

Notice of meeting and agenda

Policy and Sustainability Committee

10.00 am Tuesday, 1st October, 2019

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend

The law allows the Council to consider some issues in private. Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

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1. Order of Business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of Interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Deputations

- 3.1 If any

4. Minutes

- 4.1 Minute of Policy and Sustainability Committee of 6 August 2019 – 7 - 16
submitted for approval as a correct record

5. Forward Planning

- 5.1 Policy and Sustainability Committee Work Programme – 1 17 - 20
October 2019
- 5.2 Rolling Actions Log 21 - 34

6. Business Bulletin

- 6.1 Business Bulletin 35 - 38

7. Executive Decisions

- 7.1 Police Scotland - Update – Report by Chief Executive 39 - 70
- 7.2 City of Edinburgh Council Response to the Scottish Government's Consultation on Children's Rights – Report by Chief Executive 71 - 82
- 7.3 Conference Invitation - 20 Years on from Devolution...We have a Choice - COSLA and Improvement Service Annual Conference 83 - 92

and Exhibition 2019 – Report by Chief Executive

7.4	Edinburgh Chamber of Commerce Trade Delegation to Shenzhen - Request for Attendance – Report by Executive Director of Place	93 - 96
7.5	EUROCITIES Annual Conference 2019 – Report by Executive Director of Place	97 - 100
7.6	Chief Social Work Officer's Annual Report 2018/19 – Report by Chief Executive	101 - 156
7.7	West Edinburgh Progress Update – Report by Executive Director of Place	157 - 168
7.8	Gender Pay Gap Update – Report by Executive Director of Resources	169 - 180
7.9	Bike to Work Scheme – Report by Executive Director of Resources	181 - 186
7.10	Recruitment and Selection Policy – Report by Executive Director of Resources	187 - 194
7.11	Sickness Absence Policy – Report by Executive Director of Resources	195 - 208
7.12	Domestic Abuse Policy – Report by Executive Director of Resources	209 - 218
7.13	Diversity and Inclusion Strategy – Report by Executive Director of Resources	219 - 242

8. Routine Decisions

8.1	Human Resources (HR) Policies Assurance Statement - HR – Report by Executive Director of Resources	243 - 248
8.2	Policies - Assurance Statement - Legal and Risk – Report by Executive Director of Resources	249 - 254

8.3 Internal Audit – GDPR (Gap Analysis) Follow-up and Quality,
Governance and Regulation – referral from the Governance, Risk
and Best Value Committee

255 - 294

9. Motions

9.1 None.

Andrew Kerr

Chief Executive

Committee Members

Councillor Adam McVey (Convener), Councillor Cammy Day (Vice-Convener), Councillor Robert Aldridge, Councillor Jim Campbell, Councillor Kate Campbell, Councillor Neil Gardiner, Councillor Gillian Gloyer, Councillor Graham Hutchison, Councillor Lesley Macinnes, Councillor John McLellan, Councillor Melanie Main, Councillor Ian Perry, Councillor Alasdair Rankin, Councillor Alex Staniforth, Councillor Susan Webber, Councillor Donald Wilson and Councillor Iain Whyte

Information about the Policy and Sustainability Committee

The Policy and Sustainability Committee consists of 17 Councillors and is appointed by the City of Edinburgh Council. The Policy and Sustainability Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Lesley Birrell, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 553 8242 / 0131 529 4264, email jamie.macrae@edinburgh.gov.uk / louise.p.williamson@edinburgh.gov.uk.

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/cpol.

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Minutes

Policy and Sustainability Committee

10.00 am, Tuesday 6 August 2019

Present

Councillors McVey (Convener), Day (Vice-Convener), Aldridge, Jim Campbell, Kate Campbell, Gardiner, Gloyer, Hutchison, Macinnes, Main, McLellan, Perry, Rankin, Staniforth, Webber, Wilson and Whyte.

1. Minute

Decision

To approve the minute of the Corporate Policy and Strategy Committee of 14 May 2019 as a correct record.

2. Corporate Policy and Strategy Committee Work Programme May 2019

The Corporate Policy and Strategy Committee Work Programme for August 2019 was presented.

Decision

To note the work programme.

(Reference – Work Programme August 2019, submitted).

3. Corporate Policy and Strategy Committee Rolling Actions Log

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

To note the outstanding actions.

(Reference – Rolling Actions Log, submitted).

4. Corporate Policy and Strategy Committee Business Bulletin

The Corporate Policy and Strategy Committee Business Bulletin was presented.

Decision

- 1) To note that the minute of the Sustainability Board would be submitted to the next meeting of the Sustainability and Climate Emergency All Party Oversight Group.

2) To otherwise note the updates in the Business Bulletin.

(Reference – Corporate Policy and Strategy Committee Business Bulletin, submitted).

5. Working Groups

The Council had agreed to a report reviewing the number and nature of working groups.

Details were provided of the Council's current member/officer working groups which formed part of its political management framework.

Decision

- 1) To note the overall reduction of member/officer working groups.
- 2) To agree the revised working group framework outlined in Appendix 2 to the report by the Chief Executive.

(Reference – Act of Council No 6 of 30 May 2019; report by the Chief Executive, submitted.)

6 Update on Edinburgh Health and Social Care Partnership – Older People Joint Inspection Improvement Plan

An update was provided on the review of the Older People's Improvement Plan following the Joint Inspection Progress Report which had been published in December 2018. The new improvement plan had been developed within the developing new Health and Social Care transformation plan and, specifically, the framework of the "Three Conversations" approach.

Decision

- 1) To note that the Improvement Plan set out in Appendix 1 to the report by the Chief Officer had been developed in response to the Joint Inspection of Older People's Services Progress Report.
- 2) To approve the Improvement Plan Recommendations, noting that these would be delivered in partnership with NHS Lothian and through the Edinburgh Health and Social Care Partnership.
- 3) To note that a performance reporting framework, to capture progress or areas where improvement was not progressing, would be developed as part of the implementation of this plan
- 4) To agree to a progress report on a six-monthly basis.

(Reference – report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

7. Summary of 2050 Edinburgh City Vision Feedback

In response to a motion by Councillor McVey, details were provided on the submissions received as part of the 2050 Edinburgh City vision process.

Decision

- 1) To note the report by the Chief Executive.
- 2) To agree that future reports would include information on participation by age group as a percentage of population.

(References – Act of Council No 9 of 2 May 2019; report by the Chief Executive, submitted.)

8. Edinburgh International Activity Report

Details were provided on the international context in which Edinburgh was operating, the issues and strategic themes for Edinburgh, and the objective to play a strong leadership role within the city while working more collaboratively with key partners on the plan for, and approach to, international activity.

Decision

- 1) To agree that future international engagement and visits for the City of Edinburgh Council (including as a result of the Council's twinning arrangements) should be guided and prioritised by the following 5 principles, that the engagement/visit:
 - a) Supports an identified key theme that benefits the city.
 - b) Supports identified challenges and opportunities for the city.
 - c) Leads to improving investment, economic growth and improved knowledge and learning exchange.
 - d) Is delivered in partnership to ensure high impact and value for money; and
 - e) Is aligned to the international priority work of key partners.
- 2) To agree to maintain clear governance and accountability lines where Council international activity would be reported to the Policy and Sustainability Committee at the City of Edinburgh Council. A suitable monetary and carbon threshold for future elected member and officer international site visits would be reported in a future paper.
- 3) To agree to work with partners to establish a new International Edinburgh Group as a collaborative way of working.

(Reference – report by the Chief Executive, submitted.)

9. International Fair Trade Charter

In response to a motion by Councillor McNeese-Mechan details were provided on undertakings the Council could give in support of the International Fair Trade Charter and how it could best complement the Council's own Fair Trade Policy.

Decision

- 1) To note that the Council had pledged support for the International Fair Trade Charter.

- 2) To agree that the Council now formally sign up to the International Fair Trade Charter.
- 3) To agree that, given the Council's intention to develop a new approach to sustainability, as reported to the Committee on 14 May 2019, the Council's Fair Trade Policy and Sustainable Procurement Policy would be reviewed within the wider programme of work associated with that approach.

(References – Act of Council No 22 of 30 May 2019; report by the Chief Executive, submitted.)

10. Energy Management Policy for Operational Buildings

Approval was sought for a revised Energy Management Policy for the Council's operational buildings. The management system had been designed to comply with the energy management standard BS EN ISO 50001:2018.

Motion

- 1) To approve the Energy Management Policy Statement.
- 2) To note that Property and Facilities Management would pursue certification to the energy management system standard BS EN ISO 50001:2018.
- 3) To note that an annual report would be submitted to Committee detailing progress on the implementation of the Energy Management Policy and Energy Management System (BS EN ISO50001) including detail on any revisions to documentation to align with the Council's 2030 Roadmap for net zero carbon.
- 4) To agree to aim to undertake a deep retrofit to building regulations Gold, or PassivHaus standard, of at least one Council building per year, and agree to receive a further report identifying which building(s) would be retrofitted during 2019-20 and what standard would be achieved.

- moved by Councillor Main, seconded by Councillor Staniforth

Amendment

- 1) To approve the Energy Management Policy Statement.
- 2) To note that Property and Facilities Management would pursue certification to the energy management system standard BS EN ISO 50001:2018.
- 3) To note that an annual report would be submitted to Committee detailing progress on the implementation of the Energy Management Policy and Energy Management System (BS EN ISO50001) including detail on any revisions to documentation to align with the Council's 2030 Roadmap for net zero carbon.
- 4) To agree to explore the feasibility to undertake a deep retrofit to building regulations Gold, or PassivHaus standard, of at least one Council building per year.
- 5) To agree that the Finance and Resources Committee would receive a further report on the current programme identifying which building(s) would be retrofitted during 2019-20 and what standard would be achieved and covering point 4).

- moved by Councillor McVey, seconded by Councillor Day

In accordance with Standing Order 21(11) the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Main:

- 1) To approve the Energy Management Policy Statement.
- 2) To note that Property and Facilities Management would pursue certification to the energy management system standard BS EN ISO 50001:2018.
- 3) To note that an annual report would be submitted to Committee detailing progress on the implementation of the Energy Management Policy and Energy Management System (BS EN ISO50001) including detail on any revisions to documentation to align with the Council's 2030 Roadmap for net zero carbon.
- 4) To agree to explore the feasibility to undertake a deep retrofit to building regulations Gold, or PassivHaus standard, of at least one Council building per year.
- 5) To agree that the Finance and Resources Committee would receive a further report on the current programme identifying which building(s) would be retrofitted during 2019-20 and what standard would be achieved and covering point 4).

(Reference – report by the Executive Director of Resources, submitted.)

11. Policy on Advertising and Sponsorship Motion by Councillor Main

The Committee had noted work being carried out on a draft policy on advertising and sponsorship that was underway and agreed that a report be provided outlining the impact on income maximisation as a result of any changes to current practice.

The proposed policy was presented together with details of the consultations on the impact of food and drink advertising which the UK Government and Scottish Government had in progress.

Motion

- 1) To approve the policy on advertising and sponsorship as set out in Appendix 1 of the joint report by the Chief Executive and Executive Director of Resources.
- 2) To note the potential impact on Council income and viability of certain initiatives/events if the policy was extended beyond the scope in the proposed policy.
- 3) To recognise that this policy might be amended in future to reflect changes to legislation or regulations brought about by changes to legislation or UK Government, the Scottish Government and the Advertising Standards Authority.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

To add at the end of the motion by Councillor McVey:

- 4) To note that this policy did not address the risk of the impact on the Council and city when policy and advertising was not on Council property but had a direct association with the Council.
- 5) Therefore to request that the Executive Director of Resources explore with contracted external organisations and ALEOs, how best to address this and to report back to Committee as part of the annual review.

- moved by Councillor Main, seconded by Councillor Staniforth

In accordance with Standing Order 21(11) the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To approve the policy on advertising and sponsorship as set out in Appendix 1 of the joint report by the Chief Executive and Executive Director of Resources.
- 2) To note the potential impact on Council income and viability of certain initiatives/events if the policy was extended beyond the scope in the proposed policy. and
- 3) To recognise that this policy might be amended in future to reflect changes to legislation or regulations brought about by changes to legislation or UK Government, the Scottish Government and the Advertising Standards Authority.
- 4) To note that this policy did not address risk of impact on the Council and city when policy and advertising was not on Council property but had a direct association with the Council.
- 5) Therefore to request that the Executive Director of Resources explore with contracted external organisations and ALEOs, how best to address this and to report back to Committee as part of the annual review.

(References – Act of Council No 13 of 25 October 2018; Corporate Policy and Strategy Committee, 14 May 2019 (item 23); joint report by the Chief Executive and the Executive Director of Resources, submitted.)

Declaration of Interests

Councillor McLellan declared a non-financial interest in the above item as a member of the Advertising Standards Authority.

12. Bike to Work Scheme – Motion by Councillor Main

In response to a motion by Councillor Main, details were provided on how the Council could promote and support employees to take advantage of its Bike to Work Scheme, increasing uptake and how these services might be procured as the current contract was scheduled to end in 2020.

Motion

To note the report on the promotion and employee support available for the Council's Bike to Work Scheme.

- moved by Councillor McVey, seconded by Councillor Day

Amendment

To add at the end of Councillor McVey's motion:

Committee requests an update report in one cycle on the next steps outlined in the report by the Executive Director of Resources including 5.2:

"Human Resources will review the current scheme benefits in line with the removal of the £1,000 cap and make recommendations later this year as part of a broader employee benefit offering. This may include a benefits platform, which includes cycle to work."

- moved by Councillor Main, seconded by Councillor Staniforth

In accordance with Standing Order 21(11) the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor McVey:

- 1) To note the report on the promotion and employee support available for the Council's Bike to Work Scheme.
- 2) To request an update report in one cycle on the next steps outlined in the report by the Executive Director of Resources including 5.2:

"Human Resources will review the current scheme benefits in line with the removal of the £1,000 cap and make recommendations later this year as part of a broader employee benefit offering. This may include a benefits platform, which includes cycle to work."

(References – Act of Council No 16 of 27 June 2019; report by the Executive Director of Resources, submitted.)

13. Welfare Reform

An update was provided on the Council's ongoing welfare reform activities which included the implementation of Universal Credit.

Decision

- 1) To note the work that was ongoing to support Universal Credit and Welfare Reform, in Edinburgh.
- 2) To note the spend projections for Discretionary Housing Payments, Council Tax Reduction Scheme and the Scottish Welfare Fund.

(Reference – report by the Executive Director of Resources, submitted.)

14. Policy Assurance – Strategy and Communications Division

To ensure that the policies remained current and relevant, all Council directorates were required to review policies on a regular basis. An assurance update on key policies within Strategy and Communications was presented to the Committee.

Decision

- 1) To note the status update for the Council policies detailed in the Appendix to the report by the Chief Executive.
- 2) To delegate authority to the Chief Executive to make such minor adjustments to policies outline in Appendix 1 to the report as necessary to ensure relevancy.

(References – Corporate Policy and Strategy Committee, 9 August 2016 (item 5); report by the Chief Executive, submitted.)

15. Policy Assurance Statement – Customer

To ensure that the policies remained current and relevant, all Council directorates were required to review policies on an annual basis. An assurance update on key policies within the Customer Team – Corporate Debt Policy, Discretionary Housing Payments Policy, Council Tax policies (second homes and empty properties) and Non-Domestic Rates Policy (Discretionary Relief) was presented to the Committee as fit for purpose.

Decision

To note that the Council policies detailed in the report had been reviewed and were considered as being current, relevant and fit for purpose.

(References – Corporate Policy and Strategy Committee, 9 August 2016 (item 5); report by the Executive Director of Resources, submitted.)

16. Contact Centre Performance – April-June 2019 Customer

The Contact Centre performance for the period April to June 2019 was presented together with information on associated service improvement activities.

Decision

- 1) To note current performance trends within the Contact Centre.
- 2) To note ongoing improvement activities to ensure that Council services were easy to access, and citizen queries and complaints were dealt with effectively.

(Reference – report by the Executive Director of Resources, submitted.)

17. McCrae's Battalion Trust Commemorative Service at Contalmaison Cairn – 1 July 2019

Arrangements had been made by the Chief Executive under urgency provisions for the Council to support the Hearts Great War Memorial Committee by providing a £5,000 grant toward the cost of a Cairn at Contalmaison to commemorate the 15th and 16th Battalions of the Royal Scots at the Battle of the Somme and for the Depute Convener to attend a commemorative service.

Decision

To note the action taken by the Chief Executive, in terms of paragraph 4.1 of the Committee Terms of Reference and Delegated Functions to approve the attendance of the Depute Convener at the Commemorative Service at Contalmaison on 1 July 2019.

(Reference – report by the Chief Executive, submitted.)

18. Edinburgh Krakow Co-operation

The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Council to give early consideration to this matter.

Details were provided on a recent request from the Mayor of Krakow seeking agreement to continue international co-operation between the cities of Krakow and Edinburgh.

Decision

- 1) To note the interest from Krakow and the Polish Consulate in continuing to support strategic engagement between Edinburgh and Krakow.
- 2) To agree to support the hosting of the Mayor of Krakow for a programme of community events in Edinburgh in September and to support the extension of the Co-operation Agreement subject to the strategic principles contained in the Committee's Edinburgh International Activity Report.

(Reference – report by the Chief Executive, submitted).

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Work Programme

Corporate Policy and Strategy Committee

1 October 2019

	Title / description	Purpose/Reason	Routine / Executive	Lead officer	Directorate	Progress updates	Expected date
1	Full Cost Charges in Care Homes for Older People Managed by the Council		Executive	Moira Pringle	Health and Social Care	Flexible	November 2019
2	Tourism – Policy Statement		Executive		Place	Flexible	November 2019
3	Council Asbestos Policy	Annual Review	Routine	Susan Tannahill	Resources	Annual	November 2019
4	Council Fire Safety Policy	Annual Review	Routine	Susan Tannahill	Resources	Annual	November 2019

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Policy and Sustainability Committee Upcoming Reports

Appendix 1

Report Title	Directorate	Lead Officer
NOVEMBER 2019		
Full Cost Charges in Care Homes for Older People Managed by the Council	Edinburgh Health and Social Care Partnership	Judith Proctor
Business Case for the Management Transfer of Secondary School Sports Facilities to Edinburgh Leisure – Progress Report	Communities and Families	
Council Asbestos Policy	Resources	Susan Tannahill
Council Fire Safety Policy	Resources	Susan Tannahill
Carbon Edinburgh - Detailed Action Plan	Place	Janice Pauwels
Public Bodies Climate Change Duties Report	Chief Executive	Beth Hall
Edinburgh Poverty Commission Report	Chief Executive	Chris Adams
Gaelic Language Plan 2018-22 – Monitoring Report	Chief Executive	Eleanor Cunningham
Response to the Scottish Government Consultation on TVL	Chief Executive	Paula McLeay

Edinburgh Tourism Strategy Update Report	Place	Jim Galloway
Sustainable Energy Action Plan Update	Place	Janice Pauwels
City Strategic Investment Fund – Powderhall Stables	Place	Kyle Drummond
Welfare Reform Update	Resources	Sheila Haig
Pay Policy	Resources	Grant Craig

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Rolling Actions Log

Policy and Sustainability Committee

1 October 2019

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	06.11.12	The Future Management and Ownership of Easter Craiglockhart Hill Local Nature Reserve (LNR) – motion by Councillor Burns (Agenda for 6 November 2012)	To provide information on the possibility of community ownership and management of the woodland and open space in the area in the longer term and how this might be achieved, with ownership transferring to the Council as an interim measure, with a view to the eventual transfer of ownership and management, to a community organisation.	Executive Director of Place	November 2019		Transferred to the Culture and Communities Committee. This will be included in the Business Bulletin to the Culture and Communities Committee on 12 November 2019
2	04.08.15	Common Good Assets Register	1) To note that further reports would be brought to Committee: a) once Scottish Ministers' guidance about common good registers had been	Executive Director of Resources	December 2018		Transferred to the Finance and Resources Committee. The Common Good Asset Register is to

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Agenda Item 5.2

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
Page 22			<p>issued; and</p> <p>b) to consider the implications arising from compliance with the Land Registration (Scotland) Act 2012.</p> <p>2) To note that the common good definition in Section 3 of the report by the Acting Director of Services for Communities was not intended to be exclusive and that there would be clarification of the definition with the next report to Committee.</p>				be considered at the Finance and Resources Committee in September 2019 as part of the Common Good Annual Performance Report and will be submitted to this Committee following the Finance and Resources Committee's consideration.
			3) To call for an update on the progress of the transfer of land from the Sasines Register to comply with the Land Registration (Scotland) Act 2012				Closed Letter outlining the Council position circulated by email to members on 19 October 2017 –

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
3	04.10.16	Business Case for the Management Transfer of Secondary School Sports Facilities to Edinburgh Leisure – Progress Report	That an update report be submitted to Committee in 6 months.	Executive Director for Communities and Families	November 2019		Briefing note circulated to Members on 22 March 2019. A report is to be submitted to the Education, Children and Families Committee in October 2019.
Page 23	27.02.18	Full Cost Charges in Care Homes for Older People Managed by the Council	<p>1) To request a Briefing Note on the full charging structure and methodology for Council-managed care homes.</p> <p>2) To request a report back to Committee in 12 months on the impact.</p>	Chief Officer, Edinburgh Health and Social Care Partnership	July 2018	July 2018	<p>CLOSED</p> <p>Briefing Note circulated on 27 July 2018.</p> <p>Update to Committee now expected in November 2019 as further scoping work is required.</p>
	5	29.06.18	City of Edinburgh Council Motion by Councillor Miller – Attracting and	1) Agrees to call for a report into the improvements including pay and conditions that could attract and retain care workers, in	Chief Officer, Edinburgh Health and Social Care	August 2019	August 2019

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
Page 24		Retaining Carers (Agenda for 29 June 2018)	comparison to other employment options, and meet the shortfall in care provision, taking into account the results of the research. 2) To instruct officers to remit the report to the Integration Joint Board and Corporate Policy and Strategy Committee for further scrutiny.	Partnership			Committee on 6 August 2019.
	01.02.18	City of Edinburgh Council Motion by Councillor Mowat – Edinburgh’s Christmas and Hogmanay 2017/18 (Agenda for 1 February 2018)	Council requests that the review of the contract for Edinburgh’s Christmas and Hogmanay should recognise that the implementation of this contract cuts across many council functions and services and should be considered at the Corporate Policy and Strategy Committee.	Executive Director of Place	Spring 2021		This contract is in place until Winter Festival 2020. The review of the contract will be presented to Policy and Sustainability Committee.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
7	15.05.18	Sustainable Energy Action Plan Annual Progress Report 2017/18	Calls for a report every two cycles until 2020 within one cycle on how the SEAP can be progressed in order to meet its 2020 carbon reduction target, including what additional resources would be required.	Executive Director of Place	November 2019		Report to be submitted to Committee in November 2019
8	07.08.18	Participation Requests	To agree to receive a report setting out proposals for the Council's policy on participation requests within two cycles of the conclusion of the Westbank Street Outcome Improvement Process as set out in paragraph 3.5 of the report by the Chief Executive.	Chief Executive	Ongoing		This report will be presented following the conclusion of the Westbank Street Outcome Improvement Process.
9	07.08.18	Managing Transition to Brexit in Edinburgh	To agree that the Brexit Working Group review actions currently in place and report on future options to provide support for Non-UK EU nationals within the Council workforce and the wider city population.	Chief Executive	Ongoing		The Brexit Working Group continues to meet and in May, an update on Brexit planning was provided to Elected Members using the Business Bulletin.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
Page 26							<p>Planning around Brexit is also continuing, with new planning parameters from the UK Government and Scottish Government expected to be circulated to local authorities shortly.</p> <p>Although there is no report for Policy and Sustainability Committee currently scheduled, this may be deemed appropriate over the next few months, particularly in the event of a No Deal Brexit</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
10	23.08.18	City of Edinburgh Council Motion by Councillor Cameron – Equalities Working Group (Agenda for 23 August 2018)	A proposed workplan will be prepared by the Group before the end of December 2018 for submission to the Corporate Policy and Strategy Committee for consideration.	Chief Executive			An update was provided in the Business Bulletin on 6 August 2019.
11	02.10.18	Transient Visitor Levy	To request the Convener to write to the Scottish Government seeking assurance on the timeline for the national consultation.	Chief Executive	November 2019	4 October 2018	The Scottish Government consultation opened on 9 September 2019. (Letter from Leader was sent to Scottish Government on 4 October 2018)
12	21.03.19 (Housing and Economy Committee)	City Strategic Investment Fund	1) Requests that a further report is brought back to Committee in two cycles setting out an options appraisal for the Powderhall Stables project.	Executive Director of Place	November 2019		Transferred to this Committee from the former Housing and Economy Committee

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
Page 28			2) Agrees that it is now appropriate to undertake a wider review of the use of the fund, to ensure it is deployed to meet the priorities of the economy strategy, and wider city development and regeneration aims including whether it is appropriate to increase the fund to help meet these objectives. A report on this review will come back to Housing and Economy Committee on 15 August 2019.				
	13	21.03.19 (Housing and Economy Committee)	Edinburgh Tourism Strategy Update Report	1) Notes that another update report will be presented in August 2019 prior to a final report at the end of 2019 to approve the new strategy;	Executive Director of Place	December 2019	<p>Transferred to this Committee from the former Housing and Economy Committee.</p> <p>An update is provided on the business</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
Page 29			<p>2) To agree that discussions would take place offline with elected members from all political groups on how to take forward formulating a tourism strategy from the Council's perspective.</p> <p>3) To circulate the link to the Phase 1 report to members once it was live on the ETAG website.</p>				<p>bulletin for this meeting.</p> <p>2 & 3 Closed on 6 June 2019 - The Phase 1 Edinburgh Tourism 2030 report was emailed to elected members and the Tourism and Residents Working Group on 17 April 2019.</p>
	14	30.05.19	City of Edinburgh Council Motion by Councillor Burgess – City of Edinburgh Climate Emergency Partnership	<p>1) Notes the decision by the Corporate, Policy and Strategy committee on 14 May to agree a Climate Emergency target of net-zero carbon by 2030;</p> <p>2) Notes that for Edinburgh to achieve this target it will be</p>	Chief Executive	October 2019	

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
Page 30		(Minute for 30 May 2019)	beneficial for the City's public bodies, businesses, institutions and organisations to work together and that this Council can play a key role in bringing these city-wide partners together;				
			3) Therefore agrees that the Council will approach potential partners with a view to establishing a City of Edinburgh Climate Emergency Partnership and as part of a range of potential mechanisms to deliver our climate target and requests a report back to the Corporate, Policy and Strategy Committee on the responses received and on taking this partnership forward."				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			an update or dashboard report.”				
16	14.05.19	Edinburgh and South East Scotland City Region Deal Update	Agree to a further report following the 2019 Annual Conversation between city region partners, Scottish Government, and UK Government	Chief Executive	October 2019		A report will be submitted to the Council on 24 October 2019.
17	14.05.19	Tourism - Policy Statement	Committee agrees to continue the Tourism policy for one cycle to allow political group leaders to discuss issues around the Council's new carbon target and consider if any changes need to be made to the policy.	Executive Director of Place	December 2019		
18	14.05.19	Draft Policy on Advertising and Sponsorship	To request the draft policy and a report outlining the impact on income maximisation as a result of any changes to current practice is brought to Corporate Policy and Strategy Committee on 6 August 2019	Chief Exec and Executive Director of Resources	August 2019		Recommended for Closure Report to Policy and Sustainability Committee on 6 August 2019.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
19	30.05.19	<p>City of Edinburgh Council Motion By Councillor McNeese Mechan–</p> <p>International Fair-Trade Charter</p> <p>(Agenda for 30 May 2019)</p>	<p>1) Council Pledges to support the International Fair Trade Charter, produced to establish a common reference point for all the organisations and networks that share a common vision of a world in which everyone, through their work, can maintain a decent and dignified livelihood and develop their full human potential.</p> <p>2) Requests a report to Corporate Policy and Strategy Committee in 2 cycles to recommend the undertakings that the Council can give in support of the Charter, and how it can best complement the Council's own Fair Trade Policy."</p>	Chief Executive	August 2019		<p>Recommended for Closure</p> <p>Report to Policy and Sustainability Committee on 6 August 2019.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
20	06.08.19	Bike to Work Scheme Revamp - Motion by Councillor Main	<p>To request an update report in one cycle on the next steps outlined in the report by the Executive Director of Resources including 5.2:</p> <p>“Human Resources will review the current scheme benefits in line with the removal of the £1,000 cap and make recommendations later this year as part of a broader employee benefit offering. This may include a benefits platform, which includes cycle to work.”.</p>	Executive Director of Resources	October 2019		Report on the agenda for this meeting



Business bulletin

Policy and Sustainability Committee

10.00am, Tuesday, 1 October 2019

Dean of Guild Courtroom, City Chambers, High Street, Edinburgh

Policy and Sustainability Committee

Convener:	Members:	Contact:
<p>Councillor Adam McVey</p>  <p>Vice Convener: Councillor Cammy Day</p> 	<p>Councillor Adam McVey (Convener)</p> <p>Councillor Cammy Day (Vice-Convener)</p> <p>Councillor Robert Aldridge</p> <p>Councillor Jim Campbell</p> <p>Councillor Kate Campbell</p> <p>Councillor Neil Gardiner</p> <p>Councillor Gillian Gloyer</p> <p>Councillor Graham Hutchison</p> <p>Councillor Lesley Macinnes</p> <p>Councillor Melanie Main</p> <p>Councillor John McLellan</p> <p>Councillor Ian Perry</p> <p>Councillor Alasdair Rankin</p> <p>Councillor Alex Staniforth</p> <p>Councillor Susan Webber</p> <p>Councillor Donald Wilson</p> <p>Councillor Iain Whyte</p>	<p>Lesley Birrell Committee Officer</p> <p>Louise Williamson, Assistant Committee Officer</p>

Recent news	Background
<p>Enterprise Risk Management Policy No changes are recommended to the Enterprise Risk Management Policy. The policy will continue to be kept under review.</p>	<p>Nick Smith, Head of Legal and Risk</p>
<p>Council Smoke Free Policy Council Smoke Free Policy has been well received. No changes are recommended at present. Consultation has taken place with stakeholders and Trades Unions. The policy will continue to be kept under review.</p>	<p>Susan Tannahill, Senior Manager - Health and Safety</p>
<p>Tourism Strategy</p> <p>The council is working in partnership through the Edinburgh Tourism Action Group (ETAG) to produce a new tourism strategy for the city, "Edinburgh 2030", by January 2020. On 14 May 2019 the Corporate Policy and Strategy Committee approved, on an interim basis, a draft Policy Statement on Tourism. This sets out the council's position and is being used to provide guidance to those involved in the strategy development process. The work is being taken forward by the Strategic Implementation Group of the partnership with input from the Elected Members Working Group on Tourism and Communities. There are three phases to the process.</p> <p>Phase one of the strategy development process included the production of an "Evidence Review and Analysis" report undertaken by a consultant on behalf of ETAG. This report, based on desk-top research, is available on the ETAG website including an Executive Summary.</p> <p>Phase two included a series of group and individual consultation sessions to further inform the strategy. The Council was included in these consultation meetings. The consultant met with representatives of the Working Group on Tourism and Communities and a meeting was arranged with the Conveners and Vice Conveners of Housing and Economy, Culture and Communities, and Transport and Environment.</p> <p>Phase three of the strategy development process is now underway to draft the strategy based on the findings of stages one and two. Members and officers continue to support and provide input to the development process. This is guided by the Council's draft policy statement on tourism which broadly supports a strategy that respects the needs of</p>	<p>Paul Lawrence, Executive Director of Place</p>

residents of the city, is inclusive, sustainable and promotes good growth.

As soon as the draft strategy is available a members briefing will be organised, prior to public consultation. After consultation has concluded, a report will be prepared for committee with the final strategy document for consideration.

Forthcoming activities:

Policy and Sustainability Committee

10.00am, Tuesday, 1 October 2019

Police Scotland - City of Edinburgh Division Update

Executive/routine
Wards
Council Commitments

1. Recommendations

1.1 To note the update from the divisional commander.

Andrew Kerr

Chief Executive

Contact: Gavin King, Democracy, Governance and Resilience Senior Manager

E-mail: gavin.king@edinburgh.gov.uk | Tel: 0131 529 4239

Police Scotland – City of Edinburgh Division Update

2. Executive Summary

- 2.1 This report provides the first update from Police Scotland on the City of Edinburgh division since the Policy and Sustainability Committee was established.

3. Background

- 3.1 In May 2019 the Council agreed that police and fire and rescue service city-wide plans, policies and performance would be considered by the new Policy and Sustainability Committee.
- 3.2 This would provide a forum for Police Scotland and the Scottish Fire and Rescue Service to discuss major cross-cutting issues with the Council as well as fulfilling their duty to engage with the local authority.
- 3.3 Police Scotland are required by the Police and Fire Reform (Scotland) act 2012 to involve the local authority in the setting of its priorities and objectives for policing its area. The local authority can provide feedback to the local commander and can make recommendations for the improvement of policing its area.

4. Main report

- 4.1 This report is the first report by the Divisional Commander to be considered by the Policy and Sustainability Committee. It is intended that Police Scotland will report three to four times a year although the Divisional Commander may bring other reports for consideration by the Council if he thinks necessary.
- 4.2 This is also the first report by Police Scotland to be considered at a corporate level since the cessation of the Police and Fire Scrutiny Committee. As a result, the content of the report is aimed to be a high-level overview of Police Scotland's key strategic outcomes. Elected Members are asked to consider the information provided by Police Scotland and whether any additional content is requested.

5. Next Steps

5.1 Not applicable.

6. Financial impact

6.1 Not applicable.

7. Stakeholder/Community Impact

7.1 Police Scotland have discussed the content of the report with the Council and the information can develop as feedback is received.

8. Background reading/external references

8.1 The City of Edinburgh Council 30 May 2019 – [Review of Political Management Arrangements 2019](#)

8.2 Police and Fire Reform (Scotland) Act 2012

9. Appendices

Report by the Divisional Commander

SERVING A CHANGING SCOTLAND



EDINBURGH CITY DIVISION SCRUTINY REPORT

1st October 2019

Quarter 1: April – June 2019



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Introduction by the Divisional Commander



I am pleased to present the first police scrutiny report for Edinburgh since the Chief Constable introduced Police Scotland's Annual Police Plan 2019/20, a fresh approach for policing which introduces strategic outcomes that describe the impact and difference Police Scotland aims to make to the lives of people across the country. We have engaged extensively in the development of our priorities and outcomes and I look forward to working with Edinburgh's communities and our partners to achieve them.

The five outcomes reflected in this report are aligned to our Local Policing Plan and Police Scotland's strategic plan for policing, namely: Public Safety & Wellbeing; Needs of Local Communities; Confidence in Policing; Positive Working Environment and Sustainable & Adaptable Service.

The report highlights police performance in Edinburgh in support of these outcomes and provides further detail on emerging trends and threats, particular successes and areas of concern.

I am confident that this form of reporting meets the principles of good scrutiny that underpin community engagement and consultation by focusing on outcomes, understanding and reflecting community concerns, promoting joint working to secure better outcomes, best value and service delivery, and supporting continuous improvement through constructive challenge.

Key to delivering excellent performance is working collaboratively to support the Community Planning Partnership and the Community Empowerment Act. As a statutory partner, my vision for Edinburgh is to ensure that we work effectively together and, in doing so, welcome the principles of transparency and accountability that this report represents.

My hope is that this accessible way of reporting will enhance elected representatives' and the wider public's understanding of what we do, ensuring trust and legitimacy and inspiring confidence in the delivery of policing in Scotland's Capital.



Summary of Local Policing Priorities

Overall crime is down 1.1% this year to date compared to the five year average, whilst solvency has increased by 2.1% over the same period. The following summary provides a breakdown of the picture in respect of our Local Policing Priorities.

Violence and Anti-Social Behaviour (ASB)

Serious violent crime (Group 1) has increased by 3.9% year to date (YTD) against last year to date (LYTD) and 23% up against the 5 year average. The primary reason for the increase in Group 1 crime is the new S1 Domestic Abuse (Scotland) Act offence, of which there have been 50 recorded YTD.

Serious Organised Crime

Supply of drugs offences have increased YTD by 36.4% (40 offences) against LYTD and by 27.1% (32 offences) against the 5 year average.

A focus on serious organised crime has resulted in an increase to six mapped crime groups within the Division. Drug supply, money laundering and violence are key characteristics of these SOCGs.

Public Safety

Following the national trend, E Division has seen a rise in sexual crime, with increases in sexual assault, non-recent lewd and libidinous offences, communicating indecently and disclosing intimate images. Recorded domestic abuse incidents have decreased by 1.8% (27 incidents) in contrast to a national decrease of 5.5%. Of the incidents raised in Edinburgh, 44.8% have resulted in a crime being recorded, down from 46.7% LYTD.

Road Safety

Offences involving motor vehicle have reduced by 8.0% (202 offences) against the 5 year average and by 0.4% (10 offences) compared to LYTD.

Compared to LYTD there has been a reduction of 4.4% (11 fewer victims) in persons killed or injured. There has been 1 fatality YTD (no change on last year), an increase of 4 victims of serious injury and a reduction of 15 people sustaining minor injury.

