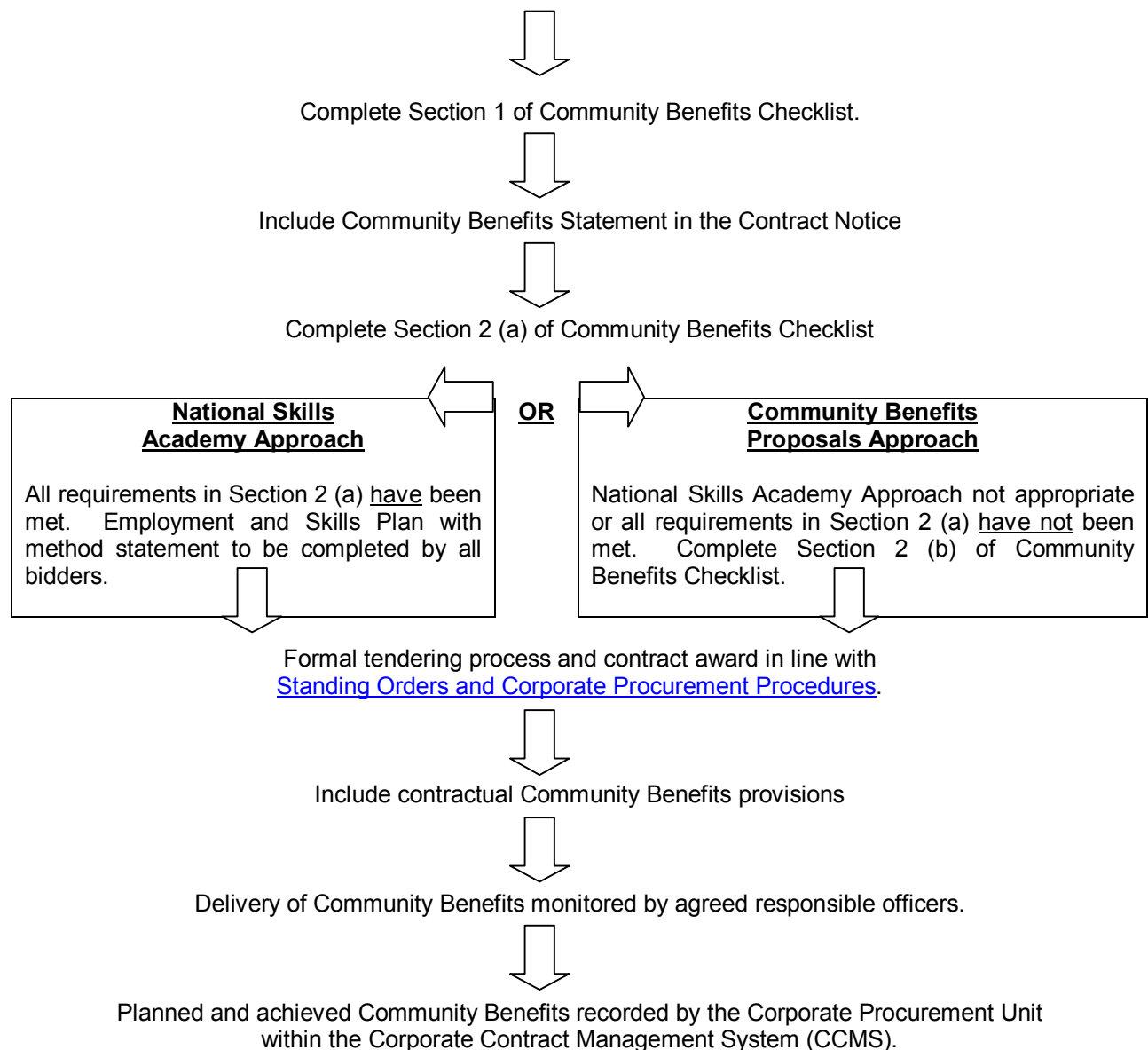
7.0 MONITORING THE DELIVERY OF COMMUNITY BENEFITS

- 7.1 The Corporate Procurement Unit will record all Community Benefits information for each contract within the Corporate Contract Management System. This will include details of the targeted Community Benefits and the achieved Community Benefits for each contract.
- 7.2 The council is committed to maximising Community Benefits from its procurement activities. However, taking into account the overriding procurement principles of transparency and non-discrimination, West Lothian Council cannot specify that Community Benefits be delivered only within West Lothian. For example, Procurement Professionals cannot stipulate within tendering documentation that only West Lothian residents be employed or only West Lothian sub-contractors be utilised.
- 7.3 The impact of Community Benefits to the area of West Lothian will be monitored by the Community Benefits Lead Officer by recording separately within the Corporate Contract Management System the number of achieved Community Benefits that are specific to West Lothian.
- 7.4 Progress on Community Benefits achieved against target will be reported as part of the quarterly Procurement Monitoring Report to Council Executive. This will also include information on the direct impact of achieved Community Benefits to the area of West Lothian.

COMMUNITY BENEFITS FLOWCHART (CONSTRUCTION PROJECTS)

OVERALL AIM: Include Community Benefits as a contractual requirement

Community Benefits to be considered from the outset of the tendering process for Construction projects
(estimated Aggregate Purchase Value ≥ £50,000)



COMMUNITY BENEFITS CHECKLIST (CONSTRUCTION PROJECTS)

Section 1

Procurement Professionals should complete the checklist below. Assistance can be sought at any time from the Community Benefits Lead Officer and Legal Services.

1. Identifying Community Benefits	✓
Contact the Community Benefits Lead Officer to discuss targeted recruitment and training Community Benefits as outlined in the National Skills Academy guidance.	
Potential Community Benefits are in line with the council's Corporate Plan priorities.	
Consider Best Value implications to the council for all potential Community Benefits.	
Record Community Benefits information in accordance with 'Section Four' of the 'Corporate Contract Strategy'.	
Issue a Community Benefits statement within the Contract Notice. (See sample – Appendix D)	

Section 2

If suitable targeted recruitment and training Community Benefits have been identified via the National Skills Academy guidance then Procurement Professionals should complete Checklist 2(a) below:

2 (a) National Skills Academy Approach	✓
Contact the Community Benefits Lead Officer to set Target outputs in line with the 'Benchmark' appendices within the National Skills Academy guidance.	
An Employment and Skills Plan template, including target outputs, has been included within the tender documentation for completion by all bidders.	
Requirement for a detailed Method Statement on how the Employment and Skills Plan will be delivered has been included within the tender documentation.	
Community Benefits proposals are directly related to the 'core purpose' of the contract.	
Community Benefits proposals do not, directly or indirectly, disadvantage or discriminate against any bidder.	

Where implementing the National Skills Academy guidance is not appropriate or where requirements in Checklist 2(a) cannot be met, Procurement Professionals should complete Checklist 2(b) below:

2 (b) Community Benefits Proposals Approach	✓
Request proposals for social, economic and environmental Community Benefits within the tendering documentation. (See sample – Appendix E)	
Community Benefits proposals will not be scored, evaluated or taken into account, in any way, when determining the winning tender.	
Community Benefits proposals within the winning tender will be enforced as part of the contract.	
Consult with the Community Benefits Lead Officer and Legal Services.	

SAMPLE WORDING GUIDANCE (CONSTRUCTION PROJECTS)

Documented guidance for the National Skills Academy Client Based Approach is held by the Community Benefits Lead Officer.

The guidance is the intellectual property of CITB-ConstructionSkills and has been released to West Lothian Council under agreed conditions and is protected by copyright. Subsequently, sample extracts from the guidance cannot be included within this procedure.

Please contact the Community Benefits Lead Officer who will be able to provide extracts specific to your construction project. The guidance includes benchmark appendices for the following categories of construction projects and maintenance projects:

Construction Projects		Construction Maintenance Projects
Residential	Offices and Commercial	Housing Repairs and Maintenance
Retail, Sports, Leisure, and Entertainment	Regeneration	Non-Housing Repairs and Maintenance
Highways and Roads	Refurbishment/Scottish Quality Housing Standard	Highways
Infrastructure (excl. Highways)	Water Supply and Waste Disposal	Courts, Young Offenders Institutes and Prisons Refurbishment
Factories and Warehouses	Off-Site Structures	
Education	Courts, Young Offenders Institutes and Prisons	
Health		

The National Skills Academy guidance also includes:

- Pre-Qualification Questionnaire template clauses;
- Invitation to Tender Template clauses;
- Template contract clauses;
- A Template Employment and Skills Plan

Sample Contract Notice wording for construction projects is provided separately in Appendix D and sample wording for the non-evaluation of Community Benefits in construction projects is provided separately in Appendix E.

Procurement Professionals should always liaise with the Community Benefits Lead Officer and Legal Services for assistance with the wording of Community Benefits within contract documentation. The samples set out in the National Skills Academy guidance are provided as examples only and may not be appropriate for every construction project. It is vital that Procurement Professionals seek legal advice as to the clauses which they intend to use on a project by project basis to ensure they are appropriate. Note also that the law changes from time to time and so legal advice is necessary to ensure that clauses reflect the current legal position.

SAMPLE CONTRACT NOTICE
(CONSTRUCTION PROJECTS)

Procurement Professionals must make clear, from the outset of the tendering process, the council's aim of achieving Community Benefits. Therefore a Community Benefits statement should be included within the Contract Notice.

A sample Contract Notice is provided below:

“West Lothian Council is committed to maximising Community Benefits from its procurement activities. Under this procurement, the contractor, and its supply chain, will be required to support the authority’s social objectives relating to participation in skills development, training and employment initiatives and other added value contributions. Accordingly, contract performance conditions may relate in particular to social, economic and environmental considerations.”

SAMPLE NON-EVALUATION COMMUNITY BENEFITS CLAUSE (CONSTRUCTION PROJECTS)

- x.1 West Lothian Council is committed to maximising Community Benefits from its procurement activities in order to build economic, social or environmental conditions into the delivery of council contracts.
- x.2 In the Tender Submission, the bidder will be required to detail any social, economic and environmental benefits associated with contract performance during the contract term in the event of their appointment, in particular, within any of the following areas:

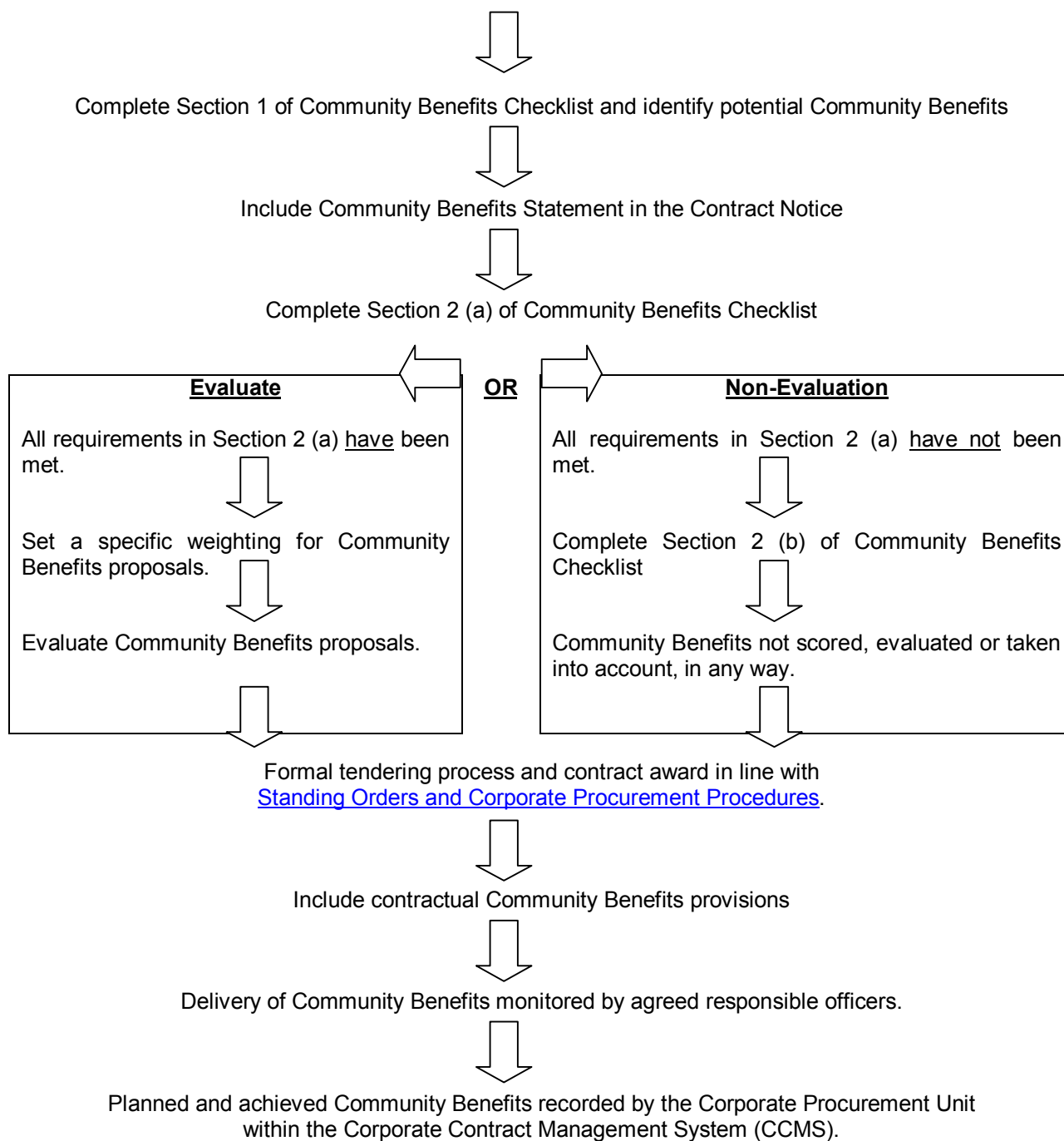
Social Benefits	e.g. jobs, work experience, training, apprenticeships and mentoring.
Economic Benefits	e.g. use of Small, Medium Enterprises, promotion of opportunities to Social Enterprises and the Voluntary Sector, community consultation, young person engagement, and community sponsorship.
Environmental Benefits	e.g. public art projects, community improvement projects, resources for community environmental initiatives and physical infrastructure.

- x.3 Such social, economic and environmental benefits are hereinafter referred to as “Community Benefits”.
- x.4 If there will be no Community Benefits, the bidder should state this in the submission. If there will be Community Benefits, the Tender Submission should include a methodology/plan/statement as to how this will be delivered.
- x.5 The information included in the Tender Submission in terms of this clause is hereinafter referred to as the “Community Benefits Information”.
- x.6 Under this procurement exercise, the Community Benefits Information will in no way be scored/evaluated/taken into account beyond the requirement that the Community Benefits Information is included in the bidder's Tender Submission.
- x.7 While the Community Benefits Information will in no way be scored/evaluated/taken into account beyond the requirement that it is included in the bidder's Tender Submission, if the Community Benefits Information contains any Community Benefits, these will be enforceable as part of the contract. Accordingly, where a contract is awarded to a bidder whose Tender Submission included Community Benefits, the bidder will be required to deliver those Community Benefits as part of the contract.

COMMUNITY BENEFITS FLOWCHART (NON-CONSTRUCTION)

OVERALL AIM: Include Community Benefits as a contractual requirement

Community Benefits to be considered from the outset of the Category C or C1 contract tendering process
(estimated Aggregate Purchase Value ≥ £50,000)



COMMUNITY BENEFITS CHECKLIST (NON-CONSTRUCTION)

Section 1

Procurement Professionals should complete the checklist below. Assistance can be sought at any time from the Community Benefits Lead Officer.

2. Identifying Community Benefits	✓
Consider the various examples of Community Benefits (see Appendix L)	
Discuss potential Community Benefits with the Community Benefits Lead Officer.	
Potential Community Benefits are in line with the council's Corporate Plan priorities.	
Consider Best Value implications to the council for all potential Community Benefits.	
Record Community Benefits information in accordance with 'Section Four' of the 'Corporate Contract Strategy'.	
Issue a Community Benefits statement within the Contract Notice. (See sample – Appendix I)	

Section 2

Once suitable Community Benefits have been identified, Procurement Professionals should aim to complete Checklist 2(a) below and evaluate Community Benefits proposals as part of contract award criteria.

2 (a) Contractual Community Benefits Proposals – Evaluated	✓
Set a specific weighting for Community Benefits proposals within the defined contract award criteria.	
Stipulate specific and quantifiable Community Benefits proposals within the tendering documentation.	
Community Benefits proposals are directly related to the 'core purpose' of the contract.	
Community Benefits proposals do not, directly or indirectly, disadvantage or discriminate against any bidder.	
Consult with the Community Benefits Lead Officer and Legal Services.	

Where requirements in Checklist 2(a) cannot be met, Procurement Professionals should complete Checklist 2(b) below and include contractual community benefits provisions without evaluating these as part of contract award criteria.

2 (b) Contractual Community Benefits Proposals - Not Evaluated	✓
Request proposals for social, economic and environmental Community Benefits within the tendering documentation. (See sample – Appendix J)	
Community Benefits proposals will not be scored, evaluated or taken into account, in any way, when determining the winning tender.	
Community Benefits proposals within the winning tender will be accepted and enforced as part of the contract.	
Consult with the Community Benefits Lead Officer and Legal Services.	

SAMPLE WORDING GUIDANCE (NON-CONSTRUCTION)

Please note that the samples set out in this procedure are provided as examples only and may not be appropriate for every project. It is vital that Procurement Professionals seek legal advice as to the clauses which they intend to use on a project by project basis to ensure they are appropriate. Note also that the law changes from time to time and so legal advice is necessary to ensure that clauses reflect the current legal position.

Procurement Professionals should always liaise with the Community Benefits Lead Officer and Legal Services for assistance with the wording of Community Benefits within contract documentation.

The following links include many examples of sample wording for incorporating Community Benefits. Sample Contract Notice wording is provided separately in Appendix I and sample wording for the non-evaluation of Community Benefits is provided separately in Appendix J.

Ready For Business (www.readyforbusiness.org)

Ready for business can provide practical support with the development and implementation of Community Benefit Clauses in procurement as well assistance with scoring and evaluation of tender responses and monitoring of impact.

- [Community Benefit Clauses - A Guide for Public Sector Procurement Agencies](#)
- [Community Benefit Clauses - Frequently Asked Questions](#)
- [Sample Clauses – Waste Example](#)
- [Buying for Good](#)

Scottish Government (www.scotland.gov.uk)

Special note should be given to Section 5 of the Scottish Government's Community Benefits in Public Procurement Report. This section includes model clauses for Contract Notices, Pre-Qualification Questionnaires (PQQ), tender specifications and contract conditions.

- [Community Benefits in Public Procurement – Report](#)
- [Community Benefits in Public Procurement - Guidance Note](#)
- [Community Benefits - Leaflet](#)

The Improvement Service (www.improvementservice.org.uk)

The Improvement Service report presents the findings of their Targeted Recruitment and Training in Procurement project. The report brings together a collection of case studies showing practical applications of Targeted Recruitment and Training clauses.

- [Targeted Recruitment and Training Clauses in Procurement](#)

SAMPLE CONTRACT NOTICE
(NON-CONSTRUCTION)

Procurement Professionals must make clear, from the outset of the tendering process, the council's aim of achieving Community Benefits. Therefore a Community Benefits statement should be included within the Contract Notice.

A sample Contract Notice is provided below:

“West Lothian Council is committed to maximising Community Benefits from its procurement activities. Under this procurement, the contractor, and its supply chain, will be required to support the authority’s economic and social regeneration objectives. Accordingly, contract performance conditions may relate in particular to social, economic and environmental considerations.”

SAMPLE NON-EVALUATION COMMUNITY BENEFITS CLAUSE (NON-CONSTRUCTION)

- x.1 West Lothian Council is committed to maximising Community Benefits from its procurement activities in order to build economic, social or environmental conditions into the delivery of council contracts.
- x.2 In the Tender Submission, the bidder will be required to detail any social, economic and environmental benefits associated with contract performance during the contract term in the event of their appointment, in particular, within any of the following areas:

Social Benefits	e.g. jobs, work experience, training, apprenticeships and mentoring.
Economic Benefits	e.g. use of Small, Medium Enterprises, promotion of opportunities to Social Enterprises and the Voluntary Sector, community consultation, young person engagement, and community sponsorship.
Environmental Benefits	e.g. public art projects, community improvement projects, resources for community environmental initiatives and physical infrastructure.

- x.3 Such social, economic and environmental benefits are hereinafter referred to as “Community Benefits”.
- x.4 If there will be no Community Benefits, the bidder should state this in the submission. If there will be Community Benefits, the Tender Submission should include a methodology/plan/statement as to how this will be delivered.
- x.5 The information included in the Tender Submission in terms of this clause is hereinafter referred to as the “Community Benefits Information”.
- x.6 Under this procurement exercise, the Community Benefits Information will in no way be scored/evaluated/taken into account beyond the requirement that the Community Benefits Information is included in the bidder's Tender Submission.
- x.7 While the Community Benefits Information will in no way be scored/evaluated/taken into account beyond the requirement that it is included in the bidder's Tender Submission, if the Community Benefits Information contains any Community Benefits, these will be accepted by the Authority via the contract variation process and will be enforceable as part of the contract. Accordingly, where a contract is awarded to a bidder whose Tender Submission included Community Benefits, the bidder will be required to deliver those Community Benefits as part of the contract.

COMMUNITY BENEFITS CONTACT LIST

Contact	Service	Community Benefits Remit	Contact No.
Stuart Saunders	Corporate Procurement Unit	Community Benefits Lead Officer	01506 281574
Clare Summers	Access 2 Employment West Lothian Working Together	Community Benefits - Targeted Recruitment and Training	01506 281100
Martin Thomson	Planning and Economic Development (Business Gateway)	Community Benefits - Supply-Chain Initiatives	01506 283089
Kerri Murphy	Legal Services	Community Benefits Legal Advice	01506 281615
Roddy Stewart	Ready For Business	Public Sector Support for Community Benefits	0141 425 2940

EXAMPLES OF COMMUNITY BENEFITS

Procurement Professionals should consider the following example areas of Community Benefits:

- **Targeted Recruitment and Training** - offering individuals and young people training, apprenticeships, jobs and work experience as part of a contract.
- **Supply Chain Initiatives** - offering Small and Medium Enterprises and Voluntary Sector organisations opportunities to provide goods and/or services as part of a contract.
- **Social Enterprise** - where a local social enterprise can either be established to service a contract, or an existing social enterprise be supported to deliver on part of a contract.
- **Community Consultation** - giving the local community an opportunity to express an opinion and possibly influence the design and delivery of a project or service in an area.
- **Young Person Engagement** - giving young people in the area an opportunity to engage in a project. The engagement can range from young people learning about a project to giving them the opportunity to shape and influence a project thus giving them more say in and connection to the future of their area.
- **Educational Support** - giving school children an opportunity to learn about a project by providing educational presentations or arranging school visits.
- **Community Endowment Fund/Development Trust** - where a financial sum may be made available to implement projects that the community considers to be a priority. This often ensures ownership, participation and support at a very local level.
- **Public Art Projects** - a tangible project that a community can focus on and be involved in either as a standalone activity or part of a wider regeneration initiative.
- **Local Events** - local ownership of a project or service.
- **Physical Infrastructure** - often delivered by the private sector as part of a Section 75 agreement in relation to a planning consent. Examples would be infrastructure required to enable a new development to be implemented for example roads and footpath/cycleway improvements, schools and libraries and play areas and open space.
- **Local Sponsorship** - private companies are often asked to sponsor organisations local to the area in which they are developing/delivering a service.
- **Mentoring** - private sector suppliers can offer support, normally as part of their Corporate Responsibility activity, where they can offer support and guidance to local organisations and individuals.



West Lothian
Council

COUNCIL EXECUTIVE

COUNCIL'S CODE OF CORPORATE GOVERNANCE – ANNUAL REVIEW OF COMPLIANCE 2012/13

REPORT BY CHIEF LEGAL OFFICER

A. PURPOSE OF REPORT

To submit the outcome of the annual review of the council's compliance with its Code of Corporate Governance.

B. RECOMMENDATIONS

1. To note that the evidence of compliance with the standards of the Code has been strengthened and the standards continued to be substantially met in 2012/13.
2. To agree that the Corporate Governance Working Group undertakes further training of the Governance Champions to improve consistency of approach to available evidence, and further refinement of the Code's standards to match them better to the way the council operates.
3. To note that the Corporate Plan 2013/17 recently approved by the council identifies corporate governance and risk as one of the three co-ordinated enablers underpinning the delivery of the Plan's priorities and outcomes. As a result, corporate governance arrangements within the council will continue to be a key priority for the running of the council in the year ahead.
4. To agree that the focus in 2013/14 should be on identifying actions to further improve the levels of compliance with the Code's standards across the council.
5. To agree that this report be referred to the Audit and Governance Committee for consideration.

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)	The council has adopted a local Code of Corporate Governance with which compliance is audited by the council's external auditor as part of the council's statutory audit. The council's Corporate Plan 2013/17 identifies governance and risk as one of three co-ordinated enablers

underpinning the delivery of the Plan's priorities and outcomes.

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)	Within existing resources.
VII	Consideration at PDSP	Partnership and Resources PDSP on 24 May 2013
VIII	Other consultations	Working Group of Officers on Corporate Governance, Depute Chief Executives and Heads of Service, Audit and Risk Manager, Chief Solicitor.

D. TERMS OF REPORT

Introduction –

1. The council in June 2010 adopted a revised Code based on a new Framework, Delivering Good Governance in Local Government, produced by CIPFA/SOLACE. This Framework changed the emphasis of corporate governance from one focused on the rigour of processes to one focused on achieving outcomes. The Chief Legal Officer is designated to oversee the implementation and monitoring of the Code and to co-ordinate and carry out the annual review of compliance with the Code, which requires a report to the council annually within three months of the end of the financial year. In this work, the Chief Legal Officer is assisted by the officers' Corporate Governance Working Group.

Evidence of Compliance for 2012/13 –

2. During 2012/13 internal audit conducted a review of section 1.3.1 of the council's Code of Corporate Governance which states that the council has to "Decide how value for money is to be measured and to ensure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions." It was concluded that the level of compliance with this requirement was satisfactory.

At the request of the Corporate Governance Working Group, internal audit conducted a review of the arrangements for reporting the activities of significant outside bodies, and / or those with elected member representation, to council Committee, based on a protocol agreed in 2010. It was identified that reporting arrangements required improvement, and this will be followed up in 2013.

During the year internal audit also conducted a follow up of previous work in relation to the administration of council owned companies, where a council officer acts as company secretary, and made some recommendations for improvement.

3. Audit Scotland reported as part of their 2011/12 audit that the council's immediate focus after the May 2012 council elections was to establish effective working relationships within the council and with local partners, and to provide strong leadership and direction which will drive improvements in services, resulting in better outcomes for people and communities. The results of the audit show a clear commitment to continuous improvement in financial performance, governance and accountability, Best Value and performance.
4. Each item in the revised Code requires to be assessed across three factors – approach, deployment and review, as explained below -
 - "approach" is concerned with what system or procedure has been put in place to meet the requirement of the Code
 - "deployment" concerns whether that system or procedure has actually been used, and
 - "review" is concerned with what arrangements are in place to review and revise that system or procedure.

None of the above factors is concerned with the quality or effectiveness of systems or procedures; those are monitored and judged in other ways through various scrutiny routes.

5. Evidence of compliance with all three factors was reported in last year's annual report, creating a baseline for future years.
6. Governance Champions for each Head of Service assessed each requirement of the Code in turn in respect of the approach, deployment and review factors using the following scoring structure.

Scoring is on a scale from 0 to 4 for each of the three categories, so 12 is the maximum.

- 0 – No evidence available, or only anecdotal
- 1 – Some evidence available
- 2 – Evidence available
- 3 – Clear evidence available
- 4 – Comprehensive evidence available

Aggregate score of 0 to 5 (inclusive) is a red light

Aggregate score of 6 to 8 (inclusive) is an amber light

Aggregate score of 9 to 12 is a green light.

7. Appendix 1 contains pie charts showing the scores obtained. The first chart provides the overall picture for all standards falling into the green, amber and red aggregate scores. The other pie charts provide an analysis of each of the green, amber and red aggregate scores, together with the number of standards falling into the individual score bands of nought to twelve. A summary graph, indicating the number of standards falling within each of the scores is also provided in Appendix 1. Along with these pie charts and summary graph are lists of each standard within the green, amber and red aggregate scores. The Code itself, held in Covalent, contains more underlying detail and commentary in relation to each entry and score.
8. The process of gathering evidence of compliance in 2012/13 highlighted a number of entries in the Code which the Corporate Governance Working Group found were no longer relevant or necessary because they duplicated other entries. A total of 13 entries were removed. Details of the entries removed are provided in Appendix 2. The Code now contains a total of 360 entries each of which have been scored. Of those, 2 (0.6%) scored in the range of a red light. These entries relate to:-
 - the development of a complaints procedure regarding conduct of Elected Members and the requirement to review it at least once every administrative term;
 - the provision of guidance for Elected Members relating to effective working relationships between Elected Members and partners

9. A comparison of the scoring for 2011/12 and 2012/13 is provided below:

	2011/12	2012/13	Change
Red	25	2	-92.0%
Amber	112	120	7.1%
Green	236	238	0.8%

The pie charts in Appendix 1 show that for 99.4% of the Code's standards, an aggregate score falling in the amber or green range was achieved. For 66.1% of the standards, an aggregate score falling in the green range was achieved, scoring 9 or above out of a maximum of 12. This provides clear evidence of compliance for two thirds of the Code's standards, where an average score of at least 3 out of a maximum of 4 was achieved for each of the factors of approach, deployment and review. The Corporate Governance Working Group, therefore, has concluded that the governance standards of the Code were substantially met in 2012/13.

10. The process of reviewing the evidence of compliance supplied by the governance champions highlighted inconsistencies between service areas in relation to the application and review of policies, procedures and processes. A review will be undertaken with the governance champions to ensure the consistent application of evidence across service areas. This will ensure that any areas for improvement within service areas are highlighted for future action.

Issues addressed during 2012/13 –

11. A number of specific issues were addressed by the Corporate Governance Working Group and others during 2012/13. These were:

(1) Risk Management and Business Continuity Planning -

The Risk Management Board, chaired by a Depute Chief Executive, meets on a regular basis to exercise oversight of the council's risk management and business continuity functions, and review the main risks facing the council. A revised Corporate Business Continuity Plan was approved in June 2012, and a revised list of WLC1 activities, defined as those activities which would result in risk to life and limb if they were not maintained, has been prepared. Revised business continuity plans have been prepared for the WLC1 activities, and these will be tested during 2013/14.

(2) Member/Officer Roles and Working Relationships -

Following the recommendations in Audit Scotland's report "Roles and relationships: are you getting it right?" published in 2010, the Corporate Governance Working Group drafted role descriptions for the four statutory officers highlighted in Audit Scotland's report, ie the Head of Paid Service, Monitoring Officer, Chief Finance Officer and Chief Social Work Officer. These role descriptions were approved by the Council Executive on 18 September 2012 and inserted into the council's Scheme of Delegation to Officers.

(3) Audit and Governance Committee –

In fulfilment of its expanded role in relation to governance, the Audit and Governance Committee considered my annual report for 2011/12 at its meeting on 11 September 2012. The committee sought explanations of statements in the report and in particular in the ways in which the council's whistle-blowing policy was brought to the attention of staff, and how it was operated. The committee noted the report and the planned actions to address areas of weakness which had been identified in the report in the council's compliance with the Code.

The committee also considered a further report with accompanying presentation at its meeting on 5 March 2013. The purposes were to explain how the council's governance arrangements worked in practice and the committee's role in those, and to emphasise the value and importance of good governance which leads to good management, good performance, good stewardship of public money, good public engagement and, ultimately, good outcomes.

- (4) Governance micro site –** a governance micro site has been developed by the Working Group to reflect the central role of governance within the effective management of the council. The site will be located within the performance management website on the council's intranet.

(5) Committee Report Template and Guidance –

Following consideration of the actions required for the council to comply with the public sector equality duty, the Corporate Governance Working Group is revising the template and guidance to ensure that sufficient information and narrative are provided in reports about what the council's duty is, what was done to address it, and what the outcomes of that assessment process were. The opportunity has been taken to do the same in relation to strategic environmental assessments, and also in relation to linking reports and recommendations to the priorities and workstreams in the Corporate Plan 2013/2017. That work is expected to be concluded very soon. Changes will be followed by briefings and education for both members and officers about the changes.

(6) Review of Corporate Delegation Template –

This template, which sets out the areas of delegation to officers under the council's Scheme of Delegation to Officers relating to corporate policies and procedures, is currently being revised by the Corporate Governance Working Group for completion by the end of June 2013.

(7) Bribery Act 2010 –

The Corporate Governance Working Group identified the implications of this Act for the operations of the council and recommended amendments to a number of corporate policies and procedures to ensure compliance with it. These included the Anti Fraud and Corruption Policy, Disciplinary Code, Policy and Procedure, the Code of Conduct for Employees and Standing Orders for Contracts.. These recommendations have now been agreed by the council where appropriate and implemented.

(8) Corporate Plan Co-ordinated Enabler –

Corporate governance and risk has been identified in the Corporate Plan 2013/2017 as one of the three themes that comprise the co-ordinated “enablers”, ie activities that support the delivery of the Plan’s priorities and outcomes. As a result, corporate governance arrangements within the council will continue to be a key priority for the running of the council in the year ahead.

(9) Protocol for Complaints regarding Conduct of Councillors –

The absence of a protocol for dealing with complaints received regarding alleged breaches of the Councillors’ Code of Conduct has been identified as a gap in compliance with the Code of Corporate Governance. Work has started on drafting a protocol and will be produced for early consideration by the Partnership and Resources Policy Development and Scrutiny Panel.

Individual Statements of Compliance –

12. The council’s Code of Corporate Governance requires an annual statement of compliance to be made by the relevant responsible officer on a number of issues. These are listed in the table below. In addition, the Corporate Governance Working Group agreed that a further annual statement of compliance should be produced regarding the council’s compliance with the Public Sector Equality Duties requiring the council to have in place systems and procedures to prevent discrimination regarding the protected characteristics of gender, age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation.

Subject		Responsible Officer
1.	Freedom of Information (reported on separately)	Head of Corporate Services
2..	Councillors' Code of Conduct (reported on separately)	Chief Legal Officer
3.	Breaches of the law	Chief Legal Officer
4.	EC Procurement Rules and Standing Orders for Contracts for Construction Works	Depute Chief Executive (Corporate, Operational & Housing)
5.	EC Procurement Rules and Standing Orders for Contracts for Supplies and Services	Head of Finance & Estates
6.	EC Procurement Rules and Standing Orders for Contracts for Supplies and Services covered by CHCP (Part B contracts)	Depute Chief Executive (CHCP)
7.	Anti-fraud and Corruption Strategy	Head of Finance & Estates
8.	Benefit Fraud Prosecution and Sanction Policy/ Fraud Policy and Strategy for Housing Benefit and Council Tax Benefit	Head of Finance & Estates
9.	Disclosure of information by Employees (Whistle Blowing Policy and Procedure)	Head of Corporate Services
10.	Disciplinary and Grievance Procedures	Head of Corporate Services
11.	Occupational Health & Safety Policy	Head of Corporate Services
12.	Protection of Children and Protected Adults	Head of Corporate Services
13.	Information Security	Head of Corporate Services
14.	Covert surveillance and accessing communications data	Chief Solicitor
15.	Public Sector Equality Duties	Head of Corporate Services

13. These annual statements, except the first two which are reported on separately, are contained in Appendix 3.

Each of these annual statements of compliance concludes that the council's policies and procedures are operating satisfactorily or effectively and any breaches or areas of improvement have been identified. None of the breaches highlighted is considered to have had, or to have, a material or significant impact on the operations or finances of the council.

Future Development -

14. The following activities will be pursued by the Corporate Governance Working Group in 2013/14 to further improve governance requirements across the council -

- identification of options for the improvement to the level of compliance with the Code for the two standards that scored in the range of a red light.
- identification of options for the improvement to and strengthening of the level of compliance with the Code's standards across the council, particularly regarding those standards that scored in the range of an amber light. One focus for improvement will be the consistent application and review of policies, procedures and processes across all of the council's service areas
- reviewing, with the governance champions, the standards for recording evidence within the code. This will enable the identification of inconsistencies between service areas in relation to the application and review of policies, procedures and processes, which will create opportunities for improvement to governance arrangements within service areas.
- During 2013/14 internal audit will review compliance with section 2.3 of the council's Code of Corporate Governance in relation to partnership working. An action plan will be prepared setting out any areas for improvement identified.

Consideration by Partnership and Resources PDSP -

15. The Partnership and Resources Policy Development and Scrutiny Panel considered this report at their meeting on 24 May 2013 and agreed to recommend acceptance of its recommendations to the Council Executive.

E. CONCLUSION

1. Evidence of compliance with the standards of the council's Code of Corporate Governance has been strengthened during 2012/13 and the Code's standards continued to be substantially met in 2012/13.
2. During the year ahead, the focus will continue to be on improving areas of compliance identified in this year's annual report, and streamlining the

Democracy/Corporate Governance/Corporate Governance Working Group/Annual Reports and Statements of Compliance/2012-2013/Annual Report and Statements/Council Exec

standards in the Code to match them better to the way the council operates and to assist with maintaining awareness of those standards across the council. The Corporate Plan 2013/17 recently approved by the council identifies corporate governance as one of the three co-ordinated enablers underpinning the delivery of the Plan's priorities and outcomes. As a result, corporate governance arrangements within the council will continue to be a key priority for the running of the council in the year ahead.

F. BACKGROUND REFERENCES

1. Minutes of the following meetings –
 - Council Executive of 25 June 2012 and 18 September 2012
 - Audit and Governance Committee of 11 September 2012
 - West Lothian Council of 23 October 2012 and 29 January 2013
2. Internal Audit reports on corporate governance matters dated 30 August 2012, 24 October 2012 and 4 March 2013.
3. Audit Scotland's report on their audit of the council for 2011/12, and covering report by Head of Finance & Estates.
4. Report by Chief Legal Officer and presentation by Committee Services Manager to Audit & Governance Committee on 5 March 2013 regarding Code of Corporate Governance.
5. Council's Code of Corporate Governance data base on Covalent showing assessment of compliance and supporting evidence for 2012/13 for each standard in the Code.
6. Corporate Governance Working Group Action Notes of meetings (held on file).

Appendices/Attachments: Three

Contact Person: Gordon Blair, Chief Legal Officer/Monitoring Officer

Tel.no. 01506 281695

Email: gordon.blair@westlothian.gov.

Date of meeting: 4 June 2013

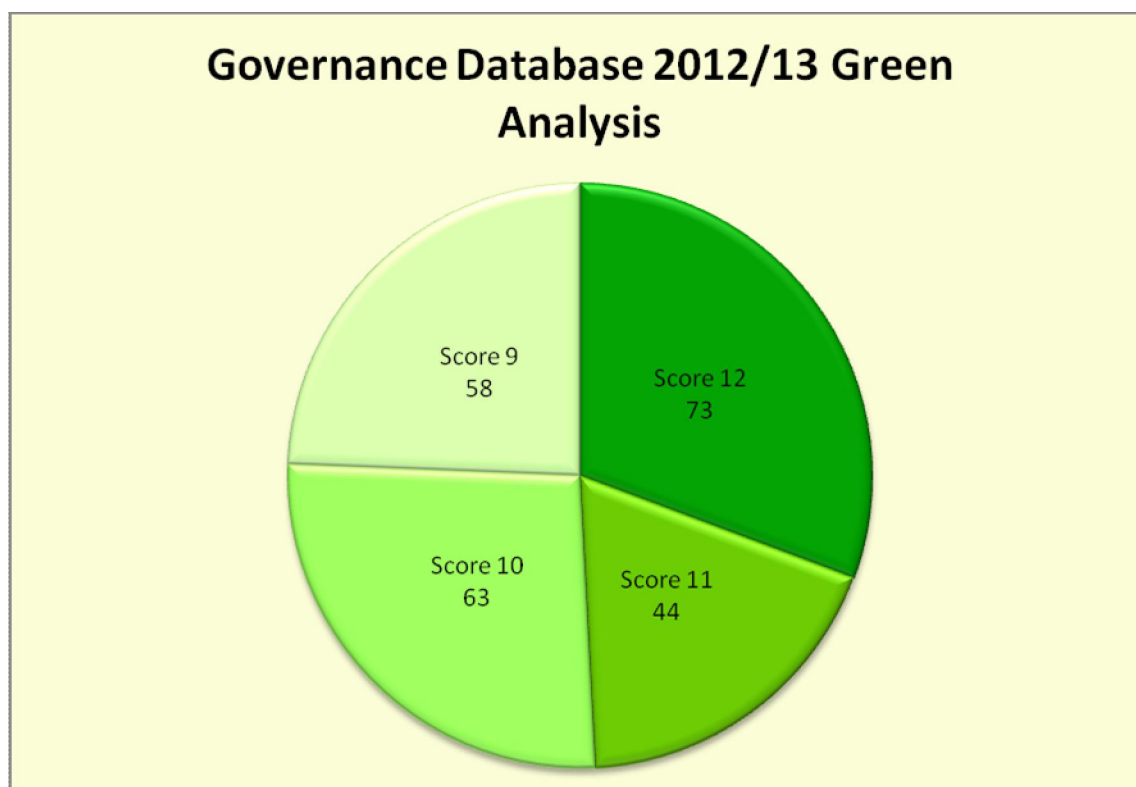
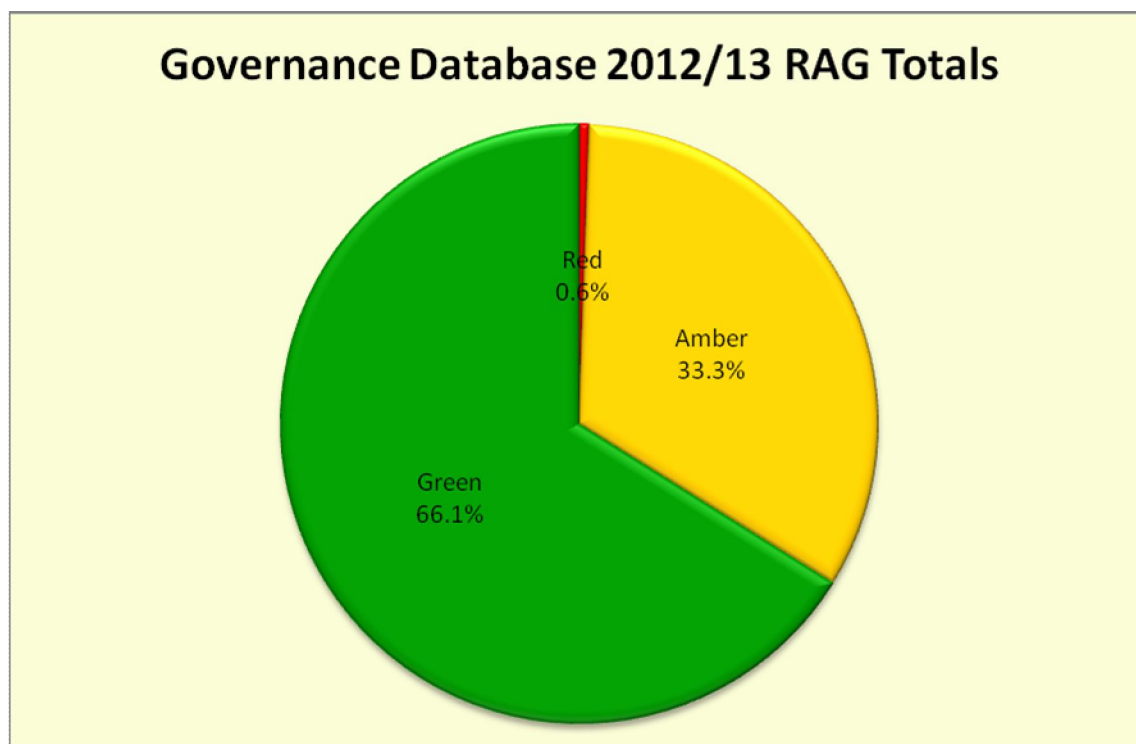
List of Appendices

Appendix 1 – Overall pie chart, pie charts showing breakdown for each of green, amber and red areas, summary graph indicating the number of standards falling within each of the scores, and lists detailing each of the Code's standards under the green, amber and red areas.

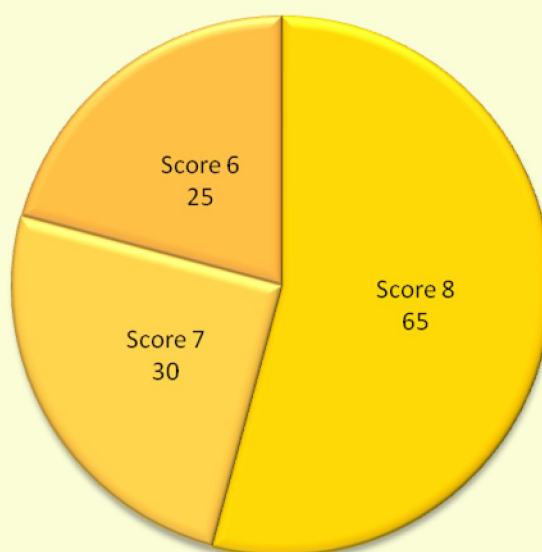
Appendix 2 – Standards removed from the Code.

Appendix 3- Annual statements of compliance on specific issues.

Code of Corporate Governance Data

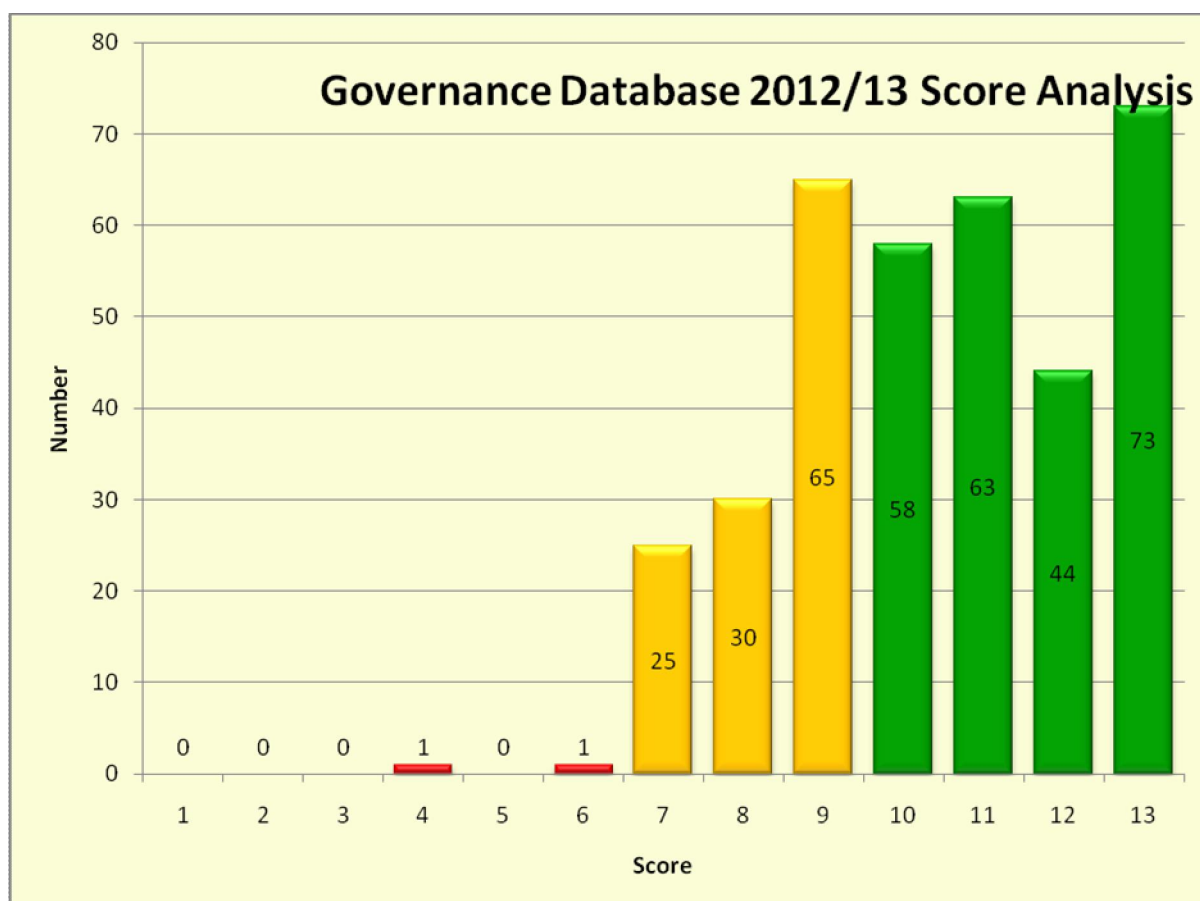


Governance Database 2012/13 Amber Analysis



Governance Database 2012/13 Red Analysis





Score	Green Standards
12	1.1.1k Terms of reference for service plans.
12	1.1.1L Service Plans reflect corporate objectives.
12	1.1.4d Bi-annual financial statements.
12	1.2.2L An Audit Committee remit that covers financial controls.
12	1.2.2q Risks to service delivery are identified, captured and reported on.
12	1.3.1a Budget and monitoring reports provided to committee that demonstrate compliance with the requirements of the Prudential Code.
12	1.3.1b Prudential indicators approved by Council.
12	1.3.1c Annual capital plan approved by Council Executive.
12	1.3.1d Quarterly monitoring reports to committee.
12	1.3.1e Annual budgeting process that links priorities and resource allocation.
12	1.3.1f Five year general services capital budget consultation with committee.
12	1.3.1h Annual monitoring reported to committee.
12	1.3.1j Clear corporate instruction on how to measure VFM and the corporate requirement to monitor VFM.
12	1.3.1m VFM programme for auditors which will determine improvement actions to be taken.
12	1.3.1v An efficiency statement is produced and published on a regular basis

12	2.1.1L CHIEF EXECUTIVE: Published job description.
12	2.1.1m HEAD OF PAID SERVICE: Under Standing Orders an officer is appointed Head of Paid Service under s4 of the Local Government and Housing Act 1989 and is responsible to the authority for all aspects of operational management.
12	2.1.1o s95 OFFICER: An officer is appointed as Proper Officer under S95 of the Local Government (Scotland) Act 1973.
12	2.1.1v CHIEF OFFICERS: Contract of employment/job outline for Chief Officers reviewed every administrative term and updated as required.
12	2.1.1w CHIEF OFFICERS: Chief Officer roles reflected in Scheme of Delegation.
12	2.1.1x EMPLOYEES: A code of conduct for employees is approved by the council. The code is reviewed each administrative term.
12	2.2.4d Authority's accounts are compiled in accordance with statutory and professional accounting standards.
12	2.2.4e Budgetary control framework and procedures have been developed.
12	2.2.4f Documentation showing that the budgeting / service planning process was followed for setting the budget
12	2.2.4g Authority's accounts are supported by comprehensive papers.
12	2.2.4h The accounts and working papers are approved in accordance with relevant timetable.
12	2.2.4i Regular reporting to committee of financial position and performance, together with projected position.
12	2.2.4j Compliance with the standard expected by external audit as evidenced in their annual report to the Council including the Performance and Risk framework.
12	2.2.5c Internal audit reports highlight any material breaches of Standing Orders or Financial Regulations.
12	2.3.2d Remuneration for Elected Members available for public inspection.
12	2.3.2e Expenses for Elected Members information available for public inspection.
12	2.3.2L Development of an Organisational Change Policy to ensure that change is communicated and managed effectively.
12	2.3.3a Council wide financial and budget performance system in place which enable monitoring and reporting regularly during the financial year.
12	2.3.3b Annual accounts produced within deadlines and certified without qualification.
12	2.3.3c A schedule of main council and committee meetings is planned to ensure that members regularly meet on a formal basis to set the strategic direction of the authority and monitor service delivery.
12	2.3.3e Corporate guidance developed for high level KPI's to reflect the results section of WLAM, which is reviewed annually.
12	3.1.1d Scheme of Delegation in place and reviewed at least once every administrative term.
12	3.1.1f Schedule of meetings published within defined timescales.
12	3.1.2c Code of Conduct for Employees
12	3.1.2L Defined standards of personal behaviour, to which individual members, officers, and agents of the authority are required to subscribe. Methodology created for declarations of interest, conflict etc. Registers regularly audited.
12	3.1.3c Registers created for declarations of interest of Members
12	3.2.4a The council's values are considered when making decisions.
12	3.2.4b The council's values are considered in all committee reports.
12	4.1.2c Formal statement which specifies the types of decisions that are delegated to officers and those that are reserved for members.
12	4.1.2d Record of professional advice used in reaching decisions.
12	4.1.3d A register of Members Interests is maintained, reviewed and made available for inspection.
12	4.1.3e Robust guidance available for Elected members on what constitutes a conflict of interest.
12	4.1.3f Robust guidance available for officers on what constitutes a conflict of interest.
12	4.1.4e Findings of Internal Audit are regularly reported to the Audit Committee.

12	4.1.4f Findings of annual corporate risk assessment regularly reported to Audit Committee.
12	4.1.4g Action plans derived from External Audit reports regularly reported to Audit Committee.
12	4.1.4h Financial Strategy and Audit Risk Analysis Plan for coming year presented to Audit Committee.
12	4.2.1a Framework agreed between members and officers to ensure that the general information needs of members to support decision making is in place.
12	4.2.1b Description of pre-determined report formats for major decision making which includes option appraisals, risk analysis, financial, staffing and property implications, policy and legal implications, local impact analysis and reference to the vision, purp
12	4.2.1c Calendar of dates for submitting, publishing and distributing timely reports.
12	4.2.2a Ensure that records are maintained of Committee meetings to demonstrate decision making, including advice tendered and supporting materials used.
12	4.3.1b Risk management policy is adopted/approved by committee and reviewed and updated at least once every administrative term.
12	4.3.1d Authority maintains and reviews a register of its corporate business risks, linking them to strategic business objectives and assigning ownership for each risk.
12	4.3.1f Corporate risk register is supported by or incorporates a series of department/service risk registers that identify and assign lower level of operational risks.
12	4.3.1k Reports to support strategic policy decisions and project initiation documents include a risk assessment and the identification of mitigating action.
12	4.3.1p A report is provided annually to committee, to report on the most significant risks to the council and the effectiveness of the systems of internal risk control for these risks and other risks in general.
12	4.3.1q Authority has conducted an annual review of the effectiveness of the system of internal control and has reported on this in the Statement on Internal Control (SIC).
12	4.3.1r Sources of assurance to support the SIC have been identified and are reviewed by senior officers and members.
12	4.3.1s There are action plans in place to address any significant control issues reported in the SIC.
12	4.3.1t An appropriate committee has responsibility for the review and approval of the SIC and considers it separately from the accounts.
12	4.3.2a Whistle blowing policy exists, which is approved by committee, updated regularly and is reviewed by committee at least once per administrative term.
12	4.4.3c Committee reports ensure that the legal implications of the recommendations with in the report are clearly spelled out
12	5.1.3c Contract of employment / job descriptions for Chief Officers. Review every administrative term and update as required
12	5.1.3d There is a job description / personal specification for each chief officer role
12	5.3.1d Resident panel structure
12	6.1.3a Authority publishes its accounts in accordance with the statutory requirements
12	6.2.5c Timely production of the annual financial statements
12	6.3.1a Staff, trade unions and other relevant representatives are consulted and involved in decision making.
11	1.1.1h A Corporate Plan detailing the vision for the council is produced each administrative term.
11	1.1.1j Performance against Corporate Plan regularly reviewed by committee
11	1.1.2b Review of the authority's vision
11	1.1.2c Review of governance code
11	1.1.4c Report against Corporate Plan
11	1.1.4f Publication of Statutory performance indicators (SPI's) on an annual basis
11	1.2.2d Formally approved complaints policy, which is reviewed and the public are aware of it.
11	1.3.1w Programme of VFM exercises undertaken.
11	1.4.2b Training is provided for all parties involved in the delivery of the plans

11	2.1.1a Political management structure is approved by Council and available on the internet
11	2.1.1e Governance arrangements reviewed annually and reported to senior management and committee.
11	2.1.1i Published job descriptions for all officers and Elected Members.
11	2.1.1n MONITORING OFFICER: An officer is appointed as Monitoring Officer under S5 Local Government and Housing Act 1989.
11	2.1.1t ELECTED MEMBERS: Annual training for elected members on the code of conduct for elected members, including the officer/member interface.
11	2.2.2b Established appraisals arrangements for the Chief Executive.
11	2.2.2c Established appraisals arrangements for all senior directors.
11	2.2.4k Annual report of Head of Internal Audit.
11	2.3.2h Structured pay scales reflecting competence for officers.
11	2.3.3d Committee remits focusing on strategic decisions and performance monitoring.
11	2.3.4h Community Plan produced, after consultation, in conjunction with local partners in public, private sector and voluntary sectors and with communities, which plan sets out the targets and challenges ahead.
11	2.3.4i There is committee scrutiny and review to examine priority and performance against the twelve local challenges (as incorporated in the SOA).
11	3.1.1a Corporate values set and promoted through major corporate documents and other media.
11	3.1.1L Annual Governance Statement produced.
11	3.1.2h Pre-employment disclosure checks are undertaken and a risk assessment process in place.
11	3.1.2i Compliance with Protection of Children legislation in respect of officers and members appointed to a childcare position
11	3.2.3f Complaint process re officers' behaviour developed and reviewed at least once every administrative term.
11	3.2.3g Complaint process re agents' behaviour developed and reviewed at least once every administrative term.
11	4.1.3a Members and officers codes of conduct refer to a requirement to declare interests.
11	4.1.3j Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints that relate to conflicts of interest.
11	4.1.4a Terms of reference in place for Audit Committee.
11	4.1.5a Complaints protocol and procedures in place.
11	4.3.1g Relevant training and guidance for all staff to enable them to take responsibility for managing risk within their own working environment.
11	4.3.1i Regular risk management reporting to the responsible member committee which takes appropriate action to ensure that corporate business risks are being actively managed, including reporting to full council as appropriate.
11	4.4.3a Monitoring Officer appointed in terms of s5 of the Local Government and Housing Act 1989.
11	5.1.1a Induction programme which includes an introduction to the local environment and the sector, the authority's relationship with other bodies and the context for the authority's strategy
11	5.1.2c Contract of employment / job descriptions for Statutory Officers. Review every administrative term and update as required
11	5.1.2d There is a job description / personal specification for each statutory officer role
11	5.2.3a External scrutiny is undertaken of the council's performance.
11	5.2.3d A performance system is in place that captures targets set by committees and allows monitoring and reporting of performance against these targets.
11	6.1.3c Authority publishes a report for the public on the outcomes specified in the single outcome agreement which is accessible to the public
11	6.2.2b Reports of council meetings available for inspection
11	6.2.5a Public Performance Reporting which is accessible, user friendly and tailored to the needs of local

	communities.
11	6.2.5b Annual report which provides details of both positive and negative performance in terms of outcomes specified in the Single Outcome Agreement
11	6.2.6b Complying with the requirements of the Freedom of Information Act
10	1.1.1i The council's activities and achievements from the previous year are published together with and the planned initiatives for the current year.
10	1.1.2a Signed off purpose and vision statement
10	1.1.2e Customer experiences of services taken into consideration in planning process
10	1.1.3b Documented record of process of determining and reviewing vision
10	1.1.3h Evidence of compatibility of partnership and local authority goals.
10	1.1.4e Annual service users feedback report.
10	1.1.4h Public reporting of service performance.
10	1.2.1a Agreed set of service quality standard measures.
10	1.2.1c Evidence that views have been taken into account in service planning delivery.
10	1.2.2a Regular reports produced on progress of service delivery.
10	1.2.2m A Performance Committee that covers non financial controls.
10	1.4.2a Exercises are conducted that establish the effectiveness of the plans.
10	2.1.1f Documented and approved process for holding officers to account for achieving agreed objectives and implementing strategy.
10	2.1.1j LEADER of the COUNCIL: Published job description.
10	2.1.1p ELECTED MEMBERS: Job descriptions for Members' role approved by Council. Reviewed every administrative term and updated as required.
10	2.1.1y EMPLOYEES: Protocol in place detailing how to operate with Elected Members from multi member wards.
10	2.2.2d A robust performance management system which enables all operations to be reported on in terms of meeting performance standards targets and levels of satisfaction.
10	2.2.4c Schemes of Delegation, Standing Order and Financial Regulations which are consistent with statute
10	2.2.5a An officer is appointed to ensure that agreed procedures are followed and applicable statutes and regulations complied with. These duties are defined within their job description.
10	2.2.5b Schemes of Delegation, Standing Order and Financial Regulations which are consistent with statute.
10	2.3.2c A scheme for member remuneration and allowances and personnel policies and conditions of service which ties in with the national scheme.
10	2.3.2f Remuneration information for officers available for public inspection.
10	2.3.2i Competencies Incorporated into job grading process.
10	2.3.2j Process for structure setting, approving, grading and addressing appeals.
10	2.3.2m Development of Job Evaluation and job matching procedures or adoption of recognised national standards
10	2.3.3k Performance management systems are documented regularly, regularly reviewed and updated to take into account changes to organisation structure and new performance measurement frameworks (including the Scottish Governments National Performance Framework)
10	2.3.4g Corporate Plan produced, after consultation, which sets out the targets and challenges ahead.
10	2.3.4j Community Planning Partnership Board meets to review progress at least once per year.
10	2.3.5c Members responsibilities on outside bodies training provided generally at least once per administrative term and specifically for those members who are appointed to a body each time a member is so appointed.
10	3.1.1g Meetings held in public and minutes published unless there are good reasons for confidentiality.

10	3.1.1i Disclosure of senior officer emoluments.
10	3.1.1j Members' Allowance Scheme arrangements approved by Council
10	3.1.1k Published record of allowances.
10	3.1.2f Protocols in place to ensure that relevant areas that are not covered in the standing orders are clarified and appropriately regulated.
10	3.1.2n Complaints procedure for officers
10	3.1.2o Complaints procedure for agents of the council
10	3.1.2q Induction of new officer on standards of behaviour
10	3.1.2r Performance appraisal procedures.
10	3.1.3a A corporate standard on equality has been developed, which influences activities at all levels. This standard is reviewed and reported against at least once per annum.
10	3.2.2a Ethical standards are set and monitored against an appropriate standard or standards.
10	4.1.1k Put in place proper arrangements to satisfy voluntary independent review of financial and operational reporting processes.
10	4.1.2e Committee reports requiring a decision include an assessment of risks associated with the decision.
10	4.1.3b Standing orders in place that deal with procurement, ratification and execution of contracts.
10	4.1.3c Record declarations being sought and made at all committee meetings.
10	4.1.3g Up to date register maintained of gifts and hospitality received for Elected Members. Audit of register undertaken at least once per administrative term.
10	4.1.4b Terms of reference in place for Performance Committee.
10	4.2.2f Protocols are in place that require services to seek proper professional advice on the legal implications arising from committee reports.
10	4.3.1c Risk management strategy and risk management processes are adopted/approved by committee and reviewed and updated at least once per annum.
10	4.3.1L A senior management team regularly reviews the most significant risks that could prevent the authority achieving its key business objectives.
10	4.4.2a Members receive regular training relating to specific relevant legislation and the extent of their legal responsibilities.
10	4.4.3d Training for managers includes legislative requirements of the council.
10	4.4.3e Training for elected members includes legislative requirements of the council.
10	5.1.1e Access to update courses / information
10	5.1.1f Induction programme which includes an introduction to the local environment and the sector, the authority's relationship with other bodies and the context for the authority's strategy
10	5.1.3a Clear remits set out in Scheme of Delegation to officers.
10	5.2.1a Contract of employment/job outline for senior officers.
10	5.2.3b Internal scrutiny is undertaken of the council's performance.
10	5.2.3e An Elected Member Appraisal system is in place which results in the production of a Personal Development Plan for each Elected Member.
10	5.3.1g Performance, Development and Scrutiny Panels encourage stakeholders to attend and participate
10	5.3.2a ELECTED MEMBERS: There is a development programme in place for Elected Members.
10	5.3.2c OFFICERS: There is a training and development of current managers together with identification and training of future managers.
10	6.1.1a There is a community strategy in place which sets out what the goals and responsibilities of the community planning partnership are.
10	6.2.6a The council's stated values and standing orders and reporting standards ensure that the authority as a whole is open and accessible subject only to the need to preserve confidentiality where it is proper and appropriate to do so.