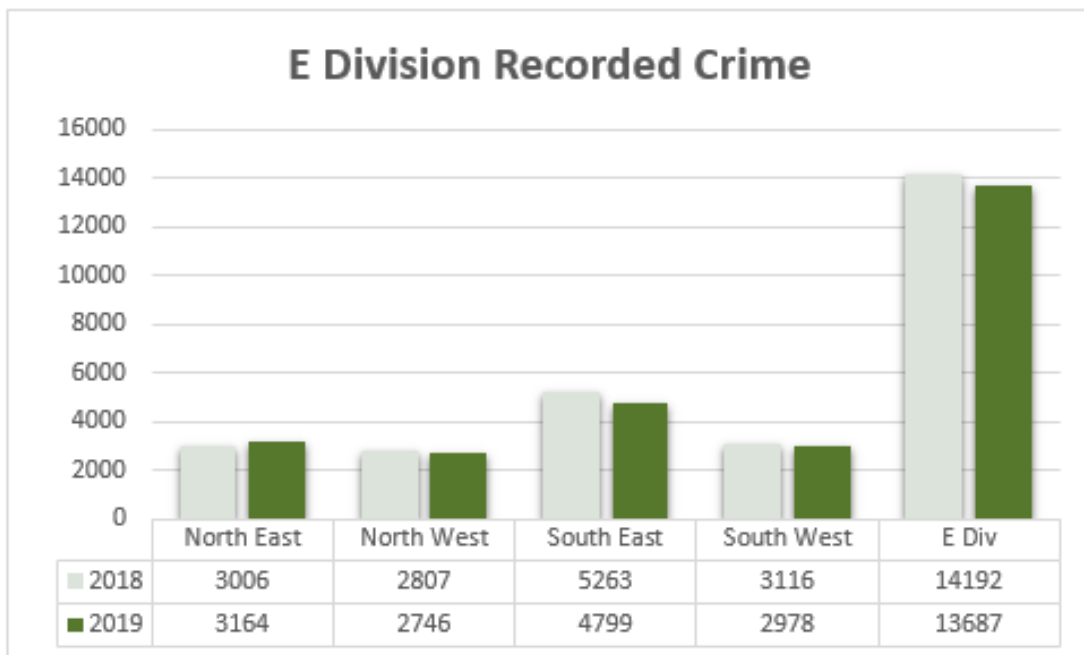
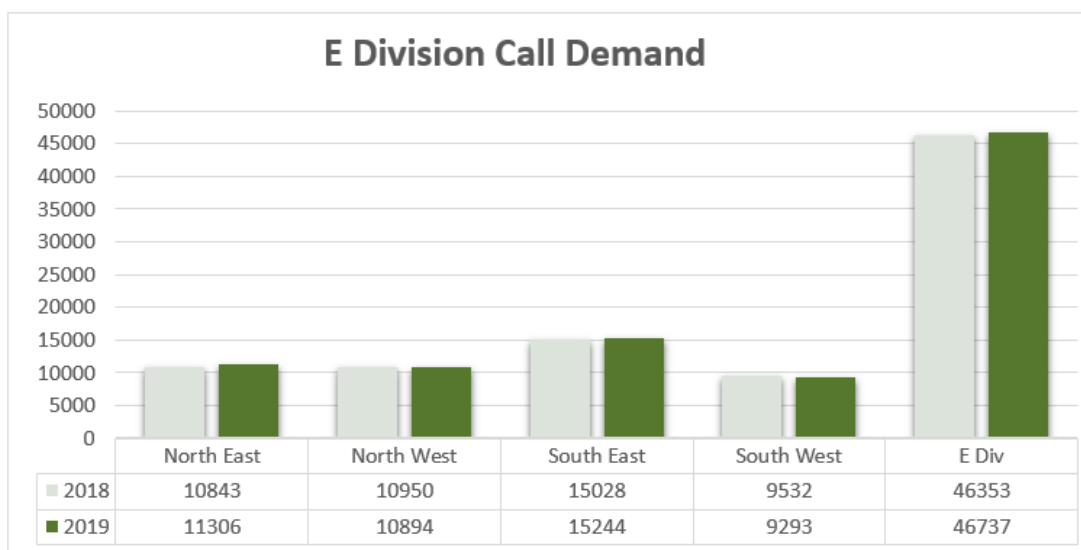
Acquisitive Crime

Acquisitive crime (Group 3) has decreased by 12.2% in comparison to last year to date and is 8.8% lower than the 5 year average. Significantly, domestic theft housebreaking is down 44.8% and motor vehicle related crime has been reduced by 31.0% when compared to the 5 year average.



City of Edinburgh Division at a glance



The graphs below represent year to date incident and crime demand throughout the Division, compared with last year to date. Underlying themes in relation to this will be incorporated in our next report.



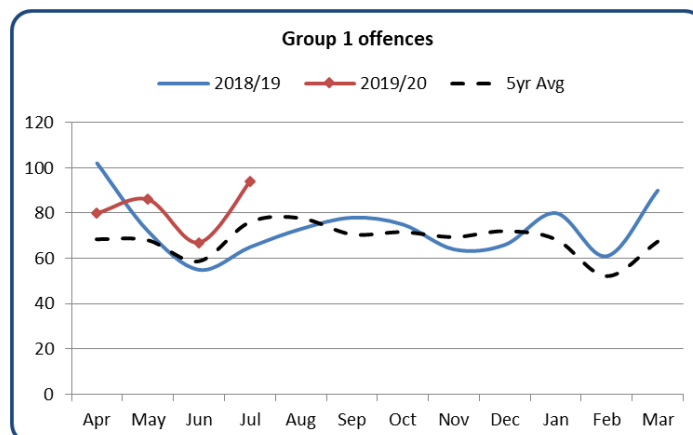
Public Safety and Wellbeing

Success means that threats to public safety and wellbeing are resolved by a responsive police service



Violent Crime

	Group 1 Recorded Crime	Group 1 Solvency
		
April – June 19/20	237	60.8%
Apr – June 5 year average	192	70.6%
% change from 5 year average	23.4%	-9.8%

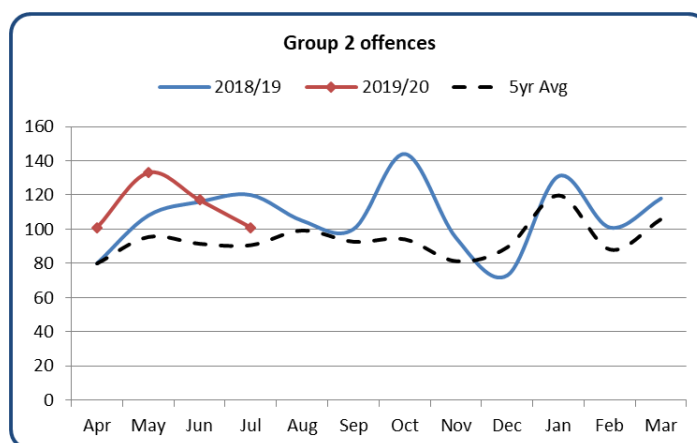
- Group 1 crime has increased on both LYTD and against the 5 year average. Section 1 Domestic Abuse (Scotland) Act 2018 is an entirely new crime type with 50 crimes recorded YTD.
- Group 1 detection rates have reduced. Violent crime is reviewed by the divisional Violent Crime Board ensuring all investigative opportunities are identified and emerging patterns and trends are acted upon.
- The recurring challenge of serious assault and robbery is effectively tackled by our specialist Violence Reduction Units ensuring a high standard of investigative focus.
- Operation Nightguard is the multi-agency response to violence, disorder and anti-social behaviour occurring during the weekend night-time economy and has delivered a sustained decrease in violent crime in the South East and North East localities.
- Group 1 crime at time of writing up by 31.1% (131 crimes) against LYTD. Solvency rate is 63.9%.



Sexual Crime

	Group 2 Recorded Crime	Group 2 Solvency
		
April – June 19/20	350	39.1%
April – June 5 year average	268	58.7%
% change from 5 year average	30.8%	-19.6%

- Group 2 increase is influenced by societal changes and the rise in online offending which has seen rises in indecent communications (130.8% or 19 offences) and disclosing intimate images (743% or 24 offences). There is a smaller increase in lower level contact offending.
- Rape has reduced against LYTD (-12.5%) and the 5 year average (-2.8%)
- The divisional response to the increase in sexual assault has included significant engagement with Edinburgh Rape Crisis Centre, the launch of the “Don’t be a Bystander” campaign and preventative work with the licensing trade.
- Operation Resolve consists of a dedicated enquiry team which reviews unsolved sexual crime ensuring all lines of investigation have been explored and exhausted.
- Group 2 crime at time of writing is up 9.5% (57 crimes) against LYTD. Solvency rate is 55.6%.



QUOTE



Victim of Sexual crime:



The following quote from Rape Crisis Scotland reflects the good work undertaken by Sexual Offences Liaison Officers, whose work is critical in the investigation of rape and sexual offending.

"It was a really positive experience given the circumstances. They were really comforting and they told me everything that was going on so I was aware of everything."

"They were so helpful, even offered to tell my mum and dad so that I didn't have to tell them myself".



Acquisitive Crime

	Group 3 Recorded Crime	Group 3 Solvency
		
April – June 19/20	4 587	27.2%
April – June 5 year average	4 995	26.3%
% change from 5 year average	-8.2%	0.9%

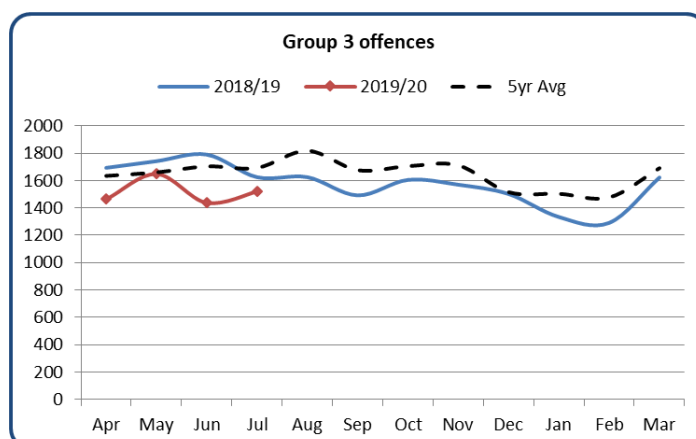
- A significant reduction in overall acquisitive crime has seen a reduction of 12.2% against last year to date, equating to 638 fewer victims and 408 fewer victims against the 5 year average.
- Reductions can be seen across all aspects of housebreaking (with 405 fewer victims than the 5 year average) and motor vehicle crime (with 259 fewer victims than the 5 year average).
- 44.8% reduction in domestic housebreaking and a 31% reduction in theft of motor vehicles.
- The launch of Operation Agora in 2019 in response to the issue of pedal cycle theft, focussing on prevention and local ownership of investigations, has seen sustained reductions for the second year running.
- Recent prevention work includes Architect Liaison Officers working with partners to ‘design out crime’ and target harden premises, the delivery of crime prevention and home security advice to residents attending community council meetings, university and college inputs, continued activity to reduce motorcycle theft including partnership visits to repeat locations and a dedicated week of action on acquisitive crime during Operation Summer City.
- Group 3 crime at time of writing is down 7.0% (669 fewer crimes). Solvency rate is 26.1%.

Victim of a housebreaking:




QUOTE



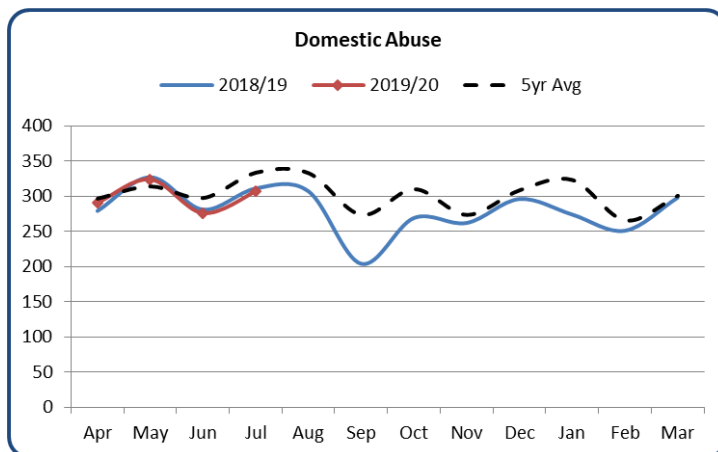
“I wanted to offer you some feedback regarding the professionalism of your officers. The officers attended a housebreaking at my property and I cannot praise their actions enough. They caught the person responsible very quickly and not only that, helped me look for my pet who went missing in the course of the burglary. This was clearly above and beyond their remit. They were on the ball, thoughtful and really went above the call of duty. I just wanted it to be recognised that they are doing a great job and wanted to thank them for going above and beyond.”






Domestic Abuse

	All Domestic Abuse Incidents	Domestic Abuse Incidents Where Crime Is Recorded	Domestic Abuse Solvency
			
April – June 19/20	1 469	848	60.4%
April – June 18/19	1 494	926	64.4%
% change from 2018/19	-1.7%	-8.4%	-4.0%

- Domestic abuse incidents have reduced by 1.7% (25 fewer incidents)
- The Public Protection Unit convene and coordinate case conferences to share information, develop intelligence and identify prevention or enforcement opportunities to reduce the threat, risk and harm to victims (Multi Agency Risk Assessment Conference, MARAC) and robustly target high risk perpetrators (Multi Agency Tasking and Co-ordinating Group, MATAAC).
- Throughout the first quarter of 2019/20, 68 people have been referred to MARAC and 10 to MATAAC.
- Domestic abuse incidents at time of writing are down by 1.4% against LYTD. Solvency rate is 59.1%.




Hate Crime

	All Hate Incidents	Hate Incidents Where a Crime Is Recorded	Hate Crime Solvency
			
April – June 19/20	492	339	52.5%
April – June 18/19	436	346	61.6%
% change from 2018/19	12.8%	-2.0%	-9.1%

- Hate incidents have risen within the Division in comparison to LYTD while detection rate has dropped.
- A review revealed the increase was driven by instances of verbal abuse amounting to criminality. This review also ensured all appropriate investigation had been conducted to maximise detection rates.
- E Division Prevention, Interventions and Partnerships (PIP) department have conducted work in respect of increasing confidence in reporting and a preventative focus. The following activities have been undertaken recently within E Division:
 - Joint working with graphic design students at the Edinburgh College of Art to raise awareness of hate crime in Edinburgh and improve confidence in reporting.
 - PIP, along with key partners including education establishments and groups representing various communities are taking part in an awareness raising walk around the Meadows.
 - Joint working with Criminal Justice social workers to lay the foundations of using restorative justice as a means of tackling hate crime.
 - PIP recently worked alongside the organisers of Pride to ensure a safe environment for all participants for the event in Edinburgh.
 - Hate crime awareness talks have been delivered to LGBT Youth Scotland, staff at Edinburgh College and plans are in place to present to students during Fresher's events.
 - Third Party Reporting Training has been delivered to Victim Support and Bystander Training at Heriot Watt University.
- Hate incidents at time of writing are up 5.8% (37 incidents) against LYTD, crimes are down 1.9% (11 fewer crimes). Solvency rate is 50.8%



Vulnerable People


Drug Related Deaths		
	Total drug-related deaths: Edinburgh City 2018	93
	% change from 2017	2.1% reduction

Operation Threshold engaged partners to deliver effective collaboration to address the escalating drug death toll. The first phase, which commenced in January 2019, was focused on preventative activity and sought to identify and engage with those at highest risk of harm from substance misuse and support them into recovery pathways or diversionary activities. The VOW engagement team were supported by the third sector organisation, Aid and Abet, which provides mentors with lived experience of addiction and can often gain traction with individuals who are reluctant to engage with police. A common theme amongst those engaged was their genuine appreciation of the focus placed on them and their welfare. It was particularly impactful given, for many, their only previous dealings with police have been enforcement related. Over 60 vulnerable drug users have been engaged with and supported to date. The approach is currently subject of a Transformative Evaluation study supported by NHS Lothian and Professor Sue Cooper and results will be presented at the forthcoming Law Enforcement and Public Health conference to be held in Edinburgh in October.

The second phase of activity involved coordinated enforcement against those seeking to exploit and profiteer from vulnerable users. This was delivered with support from partners, with representatives from the CEC's Health and Social Care department embedded in the Multi-agency Control Centre to expedite triage and follow-up in respect of identified vulnerabilities. The enforcement activity, which attracted extensive positive media coverage, resulted in the arrest of 18 people and the referral of 31 vulnerable individuals to support services during three days of action with over £1.2 million worth of drugs recovered and over £270,000 cash seized in total during the six months of activity. The VOW and Aid and Abet engagement work continues with a view to developing a sustainable assertive outreach model supported by a multi-agency centralised intelligence cell and dedicated substance abuse outreach nurses and support workers who will be embedded in the four localities.

This work is recognised as a blueprint for future partnership working across Scotland, with the aim of tackling drugs deaths.


QUOTE



Edinburgh Drug and Alcohol Partnership commented that:

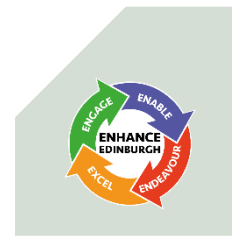
"Projects like Operation Threshold involve agencies from across the city working together to do all we can to pool resources and prevent drug and alcohol related deaths. Working in partnership with Police Scotland and others ensured a whole system approach was taken, and any vulnerable people involved as part of the enforcement were taken into consideration and provided with support. Together, we are working towards improving access to specialist treatment, education and support to help people get out of the cycle of drug misuse and where possible, prevent people from getting involved in drug crime."

QUOTE



A quote from a service user, supported through Operation Threshold:

"Basically I would be dead now I reckon. Either dead or in a really bad place through heroin if you guys (Operation Threshold) hadn't got me out of the situation I was in. This might be the first time in my life that I've been content. Just day-to-day; just living. The other bonus is that I've got my methadone prescription which is a big, big help. I am glad I don't have to go out chasing heroin every day."



Vulnerable People

Missing People

KEY FACTS



Recognising risk around missing episodes, especially within Young People's Centres (YPCs), saw a review in our joint approach to the identification, assessment and mitigation of risk. As a result, Edinburgh Division has recently seen significant reductions in the number of children being reported missing from our YPCs, with a 7% YTD reduction in comparison to LYTD and a reduction of 58.4% against 2016.

The review resulted in the following:

- Increased multi-agency awareness of the risks involved and the collective responsibility in respect of prevention, response, protection and support - as per the 4 themes contained within the National Missing Persons Framework for Scotland.
- Daily YPC / police conference ensuring accountability
- Monthly Vulnerable Young Persons Discussion Group (multi-agency) aimed at reviewing care plans for children in residential placements or residing at home.
- Bi-monthly information sharing group with YPC managers.
- E Division Missing Person Co-ordinator liaising with YPC staff and young people to discuss absconding from a prevention perspective
- Corporate Parenting and Trauma informed Policing briefings
- Return discussions and prevention work undertaken by Barnardo's for several YPCs.

Recently we have seen a 38.9% YTD increase in incidents involving young people absconding from their home address. Initial analysis has established this may be due to:

- A greater cross-partner awareness of risks involved which has resulted in increased reporting.
- The Multi Systemic Therapy team who engage with families and support parents to reassert control and address challenging behaviour, actively encouraging the reporting of missing instances to manage and mitigate risk/harm.

The Division is promoting prevention through:

- Sending letters to all children who abscond on 2 or more occasions in a short period.
- Joint visits with social workers for the most frequent absconders.

QUOTE



Frank Phelan, Specialist Residential Care Team Leader with the City of Edinburgh Council:

"The key benefits of the risk assessment conference are the immediacy of information which accelerates progression of missing person investigations and enables appropriate safeguarding measures to be set in place. Furthermore, as the meetings include all stakeholders, the rich picture is available and all views are represented leading to more informed decision making and effective medium to long-term planning. The forum also ensures that partners better understand each other's perspectives, responsibilities, remit and limitations affording greater coherency of approach."

Needs of Local Communities

Success means the needs of the local communities are addressed through effective service delivery

Anti-Social Behaviour



**SPOTLIGHT
ON
SOUTH EAST**

Joint agency action plans are created and implemented within each Local Area Command to tackle the attendant issues. The following case study illustrates a partnership approach to resolve entrenched anti-social behaviour in the South East.

Between April and June 2019 police received 35 calls to the address of a 62 year old female in relation to significant drug related anti-social behaviour. Previous calls indicated that this address was regularly frequented by associates of the occupier for the purposes of using and dealing drugs. Officers identified vulnerabilities with the occupier repeatedly claiming she did not want these individuals in her flat but never called the police or refused them access.


Given the clear vulnerabilities and the potential for exploitation, a dual stranded enforcement and safeguarding response was initiated. Intelligence was gathered and two search warrants were executed at the address resulting in several individuals, present at the time, being found in possession of class A drugs.


In tandem, community officers developed a three tier partnership approach to offer appropriate support to the female, improve quality of life for the local community and to detect and deter criminality. Officers liaised with CEC Social Services, Mental Health and Substance Misuse and Family and Household Support departments, arranging the relevant support measures.


Local community officers commenced daily calls to the address and the common stair providing community reassurance, continuing to signpost the female to appropriate support services and deal with any identified criminal activity. During these visits several people were arrested having been found in possession of drugs.

Following the information gathering phase, it was agreed in consultation with all partners that there was a sufficiency of evidence for the local authority to proceed with an application for an Anti-Social Behaviour Order with power of arrest should this situation continue. On being issued with this warning in June 2019, and following the proactive follow-up by community officers, there has been a complete cessation of ASB at this address with no further calls received by police. Through this multi-faceted approach the identified vulnerabilities were addressed by the implementation of appropriate support.



Operation Summer City	
 SPOTLIGHT	<ul style="list-style-type: none"> • Dedicated detail deployed to police the City Centre during the Festival ensuring the delivery of a safe and secure month of events. • Particular focus was placed on organised acquisitive crime with the Central Initiative Team monitoring hotspot locations to deter/disrupt such activity and detect offences. Proactive policing led to the identification and arrest of a pick-pocketing gang who had perpetrated a coordinated series of thefts resulting in numerous charges.

Operation Soteria – motorcycle related crime	
 SPOTLIGHT	<ul style="list-style-type: none"> • Motorcycle theft and the associated dangerous use of motorcycles has been a recurring issue within the Division. Op Soteria is our multi agency response. • Motorcycle theft remains at a very low level compared to previous years and is expected to continue to decrease over the coming months. • Motorcycle crime and ASB is subject to daily scrutiny at a Senior Management Team level, identifying emerging trends and patterns. • All aspects of policing are subject to a co-ordinated approach including control rooms, specialist support teams, Roads Policing and focus on trends, ensuring appropriate deployment via the Superintendent Operations. • Under the remit of the Superintendent Partnerships, the co-ordination of a partnership response has delivered Operation Orbit Motorcyclists (targeting motorcycle related crime) and DNA Tagging Spray.

Looking Forward	
	<p>The following are anticipated challenges as we approach the winter months.</p> <ul style="list-style-type: none"> • Housebreaking • Operation Crackle – bonfire night • Brexit impact on policing demand • Operation Winter City



CONFIDENCE IN POLICING

Success means public and communities are engaged, involved and have confidence in policing

Police Scotland is committed to a monthly User Satisfaction Survey. Edinburgh Division completes 77 telephone consultations throughout each month gaining feedback on interactions with the police. These results are fed in through the monthly Tasking and Delivery process.

Results from July 2019, which compare favourably with national levels, can be seen below:

	Adequately Updated	Treated Fairly	Treated with Respect	Overall Satisfaction
July 2019	66.3%	94.6%	95.3%	83.7%
2019/20 YTD	72.1%	92.7%	95.0%	83.9%

Engagement and involvement play key roles in every aspect of policing, identifying local priorities, problem solving and ensuring our communities have confidence in policing.

Community Engagement - a North East Case Study



SPOTLIGHT ON NORTH EAST

Community engagement is fundamental to our approach and the following example illustrates how, through garnering an understanding of local issues and by working in partnership with stakeholders, we can meet the needs and expectations of the communities we serve.

Community Policing Teams are committed to supporting local events and community council meetings. In the North East, through such interactions, local officers identified concerns from the public around an emerging trend of violence and drug related anti-social behaviour concentrated at the foot of Leith Walk and the Cables Wynd area, with analysis indicating a spike in assaults.

In collaboration with CEC, funding was secured to deliver a joint initiative to address the underlying issues. Through hotspot mapping and data clock analysis, the times of the day/days of the week where violence, disorder and ASB were most likely to occur were identified and targeted patrols tasked to detect, deter and disrupt those responsible. In addition to high visibility patrols in the relevant areas, regular licensed premises visits were also conducted. The work was supported by the national Safer Communities Prevention Taskforce, reinforcing Police Scotland's commitment to support local policing through the targeted use of specialist resources.

This concerted and coordinated activity yielded a 25% decrease in serious assaults and an 18% decrease in crimes of violence more generally. 17 people were arrested on warrant, stolen property was recovered, including 3 high value pedal cycles, and 2 people were arrested for weapon carrying. Additionally, through intelligence led stop and search, drugs and associated proceeds to the value of £10,000 were recovered. The initiative was supported by the community and generated in excess of 100 intelligence submissions, underlining the public's confidence in the police response.



POSITIVE WORKING ENVIRONMENT

Success means our people are supported through a **positive working environment** enabling them to serve the public

Positive Working Environment



SPOTLIGHT

- A Wellbeing Forum was introduced to identify and implement improvements to workforce welfare support mechanisms, estate and facilitates.
- Enhance Edinburgh was incepted following feedback from the Staff Survey and 'You Said, We Did' campaign, it is focused on:
 - ✓ Maximising visibility and engagement opportunities between senior leadership and E Division's workforce
 - ✓ Finding innovative and effective ways to invest in and support officers and staff to meet their full potential and improve service delivery
 - ✓ Recognising and valuing the commitment and endeavour of our workforce
 - ✓ Striving towards the Force vision of 'sustained excellence in service and protection'
- Divisional Training Sergeant provides improved continuous professional development platforms and more effective coordination of leadership and training needs. Careful monitoring of skills gaps and supervisory shortfalls enables the delivery of courses to address such areas before they become business critical and enhances flexibility and agility.
- Run-around Programme exposes officers to a range of specialist departments immediately following successful completion of their probationary period, enhancing their knowledge base and skillset.
- Supervisor Forums have been delivered to all sergeants and inspectors to reinforce the 'Serving a Changing Scotland' agenda, raise awareness around newly/soon to be introduced IT programmes and identify any issues to feedback to national implementation teams.
- As part of the People Plan, the Superintendent Partnerships is hosting 'Inspiring Leadership' workshops with officers and staff, to develop a suite of training, support and mentoring options to enhance leadership, at all levels, within the Division.



SUSTAINABLE & ADAPTABLE SERVICE

Success means E Division is sustainable, adaptable and prepared for future challenges

The forthcoming year will see the implementation of a number of elements of organisational change across the Division.

Mobile Working	
 <p>SPOTLIGHT</p>	<p>Phase 1 of Mobile Working is anticipated to start at the end of October 2019, with a training programme running through to March 2020. Equipping our frontline officers with a Samsung Note 9 device will give officers the freedom to access and work on systems out with police stations. This development should lead to a more visible policing presence in the communities across Edinburgh.</p>
Performance Dashboard	
 <p>SPOTLIGHT</p>	<p>The creation and implementation of a performance dashboard on the Microsoft Power Business Intelligence platform provides us with live data in respect of crime recording and incident volume from national to ward level. This has significant advantages in respect of assessing and managing demand, thus deploying appropriate resources in the right places and at the right times within our communities.</p>
Contact Assessment Model	
 <p>SPOTLIGHT</p>	<p>The Contact Assessment Model (CAM) has undergone 'proof of concept' testing in Lanarkshire and Dumfries and Galloway Divisions in recent months and is designed to improve service delivery at first point of contact. CAM will empower staff to make a dynamic assessment of threat, risk, harm and vulnerability at first point of contact and heralds a significant change of approach which moves away from a standardised model of deployment based on incident type, policy and procedure to one which places greater emphasis on individual needs. The outcome of this assessment will determine how we resolve, refer or respond to incidents in the first instance and will allow us to channel our resources where they are needed most. Discussions are already underway with the implementation team to with a view to delivering the approach in Edinburgh in spring 2020.</p>



Crime Statistics

Overall Recorded Crime					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Group 1-5	8360	8032	-3.9%	8015.0	-1.1%
Group 1-7	14157	13816	-2.4%	13991.6	-1.3%
Group 1	228	237	3.9%	192.4	23.2%
Group 2	304	350	15.1%	267.6	30.8%
Group 3	5225	4587	-12.2%	4995.0	-8.2%
Group 4	1308	1384	5.8%	1501.6	-7.8%
Group 5	1295	1474	13.8%	1168.2	26.2%
Group 6	3452	3449	-0.1%	3329.4	3.6%
Group 7	2345	2335	-0.4%	2537.4	-8.0%

Overall Solvency Rates					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Group 1-5	35.2%	38.2%	3.0%	36.1%	2.1%
Group 1-7	49.0%	51.2%	2.2%	52.4%	-1.2%
Group 1	65.4%	60.8%	-4.6%	70.6%	-9.8%
Group 2	50.7%	39.1%	-11.5%	58.7%	-19.6%
Group 3	23.6%	27.2%	3.6%	26.3%	0.9%
Group 4	18.4%	19.1%	0.7%	16.2%	3.0%
Group 5	90.1%	86.4%	-3.8%	92.3%	-5.9%
Group 6	60.8%	62.6%	1.8%	64.9%	-2.3%
Group 7	80.5%	78.8%	-1.7%	88.3%	-9.5%

Group 1 – Non Sexual Crimes of Violence - Recorded					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Group 1 Total	228	237	3.9%	192.4	23.2%
Murder	0	3	-	0.4	650.0%
Culpable Homicide	0	2	-	0.7	185.7%
S1 Domestic Abuse	-	50	-	-	-
Att Murder	7	8	14.3%	7.0	21.2%
Serious Assault	94	72	-23.4%	88.2	-18.4%
Robbery	81	69	-14.8%	59.4	16.2%

Group 1 – Non Sexual Crimes of Violence – Solvency					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Grp 1 Total	65.4%	60.8%	-4.6%	70.6%	-9.8%
Murder	-	133.3%	-	100%	33.3%
Culpable Homicide	-	100%	-	100%	-
S1 Domestic Abuse	-	58.0%	-	-	-
Att Murder	100%	100%	-	81.8%	18.2%
Serious Assault	72.3%	61.1%	-11.2%	75.5%	-14.4%
Robbery	59.3%	59.4%	0.1%	66.7%	-7.2%

Group 2 – Sexual Crimes – Recorded					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 2	304	350	15.1%	267.6	30.8%
Rape	56	49	-12.5%	50.4	-2.8%
Sexual Assault	89	104	16.9%	73.0	42.5%
Lewd & Libidinous	18	29	61.1%	22.8	27.2%
Indecent Communications	23	42	82.6%	18.2	130.8%
Threat/Disclose Intimate Image	16	27	68.8%	3.2	743.8%

Group 2 – Sexual Crimes – Solvency					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 2	50.7%	39.1%	-11.5%	58.7%	-19.6%
Rape	44.6%	46.9%	2.3%	59.9%	-13.0%
Sexual Assault	33.7%	32.7%	-1.0%	46.8%	-14.1%
Lewd & Libidinous	44.4%	37.9%	-6.5%	60.5%	-22.6%
Indecent Communications	60.9%	42.9%	-18.0%	60.4%	-17.6%
Threat/Disclose Intimate Image	43.8%	14.8%	-28.9%	43.8%	-28.9%



Group 3 – Acquisitive Crime - Recorded					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 3	5225	4587	-12.2%	4995	-8.2%
Housebreaking Dwelling	366	229	-37.4%	415.2	-44.8%
Housebreaking Non-Dwelling	156	100	-35.9%	240.8	-58.5%
Housebreaking other	197	140	-28.9%	218.4	-35.9%
Total Housebreaking	719	469	-34.8%	874.4	-46.4%
OLP Motor Vehicle	362	124	-65.7%	300	-58.7%
Theft of Motor Vehicle	182	154	-15.4%	245	-37.1%
Theft from Motor Vehicle	242	259	7.0%	226.4	14.4%
Total Motor Vehicle	828	577	-30.3%	835.8	-31.0%
Theft Shoplifting	1177	1241	5.4%	952.2	30.3%
Common Theft	1310	1216	-7.2%	1349	-9.9%

Group 3 – Acquisitive Crime – Solvency					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 3	23.6%	27.2%	3.6%	26.3%	0.9%
Housebreaking Dwelling	21.6%	25.3%	3.7%	36.0%	-10.7%
Housebreaking Non-Dwelling	5.8%	24.0%	18.2%	5.6%	18.4%
Housebreaking other	31.0%	35.7%	4.7%	40.6%	-4.9%
Total Housebreaking	20.7%	28.1%	7.4%	28.8%	-0.7%
OLP Motor Vehicle	3.9%	6.5%	2.6%	7.0%	-0.5%
Theft of Motor Vehicle	25.8%	24.7%	-1.1%	22.9%	1.7%
Theft from Motor Vehicle	4.5%	7.3%	2.8%	6.8%	0.5%
Total Motor Vehicle	9.1%	12.0%	2.9%	11.8%	0.2%
Theft Shoplifting	44.1%	53.1%	9.0%	57.8%	-4.7%
Common Theft	13.7%	15.6%	2.0%	14.1%	1.5%



Group 4 – Fire-raising, Vandalism etc. - Recorded					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 4	1308	1384	5.8%	1501.6	-7.8%
Fire-raising	62	53	-14.5%	70.0	-24.3%
Vandalism	1193	1231	3.2%	1331.2	-7.5%
Culpable & Reckless	50	96	92.0%	97.4	-1.4%

Group 4 – Fire-raising, Vandalism etc. – Solvency					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 4	18.4%	19.1%	0.7%	16.2%	3.0%
Fire-raising	24.2%	11.3%	-12.9%	20.9%	-9.5%
Vandalism	17.0%	18.7%	1.7%	14.9%	3.8%
Culpable & Reckless	44.0%	29.2%	-14.8%	28.7%	0.4%



Group 5 – Other Crimes – Recorded					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 5	1295	1474	13.8%	1168.2	26.2%
Carry offensive weapon	35	32	-8.6%	29.6	8.1%
Handling bladed/pointed weapon	67	64	-4.5%	54.2	18.1%
Bladed/pointed used in other criminality	43	51	18.6%	14.4	254.2%
Total offensive weapon	196	192	-2.0%	119.2	61.1%
Supply of drugs	110	150	36.4%	118	27.1%
Possession of drugs	554	682	23.1%	454.6	50.0%

Group 5 – Other Crimes – Solvency					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 5	90.1%	86.4%	-3.8%	92.3%	-5.9%
Carry offensive weapon	85.7%	87.5%	1.8%	86.5%	1.0%
Handling bladed/pointed weapon	94.0%	82.8%	-11.2%	91.9%	-9.1%
Bladed/pointed used in other criminality	76.7%	70.6%	-6.2%	69.4%	1.1%
Total offensive weapon	84.2%	80.2%	-4.0%	85.2%	-5.0%
Supply of drugs	103.6%	77.3%	-26.3%	74.9%	2.4%
Possession of drugs	85.6%	84.0%	-1.5%	94.1%	-10.1%

Group 6 Recorded Crime					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Grp 6	3452	3449	-0.1%	3329.4	3.6%
Common assault	1599	1567	-2.0%	1497.6	4.6%
Common assault - emergency workers	157	145	-7.6%	120.2	20.6%
Total Common assault	1756	1712	-2.5%	1617.8	5.8%

Group 6 Solvency Rates					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Grp 6	60.8%	62.6%	1.8%	64.9%	-2.3%
Common assault	52.5%	52.2%	-0.3%	56.4%	-4.2%
Common assault - emergency workers	89.8%	91.7%	1.9%	95.7%	-3.9%
Total Common assault	55.9%	55.5%	-0.3%	59.3%	-3.8%



Group 7 – Offences Related to motor Vehicles					
	18/19	19/20	% change from 18/19	5 year mean	% change from 5 year mean
Total Group 7	2 345	2 335	-0.4%	2 537.4	-8.0%
Dangerous Driving	54	49	-9.3%	50.8	-3.5%
Drink / Drug Driving	85	111	30.6%	78.8	40.9%
Speeding Offences	168	168	-	304.0	-44.7%
Driving whilst Disqualified	33	38	15.2%	34.0	11.8%
Driving without a Licence	130	97	-25.4%	130.4	-25.6%
Insurance Offences	338	321	-5.0%	328.0	-2.1%
Seat Belt Offences	88	71	-19.3%	144.0	-50.7%
Mobile Phone Offences	120	102	-15.0%	222.8	-54.2%
Driving Carelessly	165	179	8.5%	140.8	27.1%
Using a MV without MOT	373	340	-8.8%	259.0	31.3%

Useful Links

Police Scotland's Quarter 1 Performance Report for the Scottish Police Authority can be found [here](#)

You can find performance related information [here](#)

The data by local authority area is available [here](#)

Should you desire any information that is not detailed on our website, you may submit an access to information request by following the instructions provided [here](#)





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Policy and Sustainability Committee

10.00am, Tuesday, 1 October 2019

City of Edinburgh Council response to the Scottish Government's Consultation on Children's Rights

Executive/routine	Routine
Wards	All
Council Commitments	

1. Recommendations

- 1.1 To note the Council's response to the Scottish Government consultation on the Children's Rights: Consultation on incorporating the United Nations Convention on the Rights of the Child into our domestic law in Scotland. This was approved by the Chief Executive in consultation with the Convener and Vice Convener under urgency provisions contained within Committee Terms of Reference and Delegated Functions.

Andrew Kerr

Chief Executive

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City of Edinburgh Council response to Scottish Government's Consultation on Children's Rights

2. Executive Summary

- 2.1 This report includes the Council's response to the Scottish Government's consultation on Children's Rights. The response was compiled based on feedback from service areas, discussion with the Social Work Scotland, and alignment with Council outcomes and priorities.
- 2.2 As the deadline for submission of the Council's response fell before this meeting, the Convener and Vice Convenor were consulted on the intended response, and it was approved by the Chief Executive using the urgency provisions within Committee Terms of Reference and Delegated Functions. The response was subsequently submitted to Scottish Government. The committee is asked to note this response which is attached in *Appendix 1*.

3. Background

- 3.1 The Government believes that incorporation of the UNCRC has the potential to transform the experience of children and young people in Scotland, and that it is important to develop a model of incorporation that will deliver the best outcomes for children, young people and families in Scotland.

4. Main report

- 4.1 The consultation response, provided in *Appendix 1*, states that the Council welcomes the opportunity to provide a view on the Scottish Government's proposal to incorporate the UNCRC into domestic law in Scotland. It is important to note that there are many points of principle which need to be given consideration before concluding there is a need to move to legislation, and which should determine the scope of any Bill should legislation be deemed necessary.
- 4.2 Firstly, there is a need to consider the extent to which Scotland is already implementing or going beyond UNCRC and what can be achieved within the existing legal framework. The current statutory framework in Scotland includes

many Acts which are congruent with the UNCRC, or in some cases go further than the UNCRC. An outline of relevant legislation is given at *Appendix 2*.

- 4.3 The process of developing and implementing legislation, and the reporting requirements associated with that, come with financial and opportunity costs. Within the current fiscal environment across the public sector, there is a need to consider whether this would be the best use of resources, or whether there may be more cost-effective ways to improve outcomes for children and young people.
- 4.4 As a minimum, Scottish Government must ensure any proposals are fully and accurately costed, including any additional costs to duty bearers arising from increased responsibilities, and that these costs are agreed with duty bearers and sufficient additional resource is made available in order to meet them.
- 4.4 If the Scottish Government decided to proceed with legislation, direct incorporation will present risks because UNCRC rights are framed in general terms and not tailored to domestic context, there may be varying and conflicting interpretation of those rights. Within this context, a tailored and evolving approach to transposition which is developed through comprehensive consultation and co-production may be the most effective option.

5. Next Steps

- 5.1 Monitoring the progress of the incorporation of UNCRC rights into Scottish Law and reporting back to Committee on any implications for the Council.

6. Financial impact

- 6.1 There are no financial impacts arising from this report at this time. It is not possible to assess financial impact in incorporating the UNCRC into Scottish Law and at this stage; until a position becomes clearer from the Scottish Government further information will need to be obtained to evaluate the likely costs of different options.

7. Stakeholder/Community Impact

- 7.1 The response to the consultation has been developed from engagement with Council service areas led by the Council's Strategy and Communications Division. The move to enhance Children's Rights should have a positive impact on equalities, at this stage there is limited information available to complete any further impact evaluation.