9	1.1.1a Scottish Government 15 national outcomes incorporated into the partnerships Single Outcome Agreement(NEW)
9	1.1.1f Ten year Community Plan for West Lothian produced in conjunction with local partners in public services, the private sector, voluntary sector and communities. Inclusion of targets and challenges in the plan
9	1.1.3e Agreed role and scope of statutory partnership contribution to tasks
9	1.1.4g Public reporting of corporate performance.
9	1.2.1b Clear processes in place to hear the views of users and non-users from all backgrounds.
9	1.2.2b Performance trends are established and reported upon.
9	1.2.2c Committee Reports detailing complaints dealt with and analysed by outcome.
9	1.2.2i Customer contact arrangements are in place to record customer comments, complaints and requests for service.
9	1.3.1i The annual budgeting and Management Planning process ensures compliance with Standing Orders, Scheme of Delegation, Financial Regulations and Council policy.
9	1.3.1o Benchmarking is used to ensure that services are performing well.
9	1.4.1a Plans are developed which ensure adequate and effective handling of recognised civil emergencies.
9	2.1.1q ELECTED MEMBERS: Protocol contained in national Code of Conduct for Councillors.
9	2.2.1a Scheme of delegation (including scheme of delegation for each service).
9	2.2.1c An effective and clear scheme of delegation is in place, including a formal section identifying matters reserved to Council, i.e. not delegated
9	2.2.1f There are clear management processes to ensure compliance with Standing Orders, Scheme of Delegation Financial Regulations and Council policy
9	2.2.2a Up to date job description for the chief executive which sets out their operational responsibilities
9	2.2.3a Job description for the Leader and Chief Executive that make respective roles clear
9	2.2.3b Political management structure is clear and effective. Reviewed every administrative term and updated as required.
9	2.3.1c Protocols for communications between officers and groups of and individual elected members.
9	2.3.2b Roles and responsibilities of all senior officers, together with the terms of their remuneration and its review, are clearly defined in writing and reviewed annually.
9	2.3.2g Expenses for officers information available for public inspection.
9	2.3.3f Appropriate key performance indicators have been established and approved for each service element and included in the service plan.
9	2.3.3g Regular reports on progress and delivery of KPI's, which are presented to managers and members.
9	2.3.3L Performance measures and benchmarking are being used to describe and evaluate how the authority's asset base contributes to the achievement of corporate and service objectives, including improvement priorities.
9	2.3.4b Protocols for consultation with third parties.
9	2.3.4d Evidence to support the quality of consultation e.g. breadth of promotion, diversity of participants and respondees.
9	2.3.4e Statutory procedures are followed where these exist.
9	2.3.4k Review of progress against the Community Plan targets every two years and regular reporting of review outcomes.
9	2.3.4L Report annually in Factfile on performance against targets and challenges in the Corporate Plan.
9	2.3.5e The activities and decisions of outside bodies to which the council has appointed a member as a representative are reported back to the appropriate forum within the council.
9	3.1.1c Financial Regulations in place and reviewed at least once every administrative term.
9	3.1.1e Values incorporated into decision making process (see 3.2.1 below)
9	3.1.2g Services are delivered by trained, experienced and appropriately qualified people
9	3.1.2k Protocol developed governing relationship between members and officers

9	3.1.2p Induction scheme developed and reviewed at least once per administrative term. Induction training carried out for members.
9	3.1.3d Develop procedures for identifying potential conflict and for dealing with conflict that arises.
9	3.2.1c Shared values are regularly and effectively communicated with Elected Members, officers, partners and community and the values form part of the decision making process.
9	3.2.1d Shared values are affirmed within major corporate plans and strategies.
9	4.1.1c As a committee report progresses through the committee structure, comments received at each stage are captured in the committee report for consideration at the next stage.
9	4.1.1d Scrutiny work-plans are systematically driven by the authority's priorities.
9	4.1.1g Evidence of improvements of proposals as a result of scrutiny.
9	4.1.1j Put in place proper arrangements to satisfy the statutory review of financial and operational reporting processes.
9	4.1.2a Decision making protocols.
9	4.1.2f Impact assessment and consequences of decisions should be reported back to members.
9	4.2.2c Ensure that a senior officer is made responsible to the authority for ensuring that appropriate advice is given on financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal control.
9	4.2.2d Protocols are in place that require services to seek proper professional advice on the financial implications arising from committee reports.
9	4.2.2e Ensure that a senior officer is made responsible to the authority for ensuring that appropriate advice is given on legal matters.
9	4.4.1a The constitution, remit and powers of the local authority are defined.
9	5.1.1i Access to update courses / information
9	5.1.2a Clear remits set out in Scheme of Delegation to officers.
9	5.2.1g Corporate Governance Working Group recommendations to senior management and to committee.
9	5.3.1e Participation in Community Councils is encouraged and maximised.
9	5.3.1h Encouraging citizens to be aware of the role of the local authority both as a service provider, as an employer and as organ of local democracy.
9	6.2.1a A communication strategy is developed that establishes clear channels of communication with all sections of the community and other stakeholders, and puts in place proper monitoring arrangements to ensure that they operate effectively.
9	6.2.1b Processes for dealing with competing demands within the community
9	6.2.3c Locality planning framework that encourages local citizens to become involved in the issues within their multi-member ward
9	6.2.3f Effective and well communicated comments and complaints procedure.
9	6.2.4a Develop a clear policy or framework for consultation and feedback
Amber Standards	
8	1.1.1d Performance against SOA measures published on the intranet.
8	1.1.1e Formal annual report against SOA
8	1.1.1m Communication Strategy for corporate objectives.
8	1.1.3a Fully Signed off and published Community Plan.
8	1.1.4a Formal annual report against SOA.
8	1.1.4b Report against Community Plan
8	1.2.2e Complaints system records actions taken to prevent re-occurrence.
8	1.2.2g Staff trained to deal with complaints and empowered to deal with them.
8	1.2.2j Unified approach to complaint handling across the council, with a common point of entry and also across community planning partnerships and other forms of partnership working.

8	1.3.1q Corporate framework/guidance for assessing environmental impact of policies, plans and decisions.
8	1.3.1r Consultation is undertaken before policies and plans are developed.
8	2.1.1r ELECTED MEMBERS: Protocol for the best practice to be observed in multi member wards.
8	2.1.1u ELECTED MEMBERS: Annual review of operation of Code of Conduct reported to senior management and committee.
8	2.2.1d Established terms of reference and reporting arrangements of all committees and any sub-committees of the authority.
8	2.2.1e Standing Orders and Financial Regulations are regularly reviewed.
8	2.2.2f Contract of Employment and Scheme of Delegation reflect responsibility under s4 of the Local Government and Housing Act 1989.
8	2.2.4a Identify post within organisation staff structure and a current section 95 job description, membership of top management team.
8	2.2.4b Appointment of a senior officer to the role of s95 officer.
8	2.3.2k Managers decisions shaped by identifiable drivers such as modernisation of service, efficiency or best value.
8	2.3.3i Reports include detailed performance results both absolute and relative to peer authorities, clear indication of below, on or above target results, highlighting areas where corrective action is necessary.
8	2.3.3j Committee reports on below par performance include SMART action plans to improve performance.
8	2.3.4f Major strategic documents approved within management and committee terms.
8	2.3.4m The Single Outcome Agreement (SOA) reflects the outcome measures to be delivered by the Community Plan. SOA reviewed at least every three years.
8	2.3.6a Effective and clear scheme of delegation in place.
8	3.1.1h Agendas and minutes of meetings published within defined timescales. Verification of minutes through content management.
8	3.1.2a Anti-fraud and anti corruption policies created and reviewed at least once every administrative term. Policies cover officers, elected members and customers.
8	3.1.3b Registers created for declarations of interest of employees
8	3.2.1a Council statement of values
8	3.2.3e Process for customer consultation on behaviour of officers developed and reviewed at least once per administrative term.
8	4.1.1a The role of scrutiny has been established through a scheme of delegation.
8	4.1.1b The role of scrutiny has been established through committee structures.
8	4.1.1e Scrutiny is supported by documented evidence, option appraisal and data analysis.
8	4.1.1f Record of meetings of groups established to scrutinise reports, data and findings.
8	4.1.1h Agendas and minutes of scrutiny meetings available for inspection.
8	4.1.2b Record of decisions and supporting materials as well as use of casting vote.
8	4.1.2g Ratification of any urgent decisions taken by officers in accordance with standing orders.
8	4.1.2i Council Minutes record decisions effectively
8	4.1.3h Up to date register maintained of gifts and hospitality received for officers. Audit of register undertaken at least once per administrative term.
8	4.1.4d Committee members training in place to ensure effective performance within the audit committee.
8	4.3.1e Corporate register includes risks which arise from and within partnerships.
8	4.3.1h A committee has specific responsibility included in its terms of reference to consider corporate risk management.
8	4.3.1j Risk management awareness training for those members with specific responsibility for risk management and ultimately for all members.

8	4.3.1m Service management teams regularly review significant risks that could prevent the service and/or the authority from achieving its key business objectives.
8	4.3.1n Risk related issues identified by auditors and inspectors are captured, actioned and reviewed.
8	4.4.2b Officers receive regular training relating to specific relevant legislation and the extent of their legal responsibilities.
8	4.4.2c Officers ensure that a proper record is maintained of any legal advice issued by them.
8	4.4.3b There is a scheme of delegation which requires officers to comply with the law when carrying out their duties.
8	5.1.1b Roles and responsibilities for elected members including job profile and personal specification.
8	5.1.1c Training & development plan for each member
8	5.1.1d Assessments of the skills of individual members
8	5.1.1g Contract of employment/job description. Roles and responsibilities for officers including job profile and personal specification for each role.
8	5.1.1h Assessments of the skills of individual officers and a training & development plan developed for each officer
8	5.1.3b Scheme of Delegation to Officers has been communicated to staff, including those not delegated to take action.
8	5.1.3e Training & Development plan for each Chief Officer
8	5.2.1b Training plan in place for elected members.
8	5.2.1d Training plan in place for elected members
8	5.2.1f Investors in People reviews and personal development plans for officers
8	5.2.2b Training plan in place for elected members
8	5.3.1f Committees encourage stakeholders to attend and participate in meetings.
8	5.3.2b ELECTED MEMBERS: There is succession planning in place.
8	6.2.3a Arrangements are in place to enable the authority to engage with all sections of the community effectively.
8	6.2.3b Citizen consultations are undertaken by service areas in relation to specific issues and projects (e.g. capital project consultation)
8	6.2.3d A management framework is in place that requires customer consultation with all sections of the community.
8	6.2.3e Disability Forum to engage with disabled citizens of West Lothian
8	6.2.4b A communication strategy is developed that establishes clear channels of communication with all sections of the community and other stakeholders, and puts in place proper monitoring arrangements to ensure that they operate effectively.
7	1.1.2d Assessment of impact of changes from vision document.
7	1.2.1e The A to Z of public council services containing standards for all services. Maintenance and updating of A to Z of public council services reviewed annually by a designated officer
7	1.2.2k Regular testing of complaints handling procedure to ensure it meets consumer needs and expectations.
7	1.2.2p Follow up reports on recommendations are requested and reviewed by the relevant senior management team and progress is regularly reported to the relevant committee.
7	1.3.1L Monitoring of VFM captured WLAM.
7	1.3.1n Compare information about the economy, efficiency and effectiveness of services provided by similar organisations.
7	2.1.1b Terms of reference for the administration of each committee reviewed every administrative term and update as required.
7	2.1.1d Public document setting out authorities approach to governance.
7	2.3.3h Performance committees receive performance reports which focus on responsibilities under the Corporate Plan.
7	2.3.7a A guide to partnership agreements is available to define partnership and provide guidance to ensure consistency of application and standards.

7	3.1.2e There are contractual controls relating to the conduct of agents of the council.
7	3.2.3d Process for referral and responding to Standards Commission investigations.
7	3.2.5a Develop guidance for partnership working, to include protocols, processes and guidance.
7	3.2.5b Values are agreed with partners and reflected within the partnership agreement.
7	4.1.1i Follow up requests in response to scrutiny undertaken by members.
7	4.1.1l Ensure that the results of scrutiny and challenge are properly captured, reviewed and actioned. Ensure that actions and outcomes are reviewed to deliver positive benefits are realised.
7	4.2.2b Officers create and retain notes which record details of any legal and financial advice given.
7	4.3.1a Risk management is embedded in the Strategic Planning, Financial planning, Service Delivery, Policy making and review, Project management, Performance management. This is included in council the Standing Orders
7	5.1.2b Scheme of Delegation to Officers has been communicated to staff, including those not delegated to take action.
7	5.1.2e Training & Development plan for each Statutory Officer
7	5.2.1c Roles with governance duties are identified. Specific training is provided.
7	5.2.2a Job outlines, personal development plans, learning and development plans
7	5.3.1a Improving awareness of the local authority through partnership working.
7	5.3.1c Area forum roles and responsibilities
7	5.3.2d OFFICERS: Investors in People reviews and personal development plans for officers
7	5.3.2e OFFICERS: Career development and progression in place for employees.
7	5.3.2f OFFICERS: There is succession planning in place.
7	6.1.1b There is a local authority corporate strategy that supports and facilitates the delivery of the outcomes of the community strategy.
7	6.1.2a Establish a database of stakeholders with whom the authority should engage and for what purpose. Database also records the effect of any changes made.
7	6.2.5d Making the findings of inspectors and regulators available to the public as well as the results of any self-assessments undertaken by the authority itself, which identify the areas where the authority needs to improve.
6	1.1.3c Agreed role and scope of funded organisations contribution to tasks
6	1.1.3d Agreed role and scope of contracted partner contribution to tasks
6	1.1.3f Agreed role and scope of other partners contribution to tasks.
6	1.1.3g Maintenance of schedule of partnerships
6	1.2.1d Comparison and analysis of quality of service provided by similar organisations.
6	1.2.2h Corporate communication standard developed.
6	2.1.1h Standing Orders contain details of the responsibilities of Elected Members and officers.
6	2.2.1b Scheme of delegation to Community Planning Partnerships.
6	2.2.2e Chief Executive appointed Head of Paid Service under s4 of the Local Government and Housing Act 1989.
6	2.3.4a A list of accountable bodies to consult has been produced in order to maintain an effective dialogue with those to whom we are accountable.
6	2.3.5d A document, which has been accepted by all partners, establishes all roles and responsibilities relating to the activities of the partnership.
6	2.3.6b There is guidance provided for Officers relating to effective working relationships between Officers and partners.
6	2.3.6c Officer's responsibilities on outside bodies training provided generally at least once per administrative term.
6	2.3.6d A document, which has been accepted by all partners, establishes all roles and responsibilities relating to the activities of the partnership.

6	2.3.6e The activities and decisions of outside bodies to which the council has appointed an officer as a representative are reported back to the appropriate forum within the council.
6	2.3.7c For each partnership there is a clear statement of principles and objectives, clarity and definition of roles and responsibilities, a statement of funding sources and accountability and a protocol for dispute resolution.
6	3.1.1b Standing orders in place and reviewed at least once every administrative term.
6	4.1.2h Evidence of the use of option appraisals in reaching decisions.
6	4.1.4c Members of the Audit and Performance Committees are independent of the executive function.
6	4.3.1o Risk analysis takes into consideration positive risks (opportunities) as well as negative risks (threats).
6	5.2.2d Senior management and committees review policy, decisions and any external advice sought
6	5.3.1b Stakeholder forums terms of reference
6	6.1.1c Results from internal / external consultation exercises have been analysed and published
6	6.1.3b At least annually there is a report against scrutiny activity.
6	6.2.2a There has been active promotion of meetings to the public.
	Red Standards
5	3.1.2m Complaints procedure for Elected Members developed and reviewed at least once every administrative term.
3	2.3.5b There is guidance provided for Members relating to effective working relationships between Members and partners.

Changes to Code of Corporate Governance

Standard Removed	Reason for removal
1.2.2n External assurance reports collated centrally and reports reviewed by relevant senior management team and reported to committee.	Reports are available on website and through Coins. Covered by 1.2.2p.
1.3.1p A strategy has been developed and communicated which considers strategic and operational sustainability at least once every administrative term.	Such a strategy is unnecessary, sustainability is part of all policy and strategy initiatives.
2.1.1g The Code of Conduct for Elected Members contains details of the responsibilities of Elected Members and officers.	Code of Conduct not part of council remit. Standard is more appropriately dealt with under 2.3.1a.
2.1.1s Elected Members: Review of operation of the multi-member ward protocol at least once every administrative term.	Covered in review process for standard 2.1.1r.
2.2.4L Clear job description for the treasurer of any joint boards distinguishing responsibilities from those of the finance officer of the service subject to the joint board arrangement.	Not relevant to the governance arrangements of this council.
2.3.1a Protocol contained in National Code of Conduct for Councillors. Elected Members advised of protocol at least once per year.	Code of Conduct not part of council remit. Standard is more appropriately dealt with under 2.1.1g.
2.3.5a Effective and clear scheme of delegation in place, including a formal section identifying matters reserved to Council i.e. not delegated to a Member.	Not relevant to the governance arrangements of this council. Scheme of delegation is extensively covered elsewhere in code.
3.1.2b Code of Conduct for Councillors.	Code of Conduct not part of council remit.
3.1.2d Officers' code of conduct acknowledges professional bodies' codes of conduct.	Standard reviewed by HR Services and determined not to be necessary.
3.2.3a Terms of reference for standards committee including reporting arrangements.	Not relevant to the governance arrangements of this council.
3.2.3b Public opinion sought on behaviour of elected members.	Not relevant to the governance arrangements of this council.
5.2.1e Roles and responsibilities for officers and elected members including job profile and personal specification for each role.	Standard is extensively covered elsewhere in code.
5.2.3c A performance system is in place that evaluates the performance of the committees and the individuals that make up their membership.	Not relevant to the governance arrangements of this council.

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Breaches of the Law
Responsible Officer:	Gordon Blair, Chief Legal Officer/Monitoring Officer
Stated Requirement in Code:	Annual review of the council's performance in relation to breaches of the law
Report required by:	Corporate Management Team Meeting April 2013
Review Date	May 2014
Report by Chief Legal Officer/Monitoring Officer on Statements of Compliance with the law received from other Heads of Service in West Lothian Council	<p>Having consulted with the Depute Chief Executives, Heads of Service, the Chief Solicitor and the Audit and Risk Manager, I can confirm that I am not aware of any actual or potential breaches of the law by the council in 2012/13 which have or will have a material or significant impact on the operations or finances of the council.</p> <p>In the course of my consultations, a number of instances were identified where improvements to the council's compliance with legislation and the council's Standing Orders were required. None of these breaches is considered to have a material or significant impact on the operations or finances of the council. Where such improvements were identified, steps have been, or are being, taken to deliver them, as illustrated in the other relevant statements of compliance.</p>

Conclusions Drawn from Report

There have been no material or significant breaches of the law by the council in 2012/13 which have or will have a material or significant impact on the operations or finances of the council.

Matters for Forward Periods

None

Certificate by Chief Legal Officer/Monitoring Officer

The council is complying in all material respects with its legal requirements.

Signature**Date** 9 May 2013

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Compliance with European Union Procurement Regulations and Standing Orders for Construction Works	
Responsible Officer:	John M Hill	
Stated Requirement in Code:	1. Annual Statement of Compliance 2. Review policy every administrative term	
Report required by:	Corporate Management Team	April 2013 Meeting
	Next report due April 2014	
Report by Depute Chief Executive (Corporate, Operational and Housing Services) on Statements of Compliance with arrangements	<p>The Council's Standing Orders require committee approval for the tender award criteria and the proposed strategy for the proposed procurement of all Works Contracts where the Contract Value is over the relevant EU threshold.</p> <p>In March/April 2013 I made enquiries to the Head of Housing Building and Construction Services, Head of Operational Services and the Corporate Procurement Manager to obtain a demonstration of compliance with EU Procurement Regulations and the Council's Standing Orders for Works Contracts.</p> <p>The Head of Housing Building and Construction Services, and Head of Operational Services have confirmed compliance with EU Procurement Regulations and the Council's Standing Orders for Works Contracts.</p> <p>The Corporate Procurement Manager has confirmed that, to her knowledge, there have been no known non compliance issues relating to Work Contracts.</p> <p>A recent internal audit has been carried out on the covalent risk, WLC010: Breach of EU rules or standing orders. The report which is currently in draft, has identified the following issue which may impact on the compliance for the year to 31 March 2013:</p> <p>Building Services has a documented process in place for ensuring compliance with EU regulations and standing orders. However, Construction Services does not have a detailed process, and Operational Services has no documented process in place.</p>	
Conclusions Drawn from Report	Housing Building and Construction Services, and Operational Services have complied with EU Procurement Regulations and the Council's Standing Orders for Works Contracts.	

Matters for Forward Periods

Both the Head of Housing Building and Construction Services and Head of Operational Services have confirmed that during 2013/14 they will introduce documented processes for ensuring compliance with EU regulations and standing orders.

A procedure has also been prepared in relation to the process I should undertake to receive assurance for the purposes of preparing this compliance statement, including consultation with relevant council officers. The procedure was agreed by the Corporate Governance Working Group on 17 April 2013.

Certificate by Head of Corporate Services

In order to complete this statement of compliance I have consulted with the Head of Housing Building and Construction Services, Head of Operational Services and the Corporate Procurement Manager confirmation of their service compliance with EU Procurement Regulations and the Council's Standing Orders for Works Contracts.

I certify that, upon enquiry, that the Council has complied with EU Procurement Regulations and Standing Orders for Works Contracts.

Signature

AP

Craemer Struthers

Date

19 April 13

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	<u>Compliance with European Union Procurement Rules and Standing Orders for Contracts for Supplies and Services</u>
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Responsible Officer:	<u>Donald Forrest – Head of Finance and Estates</u>
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Stated Requirement in Code:	1. Annual Statement of Compliance 2. Review Policy every administrative term
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Report required by:	Corporate Management Team – May 2013 Meeting
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Review Date	March 2013 – Procurement Organisational Changes
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Report by Finance and Estates of Compliance with Regulations and Policy received from other Heads of Service in West Lothian Council

In March 2013, enquiries were made of all Heads of Services and the Corporate Procurement Manager to obtain a demonstration of compliance with EU procurement rules, for purchases over £173,934 and with the Council's Standing Orders for supplies and services. The Audit and Risk Manager has also been consulted. During 2012/13 there was compliance with the large majority of contracts throughout the Council, however exceptions were identified.

The result of the review has identified a few issues. Various quick quotes for stair lifts have resulted in the aggregated value exceeding the Standing Orders contract limit of £50,000. In addition, various professional service frameworks spend have been higher than the contract value, exceeding EU thresholds. This spend is now on the procurement annual plan to be procured and have the contract in place by 2013/14.

Following an audit of taxi contracts, breaches of the councils Standing Orders for Contracts in relation to school campus routes were identified. Weaknesses were also identified in relation to the procurement of other taxi routes. This matter was reported to the Audit and Governance Committee on 27 February 2013. An action plan has been agreed and the Corporate Procurement Unit will ensure that the procurement of taxi contracts from 2013/14 is fully compliant with Standing Orders.

Following the disclosure in the 2012/13 statement of compliance, appropriate action has been taken to ensure compliance regarding building surveying, asbestos surveys and catering equipment.

Controls are in place to ensure all contract extensions have written authorisation from the Head of Finance and Estates.

Five year development plans have been put in place to ensure all spend is captured and a contract established. A new process to monitor and review the annual statement of compliance has been implemented to provide further reassurance that processes and procedures are in place to ensure compliance across the Council.

Conclusions Drawn from Report

During 2012/13 there has been compliance with the majority of contracts throughout the Council, however exceptions have been identified. It is imperative that such exceptions do not continue to occur and appropriate action is been taken to ensure controls are in place to prevent such exceptions taking place in the future.

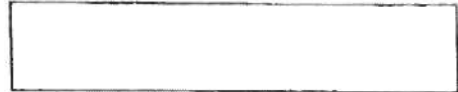
Matters for Forward Periods

To take procurement forward, a five year procurement strategy has been developed. In addition, five year and annual delivery plans are being prepared in partnership with the service to map out the procurement requirements to be completed over this period. An improvement plan will be identified to ensure the planned improvements will be identified and monitored to ensure compliance. To ensure maximum benefit for the citizens of West Lothian is obtained from all contracts, a community benefits procedure has been developed.

Certificate by Head of Finance and Estates

I certify that, upon enquiry, during the financial year under review, apart from the exceptions identified above, the Council's officers have complied with EU procurement rules and the Council's standing orders related to contracts.

Signature*Derek Grant***Date** 15/04/13



Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure: Compliance with European Union Procurement Regulations and Standing Orders for contracts for supplies and services covered by the CHCP Health, Care and Support Services Procurement Procedures

Responsible Officer: Jim Forrest, Depute Chief Executive Community Health & Care Partnership (CHCP)

Stated Requirement in Code: 1. Annual statement of compliance

Report required by: Corporate Management Team 24 April 2013

Review Date May 2014

**Report by Depute
Chief Executive
Community Health
& Care Partnership
(CHCP) on
corporate risks to
achieve best value
and failure to
adhere to EU
procurement rules
and council policy
for Social Care
Contracts**

As part of the annual audit plan for 2012/13, the Audit and Risk Unit carried out a review of Social Care Contracts within Social Policy, focused on the corporate risks to achieve best value and failure to adhere to EU procurement rules and council policy. The audit noted that, whilst there were significant key controls in place, the level of control required improvement. The following actions have been carried out:

- The contract register currently maintained by Social Policy has been brought up to date. On successful roll out of the Corporate Contract Management System (CCMS), Social Policy will revert to using CCMS going forward to ensure there is no duplication of effort.
- CHCP Procurement Procedures have been redrafted to explain when the use of the indicative budget is acceptable, correct process to follow when a contract is to be renewed, and to take account of the Procurement Care and Support Guidance 2010.
- Future contracts will be signed at the time of award and contract monitoring will commence in line with the terms of the contract. Late signing will be reported to Social Policy Contracts Advisory Group.

Outstanding recommendations from the Audit and Risk Unit's report will be fully implemented and compliance with requirements of Standing Orders monitored in 2013/14.

**Conclusions Drawn
from Report**

The improvements identified from the audit report have either been carried out or are in the process of being carried out. Outstanding recommendations from the report will be fully implemented in 2013/14.

**Matters for Forward
Periods**

Compliance with the requirements of European Union Procurement Regulations and Standing Orders for contracts will continue to be monitored in 2013/14.

**Certificate by
Depute Chief
Executive CHCP**

Weaknesses were found in 2012/13, but steps have been taken to make the necessary improvements. Subject to these, I certify that during the financial year under review Standing Orders for contracts for supplies and services covered by the CHCP Health, Care and Support Services Procurement Procedures have been complied with.

Signature



Date 17 April 2013



Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Anti Fraud and Corruption Policy
Responsible Officer:	Donald Forrest – Head of Finance & Estates
Stated Requirement in Code:	Annual Statement of Compliance Review Anti Fraud and Corruption Policy every administrative term
Report required by:	Corporate Management Team – April 2013 meeting
Review Date	The Policy has been reviewed and a revised Policy was approved by the Council Executive on 25 June 2012. This incorporates changes made to reflect the provisions of the Bribery Act 2010.

Report by Audit and Risk Manager on the operation of the policy during 2012/13.

The revised Policy has been circulated to all Heads of Service.

All Heads of Service have signed a statement confirming compliance with the Policy during 2012/13.

Both the council's Scheme of Delegation and Standing Orders for Contracts were revised in 2012/13 to reflect the provisions of the Bribery Act.

In 2012/13, in consultation with the Corporate Governance Working Group, the Audit and Risk Management Unit revised its Procedures for the Investigation of Suspected Fraud and Irregularity. The revised Procedures were issued in November 2012.

Financial Regulations require all allegations of fraud and irregularity to be reported to the Head of Finance and Estates. Audit and Risk Management investigates allegations in accordance with the terms of the Anti Fraud and Corruption Policy and the Procedures for the Investigation of Suspected Fraud and Irregularity. Where the resultant audit reports contain significant issues of concern, they are submitted to the Audit and Governance Committee. Audit reports normally include an action plan containing agreed improvements to processes.

Conclusions Drawn from Report

It is concluded that the Policy is operating effectively.

Matters for Forward Periods

The Internal Audit Plan for 2013/14 is prepared on the basis of an assessment of risk and includes an allocation of time for the investigation of matters of concern.

Certificate by (insert name)

On the basis of the statements provided by the Heads of Service, and the information provided by the Audit and Risk Manager, I certify that the council's Anti-Fraud and Corruption Policy has been complied with.

Signature

Paul Gault

Date 15/04/2013

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure: **Benefit Fraud Prosecution and Sanction Policy/Fraud Policy and Strategy for Housing Benefit and Council Tax Benefit**

Responsible Officer: **Donald Forrest – Head of Finance and Estates**

Stated Requirement in Code:
1. Annual statement of compliance
2. Review policy every administrative term

Report required by: **Corporate Management Team – April 2013 meeting**

Review Date: **August 2013**

**Report by
Revenues
Snr Team Leader
on Operation of
Policy in Year
Under Review:**

In the course of the year ending 31 March 2013, the benefit investigation team continued to identify and investigate allegations of benefit fraud. The team remain committed to the joint working partnership with counterparts within the Jobcentreplus fraud investigation service.

The team continue to be engaged in comprehensive data matching exercises, through the biennial National Fraud Initiative (NFI) & Department for Work and Pensions (DWP's) monthly Housing Benefit Matching Service (HBMS). The investigation officers' skills and expertise are updated to take into account changes within legislation or the law. Also, as with previous years, fraud awareness training has been provided via an e-learning package, to all relevant staff. To reach staff in other services an e-learning Fraud Awareness Package was developed and is available on the council's intranet page.

During 2012/13, the following results were achieved::

	2012/13	2011/12
Total number of referrals received	326	478
From above, number of cases accepted for investigation (in year)	97	182
Number of cases investigated to closure (Includes cases opened in previous years)	157	187
From above, those related to Claimant fraud	105	109
From above, those related to Landlord fraud	0	0
Number of cases involving Councillors	0	0
Number of cases where surveillance used	0	0
Number of cases where data matching used	4	59
Number of cases prepared for Procurator Fiscal	28	23
Average number of authorised staff in post	4	4
Turnover of Authorised staff in year	0	0

The figures show that there was a decrease (32%) in the number of referrals received, however the %age of cases accepted for investigation is 30% for 2012/13 compared to 38% in 2011/12.

The fraud risk analysis within our fraud management system evaluates the extent of the risk and allows us to prioritise our investigations and manage them efficiently and effectively.

Due to strengthened evidence gathering, we have had no requirement for covert surveillance since 2011/12.

Data matching referrals decreased during 2012/13, however this is due to NFI being a biennial exercise and any referrals generated from this will not be available until 2013/14.

The figures show that there was improvement in the number of cases reported for prosecution. We have a long term partnership with our counterparts in DWP and remain committed to joint working which increases the capacity for improvement.

The council's procedures for considering sanction suitability comply with the terms of the Fraud Prosecution and Sanction Policy. To ensure compliance there is a comprehensive management checking process in place. Also in addition, there is a clear decision making process for all sanction cases for which there is a full audit trail.

The sanctions for the year ending 2012/13 were as follows:

	2012/13	2011/12
Number of Cases Investigated by the Council	157	187
Number of Cases of Administrative Caution	4	7
Number of Cases of Administrative Penalty	4	12
Number of Cases Reported to the DWP/Procurator Fiscal	28	23
Number of Cases Prosecuted	28	23
Number of Cases Where a Guilty Verdict Brought	2	5

The figures show that although there was a decrease in the number of cautions, penalties and the number of cases investigated, the number of cases referred for prosecution increased by 22%. It is pleasing note that all of the cases reported to the Procurator Fiscal were prosecuted.

The %age of cases investigated that resulted in a sanction increased slightly to 23% for 2012/13 compared to 22% in 2011/12.

Conclusions Drawn from Report

In line with Inspection/Audit bodies' recommendations, it was agreed that our Prosecution and Sanction policy should be a specific, stand-alone, policy statement, endorsed by Members. This should set out its commitment to deter, detect and investigate benefit fraud through a range of investigation activities.

The Prosecution and Sanction Policy was reviewed in May 2012 to take into account the new guidance issued by the Department for Work and Pensions in relation to Administrative Penalties. The Benefit Fraud Strategy outlines the council's commitment to prevention and detection of fraud. The Benefit Fraud Strategy was reviewed in April 2012 and was found to be working satisfactorily and considered fit for purpose.

Both the policy and strategy are found to be working satisfactorily and remain fit for purpose. The next review will take place in August 2013.

**Matters for
Forward Periods**

The success of the Benefit Fraud Strategy depends to a high degree on the effectiveness of planned training, awareness and responsiveness of employees throughout the organisation. To facilitate this, we will continue to ensure that Fraud Awareness training is provided at regular intervals to relevant staff and stakeholders.

Systems and processes will be continuously reviewed to maintain the effectiveness of the benefit investigation team and ensure that appropriate and effective sanctions are applied.

The Prosecution and Sanction Policy and Benefit Fraud Strategy together with other fraud related procedures will continue to be published on our webpage. To act as a deterrent against abuse of the benefit system, a sanitised version of the outcomes of prosecution cases will also be publicised on our webpage.

**Certificate by
Head of Finance
and Estates:**

I certify that during the financial year under review the council's officers have:

- Operated in compliance with the relevant legislation and the Council's Benefit Fraud Strategy, to identify, investigate and report cases of fraud related to Housing and Council Tax Benefits.
- Reported appropriate fraud cases related to Housing and Council Tax Benefit to the Procurator Fiscal, in compliance with the Council's policy on prosecution and sanctions.

Signature

David Gormet

Date 16/04/13

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Disclosure of Information by Employees (Whistle Blowing Policy & Procedure)	
Responsible Officer:	Graeme Struthers – Head of Corporate Services	
Stated Requirement in Code:	Annual Statement of Compliance	
Report required by:	Corporate Management Team	April 2013 Meeting
	Next report due April 2014	
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The Human Resources Service keeps the council's employment policies under continuous review. Specific reviews are also undertaken in response to business requirements, changes to legislation and as part of the council's Equality Impact Assessment process.</p> <p>A review of the council's Code of Conduct in 2011 (including the council's Whistle Blowing Policy) concluded that the policy was 'fit for purpose' but would benefit from being further publicised to employees. In July 2011 a payslip insert was issued reminding employees of the availability and purpose of the Whistle Blowing Policy and where it can be accessed.</p> <p>During the 2012/2013 financial year, no issues ('protected disclosures') were reported through the council's Whistle Blowing Policy. Occasionally issues have arisen in the course of Employee Appeals Committees and Employment Tribunal cases; however such claims are more accurately categorised as matters that fall to be dealt with under the council's Policy and Procedure on Fair Treatment at Work.</p>	
Conclusions Drawn from Report	The Whistle Blowing Policy continues to be 'fit for purpose' but would benefit from clarity in terms of how it operates relative to the council's other employment policies, in particular the Procedure for Hearing Employee Grievances and the Fair Treatment Policy and Procedure (currently under review).	
Matters for Forward Periods	The Human Resources Service is currently reviewing the council's Fair Treatment at Work Policy, and upon conclusion, subject to committee approval of the revised policy, it is proposed to issue a payroll insert publicising the revised policy. That insert will also include a reminder for employees about the Whistle – Blowing Policy and will distinguish between those issues that should be addressed through that policy and those that should more appropriately be raised through the council's Fair Treatment at Work and Grievance Procedures. The council will also review the mechanism in place for the reporting of service related issues which do not fall within the parameters of the Whistle – Blowing Policy.	

**Certificate by Head of
Corporate Services**

In order to complete this statement of compliance I have consulted with each Head of Service and received written confirmation of their service compliance with the policies and procedures. Heads of Service have provided details of any incident of non compliance where applicable.

I certify that the council's Whistle Blowing Policy is operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Signature

Craeme Stothurs

Date

17 April 13

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	1. Disciplinary Procedure and Code 2. Procedure for Hearing Employee Grievances																									
Responsible Officer:	Graeme Struthers-- Head of Corporate Services																									
Stated Requirement in Code:	Annual Statement of Compliance																									
Report required by:	Corporate Management Team	April 2013 Meeting																								
	Next report due April 2014																									
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The Human Resources Service keeps the council's employment policies under continuous review. Specific reviews are also undertaken in response to changing business requirements, developments in legislation and as part of the council's Equality Impact Assessment process. In this regard the council's Disciplinary Code was amended during 2012/13 to make specific reference to the Bribery Act 2010 in response to a recommendation from the Corporate Governance Working Group.</p> <p>The summarised position in respect of the council's Discipline and Grievance policies and procedures is as follows:</p> <p>Discipline and Grievance</p> <p>The council's Disciplinary and Grievance Procedures continue to be compliant with ACAS recommendations on best practice and fair processes.</p> <p>During the financial year 2012/13, 57 cases were dealt with under the council's Disciplinary Procedures, a reduction of 8 from the previous year.</p> <p>During the same period, 29 cases were dealt with under the Procedure for Dealing with Employee Grievances, an increase of 11 from the previous year.</p> <p>(*) Previous Year</p> <table border="1"> <thead> <tr> <th>Service Area</th><th>No. of Completed Cases (Disciplinary)</th><th>No. of Completed Cases (Grievances)</th></tr> </thead> <tbody> <tr> <td>Operational Services</td><td>11</td><td>8</td></tr> <tr> <td>Education Services</td><td>5</td><td>2</td></tr> <tr> <td>Housing, Construction & Building Services</td><td>18</td><td>14</td></tr> <tr> <td>Corporate Services</td><td>1</td><td>1</td></tr> <tr> <td>Social Policy (CHCP)</td><td>18</td><td>3</td></tr> <tr> <td>Area Services</td><td>4</td><td>1</td></tr> <tr> <td>Total</td><td>57 (65*)</td><td>29 (18*)</td></tr> </tbody> </table>		Service Area	No. of Completed Cases (Disciplinary)	No. of Completed Cases (Grievances)	Operational Services	11	8	Education Services	5	2	Housing, Construction & Building Services	18	14	Corporate Services	1	1	Social Policy (CHCP)	18	3	Area Services	4	1	Total	57 (65*)	29 (18*)
Service Area	No. of Completed Cases (Disciplinary)	No. of Completed Cases (Grievances)																								
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Corporate Services	1	1																								
Social Policy (CHCP)	18	3																								
Area Services	4	1																								
Total	57 (65*)	29 (18*)																								

Of the 57 disciplinary cases completed, seven resulted in no action, fifteen resulted in an oral warning, twenty resulted in a written warning, nine in a final written warning and six in dismissal. A further nineteen cases remain open, to be progressed to a conclusion.

Of the 29 grievance cases completed, one was resolved informally. Eighteen cases were resolved at Stage 1 and ten cases were resolved at Stage 2. A further 2 cases remain open.

Twenty four appeals against dismissal/Stage 3 grievances were heard by the council's Appeals Committee resulting in one case being upheld, one upheld in part, and sixteen not upheld. A further five cases were withdrawn by the appellant and one resulted in no action due to failure of the appellant to appear at the meeting.

Of the sixteen appeals that were not upheld, the Appeals Committee elected to exercise discretion in eleven cases of dismissal and re-engage the employees.

Eight Employment Tribunal claims were lodged compared with thirteen cases in the previous year. Of the eight cases lodged, two were subsequently withdrawn following reinstatement at Employee Appeals Committee and one case was withdrawn during ET proceedings. A further five cases are at the pre – hearing stages of the ET process.

Conclusions Drawn from Report

The council's existing policies and procedures in respect of discipline and grievance are operating effectively and are compliant with legal and corporate governance standards.

Matters for Forward Periods

During 2012/13, Human Resources have delivered training on disciplinary and grievance handling to 45 officers.

In order to improve the quality and timeliness of disciplinary and fair treatment investigations and given that general recognition that capacity in this area needs to be built up across the council, it is proposed to deliver interactive training workshops targeted specifically at those officers who may be required to regularly undertake investigations as part of their remit.

To complement and support the training workshops, disciplinary guidance is also being updated with particular focus on investigation, precautionary suspension, and dealing with complex cases involving a combination of poor performance and sickness absence. The guidance will also ensure robust links are made to newly developed/revised policies including the Internet, Social Media and Email Policy, the Protecting Vulnerable Groups Policy and Procedure and the Fair Treatment at Work Policy and Procedure (currently under review).

Certificate by Head of Corporate Services

In order to complete this statement of compliance I have consulted with each Head of Service and received written confirmation of their service compliance with the policies and procedures. Heads of Service have provided details of any incident of non compliance where applicable.

I certify that the council's existing policies and procedures in respect of discipline and grievance are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Signature



Date



Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Occupational Health and Safety Policy
Responsible Officer:	Graeme Struthers– Head of Corporate Services
Stated Requirement in Code:	Annual Statement of Compliance
Report required by:	Corporate Management Team
Next report due April 2014	
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>A review of the Council-wide Occupational Health and Safety Policy took place and was agreed by the Council Executive on 29 January 2013. Roll out was achieved through the use of email, the council's intranet site and the MyToolkit portal to advise all employees how they could access the revised policy.</p> <p>The revised policy has included a number of specific amendments:</p> <ul style="list-style-type: none"> • The addition of the designation of Head Teachers in the section dealing with Depute Chief Executive and Heads of Service responsibilities to clarify that they also are responsible to the Depute Chief Executive, Educational Planning and Area Services. • For publicising and revising their supplementary occupational health and safety policy and safety arrangements booklets; • Ensuring adequate resources are allocated to implement these documents; • Developing a positive health and safety attitude; implementing a health and safety management system; • Nominating a competent person to have prime responsibility for implementing their supplementary policy and arrangements and ensuring these documents are monitored and reviewed; • Providing necessary information, instruction, training and supervision of employees to enable them to carry out their tasks safely; • Ensuring arrangements are in place for consultation between management, trade union safety representatives and/or representatives of employee safety; submitting to the Chief Executive copies of any prosecutions, prohibition notices, improvement notices within 48 hours of their receipt; • Ensuring a health and safety plan is developed that has realistic short and long term objectives, establishes performance standards and sets priorities and ensuring that during the recruitment process any health and safety responsibilities in the

safety arrangements booklet for the post is considered.

- Clarifying that the Health and Safety Advisers will report all notifiable incidents to the Health and Safety Executive and additionally send a copy of the form for notifying and any updates to the HR Manager (Health and Safety).
- Deleting the statement that contracts must be Construction Health and Safety Scheme (CHAS) and Constructionline approved to bring this paragraph into line with the council's revised procurement procedures.
- Clarifying that service Health and Safety advisers will analyse incidents and report these to the Head of Service.
- Ensuring that Heads of Service nominate a responsible person and depute for properties under their remit and check the requirements detailed in the Property Compliance Log Book are completed within the set timescales.

The next review will take place in June 2013.

Monthly reports are provided to the Corporate Management Team to inform them of safety issues/concerns that have or could affect the working arrangements and services of West Lothian Council. The council's Scheme of Delegation details officers' health and safety responsibilities.

Occupational Health and Safety workplans for the review period included audits of the management of health and safety. The action plans resulting from these audits are provided to the relevant Head of Service for implementation and copies are provided to the relevant Depute Chief Executive. Occupational Health and Safety will monitor the progress of services against their action plans. Annual workplans are developed by taking into account information from various sources for example the types and number of incidents, HSE Initiatives, the results of HSE visits, audit results and claims made.

Incident data is being provided to Depute Chief Executives and Heads of Service along with an Executive Summary that provides an analysis of the data and recommendations for actions.

In accordance with the internal audit plan for 2012/13, an audit was conducted of the councils compliance with statutory requirements in relation to the control of asbestos, the control of legionella and fire safety.

The reports highlighted a number of areas where improvements were required and an action plan was agreed with the Head of Housing, Building and Construction Services. These matters were reported to the Audit and Governance Committee on 11 September 2012.

In relation to the control of asbestos the audit actions ranked as high importance were completed by 31 March 2013.

In relation to the control of legionella, of the audit actions ranked as high importance, two of three recommendations were completed by 31 March 2013, with a target date of completion on the remaining action by the end of June 2013.

In relation to the control of fire safety, of the audit actions ranked as high importance, two of three recommendations were completed by 31 March

2013, with the remaining action scheduled for completion the end of June 2013.

During the course of year there were 54 RIDDOR reportable incidents to HSE. No HSE Improvement Notices were placed on the council by HSE. The council received one unannounced visit by HSE with no follow up actions.

Service Area	RIDDOR reportable incidents to the HSE	HSE improvement notices	HSE unannounced visits
Education Quality Assurance	9	0	0
Schools with Educational Support	5	0	0
Planning & Economic Development	0	0	0
Area Services	2	0	0
Corporate	0	0	0
Operational	26	0	0
HCBS	8	0	1
Social Policy	4	0	0
Total	54	0	1

Conclusions Drawn from Report

The council's existing Occupational Health and Safety Policy is operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Matters for Forward Periods

There is a continued need for all managers to ensure that, where relevant, health and safety is taken into consideration when drawing up job specifications, during the interview process and also to ensure that the systems for health and safety are complied with and properly managed within their areas.

Occupational Health and Safety Supplementary Policies and Safety Arrangements Booklets need to be reviewed regularly and Managers require to ensure that those employees who have responsibilities outlined in these documents are made aware of them with monitoring taking place to ensure that these responsibilities are carried out.

There is a requirement for Health and Safety and statutory compliance to be a standing item on the agenda of all management team meetings.

To progress the remaining outstanding actions in relation to the control of asbestos, the control of legionella and fire safety. These matters will be followed up by internal audit during 2013/14 and it is anticipated that a further report on progress will be submitted to the Audit and Governance Committee.

Certificate by Head of Corporate Services

In order to complete this statement of compliance I have consulted with each Head of Service and received written confirmation of their service

compliance with the policies and procedures. Heads of Service have provided details of any incident of non compliance where applicable.

I certify that the council's existing Occupational Health and Safety Policy and associated procedures are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.


Signature

Craeme Gintner

Date *17 April 13*

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Protection of Children and Protected Adults																	
Responsible Officer:	Graeme Struthers – Head of Corporate Services																	
Stated Requirement in Code:	Annual Statement of Compliance																	
Report required by:	Corporate Management Team	April 2013 Meeting																
Review Date	Next report due April 2014																	
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The council's Policy and Procedure on the Protection of Children and Protected Adults was approved on 9 October 2012. Under the Policy and Procedure, the council requires individuals engaged in 'regulated work' with children and 'protected adults' to be members of the Protection of Vulnerable Groups (PVG) Scheme administered by Disclosure Scotland. The policy also implements the recommendation from the Care Commission to recheck membership of individuals on a 3 yearly basis.</p> <p>The PVG Scheme replaced the former Enhanced Disclosure Scheme on 28 February 2011. At that time Disclosure Scotland restricted the processing of applications for PVG membership to new employees and existing employees moving between regulated posts. However with effect from 29 October 2012, Disclosure Scotland initiated the 'retrospective checking process' involving a 3 year phased programme of processing applications for PVG Scheme membership for the remainder of all other individuals engaged in regulated work.</p> <p>The council has approximately 5107 employees in regulated posts that require to obtain PVG membership by 2015. The council has agreed monthly quota arrangements with Disclosure Scotland for the 3 year period.</p> <p>During the period 1 April 2012 to 31 March 2013, the council's HR Service submitted 1781 PVG Scheme membership applications for employees and volunteers. The table below shows a breakdown of the PVG applications re-charged to the relevant service areas during that period in respect of those groups:</p> <table><tr><th></th><th>Education & Cultural Services</th><th>Community Health & Care Partnership</th><th>Other Service Areas</th><th>Total</th></tr><tr><td>Number of PVG Applications</td><td>908</td><td>819</td><td>54</td><td>1781</td></tr><tr><td>Percentage</td><td>51%</td><td>46%</td><td>3%</td><td>100%</td></tr></table> <p>PVG applications for Foster Carers are processed separately at service – level within the Community Health & Care Partnership (CHCP).</p>				Education & Cultural Services	Community Health & Care Partnership	Other Service Areas	Total	Number of PVG Applications	908	819	54	1781	Percentage	51%	46%	3%	100%
	Education & Cultural Services	Community Health & Care Partnership	Other Service Areas	Total														
Number of PVG Applications	908	819	54	1781														
Percentage	51%	46%	3%	100%														

	During 2012/13 five employees were referred to Disclosure Scotland following incidents which resulted in harm or potential harm to a protected adult or child. In each case the individuals concerned were removed from regulated work (and dismissed). The council's actions in these circumstances demonstrate that the PVG referral provisions of the council's Policy and Procedure on the Protection of Children and Protected Adults are being actively applied where appropriate.
Conclusions Drawn from Report	The council's arrangements for the protection of vulnerable groups continue to be robust and 'fit for purpose'.
Matters for Forward Periods	The processing of retrospective PVG Scheme applications has been prioritised according to the level of contact with children and protected adults and the date on which the individuals' last Enhanced Disclosure was carried out. This process will continue in accordance with the processing arrangements and quotas agreed by Disclosure Scotland, for the 3 year retrospective checking programme which is scheduled for completion in 2015.
Certificate by Head of Corporate Services	<p>In order to complete this statement of compliance I have consulted with each Head of Service and received written confirmation of their service compliance with the policy and procedures. Heads of Service have provided details of any incident of non compliance where applicable.</p> <p>I certify that the robust arrangements are currently in place to ensure compliance with the Protection of Vulnerable Groups (Scotland) Act 2007.</p>
Signature	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  </div> <div style="text-align: right;"> Date 19 April 13 </div> </div>

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Information Security Policy																																																														
Responsible Officer:	Graeme Struthers – Head of Corporate Services																																																														
Stated Requirement in Code:	Annual Statement of Compliance																																																														
Report required by:	Corporate Management Team	April 2013 Meeting																																																													
		Next report due April 2014																																																													
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The Information Security Policy is maintained by IT Services who are responsible for the continuous development and review of the policy and supporting procedures. IT Services also log, manage and report all breaches of policy and facilitate ongoing compliance across service areas.</p> <p>During the 2012/13 financial year the following volumes of security incidents were recorded:</p> <table><tr><th colspan="5">Summary of Information Security Incidents 2012/13</th></tr><tr><th>Service Area/Category</th><th>Low</th><th>Medium</th><th>High</th><th>Total</th></tr><tr><td>Area Services</td><td>18</td><td>7</td><td>3</td><td>28</td></tr><tr><td>Housing Construction and Building Services</td><td>9</td><td>1</td><td>0</td><td>10</td></tr><tr><td>Finance and Estates</td><td>5</td><td>5</td><td>0</td><td>10</td></tr><tr><td>Education</td><td>5</td><td>1</td><td>0</td><td>6</td></tr><tr><td>Corporate Services</td><td>23</td><td>21</td><td>0</td><td>44</td></tr><tr><td>Social Policy</td><td>19</td><td>8</td><td>7</td><td>34</td></tr><tr><td>Operational Services</td><td>8</td><td>1</td><td>0</td><td>9</td></tr><tr><td>Schools</td><td>19</td><td>2</td><td>0</td><td>21</td></tr><tr><td>Planning and Economic Development</td><td>5</td><td>0</td><td>0</td><td>5</td></tr><tr><td>Total</td><td>111</td><td>46</td><td>10</td><td>167</td></tr></table> <p><i>Impact Categories (General): Low - relates to policy violations, PC viruses or loss of encrypted data, Medium - relates to internal data handling issues, High - relates to thefts and external loss of data</i></p> <p>A total of 167 incidents in 2012/13 compares to 241 in the previous financial year. This constitutes an overall reduction of 31%.</p> <p>There was a significant reduction in the volume of incidents categorised as high risk (56% reduction) and medium risk (44% reduction). The overall risk profile has improved in that there was a reduction from 45% to 34% of total incidents that were of high and medium risk.</p> <p>During 2012/13 there has been a 50% reduction in the number of incidents relating to computer viruses and those relating to breaches in council policy. There has been no change in the number of incidents relating to the loss of equipment, however processes and procedures on the recovery and erasure of council data on lost equipment have improved to such an extent that these are generally classed as low risk security incidents.</p> <p>There has been an increase in the number of incidents relating to data handling, particularly those involving paper documents containing confidential information. This increase is attributable to the use of the new Xerox printers where staff have inadvertently left printed material on communal printers. Work is ongoing with Xerox to improve security settings on the printers and to increase staff awareness of the issue.</p>			Summary of Information Security Incidents 2012/13					Service Area/Category	Low	Medium	High	Total	Area Services	18	7	3	28	Housing Construction and Building Services	9	1	0	10	Finance and Estates	5	5	0	10	Education	5	1	0	6	Corporate Services	23	21	0	44	Social Policy	19	8	7	34	Operational Services	8	1	0	9	Schools	19	2	0	21	Planning and Economic Development	5	0	0	5	Total	111	46	10	167
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Total	111	46	10	167																																																											

Other factors include improved security awareness and reporting mechanisms, extended legislation and a growth in mobile working.

All service areas within the council have been improving arrangements for managing records in compliance with the Public Records (Scotland) Act 2011. This has resulted in an increase in the general awareness of appropriate data handling but has brought with it an increase of reported security incidents. However, there have also been improvements in the identification, labelling, storage and destruction of private and confidential information.

IT services have a new contract in place for the secure destruction of IT equipment and have implemented secure document shredders at each council location.

During 2012/13 there were 41 security incidents investigated as possible breaches of the Data Protection Act (1998). All of these investigations involved risk analyses, assessment of existing processes, implementation of corrective actions and authorisations through council governance processes. There were no incidents that warranted notification by the council and there were no complaints by the public to the Information Commissioner during the year.

Remedial actions included retraining of staff, implementation of improved procedures and the introduction of additional security awareness sessions.

A regular monthly e-newsletter (i-matters) is now emailed to all staff and highlights current and emerging security issues and procedures.

During 2012/13 an Information Asset Register was implemented that records all data sets within the council. A risk assessment has highlighted those data sets and IT systems that warrant higher level security measures. A new procedure for the management of passwords in IT systems was introduced.

Internal audit recently followed up a previous audit of information security arrangements and identified that two of three "high" importance actions had been implemented. The audit report has identified that services are not always documenting the transfer of information to third parties in the information asset register. In addition, further recommendations have been made in relation to the assessment of risk, and in relation to the review of controls for systems which are ranked high risk or which would have a high impact if controls failed.

**Conclusions Drawn
from Report**

The council's existing policy and procedures in respect of Information Security are operating effectively.

**Matters for Forward
Periods**

The policy and supporting procedures will continue to be reviewed and publicised as part of the normal operation and development of the policy.

In line with the new Public Records (Scotland) Act, Data Sharing/Processing Agreements will continue to be applied to formal exchanges of information within the council and with 3rd parties.

The recommendations arising from the follow up audit will be implemented during 2013/14. Services will be required to review the information held on the information asset register for their systems in relation to data sharing and ensure that it is accurate.

A new updated Information Security Awareness training video has been produced. This new training will be rolled out to all service areas in 2013/14.

**Certificate by Head of
Corporate Services**

In order to complete this statement of compliance I have consulted with each Head of Service and received written confirmation of their service compliance with the policy. Heads of Service have provided details of any incident of non compliance where applicable.

I certify that the council's existing policies and procedures in respect of information security are operating effectively and will continue to be monitored and reviewed regularly in keeping with Corporate Governance standards.

Signature

Craeme Stuthers

Date

19 April 13

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Procedure:	Compliance with Regulation of Investigatory Powers (Scotland) Act 2000 and Regulation of Investigatory Powers Act 2000
Responsible Officer:	Julie Whitelaw – Chief Solicitor
Stated Requirement in Code:	Annual Statement of Compliance
Report required by:	Corporate Management Team
Review Date	May 2013

**Report by Chief
Solicitor on
statements of
compliance with the
law.**

The Council may grant authorisation for Direct Surveillance in accordance with the provisions of the Regulation Of Investigatory Powers (Scotland) Act 2000, where satisfied that to do so is necessary and proportionate for the purposes of prevention or detection of crime. In addition the Council has powers in relation to the collection of telecommunications data in terms of the Regulation of Investigatory Powers Act 2000. During the year to 31 March 2013, 1 application was received in relation to Directed Surveillance as follows:

No of Appls	Purpose of surveillance
1	Trading Standards Test Purchase

There were no authorisations granted in respect of collection of telecommunications data during this period.

By comparison, in the year to 31 March 2012, 5 applications were received in relation to Directed Surveillance as follows:

No of Appls	Purpose of surveillance
1	Application withdrawn prior to determination
1	Investigation of noise complaint
1	Investigation of fly tipping complaint
2	Test purchasing

There were no authorisations granted in respect of collection of telecommunications data during this period.

The year on year trend suggests a decline in the number of occasions in respect of which Directed Surveillance is sought or granted. This appears to be linked to the joint working being undertaken by the Police and Housing services in the Safer Neighbourhood Teams. The occasional authorisations in relation to Test Purchasing are likely to continue at the present rate of only one or two per year as Trading Standards fulfil their Statutory obligations. There is unlikely to be a change in the use of powers under the Investigation of Regulatory Powers Act 2000 in respect of collection of telecommunications data.

**Conclusions Drawn
from Report**

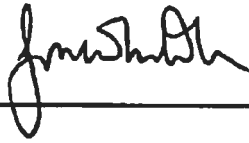
The Council is appropriately exercising its statutory powers in relation to surveillance. The Council is subject to tri-annual inspection by the Office of Surveillance Commissioners and provides annual returns to the OSC in relation to the exercise of its surveillance powers. The limited numbers of authorisations are an indication that the Councils procedures in relation to authorisation of surveillance remain robust

**Matters for Forward
Periods**

Training for appropriate officers in relation to the exercise of the Councils surveillance powers and statutory tests applicable to determination of applications.

**Certificate by
(Insert name)**

I certify that during the financial year to 31 May 2012, the Officer/Monitoring Officer Council has appropriately granted applications authorising Directed Surveillance, in compliance with the relevant legislation and that robust arrangements are currently in place to ensure compliance with the Regulation of Investigatory Powers (Scotland) Act 2000 and the Regulation of Investigatory Powers Act 2000.

Signature**Date**

5/4/13

Local Code of Corporate Governance - Annual Statement of Compliance 2012/13

Name of Policy or Public Sector Equality Duty Procedure:		
Responsible Officer:	Graeme Struthers – Head of Corporate Services	
Stated Requirement in Code:	Annual Statement of Compliance	
Report required by:	Corporate Management Team	April 2013 Meeting
	Next report due April 2014	
Report by Head of Corporate Services on Statements of Compliance with arrangements	<p>The UK Government's Equality Act was introduced on 1 October 2010. This replaced and harmonised all previous equality legislation. The Act includes a positive duty to promote equality specifically focussed on public authorities.</p> <p>The duty is in 2 parts - a duty in the Equality Act 2010 itself, often referred to as the 'general duty', and specific duties which are placed on most public authorities by Scottish Ministers. The purpose of the specific duties is to enable the better performance of the general duty.</p> <p>The general duty in the Equality Act 2010 came into force on 5 April 2011. Since that date, Scottish public authorities have been subject to the general duty in the Equality Act 2010. Under this general duty they must have 'due regard' to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.</p> <p>The public sector equality duty requires equality to be considered in all the functions of public authorities, including decision-making, in the design of internal and external</p> <p>policies and in the delivery of services, and for these issues to be kept under review.</p> <p>The specific duties require public authorities to:</p> <ul style="list-style-type: none"> • Report progress on mainstreaming the general equality duty; • Publish equality outcomes and report progress; • Assess new or revised policies and practices; • Review existing policies and practices; • Gather, use and publish employee information; • Publish gender pay gap information; • Publish an equal pay statement; and • Consider award criteria and contract conditions in relation to public procurement. <p>In 2013 the specific duties also required publication, by 30 April, of the following documentation from public authorities:</p> <ul style="list-style-type: none"> • A set of equality outcomes; • An equality mainstreaming report; • An equal pay statement; 	

- Details of any gender pay gap;
- Details of the prevalence of occupational segregation; and
- Employment equality monitoring data and analysis.

The council has approved and published all of the above documentation within the required timescales. The council is also in the process of proactively revising our governance arrangements for completion of equality impact assessments in order to assist with our commitments in relation to the duty to mainstream equality.

Conclusions Drawn from Report

The council has managed the procedural implementation of the Public Sector Equality Duty within the required legal framework.

Matters for Forward Periods

The council has a legal requirement to publicly report on progress against our corporate equality outcomes by 30 April 2015. The council has also committed to publishing finalised and validated performance indicators for each outcome by 30 April 2014. Responsible Heads of Service for outcomes will be identified as part of managing implementation.

Progress on mainstreaming equality actions, updated employment monitoring data and analysis, gender pay gap information and occupational segregation data must be publicly reported by 30 April 2015.

Certificate by Head of Corporate Services

I certify that arrangements are currently in place for compliance with the Public Sector Equality Duty.

Signature

Craeme Stuthers

Date

19-Apr-13



West Lothian
Council

COUNCIL EXECUTIVE

REVIEW OF FINANCIAL REGULATIONS

REPORT BY HEAD OF FINANCE AND ESTATES

A. PURPOSE OF REPORT

To enable the Council Executive to consider updated financial regulations.

B. RECOMMENDATION

It is recommended that the Council Executive approves the proposed updated financial regulations, as set out in Appendix 1 of the report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on customers' needs Being honest, open and accountable Making the best use of our resources Working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The financial regulations form a key component of Governance and internal control arrangements within the council. It is important that they incorporate the requirements of any new legislation, regulations and reflect updated structures or changed circumstances within the council.
III	Implications for Scheme of Delegations to Officers	The financial regulations operate in parallel with the framework set out in the council's Scheme of Delegation. This includes the delegated authority of the Chief Executive and Depute Chief Executives to authorise other senior officers in their service who are appropriately qualified to use their delegated powers under these regulations, unless they cannot do so by law or because of specific provisions of the Scheme of Delegation.
IV	Impact on performance and performance Indicators	The financial regulations assist in providing a governance framework that will facilitate effective financial control.
V	Relevance to Single Outcome Agreement	None
VI	Resources - (Financial, Staffing and Property)	The financial regulations provide a framework for securing best value in the use of resources.

VII	Consideration at PDSP	The proposed changes have been presented to the Partnership and Resources PDSP for discussion on 24 May 2013. The PDSP are content for the report to proceed to Council Executive on 4 June 2013.
VIII	Other consultations	Consultations have been undertaken with the Audit and Risk Management Unit and senior officers within the council. Financial regulations in other local authorities have been reviewed for best practice.

D. TERMS OF REPORT

1. Introduction

Financial regulations are essential to conduct business efficiently, secure best value, and to ensure proper administration of financial affairs in accordance with the Local Government (Scotland) Act 1973. The Head of Finance and Estates is responsible for maintaining a continuous review of the financial regulations; issuing procedures, guidance and advice to underpin the financial regulations; and investigation of any breach of the regulations. Depute Chief Executives are responsible for ensuring that Heads of Service are aware of and put in place arrangements for their services to comply with the financial regulations.

2. Requirement for a review

The result of the last all encompassing review of the financial regulations was approved by Council Executive on 28 September 2010. Under the terms of the council's Code of Corporate Governance, the financial regulations must be reviewed at least once every administrative term and are due to be reviewed in the current administrative term.

The regulations require to be updated to reflect the revised budgetary control arrangements that will be put in place for 2013/14. In addition, recent restructure within Finance and Estates necessitates an update to the financial regulations.

3. Scope of the Review

The scope of the review of the financial regulations was to identify any changes that may be required to the content of the regulations. The financial regulations of other councils have been considered as part of the review and based on this analysis, I would conclude that the overall format of our financial regulations remains fit for purpose. As such, the updated regulations do contain minimal changes but have been revised to take account of current circumstances. Updated financial regulations are attached in Appendix 1 and the current financial regulations are attached for information in Appendix 2. It is recommended that the updated financial regulations are introduced following consideration by the Partnership and Resources PDSP and the Council Executive on 4 June 2013.

4. Summary of Main Changes

The main changes to the updated financial regulations are summarised as follows:

Section 1 - Introduction

- Minor administrative and presentational changes have been made to reflect current arrangements.

Section 2 – Status of Financial Regulations

- No changes required – the status of the Financial Regulations remains appropriate and reflects current arrangements.

Section 3 – Format of Financial Regulations

- Financial Regulation B.3 is now Risk Management & Business Continuity instead of Risk Management & Insurance.
- Insurance is now a standalone financial regulation reported under B.4 Insurance.
- Custody and Security of Assets, Stocks and Stores is now reported under financial regulation B.5.
- Banking Arrangements are now reported under financial regulation B.6.
- Treasury Management is now reported under financial regulation B.7.
- Financial Regulation D – External Arrangements has been removed. Partnerships & Joint Working Arrangements, Bids for External Funding and Grants to External Organisations are now reported under Financial Regulation A – Financial Management & Planning.

Financial Regulation A: Financial Management & Planning

A.1 Introduction

- No changes required – the introduction remains appropriate and reflects current arrangements.

A.2 General Accounting Framework

- Updated to reflect the council's medium term financial strategy process.
- Updated to reflect the risk based approach to budget monitoring, focusing on the use of risk schedules.

A.3 Revenue Budget

- 3.1 General Fund Revenue Budget Planning Process – a new section has been added detailing the medium term financial strategy planning process.
- 3.2 General Fund Revenue Budget –updated to reflect the risk based approach to budget monitoring, focusing on the use of risk schedules.
- 3.3 HRA Revenue Budget – updated to reflect the risk based approach to budget monitoring, focusing on the use of risk schedules.

A.4 Capital Budget

- 4.1 General Services Capital Planning Process – updated to reflect the corporate asset management strategy and the five year general services capital plan and strategy.
- 4.2 General Services Annual Capital Budget – updated to reflect the risk based approach to budget monitoring, focusing on the use of risk schedules.
- 4.3 Housing Capital Planning Process – updated to reflect the five year Housing Capital Planning Process.
- 4.4 Housing Annual Capital Budget –updated to reflect the risk based approach to budget monitoring, focusing on the use of risk schedules.

A.5 Final Accounts

- No changes required – the financial regulation continues to reflect current arrangements.

A.6 Partnership & Joint Arrangements

- No changes required – the financial regulation continues to reflect current arrangements.

A.7 Bids for External Funding

- Minor administrative and presentational changes have been made to reflect current arrangements.

A.8 Grants to External Organisations

- No changes required – the financial regulation continues to reflect current arrangements.

Financial Regulation B – Risk Management & Control of Resources

B.1 Introduction

- No changes required - the introduction remains appropriate and reflects current arrangements.

B.2 Internal Audit

- Updated to reflect current arrangements including reference to the Audit & Governance Committee and the establishment of the Audit and Risk Management Unit.

B.3 Risk Management & Business Continuity

- Updated to reflect the Risk Management Policy and Strategy and the establishment of a Risk Management Board.

B.4 Insurance

- Minor administrative and presentational changes have been made to reflect current arrangements.

B.5 Custody & Security of Assets, Stocks and Stores

- Minor administrative and presentational changes have been made to reflect current arrangements.

B.6 Banking Arrangements

- Minor administrative and presentational changes have been made to reflect current arrangements.

B.7 Treasury Management

- Minor administrative and presentational changes have been made to reflect current arrangements.

Financial Regulation C – Systems & Procedures

C1 Introduction

- No changes required - the introduction remains appropriate and reflects current arrangements.

C2 Income

- Includes reference to the corporate debt policy and the write on of miscellaneous

credit, council tax, non domestic rates and community charges.

C3 Salaries and Wages

- Minor administrative and presentational changes have been made to reflect current arrangements.

C4 Allowances and Expenses

- Minor administrative and presentational changes have been made to reflect current arrangements.

C5 Payment of Orders for Work, Goods & Services

- Significant changes have been made to this regulation to reflect current arrangements. The regulation outlines the remit of the Corporate Procurement Unit and states that all procurement and purchasing carried out must comply with Standing Orders Relating to Contracts.

C6 Payment Procedures

- Minor changes have been made to reflect current arrangements.

C7 Value Added Tax

- No changes required - this regulation remains appropriate and reflects current arrangements.

E. CONCLUSION

Financial regulations were updated on the 28 September 2010 following the last all encompassing review. As a requirement of the Code of Corporate Governance, the financial regulations are due to be reviewed in the current administrative term. As set out in this report, a review has been conducted by officers and was considered at the Partnership and Resources PDSP on 24 May 2013. The updated financial regulations are attached in Appendix 1 for approval.