8. Background reading/external references

- 8.1 [Equality, Diversity, and Rights Framework 2017 - 2021](#)

9. Appendices

- 9.1. Appendix 1: Children's Rights Consultation - The City of Edinburgh Council Response
- 9.2. Appendix 2: Existing Legislation which embodies UNCRC in Scots law

Appendix 1

Children's Rights Consultation – The City of Edinburgh Council Response

Theme 1: Legal mechanisms for incorporating the UNCRC into domestic law

- 1 Are there particular elements of the framework based on the HRA as described here, that should be included in the model for incorporation of the UNCRC in domestic law?

Yes

Please explain your views:

The transposition option could be achieved by developing a defined suite of children's rights in Scotland and a Bill with a corresponding framework of duties. Specific changes could be made to domestic legislation to ensure overall compliance. The Scottish Courts should be able to determine when a provision in primary legislation is incompatible with UNCRC.

One approach would be to make it unlawful (as with HRA section 6) for a public authority to act in a way that is incompatible with UNCRC. An alternative approach would be to place duties on public authorities to have due regard to UNCRC rights. The first is much stronger, leading to a duty to provide an outcome compliant with UNCRC.

- 2 Are there any other aspects that should be included in the framework?

Yes

Please explain your views:

Dovetail with domestic context e.g. in relation to the Children's Hearings system.

- 3 Do you agree that the framework for incorporation should include a "duty to comply" with the UNCRC rights?

Yes

Please explain why:

One approach would be to make it unlawful (as with HRA section 6) for a public authority to act in a way that is incompatible with UNCRC. An alternative approach would be to place duties on public authorities to have due regard to UNCRC rights. The first is much stronger, leading to a duty to provide an outcome compliant with UNCRC.

- 4 What status, if any, do you think General Comments by the UN Committee on the Rights of the Child and Observations of the Committee on reports made by States party to the UNCRC should be given in our domestic law

They may be illustrative of principles when there are conflicts and tensions between the needs and rights of rights holders and should assist in setting standards.

However, the legal and structural context is so varied that the relevance should probably be limited to illustration of matters of principle.

- 5 To what extent to you think other possible aids would provide assistance to the courts in interpreting the UNCRC in domestic law?

No response - this question could be more clearly expressed to help respondents provide relevant comment.

- 6 Do you agree that it is best to push forward now with incorporation of the UNCRC before the development of a Statutory Human Rights Framework for Scotland?

Don't know

Please explain your views.:

It is extremely difficult to answer this in the abstract without an evaluation of the main pinch points within Scotland's current performance against UNCRC. For example, there should be an assessment of the progress through current and ongoing transposition of UNCRC in legislation and policy (e.g. such as GIRFEC).

There should also be an assessment of the risks and benefits in creating an urgency to rush through two waves of legislation.

A risk with direct incorporation is that, because UNCRC rights are framed in general terms and not tailored to domestic context, there may be a broad and conflicted spectrum of interpretation.

The consultation paper provides headings for the options, but there is a lack of contextual analysis that would assist with considering implementation options. Contextual analysis means representing other legal and policy changes in the pipeline in the next 5 years and the potential implications of legal reform that may be anticipated with Brexit.

- 7 We would welcome your views on the model presented by the advisory group convened by the Commissioner for Children and Young People in Scotland and Together (the Scottish Alliance for Children's Rights).

There is concern that the model implies that in the Scottish context imprecision about the interpretation of some rights could lead to a lot of conflicted processes and potentially some paradoxical outcomes. There needs to be further interrogation of the practical and probable outcomes if UNCRC is incorporated verbatim.

- 8** How should the issue of whether particular UNCRC rights are self-executing be dealt with?

Legal evaluation should be pursued to understand the implications and how this would apply in the Scottish context.

- 9** How could clarity be provided to rights holders and duty bearers under a direct incorporation approach, given the interaction with the Scotland Act 1998?

See response to Q1.

- 10** Do you think we are right to reject incorporating the UNCRC solely by making specific changes to domestic legislation?

Don't know

Please explain why:

There is insufficient analysis in the briefing to provide a balanced response.

The current approach, although piecemeal, does ensure a measured and thorough consideration of each change in relation to the rights of Scottish children. It does make sense to have a mechanism in the interim to ensure that no changes currently progressing are incompatible or potentially interpreted in a way that would be incompatible with UNCRC. One element of this mechanism already exists in terms of the Child Rights and Wellbeing Impact Assessment, guidance for which was due to be updated in March 2019.

- 11** If the transposition model was followed here, how would we best enable people to participate in the time available?

“People” implies one size fits all and there is a need to consider the different approaches required for different constituencies. As indicated by the consultation paper this a complex question that would require a strategy with range of communication methods. This should also include some detailed public examination of the meaning, risks and advantages of this model from the perspective of rights holders and consider competing rights.

- 12** What is your preferred model for incorporating the UNCRC into domestic law?

Please explain why:

The preferred model for incorporating the UNCRC into domestic law would be a tailored and evolving but systematic approach to transposition, arising from comprehensive consultation and co-production with a defined suite of Rights for Scotland's children; anticipating in due course a Statutory Human Rights Framework for Scotland.

We also need to ensure through consideration of impact of each option upon children with protected characteristics especially children with a disability, children living in poverty, minority ethnic children; and those children with complex needs moving on in to adult life and services.

Theme 2: Embedding Children's Rights in public services

- 13** Do you think that a requirement for the Scottish Government to produce a Children's Rights Scheme, similar to the Welsh example, should be included in this legislation?

Yes

Please explain why:

There are positives as indicated in the briefing at p23. However, the Wales-only legislation that incorporated the UNCRC into Welsh domestic law was referred to as a devolved model on children's rights in the UK. The Rights of Children and Young Persons (Wales) Measure 2011 (Welsh Measure) does not follow the model of incorporation recommended by the UN Committee, and does not ensure that children's UNCRC rights can be enforced by the courts.

The Scottish context should be fully appreciated. Some aspects of UNCRC are reserved to the UK Parliament and in these areas, Scottish Parliament could only legislate if an order under section 30 of the Scotland Act 1998 was passed to devolve these areas. For example, in relation to nationality, asylum, immigration, international relations, misuse of drugs and some aspects of armed conflict.

- 14** Do you think there should be a "sunrise clause" within legislation?

No

Please explain why:

There should not be a "sunrise clause" within the legislation. Ministers should have discretion to bring the Bill in to force at the appropriate time. There is a danger that the sunrise could create a long-lasting negative impact if there is not further analysis of the risks as well as advantages of e.g. wholesale incorporation relative to measured but systematic transposition within a framework of children's rights for Scottish children.

Further detailed information on the structural, practice, and resource gaps that would need to be addressed before a balanced comment can be made on the implications of a block sunrise clause. The debate about the Age of Criminal Responsibility (Scotland) Bill over 2-3 years illustrates the degree of care that needs to be taken in considering unintended consequences. In that much more limited example, the option of a sunrise clause was not followed.

- 15** If your answer to the question above is yes, how long do you think public bodies should be given to make preparations before the new legislation comes into full effect?

Please explain why:

n/a

- 16** Do you think additional non-legislative activities, not included in the Scottish Government's Action Plan, are required to further implement children's rights in Scotland?

Yes

Please explain why:

A comprehensive strategy is needed that knits a potentially disintegrated range of positive changes, both recent and in progress, within a children's rights and human rights framework. The GIRFEC Practice model, underpinned by UNCRC has anticipated some of this intention.

Theme 3: Enabling compatibility and redress

- 17** Do you agree that any legislation to be introduced in the Parliament should be accompanied by a statement of compatibility with children's rights?

Yes

Please explain your views:

- 18** Do you agree that the Bill should contain a regime which allows right holders to challenge acts of public authorities on the ground that they are incompatible with the rights provided for in the Bill?

Yes

Please explain your views:

- 19** Do you agree that the approach to awards of financial compensation should broadly follow the approach taken to just satisfaction damages under the HRA?

Don't know

Please explain your views:

The Council can neither agree or disagree with this statement. While this seems reasonable, there is insufficient information within the consultation paper to form a balanced view. Proportionality is key. There could possibly be a risk of fuelling a culture of combative 'no win no fee' litigation that will do little to protect rights and might conceivably have a negative impact on services and practice.

20 Do you agree that the UNCRC rights should take precedence over provisions in secondary legislation as is the case under the HRA for ECHR rights? Are there any potential difficulties with this that you can see?

Yes

Please explain why:

In general, as a matter of principle this is consistent, and if there are specific elements of subordinate legislation that can be challenged on UNCRC grounds then there should be a mechanism for review. However, there could be a difficulty if some provision in secondary legislation is key within specific processes to the delivery of safety and best interests of a child or children involved. This is one of the reasons why careful tailoring of transposition makes sense alongside a defined Suite of Children's Rights, central in due course within a Scottish Statutory Framework for Human Rights.

21 Do you agree that the Bill should contain strong provisions requiring an ASP to be interpreted and applied so far as possible in a manner which is compatible with the rights provided for in the Bill?

Yes

Please explain your views:

22 Should the Bill contain a regime which would enable rulings to be obtained from the courts on the question of whether a provision in an ASP is incompatible with the rights secured in the Bill?

Yes

Please explain your views:

23 Do you consider any special test for standing to bring a case under the Bill should be required?

Don't know

Please explain your views:

The recommendation that the ordinary test of standing in Scots Law which applies to challenges on judicial review (the test of sufficient interest), is reasonable, but this is again a technical question upon which some further argument working of the risks is necessary. Legal interrogation of this aspect should be considered in due course.

Appendix 2

Existing Legislation which embodies UNCRC in Scots law

Scotland has many binding legal strands, congruent with UNCRC. These include:

- **Children (Scotland) Act 1995** embeds Articles 1, 3, 5, 9, 12, 18, and 20. Section 11 is an example of goes further than the UNCRC. (When considering whether or not to make an order on matters such as child contact and residence and parental responsibilities and rights, the court “shall regard the welfare of the child concerned as its paramount consideration”. This compares to Article 3 of the UNCRC (best interests of the child) which provides that “the best interests of the child shall be a primary consideration” when considering all actions concerning children.
- **Standards in Scotland’s Schools etc. Act 2000**, sets out the provision of school education specifically relating to children's rights and the duty of the education authority and embeds Article 29.
- **Commissioner for Children and Young People (Scotland) Act 2003** embeds Articles 3, 12 and 42. It creates the post of Commissioner for Children and Young People in Scotland with the general function of promoting and safeguarding the rights of children and young people.
- **Criminal Justice (Scotland) Act 2003**. Section 51 of this Act embeds Articles 3, 19 and 37 by protecting children from physical punishment and making it illegal to punish children by shaking, hitting on the head or using an implement. (Note intentions of Equal Protection (Scotland) Bill at stage 1 and the Domestic Abuse (Scotland) Act in force from 1/4/19
- **Mental Health (Care and Treatment) (Scotland) Act 2003**. Section 2 of the Act makes specific provisions as regards securing the welfare of any child in respect of care or treatment given under the Act. This legislation is based on a set of rights and principles which promotes patient’s rights which includes that any function should be carried out for the maximum benefit of the patient, with the minimum necessary restriction on the freedom of the patient and having regard to the views of the patient.
- **Education (Additional Support for Learning) (Scotland) Act 2004** embeds Articles 6, 23 and 29 in the education system. It provides the legal framework which underpins the system for identifying and addressing the additional support needs of children and young people who face a barrier to learning.
- **Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005** provides for the protection given to children and young people from those who would wish to cause them sexual harm, or exploit them for sexual purposes and embeds Article 34. The Act also aims to improve the protection given to children from those convicted of sexual offences who still pose a risk of sexual harm.
- **Adoption of Children (Scotland) Act 2007** modernised the system of adoption in Scotland to provide long-term security for children who could not live with their families

and embeds Articles 3, 7, 8, 9,12, and 21 into the adoption system. A variety of family law reforms in tune with children's rights are currently under consideration.

- **Protection of Vulnerable Groups (Scotland) Act 2007** embeds Articles 3 and 34 by creating the legislative framework for a strengthened, robust and streamlined vetting and barring scheme for those working with children and protected adults in Scotland. There is legislation afoot to reform the scheme in tune with children's rights and human rights.
- **Children's Hearings (Scotland) Act 2011** reformed the children's hearings system and the Act embeds Articles 3, 4, 6, 8, 9, 12, 25 and 40 into the children's hearing system. (Many decisions are taken by Hearings, not courts. A Hearing in principle embodies many UNCRC rights.)
- **The Scotland Act 1998** requires that all Scottish Parliament legislation and all Scottish Government decisions and actions must be compatible with the rights set out in the Human Rights Act 1998 (HRA) and derived from the European Convention on Human Rights (ECHR). The HRA also makes it unlawful for public authorities in Scotland to act incompatibly with the ECHR. Section 3 of the HRA requires that legislation must be read and given effect to in a way that is compatible with ECHR. Courts can determine that a provision in primary legislation is incompatible with ECHR. Ministers have legal powers to take action to rectify legislation. A comparable framework could be adopted for UNCRC. The HRA imposes Human Rights duties on public authorities; and makes provision for breaches and remedies in domestic courts.
- **The Scottish Ministerial Code** recognises the responsibility of Scottish Ministers "to comply with the law, including international law and treaty obligations. (First Minister established an Advisory Group on Human Rights Leadership to work independently of the government to develop recommendations on how Scotland can continue to lead by example on human rights, including economic, social, cultural and environmental rights. The Group presented its report and recommendations to the First Minister on Human Rights Day, 10 December 2018.

Policy and Sustainability Committee

10am, Tuesday, 1 October 2019

Conference Invitation – 20 Years on from Devolution...We have a Choice - COSLA and Improvement Service Annual Conference & Exhibition 2019 (10-11 October 2019)

Executive/routine
Wards ALL
Council Commitments

1. Recommendations

- 1.1 It is recommended that the Committee consider appointing elected members to attend the COSLA and Improvement Service Annual Conference & Exhibition 2019.

Andrew Kerr

Chief Executive

Contact: Hayley Barnett, Corporate Governance Manager

E-mail: hayley.barnett@edinburgh.gov.uk | Tel: 0131 529 3996

Conference Invitation – 20 Years on from Devolution...We have a Choice - COSLA and Improvement Service Annual Conference & Exhibition 2019 (10-11 October 2019)

2. Executive Summary

- 2.1 The Council has been invited to nominate delegate(s) to attend the COSLA and Improvement Service Annual Conference & Exhibition to be held at the Fairmont Hotel, St Andrews on 10-11 October 2019.

3. Background

- 3.1 The City of Edinburgh Council is a member of COSLA and is invited to send delegates to this Annual Conference.

4. Main report

- 4.1 This year's Annual Conference is entitled "20 Years on from Devolution...We have a Choice" and will explore the relationship with Governments and Parliaments. It will specifically consider and debate the issues facing Local Government in a time of significant change and challenge within the wider arenas of Scotland, the UK and Europe. Attached in Appendix 1 is the Conference programme.

5. Next Steps

- 5.1 Each political group has been contacted to provide one delegate name. The maximum delegation would be 5 members with the recommendation that this is one member from each group.

6. Financial impact

- 6.1 The attendance options and costs are set out in the conference flyer at Appendix 1.

7. Stakeholder/Community Impact

- 7.1 Consultation has taken place with the Council Leader and Deputy Leader on this decision. There are no consultation or engagement requirements. In line with the Conference and Civic Visit Procedure, delegates should, following the event, complete a Feedback Form for inclusion in the Committee Business Bulletin.
- 7.2 Travel arrangements will be made in accordance with the Council's Sustainable Travel Plan.

8. Background reading/external references

- 8.1 Background to the Conference can be found at [COSLA and IS Annual Conference 2019](#)

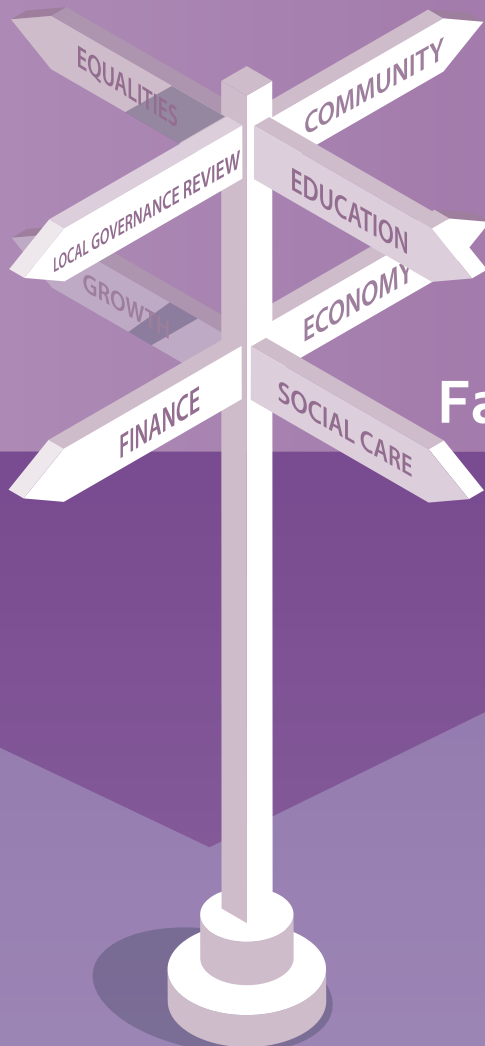
9. Appendices

Appendix 1

20 years on from devolution...

WE HAVE A CHOICE

COSLA & Improvement Service Annual Conference and Exhibition 2019



10-11 October 2019
Fairmont St Andrews



Headline Sponsor

openreach

Foreword



Councillor Alison Evison
President of COSLA and
Chair of Improvement
Service



Sally Loudon
Chief Executive
COSLA



Sarah Gadsden
Interim Chief Executive
Improvement Service

In 1999 Scotland got its own Parliament – and 20 years on we are at the heart of devolution.

To this day Local Government in Scotland still plays a key role in the delivery of services nurturing our communities, improving the economy and employment.

Now, 20 years on from devolution we have a choice:

- We have a choice about our relationship with Governments and Parliaments.
- We have a choice about how we continue to establish Local Government as a sphere of government in Scotland.
- We have a choice about how we embrace the Digital revolution.
- We have a choice about how we want the fiscal framework to work for communities.
- We have a choice about what services we provide locally – dispelling the postcode lottery myth. It is actually local democratic decision making in practise.
- We have a choice about our relationship with Local Government partners on a European and International platform.

‘We have a Choice’ is ready to be debated in the Fairmont in St Andrews on Thursday, 10 and Friday, 11 October 2019.

This is the place to consider, contemplate and contest the issues facing Local Government in a time of significant change and challenge within the wider arenas of Scotland, the UK and Europe.

Government and democracy underpin our existence and we want to ensure that Local Government is at the forefront of all our considerations and all of the choices we make in the next 20 years.

Don't miss out, come along to the Fairmont for the keynote event in the Scottish Local Government calendar. Whether that is to listen, observe or play a part by contributing to the debate about the choices Local Government as a sector has in Scotland, in the UK and in Europe in these challenging and difficult times, and the vital and key role it plays in the public sector in Scotland.

Conference Information

The 2019 Fee includes:

As a member Authority, attending as a full residential conference delegate will cost **£399** plus VAT.

Included in the full residential conference delegate fee is one nights' accommodation on Thursday, 10 October, the fee includes attendance at the COSLA Excellence Awards, Pre-Dinner Reception, Dinner and Ceremony on Thursday 10 October. It also includes attendance at all Conference sessions including tea/coffee and lunches on 10 and 11 October.

Plenary Sessions

The conference will start at 9.30a.m. on Thursday, 10 October and concludes at 2.00p.m on Friday, 11 October. This is your chance to contribute to the debate on key issues in Scotland.

The conference is an invaluable opportunity to network in an informal situation.

Accommodation

This year's event will be held at the Fairmont St Andrews Hotel and it is anticipated that all conference delegates will be accommodated within the Hotel. **All accommodation must be booked through COSLA by Monday, 9 September 2019.** We are unable to guarantee places for forms received after this date.

For further information regarding the hotel or accommodation, please contact Linda Bruce on 0131 474 9228 or email linda@cosla.gov.uk.

Hotel Information

Fairmont St Andrews, Scotland sits proudly amidst the rugged coastal landscape of East Scotland. It is 50 minutes from Edinburgh and 90 minutes from both Aberdeen and Glasgow. The resort offers an international standard of service and meticulous attention to detail in the comfort and convenience of a modern world class resort. Fairmont, St Andrews, Scotland is approximately 2 miles from St Andrews town centre and 20 minutes from Leuchars Railway Station. Information on Fairmont, St Andrews, Scotland can be obtained from their website www.fairmont.com

Delegate Attendance Options

The following flexible attendance options allow you to attend the conference on a basis which best suits your needs. These changes are in response to customer demand and reflect delegates' increasing workplace commitments. Please read the options and mark your choices on the booking form.

OPTION 1

Full residential conference delegate

Accommodation on 10 October and attendance at all sessions, including tea/coffee and lunches on 10 and 11 October. Pre-Dinner Reception, Awards Ceremony and Dinner, on 10 October.

OPTION 2

Day delegate on Thursday, 10 October

Attendance at all sessions, tea/coffee and lunch on 10 October. Does NOT include accommodation or attendance at dinner.

OPTION 3

Day delegate on Friday, 11 October

Attendance at all sessions, tea/coffee and lunch on 11 October.

OPTION 4

Accommodation on Wednesday, 9 October

Bed and breakfast at the Fairmont St Andrews on the night of 9 October

OPTION 5

Accommodation on Thursday, 10 October

Bed and breakfast at the Fairmont St Andrews on the night of 10 October

OPTION 6

Pre-Dinner Reception Excellence Awards Ceremony and Dinner on Thursday, 10 October

Attendance at the Pre-Dinner Reception, Excellence Awards Ceremony and Dinner on 10 October

Exhibiting

The exhibition is an integral part of the Conference, attracting a wide variety of organisations working in the public, private and third sectors. Refreshments will be served in the exhibition areas to ensure that exhibitors have the chance to meet with delegates.

Further information is available from Lynsay Hamilton on 0131 474 9223 or email lynsay@cosla.gov.uk.

Advertising

The official conference handbook contains essential programme and speaker information and is distributed to all delegates attending the Conference. There is a limited amount of advertising space available in the handbook which will be A4 size and printed in full colour.

The following rates will apply :

Full page	£450 plus VAT
Half page	£300 plus VAT
Quarter page	£200 plus VAT

For technical specifications please contact Linda Bruce on 0131 474 9228 or email linda@cosla.gov.uk

Sponsorship

Sponsoring one particular aspect of the conference brings its own list of benefits and related costs. Organisations may also contribute to the cost of one of the options shown opposite with recognition in the Conference Handbook. For estimated costs or to discuss your contribution, **please contact Linda Bruce on 0131 474 9228 or email linda@cosla.gov.uk**

OPTIONS

Excellence Awards Ceremony Dinner
Evening Pre-Dinner Reception
Lunch(es)
Refreshment Breaks
Complimentary Gifts
Delegate Writing Pads
Delegate Pens
Delegate Conference Bags

Promotional Literature and/or Complimentary Gifts

An opportunity exists for including promotional literature or small complimentary gifts in the Delegate Bag at a cost of £300 + VAT per item. We would require you to supply approximately 300 copies or gifts.

Please contact Linda Bruce on 0131 474 9228 or email linda@cosla.gov.uk for further information.



Delegate Booking Form

Please photocopy this form for each delegate attending and return it to **Linda Bruce** at COSLA, Verity House, 19 Haymarket Yards, Edinburgh, EH12 5BH. T: 0131 474 9228 E: linda@cosla.gov.uk by **Monday, 9 September 2019**.

First Name	_____	Email	_____
Surname	_____	Address for Correspondence	_____
Job Designation	_____		_____
Organisation	_____		_____
Telephone	_____		_____

Attendance Options and Costs

Delegates are invited to 'pick and choose' the most appropriate options. For a description of all the options, please refer to the notes overleaf. We regret that **NO REFUNDS** can be made, although delegates may substitute, providing reasonable notice is given. It is also important to note that it is **NOT** possible for delegates to 'share' a conference place.

Prices are shown excluding VAT.

Conference Options (please tick)	Member*	Non-Member
1. Full residential conference delegate (includes everything listed below EXCEPT accommodation on Wednesday, 9 October)	<input type="checkbox"/> £399	<input type="checkbox"/> £475
2. Day delegate on Thursday, 10 October	<input type="checkbox"/> £180	<input type="checkbox"/> £250
3. Day delegate on Friday, 11 October	<input type="checkbox"/> £180	<input type="checkbox"/> £250
4. Accommodation on Wednesday, 9 October	<input type="checkbox"/> £145	<input type="checkbox"/> £145
5. Accommodation on Thursday, 10 October	<input type="checkbox"/> £145	<input type="checkbox"/> £145
6. Pre-Dinner Reception, Excellence Awards Ceremony and Dinner on Thursday, 10 October	<input type="checkbox"/> £80	<input type="checkbox"/> £80

***Member** – Denotes Elected Members and Officers from Scotland's 32 Local Authorities

Payment

Please choose one of the following payment schemes (A or B)

A. I enclose a cheque for the amount shown above made payable to COSLA

Amount payable £ _____

Please add VAT at 20% £ _____

Total amount due to COSLA £ _____

A VAT Invoice will be sent separately and a confirmation letter closer to the date of the conference.

B. Please invoice my organisation

Authorised signature _____

Please print name _____

Special Requirements

	Delegate	Partner
Diet?		
Audio?		
Visual?		
Access?		

Partner Booking Details

Partners of all delegates are welcome to attend the conference at an additional cost of £280 plus VAT.

For catering and administrative purposes, please provide details of your planned attendance at the event. All accommodation will be in either a twin or double room with your partner. Access to the leisure facilities at Fairmont St Andrews is also available to partners

First Name _____

Surname _____

Address for Correspondence _____

Telephone _____

Partner's Attendance Schedule

Accommodation on Thursday, 10 October (double/twin occupancy)

Refreshments and lunch on Thursday, 10 October

Refreshments and lunch on Friday, 11 October

Pre-Dinner Reception, Excellence Awards Dinner and Ceremony on Thursday, 10 October

Amount payable **£280**

Please add VAT at 20% **£56**

Total amount due to COSLA **£336**

I enclose a cheque for the amount shown above

Further information is available from Linda Bruce on 0131 474 9228 or email linda@cosla.gov.uk

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Policy and Sustainability Committee

10.00am, Tuesday, 1 October 2019

Edinburgh Chamber of Commerce Trade Delegation to Shenzhen – Request for Attendance

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 approve that the Lord Provost joins the Chamber of Commerce Trade Delegation to Shenzhen, 11-16 November 2019; and
 - 1.1.2 note that further information on the benefits of the visit will be included in a future Business Bulletin.

Paul Lawrence

Executive Director of Place

Contact: Elaine Ballantyne, Service Manager

E-mail: elaine.ballantyne@edinburgh.gov.uk | Tel: 0131 469 3854

Edinburgh Chamber of Commerce Trade Delegation to Shenzhen – Request for Attendance

2. Executive Summary

- 2.1 The Lord Provost has been invited by the Edinburgh Chamber of Commerce to accompany a trade mission to Shenzhen in November 2019.
- 2.2 The trade mission will include an Edinburgh/Scotland Pavilion at the All China High Tech Fair.
- 2.3 The trip will also provide the opportunity for the Lord Provost to meet with the Mayor of Shenzhen and other Government officials to further develop links and opportunities under the International Friendship Cities agreement.

3. Background

- 3.1 Edinburgh and Shenzhen signed a Memorandum of Understanding in 2013 which established the Edinburgh Shenzhen Creative Exchange.
- 3.2 In May 2019, the Lord Provost and Mayor of Shenzhen signed an International Friendship Cities agreement.
- 3.3 The Corporate Policy and Strategy Committee of [26 February 2019](#) approved the Lord Provost's International and UK Engagements. This Edinburgh Chamber of Commerce Trade Mission is in addition to this programme but builds on the outcomes of the approved Shenzhen visit in May 2019.
- 3.4 The Policy and Sustainability Committee of [6 August 2019](#) approved the Edinburgh International Activity report which includes Shenzhen as a priority relationship and notes new collaborative approach to international engagement with partners including the Chamber of Commerce.

4. Main report

- 4.1 Edinburgh Chamber of Commerce has invited the Lord Provost to accompany a trade mission to Shenzhen 11-16 November 2019.

- 4.2 The Trade Mission is being undertaken as part of the International Trade Partnership programme, a Scottish Government funded initiative to encourage overseas trade and export.
- 4.3 Ten companies from Edinburgh and Scotland will be provided with the opportunity to display at and Edinburgh/Scotland Pavilion during the All China High Tech Fair.
- 4.4 The Lord Provost will also meet with Shenzhen partners and government officials, including the Mayor of Shenzhen, to explore further developments under the International Friendship Cities agreement signed in May 2019 in line with the Council's new approach to international activity.

5. Next Steps

- 5.1 The full programme is being prepared by Edinburgh Chamber of Commerce and the event organisers.

6. Financial impact

- 6.1 The costs of this visit, including travel and accommodation, are being met by the event organisers.

7. Stakeholder/Community Impact

- 7.1 Programmes for civic visits are co-produced with event organisers as required.

8. Background reading/external references

- 8.1 None.

9. Appendices

- 9.1 None.

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Policy and Sustainability Committee

10am, Tuesday, 1 October 2019

EUROCITIES Annual Conference 2019

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To approve attendance by the Lord Provost at the EUROCITIES AGM and annual conference in Prague on 20-22 November 2019.
- 1.2 To note that further information on the benefits of attendance will be provided following the event.

Paul Lawrence

Executive Director of Place

Contact: Elaine Ballantyne, Service Manager

E-mail: elaine.ballantyne@edinburgh.gov.uk | Tel: 0131 469 3854

EUROCITIES Annual Conference 2019

2. Executive Summary

- 2.1 This report proposes Council representation at the EUROCITIES AGM and Conference in Prague on 20-22 November 2019. The theme of the 2019 conference is 'Cities at a Crossroads', exploring the challenges cities face in managing the transition to future fit sustainable and inclusive cities in a changing Europe. It is proposed that the Lord Provost attend as the Council's EUROCITIES representative.

3. Background

- 3.1 This report proposes Council representation at the EUROCITIES AGM and conference in Prague on 20-22 November 2019.
- 3.2 EUROCITIES is the network of major European cities, bringing together the local governments of over 140 of Europe's largest cities and over 45 partner cities, that between them govern 130 million citizens across 39 European countries. Edinburgh has been a member since 1991 and a number of Edinburgh's twin and partner cities are also members. Membership includes cities across Europe, from both EU and non-EU countries.
- 3.3 The network is active across a wide range of urban policy issues and challenges of fundamental importance to cities including: economic development, provision of public services, environment, energy, knowledge society, transport, employment, social affairs, culture, housing and education.
- 3.4 The Lord Provost's programme of international civic engagements was approved by Corporate Policy and Strategy Committee on [26 February 2019](#). The EUROCITIES AGM and conference are additional to this programme but builds upon the Mayor's Summit which took place earlier this year.

4. Main report

- 4.1 The EUROCITIES AGM is the key annual decision making meeting of the association. It provides a forum for debate and the formation of future priorities and strategy, as well as electing the President, Vice-President and Executive Committee

members of the association. This year's AGM and conference is taking place in Prague from 20-22 November. Politicians, decision makers and professionals from approximately 100 major European cities will attend the annual conference.

- 4.2 EUROCITIES provides member cities with a platform to exchange knowledge, experiences and compare different approaches through a variety of policy forums, working groups, projects and events.
- 4.3 Membership of EUROCITIES offers the following benefits:
- Opportunities to raise the international profile of Edinburgh;
 - A channel for developing policies based on common experience and lessons learned;
 - Opportunities to exchange good practice and improve benchmarking for city government;
 - An efficient partner search forum for the design of successful joint projects.
- 4.4 The theme of the EUROCITIES 2019 Conference is 'Cities at a Crossroads, looking at the transformation happening in cities in a changing Europe. It will include plenary debates for EUROCITIES political representatives to discuss key challenges and opportunities facing city administrations in managing the transition to future fit, sustainable and inclusive cities and a Europe that reflects our societies.
- 4.5 Council representation at the AGM and conference will provide opportunities to:
- Influence EUROCITIES' future priorities and work programme;
 - Share experience and good practice with other European cities;
 - Promote the city and the expertise available in Edinburgh;
 - Connect with other European cities for future joint activities.
- 4.6 It is proposed that the Lord Provost attends to represent the City of Edinburgh Council at the AGM and conference. An officer will also attend the EUROCITIES AGM.

5. Next Steps

- 5.1 Information on the benefits of attendance will be provided after the event.

6. Financial impact

- 6.1 The costs of attendance depend on the time of booking. Estimated costs per person are in the region of £600 for travel and accommodation plus 280 EUR conference registration fee (approximately £253).
- 6.2 Costs for attendance are contained within existing budget provision.

7. Stakeholder/Community Impact

- 7.1 Travel options have been considered and the recommendation is a direct return flight from Edinburgh to Prague. While there are adverse impacts on air quality and noise associated with air travel, overland travel is not considered practical given the distance and excessive travel time. A return flight to Prague offers best value, has no additional requirement for overnight accommodation above the minimum requirement, and is the most time effective. As part of the international activity plan the Council has committed to monitor the carbon footprint of future international programme travel and to take account of this as part of the sustainability programme. This will be reported as appropriate to the Policy and Sustainability Committee.

8. Background reading/external references

- 8.1 EUROCITIES website: www.eurocities.eu

9. Appendices

None

Policy and Sustainability Committee

10.00am Tuesday 1 October 2019

Chief Social Work Officer's Annual Report 2018/2019

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 It is recommended that Policy and Sustainability Committee:
note the Chief Social Work Officer's (CSWO) Annual Report for 2018/19 attached at
Appendix 1.

Andrew Kerr

Chief Executive

Jackie Irvine, Chief Social Work Officer, Head of Service – Safer and Stronger
Communities

E-mail: Jackie.irvine@edinburgh.gov.uk | Tel: 0131 553 8520

Chief Social Work Officer's Annual Report 2018/19

Chief Social Work Officer's Annual Report 2018/2019

2. Executive Summary

- 2.1 The CSWO is required to produce an annual report. The format changed some years ago, when local authorities were asked to use a template devised by the Chief Social Work Adviser to the Scottish Government to ensure consistency across Scotland in annual report submissions.

3. Background

- 3.1 This is the first report written by the Chief Social Work Officer, Jackie Irvine, since coming into post in July 2018.

4. Main report

- 4.1 The CSWO annual report provides a broad outline of some of the key issues facing social work and social care in Edinburgh. It includes data on statutory services, areas of decision making and sets out the main developments and challenges.
- 4.2 The report includes an update on finance, service quality, delivery of statutory functions, workforce planning and development.
- 4.3 Included in the report is a range of performance data and some of the key social work indicators are set out. This information complements, rather than replicates the detailed performance and budget information on all social work and social care services.
- 4.4 Appendix 3 of the report acts as the required annual report to elected members on the operation of the statutory social work complaints process.

5. Next Steps

- 5.1 Once ratified by the Committee, this report's submission to the Scottish Government is required.

6. Financial impact

- 6.1 This report is an overview of strategic and operational social work matters covering the areas of Children's, Adult's and Community Justice based social work. There is no financial impact from this report, which will not have already been considered through existing Council Committees or the Integrated Joint Board.

7. Stakeholder/Community Impact

- 7.1 All social work services have the expectation to engage the participation of those citizens who require the support and assistance of those services. Each Departmental area has existing mechanisms in place to address stakeholder and community impact.

8. Background reading/external references

- 8.1 There are no required background papers

9. Appendices

- 9.1 Chief Social Worker Officer's Report 2018/19

**THE CITY OF EDINBURGH COUNCIL
CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2018/19**

Introduction and Acknowledgement

It is my pleasure to provide my first Chief Social Work Officer's report in respect of the City of Edinburgh Council since coming into post in July 2018. I would like to acknowledge all the colleagues who have supported the production of this report and the associated relevant material for inclusion.

The requirement for each Council to have a Chief Social Work Officer (CSWO) was initially set out in the Social Work (Scotland) Act 1968 and further supported by Section 45 of the Local Government etc (Scotland) Act 1994. The role of the CSWO is to provide professional governance, leadership, and accountability for the delivery of social work services, not only those provided directly by the Council or from within the integrated Health and Social Care Partnership (HSCP), but also those commissioned or purchased from the voluntary and private sector. Social work services are delivered within a framework of statutory duties and powers and are required to meet national standards and provide best value.

The purpose of this report is to provide Council with information on the statutory work undertaken on the Council's behalf during the period 1 April 2018 to 31 March 2019 as well as outline the associated challenges within the context of the current climate within public services. This report will be posted on the Council website and will be shared with the Chief Social Work Advisor to the Scottish Government.

Jackie Irvine
Chief Social Work Officer
September 2019

1. Introduction – key challenges and strategic direction

The City of Edinburgh has one of the fastest growing populations of any city in the United Kingdom. In 2016, Edinburgh's population increased to over half a million for the first time in its history and is estimated to reach 546,444 by 2026.

With this increase in the population, comes an understandable increase in the need for service provision. This is particularly true for the adult and older population, whereby people are being supported to live longer, often with more complex needs.

This results therefore is an increasing demand for essential services, at a time when public sector funding is shrinking within the climate of austerity and the need for Councils to meet ever increasing funding gaps.

Despite these challenges, the City of Edinburgh Council have been able to demonstrate improvement within the majority of social work service areas. There were major strengths identified and validated from the recent joint inspection of services for children and young people, led by the Care Inspectorate. There is more detail of their findings later in this report (see Communities and Families/page 6).

The City of Edinburgh Council continues to receive positive feedback in respect of the delivery of Community Justice services and this feedback from stakeholders is further supported by a series of 'People's Stories' from citizen's who are included in community justice services in relation to the support they receive; with many examples of how this support has assisted them to improve their circumstance, both for themselves and also their families. This is despite the financial challenges being faced by a reduction in our Section 27 budget and the likely increase in more community-based disposals with the growing move away from short term sentences.

In respect of the integrated Health and Social Care Partnership (HSCP), following the most recent inspection of the HSCP, the service had a follow up inspection in 2018 to evaluate evidence of improvement as they related to the 17 findings within the original inspection report. The HSCP, faces significant challenges due to the scale of demand. They are therefore undertaking a major transformation programme as reflected in their most recent Strategic Plan 2019-2022. This is largely based on the development of key strategic developments; the Edinburgh (HSCP) Offer, a move to the Three Conversations model, further enhancement of a Home First approach to assessment and support, as well as a broader transformation programme.

The challenges related to both increasing demand and tightening finances, highlights the need to move to more innovative ways of providing services and support across the range of social work services in Edinburgh. It also requires a more integrated approach across all Council departments and there is greater recognition of the reciprocal responsibilities and contribution that can be collectively achieved by working together.

2. Partnership Working - Governance and Accountability Arrangements

Edinburgh has in place a range of governance arrangements to provide scrutiny and assurance to all areas of social work (Appendix 1).