F. BACKGROUND REFERENCES

Review of Financial Regulations – report to Council Executive 28 September 2010
Review of Financial Regulations – report to the Partnership and Resources PDSP 24 May 2013

Appendix 1 – Financial Regulations Update 2013
Appendix 2 – Financial Regulations 28 September 2010

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Donald Forrest
Head of Finance and Estates
Date: 4 June 2013



West Lothian
Council

STANDING ORDERS

FINANCIAL REGULATIONS

Updated 4 June 2013

FINANCIAL REGULATIONS

1. INTRODUCTION

- 1.1 West Lothian Council is committed to delivering high quality, integrated services at the heart of a network of partners. The council has adopted modern business processes, enabled by technology, so that services are organised around the needs of citizens.
- 1.2 In order to conduct its business efficiently, the council must have sound financial management policies that are strictly adhered to. The requirement for sound financial management is further reinforced by the Local Government (Scotland) Act 1973 that stipulates that every local authority must make arrangements for the proper administration of its financial affairs and by the CIPFA Prudential Code for Capital Finance on Local Authorities (the 'Prudential Code') which stipulates that councils must be able to demonstrate, on an on-going basis, that capital spending and associated borrowing is affordable, prudent and sustainable. In addition the council has a duty to make arrangements which secure best value. The best value obligation applies both to elected members and officers. For these reasons it is essential for the council to establish financial regulations and supporting procedures.
- 1.3 The 1973 Act also requires that each authority appoints a proper officer to take responsibility for the administration of its financial affairs. The council has resolved that the proper officer is the Head of Finance and Estates.
- 1.4 The Accounts Commission has stated that a regime of good governance for a local authority includes the creation and implementation of procedures for the effective discharge of the statutory responsibilities of the proper officer in relation to the overall financial management of the council. In addition to setting out these responsibilities, the financial regulations and associated procedures also provide clarity about the financial accountabilities of other officers within the council.
- 1.5 Members and officers have a responsibility for fostering the culture and attitudes that are necessary for good governance. Full details of the relevant roles and responsibilities are set out in the council's Code of Corporate Governance.
- 1.6 The financial regulations operate in parallel with the framework set out in the council's Scheme of Delegation. This includes the delegated authority of the Chief Executive and Depute Chief Executives to authorise other senior officers in their service who are appropriately qualified to use their delegated powers under these regulations, unless they cannot do so by law or because of specific provisions of the Scheme of Delegation.
- 1.7 Reference in the regulations to 'Depute Chief Executives' means: -
 - Depute Chief Executive – Education, Planning and Area Services
 - Depute Chief Executive – Corporate, Operational and Housing Services
 - Depute Chief Executive - Community Health and Care Partnership and Social Policy

1.8 Reference in the regulations to 'Heads of Service' means: -

- Head of Finance and Estates
- Head of Education (Development)
- Head of Education (Quality Assurance)
- Head of Area Services
- Head of Planning and Economic Development
- Head of Housing, Construction and Building Services
- Head of Corporate Services
- Head of Operational Services
- Head of Social Policy

2. STATUS OF FINANCIAL REGULATIONS

- 2.1 The financial regulations provide the framework for managing the council's financial affairs. They apply to every member and officer of the council and everyone acting on its behalf. Additionally, all members and officers have a general responsibility for ensuring that the use of the council's resources is legal, properly authorised and provides value for money.
- 2.2 The Head of Finance and Estates is responsible for maintaining a continuous review of the financial regulations, including the financial limits contained in the regulations and submitting any changes, other than of a minor nature, to the Council Executive for approval. The council's Code of Corporate Governance requires the financial regulations to be reviewed at least once every Administrative term.
- 2.3 The Head of Finance and Estates is also responsible for issuing procedures, guidance and advice to underpin the financial regulations, and for investigating any breach of the regulations.
- 2.4 Depute Chief Executives are responsible for ensuring that Heads of Service are aware of and put in place arrangements for their services to comply with the financial regulations.

3. FORMAT OF FINANCIAL REGULATIONS

- 3.1 The financial regulations cover all aspects of the administration of the council's financial affairs and have been grouped in accordance with the main elements of financial administration as follows:

Financial Regulation A: Financial Management and Planning

- A.1 Introduction
- A.2 General Accounting Framework
- A.3 Revenue Budgets
- A.4 Capital Budgets
- A.5 Final Accounts
- A.6 Partnerships and Joint Arrangements
- A.7 Bids for External Funding
- A.8 Grants to External Organisations

Financial Regulation B: Risk Management and Control of Resources

- B.1 Introduction
- B.2 Internal Audit
- B.3 Risk Management and Business Continuity
- B.4 Insurance
- B.5 Custody and Security of Assets, Stocks and Stores
- B.6 Banking Arrangements
- B.7 Treasury Management

Financial Regulation C: Systems and Procedures

- C.1 Introduction
- C.2 Income
- C.3 Salaries and Wages
- C.4 Allowances and Expenses
- C.5 Orders for Work, Goods and Services
- C.6 Payment Procedures
- C.7 Value Added Tax

FINANCIAL REGULATION A – FINANCIAL MANAGEMENT AND PLANNING

A.1 INTRODUCTION

- 1.1 Financial Management and Planning incorporates the various elements associated with the development, maintenance and monitoring of the council's financial strategy and financial position. These are: -
- General Accounting Framework
 - Revenue Budgets
 - Capital Budgets
 - Final Accounts

A.2 GENERAL ACCOUNTING FRAMEWORK

- 2.1 The Local Authority Accounts (Scotland) Regulations 1985 require that the proper officer shall determine the council's system of accounting control and supporting records. The proper officer in West Lothian is the Head of Finance and Estates.
- 2.2 The Head of Finance and Estates must ensure that adequate systems of accounting control are maintained throughout the council and that service units conform with council policy, legislation and codes of practice on these matters.
- 2.3 The Head of Finance and Estates is responsible for coordinating the preparation of the revenue and capital budgets on an annual basis as part of a medium term revenue budget strategy and capital planning strategy.
- 2.4 The Local Government in Scotland Act 2003 sets out that it is the duty of a local authority to determine the maximum amount it can afford to allocate to capital expenditure and that, in discharging this duty, the authority must comply with capital expenditure regulations. The capital expenditure regulations state that councils must comply with the provisions of the Prudential Code.
- 2.5 The Prudential Code stipulates that councils must be able to demonstrate, on an on-going basis, that capital spending and associated borrowing are affordable, prudent and sustainable and comply with Best Value requirements. The council's role, in this regard, is fulfilled by approving, annually, a series of prudential indicators for West Lothian and ensuring that there are suitable arrangements for monitoring the indicators on an on-going basis. In addition, when considering, agreeing and implementing a capital investment strategy, the Prudential Code requires councils to take account of a variety of factors such as value for money, asset management planning, practicality and achievability. The Head of Finance and Estates is responsible for reporting to the council on all relevant matters that are required to be taken into account by the council when setting prudential indicators. The Head of Finance and Estates is also responsible for establishing procedures for monitoring prudential indicators.
- 2.6 It is the responsibility of the Head of Finance and Estates to ensure appropriate procedures and instructions are issued for: -

- developing, maintaining and reviewing the overall budget strategy.
 - producing the annual and medium term revenue and capital budgets, in compliance with the Provisions of the Prudential Code.
 - producing annual activity budgets.
 - budgetary control of revenue and capital expenditure.
 - budget monitoring of prudential indicators.
 - storage and disposal of financial records.
 - producing financial management information.
 - submission of statistical returns; and
 - completion of the Statutory Abstract of Accounts.
- 2.7 Effective budgetary control arrangements are essential to ensure the council meets its objectives and outcomes within available resources. The council's budgetary control for revenue and capital budgets is focused on a risk based approach that ensures time is prioritised to high risk areas of the council's budget. A key element in this approach to budget monitoring is that a comprehensive zero based budgeting exercise is undertaken each year for all staffing and non-staffing budgets. In addition, Heads of Service are responsible for identifying and agreeing material budget risk areas with the Head of Finance and Estates, which are monitored on a monthly basis.
- 2.8 The Head of Finance and Estates is responsible for completing, or ensuring the proper completion by Services of claims for external funding. Heads of Service are responsible for timeously providing information required by the Head of Finance and Estates for this purpose.
- 2.9 Committee reports must contain a statement of financial implications, and confirmation that the Head of Finance and Estates has verified the financial content of the report.

A.3 REVENUE BUDGETS

3.1 General Fund Revenue Budget Planning Process

The council is required to approve a balanced revenue budget for each financial year. Over the medium term the council will face a range of expenditure pressures and continuing funding constraints and therefore effective prioritisation of resources will be essential to achieving balanced budgets. Both Audit Scotland and the Chartered Institute of Public Finance and Accountancy (CIPFA) have identified that public bodies must focus on their medium to long term financial sustainability to ensure effective public services in the future, and they have advised that this is best achieved developing medium term financial strategies. It is therefore very important that the councils financial strategies are based on defined and agreed priorities and there is clarity as to how budgets will be managed.

Delivering council priorities should underpin the medium term financial strategy and help ensure that constrained resources are allocated to achieve desired outcomes and value for money.

The medium term financial strategy fully incorporates the resources needed to deliver the councils priorities, and will include plans for efficiency based on delivery of approved workstreams. The medium term financial strategy will be integrated with the council's Corporate Plan. The Corporate Plan will aim

to build on the council's strong foundation and provide the corporate and strategic framework for delivering agreed priorities.

3.2 General Fund Revenue Budget

Preparation

The Head of Finance and Estates is responsible for co-ordinating the preparation of the revenue budget on an annual basis as part of a medium term revenue budget strategy. The Head of Finance and Estates is also responsible for preparing prudential indicators in line with the provisions of the Prudential Code. The prudential indicators cover both the General Fund and the Housing Revenue Account (HRA). The revenue budget is integrated with the capital budget and the Corporate Plan. Heads of Service are responsible for preparing their service budgets and activity budgets in accordance with approved budget control totals.

The Head of Finance and Estates is responsible for submitting the revenue budget and prudential indicators to the Corporate Management Team for consideration prior to presentation to the council.

Approval

The Head of Finance and Estates is responsible for presenting, annually, a revenue budget and prudential indicators to the full council. The council shall consider and approve a revenue budget, approve prudential indicators and set a council tax level for the following year. The council tax setting must, by law, take place before 11 March in any year.

Budgetary Control

The council is responsible for establishing a monitoring and control framework that complies with the requirements of the Prudential Code. Budgetary control frameworks and procedures are in place for General Services and HRA revenue budgets.

The council's budgetary control framework and procedures set out a risk based approach to budget monitoring. A full zero based budgeting of all spend and income is undertaken annually to ensure a robust base budget is in place as a realistic guide to actual spend and income for the year.

As part of the risk based approach to budget monitoring, Heads of Service are responsible for identifying and agreeing material budget risk areas with the Head of Finance and Estates. Risk Schedules will be prepared for these areas and relevant budgets monitored on a monthly basis.

The budgetary control frameworks confirm the budgetary control responsibilities of council officers and elected members. In terms of budgetary control, elected members have overall responsibility for proper governance and monitoring of public funds and for ensuring effective services are provided within the constraints of agreed budgets.

The Head of Finance and Estates is responsible for ensuring that appropriate procedures and instructions are issued for budgetary control. The Head of Finance and Estates is also responsible for providing appropriate financial information to enable budgets to be monitored effectively.

Heads of Service are responsible for the implementation of budgetary control procedures within their services and for ensuring the budgetary control process is carried out.

Heads of Service have primary responsibility for the budgetary control process within their service and are responsible for confirming budget projections, updating Risk Schedules and submitting these to the Head of Finance and Estates. The Head of Finance and Estates is responsible for monitoring the overall budget and reporting on the financial position to the Corporate Management Team, and to the Council Executive for periods 4, 6 and 9 each year. The reports to the Council Executive should include monitoring of prudential indicators.

Outwith periods 4, 6 and 9, the focus of budget monitoring will be on risk areas identified and monitored through the monthly update of Risk Schedules.

The Head of Finance and Estates is responsible for ensuring monthly budgetary control reports are available to budget holders.

At the financial year end, the Head of Finance and Estates is responsible for reporting the final outturn report to the Corporate Management Team and the Council Executive.

Budget Virements

Budget virements within service areas are processed in agreement with the relevant Head of Service and Head of Finance and Estates. The virement must be within the parameters of the approved service budget. In the event of inter-service virements, authorisation for the virements should be confirmed by the relevant Depute Chief Executives. All virements between Devolved School Management (DSM) budget headings are subject to the DSM Scheme of Delegation.

3.3 HRA Revenue Budget

Preparation

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for preparing a revenue budget for the Housing Revenue Account as part of a medium term revenue budget and rent strategy. This budget is based on financial information provided by the Head of Finance and Estates. The Housing revenue budget is integrated with the Housing capital budget.

Approval

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for presenting an HRA revenue budget to a meeting of the full council. The council shall consider and approve a budget, and set rent levels for all council housing stock and service charges at this meeting.

Budgetary Control

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for monitoring the HRA budget and reporting on the financial position to the Corporate Management Team and the Council Executive based on financial information provided by the Head of Finance and Estates. The reports to the Council Executive are presented for periods 4, 6 and 9

each year. A risk based approach to monitoring focusing on the use of Risk Schedules is undertaken for the HRA revenue budget. The Depute Chief Executive – Corporate, Operational and Housing Services is also responsible for reporting a final outturn report to the Corporate Management Team and the Council Executive.

Budget Virements

Budget virements are processed in agreement with the Depute Chief Executive – Corporate, Operational and Housing Services and Head of Finance and Estates. The virement must be within the parameters of the approved HRA budget.

A.4 CAPITAL BUDGETS

4.1 General Services Capital Planning Process

The Head of Finance and Estates is responsible for preparing and maintaining a five year General Services capital plan and strategy and presents this to the Corporate Management Team for approval prior to its consideration by the Council Executive. The capital planning strategy is integrated with asset management planning, strategic planning and option appraisal and takes account of the council's duty to comply with the Prudential Code. All capital investment contained in the five year capital plan has been approved on the basis of a Strategic Outline Business Case. The capital plan is fully integrated with the council's medium term revenue budget strategy and Corporate Plan. Investment within the capital plan is split between four asset category types, each of which has a specific Asset Lead Officer. Depute Chief Executives are responsible for designating Asset Lead Officers to fulfil all aspects of work for the specified asset categories.

4.2 General Services Annual Capital Budget

Preparation

The Head of Finance and Estates is responsible for ensuring that a detailed General Services capital budget is prepared annually taking account of the detailed allocation of block budgets. Asset Lead Officers are responsible for preparing their asset category capital budgets in accordance with approved annual budget totals. The Head of Finance and Estates is responsible for co-ordinating the capital budget. The budget should be supported by information required under the provisions of the Prudential Code.

Approval

The Head of Finance and Estates is responsible for presenting, annually, a General Services capital budget to the Council Executive which shall consider and approve a budget.

Budgetary Control

The council is responsible for establishing a monitoring and control framework that complies with the requirements of the Prudential Code. Budgetary control frameworks and procedures are in place for General Services and HRA capital budgets.

The capital budgetary control framework and procedures set out an increased focus on a risk based approach to budget monitoring.

As part of the risk based approach to budget monitoring, Heads of Service are responsible for identifying and agreeing material capital investment risks with the Head of Finance and Estates. Risk Schedules will be prepared for these areas of investment and relevant budgets monitored on a monthly basis.

The budgetary control frameworks confirm the budgetary control responsibilities of council officers and elected members. In terms of budgetary control, elected members have overall responsibility for proper governance and monitoring of public funds and for ensuring effective services are provided within the constraints of agreed budgets.

The Head of Finance and Estates is responsible for ensuring that appropriate procedures and instructions are issued for budgetary control. The Head of Finance and Estates is also responsible for providing appropriate financial information to enable budgets to be monitored effectively. Asset Lead Officers are responsible for the implementation of budgetary control procedures. It is the responsibility of Asset Lead Officers to control income and expenditure within their areas of responsibility and to monitor net expenditure against the agreed budget.

The Head of Finance and Estates is responsible for reporting on the financial position of the General Services capital programme to the Corporate Management Team and to the Council Executive for periods 4, 6 and 9 each year. The reports should include the information required to comply with the provisions of the Prudential Code.

Outwith periods 4, 6 and 9, the focus of budget monitoring will be on investment risk areas identified and monitored through the monthly update of Risk Schedules.

At the financial year end, the Head of Finance and Estates is responsible for reporting the final outturn and budget roll forward report, taking into account slippage or accelerated spend within the capital programme, to the Council Executive.

The Head of Finance and Estates is responsible for ensuring monthly budgetary control reports from Business Objects are available to Asset Lead Officers.

Budget Virements

In consultation with the Head of Finance and Estates, Asset Lead Officers are authorised to approve virements between capital projects within their section of the capital programme.

However, if it is proposed to add a new capital project, delete an approved capital project from the programme, or materially change a capital project from the scope set out in the Strategic Outline Business Case then Asset Lead Officers must notify the Head of Finance and Estates who must report for approval to the Council Executive.

4.3 Housing Capital Planning Process

The Depute Chief Executive – Corporate, Operational and Housing Support is responsible for ensuring that the council agrees and implements a five year

Housing capital investment and planning process that fully complies with the provisions of the Prudential Code.

The capital planning process will include appropriate links with asset management planning, strategic planning and option appraisal and will take account of the council's responsibility to adhere to the Social Housing Quality Standard.

4.4 Housing Annual Capital Budget

Preparation

The Deputy Chief Executive – Corporate, Operational and Housing Services is responsible for ensuring that the Housing capital budget is prepared annually as part of the agreed capital investment and planning process based on financial information provided by the Head of Finance and Estates. The Deputy Chief Executive will also consult the Head of Finance and Estates on the implications for prudential indicators when preparing the budget.

Approval

The Deputy Chief Executive – Corporate, Operational and Housing Services is responsible for presenting, annually, a Housing capital budget to the Council Executive which shall consider and approve a budget including any revenue consequences. The budget report should include the information required under the provisions of the Prudential Code.

Budgetary Control

The Deputy Chief Executive – Corporate, Operational and Housing Services is responsible for undertaking monitoring of the Housing capital programme and for reporting to the Corporate Management Team and the Council Executive based on financial information provided by the Head of Finance and Estates. The reports are presented to the Council Executive for periods 4, 6 and 9 each year. The reports should include the information required to comply with the provisions of the Prudential Code. A risk based approach to monitoring focusing on the use of Risk Schedules is also undertaken for the Housing capital budget.

Budget Virements

The Deputy Chief Executive – Corporate, Operational and Housing Services, as Asset Lead Officer for Housing, is authorised to approve virements between capital projects within the capital programme.

However, if it is proposed to add a new capital project, delete an approved capital project from the programme, or substantially alter a capital project the Deputy Chief Executive – Corporate, Operational and Housing Services must report for approval to the Council Executive.

A.5 FINAL ACCOUNTS

- 5.1 The Head of Finance and Estates is responsible for ensuring that the statutory Abstract of Accounts is produced in compliance with council policy, relevant legislation and accounting requirements.
- 5.2 The Head of Finance and Estates submits a copy of the Abstract of Accounts to the council and the Controller of Audit in accordance with the agreed timetable but, in any event, by the prescribed date.

- 5.3 Heads of Service are required to provide information in accordance with instructions on the final accounts issued annually by the Head of Finance and Estates.

A.6 PARTNERSHIPS AND JOINT ARRANGEMENTS

- 6.1 Working in partnership with a wide range of other organisations is a key policy and priority of the council. It is essential that appropriate accounting and control arrangements are in place to regulate the operation of all arrangements involving third parties. In relation to funding of external organisations, the council complies with the 'Code of Guidance on Funding External Bodies and Following the Public Pound' issued by the Accounts Commission and the Convention of Scottish Local Authorities (COSLA).
- 6.2 Heads of Service must consider the overall corporate governance arrangements when arranging contracts with external bodies. They must consult with the Head of Finance and Estates in respect of financial issues and ensure that financial risks have been fully appraised before agreements are entered into.
- 6.3 Heads of Service are responsible for ensuring that appropriate approvals are obtained in relation to work with external bodies.
- 6.4 The Head of Finance and Estates must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory and provide for effective internal control.

A.7 BIDS FOR EXTERNAL FUNDING

- 7.1 To assess the financial implications Heads of Service must consult with the Head of Finance and Estates regarding the financial content of all bids and businesses cases for external funding prior to them being submitted by the council. This applies, for example, to Scottish Government and European Union funding. In accordance with the internal procedures on External Funding Reporting Arrangements, proposals for the use of funding awarded should be set down on a funding pro-forma and submitted to the Head of Finance and Estates.
- 7.2 The Head of Finance and Estates is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the authority's accounts.

A.8 GRANTS TO EXTERNAL ORGANISATIONS

- 8.1 Approval of grants to external organisations must be made within the terms of council policy.

FINANCIAL REGULATION B – RISK MANAGEMENT AND CONTROL OF RESOURCES

B.1 INTRODUCTION

- 1.1 It is essential that robust systems are developed and maintained for identifying and evaluating on an integrated basis all significant strategic and operational risks to the council. This involves the proactive participation of all those associated with planning and delivering services.

B.2 INTERNAL AUDIT

- 2.1 Internal audit is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.
- 2.2 The council has established an Audit and Governance Committee which meets at least four times per year. The Committee undertakes a corporate review of the council's control environment, including financial controls, corporate governance and risk management. The Committee's remit and powers are set out in the Council's Scheme of Administration.
- 2.3 The council has established an Audit and Risk Management Unit which includes internal audit and which operates in accordance with the 'the "Public Sector Internal Audit Standards" issued by CIPFA in collaboration with the Chartered Institute of Internal Auditors.
- 2.4 The Audit and Risk Manager is responsible for internal audit and reports directly to the Head of Finance and Estates. The Audit and Risk Manager has the right of direct access to the Chair of the Audit and Governance Committee and the Chief Executive, and may consult with the Monitoring Officer at any time about any matter within his remit.
- 2.5 The role of internal audit is to review, appraise and report on the:
- effectiveness of systems of financial and non financial control;
 - extent of compliance with approved policies, plans and procedures, including the local code of corporate governance;
 - extent of compliance with regulations and legislation;
 - degree to which the council's assets are properly accounted for and safeguarded;
 - suitability and reliability of management data and performance information;
 - effectiveness of management in discharging its responsibility for ensuring value for money.
- 2.6 The Audit and Risk Manager prepares an annual risk based audit plan in consultation with the Audit and Governance Committee, Chief Executive, Heads of Service, Head of Finance and Estates, Monitoring Officer and Audit Scotland. The Audit and Governance Committee approves the annual internal audit plan before being issued.

- 2.7 Subject to any necessary prior consultation internal audit staff have authority to:
- enter at all reasonable times council premises or land;
 - access all records, documents and correspondence relating to any aspect of the internal audit function's remit as set out in paragraph 2.5 above;
 - require and receive such explanations as are necessary concerning any matter under examination; and
 - require any employee of the council to produce cash, stores or any other council property under that person's control.
- 2.8 At the end of each financial year the Audit and Risk Manager prepares an annual report which sets out the Audit and Risk Management Unit's performance for the year and which includes an opinion on the effectiveness of the council's framework of governance, risk management and control. The annual report is submitted to the Audit and Governance Committee.
- 2.9 The council has an approved Anti-Fraud and Corruption Policy. Wherever any matter arises which involves, or is thought to involve, a fraud, theft or irregularity that affects the affairs of the council, the relevant Heads of Service must immediately notify the Head of Finance and Estates. A decision on whether to investigate is then taken in accordance with the Policy. Allegations referred to the Audit and Risk Management Unit are investigated in accordance with its procedures for the investigation of suspected fraud and irregularities.
- 2.10 Fraudulent claims relating to Housing Benefit or Council Tax Reduction are dealt with under the council's Benefit Fraud Strategy. The Benefits Manager investigates all such claims.

B.3 RISK MANAGEMENT AND BUSINESS CONTINUITY

- 3.1 The council has a responsibility to have effective risk management processes in place, and has approved a Risk Management Policy and Strategy.
- 3.2 In accordance with the Risk Management Strategy, the council has established a Risk Management Board with responsibility for oversight of the council's risk management arrangements. The Risk Management Board ensures that the council has effective corporate risk management arrangements, and that there are up to date and effective business continuity arrangements.
- 3.3 The Audit and Risk Manager is responsible for reviewing the Risk Management Policy and Strategy, and developing, maintaining and reviewing the corporate risk management framework, including business continuity. In doing so the Audit and Risk Manager consults with the Head of Finance and Estates and the Risk Management Board.
- 3.4 The Executive Management Team is responsible for oversight of the council's strategic risks and ensures that these are effectively identified, recorded and managed.

- 3.5 Heads of Service are responsible for managing their service's risks in accordance with the corporate framework and ensure that significant risks to service objectives are effectively identified, recorded and managed.
- 3.6 Heads of Service are responsible for business continuity arrangements for their service. They ensure that effective business continuity plans are in place to support the delivery of critical services within their remit. This includes ensuring that I.T. applications are appropriately backed up and that effective disaster recovery arrangements are in place.

B.4 INSURANCE

- 4.1 The Head of Finance and Estates is responsible for reviewing risks annually and determining the balance between insurance through external cover and self-insurance. Insurance cover will be placed following a tendering process.
- 4.2 The Head of Finance and Estates will maintain an Insurance Fund in accordance with legislation and accounting rules.
- 4.3 Heads of Service must immediately notify the Head of Finance and Estates in writing of any loss, liability or damage or any event likely to lead to a claim and must inform the police where appropriate, in accordance with the claim procedures provided by the Head of Finance and Estates.
- 4.4 The Head of Finance and Estates negotiates all claims in consultation with Heads of Service and the council's insurers, where applicable.
- 4.5 Heads of Service consult the Head of Finance and Estates and the Chief Solicitor regarding the terms of any indemnity that the council is required to give.

B.5 CUSTODY AND SECURITY OF ASSETS, STOCKS AND STORES

- 5.1 Heads of Service are responsible for maintaining proper security, care and custody of all buildings, stocks, stores, furniture, equipment, cash and other property including that owned by third parties.
- 5.2 Heads of Service should ensure that cash holdings within each service unit are minimised, held in accordance with the council's cash procedure, and do not exceed relevant insurance limits.
- 5.3 Heads of Service are responsible for maintaining and regularly updating an inventory for all stocks and fixed assets in every establishment within their service in accordance with guidelines issued by the Head of Finance and Estates.
- 5.4 Disposals or write-offs of stores, plant, furniture and equipment must be carried out in accordance with procedures issued by the Head of Finance and Estates.
- 5.5 Council property must not be removed from council premises other than for council purposes except in accordance with council policy.

B.6 BANKING ARRANGEMENTS

- 6.1 The Head of Finance and Estates is responsible for ensuring that arrangements are made for the provision of mainstream banking services and that the contract is tendered at least every five years.
- 6.2 The Head of Finance and Estates makes arrangements regarding the opening and operation of all council bank accounts and use of banking services in the name of the council. The Head of Finance and Estates must authorise the opening of bank accounts for the use of petty cash.
- 6.3 For third party bank accounts operated by council staff as part of their council duties, cheques must be signed by two delegated signatories unless agreed otherwise by the Head of Finance and Estates.
- 6.4 All arrangements for Clearing House Automated Payment system (CHAPS) payments will be made under the arrangements approved by the Head of Finance and Estates. Heads of Service are responsible for authorising non-commercial payments and CHAPS payment forms. Whenever Heads of Service delegate responsibility for authorisation, they must notify the Head of Finance and Estates in writing of the officers with delegated authority. A specimen signature for delegated officers must also be provided.

B.7 TREASURY MANAGEMENT

- 7.1 The council's treasury management policy statement is as follows:
 - Treasury management is the management of the council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
 - The council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation.
 - The council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance management techniques, within the context of effective risk management.
- 7.2 For the cornerstones for effective treasury management, the council will create and maintain:
 - a treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities
 - suitable treasury management practices (TMPs), setting out the manner in which the council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

- 7.3 The content of the policy statement and TMPs will follow the recommendations contained in Sections 6 and 7 of the CIPFA Treasury Management Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the CIPFA Treasury Management Code's key principles.
- 7.4 The council has responsibility for the implementation and regular monitoring of its treasury management policies and practices. The council delegates responsibility for the execution and administration of treasury management decisions to the Head of Finance and Estates, who will act in accordance with the organisation's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management where they are a CIPFA member.
- 7.5 The Head of Finance and Estates will prepare the following reports – an annual plan in advance of the year, a mid-year report and an annual report by 30 September of the following financial year. The Partnership and Resources Policy Development and Scrutiny Panel will receive and scrutinise the annual plan and refer it to the Council for formal approval. This is consistent with the revised CIPFA Treasury Management Code and the Scottish Investment Regulations 2010.
- 7.6 To demonstrate that the council's borrowing decisions are compliant with the Prudential Code's requirement that borrowing is prudent, affordable and sustainable, the Head of Finance and Estates will prepare and monitor prudential indicators. Prudential indicators will be approved annually by Council and updates provided in the treasury management reports.
- 7.7 The council adopts in full both the CIPFA Treasury Management Code and the CIPFA Prudential Code.
- 7.8 All investments of money under its control shall be made in the name of the council. All money held by the council will be aggregated for the purposes of treasury management and shall be under the control of the Head of Finance and Estates. Investments can only be in organisations included in the permitted investments list approved by Council.

FINANCIAL REGULATION C – SYSTEMS AND PROCEDURES

C.1 INTRODUCTION

- 1.1 Sound systems and procedures are essential for an effective framework of accountability and control.

C.2 INCOME

- 2.1 The recovery and collection of all money due to the council is undertaken in accordance with guidelines issued by the Head of Finance and Estates. The guidelines include procedures for issuing accounts, recording income, paying in cash, under and over banking, security and insurance of cash, cash transfers, personal cheques and the supply of receipts and tickets.
- 2.2 The corporate debt policy backed up by procedures sets out the terms of the joined up approach the council will take with debtors who, in particular, have multiple debts due to the council.
- 2.3 Accounts should be issued for sums due to the council, unless alternative arrangements have been agreed with the Head of Finance and Estates. Heads of Service must:
- ensure the prompt rendering of accounts in connection with work done, goods supplied or services rendered
 - ensure that all money received by the council is paid directly to the council's bank account
 - provide such information as is required to establish income due to the council.
- 2.4 Where accounts have not been issued other appropriate arrangements must be adopted and promptly initiated in line with the guidelines issued by the Head of Finance and Estates.
- 2.5 Arrangements for payment of accounts due by instalment are at the discretion of the relevant Head of Service, except for council tax and business rates where there are statutory rights to pay in instalments.
- 2.6 In consultation with Heads of Service, the Head of Finance and Estates is authorised to write off miscellaneous debt of up to £3,000 where the council has tried all reasonable means of debt collection and there is no prospect of recovery. Miscellaneous debt for this purpose excludes council tax, non-domestic rates, community charge and any other debt write off specifically delegated to another officer.
- 2.7 In consultation with Heads of Service, the Head of Finance and Estates is authorised to write on any amount of miscellaneous credit where all attempts to trace the creditor has failed (if the creditor is subsequently traced the action will be reversed and the credit refunded).
- 2.8 In addition, the Head of Finance and Estates, in consultation with Heads of Service, is authorised to write-off any amount of miscellaneous debt that cannot be recovered where the debtor: -

- has been sequestrated (declared bankrupt and, where possible, a suitable claim has been made); or
 - is a company in liquidation, receivership, administrative receivership, dissolution, or has been struck off the register of companies (and, where possible, a suitable claim has been made); or
 - cannot be traced; or
 - is deceased and there are no funds in the estate; or
 - the debt is prescribed (i.e. outwith the legal time limit for collection).
- 2.9 With regard to council tax, non-domestic rates, and community charge debts that cannot be recovered, the Head of Finance and Estates is authorised to write-off: -
- debts up to £3,000 in any one case;
- or any amount where the debtor:
- has been sequestrated (declared bankrupt and, where possible, a suitable claim has been made); or
 - is a company in liquidation, receivership, administrative receivership, dissolution, or has been struck off the register of companies (and, where possible, a suitable claim has been made); or
 - cannot be traced; or
 - is deceased and there are no funds in the estate; or
 - the debt is prescribed (i.e. outwith the legal time limit for collection).
- 2.10 In addition the Head of Finance and Estates is authorised to write on any amount of council tax, non-domestic rates, and community charge where all attempts to trace the creditor has failed (if the creditor is subsequently traced the action will be reversed and the credit refunded).
- 2.11 The Depute Chief Executive – Corporate, Operational and Housing Services is authorised to write off HRA rent arrears of up to £3,000 in any one case where the council has tried all reasonable means of debt collection and there is no prospect of recovery.
- 2.12 In addition, the Depute Chief Executive – Corporate, Operational and Housing Services is authorised to write-off any amount of HRA rent arrears that cannot be recovered where the debtor:-
- has been sequestrated (declared bankrupt and, where possible, a suitable claim has been made); or
 - cannot be traced; or
 - is deceased and there are no funds in the estate; or
 - the debt is prescribed (i.e. outwith the legal time limit for collection).
- 2.13 Where there are valid social work reasons for so doing, and in accordance with council policy and legislative requirements, the Depute Chief Executive - Community Health and Care Partnership and Social Policy is authorised to write off debts of up to £3,000, where the council has tried all reasonable means of debt collection and there is no prospect of recovery. This debt relates to:
- charges based on the Department of Work and Pensions or National Assistance Act regulations for residential or domiciliary care

- any other Social Work client contributions calculated through the charging policy.

C.3 SALARIES AND WAGES

3.1 The Scheme of Delegation to Officers provides for the appointment of employees. This establishes basic pay. Depute Chief Executives are responsible for authorising any variations to pay, and for ensuring that:

- all documents authorising variations to pay are submitted in accordance with conditions of service, council policies and other statutory provisions
- the Head of Corporate Services is provided with such information as is required to complete council and statutory returns.

3.2 The Head of Corporate Services is responsible for:

- processing and payment of salaries, compensation and other emoluments to employees and elected members or retiring allowances to former employees
- maintaining appropriate internal controls in HR and payroll processes
- ensuring that there is adequate segregation of duties between the HR and payroll functions.
- paying pension contributions to the City of Edinburgh Council and the Scottish Public Pensions Agency, and tax and National Insurance contributions to HM Revenue and Customs.

C.4 ALLOWANCES AND EXPENSES

4.1 The Head of Corporate Services is responsible for:

- submitting a draft scheme of members' allowances to the Council Executive annually prior to the start of the financial year
- administering the scheme of members' allowances in accordance with the relevant statutory provisions and
- publishing details of payments to individual members by 1 June each year for the preceding financial year

4.2 The Head of Corporate Services is responsible for:

- the reimbursement of travelling and subsistence expenses to officers and elected members.
- Maintaining appropriate internal controls over the processes for reimbursement of travelling and subsistence expenses.

4.3 Heads of Service are responsible for ensuring that:

- claims for expenses are submitted in accordance with conditions of service, council policies and other statutory provisions
- the Head of Corporate Services is provided with such information as is required to complete council and statutory returns.

C.5 PROCUREMENT OF ORDERS FOR WORK, GOODS AND SERVICES

- 5.1 The Council operates a Corporate Procurement Unit and Services are required to make use of the Unit. Corporate Procurement will maintain a contract register and can be contacted for advice on any type of purchase. This service will consist of the provision of purchasing advice, disposal of equipment and compliance with WLC standing orders, Public Contracts Scotland Regulation (2012) and EU Regulations.
- 5.2 Each Head of Service shall be responsible for and ensure compliance with all orders emanating from their Service and shall ensure they fully observe all guidance issued by the Head of Finance and Estates.
- 5.3 Heads of Service must ensure that proper security and control arrangements are implemented and must comply with the council's information security policy and guidelines.
- 5.4 All procurement and purchasing carried out must comply with Standing Orders Relating to Contracts.
- 5.5 All tenders, contracts and orders must adhere to Council payment terms of invoice in arrears of delivery, with payment 30 days from receipt of invoice, payment will be by BACS. Any exceptions to the Council's payment terms must be approved in advance by the Head of Finance and Estates.
- 5.6 Orders are only to be issued for goods, works or services which are compliant with Standing Orders for Contracts and only if the cost is covered by a budget allocation or by a special financial provision.
- 5.7 All orders must be placed using PECOS, the council's on-line procurement system, where services have access to this system.
- 5.8 Where services do not have access to PECOS, all orders must be placed using the relevant electronic ordering system.
- 5.9 Heads of Service must ensure that they notify the Head of Finance and Estates of all officers with responsibility for creating and approving orders on PECOS.
- 5.10 An official PECOS order must be placed with the supplier to ensure that the invoice date does not pre-date the order date. Telephoned, faxed or e-mailed orders are not permitted.
- 5.11 Orders for items subject to contract should be placed with the contracted supplier. For construction contracts, orders shall only be placed with organisations that hold a relevant construction industry registration certificate.
- 5.12 Before entering into leasing agreements, Heads of Service must consult with the Head of Finance and Estates to establish the correct accounting treatment for the lease.

C.6 PAYMENT PROCEDURES

- 6.1 The Head of Finance and Estates will issue procedures covering payments to third parties. This will include procedures and guidance on petty cash and cash handling, use of daily cheques and purchase cards. Heads of Service are responsible for ensuring compliance with these procedures.
- 6.2 Heads of Service are responsible for entering goods received and invoice details into PECOS to enable payment to be made.
- 6.3 An invoice must be matched to a pre-authorised order held on PECOS. Where this is not the case, the Head of Service is responsible for ensuring that an invoice represents a valid liability of the council before authorising it for payment. The council's payment terms are 30 days from receipt of an appropriate invoice. Invoices must be processed without delay to ensure the council's payment terms are complied with.
- 6.4 Payment must not be made prior to the receipt of goods without the approval of the Head of Service. Where a payment requires to be made in circumstances where there is no supply of goods or services, e.g. grant payments and refunds, then such payments must be made in accordance with procedures issued by the Head of Finance and Estates.
- 6.5 The normal method of payment of money due from the council is by electronic bank transfer such as BACS and CHAPS, cheque or other instrument drawn on the council's bank account. The only exceptions are payments from petty cash and other payments from advance accounts.
- 6.6 All cheques, excluding those required for authorised imprest accounts are printed only on the authority of the Head of Finance and Estates who makes proper arrangements for their ordering, issuing and safe custody.
- 6.7 Cheques drawn on the council's main bank accounts must bear the facsimile signature of the Head of Finance and Estates, or be signed by one of the following officers: Head of Finance and Estates, Corporate Finance Manager, Delegated Group Accountant, Revenues Manager and the Benefits Manager.
- 6.8 Cheques for over £50,000 drawn on the council's main bank accounts must bear the facsimile signature of the Head of Finance and Estates and be signed by one of the following officers: Head of Finance and Estates, Corporate Finance Manager, Delegated Group Accountant, Revenues Manager and the Benefits Manager.

C.7 VALUE ADDED TAX

- 7.1 The Head of Finance and Estates is responsible for issuing guidance on the application of value added tax rules.
- 7.2 Heads of Service are responsible for identifying and accounting properly for both their input and output value added tax.



West Lothian
Council

STANDING ORDERS

FINANCIAL REGULATIONS

Updated 28 September 2010

FINANCIAL REGULATIONS

1. INTRODUCTION

- 1.1 West Lothian Council is committed to delivering high quality, integrated services at the heart of a network of partners. The council has adopted modern business processes, enabled by technology, so that services are organised around the needs of citizens.
- 1.2 In order to conduct its business efficiently, the council must have sound financial management policies that are strictly adhered to. The requirement for sound financial management is further reinforced by the Local Government (Scotland) Act 1973 that stipulates that every local authority must make arrangements for the proper administration of its financial affairs and by the CIPFA Prudential Code for Capital Finance on Local Authorities (the 'Prudential Code') which stipulates that councils must be able to demonstrate, on an on-going basis, that capital spending and associated borrowing is affordable, prudent and sustainable. In addition the council has a duty to make arrangements which secure best value. The best value obligation applies both to elected members and officers. For these reasons it is essential for the council to establish financial regulations and supporting procedures.
- 1.3 The 1973 Act also requires that each authority appoints a proper officer to take responsibility for the administration of its financial affairs. The council has resolved that the proper officer is the Head of Finance and Estates.
- 1.4 The Accounts Commission has stated that a regime of good governance for a local authority includes the creation and implementation of procedures for the effective discharge of the statutory responsibilities of the proper officer in relation to the overall financial management of the council. In addition to setting out these responsibilities, the financial regulations and associated procedures also provide clarity about the financial accountabilities of other officers within the council.
- 1.5 Members and officers have a responsibility for fostering the culture and attitudes that are necessary for good governance. Full details of the relevant roles and responsibilities are set out in the council's Code of Corporate Governance.
- 1.6 The financial regulations operate in parallel with the framework set out in the council's Scheme of Delegation. This includes the delegated authority of the Chief Executive and Deputy Chief Executives to authorise other senior officers in their service who are appropriately qualified to use their delegated powers under these regulations, unless they cannot do so by law or because of specific provisions of the Scheme of Delegation.
- 1.7 Reference in the regulations to 'Deputy Chief Executives' means: -
 - Deputy Chief Executive – Education, Planning and Area Services
 - Deputy Chief Executive – Corporate, Operational and Housing Services

- Depute Chief Executive - Community Health and Care Partnership and Social Policy
 -
- 1.8 Reference in the regulations to 'Heads of Service' means: -
- Head of Finance and Estates
 - Head of Schools with Education Support
 - Head of Area Services
 - Head of Planning and Economic Development
 - Head of Housing, Construction and Building Services
 - Head of Corporate Services
 - Head of Operational Services
 - Head of Social Policy

2. STATUS OF FINANCIAL REGULATIONS

The financial regulations provide the framework for managing the council's financial affairs. They apply to every member and officer of the council and everyone acting on its behalf. Additionally, all members and officers have a general responsibility for ensuring that the use of the council's resources is legal, properly authorised and provides value for money.

The Head of Finance and Estates is responsible for maintaining a continuous review of the financial regulations, including the financial limits contained in the regulations and submitting any changes, other than of a minor nature, to the Council Executive for approval. The council's Code of Corporate Governance requires the financial regulations to be reviewed at least once every Administrative term.

The Head of Finance and Estates is also responsible for issuing procedures, guidance and advice to underpin the financial regulations, and for investigating any breach of the regulations.

Depute Chief Executives are responsible for ensuring that Heads of Service are aware of and put in place arrangements for their services to comply with the financial regulations.

3. FORMAT OF FINANCIAL REGULATIONS

- 3.1 The financial regulations cover all aspects of the administration of the council's financial affairs and have been grouped in accordance with the main elements of financial administration as follows:

Financial Regulation A: Financial Management and Planning

- A.1 Introduction
- A.2 General Accounting Framework
- A.3 Revenue Budgets
- A.4 Capital Budgets
- A.5 Final Accounts

Financial Regulation B: Risk Management and Control of Resources

- B.1 Introduction
- B.2 Internal Audit
- B.3 Risk Management and Insurance
- B.4 Custody and Security of Assets, Stocks and Stores
- B.5 Banking Arrangements
- B.6 Treasury Management

Financial Regulation C: Systems and Procedures

- C.1 Introduction
- C.2 Income
- C.3 Salaries and Wages
- C.4 Allowances and Expenses
- C.5 Orders for Work, Goods and Services
- C.6 Payment Procedures
- C.7 Value Added Tax

Financial Regulation D: External Arrangements

- D.1 Introduction
- D.2 Partnerships and Joint Arrangements
- D.3 Bids for External Funding
- D.4 Grants to External Organisations

FINANCIAL REGULATION A – FINANCIAL MANAGEMENT AND PLANNING

A.1 INTRODUCTION

1.1 Financial Management and Planning incorporates the various elements associated with the development, maintenance and monitoring of the council's financial strategy and financial position. These are: -

- General Accounting Framework
- Revenue Budgets
- Capital Budgets
- Final Accounts

A.2 GENERAL ACCOUNTING FRAMEWORK

2.1 The Local Authority Accounts (Scotland) Regulations 1985 require that the proper officer shall determine the council's system of accounting control and supporting records. The proper officer in West Lothian is the Head of Finance and Estates.

2.2 The Head of Finance and Estates must ensure that adequate systems of accounting control are maintained throughout the council and that service units conform with council policy, legislation and codes of practice on these matters.

2.3 The Local Government in Scotland Act 2003 sets out that it is the duty of a local authority to determine the maximum amount it can afford to allocate to capital expenditure and that, in discharging this duty, the authority must comply with capital expenditure regulations. The capital expenditure regulations state that councils must comply with the provisions of the Prudential Code.

2.4 The Prudential Code stipulates that councils must be able to demonstrate, on an on-going basis, that capital spending and associated borrowing are affordable, prudent and sustainable and comply with Best Value requirements. The council's role, in this regard, is fulfilled by approving, annually, a series of prudential indicators for West Lothian and ensuring that there are suitable arrangements for monitoring the indicators on an on-going basis. In addition, when considering, agreeing and implementing a capital investment strategy, the Prudential Code requires councils to take account of a variety of factors such as value for money, asset management planning, practicality and achievability. The Head of Finance and Estates is responsible for reporting to the council on all relevant matters that are required to be taken into account by the council when setting prudential indicators. The Head of Finance and Estates is also responsible for establishing procedures for monitoring prudential indicators.

2.5 It is the responsibility of the Head of Finance and Estates to ensure appropriate procedures and instructions are issued for: -

- developing, maintaining and reviewing the overall budget strategy.
- producing the annual and medium term revenue and capital budgets, in compliance with the Provisions of the Prudential Code.
- producing annual activity budgets.

- budget monitoring of prudential indicators.
 - storage and disposal of financial records.
 - producing financial management information.
 - submission of statistical returns, including prudential returns; and
 - completion of the Statutory Abstract of Accounts.
- 2.6 The Head of Finance and Estates is responsible for completing, or ensuring the proper completion by Services of claims for funding. Heads of Service are responsible for timeously providing information requested by the Head of Finance and Estates for this purpose.
- 2.7 Committee reports must contain a statement of financial implications, and confirmation that the Head of Finance and Estates has verified the financial content of the report.

A.3 REVENUE BUDGETS

3.1 General Fund Revenue Budget

Preparation

The Head of Finance and Estates is responsible for co-ordinating the preparation of the revenue budget on an annual basis as part of a medium term revenue budget strategy. The Head of Finance and Estates is also responsible for preparing prudential indicators in line with the provisions of the Prudential Code. The prudential indicators cover both the General Fund and the Housing Revenue Account (HRA). The revenue budget is integrated with the capital budget. Heads of Service are responsible for preparing their service budgets and activity budgets in accordance with approved budget control totals.

The Head of Finance and Estates is responsible for submitting the revenue budget and prudential indicators to the Corporate Management Team for consideration prior to presentation to the council.

Approval

The Head of Finance and Estates is responsible for presenting, annually, a revenue budget and prudential indicators to the full council. The council shall consider and approve a revenue budget, approve prudential indicators and set a council tax level for the following year. The council tax setting must, by law, take place before 11 March in any year.

Budget Virements

Budget virements within service areas are processed in agreement with the relevant Head of Service and Head of Finance and Estates. The virement must be within the parameters of the approved service budget. In the event of inter-service virements, authorisation for the virements should be confirmed by the relevant Depute Chief Executives. All virements between Devolved School Management (DSM) budget headings are subject to the DSM Scheme of Delegation.

Monitoring

The council is responsible for establishing a monitoring and control framework that complies with the requirements of the Prudential Code.

Budgetary control frameworks and procedures are in place for General Services and HRA revenue budgets.

The budgetary control frameworks confirm the budgetary control responsibilities of council officers and elected members. In terms of budgetary control, elected members have overall responsibility for proper governance and monitoring of public funds and for ensuring effective services are provided within the constraints of agreed budgets.

The Head of Finance and Estates is responsible for ensuring that appropriate procedures and instructions are issued for budgetary control. The Head of Finance and Estates is also responsible for providing appropriate financial information to enable budgets to be monitored effectively.

Heads of Service are responsible for the implementation of budgetary control procedures within their services and for ensuring the budgetary control process is carried out.

Heads of Service have primary responsibility for the budgetary control process within their service and are responsible for confirming budget projections and submitting these to the Head of Finance and Estates. The Head of Finance and Estates is responsible for monitoring the overall budget and reporting on the financial position to the Corporate Management Team, and to the Council Executive for periods 4, 6 and 9 each year. The reports to the Council Executive should include monitoring of prudential indicators.

The Head of Finance and Estates is responsible for issuing monthly budgetary control reports to budget holders.

At the financial year end, the Head of Finance and Estates is responsible for reporting the final outturn report to the Corporate Management Team and the Council Executive.

3.2 HRA Revenue Budget

Preparation

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for preparing a revenue budget for the Housing Revenue Account as part of a financial strategy. This budget is based on financial information provided by the Head of Finance and Estates. The Housing revenue budget is integrated with the Housing capital budget.

Approval

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for presenting an HRA revenue budget to a meeting of the full council. The council shall consider and approve a budget, and set rent levels for all council housing stock and service charges at this meeting.

Budget Virements

Budget virements are processed in agreement with the Depute Chief Executive – Corporate, Operational and Housing Services and Head of Finance and Estates. The virement must be within the parameters of the approved HRA budget.

Monitoring

The Deputy Chief Executive – Corporate, Operational and Housing Services is responsible for monitoring the HRA budget and reporting on the financial position to the Corporate Management Team and the Council Executive based on financial information provided by the Head of Finance and Estates. The reports to the Council Executive are presented for periods 4, 6 and 9 each year. The Deputy Chief Executive – Corporate, Operational and Housing Services is also responsible for reporting a final outturn report to the Corporate Management Team and the Council Executive.

A.4 CAPITAL BUDGETS

4.1 General Services Capital Planning Process

The Head of Finance and Estates is responsible for preparing and maintaining a ten year General Services capital plan and strategy **and presents this to the Corporate Management Team for approval prior to its consideration by the Council Executive**. The capital planning strategy is integrated with asset management planning, strategic planning and option appraisal and takes account of the council's duty to comply with the Prudential Code. All capital investment contained in the ten year capital plan has been approved on the basis of a Strategic Outline Business Case. The capital plan is fully integrated with the council's medium term revenue budget strategy. Investment within the capital plan is split between five asset category types, each of which has a specific Asset Lead Officer. Deputy Chief Executives are responsible for designating Asset Lead Officers to fulfil all aspects of work for the specified asset categories.

4.2 General Services Annual Capital Budget

Preparation

The Head of Finance and Estates is responsible for ensuring that a detailed General Services capital budget is prepared annually taking account of any slippage or accelerated spend within the overall long term capital plan. Asset Lead Officers are responsible for preparing their asset category capital budgets in accordance with approved annual budget totals. The Head of Finance and Estates is responsible for co-ordinating the capital budget. The budget should be supported by information required under the provisions of the Prudential Code.

Approval

The Head of Finance and Estates is responsible for presenting, annually, a General Services capital budget to the Council Executive which shall consider and approve a budget. The budget report should include the information required under the provisions of the Prudential Code.

Budget Virements

In consultation with the Head of Finance and Estates, Asset Lead Officers are authorised to approve virements between capital projects within their section of the capital programme.

However, if it is proposed to add a new capital project, delete an approved capital project from the programme, or materially change a capital project

from the scope set out in the Strategic Outline Business Case then Asset Lead Officers must notify the Head of Finance and Estates who must report for approval to the Council Executive.

Monitoring

The council is responsible for establishing a monitoring and control framework that complies with the requirements of the Prudential Code. Budgetary control frameworks and procedures are in place for General Services and HRA capital budgets.

The budgetary control frameworks confirm the budgetary control responsibilities of council officers and elected members. In terms of budgetary control, elected members have overall responsibility for proper governance and monitoring of public funds and for ensuring effective services are provided within the constraints of agreed budgets.

The Head of Finance and Estates is responsible for ensuring that appropriate procedures and instructions are issued for budgetary control. The Head of Finance and Estates is also responsible for providing appropriate financial information to enable budgets to be monitored effectively. Asset Lead Officers are responsible for the implementation of budgetary control procedures. It is the responsibility of Asset Lead Officers to control income and expenditure within their areas of responsibility and to monitor net expenditure against the agreed budget.

The Head of Finance and Estates is responsible for reporting on the financial position of the General Services capital programme to the Corporate Management Team and to the Council Executive for periods 4, 6 and 9 each year. The reports should include the information required to comply with the provisions of the Prudential Code. The Head of Finance and Estates is responsible for issuing monthly budgetary control reports to Asset Lead Officers.

4.3 Housing Capital Planning Process

The Depute Chief Executive – Corporate, Operational and Housing Support is responsible for ensuring that the council agrees and implements a ten year Housing capital investment and planning process that fully complies with the provisions of the Prudential Code.

The capital planning process will include appropriate links with asset management planning, strategic planning and option appraisal and will take account of the council's responsibility to adhere to the Social Housing Quality Standard.

4.4 Housing Annual Capital Budget

Preparation

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for ensuring that the Housing capital budget is prepared annually as part of the agreed capital investment and planning process based on financial information provided by the Head of Finance and Estates. The Depute Chief Executive will also consult the Head of Finance and Estates on the implications for prudential indicators when preparing the budget.

Approval

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for presenting, annually, a Housing capital budget to the Council Executive which shall consider and approve a budget including any revenue consequences. The budget report should include the information required under the provisions of the Prudential Code.

Budget Virements

The Depute Chief Executive – Corporate, Operational and Housing Services, as Asset Lead Officer for Housing, is authorised to approve virements between capital projects within the capital programme.

However, If it is proposed to add a new capital project, delete an approved capital project from the programme, or substantially alter a capital project the Depute Chief Executive – Corporate, Operational and Housing Services must report for approval to the Council Executive.

Monitoring

The Depute Chief Executive – Corporate, Operational and Housing Services is responsible for undertaking monitoring of the Housing capital programme and for reporting to the Corporate Management Team and the Council Executive based on financial information provided by the Head of Finance and Estates. The reports are presented to the Council Executive for periods 4, 6 and 9 each year. The reports should include the information required to comply with the provisions of the Prudential Code.

A.5 FINAL ACCOUNTS

- 5.1 The Head of Finance and Estates is responsible for ensuring that the statutory Abstract of Accounts is produced in compliance with council policy, relevant legislation and accounting requirements.
- 5.2 The Head of Finance and Estates submits a copy of the Abstract of Accounts to the council and the Controller of Audit in accordance with the agreed timetable but, in any event, by the prescribed date.
- 5.3 Heads of Service are required to provide information in accordance with instructions on the final accounts issued annually by the Head of Finance and Estates.

FINANCIAL REGULATION B – RISK MANAGEMENT AND INTERNAL CONTROL

B.1 INTRODUCTION

- 1.1 It is essential that robust systems are developed and maintained for identifying and evaluating on an integrated basis all significant strategic and operational risks to the council. This involves the proactive participation of all those associated with planning and delivering services.

B.2 INTERNAL AUDIT

- 2.1 The council is required to operate a sound system of corporate governance covering all aspects of its business. The statutory requirement to arrange for the proper administration of its financial affairs is a key element of the council's system of corporate governance.

- 2.2 The council has established an Audit Committee and an Internal Audit Unit.

The Audit Committee meets at least four times a year and its role is to review and monitor all the council's activities in relation to the following areas of corporate governance by: -

- reviewing and promoting the council's system of internal control, both financial and otherwise, aimed at ensuring that the council's activities are carried out in an orderly and efficient manner, and that its assets are safeguarded
 - evaluating the council's control environment, including measures to prevent and detect fraud
 - monitoring the independence and effectiveness of internal and external audit.
- 2.3 The Internal Audit Unit operates in accordance with the 'Code of Practice for Internal Audit in Local Government in the United Kingdom' issued by CIPFA.
- 2.4 The Internal Audit Manager reports directly to the Head of Finance and Estates but also has a right, when deemed necessary, of direct access to the Chief Executive.
- 2.5 The role of Internal Audit is to review, appraise and report on the: -
- adequacy of systems of financial and non financial control
 - extent of compliance with approved policies, plans and procedures, including the local code of corporate governance
 - extent of compliance with regulations and legislation
 - degree to which the council's assets are properly accounted for and safeguarded
 - suitability and reliability of management data and performance information
 - effectiveness of management in discharging its responsibility for ensuring value for money.
- 2.6 The Internal Audit Unit prepares an annual audit plan in consultation with the Audit Committee, Chief Executive, Heads of Service, Head of Finance and Estates, Monitoring Officer and Audit Scotland.. The Audit Committee approves the annual plan before being issued.

- 2.7 Subject to any necessary prior consultation Internal Audit staff have authority to:
- enter at all reasonable times council premises or land
 - access all records, documents and correspondence relating to any aspect of the Internal Audit Unit's remit as set out in paragraph 2.5 above
 - require and receive such explanations as are necessary concerning any matter under examination, and
 - require any employee of the council to produce cash, stores or any other council property under that person's control.
- 2.8 The council has in place a wide-ranging anti-fraud and corruption policy. Wherever any matter arises which involves, or is thought to involve, a fraud, theft or irregularity that affects the affairs of the council, the relevant Heads of Service must immediately notify the Head of Finance and Estates. A decision on whether to investigate is then taken in accordance with the council's anti-fraud and corruption policy. Allegations are investigated in accordance with the Internal Audit Unit procedures for the investigation of suspected fraud and irregularities.
- 2.9 Fraudulent claims relating to Housing Benefit or Council Tax Benefit are dealt with under the council's Benefit Fraud Strategy. The Revenues and Benefits Manager investigates all such claims.

B.3 RISK MANAGEMENT AND INSURANCE

- 3.1 The council has a responsibility to have in place effective risk management systems and a risk management policy to comply with corporate governance requirements.
- 3.2 The Head of Finance and Estates is responsible, in consultation with Heads of Service, for developing, maintaining and reviewing a risk management strategy in accordance with policy. Heads of Service must promptly notify the Head of Finance and Estates of all new risks as they become apparent or of any alterations or changes in the existing level of risk.
- 3.3 The Head of Finance and Estates is responsible for reviewing risks annually and determining the balance between insurance through external cover and self-insurance. He will place insurance cover following a tendering process.
- 3.4 The Head of Finance and Estates will maintain an Insurance Fund in accordance with legislation and accounting rules.
- 3.5 Heads of Service must immediately notify the Head of Finance and Estates in writing of any loss, liability or damage or any event likely to lead to a claim and must inform the police where appropriate, in accordance with the claim procedures provided by the Head of Finance and Estates.
- 3.6 The Head of Finance and Estates negotiates all claims in consultation with Heads of Service and the council's insurers, where applicable.
- 3.7 Heads of Service consult the Head of Finance and Estates and the Chief Solicitor regarding the terms of any indemnity that the council is required to give.

B.4 CUSTODY AND SECURITY OF ASSETS, STOCKS AND STORES

- 4.1 Heads of Service are responsible for maintaining proper security, care and custody of all buildings, stocks, stores, furniture, equipment, cash and other property including that owned by third parties.
- 4.2 Heads of Service should ensure that cash holdings within each service unit are minimised, held in accordance with the council's cash procedure, and do not exceed relevant insurance limits.
- 4.3 Heads of Service must ensure that proper contingency planning arrangements are in place for all critical services and systems. Heads of Service must ensure that all computer systems are backed up at appropriate intervals and that back up media are held securely.
- 4.4 Heads of Service are responsible for maintaining and regularly updating an inventory for all stocks and fixed assets in every establishment within their service in accordance with guidelines issued by the Head of Finance and Estates.
- 4.5 Disposals or write-offs of stores, plant, furniture and equipment must be carried out in accordance with procedures issued by the Head of Finance and Estates.
- 4.6 Council property must not be removed from council premises other than for council purposes except in accordance with council policy.

B.5 BANKING ARRANGEMENTS

- 5.1 The Head of Finance and Estates is responsible for ensuring that arrangements are made for the provision of mainstream banking services and that the contract is tendered at least every five years.
- 5.2 The Head of Finance and Estates makes arrangements regarding the opening and operation of all council bank accounts and use of banking services in the name of the council.

B.6 TREASURY MANAGEMENT

- 6.1 The council's treasury management statement is as follows:
 - 'The management of the organisation's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks..
 - The council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation.
 - The council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance management techniques, within the context of effective risk management'.

- 6.2 The council will create and maintain, as the cornerstones for effective treasury management:
- a treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities
 - suitable treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- 6.3 The content of the policy statement and TMPs will follow the recommendations contained in Sections 6 and 7 of the CIPFA Treasury Management Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the CIPFA Treasury Management Code's key principles.
- 6.4 The council will receive reports on its treasury management policies, practices and activities, including an annual strategy plan in advance of the year, a mid-year report and annual report after its close, in the form prescribed in its TMPs.
- 6.5 The council has responsibility for the implementation and regular monitoring of its treasury management policies and practices. The council delegates responsibility for the execution and administration of treasury management decisions to the Head of Finance and Estates, who will act in accordance with the organisation's policy statement and TMPs and, if he/she is a CIPFA member, CIPFA's Standard of Professional Practice on Treasury Management. The Head of Finance and Estates will prepare the following reports – an annual strategy in advance of the year, a mid-year report and an annual report by 30 September of the following financial year. The Partnership and Resources Policy Development and Scrutiny Panel will receive and scrutinise the annual strategy and refer it to the council for formal approval.
- 6.6 The council adopts in full both the CIPFA Treasury Management Code and the CIPFA Prudential Code.
- 6.7 All investments of money under its control shall be made in the name of the council.

FINANCIAL REGULATION C – SYSTEMS AND PROCEDURES

C.1 INTRODUCTION

- 1.1 Sound systems and procedures are essential for an effective framework of accountability and control.

C.2 INCOME

- 2.1 The recovery and collection of all money due to the council is undertaken in accordance with guidelines issued by the Head of Finance and Estates. The guidelines include procedures for issuing accounts, recording income, paying in cash, under and over banking, security and insurance of cash, cash transfers, personal cheques and the supply of receipts and tickets.

- 2.2 Accounts should be issued for sums due to the council, unless alternative arrangements have been agreed with the Head of Finance and Estates. Heads of Service must:

- ensure the prompt rendering of accounts in connection with work done, goods supplied or services rendered
- ensure that all money received by the council is paid directly to the council's bank account
- provide such information as is required to establish income due to the council.

- 2.3 Where accounts have not been issued other appropriate arrangements must be adopted and promptly initiated in line with the guidelines issued by the Head of Finance and Estates.

- 2.4 Arrangements for payment of accounts due by instalment are at the discretion of the relevant Head of Service, except for council tax and business rates where there are statutory rights to pay in instalments.

- 2.5 In consultation with Heads of Service, the Head of Finance and Estates is authorised to write off miscellaneous debt of up to £3,000 where the council has tried all reasonable means of debt collection and there is no prospect of recovery. Miscellaneous debt for this purpose excludes council tax, non-domestic rates, community charge and any other debt write off specifically delegated to another officer.

- 2.6 In addition, the Head of Finance and Estates, in consultation with Heads of Service, is authorised to write-off any amount of miscellaneous debt that cannot be recovered where the debtor: -

- is a debtor in bankruptcy or sequestration (and a suitable claim has been made); or
- is a company in liquidation, receivership, administrative receivership, dissolution, or has been struck off the register of companies (and a suitable claim has been made); or
- cannot be traced; or
- is deceased and there are no funds in the estate; or
- the debt is prescribed (i.e. outwith the legal time limit for collection).

- 2.7 With regard to council tax, non-domestic rates, and community charge debts that cannot be recovered, the Head of Finance and Estates is authorised to write-off: -
- any balances claimed in liquidation, receivership, administrative receivership, dissolution, struck off companies or sequestration where a suitable claim has been made or the debtor cannot be traced or the debtor is deceased and there are no funds in the estate, or if the debt is prescribed;
 - council tax, non-domestic rates, and community charge debts up to £3,000 in any one case.
- 2.8 The Depute Chief Executive – Corporate, Operational and Housing Services is authorised to write off HRA rent arrears of up to £3,000 where the council has tried all reasonable means of debt collection and there is no prospect of recovery.
- 2.9 In addition, the Depute Chief Executive – Corporate, Operational and Housing Services is authorised to write-off any amount of HRA rent arrears that cannot be recovered where the debtor:-
- is a debtor in bankruptcy or sequestration (and a suitable claim has been made); or
 - cannot be traced; or
 - is deceased and there are no funds in the estate; or
 - the debt is prescribed (i.e. outwith the legal time limit for collection).
- 2.10 Where there are valid social work reasons for so doing, and in accordance with council policy and legislative requirements, the Depute Chief Executive - Community Health and Care Partnership and Social Policy is authorised to write off debts of up to £3,000, where the council has tried all reasonable means of debt collection and there is no prospect of recovery. This debt relates to:
- charges based on the Department of Work and Pensions or National Assistance Act regulations for residential or domiciliary care
 - any other Social Work client contributions calculated through the charging policy.

C.3 SALARIES AND WAGES

- 3.1 The Scheme of Delegation to Officers provides for the appointment of employees. This establishes basic pay. Depute Chief Executives are responsible for authorising any variations to pay, and for ensuring that:
- all documents authorising variations to pay are submitted in accordance with conditions of service, council policies and other statutory provisions
 - the Head of Corporate Services is advised of the officers authorised to action variations to pay on their behalf; and that this information is also provided to the Head of Finance and Estates for audit purposes
 - the Head of Corporate Services is provided with such information as is required to complete council and statutory returns.

- 3.2 The Head of Corporate Services is responsible for processing and payment of salaries, wages, compensations and other emoluments to employees or retiring allowances to former employees.
- 3.3 The Head of Corporate Services is responsible for paying pension contributions to the City of Edinburgh Council and the Scottish Public Pensions Agency, and tax and National Insurance contributions to HM Revenue and Customs.

C.4 ALLOWANCES AND EXPENSES

- 4.1 The Head of Corporate Services is responsible for:
- submitting a draft scheme of members' allowances to the Council Executive annually prior to the start of the financial year
 - administering the scheme of members' allowances in accordance with the relevant statutory provisions and
 - publishing details of payments to individual members by 1 June each year for the preceding financial year
- 4.2 The Head of Corporate Services is responsible for the reimbursement of travelling and subsistence expenses to officers and elected members.
- 4.3 Heads of Service are responsible for ensuring that:
- claims for expenses are submitted in accordance with conditions of service, council policies and other statutory provisions
 - the Head of Corporate Services is advised of the officers authorised to approve claims and applications on their behalf; and that this information is also provided to the Head of Finance and Estates for audit purposes
 - the Head of Corporate Services is provided with such information as is required to complete council and statutory returns.

C.5 ORDERS FOR WORK, GOODS AND SERVICES

- 5.1 All orders must be placed using PECOS, the council's on-line procurement system, where services have access to this system.
- 5.2 Where services do not have access to PECOS, all orders must be placed using their particular electronic ordering system.
- 5.3 Heads of Service must ensure that they notify the Head of Finance and Estates of all officers with responsibility for creating and authorising orders.
- 5.4 Heads of Service must ensure that proper security and control arrangements are implemented and must comply with the council's information security policy and guidelines.
- 5.5 An official PECOS order must be placed with the supplier to ensure that the invoice date does not pre-date the order date. Telephoned, faxed or e-mailed orders are not acceptable.
- 5.6 Orders for items subject to contract should be placed with the contracted supplier. For construction contracts, orders shall only be placed with organisations that hold a relevant construction industry registration certificate.

C.6 PAYMENT PROCEDURES

- 6.1 The Head of Finance and Estates will issue procedures covering payments to third parties. This will include procedures and guidance on petty cash and cash handling, use of daily cheques and purchase cards. Heads of Service are responsible for ensuring compliance with these procedures.
- 6.2 Heads of Service are responsible for entering goods received and invoice details into PECOS to enable payment to be made.
- 6.3 An invoice must be matched to a pre-authorised order held on PECOS. Where this is not the case, the Head of Service is responsible for ensuring that an invoice represents a valid liability of the council before authorising it for payment. Invoices must be processed without delay to ensure the council's payment terms are complied with.
- 6.4 Heads of Service are responsible for authorising non-commercial payments and CHAPS payment forms. Whenever Heads of Service delegate responsibility for authorisation of payments they must notify the Head of Finance and Estates in writing of the officers with delegated authority and in relation to CHAPS payments provide the Head of Finance and Estates with specimen signatures for these officers.
- 6.5 Payment must not be made prior to the receipt of goods without the approval of the Head of Service. Where a payment requires to be made in circumstances where there is no supply of goods or services, e.g. grant payments and refunds, then such payments must be made in accordance with procedures issued by the Head of Finance and Estates.
- 6.6 The normal method of payment of money due from the council is by electronic bank transfer such as BACS and CHAPS, cheque or other instrument drawn on the council's bank account. The only exceptions are payments from petty cash and other payments from advance accounts.
- 6.7 All cheques excluding those required for authorised imprest accounts are printed only on the authority of the Head of Finance and Estates who makes proper arrangements for their ordering, issuing and safe custody.
- 6.8 Cheques drawn on the council's main bank accounts must bear the facsimile signature of the Head of Finance and Estates, or be signed by one of the following officers: Head of Finance and Estates, Corporate Finance Manager, Delegated Group Accountant, Revenues and Benefits Manager.
- 6.9 Cheques for over £50,000 drawn on the council's main bank accounts must bear the facsimile signature of the Head of Finance and Estates and be signed by one of the following officers: Head of Finance and Estates, Corporate Finance Manager, Delegated Group Accountant, Revenues and Benefits Manager.
- 6.10 Where manual amendments are required to be made to the payee name or address on a cheque these must be authorised by the signature of one of the following officers: Head of Finance and Estates, Corporate Finance Manager, Delegated Group Accountant, Revenues and Benefits Manager.