For all areas of Public Protection, the Chief Officers Group provides oversight and governance to the range of committees and partnerships addressing public protection issues.

The Chief Officers group is chaired by the Council's Chief Executive and has representation from all the key partners as well as the chairs of the public protection groups; Child Protection Committee, Adult Protection Committee, Offender Management Group, Violence Against Women Group and the chair of the Multi-Agency Public Protection Arrangements (MAPPA) Strategic Oversight Group. Two Elected Members have been appointed to the group to improve oversight and awareness of the public protection challenges and issues within Edinburgh.

Adult social work services are now provided as part of the integrated Health and Social Care Partnership which is governed through the Integrated Joint Board (IJB). The IJB in Edinburgh has just re-organised its reporting structure, and now has five sub-committees also providing governance. The CSWO in Edinburgh sits as a non-voting member and professional advisor to the IJB and (on) the Clinical and Care Governance Committee.

Although the IJB in Edinburgh is separate from its parent bodies of NHS Lothian and the City of Edinburgh Council, the IJB still reports certain features of its business to both the NHS Lothian Healthcare Governance committee and to a number of the Committees within the Council. This provides good visibility across the Council of the progress being made by the HSCP in delivering on its key objectives.

Children's social work services are not integrated in Edinburgh, with no formalised inclusion into the IJB. **Children's social work services sits within the Communities and Families Directorate alongside Education services.** The governance and reporting arrangements for Children's Services is through the Children's Services Partnership, through the Community Planning Partnership. Edinburgh Children's Partnership is a governance arrangement linking; Council, NHS, Police and third sector agencies.

The Children's Partnership has three clear plans in place that support service delivery and improvement for children:

- Edinburgh Children's Partnership Children's Services Plan
- Edinburgh Child Protection Improvement Plan
- Edinburgh's Corporate Parenting Plan

Complementing this, each Locality has a Locality Improvement Plan, which is collaboratively created and led by partner agencies responding to local need and linked to the overall Children's Service Plan and the Health and Social Care priorities. This allows local variance in need to be reflected within each locality plan.

3. Social Services Delivery Landscape

Edinburgh Health and Social Care Partnership

The IJB was set up as a Public Body under the Public Bodies (Joint Working) (Scotland) Act of 2016. Membership comprises of voting members, five NHS

Lothian non-Executive Directors and five City of Edinburgh Council Elected Members. Non-voting members include the IJB's Chief Officer, Chief Finance Officer, Medical Nursing and AHP advisors. The Chief Social Work Officer is a non-voting professional advisor to the IJB and supports it by providing high quality professional social work advice. The role is set out in the underpinning legislation and accompanying guidance and ensures the legislative parameters supporting the social work role and function, and the statutory requirements relating to the regulation of services, is adhered to as the IJB fulfils its role and functions. Other non-voting members include people with experience of being a carer, with experience of accessing IJB services, trade unions representing the staff voice as well as the third sector representatives.

A wide range of services are delegated by both NHS Lothian and City of Edinburgh Council to the IJB. For the purposes of this report and in relation to Social Work services they relate to: Adult Social Work – in terms of social workers and social care staff, budgets for delivering social care for all adults – those with mental health issues, adults with a learning disability, older adults, people who are carers and those with physical or sensory impairment. The IJB is responsible for the delegated Adult Social Work budget relating to these services and those that are commissioned from third and independent providers to deliver the IJB's objectives as set out in its Strategic Plan. The approximate IJB Social Work budget is in the region of £250 million delegated by City of Edinburgh Council.

NHS delegated services include Community Mental Health and Learning Disability, Community Nursing and Allied Health Professionals, a range of community-hospital based services, Primary Care services and responsibility for the strategic planning of a range of acute based services which include Medicine for the Elderly, Psychiatry delivered in hospitals and Accident and Emergency Services.

The overall purpose of integrating these services and giving the IJB responsibility for the planning of them is to ensure that services are experienced as being seamless from the perspective of the individual, delivered as far as possible in the community or community setting and which are delivered maximising the use of public money through removing the organisational barriers between social work and health which, in previous years was seen to drive less than optimal outcomes for people.

This has been a period of significant change in the Edinburgh IJB. There has been a change in its leadership with a new Chief Officer taking up their role in May 2018, a new Head of Operations in June 2018 and a new interim Head of Strategic Planning joining in January 2019. The year has seen work undertaken on revising the IJB's Strategic Plan which will be published in August 2019 and in developing a new strategic transformation programme which will drive further improvement in performance as well as supporting the IJB and Health and Social Care Partnership in becoming sustainable, innovative and responsive.

Of note, in June 2018 the Joint Inspectorate undertook a progress review visit in respect of the 2016 Joint Inspection of Older People's Services. There were 17

recommendations in the original report and of these, the progress review determined that:

- 1 recommendation - good progress
- 2 recommendations - reasonable progress
- 12 recommendations - limited progress
- 2 recommendations - poor progress

IJB officers have revised the action plan relating to this and aligned it to the strategic transformation work to ensure that a more strategic approach to addressing actions can be taken.

Significant challenge for the IJB and partnership includes:

- Very challenging financial settlement; operating without a fully agreed budget beyond the start of the financial year;
- Significant savings programme to deliver;
- Historical poor performance in a number of key areas;
- Changing patterns of demand in the city – growth in the population alongside increasing in the prevalence of frailty and complex care needs that sits alongside this;
- Workforce scarcity due to the buoyant economy, high cost of living and the comparative attraction of similar jobs in other parts of Lothian;
- General volatility in the care market;
- Longstanding issues of health inequalities relating to comparative deprivation in the city.

The IJB has now set out a strategic transformation programme through its Strategic Plan which aims to rebalance its services, review and change its model and approach to delivery and develop its capability and capacity to meet the changing needs and expectations of our population. The plan, which covers 2019-2022 sets out the strategic priorities for the Board across:

- Prevention and early intervention
- Transformation of Home-Based care
- Re-design of bed-based models of care
- Developing the Edinburgh Health and Social Care Offer
- Embedding a Home First Approach
- Shifting the Operational model toward the Three Conversation Approach
- Social services Delivery Landscape – shifting practice to a Three Conversations model and approach

The IJB acknowledged that while it strives to deliver effective and efficient services to the people of Edinburgh, the current health and social care systems are highly bureaucratic, and process driven. The IJB recognised that this no longer works well for anyone and that it needs to radically shift how it works to improve the experience of both those who need and those who deliver its services. The Three Conversations® is a strength-based relationship approach which focusses on what really matters to people in their families and in their communities. It recognises that

people are the experts in their own lives and circumstances and is intended to replace the current 'assessment for services' culture and associated systems.

Communities and Families

July 2019 saw the publication of a Joint Inspection of the Children's Services provided by the Community Planning Partnership. The Inspection graded Edinburgh's services, for work on care and protection, successful transitions for care experienced young people into adulthood as well as the strength of its leadership.

The inspection team found that leadership of the Partnership was good (4). Partnership leaders were noted as being both realistic and pragmatic, whilst creating a common purpose for staff. Leadership had contributed to a Partnership that was strongly collaborative and had been successful in fostering a learning culture. The inspection team found that more could be achieved by furthering the impact of the Partnership's Corporate Parenting ambitions, as well as making more systemic use of feedback for self-evaluation purposes.

The Partnership's outcomes were found to be adequate (3). The inspection team noted that the Partnership had demonstrated improvements and had undertaken a great deal of work to reduce the number of young people going missing from residential placements. Staff were identified as working well to improve outcomes for children and young people. However, as a Partnership there was a need to make better use of evidence and trends analysis of improving outcomes for children, and young people. In addition to this, the Partnership needed to better understand through evidence gathering the impact of services on the lives of citizens it was supporting.

The Partnership's impact on children and young people was rated as very good (5), with strong indications being noted that children's care and protection was improving due to Partnership services. The inspection team identified strengths in areas such as the robust Inter-Agency Referral Discussion (IRD) process as well as feedback from children and young people regarding their positive relationships with staff. The inspection team identified that more could be done to close the attainment gap for looked after children as well as to increase both the offer of and the uptake of advocacy services.

The Partnership's impact on parents was graded as good (4), with staff having supportive and trusting relationships with parents. 90% of surveyed parents reported that they got on well with staff, and that expectations upon them were clear. Specialist services in the Partnership were supporting more confident, competent, and resilient parents. Again, limited access to advocacy for parents was found by the inspection team, who also found that not everyone was receiving effective support when they needed it.

Overall the report represents an extremely robust and intensive review process. One where the inspection team found the Partnership's self-evaluation to be an accurate depiction and analysis of its own strengths and areas for development. The inspection report notes positive practice in the Partnership, as well as some examples of sector leading developments. Highlighting the continued improvements

in child protection which has been sustained over the past two inspections of services.

The report also highlights clear areas for development, with the Partnership's use of and application of quality assurance and performance data contributing to the Partnership's grading of adequate.

Strengths

The number of children in Edinburgh who need to be Looked After, including those accommodated away from home, has reduced to its lowest in ten years. This is attributed to several positive developments including the implementation of restorative, strengths based and relationship-based practice across services, the impact of specialist services including Family Group Decision Making, Kinship Support Team and Multi-Systemic Therapy, and the increasing confidence and competence of staff in the Getting it Right for Every Child approach.

A robust inter-agency approach to child protection has resulted in effective risk assessment and appropriate planning to address risk. This has helped to reduce the number of children on the Child Protection Register to its lowest ever level.

Close working arrangements with Police Scotland and other agencies to assess and address risk when young people are going missing and may be exposing themselves to risk have seen a marked impact in this area of work. A proactive and collaborative model of practice in which a multi-agency group has daily oversight of risks and concerns has been developed. This is helping to improve relationships with staff and young people and this in turn has reduced the number of missing person incidents from children's residential units and the number of offences reported which involve young people in residential units. It has also helped to reduce the need for secure accommodation particularly among teenage girls.

Reduced usage of secure accommodation has allowed Edinburgh to sell part of its residential estate to NHS Lothian to create an Equally Safe Multi-Agency Centre which will support and improve services to child and adult victims of sexual abuse and other assaults.

Areas to Develop

The recent Inspection of services and the resulting improvement plan has provided clear priority areas for development (see above for details). Alongside this school attendance, attainment and follow-up positive destinations for children and young people who are Looked After are below current targets and this is one of the main priorities for improvement.

Community Justice

Edinburgh's Community Safety Partnership, on behalf of the Edinburgh Community Planning Partnership, is responsible for the development and implementation of Edinburgh's Community Justice Outcomes Improvement Plan. An annual report for 2017/18 was submitted to Community Justice Scotland in September 2018 and work is underway on a Community Justice Outcome Improvement plan for 2019–22. This

plan will reflect the work articulated in the 4-locality improvement plans and will complement the new Community Safety strategy which is being developed for 2020-23.

Significant developments in 2018-19 include:

The Peer Mentoring Service established in 2017 in conjunction with SACRO for people currently involved in the criminal justice system has become embedded into mainstream services. The mentors are supporting people who use the service to make decisions about their lives and access the services they need. They help people currently involved in the community justice system to explore issues or obstacles, set goals and achieve the things they want to do, whilst at the same time building confidence, skills and talent. Volunteers are employed to complement the work done by paid staff, acting as positive role models for people with an offending history, encouraging them to address their offending behaviour and reengage with their local community.

The Edinburgh Alcohol Problem Solving Court has been in place since February 2016 and uses community payback legislation, with frequent court reviews. The community justice social work service provides the court with speedy assessments with a focus on alcohol and ensures streamlined access to substance misuse services through close partnership working with Change Grow Live (CGL). Following an evaluation in 2018 which took into consideration the views of people who use the service, staff (including CGL), managers and the named Sheriff, the court assessment was reviewed, and a community detoxification is being developed which aims to offer another intervention for individuals whose offending is directly related to their alcohol use.

EnCompass is an education, training and employability service for people in Edinburgh living with complex needs, delivered through Access to Industry's in-house community college. Although established in 2017, it became embedded into mainstream services in 2018/19. It helps people furthest removed from the labour market to build their skills, gain access to opportunities and, where appropriate, move into employment.

Work continued throughout 2018/19 to develop a Restorative Justice service to those who are subject to statutory supervision, having been convicted of a hate crime and the victim of that offence (or a representative). The Community Justice (Scotland) Act 2016 and the creation of Community Justice Scotland are drivers for this project, in that there is an expectation that as a statutory agency consideration of and seeking input from victims of crime and communities affected by crime when delivering services. Restorative Justice is a medium which includes victims, offenders, and communities in repairing the harm caused by crime. Police Scotland are a key partner in this process and have agreed to provide information to and consent from victims of hate crime, to engage in joint training and to co-facilitate Restorative Justice where appropriate.

Services for women in the criminal justice system have been developed within the Drug Treatment and Testing Order (DTTO) service, Unpaid Work and Bail

Supervision. These compliment the work of the Willow service for women in the criminal justice system. DTTO provides services for women in a separate location with its own dedicated treatment team who work closely with a range of services. The team are skilled in supporting women through pregnancy and have worked, where possible, with people to become drug free and to have their babies and children remain in their care. When this has not been possible the team have continued to support the individuals to help them work towards a positive future.

An Unpaid Work women's group has been set up for women who have been given an unpaid work requirement as a condition of a CPO. This group encourages women to develop skills while carrying out meaningful and interesting activity.

The Court, Bail and Diversion team have set up an enhanced supervised bail service for women as a direct alternative to remand in custody. This service has allowed women to remain in the community by providing an intensive outreach service in partnership with specialist women's services such as Willow and Shine. The workers are accredited to undertake homelessness assessments which has made it easier for women without an address to access accommodation.

Groupwork services are leading on a range of developments relating to complex trauma and men's mental health. These include developing a new Men's Groupwork Service that specifically responds to the mental health impacts of trauma in adulthood, a range of trauma specific leadership and staff training, as well as undertaking a prevalence study in men to identify trauma experiences and specific mental health reactions. This is an area that will be further developed throughout 2019/20 and beyond.

The establishment of Safer and Stronger Communities has created opportunities for community justice to work more closely with other service areas, particularly Family and Household Support and Homelessness and housing support services. An example of this is the provision of training and support in working with women with multiple and complex needs, provided by Willow staff who have experience and expertise in this area, to four accommodation providers. This increases the likelihood of women being able to retain their accommodation by building the capacity of staff to manage their complex presentation, developing a shared language and understanding across agencies working with individuals.

Public Protection - Domestic Abuse

Edinburgh's Domestic Abuse Strategy and Improvement Plan was agreed by the Edinburgh Partnership in June 2017 and can be found [here](#).

The plan outlines the vision to develop a coordinated community response to domestic abuse in Edinburgh, which has been the driver for a city-wide review of all statutory agencies, commissioned services and grant provision, and an evaluation of service pathways for victims, children and perpetrators.

Work streams are progressing well and include:

- Development of a draft domestic abuse housing policy and associated training and improvements in service pathways for people who are homeless due to domestic abuse.
- A locality based, multi-agency response to domestic abuse in Edinburgh which intervenes early, engages safely with all family members, coordinates services and improves outcomes.
- Development of various levels of domestic abuse training, and a pool of trainers, to ensure the workforce are competent in responding to families affected by domestic abuse, including perpetrators, as well as adult and child victims
- Increased use of the Domestic Abuse and Violence Against Women Knowledge Hub; an online space for professionals in Edinburgh to connect to each other and share information, training opportunities, learning and resources.
- Review and improvements in the Multi-agency Risk Assessment Conference process for high risk victims of domestic abuse.

Public Protection

Adult Protection Committee

The Adult Protection Committee has approved the introduction of new recording tools in Adult Protection work designed by Edinburgh's Adult Protection Senior Practitioners. An updated Duty to Inquire Assessment was introduced in February 2019 with the aim to make open Duty to Inquires easier for practitioners to track, ensure that referrers are acknowledged when they have reported concerns and more clearly identify those cases that are progressing to Interagency Referral Discussions (IRD).

Adult Protection Safety Assessment and Planning Forms have replaced the Complex Risk Assessment from April 2019 onwards. These forms have been designed to allow for clear articulation of the type of harm, imminence of harm, likelihood of harm and the severity of impact of harm. Feedback from practitioners has been positive. These new tools also promote the use of chronologies, as recommended in the Care Inspectorate Older People's Services inspection in Edinburgh.

The Committee are planning a development day in September 2019 to identify the key priorities and themes for 2019/2020 and agree an improvement plan for the Adult Protection Committee which will be used to drive, and measure identified actions.

The Committee identified that Adult Protection audit work was necessary in order to measure the quality of practice within Adult Protection and also that a meaningful way of gathering and evaluating adults' experiences of the adult protection process. Quality Assurance Officers facilitate audits across practice teams in Health and Social Care and Community Justice that will be carried out by frontline managers within teams.

The People's Stories Model – a qualitative interview capturing a person's experience of using social work services - will also be rolled out across Health and Social Care

with a specific focus on Adult Protection to gather direct feedback from adults who have experienced the adult protection process.

It has now been agreed that health practitioners within the Health and Social Care Partnership will contribute to and undertake IRDs in the North West Locality initially from August 2019. It is expected that this will then be rolled out across the rest of the localities. This aims to enable practitioners to be better placed to assess the level of risk to an adult by having access to all key and relevant information to the situation and to mirror the tripartite discussions that take place in child protection Interagency Referral Discussions.

Child Protection Committee

The Edinburgh Child Protection Committee improvement plan for 2018/19 focused on five key themes: multi-agency chronologies, neglect, multi-agency practice evaluations, young people who abscond and are at risk of exploitation, and domestic abuse. A simplified format and regular reporting have assisted us in progressing and measuring identified actions.

These priorities reflect the range of issues which the Committee identified on a multi-agency basis as requiring focus. Within the context of this plan, Edinburgh is beginning to test a pan-Lothian approach to multi-agency chronologies, as well as continuing the roll out of Safe and Together training to address domestic abuse across the workforce. In addition, the embedding of innovative approaches to addressing the safety and wellbeing needs of young people who go missing from residential care has been a key focus.

The committee at its development day in May 2019, agreed to retain the priorities around chronologies, neglect and domestic abuse within its' improvement plan for the coming year. This is in recognition of the long-term work required to consolidate improvements.

Funding

The Committee has funded a range of work this year, to help embed best practice as well as ensure a robust understanding of the impact of services and that the infrastructure is in place to promote collaborative learning. Funding has been provided for five certified trainers to deliver Safe and Together training to the local workforce, providing opportunity to significantly expand the reach of this model to all of those who work with children and families.

In addition, the Committee has commissioned external evaluations of a pilot project regarding return interview processes for young people who go missing from residential care, and of selected inter-agency training courses. These evaluations will help the understanding of how effective services and training are in making an impact on outcomes for young people and will inform future priority setting; early indications from these evaluations are that the approach has been very successful.

Funding has also been committed to a six-month public protection business support post, ensuring that crucial administrative capacity is available for key public

protection activity such as the coordination of Initial and Significant Case Reviews, across all public protection areas.

Child Protection Registration

The numbers of children subject to child protection registration have been on a steadily reducing trajectory throughout 2017/18.

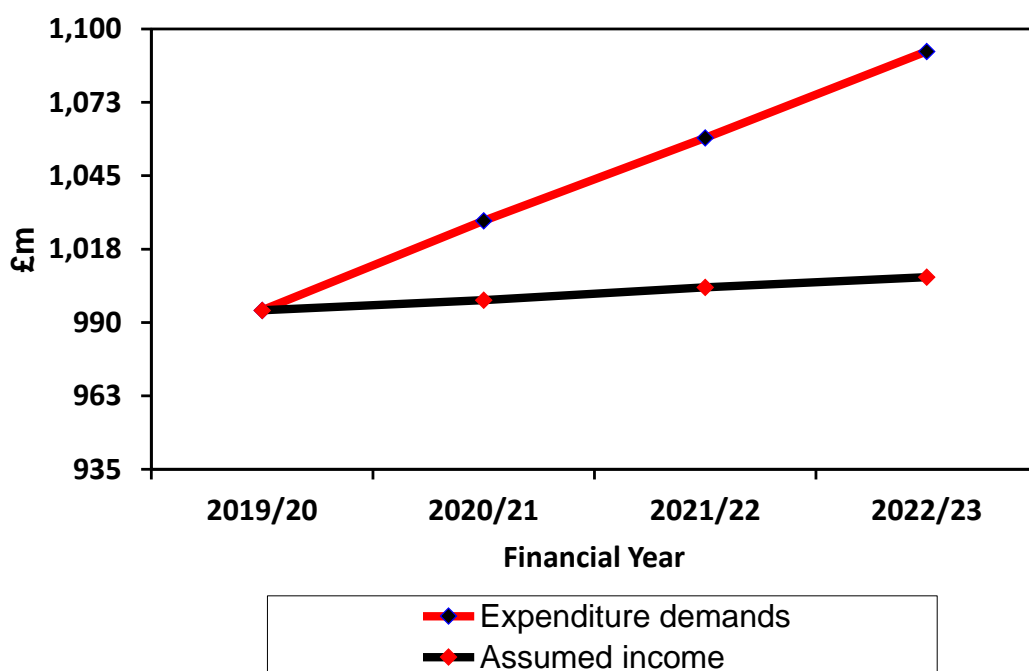
The Quality Assurance Subcommittee is carrying out an audit of cases where Child Protection Case Conference was convened but the child’s name was not placed on the Child Protection Register, as well as a follow up on selected cases six months post-registration to further scrutinise this hypothesis.

In recognition of the importance of child centered planning within a relevant timescale, the Committee has also begun tracking those children subject to Child Protection Registration for over 18 months, rather than 24 months, from 1 April 2019.

4. Resources

As in previous years, the Council continues to face significant financial challenges resulting from a combination of increases in service demand, inflationary pressures, legislative reform and heightened citizen expectations. These factors are set against a backdrop of reducing core Government grant income once account is taken of monies provided for the delivery of new, or expanded, commitments.

The chart below shows the gap between projected expenditure demands and available funding. This gap would, other things being equal, increase if levels of Government funding were lower than anticipated or required demographic provision higher than currently provided for.



Based on these assumptions, it is anticipated that in order to maintain expenditure in line with income, the Council will need to identify and deliver, recurring annual savings between 2020/21 and 2022/23. More immediately, the approved budget for 2019/20 is predicated on the delivery of some £39m of savings, as well as management of all service pressures and delivery of a balanced budget (by the IJB). A progress update considered by the Finance and Resources Committee on 23 May 2019 highlighted a need for urgent actions to reduce the risk of significant in-year pressures. It is likely that identification of these mitigating actions will need to go beyond incremental efficiencies and consider more fundamental prioritisation of existing services if financial sustainability is to be maintained, whilst maintaining a focus of prevention and the impacts of poverty.

Council-wide Change Strategy

The Council has delivered nearly £300m of recurring savings since 2012/13, equivalent to around 30% of its net budget. This has allowed the combined financial challenges of increasing demographic-led service demand, inflationary pressures and legislative reform to be addressed whilst steadily improving performance across many areas. There is, however, now a need to place much greater focus on service transformation and prioritisation, designed using insight from active engagement with communities and elected members.

Demographic investment

In recent years, budget planning in the Council has provided significant protection to social work services, as well as for other priorities, such as schools. The Council's long-term financial plan continues to provide additional funding to meet growing needs for care services from the increasing number of older people in the population, particularly those over the age of 85, and increasing numbers of people with learning and physical disabilities due largely to greater longevity.

Funding is also provided for a growing number of children and young people, the level of which is adjusted, as appropriate, for preventative investment in early years activity and by actions intended to reduce the increase in the number of looked-after children. Despite this welcome commitment, the scale of savings required from public services and the growing complexity of need across all age groups leave services with diminished capacity to meet need to the level and quality communities may expect. This creates challenging tensions in balancing potentially-competing demands on public funds. This requires a shift in the relationship between citizens and the state, doing more things with people instead of to or for them and working in ways which strengthen individuals, families and communities, reducing the need for expensive and intrusive interventions into individuals' lives.

Criminal Justice Social Work is funded by the Scottish Government through a ring-fenced grant under Section 27 of the Social Work (Scotland) Act 1968. The funding is provided to allow the Council to discharge its statutory duties and to work towards preventing and reducing further offending in line with the Community Justice Outcome and Improvement plan.

The City of Edinburgh Council received £9,711,257 Section 27 funding for the year 2018/19. This figure was a reduction of £70,000 on the grant allocation for the

previous year. These financial pressures increased in 2018/19 and will continue into 2019 - 2021 due to the unfunded pay award for public service staff. In Edinburgh, this equates to approximately £225,000 per annum. As a result, service redesign will be required. This may well impact on the ability to manage the predicted increase in workload which is likely to result from the Presumption Against Short Term sentences of 12 months or less which, subject to the approval of the Scottish Parliament, is due to come into force in 2019.

Health and Social Care

2018/19 outturn

The provisional outturn for the Health and Social Care service reflects significant demand-led pressures, showing an overall overspend of £7.5m. This position reflects significant slippage on planned savings delivery and growth in demand for care at home services, direct payments and individual service funds and an increase in demand usage of transport. To mitigate the overspend, the Council has allocated an additional one-off contribution of £7.5m. This payment will allow Council services directed by the IJB to break even in 2018/19.

2019/20 budget

Despite this projected balanced position for 2018/19, the underlying financial pressures and challenges remain. This will be compounded by a financial settlement for 2019/20 where the increase in income is outstripped by the projected increases in cost. The board has been briefed on the implications for the 2019/20 financial plan and associated savings requirements through a combination of development sessions and a formal report to the IJB in March. The plan shared with the board in March remained unbalanced and the Chair, Vice Chair, Chief Officer and Chief Finance Officer were remitted to meet with senior representatives from the City of Edinburgh Council and NHS Lothian to progress the options to support financial balance. The financial plan presented to the board in March was based on indicative information agreed with partners.

The allocation from the City of Edinburgh Council is £216.969m, representing an increase of £16.244m (8.1%).

5. Service Quality and Performance – Delivery of Statutory Functions

Health and Social Care Performance in Edinburgh

Between March 2018 and April 2019 there has been a 48% reduction in the number of people **delayed in hospital** awaiting discharge (267 to 139) and a 66% reduction in the number of lost bed days for those patients (9,901 days to 3,381 days – note this is not the lost bed days in the month – but the length of delay per patient – this is also greatly improved from 37 to 24).

Delayed discharge

Between March 2018 and April 2019 there has been a 48% reduction in the number of people delayed in hospital awaiting discharge and a 66% reduction in the number of lost bed days for those patients.

This represents a fall of 6.5% from March 2018 to April 2019 and 27% from the peak in September 2017.

There has been a small reduction in the number of people **waiting for assessment** in the same period (March 2018 – April 2019), 1,544 to 1,444 however, from the peak of people waiting in September 2017, when the number of people waiting was 1,978, the fall is larger.

Waiting for assessment

	People
September 2017 (worst)	1,978
March 2018	1,544
April 2019	1,444

The number of people **waiting for a package of care** has seen a large fall. From March 2018 to now there has been a fall from 964 people to 371 people (62%). The number of unmet hours has fallen from 7,853 to 2,578 (67%). From the highest point of the waiting list in mid-April 2018 when there were 1,012 people waiting for 8,679 hours, the percentage falls are 63% and 70% respectively.

Waiting for package of care

	People	Hours
March 2018	964	7,853
April 2018 (worst)	1,012	8,679
April 2019	439	3,052
20 May 2019	371	2,578

There has been a sustained downward trend in the number of people waiting for a package of care and the number of hours for which they are waiting. In the last year, from the worst position in mid-April, there have been reductions of around two thirds when there were 1,012 people waiting for 8,679 hours (63% and 70% respectively).

Performance - Mental health and Guardianship

Mental Health Officers (MHOs) are social workers who have undertaken additional training in working with people with mental disorder, defined in the law as mental illness, learning disability and personality disorder.

All local authorities are required to provide sufficient numbers of MHOs, either through training or recruitment, to undertake statutory duties under the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Adults with Incapacity (Scotland) Act 2000.

All MHOs receive their accreditation directly through the office of the Chief Social Work Officer (CSWO) and in fulfilling their responsibilities are acting on the authority of the CSWO. Mental Health Officers must be involved where any adult is receiving compulsory measures of care and treatment, whether in hospital or in the community, under either of these Acts.

The role of the MHO is to ensure that the legal rights of anyone subject to compulsory measures are fully understood, and acted on, by all involved in the adult's care and to ensure that there is reciprocity through the provision of services to the adult to ensure that any period of compulsory measures is for the shortest period possible and is providing the maximum benefit.

Table 1 – 3 below sets out the use of compulsory measures of care and treatment and the use of welfare guardianship

Table 1								
	2015/16		2016/17		2017/18		2018/19	
	No.	People	No.	People	No.	People	No.	People
Contacts	590	506	471	424	Na	Na	Na	Na
Assessments completed	1380	845	1380	835	1213	757	1131	706

Table 2 - This table shows the increase in the use of Emergency Detention Orders (EDOs) – there are 27 more EDOs in the period 2018-19 than in the preceding year which is an increase of 11.2%. This is concerning as the use of EDOs should be the exception with the correct gateway to hospital on a compulsory basis being the Short-Term Detention Order. However, it is noted that there is an increase in all types of detention covered within the table.

Table 2 - Mental Health Act Orders Commenced				
	Commenced Apr 15 - Mar 16	Commenced Apr 16 - Mar 17	Commenced Apr 17 – Mar 18	Commenced Apr 18 – Mar 19
Emergency detention in hospital (72 Hrs)	208	195	241	268
Short term detention in hospital (28 days)	411	484	472	478
Compulsory Treatment orders (indefinite with 6 monthly review in first year and then annual review)	125	107	151	147
Interim compulsory treatment orders (28 days)	61	47	72	65

Table 3 shows a small drop in the number of Compulsory Treatment Orders (CTOs) in operation on 31 March 2019 when compared with the same date in 2018. This is reflected in the total numbers of CTOs commenced in this period (147) which is 4 less than in the preceding year (151) representing a drop of 2.6% in the number of CTOs granted. However, the number of CTOs commenced in 2018-19 remains significantly higher than the number of orders commenced in 2015-16 (125) and 2016-17 (107).

Table 3 - Mental Health Act Orders in Operation on 31st March				
	As at 31 March 2016	As at 31 March 2017	As at 31 March 2018	As at 31 March 2019
Emergency detention in hospital	41	20	20	83
Short term detention in hospital	167	49	138	189
Compulsory treatment orders	306	343	416	403

Table 4 - This tables shows a small decrease of 5 (12%) in the number of these types of orders made by court during the reporting period when compared with the previous year. However, although the number of criminal justice orders started during this period declined by 12% the total number of criminal justice orders in operation at the end of the year increased from 94 criminal justice orders at the end of 2018 to 101 criminal justice orders at the end of 2019 representing an increase in of 7.4%. This suggests that fewer criminal justice orders have ended during this period than in previous years. It is also of note that there has been an increase of 5 Compulsion Orders with Restriction Orders which are the orders related to the highest perceived level of risk and requiring the greatest level of RMO and MHO supervision.

Table 4 - Mental Health Orders under the Criminal Procedures (Scotland) Act 1995				
	2015/16	2016/17	2017/18	2018/19
Total legal orders started	25	20	41	36
Total legal orders open at period end	71	80	94	101
Compulsion orders with Restriction order open at end of period	24	27	27	32

Table 5 shows a small decrease of 10 (1.1%) in the total number of guardianships in operation in 2019 compared with the previous year.

However, this decline is entirely accounted for by a decline in the number of orders containing financial powers only. The total number of orders incorporating welfare powers has increased from 767 orders in 2018 to 781 orders in 2019 which is an increase of 1.8%. The total number of local authority guardianships with welfare powers has increased more significantly from 177 in 2018 to 186 in 2019 which is an increase of some 5%.

Table 5 - Guardianships	2016	2017	2018	2019
Welfare Guardianship				
CSWO welfare guardianships	116	146	148	153
Private Welfare guardianships	167	203	205	214
Financial guardianship (private only)	92	100	97	73
Welfare and Financial guardianship				

CSWO welfare and financial guardianships (guardian for financial element must be non-Council)	32	39	29	33
Private welfare and financial guardianships	319	366	385	381
Total	726	854	864	854

Performance – Children in need, child protection and looked after children

In 2013 Children’s Services embarked on an exercise to shift the balance of care from high cost services such as residential care, secure care and purchased foster placements to supporting children within family-based settings either with parents, kinship carers or Council foster carers. This would keep children within family networks where appropriate and within the educational provision of the city.

Investment in early intervention services such as early years, family group conferencing, kinship care and Multi-Systemic Therapy has enabled a successful outcome with:

1. reductions in the number of Looked After Children (1408 in 2013 to 1256 in 2019);
2. reductions in secure care (internal capacity reduced from 12 beds to 6 beds);
3. maintaining the number in residential care (84 in 2013 to 88 in 2019);
4. reductions in purchased foster care (608 in 2013 to 520 in 2019);
5. an increase in the proportion of foster placements with Edinburgh Council carers (55% in 2013 to 68% in 2019);
6. an increase in the number of kinship carers for Looked After Children and an increase in those placed under a Kinship Care Order (467 in 2013 to 594 in 2019).

This has resulted in reduced costs overall whilst increasing early intervention and prevention. Savings from reductions in the costs of accommodating children have recently enabled family group decision making to be expanded further.

The performance set out above has enabled Children’s Services to deliver efficiencies whilst improving the outcomes for children. The additional investment in early intervention and prevention, possible through shifting the balance of care, and continuing focus on GIRFEC places the service in a strong position in the current financial climate.

Table 6 – Volume	
Item	Figures as at 31 March

	2017	2018	2019	Change from previous
Approximate number children allocated within Children and Families team	3400	3400	3,200	-6%
Monthly reports submitted to the Authority Reporter	200	188	175	-7%

Table 7 Child Protection				
	Figures for period April to March			Change from previous
	2016/17	2017/18	2018/19	
Child protection Inter-agency Referral Discussions (IRDs)	1343	1396	1,210	-13%
Child protection case conferences	1,268	940	787	-16%
Children on Child Protection Register	286	206	132	-36%

Table 8 - Child Protection Case Conferences				
Item	Figures for period April to March			Change from previous
	2016/17	2017/18	2018/19	
Initial	312	254	172	-32%
Pre-birth	73	71	57	-20%
Review	768	612	547	-11%
Transfer	21	3	11	+267%
Total	1174	940	787	-16%

Table 9 - Looked After Children	As at 31 March			Change from previous
	2017	2018	2019	
Total number of children and young people looked after	1372	1334	1256	-6%
At home with parents	347	338	356	+5%
In foster care	584	581	520	-10%
In residential	83	101	88	-13%
With kinship carers, friends / relatives	320	271	249	-8%
With prospective adopters	24	26	27	+4%
In secure accommodation	9	7	7	+0%
Other	5	10	9	-10%

Table 10 – Secure Accommodation	Figures for period April to March			Change from previous
Item	2016/17	2017/18	2018/19	
Total number of admissions	30	20	17	-15%
Admissions to out of Edinburgh provision	12	14	7	-50%
Average length of time in secure for young people discharged (in days)	135	155	152	-2%

Table 11 – Adoption and Permanence				
Item	Figures for period April to March			Change from previous
	2016/17	2017/18	2018/19	
Adopters approved	14	15	11	-27%
Children registered for adoption (Permanence Order with Authority to Adopt)	26	31	24	-23%
Children registered for permanence (Permanence Order)	51	28	47	+68%
Children placed for adoption	23	21	23	+10%
Children adopted	35	20	27	+35%
% of Permanence panels within timescale	25%	40%	33%	-18%

Table 12: Domestic Abuse - Child Welfare Concerns and Child Protection Registrations				
Item	Figures for period April to March			
	2016/17	2017/18	2018/19	
Total number of child welfare concern forms sent to Social Care Direct	11,505	10,711	10,754	
Number of child welfare concern forms with domestic abuse as a concern	3,322	3,655	3,387	
Item	Figures as at 31 March			
	2017	2018	2019	

Children on Child Protection Register	226	206	132
Percentage of children on the Register who had a domestic abuse concern identified	53%	44%	42%

Performance - Community Justice

Edinburgh has had a long-standing commitment to preventative work and to a service model that offers a continuity of service regardless of where the person is in the community justice pathway.

Examples include:

In 2018 the Scottish Government provided some additional resource to support the reinvigoration and extension of the Whole System Approach to young people in Edinburgh. Diversion from prosecution, court support, extending bail supervision and reintegration and transitions following a custodial sentence were identified as key areas for young people up to the age of 21. A part time senior practitioner has been appointed to take this work forward.

Supervised bail allows people who would otherwise have been held on remand, to be released to an assessed address where work is undertaken to explore and manage the underlying causes of offending. A new post was established to work to reduce the female remand population.

The Diversion from Prosecution scheme provides an alternative to prosecution by supporting the individual to engage with tailored interventions to address the difficulties that have caused their offending behaviour.

The Edinburgh and Midlothian Offender Recovery Service (EMORS), for short term prisoners, takes a recovery centered approach, working with individuals to help them move away from problematic alcohol and drug use and other issues that increase the likelihood of offending. The service provides continuity of care from point of arrest, throughout an individual's stay in prison, and during the transition period from prison to community. It also uses peer volunteers to show visible recovery in the throughcare model. The approach is based on coordinated working between health services, local authorities and the Scottish Prison Service. Prison gate pickups are offered by EMORS, in recognition of the critical nature of the transition period from prison to community, and the challenges faced by individuals. Partners work to provide throughcare support to improve outcomes for at least the first twelve weeks following release. There are also addiction recovery hubs in each of the city's four localities offering drop in and appointment services to assist people to address their substance misuse.

The examples above support Community Justice Scotland's agenda and given the innovative working already in place, the Council is keen to be involved in Community

Justice Scotland’s scoping exercise and discussions on the future delivery of demonstration projects to test new approaches for community justice.

- 2,657 people were supported through open community orders by the Criminal Justice Social Work Service. This represents a 1.6% decrease from support given during 2017-18.
- Criminal Justice staff completed 2,529 social work reports to support decision making by the courts, representing a 2.6% increase from 2017-18.

Table 13 – Offenders in the community subject to statutory supervision			
	31 March 17	31 March 18	31 March 19
*Many offenders being managed in the community have their risk levels reduced to medium, reflecting successful risk management strategies.			
Assessed as very high risk or high risk (sexual violence)	17	7*	*10
Assessed as very high or high risk (violence)	46	37	*37
Probation orders	9	8	6
Community service orders	7	5	5
Community payback orders	1121	1069	940
Drug treatment and testing orders	121	145	168
Drug treatment and testing orders (II)	33	34	38
Bail supervision	16	23	24
Statutory supervision of released prisoners (e.g. life licence parole, extended sentence, supervised release orders)	128	127	121

Table 14 - Offenders in prison who will be subject to statutory supervision on release			
	31 March 2017	31 March 2018	31 March 2019

Offenders currently in prison who will be subject to statutory supervision on release assessed as very high or high risk (sexual violence)	66	69	81
Offenders currently in prison who will be subject to statutory supervision on release assessed as very high risk and high risk (violence)	113	110	146

Performance - Adult Protection

The monthly Adult Protection performance figures consistently show that the conversion rate of adult protection referrals into Interagency Referral Discussions is above the national average of 12.5%.