- 6.11 CHAPS instructions must be authorised by one of the following officers: Head of Finance and Estates, Corporate Finance Manager, Delegated Group Accountant, Revenues and Benefits Manager.
- 6.12 The Head of Finance and Estates must authorise the opening of bank accounts for the use of petty cash.
- 6.13 Before entering into leasing agreements Heads of Service must consult with the Head of Finance and Estates to establish the correct accounting treatment for the lease.

C.7 VALUE ADDED TAX

- 7.1 The Head of Finance and Estates is responsible for issuing guidance on the application of value added tax rules.
- 7.2 Heads of Service are responsible for identifying and accounting properly for both their input and output value added tax.

FINANCIAL REGULATION D – EXTERNAL ARRANGEMENTS

D.1 INTRODUCTION

- 1.1 Working in partnership with a wide range of other organisations is a key policy and priority of the council. It is essential that appropriate accounting and control arrangements are in place to regulate the operation of all arrangements involving third parties. In relation to funding of external organisations, the council complies with the 'Code of Guidance on Funding External Bodies and Following the Public Pound' issued by the Accounts Commission and COSLA.

D.2 PARTNERSHIPS AND JOINT ARRANGEMENTS

- 2.1 Heads of Service must consider the overall corporate governance arrangements when arranging contracts with external bodies. They must consult with the Head of Finance and Estates in respect of financial issues and ensure that financial risks have been fully appraised before agreements are entered into.
- 2.2 Heads of Service are responsible for ensuring that appropriate approvals are obtained in relation to work with external bodies.
- 2.3 The Head of Finance and Estates must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory and provide for effective internal control.

D.3 BIDS FOR EXTERNAL FUNDING

- 3.1 To assess the financial implications Heads of Service must consult with the Head of Finance and Estates regarding the financial content of all bids and businesses cases for external funding prior to them being submitted by the council. This applies, for example, to public private partnerships, and challenge and lottery funding.

- 3.2 In accordance with the internal procedures on External Funding Reporting Arrangements, proposals for the use of funding awarded should be set down on a funding pro-forma and submitted to the Head of Finance and Estates.
- 3.3 The Head of Finance and Estates is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the authority's accounts.

D.4 GRANTS TO EXTERNAL ORGANISATIONS

- 4.1 Approval of grants to external organisations must be made within the terms of council policy.



West Lothian
Council

COUNCIL EXECUTIVE

**UPDATE ON STRATEGIC GUIDANCE TO COMMUNITY PLANNING PARTNERSHIPS IN
RELATION TO THE REQUIREMENTS FOR COMMUNITY LEARNING AND
DEVELOPMENT (SCOTLAND) REGULATIONS, 2013**

REPORT BY HEAD OF AREA SERVICES

A. PURPOSE OF REPORT

This report provides an update on Community Learning and Development (CLD) strategic guidance to community planning partnerships in relation to *The Requirements for Community Learning and Development (Scotland) Regulations, 2013*.

B. RECOMMENDATION

It is recommended that Council Executive notes the content of the report and that the information will also be communicated to the West Lothian Community Planning Partnership Board.

It is further recommended that Council Executive instructs the Depute Chief Executive Education, Planning and Area Services to ensure that the Association of Directors of Education in Scotland (ADES), makes clear in any submissions to the Scottish Government on this guidance that any additional resources required to develop and deliver CLD as a result of the Community Learning and Development (Scotland) Regulations 2013 are fully funded by the Scottish Government.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; and working in partnership.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Section 2 Education (Scotland) Act 1980.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	Not applicable.
V Relevance to Single	SOA 3 We are better educated, more

	Outcome Agreement	successful, renowned for our research and innovation.
VI	Resources - (Financial, Staffing and Property)	To develop and deliver CLD over the period of the initial three year plan 2015-18.
VII	Consideration at PDSP	This report was considered by the Culture and Leisure PDSP on 30 May 2013. The PDSP agreed that any additional resources required as a result of the regulations should be fully funded by the Scottish Government.
VIII	Other consultations	Legal Services. Education Services. Community Planning Manager. Finance and Estates Services

D. TERMS OF REPORT

D.1 Background

The Scottish Government issued strategic guidance to community planning partnerships on community learning and development in June 2012.

The guidance was the subject of reports to the council's Culture and Leisure PDSP and also the West Lothian Community Planning Partnership Board.

Previous reports informed the Culture and Leisure PDSP that several requirements set out in the strategic guidance on community learning and development were to be incorporated into legislation by use of a Scottish Statutory Instrument (SSI).

The Scottish Government undertook consultation on a draft SSI titled *The Requirements for Community Learning and Development (Scotland) Regulations, 2013*. The closing date for comments was 26 April 2013. A copy of the West Lothian Council response is appended as Appendix 1.

The guidance requires that local authorities publish a three year plan for 2015-18 that specifies what action they will take to deliver CLD over the period of the plan.

D.2 Purpose of SSI

The SSI is intended to strengthen the legislative basis for community learning and development. It places specific requirements upon education authorities in relation to the Strategic Guidance on Community Learning and Development that was issued in June 2012.

The SSI is intended to support the achievement of the following Scottish Government policy goals:

- Communities across Scotland – but particularly those which are disadvantaged – have access to the CLD support they need.
- Communities across Scotland are enabled to express their need for CLD provision.
- Community Planning Partnerships (CPPs), local authorities and providers of public services more generally, respond appropriately to expectations set by the CLD Strategic Guidance.

D.3 Key issues for West Lothian Council

The SSI sets out requirements on local authorities in relation to:

- Auditing of need for CLD.
- Identifying target individuals and communities.
- Co-ordinating the provision of CLD with other bodies that provide CLD within the area of the authority.
- Publishing a three year plan, no later than 1 September 2015 that specifies - what action the authority will take to deliver CLD over the period of the plan; what action other bodies intend to take to provide CLD over the period of the plan and; detail needs for CLD that will not be met over the period of the plan.

The SSI also places a requirement upon authorities to consult:

- Persons appearing to the education authority to be representative of the target individuals and groups for community learning and development.
- Persons appearing to the education authority to be representative of bodies providing community learning and development within the area.
- Other persons as the education authority thinks fit.

D.4 Consideration at Culture & Leisure PDSP

The report was considered by the Culture & Leisure PDSP on 30 May 2013. The PDSP agreed that any additional resources required to address the new regulations must be fully funded by the Scottish Government and that this should be communicated to the Scottish Government through the Association of Directors of Education in Scotland (EDAS).

E. CONCLUSION

The SSI on *The Requirements for Community Learning and Development (Scotland) Regulations, 2013* will come into force on 1 September 2013.

A council Community Learning Strategy is being drafted by officers to outline how *The Requirements for Community Learning and Development (Scotland) Regulations* will be fulfilled in West Lothian.

Emphasis will be given to the requirements to consult and how best to engage other CLD providers in drafting and delivering the first three year CLD plan. This will be done in accordance with the West Lothian Community Planning Partnership Community Engagement Plan detailed in the draft Single Outcome Agreement and will also take account of the Community Planning Partnership's governance and accountability arrangements for more effective partnership working identified in the CPP development plan.

It is intended to present the Community Learning Strategy to the Culture and Leisure PDSP on 29 August 2013.

Any changes to the content of the draft SSI on *The Requirements for Community Learning and Development (Scotland) Regulations, 2013* will be reported as necessary.

F. BACKGROUND REFERENCES

Strategic Guidance For Community Planning Partnerships: Community Learning and Development. <http://www.scotland.gov.uk/Publications/2012/06/2208>

Appendices/Attachments: two

- Appendix 1 – Response to Consultation on CLD Requirements 2013
- Appendix 2 – Draft SSI on *The Requirements for Community Learning and Development (Scotland) Regulations, 2013*

Contact Person: Ian McIntosh, Community Learning & Development Coordinator
Email: ian.mcintosh@westlothian.gov.uk Tel: 01506 281275

Steve Field
Head of Area Services.

Date of meeting: 4 June 2013

The Requirements for Community Learning and Development (Scotland) Regulations 2013



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

West Lothian Council

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ Please tick as appropriate

Surname

Forename

2. Postal Address

West Lothian Civic Centre

Howden South Road

Livingston

Postcode EH54 6FF

Phone
01506281089

Email llan.Hepburn@westlothian.gov.uk

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☒

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick **ONE** of the following boxes

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate

☒ Yes ☐ No

Yes, make my response,
name and address all
available ☐

or

Yes, make my response
available, but not my
name and address ☐

or

Yes, make my response
and name available, but
not my address ☐

- (d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ **Yes**

☐ **No**

CONSULTATION QUESTIONS

1. How well do you think the draft SSI will help to strengthen the legislative basis for CLD?

West Lothian Council supports the proposed SSI.

We believe that the regulations will strengthen the role of Community Learning and Development in achieving national outcomes and policy goals and enhance progress towards several of our priorities including tackling inequalities.

The proposals mesh well with the findings of our recent validated self-evaluation which re-affirmed the need to promote partnership, co-ordination and consistency and the Council's desire to give a stronger voice to disadvantaged groups.

We welcome the emphasis on the need to identify target groups, but would urge that authorities are permitted to interpret this to include the targeting of sections of the population, e.g. disadvantaged and vulnerable children and young people.

We welcome the fact that the draft mandates the establishment of a process by which CLD is secured including an assessment of the degree to which needs are being met.

We think it is appropriate that the education authority is responsible for consulting on the process of securing Community Learning and Development, co-ordinating provision with partners and other bodies and publishing a 3 year plan.

2. Are there aspects of the draft SSI that you think could be improved?

Yes ☒ No ☐

If yes

- What are they?

The definition of Community Learning and Development.

- What is the nature of the change you think should be made?

The definition of CLD should be expanded with a clearer link to the 2012 Strategic Guidance.

It should refer both generally and in respect of targeting to 'individuals, families, groups and communities' rather than 'individuals and groups'.

SCOTTISH STATUTORY INSTRUMENTS

2013 No.

EDUCATION

**The Requirements for Community Learning and Development
(Scotland) Regulations 2013**

Made - - - -

Laid before the Scottish Parliament

Coming into force - -

1st September 2013

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2 of the Education (Scotland) Act 1980(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Requirements for Community Learning and Development (Scotland) Regulations 2013 and come into force on 1st September 2013.

(2) In these Regulations—

“community learning and development” includes programmes of learning and activities designed with individuals and groups to promote the educational and social development of those individuals and groups; and

“target individuals and groups” means those individuals and groups, within the area of the education authority, that the education authority considers are most likely to benefit from the provision of community learning and development.

2. An education authority is required to initiate and, having done so, to maintain and facilitate a process by which community learning and development secured within the area of the education authority is secured in a way that—

- (a) identifies target individuals and groups;
- (b) has regard to the needs of those target individuals and groups for that community learning and development;
- (c) assesses the degree to which those needs are already being met; and
- (d) identifies barriers to the adequate and efficient provision of that community learning and development.

3. In exercise of the requirement in regulation 2, the education authority is to consult with—

- (a) persons appearing to the education authority to be representative of the target individuals and groups; and

(a) 1980 (c.44). Section 2 was amended by the Education (Scotland) Act 1996 (c.43), Schedule 6 and the Self-Governing Schools etc. (Scotland) Act 1989 (c.39), section 69. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

- (b) persons appearing to the education authority to be representative of bodies providing community learning and development within the area of the education authority.

4.—(1) An education authority is required to publish a 3 year plan containing the information specified in paragraph (2) no later than 1st September in—

- (a) 2015; and
- (b) each third year after that.

(2) The plan must specify—

- (a) how the education authority will co-ordinate its provision of community learning and development with other bodies that provide community learning and development within the area of the education authority;
- (b) what action the education authority will take to provide community learning and development over the reference period of the plan;
- (c) what action other bodies intend to take to provide community learning and development within the area of the education authority over the reference period of the plan;
- (d) any needs for community learning and development that will not be met within the reference period of the plan.

(3) Before publishing a plan, the education authority must consult—

- (a) persons appearing to the education authority to be representative of the target individuals and groups for community learning and development;
- (b) persons appearing to the education authority to be representative of bodies providing community learning and development within the area of the education authority; and
- (c) such other persons as the education authority thinks fit.

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh

2013



West Lothian
Council

COUNCIL EXECUTIVE

DISABLED PERSONS' PARKING PLACES (SCOTLAND) ACT 2009
ANNUAL REPORT FOR PERIOD 1 APRIL 2012 TO 31 MARCH 2013

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to inform the Council Executive of the content of the 3rd Annual Report, prepared by West Lothian Council, on the implementation of the Disabled Persons' Parking Places (Scotland) Act 2009.

B. RECOMMENDATION

It is recommended that the Council Executive notes the contents of the Annual Report on functions undertaken, as directed by the Disabled Persons' Parking Places (Scotland) Act 2009 for the reporting period 1 April 2012 to 31 March 2013, contained in 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)	Policy: None. Legal: Requirement of the Disabled Persons' Parking Places (Scotland) Act 2009.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	None.
V Relevance to Single Outcome Agreement	Reporting on the provision of residential on-street disabled persons' parking places supports outcomes 7 (We have tackled the significant inequalities in Scottish society) and 13 (We take pride in a strong, fair and inclusive national identity).
VI Resources - (Financial,	Financial: None

Staffing and Property)	Staffing: None. Property: None.
VII Consideration at PDSP	None
VIII Other consultations	Consultation has been undertaken with Disability West Lothian.

D. TERMS OF REPORT

Introduction

On 1 October 2009, the Disabled Persons' Parking Places (Scotland) Act 2009 came into force. Section 11 of the Act requires that an annual report be prepared detailing functions undertaken by the council.

Content of the Annual Report

Appendix 1 contains the full report which details West Lothian Council's performance in relation to the Disabled Persons' Parking Places (Scotland) Act 2009 over this reporting period.

The report summarises actions in terms of works undertaken on-street and off-street in order to provide disabled parking facilities for Blue Badge holders. This is the third annual report and covers the period 1 April 2012 to 31 March 2013.

Effect of Change to Scheme of Delegations

At its meeting on 24 April 2012, the Council Executive agreed that the power to start the statutory legal process in relation to residential disabled parking bays should be delegated to the Head of Operational Services.

The new process came into effect in August 2013, mid way through the current reporting period covered by the annual report. The average time taken between identifying a new parking bay location to starting the statutory process for the whole reporting period was 78 days. This is slightly higher than the average reported for the previous year.

However, since the changes to the process in August 2012 the average time has reduced to 33 days and officers anticipate that this will continue to reduce through the next reporting period.

Consultation

Disability West Lothian has been consulted on the content of the annual report and has made no comment.

E. CONCLUSION

The Disabled Person's Parking Places Annual Report is a statutory requirement set out in the Disabled Person's Parking Places (Scotland) Act 2009 and details the work carried out by the council for the reporting period 1 April 2012 to 31 March 2013. The report will be submitted to Scottish Ministers and published on the council's website.

F. BACKGROUND REFERENCES

Disabled Persons' Parking Places (Scotland) Act 2009

Appendices/Attachments:

APPENDIX 1 Annual Report on Performance of Functions in Relation to Parking Places for Disabled Persons' Vehicles – 1 April 2012 to 31 March 2013

Contact Person: Jane Dunlop, Engineer, Road Safety and Traffic Management, 01506 282338

jane.dunlop@westlothian.gov.uk

Jim Jack, Head of Operational Services, Whitehill House, Whitestone Place, Bathgate, West Lothian

Date: 4th June 2013

APPENDIX 1
ANNUAL REPORT

WEST LOTHIAN COUNCIL

ANNUAL REPORT ON PERFORMANCE OF FUNCTIONS IN RELATION TO PLACES FOR DISABLED PERSONS' VEHICLES

REPORTING PERIOD
1 April 2012 - 31 March 2013



INVESTORS
IN PEOPLE

westlothian.gov.uk



West Lothian
Council

This report has been prepared by West Lothian Council to fulfil the duties set out in the Schedule of the Disabled Persons' Parking Places (Scotland) Act 2009.

For further details please contact:
Road Safety and Traffic Management
Roads and Transportation
Operational Services
Whitehill House
2 Whitestone Place
EH48 2HA

Tel : 01506 282343 or 01506 282338

Email : kevin.hamilton@westlothian.gov.uk or jane.dunlop@westlothian.gov.uk

SCHEDULE -YEAR 2012-13

**This Schedule provides the detailed information specified in
the Disabled Persons Parking Places Order**

(a) Duties under Section 1

	<p>Details of action taken in fulfilment of duty under section 1</p>	<p>Press Releases</p> <p>The council has provided information to various sources in order to reach as much of the community as possible. The following methods have been used to convey information.</p> <ul style="list-style-type: none">• Information on the council web page at all times.• Additional information on the council web during the statutory advertisement period.• Newspaper advert to start the statutory advertisement period.• Consideration has been given to an advertising campaign on council vehicles, this is currently being investigated.• Consideration has been given to placing an advert in the "Bulletin" which goes out to all households in West Lothian.
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(b) Designated Parking Places

	Number of parking places designated as being for use only by a disabled person's vehicle by virtue of the 2009 Act (excluding Section 9)	161 Parking Places This figure includes all of the on-street and off-street parking places made enforceable during the reporting period.
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(c) Duties under Section 4

(i)	Number of advisory disabled street parking places identified under section 4(1)	None The council has completed its initial duties.
(ii)	Reasons for any decisions under section 4(2) or 4(3)(a)	None The council has completed its initial duties.
(iii)	Number of parking places for which the statutory procedure under section 4(3)(b) has started.	None The council has completed its initial duties.

(d) Duties under Section 5

(i)	Number of requests received under section 5(1)	115 applications made by qualifying persons where received by the council.
(ii)	Number of parking places identified under section 5(2)(b)	98 parking bays were identified.
(iii)	Reasons for any decision under section 5(3)(a)	3 applications were stopped under section 5(3)(a) (Please see additional information at the end of this report for details on each individual case).
(iv)	Number of parking places for which the procedure under section 5(3)(b) was started.	105
(v)	Periods between identifying a parking place under section 5(2)(b) and starting the related procedure under section 5(3)(b)	78 days (average) (Please see additional information at the end of this report for details on each individual case). The council has made a

		<p>change to its scheme of delegations, in order that the process can be started quicker by authorisation of the Head of Operational Services. Based on the date of the new process starting the average number of days is 33.</p> <p>The overall figure is expected to reduce over the next reporting period.</p>
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(e) Duties under Section 6

(i)	The number of advisory disabled off-street parking places identified under section 6(1)	A total of 651 spaces were identified during the first reporting period (1 st October 2009 -31 st March 2011). There have been no further parking spaces identified during this reporting period.
(ii)	Reasons for any decision under section 6(2)(a)	As detailed in the previous report submitted by West Lothian Council during the last reporting period, off street parking spaces have been identified where the land owner wishes to secure an arrangement with the council to progress an off street traffic regulation order. However, no arrangements have been concluded to date.
(iii)	Number of parking places for which the procedure under section 6(2)(b) was started.	As previously reported, the council has started the statutory procedure to convert all disabled parking bays identified on land that is within the control of the council. The process was stated during the 1 st reporting period and reported at that time. It is expected that further work will be undertaken on this matter this year and these will be progressed in due course. No further spaces have been identified

(iv)	Reasons for any decision that the Council would not have power to make a disabled off-street parking order.	As previously reported, the council has started the statutory procedure to convert all parking bays identified on land which is within WLC control. These will be progressed in due course, some spaces may be declared ineligible on further investigation.
(v)	Number of premises that include a parking place for which the Council sought arrangements under section 6(6)	Having identified locations where arrangements may be made, these will be progressed. At this time no arrangements have been made.
(vi)	The reasons why it was unsuccessful in making any such arrangements	The council has written to business premises in operation in West Lothian (2010 and 2012), if no response was received then no arrangement can be made. The council is due to review this during 2014 as directed by the Act.
(vii)	Number of parking places in relation to which the procedure under section 6(7) was started.	Arrangements have not been formalised at this time.
(viii)	The date by which duties under section 6(1), 6(2), (4) Or (6), relative to the period of 12 months referred to in section 6(9).	The council sought to make arrangements in 2010 and 2012, by lettering private businesses, NHS facilities and housing associations, and liaising with all departments of the council. The council is due to review this during 2014 as directed by the Act.

(f) Duties under Section 7

(i)	Number of developments for which a planning permission mentioned in section 7(1) was granted.	3
(ii)	Its reasons for any decision under section 7(3) that it would not have the power to make a disabled off-street parking order.	The council would only use it's power with the consent of the land owner/
(iii)	Number of premises that include a parking place for which the Council sought arrangements under section 7(5).	2

(iv)	The reasons why it was unsuccessful in making any such arrangements.	The landowners do not see a justification to introduce formal parking controls to these spaces as the advisory situation is sufficient.
(v)	Number of parking places in relation to which the procedure under section 7(6) was started.	None. No order has been started at this stage.

(g) Duties under Section 8

(i)	Its reasons for any decision under section 8(2) that the Council would not have the power to make a disabled off-street parking order.	Nil
(ii)	Number of premises that include a parking place for which the Council sought arrangements under section 8(4)	Nil
(iii)	The reasons why it was unsuccessful in making any such arrangements.	None
(iv)	The number of parking places in relation to which the Council started the statutory procedure under section 8(5).	None

(h) Disabled street parking and disabled off-street parking orders

(i)	The number of such orders the making of which the Council started the statutory procedure in accordance with the 2009 Act	2
(ii)	The number of parking places designated as being for use only by a disabled person's vehicle under such an order.	161
(iii)	In relation to each such order, the period between the start of the statutory procedure and the making of the order.	PTO /12/05 – 147 days PTO/ 12/10 - 198 days
(iv)	In respect of each case in which it started the statutory procedure but did not make the order the reasons why not.	An order for 1 disabled parking bay was withdrawn during the statutory process for PTO/12/10. This was withdrawn by the applicant.

(i) Duties under Section 9

(i)	Designation of a temporary parking place where a request has been made under	95
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	Section 5.	
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ADDITIONAL INFORMATION

Item D(iii) Reasons for any decision under section 5(3)(a)

Individual Cases

ID	Reason for Decision	Relevant Section
2270	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	4(2)
2271	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	4(2)
2338	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	4(2)

Item D(v) Periods between identifying a parking place under section 5(2)(b) and starting the related procedure under section 5(3)(b)

Individual Cases

ID	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
190	LIVINGSTON	12-Aug-11	390 Days
914	KIRKNEWTON	07-Jan-13	20 Days
1257	BATHGATE	13-Feb-13	9 Days
1625	LIVINGSTON	20-Aug-12	16 Days
2123	PUMPHERSTON	24-Oct-12	95 Days
2175	LINLITHGOW	07-Nov-12	81 Days
2207	WHITBURN	18-Nov-11	326 Days
2225	BROXBURN	06-Feb-12	212 Days
2226	BATHGATE	06-Feb-12	212 Days
2227	ARMADALE	06-Feb-12	212 Days
2228	ARMADALE	06-Feb-12	212 Days

ID	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
2229	BATHGATE	27-Feb-12	191 Days
2230	LINLITHGOW	20-Feb-12	198 Days
2232	ARMADALE	27-Feb-12	191 Days
2235	LIVINGSTON	13-Mar-12	176 Days
2236	LIVINGSTON	20-Mar-12	169 Days
2238	EAST CALDER	04-Apr-12	154 Days
2239	LIVINGSTON	10-Apr-12	148 Days
2240	LIVINGSTON	04-Apr-12	154 Days
2242	LIVINGSTON	27-Mar-12	162 Days
2244	LINLITHGOW	27-Mar-12	162 Days
2245	WHITBURN	12-Apr-12	146 Days
2246	LIVINGSTON	13-Feb-13	9 Days
2247	LIVINGSTON	12-Apr-12	146 Days
2249	BATHGATE	30-Apr-12	128 Days
2250	WHITBURN	30-Apr-12	128 Days
2251	ARMADALE	26-Apr-12	132 Days
2252	LIVINGSTON	08-May-12	120 Days
2256	WHITBURN	18-May-12	110 Days
2258	WINCHBURGH	25-May-12	103 Days
2260	LINLITHGOW	24-May-12	104 Days
2261	BROXBURN	16-May-12	112 Days
2262	LINLITHGOW	16-May-12	112 Days

ID	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
2263	WHITBURN	21-May-12	107 Days
2264	PUMPHERSTON	22-May-12	106 Days
2265	BROXBURN	18-May-12	110 Days
2266	LIVINGSTON	18-May-12	110 Days
2267	LIVINGSTON	28-May-12	100 Days
2268	LIVINGSTON	28-May-12	100 Days
2269	WHITBURN	30-May-12	98 Days
2273	LIVINGSTON	22-Jun-12	109 Days
2274	FAULDHOUSE	15-Jun-12	82 Days
2275	LIVINGSTON	15-Jun-12	82 Days
2276	WHITBURN	15-Jun-12	82 Days
2277	ARMADALE	20-Jul-12	47 Days
2278	LIVINGSTON	22-Jun-12	109 Days
2279	LIVINGSTON	23-Jul-12	44 Days
2280	LIVINGSTON	10-Jul-12	57 Days
2281	LIVINGSTON	12-Jul-12	55 Days
2282	LIVINGSTON	06-Sep-12	33 Days
2283	EAST CALDER	12-Jul-12	55 Days
2284	BLACKBURN	16-Jul-12	51 Days
2286	LIVINGSTON	10-Sep-12	29 Days
2288	LIVINGSTON	16-Jul-12	51 Days
2289	WHITBURN	23-Jul-12	78 Days

ID	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
2290	BATHGATE	22-Aug-12	48 Days
2291	BATHGATE	23-Jul-12	78 Days
2292	BATHGATE	19-Sep-12	130 Days
2293	UPHALL	06-Aug-12	30 Days
2294	LIVINGSTON	03-Aug-12	33 Days
2295	BROXBURN	03-Aug-12	33 Days
2296	LIVINGSTON	03-Aug-12	33 Days
2298	LIVINGSTON	20-Aug-12	16 Days
2299	BLACKRIDGE	20-Aug-12	16 Days
2300	WINCHBURGH	30-Aug-12	40 Days
2301	WEST CALDER	30-Aug-12	40 Days
2302	BROXBURN	30-Aug-12	40 Days
2303	BATHGATE	30-Aug-12	40 Days
2305	LIVINGSTON	30-Aug-12	40 Days
2306	WINCHBURGH	30-Aug-12	40 Days
2307	LIVINGSTON	20-Sep-12	39 Days
2309	BLACKBURN	20-Sep-12	39 Days
2310	LIVINGSTON	27-Sep-12	32 Days
2311	LIVINGSTON	23-Jan-13	30 Days
2312	LINLITHGOW	29-Oct-12	46 Days
2313	ARMADALE	16-Oct-12	13 Days
2314	BLACKBURN	16-Oct-12	13 Days

ID	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
2316	LIVINGSTON	16-Oct-12	13 Days
2317	BROXBURN	16-Oct-12	13 Days
2318	LINLITHGOW	16-Oct-12	13 Days
2319	LIVINGSTON	16-Oct-12	13 Days
2320	UPHALL	16-Oct-12	13 Days
2321	LIVINGSTON	03-Jan-13	24 Days
2322	LIVINGSTON	16-Oct-12	13 Days
2323	PUMPHERSTON	16-Oct-12	13 Days
2324	UPHALL	31-Oct-12	44 Days
2326	LIVINGSTON	31-Oct-12	44 Days
2327	ARMADALE	31-Oct-12	44 Days
2328	BROXBURN	07-Nov-12	37 Days
2329	BATHGATE	07-Nov-12	37 Days
2330	ADDIEWELL	23-Nov-12	65 Days
2332	LIVINGSTON	28-Nov-12	16 Days
2333	LIVINGSTON	04-Dec-12	54 Days
2334	LIVINGSTON	16-Nov-12	28 Days
2335	ARMADALE	16-Jan-13	11 Days
2336	BROXBURN	21-Nov-12	67 Days
2337	LIVINGSTON	21-Dec-12	37 Days
2339	LIVINGSTON	23-Jan-13	30 Days
2340	ARMADALE	28-Jan-13	25 Days

ID	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
2341	LIVINGSTON	07-Dec-12	51 Days
2342	LIVINGSTON	28-Jan-13	25 Days
2343	WESTFIELD	23-Jan-13	30 Days
2344	BROXBURN	04-Jan-13	23 Days
2349	WHITBURN	13-Feb-13	9 Days
2350	WHITBURN	13-Feb-13	9 Days



West Lothian
Council

COUNCIL EXECUTIVE

COUNCILLORS' CODE OF CONDUCT - ANNUAL REVIEW 2012/13

REPORT BY CHIEF LEGAL OFFICER

A. PURPOSE OF REPORT

To fulfil the requirement of the council's Code of Corporate Governance which requires an annual review of the operation of the Code, and to maintain awareness of the provisions of the Councillors' Code of Conduct in order to promote high standards of conduct.

B. RECOMMENDATION

To note the report.

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)	In terms of the Ethical Standards in Public Life (Scotland) Act 2000 (the 2000 Act), the council is under a duty to promote observance by councillors of high standards and to assist councillors to observe the Code
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)	Within existing resources
VII	Consideration at PDSP	Partnership and Resources PDSP on 24 May 2013
VIII	Other consultations	Chief Executive, Chief Solicitor, Committee Services Manager.

D. TERMS OF REPORT

1. Background

Under the 2000 Act, the council has a duty to promote observance by councillors of high standards of conduct and to assist councillors to observe the Code.

The council's Code of Corporate Governance, audited by the external auditor, requires an annual training session for councillors to be held, and an annual report to the council on the operation of the Councillors' Code of Conduct.

2. Training

Immediately following the council elections on 3 May 2012, a comprehensive programme of induction training was commenced dealing with the Councillors' Code of Conduct.

On 8 May, when 20 councillors attended, the areas covered were –

- Declaration of acceptance of office and undertaking to comply with the Code
- Overview of the Code's provisions
- Enforcement of the Code
- The key principles underpinning the Code, and
- Registering member's interests.

On 9 May when 8 councillors attended, the areas covered were –

- Accepting gifts or hospitality, and
- Declaring interests at meetings and requirements for withdrawal from meetings.

On 22 May, when 2 councillors attended, the remaining provisions of the Code were covered, including reference to case studies from the web sites of the Standard Commission and the PSC. The subjects covered included -

- Relationships with council employees
- Roles and responsibilities of councillors and officers
- Rights of access to information
- Confidentiality requirements
- Use of council facilities
- Conduct at meetings
- Personal dealings with the council, and

- Responsibilities to the council as a member of the public.

Other sessions were held, as follows, in relation to particular committees and aspects of Standing Orders. Those sessions covered the parts of the Code relevant to those matters, especially Part 7 of the Code on regulatory and quasi-judicial business:-

- Standing Orders and conduct in the chamber, on 9 May 2012, attended by 8 councillors
- Appointments to outside bodies, on 11 May 2012, attended by 6 councillors
- Chairing meetings, on 16 May 2012, attended by 7 councillors
- Licensing Committee, on 18 May 2012, attended by 5 councillors
- Development Management Committee, on 21 May 2012, attended by 7 councillors
- Employee Appeals Committee, on 21 May 2012, attended by 5 councillors
- Local Review Body, on 28 May 2012, attended by 2 councillors

During the year, the Standards Commission offered to assist councils with delivering training sessions. On 2 August 2012, a session was held assisted by Jan Polley, one of the members of the Commission, Janet Nixon, Secretary to the Commission and David Sillars, Senior Investigating Officer with the PSC. It was attended by 9 councillors. In accordance with the Standards Commission's guidance on raising awareness of the Code, relevant officers were encouraged to attend, and 18 did so. The session covered the work of the Commission and the PSC, and included an interactive discussion on the practical application of the rules on declaring interests at meetings and withdrawing from meetings.

The annual training session for councillors for 2012/13 was held on 11 December 2012. 10 councillors attended the session in whole or in part, and 7 officers. The format followed the previous years' style of training sessions by dealing with key areas of the Code through an analysis of recent decisions of the Standards Commission and the Public Standards Commissioner (PSC). The key areas covered were:-

- statistics and trends arising from decided cases, both national and local
- key issues arising from Standards Commission and PSC decisions identified as –
 - a reduction in number of complaints nationally
 - a significant increase nationally in failure to register or declare interests.

The session also identified an increasing trend in the number of complaints submitted to the council's Chief Executive.

3. Register of Members' Interests and Acceptance of Gifts & Hospitality

Within two months of the council elections on 3 May 2012, all councillors, whether re-elected or newly elected, were required to sign the statutory declaration of acceptance of office. This declaration included an undertaking to comply with the terms of the Councillors' Code of Conduct. All councillors duly signed such declaration within the statutory time limit.

All councillors were also required by the Regulations under the 2000 Act to complete a register of their interests including acceptance of gifts and hospitality, within one month of signing their declaration of acceptance of office. All councillors complied with this time limit. The Code of Conduct requires all registerable interests to be included from May 2011, a year before the elections.

In order to assist councillors in ensuring that they complied with the requirements of the Code, individual sessions were held with each councillor to review their entries in the Register of Interests. After completion of these sessions in November 2012, the register was published on the council's web site as recommended in the Standards Commission's guidance to local authorities.

In accordance with guidance from the Standards Commission, a six monthly reminder was issued to members on 5 December 2012 to enable them to check their entries on the council's web site and to keep their entries up to date. However, it is the duty of each councillor to intimate to the Chief Legal Officer any change in their entries in the Register of Interests, including receipt of any gifts and hospitality, within one month of any change taking place.

The six monthly reminder also asked if members wished further training in any aspect of the Code. No issues were raised.

4. Operation of the Code in West Lothian

Complaints alleging breaches of the Code are submitted to the PSC who investigates these complaints to determine whether, in his view, there has been a breach of the Councillors' Code of Conduct.

If the PSC finds that there has not been a contravention of the Councillors' Code, the matter ends there and summaries of the more interesting reports are posted on his web site.

If the PSC concludes that there has been a breach of the Code, he reports accordingly to the Standards Commission which then decides whether to hold a hearing.

The PSC's investigations are required under the 2000 Act to be conducted on a confidential basis, which means that no information can be given on any current investigations by the PSC. The Commission's hearings are conducted in public.

(1) Numbers of Complaints to PSC in 2004/05 to 2012/13

Since the Code came into operation in May 2003, there has been a total of 37 cases of complaint made to the PSC against West Lothian councillors. The breakdown is:-

Table 1: Number of complaints to PSC in West Lothian

2004/05	4
2005/06	6
2006/07	4
2007/08	1
2008/09	7
2009/10	6
2010/11	1
2011/12	2
2012/13	6
Total	37

Table 1 shows that there were six complaints made to the PSC in 2012/13, an increase of two in the yearly average of four.

(2) Subject Matters covered by Complaints to PSC in 2004/05 to 2012/13

The subject matters covered in all complaints since the start of the Code are: -

Table 2: Subjects covered by all complaints to PSC in West Lothian

Conduct in the Chamber	9
Payment of allowances	1
Key principles generally	9
Principles of leadership & accountability	2
Principle of respect regarding employee of other public body	1
Dealing with planning applications/declarations of interest	8
Use of council facilities (circular letters to constituents or personal use)	3
Declaring financial interests/withdrawal from meeting	2
Lobbying on planning applications	1
Other (matters not relevant to Code)	1
Total	37

Of these 37 cases, one case arising in 2008/09 was the subject of a report by the PSC to the Standards Commission alleging breaches of the Code. A decision of the Standards Commission was deferred pending the outcome of a separate criminal investigation involving another councillor and which did not give rise to a prosecution. Subsequently, the Standards Commission in October 2012 decided that it would not be in the public interest to hold a hearing.

In the other 36 cases, only one case in 2007 resulted in a finding of a breach of the Code through failure to declare a financial interest in a planning matter. The Standards Commission decided not to hold a hearing bearing in mind the circumstances of the individual councillor who had retired from office. As a result, only two cases since the start of the Code in 2003 have resulted in the PSC finding a breach of the Code.

(3) Analysis of Complaints to PSC in 2012/13

An analysis of the six cases dealt with by the PSC in 2012/13 is –

Table 3: Breakdown of PSC cases in West Lothian in 2012/13

Subject Matter	No.	Complainer	PSC's Decision
Key principle - respect	2	Member of public	Not investigated
Key principle - respect	1	Councillor	Not upheld
Key principles – objectivity and respect	1	Member of public	Not upheld
Use of council facilities	1	Member of public	Not investigated
Lobbying on planning applications	1	Member of public	Not upheld

(4) Complaints to the Council in 2012/13

Prior to 2011/12, complaints made to the council about the conduct of councillors were rare. Any such complaints are made to the Chief Executive who appoints an officer to investigate, usually the Monitoring Officer or his Depute. In 2012/13, six such complaints were received, an increase of two over the previous year. An analysis of these six cases is -

Table 4: Breakdown of complaints to council in 2012/13

Subject Matter	No.	Complainer	Decision
Key principles – integrity, accountability, respect – conduct at meetings	1	Member of public	Not upheld
Key principle of objectivity	1	Member of public	Not upheld
Use of council facilities	1	MP (on behalf of constituent)	Upheld
Conduct at meetings	1	Member of public	Not upheld
Key principles of objectivity and respect	1	Member of public	Not upheld
Key principle of duty	1	Member of public	Not upheld

In five of the six complaints, no breach of the Councillor's Code of Conduct was found and so they were not upheld. In the sixth complaint, a relatively minor breach was found.

With regard to the complaint involving alleged breach of the key principles of objectivity and respect, a similar complaint was submitted to the PSC who also did not uphold the complaint, as shown in Table no. 3 above.

5. Key Issues arising from Complaints in 2012/13

A number of issues have been highlighted in the cases dealt with in 2012/13. The key ones were -

- Not all aspects of a councillor's conduct are covered by the Code. The purpose of the Code is to seek to regulate certain specified aspects of individual conduct when a councillor is acting in their official capacity. The key principles set out in section 2 of the Code provide a context and underpin the Code. A breach of the key principles does not of itself constitute a breach of the Code.
- Subject to any obligation of confidentiality and any constraints which may arise under the Councillors' Code or any Code applying to other public bodies of which a councillor may be a member, councillors are entitled to express their views at meetings outside the council (e.g. community council meetings) as they consider appropriate, including political views, and in whatever manner they choose, unless the language used is abusive, offensive or threatening.
- Use of council facilities, such as computers or the email system, should not be made for personal purposes except occasionally in accordance with council policy, and never for party political purposes.
- Matters concerning the application of the council's Standing Orders are procedural matters that should be resolved internally within the council and not by way of complaint to the PSC. The Code is not an appropriate substitute or supplement to the council's Standing Orders.

6. Standards Commission's and PSC's Annual Reports for 2011/12

The Standards Commission's and PSC's annual reports for 2011/12 are the latest ones available. Statistical information from these annual reports was presented to members at the training session on 11 December 2012. It included information on the national trends in numbers and grounds of complaint.

The Standards Commission's and PSC's annual reports for 2012/13 are expected later this year and information from them will be presented to members once they have been received.

7. Consideration by Partnership and Resources PDSP -

The Partnership and Resources Policy Development and Scrutiny Panel noted this report at their meeting on 24 May 2013 for submission to the Council Executive.

E. CONCLUSION

Comprehensive training on the Code of Conduct has been made available to councillors since the council elections on 3 May 2012.

The council has experienced 37 complaints submitted to the PSC since the start of the Code of Conduct in 2003, averaging four each year. Over that period, only two cases have resulted in a finding of a breach of the Code by the PSC. In 2012/13, an above average six complaints were submitted to the PSC none of which resulted in a finding of a breach. Six complaints were received by the council in 2012/13, an increase of two over the previous year. One of those six complaints found a relatively minor breach of the Code.

Since the start of the Code, the council can demonstrate that high standards of conduct have been maintained. To assist in maintaining such standards of conduct in future, more briefing sessions for members will be arranged where necessary in order to continue to promote observance of the Code and assist members to observe the Code.

More advice on how to comply with the Code is available from the Chief Executive, Chief Legal Officer/Monitoring Officer, Chief Solicitor, and the Committee Services Manager.

F. BACKGROUND REFERENCES

Councillors' Code of Conduct containing the Standards Commission's guidance on the Code, available at

http://www.standardscommissionscotland.org.uk/webfm_send/279

Presentations to councillors by Chief Legal Officer/Monitoring Officer on 8, 9 and 22 May 2012

Presentations to councillors by Committee Services Manager on 9, 11, 16, 18, 21 and 28 May 2012

Presentation to councillors by Chief Legal Officer/Monitoring Officer on 11 December 2012

Annual report for 2011/12 by the Standards Commission, available at

http://www.standardscommissionscotland.org.uk/webfm_send/292

Annual report for 2011/12 by the Public Standards Commissioner available at –

<http://www.publicappointments.org/site/uploads/publications/15d1255ff8154173080046a96c6c109a.pdf>

Reports and decisions of the Public Standards Commissioner available at

<http://www.publicstandardscommissioner.org.uk/decisions/>

Minute of meeting of the Council Executive of 25 June 2012

Appendices/Attachments: None

Contact Person: Gordon Blair, Chief Legal Officer

Tel. No. 01506 281695

Email: gordon.blair@westlothian.gov.uk

Gordon Blair

Chief Legal Officer

Date of meeting: 4 June 2013



West Lothian
Council

COUNCIL EXECUTIVE

WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD

REPORT BY DEPUTE CHIEF EXECUTIVE, COMMUNITY HEALTH AND CARE PARTNERSHIP

A. PURPOSE OF REPORT

To update members on the business and activities of West Lothian Community Health and Care Partnership (CHCP) Board.

B. RECOMMENDATION

To note the terms of the minutes of meeting of West Lothian CHCP Board on 22 January 2013 and note of meeting due to be held on 19 March 2013 in the Appendices to this report.

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	None.
VI Resources - (Financial, Staffing and Property)	None.
VII Consideration at PDSP	None.
VIII Other consultations	None required.

D. TERMS OF REPORT

On 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 West Lothian CHCP Board was to be reported to this meeting by the production of its minutes. The relevant documents are produced as appendices to this report.

E. CONCLUSION

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

F. BACKGROUND REFERENCES

West Lothian Council Code of Corporate Governance.

Council Executive, 29 June 2010

Appendices/Attachments: 1

1 Minute of meeting of West Lothian CHCP Board held on 22 January 2013

2 Note of meeting due to be held on 19 March 2013.

Contact Person: Jim Forrest, Depute Chief Executive, CHCP

01506 281977

Jim.Forrest@westlothian.gov.uk

Date: 4/6/13

MINUTE of MEETING of the WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD held within THE STRATHBROCK PARTNERSHIP CENTRE, BROXBURN on TUESDAY 22 JANUARY 2013

Present – Frank Toner (Chair), Mike Boyle, Morag Bryce, Janet Campbell, Jane Houston, Anne McMillan

Apologies – John McGinty, Alison Mitchell

In Attendance – Jim Forrest (CHCP Director), Jennifer Scott (Head of Council Services), Marion Christie (Head of Health Services), James McCallum (Clinical Director, NHS Lothian), Pamela Main (Senior Manager – Management and Support, West Lothian Council), Jill Derby (Service Development Officer, West Lothian Council), Chris Cunningham (Assistant Clinical Director, Salaried Primary Care Dental Service, NHS Lothian), Lorraine Gillies (Community Planning Development Manager, West Lothian Council); and John Richardson (PPF)

Apologies – Gill Cottrell (Chief Nurse), Lynne Hollis (Associate Director of Finance, NHS Lothian)

1. DECLARATIONS OF INTEREST

Frank Toner declared a non-financial interest as the council's appointment to the Board of NHS Lothian as a Non Executive Director.

2. MINUTE OF MEETING OF THE BOARD – 20 NOVEMBER 2012

The Board approved the minute of its meeting on 20 November 2012 as a correct record.

3. CHCP BOARD RUNNING ACTION NOTE

The Board considered the Running Action Note (which had been circulated).

Decisions

1. To note and agree the contents of the Running Action Note.
2. To agree that Items 2 to 8 (inclusive) were completed and should be delete.
3. To agree that Items 1 and 9 were not yet completed and should be carried forward.
4. To update and amend the Running Action Note accordingly

4. MINUTE OF MEETING OF THE CHCP SUB-COMMITTEE HELD ON 18TH OCTOBER 2012

The Board noted the Minute of the Meeting of the CHCP Sub-Committee held on 18th October 2012.

5. MINUTE OF MEETING OF THE PRIMARY CARE JOINT MANAGEMENT GROUP HELD ON 8TH NOVEMBER 2012

The Board noted the Minute of the Meeting of the Primary Care Joint

Management Group held on 8th November 2012.

6. PREPARATION FOR THE IMPLEMENTATION OF THE SOCIAL CARE (SELF DIRECTED SUPPORT) (SCOTLAND) BILL

The Board heard a presentation by Jill Derby, Service Development Officer for the council, informing it of the preparations being made by officers for the implementation in 2014 of the Social Care (Self-Directed Support) (Scotland) Act 2012. The presentation provided background information on the history of direct payment and self-directed support, the principles underpinning the new legislation, the four options to be made available to service users, and the statutory duties imposed on local authorities.

The Board also considered a report (which had been circulated) by the Head of Council Services about the new legislation and informing the Board of the local arrangements already made and to be made for implementation. It set out the additional funding from the Scottish Government to assist in implementation, and it was noted that the level of funding was below what had been estimated by COSLA as being required. A Service Development Officer had been appointed, and a Programme Board had been established with workstreams identified, and arrangements were being made for ongoing engagement with service users and key stakeholders and partners and for CHCP colleagues to join the Board.

Decisions

1. To note the presentation and the history, background and future of direct payments and self-directed support.
2. To note that the Scottish Parliament passed the Social Care (Self-Directed Support) (Scotland) Bill on 28th November 2012.
3. To note the appointment of a Service Development Officer for Self-Directed Support implementation.
4. To note the intention to establish a Self-Directed Support Programme Board.

7. NATIONAL DENTAL INSPECTION PROGRAMME FOR SCOTLAND 2012 PRIMARY 1

The Board considered a report (which had been circulated) by the Head of Health Services informing the Board of the recently published national report into the dental health of Primary 1 children in Scotland which showed that Lothian has sustained the large improvement from 2010, and continued to exceed the national target for the dental health of this age group of children. The target was that 60% of primary one children should have no obvious dental decay by 2010. At the time of the 2012 survey, 70.1% of P1 children had no obvious dental decay. 66% of P1 children in West Lothian had no obvious decay compared to 74% in Edinburgh. As well as a continued overall improvement of children's oral health in Lothian, the aim of the programme was to see the inequality gap close.

The report provided background information on the origin and the operation of the scheme, nationally and locally, and detailed information and statistics on the progress made since the programme's inception.

Decisions

1. To note the contents of the report “National Dental Inspection Programme” (NDIP) for Scotland 2012.
2. To continue its support for the Childsmile Programme in schools and nurseries.

8. STRATEGIC ASSESSMENT UPDATE AND DEVELOPMENT OF SINGLE OUTCOME AGREEMENT

The Board considered a report (which had been circulated) by the CHCP Director updating the Board on the Community Planning Partnership (CPP) Strategic Assessment and plans for developing the new Single Outcome Agreement (SOA). The purpose of the Strategic Assessment was to help identify, assess and prioritise what is important for West Lothian’s communities, and enable the setting of achievable and demonstrable outcomes for the next Single Outcome Agreement and the Community Plan refresh. Representatives from across the CPP had been involved in the process from data collection and analysis to priority-setting.

The priorities and over-arching themes identified were:-

- “Tackling Inequality” was the core theme for the Community Planning Partnership (CPP).
- A scenario-planning exercise was to take place during Summer 2013 to primarily focus on the impact of projected demographic change and welfare reform in West Lothian. This will also allow the CPP to look at the opportunities these changes could bring.
- Horizon scanning would be put as a regular agenda item on the Community Planning steering group in order to look at local and national developments and manage the impact and opportunities presented by them.
- That the principles of the CPP were around Sustainability and Economic Development, Preventative intervention, Working with Families and Early years.
- That sustainability and eco-issues were considered in conjunction with each thematic area and embedded within the work of the Community Planning Partnership (CPP).

The report went on to list the areas of work which would be the CPP’s focus, under the headings of Healthier, Smarter, Greener, Safer and Stronger, and Wealthier and Fairer. It concluded by advising that the Strategic Assessment priorities would inform the development of a new SOA, with a SOA development day scheduled for 4 February 2013 to involve partners in agreeing a new SOA. Further work and activity would then be needed to agreed indicators and measures between February and April 2013.

Decisions

1. To note the completion of the Community Planning Partnership Strategic Assessment.
2. To note the process for developing a new Single Outcome Agreement and its

potential impact on the Board activity.

3. To note that the draft new Single Outcome Agreement would be brought to the Board at its meeting in March 2013.

9. LAUNCH OF LIVING IN SAFE ACCOMMODATION (LISA)

The Board considered a report (which had been circulated) by the Head of Council Services informing the Board on the new service “Living in Safe Accommodation” (LISA) for women and children experiencing domestic abuse. The report explained the background to the council’s approach to tackling domestic violence through the West Lothian Domestic and Sexual Assault Team (DASAT) (formerly known as the Domestic Abuse Service (DAS)) which, working together with key partners in the Community Planning Partnership, West Lothian Domestic and Sexual Assault Team (DASAT), provided a host of critical services for children and adults.

The report explained that in January 2012, the council had been successful in its application to the Scottish Government Violence against Women Fund for a 3 year grant of £81,350 (per year) supporting an innovative system re-design, now named LISA (Living in Safe Accommodation) and reflecting an innovative move from a model focused on crisis intervention, emergency accommodation, refuge and the displacement of women and children, to a model prioritising early intervention, reducing trauma, preventing homelessness, and enabling economic independence. It went on to set out the project’s overarching priorities and the key components of the model and concluded by describing the steps taken and events held to launch the new service.

Decision

To note local developments and progress on early intervention and prevention work around violence against women and children in West Lothian.

10. DELIVERING INTEGRATED DEMENTIA CARE - THE 8 PILLARS MODEL OF COMMUNITY SUPPORT

The Board considered a report (which had been circulated) by the Head of Council Services highlighting and putting into context the publication and contents of a report by Alzheimer Scotland entitled “Delivering Integrated Dementia Care: The 8 Pillars Model of Community Support”. The report explained the Scottish Government’s launch of the first National Dementia Strategy in 2010, which had made considerable progress in the delivery of the associated priority areas, namely acute hospital care and post diagnostic support, and which was scheduled for review in 2013. In relation to that review, Alzheimer Scotland had proposed that a new eight pillar model should be adopted by the Scottish Government, local authorities and NHS Boards, with the intention of enabling health and social care interventions to be brought together in a coordinated way, so as to use available resources to best possible effect in meeting the needs of the person with dementia living at home, within their own community along with their families and friends for as long as they choose.

The eight pillars were identified as:-

- A Dementia Practice Co-ordinator, a named practitioner working at an enhanced level who would ensure access to all pillars of support and would coordinate all practitioners delivering treatment and care.

- Therapeutic interventions to tackle symptoms of the illness in order to address cognitive impairments, functional limitations and behavioural problems.
- General health and care treatment to maintain general wellbeing and physical health.
- Mental health care and treatment – psychiatry being seen as having an essential role is assessing, diagnosing and providing appropriate treatment; also seen as having a crucial role is assisting carers to cope and respond to problem behaviour.
- Personalised support that supported and facilitated independence, citizenship and the right to participate in society.
- Support for carers of people with dementia
- Environment – with consideration being given to housing issues being seen as an essential component in supporting people to remain living in the community.
- Community connections – assisting both the person with dementia and their carer to maintain and build on existing social networks and identify opportunities for peer support.

The report had yet to be accepted or agreed that it would be incorporated by the Scottish Government into the next National Dementia Strategy but its timely release sought to promote the preferred model identified by Alzheimer Scotland with a recommendation that it should be incorporated within the revised National Dementia Strategy in 2013.

The report concluded that whilst the proposal was not at odds with the council's approach locally, until the National Strategy was revised and agreed it was not possible to confirm whether this would be accepted either in part or in its entirety by the Scottish Government and thus deemed to be a strategic priority and approach which Local Authorities and NHS Board would be required to deliver.

Decisions

1. To support the strategic direction which is broadly consistent with the aspirations outlined in the report and in particular the emphasis on upstream preventative interventions, including personal and community capacity building in keeping with the principles underpinning the life stages approach to planning for key priority groups.

2. To note that there is good progress being made towards compliance with the aspirations outlined in this recent publication.

11. DEVELOPMENT OF THE WEST LOTHIAN CARERS STRATEGY 2012-15

The Board considered a report (which had been circulated) by the Head of Council Services advising the Board of the development of the West Lothian Carers Strategy, which was contained in the appendix to the report. The report explained the way the strategy had been developed, and the consultation process and partnership working approach employed. The strategy had a

number of locally identified priorities that mirrored those within the National Carers Strategy. To support the effective delivery an action plan that would enable delivery of both local and national targets has been developed.

The outcomes set out in the draft Carers' Strategy were:-

- Carers are identified and staff were 'carer aware'.
- Carers were recognised as partners and experts in care in their caring role
- Carers had access to support which is personalised and assisted carers to maintain their caring role
- Carers had access to quality information are signposted to sources of information and support across West Lothian
- Young carers were recognised, protected from inappropriate caring and had the support they needed to be successful learners, confident individuals, effective contributors and responsible citizens.

The report advised that a period of wider consultation required to be undertaken, involving Carers of West Lothian, Adult Social Care, Children & Families, NHS Lothian and the independent sector. Consultation was also to be held with carers' support groups facilitated by the Carers Centre.

Decisions

1. To note the terms of the draft Carers' Strategy and the draft Young Carers' Strategy contained in the appendices to the report.
2. To note and support the proposal to go out to wider consultation.
3. To note that the draft strategies and information on the results of the consultation process would be brought back to the Board.
4. To note that the intention was to ensure implementation of the strategies through an implementation group and plan, and designated responsible officers.

12. CLINICAL GOVERNANCE - SINGLE HANDED PRACTICES

The Board considered a report (which had been circulated) by the Clinical Director highlighting the vulnerable position of single handed practices (SHP), and some others, in the provision of medical cover during periods of unexpected and/or prolonged absence of the GP; the vulnerable position of single handed practices (SHP), and some others, in the provision of medical cover for planned retiral of the GP; and the challenge for the CHCP to support the practice in those eventualities. The report advised that there were 10 practices in Lothian at clear risk (excluding challenging behaviour practice). To date business continuity arrangements had relied on the goodwill of neighbouring practices often supported by CHCP (GP clinical leads and enhanced nursing). However, the unplanned nature of the arrangements made them unsatisfactory which was compounded by lack of capacity and absence of process. There was a resultant risk to patients' clinical care including urgent clinical need and planned long term condition management with a consequent increased risk of admission and emergency department attendance.

The report set out the options available for tackling these risks, and advised that CHCPs were now actively considering plans. Lothian Local Medical Committee was to review the situation at its next meeting.

Decisions

1. To note the vulnerable position of single handed practices (SHP), and some others, in the provision of medical cover during periods of unexpected and/or prolonged absence of the GP.
2. To note the vulnerable position of single handed practices (SHP), and some others, in the provision of medical cover for planned retiral of the GP.
3. To note the challenge for the CHCP to support the practice in those eventualities.
4. To agree that vulnerable practices should be placed on the CHCP risk register.
5. To agree that the practices' contractual obligations should be highlighted to them.
6. To agree that clear collaborative plans should be developed to ensure medical cover.

13. CARE GOVERNANCE - STRATHBROCK BUNGALOW - SHORT BREAK CARE AND MANAGEMENT SERVICES FOR CHILDREN AND YOUNG ADULTS

The Board considered a report (which had been circulated) by the Head of Council Services updating the Board on the progress made in the delivery of Short Break Care and Management Services for Children and Young Adults at Strathbrock Bungalow. In response to the National Strategy on short breaks, the council had explored a range of options for the local delivery of a service providing short breaks from caring for the families of children and young people with complex needs. The opportunity had arisen to use the council owned bungalow adjacent to the Strathbrock Family Unit for this purpose. It had been decided to seek the partnership of an experienced external agency to operate the service on behalf of the council. The council contract for the delivery of this key service was awarded to Barnardo's and the service became operational on 6th January 2012. The report went on to describe the services offered and the level of usage of the services.

The report concluded by advising that the establishment of this local resource providing short breaks from caring for families of children and young people with complex needs was a major achievement for the council in providing an early intervention service to children and young people with complex needs, in such a way as to prevent the need for more extensive service provision in the future.

Decisions

1. To note the success and use being made of the Strathbrock Bungalow in providing a service for children and young people.
2. To note the benefits this resource provides to children and young people with

complex needs and their families.

3. To note the positive progress being made by this early intervention service to prevent the need for more extensive service provision in the future.

14. STAFF GOVERNANCE

The Board considered a report (which had been circulated) by the Head of Council Services and the Head of Health Services updating the Board on staff issues within the CHCP.

The report provided information in relation to Local Quality Improvement Plans, compliance with the Public Records (Scotland) Act (PRSA), the NHS Lothian Risk Management Steering Group, and accreditation achieved to the Public Service Improvement Framework.

Decisions

1. To note the development of local quality improvement plans.
2. To note the successful compliance with the Public Records (Scotland) Act.
3. To note the establishment of and the arrangements for the NHS Lothian Risk Management Steering Group.
4. To note the arrangements in hand for securing accreditation for CHCP services through the Public Service Improvement Framework.

15. 2012/13 REVENUE BUDGET MONITORING REPORT AS AT 30 NOVEMBER 2012

The Board considered a report (which had been circulated) by the Head of Council Services and the Head of Health Services containing a joint report on financial performance in respect of CHCP figures for the period to 30 November 2012.

The report advised that the anticipated draft out-turn for the CHCP as a whole was for an under-spend of £1,560,000. In relation to the CHCP council services, the forecast was for an underspend of £1,560,000. In relation to the share of the CHCP budget for NHS Lothian, the forecast was for breakeven.

The report outlined the reasons for the forecast positions and the pressure areas for the council and NHS Lothian elements of the budget.

Decisions

1. To note the anticipated budgetary figures provided for Council and Health Services, and the CHCP as a whole.
2. To note that service managers were taking management action to address areas of financial pressure within their own service areas to ensure a balanced out-turn is achieved.
3. To congratulate all CHCP services staff on securing the current budget and financial position.

16. DIRECTOR'S REPORT

The Board considered a report (which had been circulated) by the CHCP Director setting out key areas of work in which the partnership had been involved since the last meeting of the Board.

The Board was provided with information in relation to:-

- Redesigning the community justice system – A Consultation on Scottish Government Proposals.
- A visit by the Cabinet Secretary for Health and Wellbeing on 24 January to see how integration arrangements between health and social care worked in West Lothian.
- The business of the CHCP Sub-Committee.

Decisions

1. To note the consultation exercise taking place regarding the redesign of the community justice system in Scotland.
2. To note the visit to West Lothian by the Cabinet Secretary for Health and Wellbeing.
3. To note the business of the December CHCP Sub-Committee.

NOTE concerning MEETING of the WEST LOTHIAN COMMUNITY HEALTH AND CARE PARTNERSHIP BOARD due to be held within THE STRATHBROCK PARTNERSHIP CENTRE, BROXBURN on TUESDAY 19 MARCH 2013

Due to severely adverse weather conditions on the night before and the day of the meeting, this meeting was cancelled and did not take place.



COUNCIL EXECUTIVE

ST JOHN'S HOSPITAL STAKEHOLDER GROUP

REPORT BY DEPUTE CHIEF EXECUTIVE, COMMUNITY HEALTH AND CARE PARTNERSHIP

A. PURPOSE OF REPORT

To update members on the business and activities of St John's Hospital Stakeholder Group.

B. RECOMMENDATION

To note the terms of the minutes of meetings of St John's Hospital Stakeholder Group held on 10 April 2013 in the appendix to this report.

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 Resources - (Financial, Staffing and Property)	None.
IV Consultations	None required.

D. TERMS OF REPORT

On 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 St John's Hospital Stakeholder Group was to be reported to this meeting by the production of its minutes. The relevant documents are produced as appendices to this report.

E. CONCLUSION

This report ensures that members are kept apprised of the activities of St John's Hospital Stakeholder Group as part of the council's Code of Corporate Governance.

F. BACKGROUND REFERENCES

West Lothian Council Code of Corporate Governance.

Council Executive, 29 June 2010

Appendices/Attachments: 1

Minute of meeting of the St John's Hospital Stakeholder Group held on 10 April 2013.

Contact Person: Jim Forrest, CHCP Director

01506 281977

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Date: 4/06/13

MINUTE of the MEETING of the ST JOHN'S HOSPITAL STAKEHOLDER GROUP held within BOARDROOM 1, ST. JOHN'S HOSPITAL, HOWDEN on 10 APRIL 2013 at 2.30 p.m.

Present – John McGinty (Chair), Anne McMillan, Frank Toner; by video-link from Waverley Gate - Alison Mitchell, Morag Bryce

Apologies - Maureen Anderson, John Iredale

In attendance – Agnes Ritchie, Jim Forrest and James Millar; by video-link from Waverley Gate – David Farquharson, Alison McCallum, Stuart Wilson; and five members of the public

Apologies – Sandra Mair, Fiona Mitchell

1. MINUTE

The Group approved the minute of its meeting held on 13 March 2013 as a correct record. There were no matters arising to be dealt with.

The Group was informed that as a result of a restructuring in the Health Board, Sandra Mair was no longer employed as the Director for St John's. She had passed on her good wishes to all who had been involved in the Group. The Chair asked for the council's appreciation of all of Sandra's work for the Group to be noted and passed on to her.

David Farquharson advised that the restructuring would involve the appointment of a Site Manger and a Clinical Director for St John's.

2. DECLARATIONS OF INTEREST

Frank Toner declared a non-financial interest as a Non-Executive Director of Lothian Health Board and as Chair of the West Lothian Community Health & Care Partnership.

3. PAEDIATRIC SERVICES AND CHILDREN'S WARD AT ST. JOHN'S HOSPITAL

The Chair informed the Group that he had attended a meeting with the Cabinet Secretary for Health and Well-being at which reassurances had been given that every effort was being made to address the staffing position in, and at which a firm commitment had been given to the future of, these services at St John's.

The Group heard an update from David Farquharson in relation to the recruitment campaign which had been started after consultation with the Scottish Ministers, and in relation to the present and immediate status of the service at St John's.

He explained that 10 provisional offers to candidates had now been made – one to a consultant's post in Paediatrics; one for a specialist doctor in that same area; four for clinical fellow positions; one for a fellow's position in Neonatal Medicine; one to a consultant's post in Neonatal Medicine;

and two for Neonatal Nurse Practitioners. Where offers were accepted, positions would be taken up as quickly as possible, from April onwards, but that depended on notice periods in existing posts, and the hurdles which had been noted at the last meeting in relation to some overseas candidates.

He advised that cover for the service and for the rotas was in place for April, May and June and that plans were currently being made for July. The position for July and possibly August should be clear for the Group's meeting in May.

David confirmed that things were looking encouraging but repeated warnings given at other meetings in relation to possible problems caused by annual leave requests, and the continuing volatile supply of suitable candidates across the whole of the UK.

The Chair thanked David for the update, and stressed again that a repeat of the previous year's change to the service was not acceptable to the council. He asked that the importance of maintaining the current service be borne in mind in relation to annual leave arrangements for staff.

Decision

1. To note the update in relation to the ongoing recruitment campaign designed to address problems affecting the service both at St John's and pan-Lothian.
2. To agree that the item of business would be retained for the meeting in May 2013 to allow the Group to be updated on further developments.

4. MRI SCANNER

In the absence of Sandra Mair, Agnes Ritchie explained that work was still progressing and that a Project Group had been convened to take forward the Action Plan.

The Chair asked if a more detailed update could be provided for the next Group meeting, and Jim Forrest agreed to make arrangements for that to happen.

Decision

To note the update and to agree to hear a more detailed update at the next Group meeting.

5. NUCLEAR MEDICINE

In the absence of Sandra Mair, no information was available to the Group.

The Chair asked if a more detailed update could be provided for the next Group meeting, and Jim Forrest agreed to make arrangements for that to happen.

Decision

To agree to hear a more detailed update at the next Group meeting.

6. KEY QUALITY INDICATORS

Agnes Ritchie explained to the Group the use at St John's of Clinical Quality Indicators as part of the "Delivering Better Care" work stream aimed at improving patient experience, respect and dignity. The three indicators were in relation to pressure areas care; falls; and food, fluid and nutrition. She explained the approach taken in monitoring this performance, through a programme of unannounced monthly visits by a team of cross-disciplinary and lay representatives.

Agnes advised that St John's achieved 100% compliance in all three of these areas. In relation to another indicator concerned with hand hygiene, St John's met the target of 98%.

Agnes confirmed that she could report on other areas of performance to future meetings and offered to prepare a programme for reports to the Group over the next year or so.

The Chair welcomed that suggestion and asked that the report to which Agnes had referred during the meeting be copied to the Group, and asked if some information could be made available in writing with the agenda for future meetings.

Decisions

1. To note the information provided in relation to Clinical Quality Indicators at St John's and the current full compliance with those Indicators.
2. To note that Agnes would prepare a programme for reports to future Group meetings on Clinical Quality Indicators, for addition to the Group's Work Plan.
3. To note that Agnes would circulate the report to which she had referred at today's meeting, for the information of members.

7. WORK PLAN

At previous meetings of the Group it was agreed that a Work Plan would be part of the agenda for each meeting and could be updated and amended and added to as required.

The Work Plan to date had been circulated and was agreed, with the following additional information being noted, as well as that provided and agreed earlier in the meeting:-

- Item 2 – the report about laboratory services would be provided by David Farquharson

- Item 3 – David Small had been invited to present on homeopathy services.

The Chair referred to an article which had appeared in the Evening News on 5 April 2013 in relation to workforce issues in three areas – emergency medicine, surgical specialities and obstetrics and gynaecology – and which touched on St John's. He asked if some feedback and comment could be provided to the Group for the next meeting, and David Farquharson agreed to do so.

Decision

1. To agree the content of the Work Plan to date.
2. To agree that items should be added in relation to clinical performance indicators and the Evening News article.