There has been no notable increase in the number of Adult Protection referrals received; however, the number of Adult Protection Case Conferences and Case Conference Reviews has significantly increased throughout 2018-2019.

From December 2017 – September 2018, there was an average of 17.8 Adult Protection Case Conferences and Case Conference Reviews within a month, whereas from October 2018 – May 2019 there has been an average of 38.75 Adult Protection Case Conference and Case Conference Reviews within a month. This is in line with the messages promoted during Adult Support and Protection training that when considering if an adult is at risk of harm, practitioners should be guided by the message '*if in doubt, rule it in not out*', and should consider holding an Adult Protection Case Conference in order to share the responsibility of assessing the level of risk and agreeing a protection plan.

Adult Protection Activity				
	2015/16	2016/17	2017/18	2018/19
Adult protection referrals	1134	1726	1870	2140
Inter-agency Referral Discussions (IRD)	329	425	358	402
IRD as a % of referrals	29%	21.5%	19.1%	18.7%
Adult protection initial case conference	79	99	80	116

Initial case conference as a % of IRD	24%	23.3%	22.3%	28.9%
Adult protection case conference reviews	110	93	113	239

Quality Assurance of Residential, Day and Domiciliary Care for Adults

In addition to the residential, day care and home care services managed directly by the Partnership, staff are responsible for the contract management of over 430 contracts. This includes over 121 providers of regulated care at home, care and support and registered day services.

A further 141 contracts are managed in this way for the delivery of unregulated services, which include advice, advocacy and information, lunch clubs and practical help for people who choose self-directed support.

The remit of both groups is to monitor the quality of service provision, to acknowledge good practice and to challenge providers when services do not meet consistently high standards. Action is taken in respect of services assessed as 'weak' or 'unsatisfactory', and complaints to the Care Inspectorate and/or Council that have been upheld are the subject of discussion with providers, to ensure they have been addressed and measures are in place to prevent recurrence. Based on the intelligence provided by these mechanisms, the Chief Social Work Officer can suspend admissions or referrals to services that do not meet minimum standards.

As of 30 April 2019, 42 Council run services registered with the Care Inspectorate in Edinburgh had themes graded as 'adequate' or lower. In comparison, 172 services had themes that were graded as 'good' or 'better'. For grades spread across all assessed themes, approximately 37.8% of all registered services in Edinburgh achieved grades of 5 and 6; only 1.4% of providers achieved 1 and 2s; and 60.7% were assessed with a mixed grade spread.

Services	Subtype	Grade Spread			Grand Total
		1&2	Mix	5&6	
Care at Home	Older People		38	16	54
	Alcohol & Drug Misuse		1		1
	Blood Borne Virus			1	1
	Learning Disabilities		6	3	9
	Mental Health			1	1
	Physical and Sensory Impairment		5	1	6

Support Service	Care at Home	3	62	39	104
	Other than Care at Home		18	20	38
Totals		3	130	81	214

Compliance Activity

The activity of the two Regulation Officers is detailed at Appendices 3 and 4. This includes the Breakdown of Care Inspectorate grades for contracted providers (information on Council services is set out at Appendix 4)

The Care Inspectorate introduced a new inspection methodology for Care Homes for Older People in July 2018. This new approach introduced amended quality themes and increased the number of themes inspected on from 4 to 5.

The new approach has had an impact on the grades awarded to the Council's care homes. A strategic Care Home Programme Plan of Continuous Improvement has been developed to address systemic issues identified from the inspections undertaken in 2018. All other services continued to be inspected against the previous 4 quality themes during 2018/19, with services being given a grade of 3 – adequate, if an improvement in the quality of service provided is identified.

Quality Assurance of Social Work Services

1. OVERVIEW

The Quality Assurance and Compliance (QA) service, as a vehicle of the Chief Social Work Officer, monitors standards within social work services and provides feedback to these areas regarding strengths and areas for development.

Projects are also undertaken on behalf of the Chief Social Work Officer, Public Protection Committees and the service(r) areas responsible for social work service delivery.

The remit of the QA service is to:

- support services to identify strengths;
- assist in identifying areas for improvement;
- support service areas to develop action plans to address improvements;
- oversee how action plans and recommendations are addressed.

Service areas make improvements based on reported findings. This culture of continuous improvement ensures that people who require support, care and protection from adult and children's social work services receive high quality provision when they need it.

In 2019 work has been undertaken to ensure that Quality Assurance activity is aligned to service (are) and Chief Social Work Officer prioritisation. This has seen

the launch of Service Level Agreements with each area of social work. Alongside this a new development of joint workshops between service areas and Quality Assurance staff creating action plans from audit findings, as well as a cycle of 3, 6- and 12-month reviews of actions. This has strengthened the work of the Quality Assurance team.

2. QUALITY ASSURANCE AND COMPLIANCE ACTIVITY – 2018/19

A review of the team's workplan provided a menu of quality assurance activities which are expected to be undertaken by the three social work areas. A number of these activities are fixed, and it is expected that they will be undertaken by all three areas. The remaining activities can be chosen on a service identified needs basis. The following table lists the individual activity, description of the activity and the QA service performance related to each activity:

Activity	Description	Performance
FIXED ACTIVITIES		
Single-Agency Practice Evaluations (116 annually across the 3 social work areas)	The practice evaluation programme is part of a quality assurance framework to monitor and improve the department's own performance. Practice evaluations offer the practitioner the opportunity to reflect and analyse their work, evaluating what worked well/did not work well, as well as considering outcomes for service users and their families. Managers' participation enables benchmarking of practice and improves the overall consistency of approach and practice. The QA service annually monitors the strengths and improvements reported for each service.	In 2018/19 Quality Assurance Officers worked with Community Justice Services and Health and Social Care to review and improve the efficacy of the Practice Evaluation process. All 3 social work areas have a target number of Practice Evaluations to be achieved in the year which are held fortnightly or monthly to achieve this target.

<p>People's Stories (36 annually across the 3 social work areas)</p>	<p>The aim of People's Stories is to embed a culture of qualitative engagement with the people who use social work services and to recognise the impact that a social work intervention can have on individuals. The model will also promote an ongoing culture of quality assurance and improvement in service provision, including social work practice. By gaining direct, qualitative feedback, the quality assurance of service provision can be triangulated using the experience and views of customers, staff, and management.</p>	<p>October 2018 – the QA service assisted Community Justice Services to engage with people who use their services.</p> <p>The QA service carried out a successful pilot of People's Stories in spring 2019. The model will be rolled out across the 3 social work areas in summer 2019.</p> <p>May 2019 – review and quality improvement of entry and exit questionnaires used by Community Justice Services with service users.</p>
<p>Supervision Survey (1 annual survey per social work area)</p>	<p>The purpose of the supervision survey is to elicit staff experience of supervision and gauge organisational compliance with the written supervision policy and procedure. Quality assurance of supervision aims to increase both organisational and external confidence that social work is being performed safely and to the requisite standard. A pilot survey of social work supervision within Communities and Families was undertaken in September 2017, leading to the establishment of an annual supervision survey.</p>	<p>In 2018, the supervision survey was undertaken with Communities and Families and extended to Community Justice and Quality, Governance and Regulation. In 2019, the supervision survey has been extended to staff employed within the Edinburgh Health and Social Care Partnership.</p>
<p>FREE CHOICE ACTIVITIES</p>		

<p>Multi-Agency Practice Evaluations (12 per year in 2 blocks of 6)</p>	<p>Multi-agency Practice Evaluation (MAPE) provides a qualitative model of joint self-evaluation which considers the broader needs of children/young people and their families across the spectrum of need and risk. In addition to practitioner level learning, the evaluations also provide an opportunity for organisational learning from the identified themes arising from the sessions.</p>	<p>In early 2018, the QA service used this model to lead an exercise in a reflective evaluation of cross-organisational working within the Edinburgh Children's Partnership. It is intended to embed this as regular activity in Communities and Families and MAPEs will take place twice-yearly. One improvement in the use of the model is the inclusion of feedback from young people and their families/carers.</p>
<p>Case File Audits (small and large-scale – as required)</p>	<p>Case file audits allow social work areas to evaluate their performance aligned to practice and enable areas to examine the effectiveness of processes and how well staff evidence the work they do through good quality recording-keeping. The QA service reviews all audit improvement plans at 3 and 6 months, with further reviews agreed, to ensure that areas for development/improvement are acted upon and that change is sustained.</p>	<p>November-April 2018 – Quality Assurance Officers led a city-wide examination of key processes across the four localities, including a case file audit of how referrals were managed in locality hubs and engagement with locality staff groups.</p> <p>March 2019 – case file audit of Child Protection e-IRDs where domestic abuse was a factor at case closure.</p> <p>April/May 2019 – case file audit of complaints handling across the three social work areas. (Appendix 2)</p>

<p>Service Reviews (as required)</p>	<p>Service reviews enable social work areas to assess their strengths and areas for improvement and to identify where there is a need for further growth and development. This engenders a high level of organisational self-awareness which embeds a learning culture and increases the efficacy of the social work area.</p> <p>The QA service undertakes individual service reviews. Although this has historically been carried out on both a commissioned and ad hoc basis, it is planned to have this function become a key component of the service's core business. Reviews will focus on service area compliance with policies, procedures, protocols; recognised good practice; quality of key processes, functions and outcomes.</p>	<p>Between August and November 2018, service reviews were held within Communities and Families – the four Locality Teams, Through Care and After Care Team, and the Young People's Service.</p>
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<p>Self-Evaluation (1 project annually per social work area – either single or multi-agency)</p>	<p>Self-awareness is the goal for all service areas to perpetuate the knowledge about their strengths, areas for improvement, and to have sufficient planning in place to promote improvement, together with an awareness and understanding of the impact of services on individuals. The QA service participates in work that will support and challenge service areas to develop and improve upon their own self-evaluation.</p> <p>This work can also include the co-ordination of multi-agency self-evaluations, given the role of agencies in, and recognition of, the importance of collaboration and co-production.</p>	<p>In May 2019, the QA service re-wrote the self-evaluation toolkit to encourage social work areas/teams to operate, manage and participate in self-evaluation projects.</p> <p>In April 2018, the QA service held a focus group with Communities and Families regarding assessments prepared for Initial Child Protection Case Conferences. A professional working group was set up and a shortened assessment developed. This assessment was piloted in December 2018 and was rolled out across the city early 2019.</p> <p>In March 2018, Communities and Families staff were consulted via questionnaire regarding what works and what needs to change.</p>
<p>Bespoke Projects</p>	<p>Bespoke audit or quality assurance work is undertaken on an agreed and negotiable basis and depends on priority and the capacity of the QA service.</p>	<p>February 2019 – development of a register which enables Community Justice Services to review and achieve outstanding actions and recommendations from local and national reports.</p>

Inspection Activity	The QA service is involved in co-ordinating inspection activity. Although an infrequent process, inspections can consume team time and capacity and, therefore, may occasionally displace other activity that has been agreed between the service and Directors, Heads of Service or Public Protection Committees.	January-March 2019 – the QA service assisted with the preparation for the inspection of Children’s services.
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6. Workforce

Workforce intelligence for Edinburgh is in the process of being refreshed. It is important that the makeup of the social workforce, including age, gender, length of experience, qualifications, etc, is all mapped and understood. This will allow for clearer analysis of where the workforce pressures are, where stronger succession planning is required and where the creation of single points of failure have inadvertently arisen.

Edinburgh’s Social Work Workforce Overview

Average age of a social worker in Edinburgh – 45.85

Median age - 46

Average length of service of social worker in Edinburgh – 11.72 years

Median length of service - 11 years

24% of social work workforce over 55, with average of 17.85 years of service

7.3% of social work workforce under 30, with average of 1.79 years of service

Ethnicity	Percentage of Workforce
No ethnicity data held	11.7%
Any other Asian background	0.38%
Any other black background	0.38%
Any other ethnic background	0.09%
Any other mixed background	0.87%
Any other white background	3.87%

African	1.35%
Chinese	0.09%
Indian	0.29%
Prefer not to state	0.5%
White European	1.74%
White Irish	4.25%
White British	10.2%
White Scottish	64.08%

Support for Learning and Development

Throughout 2018/19 support for learning and development for the social care workforce has been a key area of delivery. This has included the support of formal qualifications, inter-agency learning, child and adult protection, SVQ, practice learning, induction and essential learning for care staff and newly qualified social workers.

Public Protection: Digital Learning Developments

This year has seen the launch of the Public Protection e-learning module, a resource that all staff across the Council can access. This module aims to provide employees with basic awareness of child and adult protection processes, indicators of abuse in both children and adults, and what employees can and should do if they had a concern. The module is also being made available to partners, most notably the voluntary sector.

In May 2019, a new e-learning module was launched offering an introduction to 'Getting It Right for Every Child' (GIRFEC), which is the national approach in Scotland to improving outcomes and supporting the well-being of our children and young people. The module explores the GIRFEC approach, the different tools available within GIRFEC, children's plans and chronologies, the named person and information sharing. Fictional case studies are used throughout to illustrate how the approach supports children and young people in practice.

There has been a lot of research in the last few years exploring both the positive and negative impact that the online world can have on children and young people. In the last year the Learning and Development Team have launched a course for those working with children and young people, as well as their parents, on how to keep children safe online. A workshop has been developed based on materials from the Child Exploitation Online Protection Centre (CEOP) and sits alongside a knowledge hub, and some games and activities that employees can use with children and young people to explore online safety. One delegate fed back that the course was 'one of the most useful and well-run courses [he had] been on'. Another delegate stated that they had used the resources with the young people in

their class, and that the young people had decided that they wanted to make their own version of one of the games to teach others about online safety.

Child Protection:

In the last financial year 2018 to 2019, two learning and development practitioners have facilitated approximately 75 specific contact workforce child protection courses (formerly level 2) and 20 Intensive Contact Workforce child protection courses (formerly level 4). They have also continued to support social workers, deputy head teachers and Lifelong Learning staff to be able to deliver specific contact workforce training. They have arranged and facilitated approximately 10 courses focusing on communication with children (Talking Mats, Emotion Talks and Words and Pictures) and have also delivered probationer teacher specific courses, and training to support social workers around assessing contact with babies and attending Children's Hearings. In addition to this, they have continued to work in partnership on Interagency learning and development events.

In Edinburgh's Children's Services, there is a strong commitment to have frontline social workers undertake the Professional Certificate in Child Protection (Stirling University). Twelve social workers completed this course in 2018/19.

Further and Higher Education Child and Adult Protection:

In 2018/19 four employees participated in the Adult Services Support and Protection course and 13 employees undertook the Child Welfare and Protection Course. Both courses are facilitated by Stirling University.

Eight successful candidates have been identified to undertake the Adult Protection postgraduate module at Stirling University starting in January 2020 to build up a resource within the workforce of practitioners confident in Adult Protection practice. The expectation would be that once the candidates have completed this course then they will be added to the resource pool of ASP Level 2 facilitators.

The Adult Protection Senior Practitioners have been continuing to deliver a regular programme of Adult Support and Protection Level 3 and Level 4 training throughout 2019, including workshops on Risk and Recording, Thresholds and Interagency Referral Discussions and Adult Protection Case Conferences.

Adult Support and Protection:

Learning and Development Evaluation 2018-2019

The following provides a summary of the Level 3 and 4 Adult Support and Protection workshops and training sessions facilitated over 2018/19. The evaluation ratings highlight confidence levels pre and post course in key focus areas covered as part of the learning.

2018

Adult Support and Protection Level 3 Training – Council Officers

2-day course held in January, May, June, September

Adult Support and Protection Level 3 Training – Managers

2-day course held in February, April, May, October 2018

2019

In 2019 the Adult Support and Protection Level 3 Council Officers and the Managers training were merged into a one 2-day course held in January, May and June. This will also run in October.

Adult Support and Protection Level 4 Training

Thresholds & IRDs Workshop 2018 – 2019

One day course held in April and November 2018 and March 2019. Further course to be held in October 2019.

Recording Workshop 2018 – 2019

One day course held in October 2018 and April 2019. Further course to be held in September 2019.

Escalating Concerns Workshop 2018 – 2019

One day course held in June 2018 and January 2019

Assessing Capacity Workshop 2018

One day course held in September 2018.

Adult Protection Case Conference Workshop to be held in June and November 2019.

Scottish Vocational Qualification (SVQ) in Social Services and Health Care:

The Learning and Development Team continue to monitor and respond to the qualification needs of the wider Health and Social Care workforce, including senior managers. They have commissioned 150 SVQ Social Services and Healthcare opportunities for the current financial year and are working alongside the Quality Assurance and Compliance team, to ensure delivery of a joined-up approach to the qualification of the Homecare Workforce, under the umbrella of Project 1400. The team also work closely with Homecare Locality Managers to implement a programme of SVQ assessment for 100 frontline staff that will meet the learning requirements of employees but will also minimise any potential impact on service delivery.

Professional Development Award (PDA) Health and Social Care Supervision:

Learning and Development have commissioned up to 60 places on PDA Health and Social Care Supervision to support the leadership development of managers in Health and Social Care. As well as targeting frontline supervisory managers in the traditional settings such as Homecare and Care Homes; this year, working with a senior manager and the Social Work Governance Group to test out the effectiveness of the PDA for senior social workers. If successful, it is hoped this course may provide a relevant development opportunity for newly appointed senior social workers at the start of their leadership career.

Practice Learning:

The City of Edinburgh Council continues to host social work placements from the following universities: Edinburgh, Open University, Robert Gordon's, Stirling and lately Napier. In 2018/19 we have collectively arranged 23 placements and plan to support four student placements from the new integrated course with Occupational Therapy, Physiotherapy and Social Work, launched by Napier University in 2019.

Currently there are five employees undertaking the practice learning course with the Tayforth Partnership. Continual investment in our future Practice Educators is vital in ensuring that placements can be offered, and a learning culture can be created, and we successfully recruit the correct people for vacancies in social work.

16 employees have been supported to attend the Link Workers course over the last year. The next course is due to run in October.

Newly Qualified Social Worker programme:

The six-day programme for newly qualified social workers was facilitated by Learning and Development from October to December 2018 with 26 newly qualified social workers from a range of practice areas in attendance. One of the aspirations of the programme is to help build resilience in practice from an early stage in the social work career path. The learning is continuously updated to include current and relevant policy and practice content. This year, sessions on Self-Directed Support and outcomes-based practice were introduced to the programme.

Edinburgh Health and Social Care Partnership

Planning

In December 2018 the Workforce Planning Group submitted their inaugural baseline workforce plan to the Edinburgh Integrated Joint Board (EIJB).

The Workforce Development workstream is assessing succession planning, career pathways, talent management, leadership and management development. Looking at how we can maximise our skill mix and ensure a joined-up approach to training and development.

The staff engagement and experience workstream have been looking at positive work culture (linking in with recruitment and retention), also more specifically about how we build and enhance our corporate identity. The group is also looking at how the Partnership's health and wellbeing is critical to our workforce challenges going forward.

To ensure integration between workforce, service and financial planning will require a significant culture change within the organisation.

The IJB is now required by the Government to produce a full, 3-year workforce plan for the Partnership by the end of March 2020. Work has started on the data trawl and will link in with the Partnership's Strategic Plan.

The Partnership needs to consider a workforce strategy that acknowledges the wider connections to the likes of recruitment and retention strategies as well as learning and development initiatives. We acknowledge that there are gaps in some of the information that we hold for the primary care workforce and the voluntary workforce within the Partnership.

Social Care as a vocation has sometimes been viewed as demanding but low paid, which is challenging for recruitment and retention. The Partnership face a potential crisis in the provision of care and support services over the coming years, with a growing population of older people but with fewer people coming into a labour market that is increasingly competitive.

The age profile of our health care workforce means that many will be retiring over the next 10-15 years, particularly within Home Care. We need to attract a younger workforce and focus on succession planning and adapt new ways of service delivery.

The development of a new resourcing strategy will utilise current initiatives already underway to improve attraction, engagement and retention.

Development

This year saw the rolling out iMatter across the Partnership – to all colleagues whether employed by NHS Lothian or the City of Edinburgh Council.

iMatter is a survey tool designed with staff to help individuals, teams and the wider organisation understand and improve staff experience, the extent to which employees feel motivated, supported and cared for at work. It is important to measure staff experience and work to improve this, as it impacts on engagement, motivation and productivity levels.

Communities and Families

Over 1500+ members of staff have attended Restorative Practice learning events led by our Learning and Development (L&D) team in 2018-19. These have been generally well received and our staff understand and are engaged with restorative and strengths-based approaches.

A self-directed practice guide has been produced by the L&D officers seconded to this work in 2018-19 and this is currently being refined by the L&D team leader. A core task for the working group is to develop one-page guides and devise a way of making all this material easily accessible to staff on a multi-agency basis.

A working group chaired by the Senior Manager for Children's Practice Teams will take forward the next phase of the development of a Restorative Practice strengths-based approach. This will involve further evolution of the toolkit, the development of some specific tools for support and challenge including reflective supervision and the recording of outcomes with children and families, and ongoing multi-agency staff engagement events to highlight and develop good practice.

Staff benefit from a wide programme of multi-agency child protection training which is overseen by the Learning and Development sub group of our Child Protection Committee and is delivered through a partnership of Learning and Development officers and front-line managers.

Recruitment for children's practice team social workers takes place on a city-wide basis and distribution of staff to teams is calculated in way that is proportionate to the numbers and type of children and young people being worked with in each locality. This practice which has been in place for some years and has helped maintain sufficient numbers of permanent staff in post and eliminate the need to use agency staff.

Local Practitioner Forum

The Chief Social Work Officer sponsored Edinburgh Local Practitioner Forum (ELPF) continues to meet 2-3 times per year. The ELPF continues to offer opportunities for front line staff to reflect on their practice, discuss service developments across the city and how these will impact on their day to day work as well as hearing from outside speakers.

The ELPF maintains an online presence and encourages participation from voluntary sector workers, front line workers, senior managers and social work students. This year there has been a renewed interest in the ELPF, with increased attendance figures (over 50 professionals attended the meeting on 10 April 2019).

The number of subscribers to the ELPF's website (www.elpfonline.org.uk) currently sits at 96. This is used to maintain engagement with practitioners and professionals, and to supplement traditional email and face-to-face contact opportunities. The website includes the dates of upcoming meetings and copies of the agendas and presentations used.

The Black and Minority Ethnic (BME) Equality Workers forum regularly meet to discuss common issues that affect all minority ethnic employees and their communities. The forum aims to:

- facilitate support between members and network with one another
- work alongside managers and equality officers to promote policy and practices on equality issues
- assist in challenging racism and discrimination
- work towards ensuring there are no discriminatory practices in recruitment, training and practice
- share information and experience
- support the development of good practice on race equality and diversity matters.

The forum achieves this through offering support and advice to colleagues; participating and consulting on Council strategies; supporting the implementation of legislation, policies and good practices; and delivering training and information sessions.

Appendix 1 - Public Protection Strategic Partnerships and Monitoring Arrangements

Diagram 1 – Strategy and planning groups

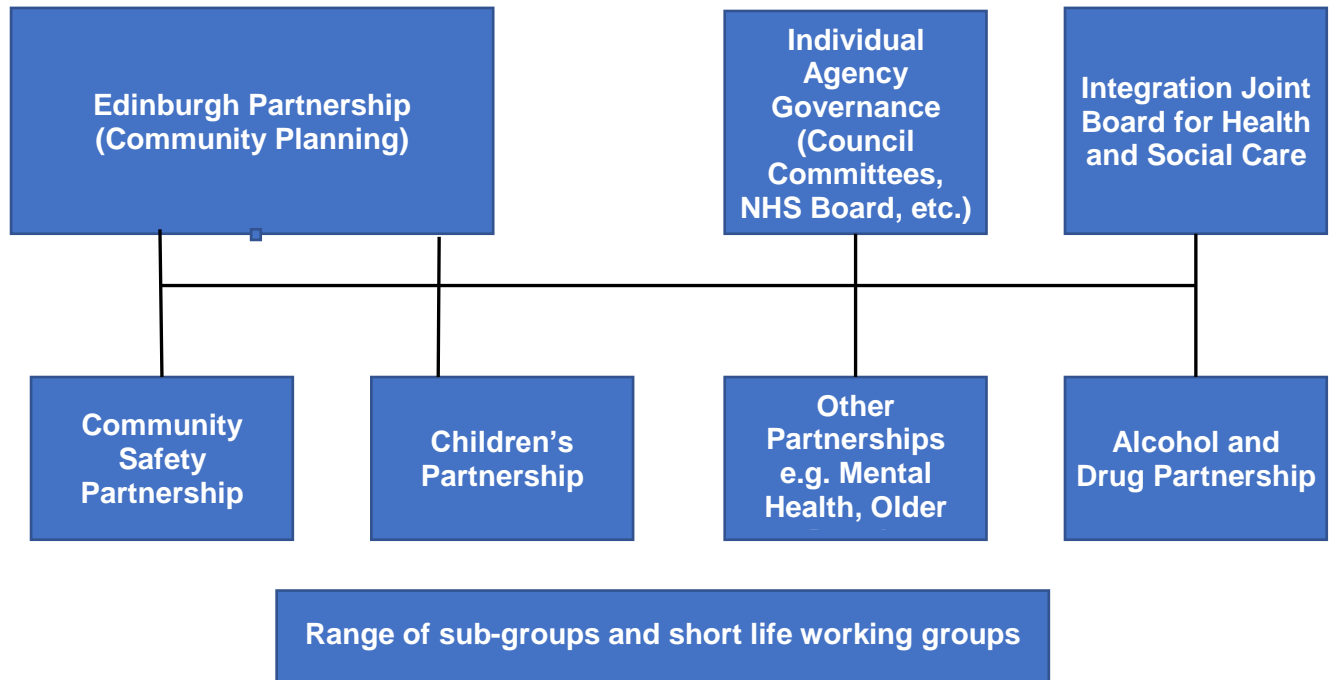
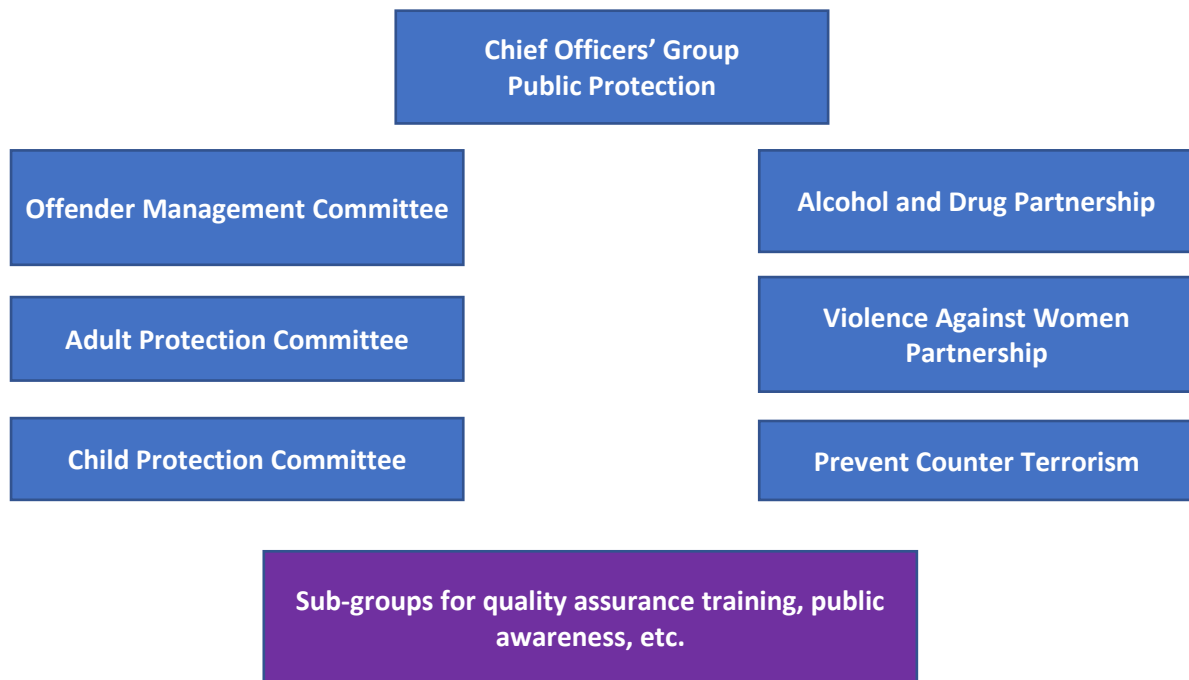


Diagram 2 – Public protection groups



STATUTORY SOCIAL WORK COMPLAINTS PROCEDURE

We take complaints seriously

The Council are required to report annually on complaints received from anyone who receives, requests or is affected by a social work service.

SUMMARY:

The Council is committed to improving social work services for the people of Edinburgh and recognises that complaints are an important source of customer feedback. The following table sets out the number of social work complaints over the last three years dealt with as frontline resolutions (stage one); the number of complaints that required formal investigation (stage two); the number of complaints referred to a Complaints Review Committee; and the number of complaints referred to the Scottish Public Services Ombudsman (SPSO). Along with responding to complaints the Council also respond to enquiries made by the public, and by elected members (MPs, MSPs and Councillors) on behalf of their constituents.

	2016/17	2017/18	2018/19
<u>Stage One Frontline Resolutions</u>			
• Edinburgh Health and Social Care Partnership	69	74	111
• Communities and Families	26	42	35
• Community Justice	0	5	16
<u>Stage Two Investigations</u>			
• Edinburgh Health and Social Care Partnership	75	79	72
• Communities and Families	49	20	45
• Community Justice	6*	0	4
<u>Complaints Review Committees</u>			
• Edinburgh Health and Social Care Partnership	13	9	2
• Communities and Families	11	1	0
• Community Justice	1*	0	0
<u>Scottish Public Services Ombudsman</u>			
• Edinburgh Health and Social Care Partnership	2	0	0
• Communities and Families	1	0	2
• Community Justice	0	0	0

<u>Enquiries</u>			
• Edinburgh Health and Social Care Partnership	153	65	143
• Communities and Families	62	23	34
• Community Justice	2*	2	1

* These figures were previously reported within the overall Edinburgh Health and Social Care Partnership figures.

Data is also recorded by the respective service areas regarding positive comments made by the public.

	2016/17	2017/18	2018/19
<u>Positive Comments</u>			
• Edinburgh Health and Social Care Partnership	6	3	11
• Communities and Families	0	0	0
• Community Justice	0	0	0

EDINBURGH HEALTH AND SOCIAL CARE PARTNERSHIP

Summary Information:

During 2018/19, Edinburgh Health and Social Care Partnership completed 72 formal stage two complaint investigations. This represents a decrease of 9% on the previous year. In addition, 111 complaints were completed as frontline resolutions; 143 enquiries were resolved; and 11 positive comments were received by the service. The level of complaints received is set against a background of service provision volume in the following key areas:

Social Care Direct:

- Approximately 65,000 contacts were received by Social Care Direct. This reflects a 25% increase on last year when 52,000 contacts were received.

Practice Team, Sector Based Social Work Services:

- 5,910 assessments were carried out by practice teams (Sector Teams, Residential Review Team), which is a 91% increase from last year when 3,090 assessments were carried out. 5,946 reviews were carried out, representing a 53% increase on last year.

Home Care Service:

- 4,890 people received 97,141 hours home care service in March 2019, either from the Council's Home Care and Support Service or purchased by the Council from the independent sector. This represents a small increase on the provision in March 2018 when 4,797 people received 93,775 hours. It should be noted that there are also increasing numbers of people opting to arrange their support via a direct payment or individual service fund.

Residential Care Homes:

- 293 adults aged under 65 years were supported in permanent care home places (all service user groups) an increase of one since last year.
- 3,347 adults aged 65 and over were supported in long term care home placements, which is a 5% decrease on last year. Of these 3,347 adults aged 65 and over, 561 had a placement in a Council run care home at some point in the year which is a decrease on last year.

Direct Payments & Individual Service Funds:

- At the end of March 2019, over one quarter of adults were choosing to receive their support with a direct payment or individual service fund providing greater opportunity to specifically tailor their support to meet their needs.

Occupational Therapy:

- 1,440 assessments were carried out to identify support needs, including adaptations, equipment and services required. This represents a 9% decrease on last year.

Timescales for Stage Two Complaint Investigations:

In 2018/19, Edinburgh Health and Social Care Partnership formally responded to 72 Stage 2 complaints. 20 were responded to within 20 working days (28%), 42 were not responded to within timescales (58%) and 10 had an agreed extension (14%).

Outcomes:

Of the complaints formally investigated 21 (29%) were upheld; 31 (43%) were partially upheld; and 14 (19%) were not upheld. Four (6%) complaints were withdrawn, one did not have appropriate consent and one was not applicable.

Complaint Trends:

Of the 72 Stage 2 complaints, 52 were either upheld or partly upheld.

- 39 were reported in locality teams
 - North East (3)
 - North West (14)
 - South East (7)
 - South West (15)

The figures above show a variation in the number of complaints received in the locality teams although the types of complaints and themes were consistent across all areas.

- 1 was reported in the Community Alarm Team
- 12 were reported across miscellaneous services

The four top themes were around:

- Decision making (21%)
- Delays in Packages of Care or Assessments (17%)

- Communication (15%)
- Staff Behaviour (11%)

Service Improvements:

In April 2018, it was agreed that all stage 2 complaints with an outcome of upheld or partially upheld should have a completed improvement plan before the response can be signed off. This is to ensure that any identified actions are completed and learning from complaints is shared through the locality Quality Improvement Teams.

The SPSO are in the process of reviewing their model complaints handling process which will help inform the improvement priorities for the partnership. The focus of improvement over the coming 12 months will be around streamlining our processes for managing complaints, increase shared learning, increasing the number of complaints dealt with as a front-line resolution and increase the level of support and training available to teams investigating and responding to complaints.

COMMUNITIES AND FAMILIES

Summary Information:

During 2018/19, Communities and Families (Children's Services Social Work Complaints) completed 45 formal stage two complaint investigations. This represents a 125% increase on the previous year. In addition, 35 complaints were completed as frontline resolutions (8% decrease from the previous year), and 34 enquiries and elected member enquiries were responded to (48% increase from the previous year). The level of complaints received is set against a background of service provision volume in the following key areas:

Practice Teams:

- There were approximately 3,200 children and family cases being managed by practice teams as at 31 March 2019.
- approximately 1,210 child protection referrals which were subject to Interagency Referral Discussions (IRDs) took place.
- there were 787 Child Protection Case Conferences convened.
- approximately 175 reports per month were submitted to the Authority Reporter.

Accommodated Children and Young People:

- 1,256 children and young people 'looked after' by the Council (356 at home, 900 away from home)
- 520 children in foster care
- 88 children in residential care
- 17 children in secure accommodation
- 249 children placed with kinship carers
- 27 children with prospective adopters
- 9 children in 'other' settings (e.g. in community)

Young People's Service:

- 598 young people were discussed at multi-agency pre-referral screening (early intervention)

- 198 risk assessments were undertaken
- 38 risk management case conferences held for young people under the age of 18

Self-directed Support (SDS):

As at end of March 2019 there were 213 current Self-directed Support plans for children and young people. This includes the children and young people who receive Direct Payments. It is not possible to provide a percentage increase/decrease from 2017/18 due to a revision in the way data has been collected.

Timescales for Stage Two Complaint Investigations:

In 2018/19, Communities and Families formally responded to four complaints (9%) within 20 working days or within agreed extensions; 38 complaints (84%) were not completed within the targeted timescale. Three complaints (7%) were withdrawn.

Outcomes:

Of the stage 2 investigations completed, twenty-three (51%) were not upheld, fifteen (33%) were partially upheld, four (9%) were upheld, and three (7%) were withdrawn.

Complaint Trends:

There were 28 stage 2 investigations completed regarding social work practice teams in the year 2018/19. This is a 155% increase from 2017/18, although the previous year's total of 11 was unusually low compared to those from 2018/19 and those from 2016/17. There was a broad range of reasons for the complaints lodged regarding practice teams, the highest incidences being about professional practice (6), decisions made by practice teams (5) and alleged breaches of confidentiality (3). There is a level of consistency in the number of complaints regarding Family Based Care, and these have averaged at three complaints per year over the last three years. There has been a steady decrease in Child & Family Centre complaints, resulting in no new complaints in the last year. Centrally based Disability Services received three complaints in 2018/19, having received no complaints in the previous two years.

Service Improvements:

During 2018/19, Communities and Families identified several service improvements for managers to implement as a direct result of complaints. There were five service improvements noted. As with all other council departments, there is a relationship between complaints received and the continuous improvement of services, and this provides a mechanism for service users to contribute to the development of services.

Examples range from relatively minor procedural changes, for example:

- A residential unit formalised a service improvement regarding their procedure for checking the answering service on their landline and mobile phone.

To significant organisational changes, for example:

- All financial decisions taken by the Children Affected by Disabilities Team were previously made by a funding panel. To make the process and decision-making timelier and in accordance with need, the funding panel has been disbanded and funding decisions are made directly by either a Team Leader, Team Manager, or

Senior Manager, depending on the level of funding required. This new system provides greater flexibility in the support offered, in order to respond proportionately to the specific needs of every child and their family.

COMMUNITY JUSTICE SERVICES

Summary Information:

During 2018/19, Community Justice received four stage two complaints. This represents an increase from the previous year. Community Justice completed three stage two complaint investigations (the fourth complaint was withdrawn). 16 complaints were completed as frontline resolutions (220% increase from previous year); one enquiry was resolved; and no positive comments were received.

The level of complaints received is set against a background of the following service provision volume:

- 2,657 people were supported through open community orders by the Community Justice Social Work Service. This represents a 2% decrease from support given during 2017/18.
- Community Justice staff completed 2,529 social work reports to support decision making by the courts, representing a 3% increase from 2017/18.

Timescales for Stage Two Complaint Investigations:

In 2018/19 Community Justice Services responded to two complaints within 28 days (50%) and one within the agreed extension period (25%). One complaint was withdrawn (25%).

Outcomes

Of the complaints completed two (50%) were partially upheld and one not upheld (25%). One (25%) complaint was withdrawn.

Complaint Trends:

There were three complaint investigations completed by Community Justice Services in 2018/19. The reasons for the complaints related to a decision made by a practice team, staff/professional practice issues and decision made as a result of an assessment. One complaint investigation was by Community Intervention Team, one complaint investigation was by Resettlement Team and one complaint investigation was by the social work team at HMP Edinburgh.

Service Improvements:

No service improvements to report.

COMPLAINT REVIEW COMMITTEES:

Changes to legislation on 1 April 2017 saw the end of the Statutory Social Work Complaints procedure and the Complaints Review Committee. Social work complaints began to follow the Council's Corporate Complaints procedure: Frontline Resolution (stage one), Investigation (stage two) and Scottish Public Services Ombudsman.

However, complaints raised prior to 1 April 2017 could still progress to Complaints Review Committee (if requested within 28 days of receipt of the stage two response)

to be heard by three independent lay members, drawn from a wider panel. Three complaints (raised prior to 1 April 2017, where a Complaints Review Committee had been requested within the prescribed timescale) remained outstanding going into the 2018/19 reporting period.

Two Complaints Review Committees were completed during 2018/19 and one was withdrawn. Both complaints were partially upheld by the Complaints Review Committee. The recommendations of the Complaints Review Committee were presented for ratification at the Council's Health, Social Care and Housing Committee for two Edinburgh Health and Social Care Partnership cases. The Complaints Review Committee partially upheld both complaints.

The following is an example of work undertaken to address one of the partially upheld Complaint Review Committees.

- Staff have been reminded that any contact with clients will be recorded on the electronic AIS system. This will create an audit trail and minimise delays through the assessment and support planning process. This will also help ensure that there is clear recording of decisions made and help clarify any areas of confusion.

SCOTTISH PUBLIC SERVICES OMBUDSMAN

The Scottish Public Services Ombudsman investigated two complaints in 2018/19 relating to Communities and Families. Both complaints were upheld by the Scottish Public Services Ombudsman.

Appendix 3 – Registration of the Workforce with the Scottish Social Services Council (SSSC)

The table below outlines: dates set for compulsory registration in each part of the register; the number of Council staff employed in the social services workforce; and the number who have achieved registration.

Section of Register	Number in Workforce	Workers currently registered	Comments	Date of Compulsory Registration	Renewal Period
Social workers	813	843	The social work register part is qualification-based. Registered numbers include employees who have chosen to register but are not practicing social workers.	1 October 2005	3 years
Managers of residential child care	8	6	Two managers provide registered manager functions for two units	1 October 2009	5 years
Residential child care workers with supervisory responsibility	36	36		1 October 2009	5 years
Residential child care workers	197	320	Registered numbers include Locum Bureau workers.	1 October 2009	5 years
Managers of care homes for adults	13	12	1 manager is registered with the Nursing and Midwifery Council (NMC).	1 December 2009	5 years
Managers of adult day care services	8	6	Two managers provide registered manager functions for two-day care services	1 December 2009	5 years

Section of Register	Number in Workforce	Workers currently registered	Comments	Date of Compulsory Registration	Renewal Period
Managers of day care of children services	104	20	Discrepancy is because managers are Head Teachers who are registered with the General Teaching Council Scotland.	1 December 2010	5 years
Practitioners in day care of children	673	1019	Registered numbers include supply workers.	1 October 2011	5 years
Supervisors in a care home service for adults	57	64	Registered numbers include supply workers	1 April 2012	5 years
Support workers in day care of children services	125	193	Registered numbers include supply workers	1 July 2014	5 years
Practitioners in care homes for adults	166	166		30 March 2013	5 years
Support workers in care homes for adults	252	308	Registered numbers include supply workers	1 October 2015	5 years
Managers in a housing support service	7	6	One manager in the process of registering	1 February 2014	5 years
Supervisors in a housing support service	20	20		1 July 2017	5 years
Workers in a housing support service	96	96		1 October 2020	5 years
Managers in a care at home service	1	1		1 February 2014	5 years
Supervisors in a care at home service	2	2		1 July 2017	5 years

Section of Register	Number in Workforce	Workers currently registered	Comments	Date of Compulsory Registration	Renewal Period
Workers in a Care at Home Service	30	0			
Managers in a Combined Housing Support and Care at Home Service	15	10	Discrepancy in registered numbers is due to 3 managers registered with NMC; 1 manager on secondment and 1 manager in the process of registering	1 February 2014	5 years
Supervisors in a Combined Housing Support and Care at Home Service	114	114		1 July 2017	5 years
Workers in a Combined Housing Support and Care at Home Service	1009	489	Register opened in October 2017. Current registration programme in place to support workforce	1 October 2020	5 years

Appendix 4 – Levels of Inspection by the Care Inspectorate for Council Registered Care Services

The table below sets out the levels of inspection by the Care Inspectorate of the Council's registered care services during 2018/19.

Frequency of inspection varies to take account of type of service and performance of a service. Combined Services includes newly registered services, 1 of which have still to be inspected, explains why 14 out of 15 inspections have taken place.

Key to grades: 1 – Unsatisfactory; 2 – weak; 3 – adequate; 4 – good; 5 – very good; 6 – excellent

	Number of Services	Frequency of Inspection	Inspections Undertaken	Lowest Grade	Highest Grade	% with grades of good or above	% with increased grades	% with decreased grades
Communities and Families								
Adoption	1	Yearly	1	4	5	100%	100%	n/a
Care Home (children and young people)	8	Yearly	8	3	4	88%	75%	25%
Day care of children (early years services)	100	Every 2 years	43	3	6	86%	39%	28%
Fostering	1	Yearly	1	4	5	100%	No change	No change
Secure Accommodation	1	Yearly	1	5	5	100%	100%	n/a
Care at Home – Children and Young People	1	Yearly	1	5	5	100%	100%	n/a
Day Care of Children	1	Every 2 years	1	3	4	0%	n/a	100%

	Number of Services	Frequency of Inspection	Inspections Undertaken	Lowest Grade	Highest Grade	% with grades of good or above	% with increased grades	% with decreased grades
Adult Services								
Adult Placements	2	Yearly	2	5	5	100%	50%	n/a
Care Home Service - Older People	10	Yearly	10	2	5	40%	10%	40%
Combined Housing Support/Care Support	15	Yearly	13	3	5	92%	15%	15%
Offender Accommodation	1	Yearly	1	5	5	100%	No change	No change
Support Service – care at home	2	Yearly	2	3	5	50%	50%	50%
Support Service – other than care at home	6	Every 3 years	1	4	5	100%	n/a	100%
Housing Support	8	Yearly	1	4	4	100%	No change	No change
Care Home Service - Adults	2	Yearly	1	4	5	100%	100%	n/a

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Policy and Sustainability Committee

10.00am, Tuesday, 1 October 2019

West Edinburgh Progress Update

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the progress made to date in delivering infrastructure improvements in the West Edinburgh area;
 - 1.1.2 notes the progress made in discussions with Edinburgh Airport Ltd;
 - 1.1.3 notes that this matter will be reported to Committee in spring 2020 providing a further update on progress and seeking any necessary authority to formalise partnership arrangements for delivery of the new link road;
 - 1.1.4 agrees that progress updates on West Edinburgh are provided in Business Bulletins on an ongoing basis; and
 - 1.1.5 agrees a report be brought back to Committee on completion of the West Edinburgh study on inclusive and sustainable growth.

Paul Lawrence

Executive Director of Place

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West Edinburgh Progress Update

2. Executive Summary

- 2.1 This report provides an update on recent progress and developments including the commissioning of a spatial study for West Edinburgh to maximise inclusive and sustainable growth.
- 2.2 It also provides an update on progress with the delivery of the infrastructure needed to support the planned growth in the West Edinburgh area specifically around Edinburgh Airport and the International Business Gateway. The delivery of a new link road from Gogar Roundabout to the airport is a key part of the overall infrastructure package and progress is being made between the Council and Edinburgh Airport Ltd in relation to its delivery.

3. Background

- 3.1 At a meeting of [30 August 2018](#) a motion, as amended, requested that the Housing and Economy (now Housing, Homelessness and Fair Work) Committee:
 - 3.1.1 notes the pressures and risks of the current constraints to vehicle access to Edinburgh Airport especially during busy periods or in the event of an incident;
 - 3.1.2 notes that a new Gogar link road is specifically supported within the Council's Local Development Plan and was included in Edinburgh Airport's 2016 master plan;
 - 3.1.3 notes the variety of factors in delivering a comprehensive solution to development of the International Business Gateway and neighbouring sites;
 - 3.1.4 instructs a report to the Housing and Economy Committee by December 2018 describing:
 - 3.1.4.1 details of progress to date on the proposal for supplementary road access to the Airport;
 - 3.1.4.2 options to fast track achieving supplementary road access within a short timescale;
 - 3.1.4.3 an indication of options and impacts on the Gogar and Maybury junctions;

3.1.4.4 options for financing such a scheme; the discussion at the meeting of the Edinburgh Airport Consultative Committee in November 2018 which will be attended by senior Council officials and will specifically focus on surface access issues at the airport; and

3.1.5 instructs that the report comes to Housing and Economy Committee but is shared with the Transport and Environment Committee and the Planning Committee.

3.2 On the [24 January 2019](#) a report was provided setting out high level options for delivery of a new link road and advising of the ongoing discussions with Edinburgh Airport Ltd.

3.3 Given the cross cutting and strategic nature of this piece of work and the recent revisions to Council committee remits, this area of work will now be reported to this committee.

4. Main report

West Edinburgh – Overview

4.1 Proposals for the development of West Edinburgh were originally established in May 2008, when the Scottish Government published the West Edinburgh Planning Framework (WEPF), which identified the area as being of national importance in terms of economic development potential. In order to support these proposals the West Edinburgh Transport Appraisal (WETA) was undertaken and was published in February 2010. It set out a phased approach to how development in the area might progress which informed transport demand and the package of infrastructure required.

4.2 West Edinburgh has remained as strategic development area since this time and this is reflected in the current National Planning Framework, the South East Scotland Strategic Development Plan and the Edinburgh Local Development Plan. The WETA has also been revisited as plans have evolved and the most recent refresh was completed in December 2016. The current list of infrastructure requirements is provided in Appendix 1 and this includes a new link road that connects to Edinburgh Airport as shown in Appendix 2.

4.3 The WETA was developed in partnership with other stakeholders in the West Edinburgh area and there is general agreement that the infrastructure identified is the right package to support growth in the area. Since the West Edinburgh Planning Framework was first developed the tram and the Edinburgh Gateway Station, which were identified as necessary improvements, have subsequently been delivered.

4.4 In terms of progress made with development delivery, this has been limited and is largely due to the slow economic recovery since the last recession and the fact that the significant development areas are not infrastructure ready. Edinburgh Airport

has, however, undergone significant change during this period and the growth in passenger numbers is following the predictions set out in WETA.

- 4.5 A sizeable area of West Edinburgh is identified within the Local Development Plan for Edinburgh as a Strategic Development Area. This also includes three Special Economic Areas which are areas “of national or strategic economic importance, providing or with the potential to provide a significant number of jobs”; those areas being Edinburgh Airport, the Royal Highland Centre and the International Business Gateway.
- 4.6 There are a range of ownerships across the area broadly identified as West Edinburgh and consequently there is a variety of land uses, masterplans and planning applications at different stages. A summary of significant recent activity is:
- 4.6.1 Edinburgh Airport has seen continual growth in passenger numbers with this estimated to reach 13.1 million passengers by 2020. The Edinburgh Airport Masterplan 2016 highlights how airport owners Global Infrastructure Partners (GIP) aim to grow and develop the airport to meet this growth over a 25-year period. The masterplan sets out the development strategy for the proposed terminal and airfield expansion, and supporting ancillary facilities to 2025 and 2040, with further speculative development planning to 2050.
- 4.6.2 Edinburgh Airport owners GIP have also set up Crosswinds Developments as an independent company to take forward a mixed-use development of a 150-acre site that includes the airport’s disused second runway. Ownership of the land in question will be transferred from Edinburgh Airport to Crosswinds Developments in due course. The development company will then undertake a stakeholder consultation phase with the aim of applying for outline planning permission in early 2020. The Crosswinds development site is within the Strategic Development Area but is assumed to be operational airport land in the Local Development Plan. A detailed assessment of economic, transport and environmental impact will be needed as part of any submission. This will need to identify what additional infrastructure requirements would be generated by the development.
- 4.6.3 The International Business Gateway is a proposed strategic business-led mixed-use development on a 136ha site between Edinburgh Airport to the north and the A8 to the south. The development has planning policy support being listed in the National Planning Framework (NPF3), the Strategic Development Plan (SESplan) and the adopted Local Development Plan for Edinburgh. Phase 1 (west) was granted planning permission in principle by the Development Management Sub-Committee on 8 May 2019, subject to the legal agreement being signed. However, this application has now been called in by the Scottish Government who will take the final decision. Phase 2 (east) has yet to be submitted. All of this land is now being actively marketed for sale. Officers will track this process and seek early engagement with any new owner.

- 4.6.4 Proposals to build 655 homes, including 164 affordable units, on a site adjacent to Cammo were approved by Development Management Sub-Committee on 22 May 2019, subject to the legal agreement being signed. There is also the possibility of the application being called in by the Scottish Government.
- 4.6.5 A Planning Permission in Principle was approved in June 2018 for the Maybury site as allocated for residential development in the LDP. This was for a residential development of up to 250 new homes and associated landscaping, open space and access.
- 4.6.6 Parabola has moved forward with its plans for land at Edinburgh Park and has achieved detailed planning permission for an office associated public squares. It is anticipated that construction will commence in the next few months and that a planning application for mixed use development on the remainder of the land will be submitted early next year.
- 4.7 All of these proposed developments generate the need for new infrastructure in the area and major investment is required. The 2016 West Edinburgh Transport Appraisal identified £108m of works required including the widening of the road between Gogar and Maybury, a new link road and bus infrastructure. A full list of these requirements is provided in Appendix 1.

Strategy for Infrastructure Delivery

Developer Contributions

- 4.8 The current approach being taken by the Council is that the delivery of the WETA infrastructure package should be development led and the Council's Local Development Plan Action Programme and related supplementary planning guidance on developer contributions reflect this strategy. The supplementary guidance on developer contributions has been approved by the Council but is still under review by the Scottish Government. Changes to the guidance were previously made in response to feedback and the Scottish Government is now considering a revised version and have asked a planning reporter to prepare a report for ministerial consideration. Notwithstanding this position, legal agreements are being pursued in connection with planning applications which the Council are minded to grant.

South East Scotland City Region Deal

- 4.9 The City Region Deal has included funding provision for transport related works in West Edinburgh and a business case will need to be developed and agreed through the City Region Deal governance arrangements. It is likely that this will deliver some of the WETA works package. Approximately £37m of funding has been identified for this purpose with £20m allocated by the City Region Deal partners and the Council contributing £17m.

- 4.10 Work is now progressing on the scoping work to identify the priority West Edinburgh Transport Appraisal (WETA) measures to be delivered through the funding that is currently available. Council Officers have been liaising with the City Region Deal partners to develop a high level Project Delivery Plan (PDP). This PDP will be presented to the next City Region Deal Transport Appraisal Board and will set out the next steps of the project with a recommendation to procure multiple disciplinary consultancy support to assist in the progression of the programme and develop an investment package of strategic transport infrastructure for West Edinburgh.

Airport Relief Road

- 4.11 As stated above, the land that the second runway is on will be transferred from Edinburgh Airport to Crosswinds Developments in due course to be promoted for development purposes. In advance of this, however, Edinburgh Airport will submit an application for planning permission for the creation of a new access road linking the Airport to Gogar Roundabout. This would require passing over land owned by the Council so would require the Council's support. Scoping work is now underway on the design of the road in order to allow a planning application to be submitted in due course. It is anticipated that this will be early next calendar year.
- 4.12 The proposed Memorandum of Understanding between the Council and Edinburgh Airport will continue to be developed. It is likely that this will not be signed until the scoping work is complete and there is a clearer understanding of works to be delivered and associated costs. It may also be appropriate to await the outcome of the planning application before agreeing to final terms.
- 4.13 The consultant teams in relation to both the Airport Relief Road and the City Region Deal prioritisation work will be tasked with working together to ensure a coordinated approach.

West Edinburgh Study

- 4.14 Given the various proposals and development being brought forward, and the importance of West Edinburgh locally, regionally and nationally a study is being commissioned. This will consider and assess the inclusive and economic potential in growth and impact terms of West Edinburgh, and to examine an inclusive spatial strategy to ensure that everyone benefits from growth. It will seek to establish use options and the role of the area to unlock opportunities for inclusive sustainable growth. The output of this study will be used to assist with the preparation of future development and delivery plans for physical development and infrastructure projects.
- 4.15 The commissioning partners for this West Edinburgh study are The City of Edinburgh Council, Scottish Government, Scottish Futures Trust and Scottish Enterprise, and the project team will additionally include Transport Scotland and Skills Development Scotland. The procurement of a multi-disciplinary team to undertake this work is underway. It is envisaged that selection of the team will take place shortly and an appointment made in September 2019.

All Party Oversight Group

- 4.16 The West Edinburgh All Party Oversight Group has now met twice and discusses the overall programme in West Edinburgh and the co-ordination of this activity. The group has focused on building up knowledge and information of land ownership and planned activity in West Edinburgh by both the Council and other stakeholder.

5. Next Steps

- 5.1 The next steps in taking forward this work are as follows:
- 5.1.1 complete commissioning of the West Edinburgh spatial study on inclusive and sustainable growth and commence work on this study;
 - 5.1.2 continue to work through the South East Scotland City Region Deal partnership arrangements to agree infrastructure priorities and a delivery programme for West Edinburgh;
 - 5.1.3 continue discussions with Edinburgh Airport in the development of a planning application for the link road;
 - 5.1.4 continue to work with Edinburgh Airport on a Memorandum of Understanding between The City of Edinburgh Council, Edinburgh Airport and Crosswinds Developments; and
 - 5.1.5 report to Committee in spring 2020 on progress and seek any necessary authority to formalise partnership arrangements for delivery of the new link road or any other infrastructure.
- 5.2 There is likely to be a requirement to report to other Council committees throughout this process given the range of remits that this work is likely to cut across.
- 5.3 This report does not make detailed recommendations in relation to interventions that the Council may wish to make in the West Edinburgh area and as a result there are no measures of success detailed at this stage. In general terms, however, the measures of success against which any such intervention would be assessed, would be along the following lines:
- 5.3.1 that the package of improvements addresses current pressures on the transport network while also delivering on strategic transport objectives in relation to modal shift and sustainability;
 - 5.3.2 that the agreed package of works complements any package of works agreed through the City Region Deal;
 - 5.3.3 that the agreed package of works catalyses development in the area; and
 - 5.3.4 that any financial outlay agreed by the Council is recovered through the funding arrangements agreed for such a project.
- 5.4 These outline measures of success will be developed further alongside any proposals that are brought back to the Committee for further consideration.

6. Financial impact

- 6.1 There are no additional costs to the Council associated with this report; the funding for the West Edinburgh study will be met from existing budgets and contributions from the other commissioning partners; Scottish Government, Scottish Futures Trust, and Scottish Enterprise.
- 6.2 Despite the progress being made in infrastructure delivery it is still envisaged at the current time that there will be a funding shortfall in relation to the WETA package of works. Any proposals to take forward the delivery of infrastructure and meet the funding shortfall would need to be considered in relation to the financial impact on the Council. There are a number of finance options that could be considered. These range from forward funding by the Council or a private sector partner using commercial borrowing or borrowing from the Public Works Loan, through to more involved financial models such as the Growth Accelerator Model (GAM). Consideration of all appropriate funding options will be provided once the funding position is clearer and potential interventions have been identified.

7. Stakeholder/Community Impact

- 7.1 The approved spatial and infrastructure strategies stated in this report have all been developed through consultation with key stakeholders in the area and the wider public.
- 7.2 Consultation has been carried out with external partners in designing the scope and brief for the West Edinburgh study. Stakeholder consultation will form a part of the ongoing study. It should also be noted that this study will be used to assist with the development and delivery of the next LDP – City Plan 2030. This is the process by which any changes to the plans for West Edinburgh will be agreed and consultation will be carried out in line with statutory requirements.
- 7.3 Any further reports setting out proposals for delivery of improved access arrangements or would consider sustainability and community impacts and the expectation would be that any programme of works would be developed as part of a wider programme to ensure that 'modal shift' is realised in line with stated targets. A consultation and engagement strategy for any subsequent delivery project would be put in place as part of the project.

8. Background reading/external references

- 8.1 Edinburgh Local Development Plan
- 8.2 West Edinburgh Transport Appraisal (WETA)
- 8.3 Edinburgh Local Development Plan – Action Programme

9. Appendices

Appendix 1 – WETA Infrastructure Requirements

Appendix 2 – WETA Relief Road Diagram

Appendix 1 – WETA Infrastructure Requirements

Infrastructure measure	Potential cost excluding optimism bias	Potential cost including 44% optimism bias
Cycling		
A8 north side missing link	£537,500	£773,900
Improvements to Gravel path (old railway line) from A8/M9 interchange north to Kirkliston	£317,600	£457,300
Cycle Connection from A8 along Eastfield Road into Airport	£481,500	£693,300
New pedestrian / cycle bridge over railway between West Craigs and Edinburgh Gateway	£3,000,000	£4,320,000
Improved Crossings at Turnhouse Road and Maybury Road for designated cycle path	£110,000	£158,400
Improved access between Ratho Station and A8 along Station Road	£458,200	£659,800
Improved Station Road/A8 access for cyclists	£440,800	£634,800
Total	£5,345,600	£7,697,500
Public transport		
Broxburn to Newbridge Roundabout bus lane	£3,124,700	£4,499,600
Station Road to Newbridge Interchange bus lane	£1,112,700	£1,602,300
A8 Eastbound Bus Lane from Dumbbells to Maybury Junction	£2,567,700	£3,697,400
Bus Lane under Gogar Roundabout	£64,100	£92,300
Maybury Road Approach to Maybury Junction	£2,140,400	£3,082,200
Improved bus priority linking South West Edinburgh with the Gyle, IBG and airport (including pedestrian / cycle facilities where appropriate)	£4,480,200	£6,451,500
Upgraded Bus interchange facility at Ingliston P+R	£3,000,000	£4,320,000
Kilpint Park and Ride	£5,500,000	£7,920,000
New Tram Stop	£1,000,000	£1,440,000
Total	£22,989,800	£33,105,400
Road		
Link Road Part 1 Dual Carriageway	£6,301,000	£9,073,400
Link Road Part 2 Single Carriageway	£2,813,900	£4,052,000
Segregated Link Road cycle route	£1,115,000	£1,605,600
Development Link Road Main Street Carriageway	£5,634,900	£8,114,300
Dualling of Eastfield Road Phase 1	£1,802,900	£2,596,100
Dualling of Eastfield Road Phase 2	£1,143,000	£1,645,900
Dumbbells Roundabout Improvement	£1,203,000	£1,732,400
Dumbbells westbound off-slip signals	£865,200	£1,245,900
MOVA improvements at Newbridge, Dumbbells, Gogar/Maybury	£1,510,000	£2,174,400
Newbridge additional lane from M9 onto A8	£581,300	£837,100
A8 Gogar Roundabout – 4 lane northern circulatory improvement	£1,699,200	£2,446,800
Gogar to Maybury additional eastbound traffic lane	£20,833,300	£30,000,000
CEC Maybury improvement scheme	£1,294,500	£1,864,100
Total	£46,797,200	£67,388,000
Grand total	£75,132,600	£108,190,800

Appendix 2 – WETA Relief Road Diagram

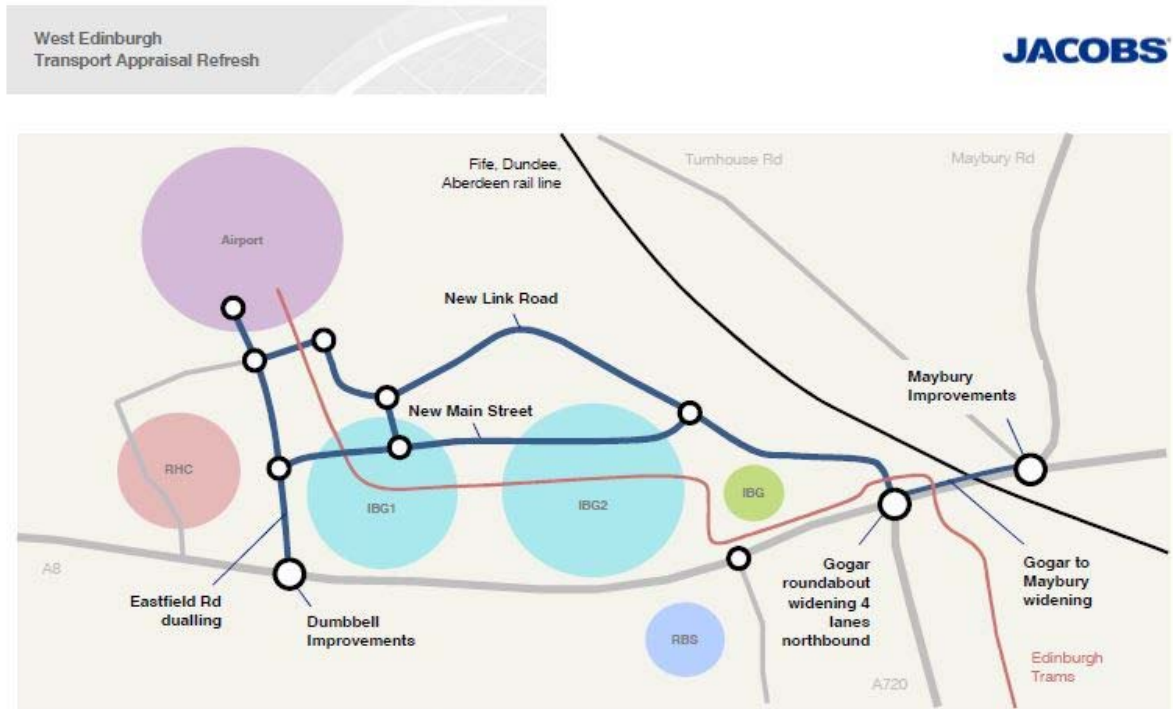


Figure 6.7: Indicative layout of new development Link Road / Main St, Eastfield Rd dualling and junction improvements

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Policy and Sustainability Committee

10:00am, Tuesday, 1 October 2019

Gender Pay Gap Update

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 As requested at Finance and Resources Committee 11 October 2018, this paper provides an update on the gender pay gap for information and noting.

Stephen S. Moir

Executive Director of Resources

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Gender Pay Gap up-date

2. Executive Summary

- 2.1 The Council is currently bound by duties arising from the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, which require the Council to positively eliminate discrimination and publish gender pay gap information every two years.
- 2.2 The Finance and Resources Committee reviewed our most recent gender pay gap information in October 2018.
- 2.3 This paper provides an up-date on the long-term measures identified within the report to support a reduction in our mean gender pay gap of 4.8% (median 5%).

3. Background

- 3.1 It is widely acknowledged that the gender pay gap is influenced by many factors, including wider societal dynamics, some of which will take time to change.
- 3.2 However, understanding the data and trends better has enabled us to target initiatives that will reduce the gap in the short to medium term
- 3.3 Analysis has shown us that close monitoring and gender impact assessments are critical to support the maintenance /improvement of the gap.
- 3.4 Whilst our gap is comparatively low, it is evident that there has been some detrimental movement in the last 12 months due to changes in the demographic profile of our workforce. To provide context to this short-term variance, data and trends from 2011 have also been included.
- 3.5 A number of activities and initiatives are underway to seek to continue to close the Council's gender pay gap.

4. Main report

- 4.1 Whilst we will not undertake the next full gender pay gap report until 2020, we have undertaken further analysis to gain insight into the gender pay gap where
- men occupy more senior roles than women in the same occupation
 - occupational segregation where men and women do different jobs
 - part time versus full-time trends
- 4.2 The analysis and findings, which includes trends from 2011 to 2019 can be found in Appendix 1.
- 4.3 A number of initiatives and activities have been underway, or have been started, which seek to close the current gender pay gap within the Council.
- 4.4 A Diversity and Inclusion focus group with representation from elected members, trade unions and current colleague networks (as well as HR) has been established to review and finalise the Diversity and Inclusion strategy and associated action plan for approval at committee in October.
- 4.5 Awareness raising of diversity and inclusion issues is a fundamental element of both the strategy and the action plan. Although the action plan will evolve over time, the proposal is to focus initially on awareness raising in relation to:
- collection of equalities data and how we will use the data
 - promotion and support of colleague networks
 - key dates across the year that are significant for underrepresented groups
- 4.6 This includes, launching a new Equality and Diversity digital learning module for employees and managers earlier this year. Additionally, we are developing a new digital learning experience for recruiting managers with a sharper focus on inclusive recruitment practice, including a focus on unconscious bias as well as direct and indirect discrimination. Additionally, a Women's Network will be launched in August 2019 which will seek to help to build a culture of inclusion through building a community to support and empower women.
- 4.7 We are collaborating with external partners to help us improve our attraction and recruitment approaches to reach population groups who may not currently consider us as an employer. This includes working in partnership with AMINA to support Muslim women's employability skills and the Department of Work and Pensions to support the employability skills of NEETs (not in education, employment or training). We are also engaging with colleague network groups to help us gain valuable insight in their views on how to attract a diverse workforce. We recently launched our @Edinburgh Council Jobs Twitter feed and use this to raise awareness of any upcoming recruitment campaigns, featured jobs, local stories e.g. Pride, Fringe etc and employees leave testimonials about why they chose to work for us.
- 4.8 We continue to monitor and promote our flexible approach to ways of working and family friendly policies: Maternity, Paternity, Adoption and Shared Parental Leave policy; Parental Leave policy on the Birth or Adoption of a Child; Special Leave

Policy; Working Time Policy. These policies are reflective of best practice and confirm our commitment to a culture of supporting work/life balance.

- 4.9 It is acknowledged that a factor contributing to the gender pay gap, both within the Council and within other organisation, is low female population densities in senior (highest paid) roles. Whilst the organisation workforce demographic is 68% female and 32% male, this distribution is not represented in grades at the senior level. 2019 has seen the launch and first intake for our inspiring Talent programme. An underlying principle of the programme is to ensure the diversity of our employee population is reflected in the successful participants, with a particular emphasis on providing opportunities for women. Of the successful candidates for this year's intake, 75% are women (compared to 56% of applications).
- 4.10 A review of our Reward arrangements for Local Government Employees has been undertaken taking account of the data trends in the most recent Gender Pay Gap report. Initial analysis of the proposals in Total Reward indicate that the gender pay gap could reduce by up to 1% for this employee group.

5. Next Steps

- 5.1 Work will continue on the identified activities and we will report our Gender Pay Gap figures to Committee in October 2020.

6. Financial impact

- 6.1 None

7. Stakeholder/Community Impact

- 7.1 In developing the Diversity and Inclusion strategy and plan we have engaged with a number of stakeholders including elected members, Trade Unions and external organisations such as Close the Gap.
- 7.2 Our new platforms for recruitment, for example use of social media, will help us to reach a diverse as possible pool of potential candidates.

8. Background reading/external references

- 8.1 [Gender Pay Gap – Finance and Resources 11 October 2019](#)

9. Appendices

- 9.1 Appendix 1 – Gender Pay Gap Data Analysis and Insights

Appendix 1 – Gender Pay Gap Data Analysis and Insights

Female Population Density by Grade

The below tables shows the change in female density by grade over the longer term (2011-2019) and over the shorter term (2018-2019).

Percentages

Grade	Female Density			2019 vs 2011	2019 vs 2018
	2011	2018	2019	% change	% change
GR1	78%	77%	79%	1%	2%
GR2	72%	76%	78%	6%	2%
GR3	70%	75%	79%	10%	4%
GR4	70%	67%	63%	-7%	-4%
GR5	63%	67%	68%	5%	2%
GR6	62%	53%	60%	-2%	7%
GR7	64%	65%	66%	2%	1%
GR8	55%	58%	59%	4%	0%
GR9	49%	53%	55%	6%	3%
GR10	36%	58%	53%	17%	-5%
GR11	33%	35%	32%	-1%	-3%
GR12	29%	45%	40%	11%	-5%
	67%	67%	68%	2%	1%

Total Positions

Grade	2011		2018		2019	
	Female	Male	Female	Male	Female	Male
GR1	1041	297	1029	308	990	270
GR2	1017	386	323	103	325	90
GR3	1859	806	2232	743	2269	587
GR4	1780	767	1935	937	1936	1120
GR5	1281	743	1181	593	1278	598
GR6	800	486	787	697	849	570
GR7	1120	618	932	502	1004	513
GR8	432	359	424	305	464	328
GR9	178	183	156	141	174	142
GR10	31	56	73	53	72	64
GR11	15	31	14	26	13	28
GR12	2	5	17	21	18	27
	9556	4737	9103	4429	9392	4337

Females in Senior Roles

Context: The gender pay gap is partly caused by low female population density in the highest paid roles. Whilst the organisation workforce demographic is 68% female and 32% male, this distribution is not represented in grades at the senior level.

Over the Longer Term...(2011 – 2019)

Since 2011 the density of the female population working in senior grades has improved, with an increase of 6% at GR9, 17% at GR10 and 11% at GR12. The female population at GR11 reduced by 1% in this period, which is in part attributable to an overall reduction in the number of GR11 roles in the organisation.

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By contrast, the percentage of female representation at the Chief Official level has reduced from 39% to 25% since 2011, driving a bigger gap in pay between females and males at the organisation level (data excludes NHS which reports separately). There has been a reduction of 2 Chief Official roles over the same period.

Over the Shorter Term... (2018 – 2019)

Comparison of 2018 and 2019 data shows that there were reductions in female density at senior grades (GR10, GR11, GR12).

Consideration of the trends observed since 2018/19 suggests that occupational segregation trends are moving in the wrong direction, with a reducing female population in the highest pay quartile. Our Inspiring Talent Programme will form part of our approach to redress this.

Female Density Change – 2011 to 2019

Grade	Female Density		2019 vs 2011
	2011	2019	% change
GR9	49%	55%	6%
GR10	36%	53%	17%
GR11	33%	32%	-1%
GR12	29%	40%	11%

Female Density Change – 2018 to 2019

Grade	Female Density		2019 vs 2018
	2018	2019	% change
GR9	53%	55%	2%
GR10	58%	53%	-5%
GR11	35%	32%	-3%
GR12	45%	40%	-5%

Females in Lower Grade Roles

Context: The gender pay gap is partly caused by high female population density in the lowest paid roles, eg. Cleaner, Pupil Support.

Over the Longer Term...(2011 – 2019)

Since 2011 we've observed an increase in female density (and a decrease in male density) in GR1, GR2 and GR3 roles.

GR4 experienced an increase in male population density between 2011 and 2019.

Over the Shorter Term... (2018 – 2019)

Comparison of 2018 and 2019 data shows there were increases in female density at GR1, GR2 and GR3 and a decrease in female density at GR4 and GR5.

Consideration of the trends observed since 2011 and 2018/19 suggests that occupational segregation trends are moving in the wrong direction, with an increasing female population in the lowest pay quartile. This trend will be one of our key priorities to understand and develop strategies to address this over the medium term.

Female Density Change – 2011 to 2019

Grade	Female Density		2019 vs 2011
	2011	2019	% change
GR1	78%	79%	1%
GR2	72%	78%	6%
GR3	70%	79%	10%
GR4	70%	63%	-7%

Female Density Change – 2018 to 2019

Grade	Female Density		2019 vs 2018
	2018	2019	% change
GR1	77%	79%	2%
GR2	76%	78%	2%
GR3	75%	79%	4%
GR4	67%	63%	-4%

Males into Traditionally Female Roles

Analysis at the job level identifies some increased male population density in traditionally female roles:

- Analysis of the GR4 Social Care Worker population (671 FTE) shows an increase in male density from 12% in 2011 to 15% in 2019
- Analysis of the Pupil Support population (797 FTE) at GR3 shows an increase in male density from 4% in 2011 to 7% in 2019
- Analysis of the Cleaner population (334 FTE) at GR1 shows an increase in male density from 29% in 2011 to 31% in 2019

Females into Traditionally Male Roles

Analysis at the job level identifies some increased female population density in traditionally male roles:

- Analysis of the Facilities Technician population (150 FTE) shows a decrease in male density from 98% in 2011 to 88% in 2019
- Analysis of the Gardener population (104 FTE) shows a decrease in male density from 97% in 2011 to 95% in 2019
- Analysis of the GR4 Refuse Driver population (110 FTE) shows a marginal decrease in male density from 100% in 2011 to 99% in 2019
- Analysis of the GR3 Cleansing Operative population (203 FTE) shows a decrease in male density from 99% in 2011 to 97% in 2019

Drivers for Change to Female Density in Senior Grades 18/19

Analysis of recruitment, selection and leaver data at the senior level provides us with some key insight into the drivers for reduced female density in senior grades over the last 12 months. Of the total applicants for roles at the senior level, 34% were female and 66% were male. Our resourcing strategy looks to establish effective mechanisms to attract more females to senior roles – from both the internal organisation workforce and the external market.

Of the total new appointments made in the 12 months up to March 2019, 54% were female and 46% were male. This tells us that although lower numbers of females applied for senior roles with the organisation, females were equally as successful as males in terms of selection and appointment at the senior level. This analysis perhaps supports the assertion that females are less likely than males to put themselves forward for senior roles.

Despite more females being appointed to senior roles than males in the last year, more females roles were deleted as a result of organisational reviews (with employees taking voluntary redundancy), and this has driven down the overall female population density at the senior level. This will be monitored to identify whether there is an emerging trend.

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Recruitment & Selection to Senior Graded Roles

Grade	Job Applications & Appointments 18/19	
	Female Applicants	Female Appointments
GR9	42% (104)	50% (8)
GR10	41% (61)	67% (5)
GR11	24% (43)	50% (1)
GR12	21% (14)	50% (1)

Leavers from Senior Graded Roles Deleted at Org Review

Grade	Female VR Leavers
GR9	-
GR10	100%*
GR11	100%*
GR12	-

*Data set too small too report

Drivers for Change to Female Density in Low Graded Roles 18/19

Analysis of recruitment, selection and leaver data for lower graded roles shows that the applicants for GR1-GR4 roles between April 18 and March 19 were predominantly female.

Of the total new appointments made in the 12 months up to March 2019, 74% were female and 24% were male, although this varies marginally by grade, with lower numbers of female appointments being made at the GR4 level.

Our resourcing strategy looks at approaches to increasing diversity and attracting new types of populations into traditionally female or male roles.

Note – applicant and appointment data might not reflect like for like population and data (e.g. appointments made in April 18 won't have a corresponding record in the applicant dataset as the application was received before April 18)

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Recruitment & Selection to Lower Graded Roles

Grade	Job Applications & Appointments 18/19	
	Female Applicants Apr 18 – Mar 19	Female Appointments Apr 18 – Mar 19
GR1	71% (919)	79% (90)
GR2	71% (664)	79% (75)
GR3	83% (12,663)	83% (458)
GR4	67% (3,836)	57% (173)

Workforce Composition - Part Time and Full Time Populations

The overall LGE female workforce density has remained unchanged over the reporting periods. The part-time female population has reduced marginally since 2011. The full-time female population has increased marginally since 2011.

Female Population 2011	Female Population 2018	Female Population 2019
67% (9,556)	67% (9,103)	67% (9,392)

18/19 Part time gender pay gap analysis is underway and will be reviewed against 17/18 outcomes (20%)

Part Time

Part Time Female Population 2011	Part Time Female Population 2018	Part Time Female Population 2019
89% (5,590)	87% (5,325)	87% (5,294)

Full Time

Full Time Female Population 2011	Full Time Female Population 2018	Full Time Female Population 2019
50% (3,952)	51% (3,789)	52% (4,101)

Data analysis in this reporting focuses on the Local Government Employee group (excluding casual/supply), which has a higher pay gap than other employee groups.

Part Time Male Population 2011	Part Time Male Population 2018	Part Time Male Population 2019
11% (780)	13% (773)	13% (773)

Full Time Male Population 2011	Full Time Male Population 2018	Full Time Male Population 2019
50% (3,955)	49% (3,677)	48% (3,838)

Note that totals per year will not always match exactly, due to gaps in the employee data, e.g. contractual basis.

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Policy and Sustainability Committee

10.00am, Tuesday, 1st October 2019

Bike to Work Scheme

Executive
Wards
Council Commitments

1. Recommendations

- 1.1 The Policy and Sustainability Committee is recommended to note the report on the promotion and employee support available for our Bike to Work Scheme, and our medium to longer term plans to grow the scheme and encourage more employees to cycle to work.

Stephen S. Moir

Executive Director of Resources

Contact: Katy Miller, Head of Human Resources

Human Resources Division, Resources Directorate

E-mail: Katy.Miller@edinburgh.gov.uk | Tel: 0131 469 5522

Bike to Work Scheme

2. Executive Summary

- 2.1 This follow up report to Committee is in response to a Council Motion from Councillor Main and an addendum from Councillor Brown requesting further work to promote and encourage employees to take advantage of our Bike to Work Scheme. This includes our medium to longer term plans to increase uptake, what we are doing to lift the £1,000 cap internally to enable the purchase of e-bikes, and how we can open up the scheme to include small to medium bike providers, thereby providing greater choice for Council employees.

3. Background

- 3.1 The Council's Bike to Work Scheme is well established.
- 3.2 The scheme provides well documented benefits relating to personal health and wellbeing. It also contributes to Climate Emergency carbon reduction targets and reducing pollution that is harmful to health.
- 3.3 The current contract with retailer Evans Cycles is due to expire in October 2020.
- 3.4 The Council has a well-established procurement processes in place, which ensure compliance with regulation and good practice, which will be followed in the run up to the expiry of the current contract.

4. Main report

- 4.1 The Bike to Work Scheme is part of our salary sacrifice offering and allows the purchase of a bike up to the value of £1,000 with a payback period of 12 months. As a salary sacrifice scheme, participants benefit from an income tax saving on the purchase of the equipment.
- 4.2 Participants in the scheme have access to facilities, such as secure cycle parking, a work station to fix punctures (Waverley Court only), lockers, showers and changing areas. These facilities vary across our main sites and we are gradually working to improve them. There are also two electric bikes available at Waverley Court for staff to use for travel to meetings.

- 4.3 Scheme promotion is currently through a range of channels (see Appendix 1). We held our first Bike Breakfast at Waverley Court on Cycle to Work day (8th August), and our e-bike trial (where e-bikes were lent to staff for three to five days at a time to assess effectiveness and as an alternative to using a fleet car or other mode of transport) completed on the 7th August. The trial was fully booked within 24 hours of being promoted on the Orb. Sixteen employees took part, using the e-bikes mainly for commuting to and from work. We are also liaising with Just Eat Cycle Hire regarding the possibility of creating a simple booking system for bicycle travel for meetings, and we are planning to hold more 'led cycles'. These are supervised cycles with a trained cyclist to help people gain confidence with cycling.
- 4.4 Incentives and activities also support promotion of the scheme. These include a Bicycle User Group (BUG) to provide updates to scheme users, bicycle and training and maintenance sessions, Dr Bike drop in sessions for any bicycle issues, and active travel challenges.
- 4.5 The 2017 travel survey results are a baseline upon which we consider future progression towards active and sustainable modes for staff travelling to Council buildings. Currently 10% of our employees cycle to work and our aim is to increase that to 12% by 2020. We are currently in the process of finalising the Council's Travel Plan. This will cover travel planning for the whole of the Council, drawing on previous Travel Plans, initiatives and working practices, and will set out a number of high level aims and objectives, which will consider the following: improving cycle facilities at the six main Council sites (Waverley Court, City Chambers, the four locality offices); increased promotion of e-bikes (particularly when we are able to confirm our approach to the removal of the £1000 cap); continuing our work to create a cycle friendly workplace and achieve our Cycle-Friendly Employer award at all six main sites (we currently have this award at Waverley Court and the South east Locality Office); and making better use of our cycling champions by engaging more actively with them to create a proper cycling network/community across the Council.
- 4.6 We will continue with ongoing promotion and communication for all colleagues, including our 'hard to reach' employees who do not have access to email or the Council intranet. We are also improving how we package our wellbeing offering to make it clearer to our people what is available to them. The current Bike to Work Scheme is part of a range of wider employee wellbeing initiatives and benefits. The current contract is due to expire in October 2020. As such, the re-tendering process will follow our agreed procurement process related to the needs of our employees in line with our initiatives and employee benefits.
- 4.7 The specification will consider broader employee benefits and the resources required to administer the scheme. An analysis of cost and quality will be undertaken including an assessment of the whole life cost. This includes internal resource costs, rebates payable and typical cycle cost to the employee. Consideration will also be given to the ease of administration, range of cycles offered, access, marketing, promotion, community benefits and sustainable operation.

- 4.1 Following the recent decision by the UK Government to lift the £1,000 cap on bike to work salary sacrifice schemes, we are exploring the possibility of moving onto Evans Cycles' new bike to work scheme from the existing scheme currently in place. This new scheme offers the opportunity to raise the cap on our Ride to Work scheme from £1000 to up to £5000. This would allow our employees to purchase e-bikes through the scheme, the cost of which is around £2500 upwards per bike. There is minimal contractual impact in moving schemes, however it is essential to complete the necessary due diligence to assess the risk associated with this. This is particularly pertinent given that Evans Cycles had a change of parent company last year. This due diligence is being undertaken collectively by HR, Legal and Procurement, and includes requesting detail on Fair Works Practices and finances at Sports Direct for assessment as well as determining the precise content of contractual changes required. If after completing this due diligence, we are able to move onto the new scheme and lift the £1000 cap, we will promote this change to our employees through a communications campaign, as well as our other existing promotional channels.
- 4.2 Regarding opening up the scheme to include independent bike providers in the retender once the current contract ends, we will need to identify approaches to potential procurement of suppliers. Following this due process, a recommendation will be made based on a cost/benefit analysis. This could result in either the collation of all staff benefits into an arrangement with a national provider who does all administration for multiple staff benefits and contracts with several bike shops as part of that arrangement, or keeping all staff benefits separate. The latter would mean that for the Ride to Work scheme, we would consider alternatives such as multiple provider direct contracts, where the Council requirements in relation to rebates and operational arrangements must be met so limited further administration is required by Council staff.

5. Next Steps

- 5.1 The Active Travel Team will continue to support the promotion of the scheme and facilities available to employees.
- 5.2 We will complete our due diligence and make a recommendation regarding the removal of the £1,000 cap and potentially moving onto the new Evan Cycles scheme for the remainder of our contractual agreement with them to allow employees to purchase e-bikes.
- 5.3 We will make further recommendations later this year as part of a broader employee benefit offering. This may include a benefits platform, which includes cycle to work and we will consider opening up the scheme to independent bike providers as part of this work.
- 5.4 A Procurement Requirements Form (PRF) shall be submitted to enable the retender and any data analysis on procurement routes and options to be scheduled.

6. Financial impact

6.1 There is no direct financial impact arising from this report.

7. Stakeholder/Community Impact

7.1 Employees continue to benefit from the salary sacrifice scheme.

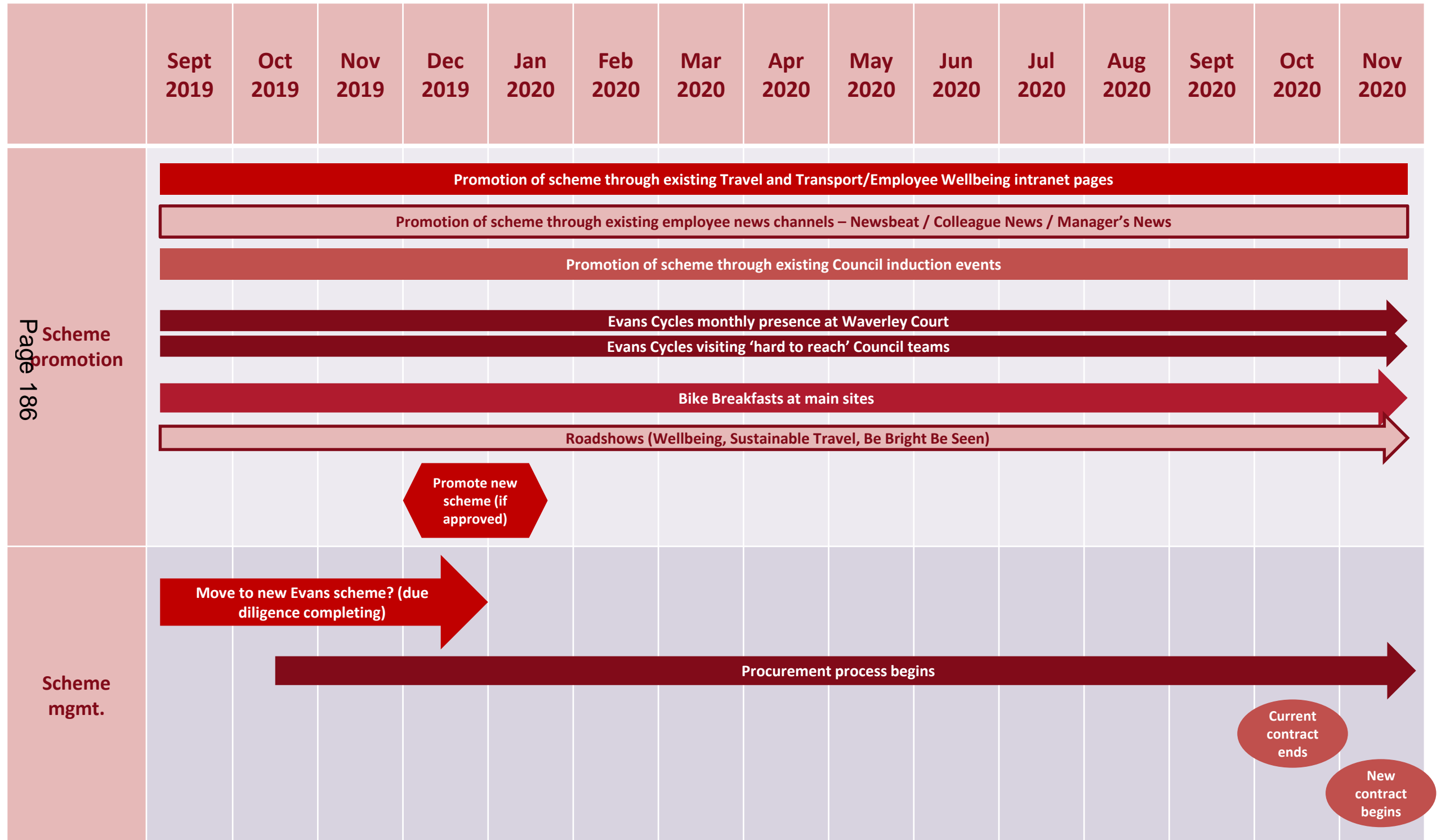
8. Background reading/external references

8.1 N/A

9. Appendices

9.1 N/A

Appendix 1 – Ride to Work Scheme 12 month plan



Policy and Sustainability Committee

10:00am, Tuesday, 1 October 2019

Recruitment & Selection Policy

Executive/routine
Wards
Council Commitments

1. Recommendations

1.1 To approve the new Recruitment & Selection Policy.

Stephen S. Moir

Executive Director of Resources

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Recruitment & Selection Policy

2. Executive Summary

- 2.1 The City of Edinburgh Council is committed to attracting the best candidates and recruiting the highest calibre of employees.
- 2.2 As an equal opportunity employer, we recognise the benefits that a diverse workforce with different values, beliefs, experience, and backgrounds brings. We are committed to building an inclusive recruitment culture where all people feel valued, included and able to be at their best.
- 2.3 We are committed to safeguarding and promoting the welfare of children and vulnerable groups and we require that all our staff share this commitment. It is essential that all colleagues working with vulnerable groups are robustly assessed and checked.
- 2.4 We will inform potential job applicants about this policy by making it available on our website.
- 2.5 The policy will complement and support our Diversity & Inclusion strategy.

3. Background

- 3.1 The current policy and supporting materials, whilst compliant, require a refresh in line with our approach to policy development, making it clearer for colleagues and placing greater emphasis on diversity and inclusion.
- 3.2 The new policy and supporting materials have been revised to support both candidates and colleagues, highlighting the importance of robust pre-employment checking and ensuring our approach to recruitment is inclusive and non-discriminatory.

4. Main report

- 4.1 The Recruitment & Selection policy sets out our commitment that all candidates will be given the opportunity to demonstrate their ability regardless of age, disability, sex, gender, race, marital status, sexual orientation, religious or political beliefs.

- 4.2 The policy reinforces the responsibility of managers to ensure adherence to a robust, consistent, fair and inclusive recruitment process.
- 4.3 The policy and supporting guidance actively encourages candidates to share their diversity data with us to help us ensure our recruitment and selection process is fair to all.
- 4.4 The previous policy only provided supporting guidance to managers. The new policy also has an information sheet for candidates to help them with their application, reinforce our commitment to equal opportunities and explain why we need their diversity data to hold us to account on this commitment.
- 4.5 The policy is modernising the reference checks required for internal colleagues moving jobs. In most cases no reference will be required, references will only be sought for posts that are regulated by the SSSC or Care Inspectorate or if a new PVG membership is required.
- 4.6 The policy is intended to promote a culture of inclusion throughout the recruitment process that will help us to recruit a workforce that reflects the city.
- 4.7 This policy and supporting guidance have been developed in line with the council's current style, tone and format. This will provide colleagues with a less complex policy and more accessible set of tools that provide clarity on how to conduct a recruitment exercise.

5. Next Steps

- 5.1 If approved, the policy and supporting guidance will be implemented on the 4 November 2019.

6. Financial impact

- 6.1 There is no material impact resulting from this policy.

7. Stakeholder/Community Impact

- 7.1 The policy applies to all persons involved in the recruitment and selection of Council colleagues.
- 7.2 The trade unions and key stakeholders have been consulted in the development of this policy and supporting guidance.
- 7.3 If approved, the policy will be a local collective agreement between the Council and the recognised trade unions.

8. Background reading/external references

- 8.1 None.

9. Appendices

9.1 Recruitment & Selection Policy

Recruitment and selection policy

The City of Edinburgh Council is committed to attracting the best candidates and recruiting the highest calibre of employees.

As an equal opportunity employer, we recognise the benefits that a diverse workforce with different values, beliefs, experience, and backgrounds brings. We are committed to building an inclusive recruitment culture where all people feel valued, included and able to be at their best.

All candidates will be given the opportunity to demonstrate their ability regardless of age, disability, sex, gender, race, marital status, sexual orientation, religious or political beliefs.

We will provide supplementary guidance for managers and candidates which support this policy.

To comply with this policy, each recruitment and selection process must follow the supplementary guidance.

Author	Scope
Human Resources, Resources Directorate.	<p>This policy applies to the recruitment and selection of any person, applying for any post, at any level within the Council. It includes casual, fixed term and permanent vacancies.</p> <p>Anyone involved in the recruitment and selection of Council employees has a duty to act in accordance with this policy.</p> <p>The following vacancies may be exempt from aspects of this policy:</p> <ul style="list-style-type: none">• Redeployment procedure• Compulsory transfer of teaching staff in school education• Procedures for the transfer of surplus promoted teaching staff

Purpose	Review
The purpose of this policy is to ensure fairness and equality of opportunity at all stages of the recruitment and selection process.	The policy will be reviewed as necessary, including but not limited to changes to legislation; agreement of new national terms and conditions of service or government policy, organisational change or changes agreed through trade union consultation.

1. Inclusive and non-discriminatory

We aim to ensure that no person experiences discrimination as part of our recruitment process. To assist us with this, we will gather voluntary diversity data from all candidates to enable us to report on how candidates progress through each stage of the recruitment process. This information will not be made available to the recruitment panel.

We are committed to attracting and retaining a diverse workforce that reflects and can respond to the diverse needs of the citizens of Edinburgh. In order to support this commitment, we will undertake positive action in line with equalities legislation, to increase the employment of groups that are defined by one of the nine protected characteristics.

Candidates with a declared disability who meet the minimum essential criteria will be guaranteed an interview. Reasonable adjustments will always be accommodated.

All candidates will be encouraged to apply online, but we will provide and accept applications in accessible formats where necessary. We can offer alternative versions of the application form in formats such as large print, braille and audio (CD).

2. Consistent and fair

All individuals involved in recruitment and selection on our behalf must have received training in the application of this policy.

Prior to advertising a vacancy, there must be a post in the organisational structure with a current job description and an evaluated salary grade.

A job description and person specification will be available for potential candidates.

There will be a structured panel interview to assess a candidate's suitability against the essential and desirable criteria requirements of the person specification. Other relevant assessment tools may also be used (appropriate to the post being advertised).

All candidates will be given reasonable information about what to expect in advance regarding application format and assessment tools.

Where a member of the recruitment panel is related to a candidate or have a close relationship outside work, they must declare their relationship and take no further part in the selection process.

Colleagues on the redeployment list will normally be given the opportunity to note interest in jobs before they are released for open advert. If successful, the post will not be advertised externally or internally. More information is available in the managing change user guide.

For posts where a criminal record check is required, this will be detailed in the job advertisement and pack. Only successful candidates will be asked to give details of their criminal record in line with UK legislation. Where checks are not required for the post, we will not ask candidates to declare their criminal convictions.

Where a former employee has received voluntary redundancy or Voluntary Early Release Arrangements (VERA), we will not normally re-employ or re-engage them for a period of one year from the date of leaving.

Where a candidate gives inaccurate or misleading information or withholds relevant information, this may be considered grounds for withdrawing a job offer, if a reasonable explanation is not provided. If the candidate has already been appointed, we may take disciplinary action up to and including dismissal on grounds of gross misconduct, if a reasonable explanation is not provided.

Where a candidate is a former employee who was dismissed by us, we will be entitled to review and consider the circumstances of the dismissal when deciding whether to select the candidate for interview, and/or recruit. This will also apply if the candidate resigned before the outcome of a disciplinary hearing or investigation into an allegation of gross misconduct.

3. Caring and protective

The safety and wellbeing of the vulnerable groups in our care is our top priority and we require all employees and prospective employees to share this commitment.

We want to deliver the highest quality of care for our most vulnerable citizens.

All candidates will be assessed in a rigorous and robust manner to ensure that they demonstrate the mindset and behaviours that will enable us to safeguard and promote the wellbeing of our vulnerable groups.

We will obtain a record of each candidate's full employment history and explore any gaps with the candidate.

All the necessary pre-employment checks must be completed satisfactorily before the successful candidate commences employment with us.

Where it is necessary to use agency staff, the employing agency is required to carry out the same level of pre-employment checks that apply to a Council employee doing the same work.

4. Legislative context

This policy is compliant with relevant employment legislation and various codes of practice including.

- Equalities Act (2010)
- Rehabilitation of Offenders Act (1974) (as amended)
- Scottish Social Services Council (SSSC) Code of Practice for Social Service Employers
- Safer Recruitment through better Recruitment (2016)

5. Responsibilities

Responsibility for advising, developing, implementing and monitoring this policy lies with the Executive Director of Resources. Day to day operation of the Policy is the responsibility of Executive Directors who will ensure that the Recruitment and Selection principles and procedures are adhered to and along with HR colleagues provide advice and support within their service.

6. Audit

The Council will co-operate fully with external and internal audits and make sure that any recommendations are carried out when required under legislation. The Council will also take account of recommendations about continuous improvement in recruitment and selection.

7. Local Agreement

This document is a local collective agreement between the Council and the recognised Trade Unions. Every effort will be made by both parties to make sure that this document is maintained as a local collective agreement and adjusted by agreement to meet changing future needs.

If there is a failure to reach agreement, both parties reserve the right to end this local agreement by giving four months notice in writing. In such circumstances the terms of the local agreement will cease to apply to existing and future employees.

Policy and Sustainability Committee

10:00am, Tuesday 1 October 2019

Sickness Absence Policy

Item number
Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To approve the updated Sickness Absence Policy

Stephen S. Moir

Executive Director of Resources

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Human Resources Division, Resources Directorate

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Sickness Absence Policy

2. Executive Summary

- 2.1 The Sickness Absence Policy sets out the principles and methods through which sickness absence is managed. The focus of the policy is on supporting colleagues to remain healthy and encouraging all our employees to engage with the range of initiatives and support available. Alongside the wider wellbeing strategy, our aim is to tackle the underlying causes of sickness and reduce the adverse impact of sickness absence on colleagues and service delivery.
- 2.2 This updated policy will replace the current Sickness Absence Policy, which was approved at Committee on 27 March 2018.

3. Background

- 3.1 The current Sickness Absence Policy was approved by the Finance and Resources Committee on 27 March 2018 and became effective from 1 October 2018.
- 3.2 It was agreed that a report would be brought to Committee 12 months after implementation to review its impact and make any further recommendations for potential improvement.
- 3.3 Feedback surrounding policy application and effectiveness and has been collected from a number of sources, including our recognised Trade Unions and Human Resources, who work closely with colleagues across the organisation. Revisions have been made to policy and supporting documentation accordingly.

4. Main report

- 4.1 The current Sickness Absence Policy represented a progressive change in approach to the management of sickness absence compared to previous policy. Central to this was a focus on a more supportive and proactive approach to managing sickness absence.
- 4.2 Overall, feedback indicates that the impact of changes introduced in October 2018 were broadly positive, in particular that the style, tone and preventative focus supported the cultural objectives of the policy. We have also seen a greater uptake of our employee assistance programme.

- 4.3 Notwithstanding, qualitative feedback gathered from stakeholders indicated a need for further clarity and improvement to the policy.
- 4.4 The policy has been redesigned so that the structure is more concise, logical and clearer for user(s) to follow. The supportive focus has been reinforced, as well as the call for colleagues to think proactively about how they can engage with resources and initiatives available to them to support their overall wellbeing. Supporting guidance has also been updated to reflect and complement the changes.
- 4.5 The current policy removed the scope for line managers to apply discretion in application of the formal stages of the policy, and instead listed a number of 'exceptional circumstances' where formal stages would not apply. The aim was to ensure more consistency in application of the policy. However, in practice this has led to decisions to progress to formal absence stages when a more supportive approach would have been more appropriate. Similarly, the exceptional circumstances listed have proven to be too prescriptive in practice to enable reasoned decision-making to be applied.
- 4.6 Consequently, the revised policy reintroduces scope for managers to take individual circumstance into account so that sensible and contextual decisions can be made where circumstances require.
- 4.7 Examples of such situations have been provided within the policy.
- 4.8 The concept of triggers, which has a punitive inference, has been replaced by the introduction of absence thresholds. This is to encourage managers to have early conversations with colleagues before absence levels become excessive.
- 4.9 Feedback indicates that the introduction of both 6-month and 12-month measurement periods for short term sickness absence is confusing for both managers and employees. The policy therefore applies a 12-month measurement period for all thresholds. In addition, it was also considered punitive to withhold an annual pay step for those on formal stages of absence and this has been removed.

5. Next Steps

- 5.1 An implementation plan will be put into effect, commencing with the update of training modules and materials both for employees and line managers.

6. Financial impact

- 6.1 There is no material impact arising from this report.

7. Stakeholder/Community Impact

- 7.1 The policy meets our legal obligations in relation to formal consultation.

- 7.2 The policy applies to all employees and is explicit in the consistency of its application.
- 7.3 Further to formal consultation, this policy has been assessed for possible impacts on vulnerable groups, people with protected characteristics, equality and human rights and economic factors as part of our integrated impact assessment.

8. Background reading/external references

- 8.1 [Sickness Absence Policy – Finance and Resources Committee 27 March 2018:](#)

9. Appendices

N/A

Sickness Absence Policy

The Council (we) recognise that some absence due to sickness is inevitable. Our approach to absence management is based on a starting assumption of trust between managers and employees, and we are committed to supporting employees in a consistent, fair and sympathetic way. The sickness absence policy sets out the principles and methods through which absence is managed but is also just one part of a broader strategy to establish a healthy workplace. Our focus is on supporting you to remain healthy and encouraging all our employees to engage with the range of initiatives and support available. Our aim is to tackle the underlying causes of sickness and reduce the adverse impact of sickness absence on employees and on service delivery.

Author

Employee Relations, Human Resources,
Resources Directorate.

Scope

This policy applies to all Council employees.

Purpose

The purpose of this policy is to set out how we will manage sickness absence across the organisation, and ensure that you know what is expected of you and what measures can be put in place to support you when you are absent from work with an illness.

Review

The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.

Local Agreement

This policy is a local collective agreement between the Council and our recognised Trade Unions. We will make every effort to ensure that it is maintained as a local collective agreement. Any changes will be made by agreement. If we cannot agree, either party can end the local collective agreement by giving four months' notice in writing, with the policy ceasing to apply to staff at the end of that period.

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1. Health and wellbeing

We want to encourage you to adopt and pursue healthy lifestyle options that can contribute to your overall wellbeing and support lower levels of sickness absence. We aim to achieve this partly through the policies we have in place and by considering medical advice where relevant but, as importantly, through your active participation in health and wellbeing initiatives available to you.

There are times when we all need extra support, and our Employee Assistance Programme is a free and confidential service that’s available to all colleagues. This offers a wide range of services, including but not limited to: counselling, advice on personal issues, work-related issues, debt management, and legal issues. They also provide specific advice for managers in supporting working relationships. If you notice you’re not quite yourself you don’t have to wait until you’re off, take early steps to seek help and support.

We also provide employee benefit choices that encourage a fit and active lifestyle, such as active travel, bike to work schemes and gym membership discounts. It’s important that you play a key role in your own wellbeing and we encourage you to take full advantage of what’s on offer both within and outside of work.

We are an equal opportunities employer and commit to supporting employees with disabilities. This may involve making reasonable adjustments to the role that is being undertaken. We recognise that a disability is not necessarily a physical limitation that can be addressed with additional equipment and we are committed to fully exploring all options available to ensure that you feel supported in relation to how your attendance is being managed.

If you are absent with, or diagnosed with, stress-related ill-health talk to your manager about this and they will help you to complete a stress risk assessment and action plan. It’s important to identify the underlying issues and to try to put together steps to resolve this wherever possible. Further information is available in the Stress Management policy.

2. Managing sickness absence

Notification of sickness absence

If you can't come to work because you're sick, you need to phone your manager to let them know. You should do this as soon as you can, and certainly no later than the time you're due to start work. You would normally need to contact your manager each day you're off. However, if it's clear that your absence is likely to last for more than one day, you should explain this to your manager and agree the appropriate timeframe for making contact, and what form the contact should take.

If your absence continues beyond 7 calendar days, you need to get a fit note from your GP. You don't need to continue to notify your manager daily once you have provided a fit note, although you and your line manager should agree appropriate contact arrangements..

If your absence isn't supported by a fit note, or you don't follow the notification procedure, your manager will make all reasonable efforts to contact you to check that you're okay. For this reason it's important you provide your manager with emergency contact details. If we're unable to make contact we may also visit you at home to make sure nothing serious has happened. While mitigating factors will be taken into account, if you don't make contact this could be viewed as unauthorised absence, which means you won't get paid while you are off and may lead to disciplinary action being taken. The steps a manager should follow before recording an absence as unauthorised are detailed in the Sickness Absence User Guide.

Medical appointments

If you need to attend medical appointments, including emergency appointments or those externally mandated (such as hospital/specialist referrals), we provide reasonable time off. Further information regarding leave available for medical appointments can be found in the Special Leave Policy and in the Sickness Absence User Guide.

Sickness absence categories

We apply two specific categories to sickness absence, which often determines the way in which it is measured and managed. These are:

- **Short-term sickness absence:** Absences of less than 4 continuous weeks.
- **Long-term sickness absence:** Absences of 4 continuous weeks or more.

Care should be taken to ensure that other forms of absence, such as those covered in the Special Leave Policy, are not recorded as sickness.

Talking and listening

We manage sickness absence through a series of informal and formal conversations between you and your manager, both during and following a period of absence. This is so we can better understand the nature of your absence and decide how we might best be able to support you at work. Equally, this will help you understand how to engage with any support that's available to you.

This applies equally to ill-health that hasn't yet resulted in absence. Preventative action can often significantly reduce the impact of emerging ill-health at work, so if you're experiencing health difficulties you're encouraged to talk openly and honestly with your manager so that we can understand how to support you at work and hopefully avoid any future absence.

Your manager will review your sickness absence level on a rolling basis and may need to have a series of more formal meetings with you, depending on the circumstances. Specific levels of absence would normally prompt these conversations, as outlined in Section 3 below.

Working in partnership with Occupational Health

In certain circumstances, we might ask you to attend our Occupational Health providers who are best placed to provide us with the specialist advice we may need to be able to support you. If your fit note or Occupational Health report mentions any reasonable adjustments that could potentially be made to support you at work, we will consider that advice. There is more information about reasonable adjustments in the Sickness Absence User Guide.

If you're asked to attend Occupational Health, your manager will meet with you in advance to explain why we need to seek additional medical advice. This could be before, during, or after a period of absence.

We would strongly encourage you to attend Occupational Health if your manager feels it's necessary. You won't be referred without your consent, but if you decline your absence will continue to be managed based on the information available, which may then not include important medical advice.

Medical Redeployment

If we can't make any reasonable adjustments to support your return to work, or to help you reach a sustained level of attendance in your current role, we will also consider medical redeployment. If appropriate, your manager will seek advice from Occupational Health to find out what suitable alternative work you might be able to do, and then work with you for a period of three months to see if any vacancies might be suitable. Your engagement in this process will be crucial and your manager will help you with this, assisted by Human Resources. The Sickness Absence User Guide provides further guidance.

3. Sickness absence thresholds

While we're committed to providing support to colleagues who are experiencing health difficulties, where sickness absence reaches certain levels we often need to manage this through a more formal process.

Your manager will determine the most appropriate way of managing your absence by referring to a number of sickness absence thresholds, outlined in the table below.

Short-term absence thresholds	Employee should not exceed thresholds again within
3 instances of sickness absence in a 12-month period	12 months
or	
8 days of sickness absence in a 12-month period	12 months

Long-term absence threshold	Employee should not exceed threshold again within
4 weeks of continuous sickness absence in a 12-month period	12 months

What happens when you reach a threshold?

Whenever you're off work due to sickness, your manager will look at the number of instances and days you've been off sick in the past 12 months to check whether you've reached or exceeded any of the absence thresholds.

If your sickness absence reaches any of the threshold levels, your manager will discuss this with you at a return to work conversation (or by other appropriate means if you are still off work) to make you aware you've reached a threshold and to explain what this means. If you exceed a threshold before your manager has an opportunity to discuss this with you (in a single absence for example), they may choose to proceed straight to a formal absence meeting.

If you exceed a threshold (i.e. more than 3 instances/8 days of short-term absence, or more than 4 weeks of continuous long-term absence in a 12-month period), in most cases your manager will arrange a formal absence meeting with you. Progression to a formal absence meeting will typically be automatic, although your manager will take into consideration the specific circumstances and may choose not to proceed to a formal meeting. For example:

- where an absence relates to a 'one off' situation, such as a surgical intervention;
- where an absence is related to a critical illness; or
- where, up to that point, the employee had a consistently exceptional attendance record.

This list is only indicative and doesn't mean all such situations would be excluded from the formal absence management process. It's vital that individual circumstances are considered so that sensible and contextual decisions can be reached, and there may be other situations where your manager chooses not to progress to a formal absence meeting.

If you have any queries about the application of discretion you can speak to askHR.

Please read the guidance available on the Orb surrounding various types of support that may be required in specific circumstances, for example where colleagues are experiencing symptoms of the Menopause, are undergoing gender reassignment, or in cases of terminal illness.

There are situations where the formal stages of the absence management process would not be applied, and any medical referrals would only be to assist with your wellbeing. These include:

- where the absence relates to a terminal illness;
- where the absence relates to a previously unknown pregnancy; and
- if we find out that the absence relates to a domestic abuse issue.

In these cases, your manager will still arrange regular conversations with you so that you can keep each other updated. The frequency and method of keeping in touch should be mutually agreed, but it's important that both you and your manager do everything you can to ensure effective communication is in place.

Pattern Absence

If you haven't reached one of the threshold levels but there is a regular pattern to your absence, your manager will discuss this with you and may need to arrange a formal absence meeting if this is becoming

problematic. Examples of pattern absences could be where you're frequently off after annual leave, after certain events, or on specific days (such as Friday / Monday). We recognise that patterns can be coincidental, or may even be indicative of other underlying issues, so these conversations will always be approached from a supportive position.

Disability

If you have a disability that is affecting your attendance at work, serious consideration will be given to increasing the threshold levels as a reasonable adjustment where the absences relate to the disability. There is more information about reasonable adjustments in the Sickness Absence User Guide.

Thresholds following a formal Absence Meeting

If you've had a formal sickness absence meeting with your manager, the thresholds are reset and you would only proceed to the next formal absence meeting if you exceed any of the thresholds again over the following 12 months or if a long term absence continues to the next review point (see the Sickness Absence User Guide for details). If you're absent before attending a scheduled formal absence meeting, the meeting will be rearranged and the total instances or days will be taken into account.

4. Conversations and formal absence meetings

Short-term sickness absence

Regular conversations

After each instance of short-term absence, your manager will have an informal meeting with you when you return to work. The aim of this return to work conversation is to support your wellbeing by ensuring you're well enough to be back at work, and to explore any possible underlying health issues or barriers to you achieving sustained levels of attendance.

If the absence means you reach one of the short-term thresholds, your manager will also make you aware of this during the conversation.

Formal Meetings

There are normally three formal meetings in the short-term absence management process (further details are available in the Sickness Absence User Guide). As explained in Section 3 of this policy, you will normally be invited to a formal absence meeting once your absence has exceeded any of the short-term thresholds.

At each meeting, your manager will discuss your absence record with you, covering anything that might have affected your attendance levels, whether you have reached or exceeded a threshold, and whether there are any underlying health issues.

If appropriate, and if advised by Occupational Health, short-term absence meetings may also include discussions around potential medical redeployment or ill-health retirement (if you are a member of the pension scheme – see Section 5).

Long-term sickness absence

Regular conversations

If you are on long-term sickness absence, your manager will seek to agree levels of face-to-face and/or telephone contact with you. This is to allow you to keep each other informed about your state of health, your progress towards recovery and a possible return to work. Your long-term absence should be reviewed and informally discussed with you initially within the first four weeks, then at regular intervals.

Formal meetings

There are normally three formal meetings in the long-term absence process (further details are available in the Sickness Absence User Guide). At each meeting, your manager will discuss how you are feeling, current medical/specialist advice, when you might be able to return to work, and any adjustments that might be made to assist your return. If appropriate, and if advised by Occupational Health, your manager may also talk to you about medical redeployment or ill-health retirement (see Section 5 for further details).

Face-to-face meetings can take place in the office, at another convenient site, or in your own home, as agreed with you.

Depending on the reason for your absence, your manager may make a referral to Occupational Health at any time during the absence to get medical advice in relation to your fitness to return to work. Your manager will always discuss the referral with you and provide you with a copy before you attend.

Returning from long-term sickness absence

You're expected to return to work when your last fit note expires. In some circumstances, you can return to work before your fit note expires, as long as your GP has not indicated that they need to see you again before you return, and your manager is confident that you are fit to return.

When you return from a period of long-term sickness absence, your manager will meet you in private to talk about the absence, find out how you are and discuss any support that you may need. This meeting should take place on your first day back. If this isn't possible, your manager will ensure that a supportive meeting takes place as soon as is reasonably possible. Where a phased return or reasonable adjustments are likely to be necessary, it is recommended that a meeting is held in advance of the planned return.

You will never be put under pressure to return to work before you're fit to do so. It's important for you to be honest with your manager about how you are feeling and to explore any support we may be able to provide. Ideally, this meeting will be face-to-face. We know this isn't always possible, but it is important to try and meet this way. As a support measure, you may wish to be accompanied by a work colleague or trade union representative if you are a member of a trade union.

Phased returns after long-term sickness absence

Your GP or Occupational Health may suggest a phased return to work following long-term absence. If this is agreed, then this will normally take place over a four-week period. During the four weeks, you must build up the time you are at work in each week. A longer phased return would be considered if medical advice strongly recommended this, and if it is likely to facilitate an earlier return to work.

During a phased return, the time you are not at work is paid at full pay and is not taken off your annual leave.

Combined short-term and long-term absence

Occasionally, you might reach thresholds with a mixture of long and short-term absence. When this happens, your manager will continue to manage your sickness absence and you will still progress through the appropriate sickness absence process.

If you've already attended a formal absence meeting in one process and you subsequently exceed the threshold for the other, you will move to the next stage in that process. For example:

- If you've had a short-term Absence Meeting 1 and later exceed the long-term threshold during a separate period of absence, you would move to long-term Absence Meeting 2.

It's important to note that Absence Meeting 3 is the final meeting for both short and long-term absence.

Right to accompaniment

You have the right to be accompanied by a trade union representative or a workplace colleague at any formal absence meeting.

Teachers

Teachers' absence will continue to be managed until their entitlement to sick pay has run out. Managers will not be able to have a final absence meeting until the teacher is no longer receiving sick pay.

5. Capability and ill-health retirement

Capability dismissal

If it's decided following an Absence Meeting 3 that there's nothing more can be done to help you return to work, or that your short term absence levels are no longer sustainable, then it's possible you will be dismissed on the grounds of capability due to ill-health. This decision would only be taken after all mitigating factors, reasonable adjustments and redeployment possibilities had been explored. Note that Absence Meeting 3 can only be held by a senior manager with the authority to dismiss.

If you are dismissed on the grounds of capability due to ill-health, you will receive payment for any outstanding annual leave you have, as well as payment in lieu of notice.

Teachers cannot be dismissed until their entitlement to sick pay has run out. Managers need to check that teachers are out of pay before they proceed to dismissal for unsustainable levels of sickness absence.

Ill-health retirement (pension scheme members only)

If you are a member of a pension scheme (LGPS/STSS), below normal retirement age, and advice from Occupational Health is that you are permanently unfit to carry out the duties of your post, you may be dismissed on the grounds of capability due to ill-health with access to pension benefits. This is known as ill-health retirement.

The pension benefits you would be able to access through ill-health retirement will vary depending on whether, according to medical advice gathered by Occupational Health, you are likely to be able to work again before your normal retirement age. Details of the relevant pension benefits levels are outlined in the Sickness Absence User Guide.

If you have evidence from your GP or a specialist, disagreeing with occupational health's advice, a senior manager will review your case with help from Human Resources. We may get another independent medical opinion to help us reach our decision. See the Sickness Absence User Guide for further details.

Right to appeal against capability dismissal

You have the right to appeal against any decision to dismiss you on the grounds of capability due to ill-health. Your right to appeal will be explained to you in the letter confirming your dismissal. Appeals are heard by the Personnel Appeals Committee.

If you are reinstated or re-engaged by the Personnel Appeals Committee, you may return to the meeting step you were at in the sickness absence process, prior to your dismissal.

6. Annual leave and sickness

When you're off sick, you continue to accrue annual leave. This means that your annual leave builds up while you're off.

If you're on long term sickness that continues beyond the end of the annual year, you may not have been able to take your statutory annual leave (28 days, pro rata) during that year. If this happens, you can carry forward up to 20 days (pro rata) to the next annual leave year. Any leave carried over must be used within a maximum of 18 months.

You can ask to take accrued annual leave when you're off sick. However, in order that we can continue to follow your progress and understand any support required, you will still need to provide fit note to cover your absence if it's for more than 7 calendar days. Likewise, if you're on annual leave and become sick, and want to reclaim the annual leave that you've not been able to take, you must follow the normal sickness absence notification process and produce a fit note regardless of the length of the absence.

We think it's important that you take your annual leave and have the rest that you are entitled to. Please note therefore you will not be paid in lieu for any annual leave you've not been able to take, unless you are leaving the Council and unable to take this prior to leaving

Further details of annual leave and sickness is available in the Sickness Absence User Guide

7. Sick pay

In line with nationally agreed provisions, we offer enhanced levels of Occupational Sick Pay for qualifying employees and based on length of service. There are separately agreed schemes for Craft, Teachers and all other Council employees.

If you don't have the minimum length of service required when you go off sick, then you won't be entitled to any Occupational Sick pay for that absence. If you don't qualify for Occupational Sick Pay, you may still be entitled to a Statutory Sick Pay payment.

Sick pay includes any contractual working time payments and any contractual overtime you get. It doesn't include casual overtime and stand-by duty.

Full details of Occupational Sick Pay schemes and entitlements are available in the Sickness Absence User Guide.

Absences covered by this policy do not affect your entitlement to a pay step.

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Policy and Sustainability

10:00am, Tuesday, 1 October 2019

Domestic Abuse Policy

Executive/routine
Wards
Council Commitments

1. Recommendations

1.1 To approve the new Domestic Abuse Policy

Stephen S. Moir

Executive Director of Resources

Contact: Katy Miller, Head of Human Resources

Human Resources Division, Resources Directorate

E-mail: katy.miller@edinburgh.gov.uk | Tel: 0131 469 5522

Domestic Abuse Policy

2. Executive Summary

- 2.1 The Domestic Abuse Policy sets out the Council's commitment to provide a safe and supportive working environment for colleagues impacted by Domestic Abuse. The focus of this Policy is to:
- provide information, support, and guidance for colleagues when a disclosure is received;
 - help all employees understand the signs of domestic abuse and what help and support can be offered and sourced and,
 - encourage perpetrators to address their behaviour and acknowledge the impact of their actions on others.
- 2.2 The Policy will replace the current Domestic Abuse Policy, which was approved at Committee on 23 February 2010.

3. Background

- 3.1 In February 2018, the Domestic Abuse (Scotland) Act was passed which initiated a review of our current policy and procedures. The opportunity was taken to refresh and update the policy with greater focus on providing appropriate support.
- 3.2 Whilst making the updates to ensure the policy addresses the change to legislation, we have taken the opportunity to review the style, tone and language used to ensure that the policy is fit for purpose and supportive in its application.

4. Main report

- 4.1 The Domestic Abuse Policy provides an update to the previous iteration, recognising the recent change to legislation and a requirement for clearer guidance for colleagues and managers on their roles and responsibilities if/when a disclosure is made. Improvements include:
- An updated definition, incorporating both the Police Scotland and Scottish Government views, reflecting the fact that Domestic Abuse can occur not only between partners and ex-partners, but also spouses, civil partners, couples who live together, or any other close, intimate relationships, such family members. It is also acknowledged that Domestic Abuse can involve more than one Perpetrator.
 - The policy recognises that colleagues subject to abuse may not feel comfortable disclosing information to their manager. As such, there is greater encouragement

for colleagues to seek support from a variety of sources in addition to their manager, including: other colleagues, a member of the HR team, our Employee Assistance Programme, a Trade Union representative if they hold a membership, or one of many external agencies that can offer support.

- Inclusion of a more extensive section detailing the types of Domestic Abuse, recognising that this is not just limited to physical abuse. The policy also addresses the fact that coercive and controlling behaviours are now considered an offence under the new legislation.
- A new section providing managers with advice on how to respond to a disclosure.
- A new 'roles and responsibilities' section which outlines both the employee and manager responsibilities under this policy. These responsibilities reflect both our procedure for dealing with issues relating to domestic abuse, and our commitment to provide a safe and supportive working environment.

5. Next Steps

- 5.1 An implementation plan will be put into effect, commencing with the update of content made available to colleagues via the Orb, training modules and materials both for employees and line managers.
- 5.2 Orb content will include details of additional specialist resources that colleagues can access (and that managers can signpost to), including external support agencies and internal social housing support services.

6. Financial impact

- 6.1 There is no material impact resulting from this policy.

7. Stakeholder/Community Impact

- 7.1 The policy meets our legal obligations in relation to formal consultation.
- 7.2 The policy applies to all employees and is explicit in the consistency of its application.
- 7.3 Further to formal consultation, this policy has been assessed for possible impacts on vulnerable groups, people with protected characteristics, equality and human rights and economic factors as part of our integrated impact assessment.
- 7.4 Through consultation with Trade Unions this policy is a local collective agreement.

8. Background reading/external references

- 8.1 Link to Legislation Publication: <http://www.legislation.gov.uk/asp/2018/5/contents>

9. Appendices

N/A

Domestic Abuse Policy

The Council (we) recognises that domestic abuse is a serious issue that affects people in all aspects of life, including work. Understandably, domestic abuse will likely have a significant impact on the lives, of victims, survivors, perpetrators, or for those supporting someone who is in an abusive relationship. As an organisation, we are committed to providing the right level of support.

This policy aims to set out how we provide a safe and supportive working environment for colleagues impacted by domestic abuse and increasing awareness of the signs of domestic abuse. Where possible, we can also help employees who want to make changes in their home and work life to support their wellbeing.

Author

Employee Relations, Human Resources,
Resources Directorate

Scope

This Policy applies to all Council employees.

Purpose

We have a duty of care to all employees and this extends to those who are victims, survivors and perpetrators of domestic abuse. The purpose of this policy is to:

- provide information, support, and guidance for you, if you approach us as a victim or a survivor of domestic abuse;
- provide managers with essential learning about domestic abuse;
- help all employees understand the signs of domestic abuse and what help and support can be offered and sourced; encourage perpetrators to address their behaviour and acknowledge the impact of their actions on others.

Review

The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.

Local Agreement

This policy is a local collective agreement between the Council and our recognised Trade Unions. We will make every effort to ensure that it is maintained as a local collective agreement. Any changes will be made by agreement. If we cannot agree, either party can end the local collective agreement by giving four months' notice in writing, with the policy ceasing to apply to staff at the end of that period.

Domestic Abuse Policy	1
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2. Identifying Domestic Abuse.....	3
3. Supporting Victims of Domestic Abuse.....	3
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7. Roles and Responsibilities	5

1. What is Domestic Abuse?

This Policy takes account of the Police Scotland definition of domestic abuse, which includes:

"Any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship.

"The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online."

Furthermore, we recognise that victims can be subject to domestic abuse from more than one perpetrator within their family and considers the UK government definition for Domestic Abuse:

"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial and emotional."

There is a common misconception that domestic abuse is just physical. This is not the case. Domestic abuse can be physical, sexual, emotional or mental abuse. You should seek support if you think you may be experiencing any of the behaviours listed below from a partner, ex-partner or a member of your family:

- Physical abuse:
All types of assault and physical attacks like hitting (including with objects), punching, kicking and burning.
- Sexual abuse:
Forcing you to have sexual intercourse or forcing you to engage in sexual acts.
- Mental/emotional abuse:
Threats (including threats of violence); criticism and name calling; controlling what you do, where you go and who you speak to; threatening your children or family members, isolating you from friends and family; accusing you of being unfaithful; threatening to 'out' your sexual orientation to family, friends or work or to reveal your HIV/AIDS status.

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

2. Identifying Domestic Abuse

People in abusive relationships may fear telling someone about it. For that reason, it's important to know what support is available to you. Equally, if you're supporting someone who's in an abusive relationship, it's important to be able to identify this in the first instance and create a safe space to talk about it.

If you're being harmed by your partner, ex-partner or member of your family you may be experiencing domestic abuse. As domestic abuse is not just physical, your abuser does not necessarily need to act in a violent way for it to be considered abusive. They may act in a way that undermines you, isolates you and ensures that you are living under their control. It's important to note that, whilst actions could be directed to others (e.g. your children or a pet), your abuser may be doing this to intimidate and control you.

People experiencing domestic abuse suffer a broad range of physical and emotional consequences and can do so for a significant period before getting effective help. If you think someone might be suffering this type of abuse, remember it's never too late to help. Approach the subject with respect and sensitivity and ensure the environment is safe and private.

Be aware that domestic abuse can be experienced anywhere, and colleagues may also be at risk in the workplace. Each situation concerning domestic abuse is different. However, all colleagues should be aware of the typical signs and indicators for abuse. Examples include:

- Unplanned/ unannounced disruptive visit by partners or ex partners at work.
- Stalking, physical or sexual assault whilst travelling to and from work or at work.
- Change in job performance: poor concentration, errors, slowness, inconsistent work quality.
- An unusual number of phone calls/text messages, strong reactions to those calls/text messages, and/or a reluctance to converse or respond to phone/text messages.
- Absenteeism or lateness for work.
- Reluctance to leave work.
- Obvious injuries such as bruises, black eyes, broken bones, hearing loss — these are often attributed to “falls,” “being clumsy,” or “accidents.”

3. Supporting Victims of Domestic Abuse

If you're experiencing domestic abuse, we encourage you to speak with your line manager and access the available support. However, if you don't feel comfortable speaking to your manager about it, you may wish to seek support from a variety of other sources including speaking to a colleague, a member of the HR team, our confidential Employee Assistance Programme, or one of the many organisations that offer support. If you're a member of a Trade Union, you may also wish to speak to your TU representative. Any concerns you raise will be handled in a supportive and sympathetic way.

We appreciate you may want to seek relevant support either internally or through external agencies that offer professional help. More information on these services can be found on the Orb.

We also recognise that you may have other formal commitments, such as court hearings or social work appointments as a result of experiencing domestic abuse. To support you in this, we will:

- approve paid time off to attend appointments with social work, housing, lawyers etc, including any attendance required at domestic abuse court;
- where absence is related to issues of domestic abuse, this would not be handled within the formal stages of the Sickness Absence or Performance Management policies;
- where feasibly possible, make appropriate workplace adjustments to increase your safety at work, including varying hours and work locations etc.; and
- regularly discuss with you any support measures put in place to ensure they offer effective support, which balances your welfare and work commitments. Equally if you recognise that something isn't working, please raise this with your line manager in the first instance.

People experiencing domestic abuse are especially vulnerable once they attempt to leave abusive partners. For example, they may feel more vulnerable going to, coming from or being at work. If you are a line manager providing support, please see supporting guidance for some practical things you should consider and discuss with your colleague.

4. Confidentiality

Any information and support provided to colleagues is intended to help, and if you are unsure how to do this then please contact HR. Any discussions should take place in private and we appreciate employees may wish to be accompanied to meetings with a colleague or a representative from your Trade Union if you are a member.

Confidentiality can only be maintained as far as it's reasonably practicable within our duties as an employer. Situations where confidentiality cannot be assured may occur when there are concerns about children or vulnerable adults, or where an employer needs to act to protect the safety of employees. In these circumstances we will discuss the reason for disclosing any information to a third party with you and will seek your agreement wherever possible.

5. Information for Perpetrators

We acknowledge that domestic abuse is a chosen behaviour and perpetrators are solely responsible for the abuse they inflict. Colleagues should be aware that domestic abuse is an unlawful act and can lead to criminal convictions. However, on some occasions it may be appropriate to deal with employee behaviour in accordance with our internal disciplinary procedure.

Employees' conduct both inside and outside work may lead to disciplinary action against them, dependent on various factors including:

- the seriousness of the alleged/proven misconduct, caution, or offence;
- its relevance to the work the employee undertakes for the Council; and
- its impact upon the employment relationship between the Council and the employee.

When a perpetrator is attending a perpetrator programme, either on a voluntary or court mandated basis, consideration may be given to suspending any disciplinary outcome pending the successful completion of the programme.

Some perpetrators may seek assistance in changing their behaviour and should be supported in doing so using:

- unpaid leave;
- annual leave; or
- temporary changes to shift patterns or working hours.

This will allow perpetrators to attend appropriate counselling sessions or to comply with a court order to attend a perpetrator programme.

Where a perpetrator has identified themselves, or is known to us, then this must be treated confidentially.

6. Responding to a Disclosure

If you have reason to suspect that a colleague is experiencing domestic abuse, or they approach you directly to talk to you about it, please move to somewhere private and listen without offering personal advice but do provide the guidance that is available and arrange for specialist advice.

Do	Don't
✓ Allocate some time in a private space to listen	✗ Seek proof of abuse
✓ Be sensitive/non-judgemental and supportive in your approach	✗ Compel the colleague to accept support
✓ Prioritise the colleague's safety	✗ Act as the support worker yourself
✓ Be prepared to call 999 if you feel that this colleague could be in immediate danger	✗ Attempt to contact the perpetrator
✓ Be prepared for the individual to be upset and tearful	

Please note that the recommended action for anyone experiencing domestic abuse is to be referred to a specialist organisation where the focus will be on assessing the potential risks and advising on the safety of those involved. When a disclosure is made you should refer or signpost the individual to a supportive service/helpline, a full list can be found on the Orb. If you have concerns about the risk to any employee, you can also confidentially seek advice on the situation from a supportive service.

7. Roles and Responsibilities

Line Managers should:

- Listen to what is said and don't put pressure on your colleague to do anything they aren't ready to do.
- Take care without passing judgement on their situation and help to arrange the right advice and services through specialist agencies.

- Provide your colleagues with the Employee Assistance Programme number. This is confidential, and they are trained professionals who can arrange counselling, including trauma counselling if required. You may also agree with your colleague to refer to our occupational health provider, who can also make referrals for counselling.
- Consider, discuss and agree what adjustments can be made at work for victims and survivors to ensure their safety. See supporting guidance for further information.
- Be familiar with the resources available for victims, survivors and perpetrators, so that you can appropriately signpost to the most relevant specialist and/or agencies.
- Contact askHR for advice if a colleague discloses a caution, charge or conviction in relation to perpetrating domestic abuse.
- Provide appropriate paid time off for colleagues who are victims or survivors of domestic abuse so that they can attend relevant appointments or court proceedings.
- Support colleagues who have presented as perpetrators of domestic abuse and support any efforts to attend counselling or court mandated perpetrator programmes, e.g. allowing use of annual leave, unpaid leave or being flexible around start and finish times where this can be accommodated.

Employees should:

- Discuss any domestic abuse issues with your line manager, or another manager with whom you feel comfortable talking to. If you are a member of a Trade Union, you can also speak to your TU representative. Any concerns you raise will be handled in a supportive and sympathetic way.
- Provide details of any appointments you have to your line manager so that appropriate time off can be provided.
- Make use of the free confidential Employee Assistance Programme.
- Engage with referrals to occupational health and participate in counselling when recommended by a health professional to help your own recovery.
- Disclose any cautions, charges or convictions to your line manager.

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Policy and Sustainability Committee

10:00am, Tuesday, 1 October 2019

Diversity and Inclusion Strategy

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 To approve the Diversity and Inclusion Strategy
- 1.2 To approve the Diversity and Inclusion Action Plan
- 1.3 To request an update on progress to this Committee on an annual cycle

Stephen S. Moir

Executive Director of Resources

Contact: Katy Miller, Head of Human Resources

E-mail: katy.miller@edinburgh.gov.uk | Tel: 0131 469 5522

Diversity and Inclusion Strategy

2. Executive Summary

- 2.1 It is our ambition to develop a workplace culture where all our people feel valued, included and able to be their best, authentic selves at work.
- 2.2 We recognise the benefits that a diverse workforce with different values, beliefs, experience, and backgrounds brings.
- 2.3 We want to attract and retain a diverse workforce that reflects, and can respond to, the diverse needs of the citizens of Edinburgh.
- 2.4 The Diversity and Inclusion Strategy sets out our cultural ambitions and commitment to developing an inclusive and diverse workplace.
- 2.5 The Diversity and Inclusion Action Plan outlines the key 'building blocks' identified as necessary to help us achieve our cultural ambitions and the associated workstreams on which we will focus our energies initially.

3. Background

- 3.1 The strategy and action plan, which has been developed, draws together various strands of work that contribute to making the Council a more diverse and inclusive organisation and reporting on these as a way of raising awareness.

4. Main report

- 4.1 The Diversity and Inclusion Strategy sets out our commitment as an organisation to work towards developing a truly inclusive culture and workplace which values and recognises the contribution that a diverse workforce makes.
- 4.2 It is aligned to the wider aims of the Change Strategy and has three strategic themes:
 - Developing Our Understanding
 - Building an Inclusive Culture
 - Attracting and Retaining a Diverse Workforce

- 4.3 The Action Plan reflects the strategic themes and identifies key workstreams that will act as building blocks to achieve the aims of the Strategy.
- 4.4 It is our intention to report progress with the action plan to this Committee on an annual basis. There will however be ongoing engagement with key stakeholders throughout this cycle to identify and respond to proprieties as they emerge.
- 4.5 Both the strategy and action plan have been developed in consultation with a range of key stakeholders to date including elected members, external partners, individual trade unions, Joint Consultative Committee, Scottish Government, CoSLA, Close the Gap and other local authorities.
- 4.6 Given the broad agreement among stakeholders to date on the approach we are taking, work has already begun on some of our priority workstreams.
- 4.7 The annual Diversity and Inclusion planner is already in place and key dates are being publicised through our communications channels including Newsbeat, Managers News and the Chief Executive blog.
- 4.8 We have reviewed our Recruitment and Selection Policy which is being considered at this Committee.
- 4.9 We are working with external partners including Amina Muslim Women Resource Centre and the Department of Work and Pensions to look at ways in which we can support the attraction and recruitment of underrepresented groups.
- 4.10 We have undertaken a Data Protection Impact Assessment to review options for use of personal emails addresses to reach colleagues with no access to MyHR.
- 4.11 We have worked with COSLA and CEC legal team to reach agreement around data categories.
- 4.12 Our newly formed LGBT+ Colleague Network is established and has had its first AGM and a Womens Network will be launched in August 2019.

5. Next Steps

- 5.1 If approved, a detailed project plan will be built out around each workstream for implementation.

6. Financial impact

- 6.1 Any associated costs will be contained within current budgets.

7. Stakeholder/Community Impact

- 7.1 If successfully implemented, the strategy and action plan will enable us to reflect and respond better to the diverse needs of the citizens of Edinburgh.

8. Background reading/external references

- 8.1 [Diversity and Inclusion Strategy and Plan – Progress Update – May 2019](#)

9. Appendices

- 9.1 Diversity and Inclusion Strategy (Appendix 1)
- 9.2 Draft Action Plan Diversity and Inclusion (Appendix 2)

Diversity and Inclusion (D&I) Strategy

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Creating a working environment where our people can be at their best



Driving our culture

aligning D&I to our strategic objectives and cultural ambitions

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Change Strategy

Delivering high quality services

Prevention and early intervention

Inclusive and sustainable growth

Cultural Ambition

We are passionate about Edinburgh

We believe everyone matters

We build for the future

- We'll build an inclusive culture where all our people feel valued, included and able to be their best, authentic selves at work
- We'll work hard to attract and retain a diverse workforce that reflects, and can respond to, the diverse needs of the citizens of Edinburgh
- We'll ensure that all our people have equal opportunity to learn, develop and achieve their full potential
- We are known for demonstrating these values

D&I Strategic Themes

Developing our understanding

Building an inclusive culture

Attracting and retaining a diverse workforce

Diverse teams
outperform
homogenous
teams

An inclusive
environment
increases
employee
engagement

Cultural and
experiential
diversity =
more creativity
and innovation

Enhanced
reputation and
more desirable
employer
brand

The business case.....not just the right thing to do.....



Legislative Context

- Equality Act 2010 'Specific Duties (Scotland) Regulations 2012'
- Fairer Scotland Duty (2018)
- City of Edinburgh Council Equality, Diversity and Rights Framework 2017-2021
- City of Edinburgh Council Change Strategy 2019-2023
- Equal Pay Act (2010)
- Gender Pay Gap
- Public Sector Bodies (website and mobile applications) Accessibility Regulations

Strategic Themes

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Developing our understanding

Building an inclusive culture

Attracting and retaining a diverse workforce

Developing our understanding of how our profile reflects the wider community

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- engage with our people to understand their challenges, priorities and potential solutions, and gain insight into poor self-reporting rates for equalities data
- work with COSLA to review and update our diversity categories
- undertake an extensive campaign to raise awareness around the importance of gathering, and reporting on, equalities data
- significantly improve self-reporting rates
- analyse what the improved data tells us beneath the headlines and use this information to define the outcomes we are seeking

Building an inclusive culture

where each individual feels valued, included and able to be themselves

- send clear and highly visible messages that difference is celebrated and respected here
- raise awareness of protected characteristics and the exponential impact of intersectionality
- extend our inclusive approach beyond the scope of the legislation to support colleagues more broadly around eg: carer responsibilities, adoption, paternity, social mobility, wellbeing
- support colleagues to influence positive change through employee networks
- demonstrate high level sponsorship and commitment to cultural change
- offer learning opportunities to support cultural change
- raise awareness of the range of support available to employees

pregnancy & maternity

Religion or belief

age

marriage & civil partnership

sex

sexual orientation

race

gender reassignment

disability

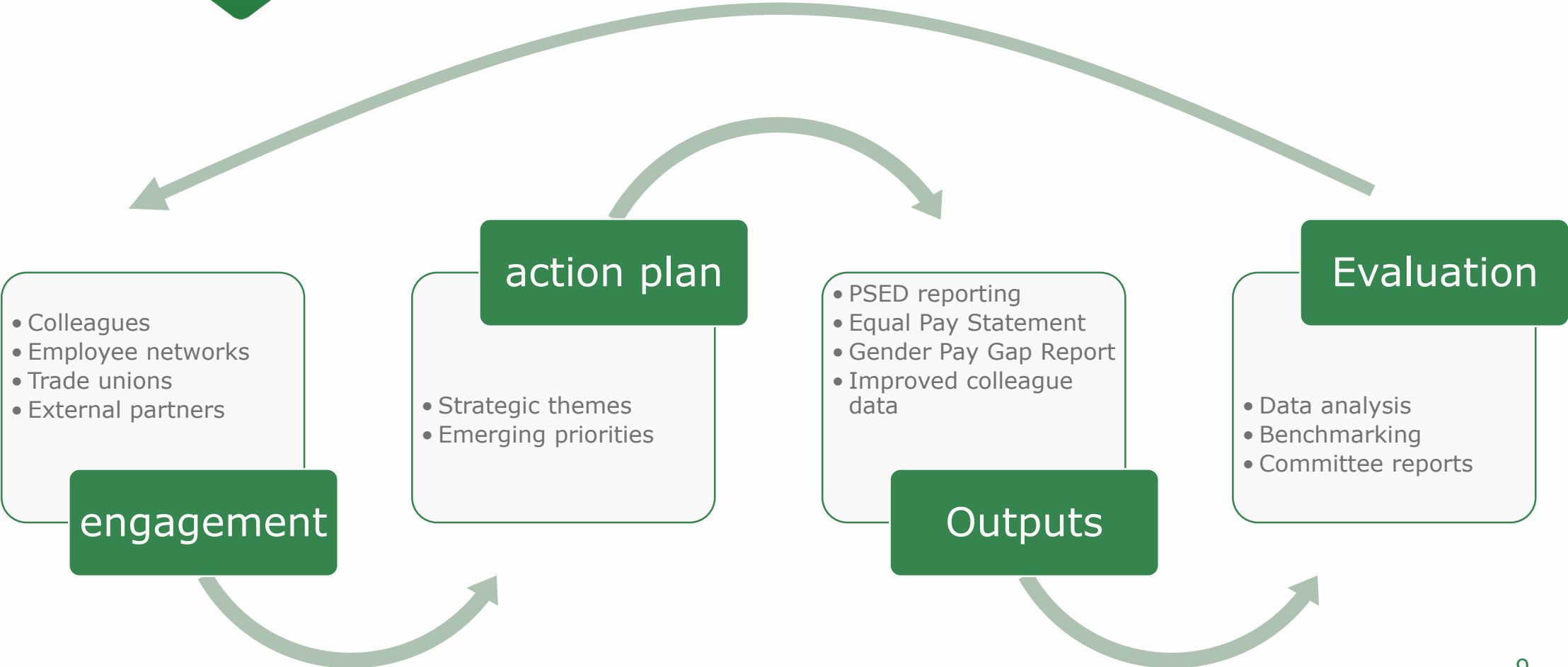
Attracting and retaining a diverse workforce through our approach to talent and resourcing

Page 230

- build our employer brand as one who welcomes diversity and supports inclusion
- attract and retain a workforce that represents the diversity of the city
- use tools at our disposal to reduce unconscious bias during recruitment
- use our talent management programme to promote career development opportunities for colleagues who share protected characteristics
- support flexible and agile deployment of under-represented groups to enable professional development opportunities with a view to increasing their representation across senior roles
- work towards becoming a Disability Confident Leader and, based on our data findings, explore other benchmarking tools with external partners such as Stonewall
- hold our agencies to account for their commitment to diversity and inclusion
- follow through on our commitments to tackle the gender pay gap as set out in our Gender Pay Gap Report (October 2018)

Ongoing engagement to inform priorities

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Diversity and Inclusion Action Plan



Strategic Themes	Developing our understanding	Building an inclusive culture	Attracting and retaining a diverse workforce
Building Blocks	Undertake external D&I benchmarking exercise	Use annual planner to increase visibility and highlight key dates	Review our policies and guidance to ensure best practice
	Campaign to raise awareness and increase rates of equalities data collection	Support and promote new and existing colleague networks	Consider ways to advertise and recruit that will increase workforce diversity
Ensure we meet our Equal Pay commitments			

Building the Action Plan

External benchmarking

(Employers Network for Equalities and Inclusion)

Your workforce

Strategy and Plan

Leadership and Accountability

Attraction and Recruitment

Training and Development

Other Employment Practices

Communications and Engagement

Procurement

Equalities Data

- Carry out a Privacy Impact Assessment to establish whether we can use personal email addresses to request or share data with colleagues who have no access to a workplace email address
- Undertake an extensive awareness raising campaign for colleagues to explain:
 - Why we want to collect the data
 - What we will use the data for
 - How us holding the data will help to increase diversity and create a more inclusive culture
 - Who will have access to the data / data security
 - How often and in what way we will request the data
- Update HR systems to reflect newly agreed equalities data categories
- Identify best methodology and begin collection of data
- Report regularly on progress
- Use data to inform future actions for the D&I Action Plan

Diversity and Inclusion Annual Planner

Publicise key dates and events by:

- Advertising colleague network group activity
- Drawing attention to supportive people policies
- Highlighting relevant cross-council activity (eg libraries / schools)
- Signposting related events across Edinburgh
- Publishing 'profile stories' covering colleague experiences
- Information events / stalls
- Visible symbols of support, including flag flying
- Setting up a webpage for D&I issues

January

- Holocaust Memorial Day (27)

February

- LGBT History Month

March

- International Women's Day (8)
- International Day for the Elimination of Racial Discrimination (21)
- International Transgender Day of Visibility (31)

April

- Pesach (19-27)

May

- International Day against Homophobia, Transphobia and Biphobia (17)
- Ramadan (5 May-4 June)

June

- Global Day of Parents (1)
- LGBT Pride Month
- Carers Week (10-16)
- World Humanist Day (21)

July

August

- International Youth Day (12)

September

- World Suicide Prevention Day (10)

October

- Black History Month
- International Day of Older People (1)
- World Mental Health Day (10)
- Intersex Awareness Day (26)

November

- Diwali (14)
- International Men's Day (19)
- International Day for the Elimination of Violence Against Women and Girls (25)

December

- Anniversary of Marriage and Civil Partnership (Scotland) Act (16)

International Day of Tolerance (16 November)

Colleague Networks

- Develop guidance to support 'start up' colleague networks
- Work closely with trade union colleagues to define the role and remit of colleague networks and how this relates to recognised negotiating partners and existing Council policy
- Encourage the set up of specific colleague networks
- Work with early stage networks to offer support, where required
- Engage with current networks where they exist



Reviewing our policies and guidance

- Revamp digital learning experience for managers to include a focus on inclusive recruitment practice
- Review options for rolling out unconscious bias training for managers
- Update Recruitment and Selection Policy
- Produce a template for job advertisements to make them more inclusive with wider appeal
- Update Domestic Abuse Policy to bring it in line with recent legislative changes
- Produce guidance for managers in relation to the menopause
- Produce guidance for managers in relation to gender re-assignment
- Carry out a review of current provision surrounding maternity, paternity and shared parental leave

Advertising and recruiting to increase workforce diversity

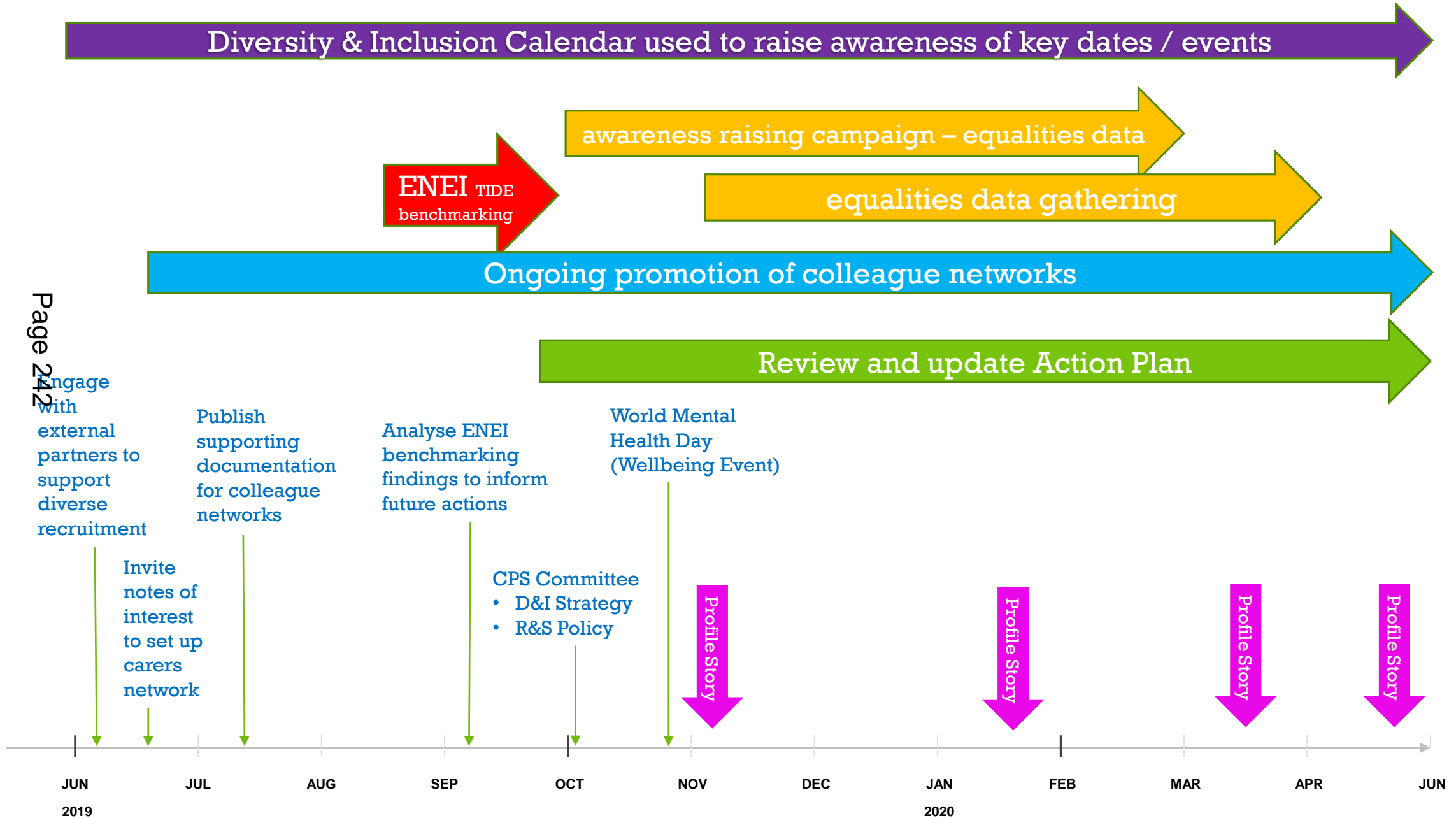
- Engage with external partners to support the employability skills of underrepresented groups
- Review our 'employer brand' to make it more visibly inclusive
- Target underrepresented groups using non-standard recruitment channels to attract a diverse range of applicants
- Engage with colleague network groups to gather insight around obstacles and barriers to inclusivity and attracting a diverse workforce

Pay

eliminating discrimination –
promoting diversity and equality

- monitor pay gaps relating to gender, disability and race, occupational segregation and the availability of part-time and flexible working arrangements
- monitor and undertake analysis on gender segregation
- publish information on recruitment, development and retention every two years as part of the council's Equality Mainstreaming Report
- work in partnership with trade unions to ensure pay is monitored regularly and colleagues have confidence in our processes to ensure there is no bias
- develop a pay and reward system which is transparent, based on objective criteria and free from bias

Diversity and Inclusion Action Plan 2019-2020



Policy and Sustainability Committee

10:00am, Tuesday 1 October 2019

Human Resources (HR) Policies Assurance Statement

Item number	
Executive/routine	Routine
Wards	All
Council Commitments	

1. Recommendations

- 1.1 To note that the Council policies detailed in this report have been reviewed and are considered as being current, relevant and fit for purpose.

Stephen S. Moir

Executive Director of Resources

Contact: Katy Miller, Head of Human Resources

E-mail: katy.miller@edinburgh.gov.uk | Tel: 0131 469 5522

HR Policies Assurance Statement

2. Executive Summary

- 2.1 This report confirms that its employment or HR policies, which have been reviewed, consulted on, and approved by relevant committee in the last 12 months.
- 2.2 In addition, this report outlines employee policies that are planned for review in the next 12 months.

3. Background

- 3.1 Council policies are key governance tools. They help realise the Council's vision, values, pledges, and outcomes, and are critical to the Council's operations, ensuring that statutory and regulatory obligations are met in an efficient and accountable manner.
- 3.2 Human Resources policies are reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.
- 3.3 The Corporate Policy and Strategy Committee agreed the approach detailed above, for Human Resources policies, on 5 December 2017.

4. Main report

- 4.1 A critical element of the policy framework is to ensure that our Human Resource policies are fit for purpose, that they support our culture, reflect best practice and meet our legal obligations.
- 4.2 Appendix one confirms the policies together with the detail of the changes, which have been reviewed, consulted on, and approved by relevant committee in the last 12 months, namely; managing organisational change; managing absence; driving for the Council; managing retirement; stress management policy; special leave policy.

4.3 In the next 12 months, Human Resources plan to review the following employee policies, and these will be brought to the relevant Committee:

- Sickness Absence;
- Domestic Abuse;
- Disciplinary;
- Grievance;
- Avoidance of Bullying and Harassment;
- Maternity, Paternity, Adoption and Shared Parental Leave

4.4 All Council policies are available through an interactive directory on the Council's website.

5. Next Steps

5.1 Policies will be reviewed over the next 12 months as outlined.

6. Financial impact

6.1 There is no direct financial impact arising from this report.

7. Stakeholder/Community Impact

7.1 Consultation was undertaken, where appropriate, with recognised trades unions as part of the Council's Working Together Protocol and local collective consultation arrangements concerning Human Resource policies.

8. Background reading/external references

8.1 None

9. Appendices

9.1 Appendix 1 – Assured Policies

Appendix 1 – Assured Policies

Title:	Managing Retirement Policy
Approval Date:	23 May 2019
Approval Body:	Finance and Resources Committee
Review Date:	The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.
Changes:	The policy was updated to reflect legislative changes, i.e. employees in the pension fund no longer need to seek organisational approval to retire at age 55. It also phases out wind down days which will no longer be available from April 1 st , 2020.

Title:	Managing Change Policy
Approval Date:	23 May 2019
Approval Body:	Finance and Resources Committee
Review Date:	The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.
Changes:	The Policy replaced Organisational Review Procedure, Redundancy Procedure and Redeployment Procedure. The policy aims to shift the focus on how we engage employees in organisational change and sets out simple and clear principles to manage change, which may or may not results in roles becoming redundant.

Title:	Stress Management Policy
Approval Date:	23 May 2019
Approval Body:	Finance and Resources Committee
Review Date:	The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.
Changes:	The Policy has been revised to support colleagues in the prevention and management of stress, whilst continuing to be compliant within the HSE guidelines. The policy refresh also included best practice from organisations such as the NHS and ACAS.

Title:	Driving for the Council Policy
Approval Date:	4 December 2018
Approval Body:	Finance and Resources Committee
Review Date:	The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.
Changes:	The guidance that existed in relation to the management of driving on behalf of the Council has been updated and formalised, with key responsibilities identified to clarify both individual and organisational responsibilities for matters relating to driving. The update enables the Council to remain compliant with statutory requirements and protect colleagues from risk associated with work related driving.

Title:	Special Leave Policy
Approval Date:	4 December 2018
Approval Body:	Finance and Resources Committee
Review Date:	The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.
Changes:	The Special Leave policy was updated to provide greater clarity on the provision of paid and unpaid time off not covered by other policies, e.g. sickness absence. An opportunity was also taken to increase the paid leave available to foster carers from 3 to 5 days and an additional clause was inserted to outline the Council position on leave for religious occurrences. A further change has been made to the application of leave relating to the breakdown of care for dependants making it clearer to understand, i.e. from 5 days for certain circumstances and 1 day for similar circumstances, this is now just 6 days for all circumstances listed within this section of the policy.

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Policy and Sustainability Committee

10:00am, Tuesday 1 October 2019

Policies – Assurance Statement – Legal and Risk

Executive/routine: Wards Council Commitments	Routine All
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1. Recommendations

- 1.1 To note that the Council policies detailed in this report have been reviewed and are considered to reflect current legislative requirements and best practice and therefore remain fit for purpose.

Stephen S. Moir

Executive Director of Resources

Contact: Nick Smith, Head of Legal and Risk / Council Monitoring Officer

Legal and Risk Division, Resources Directorate

E-mail: nick.smith@edinburgh.gov.uk | Tel: 0131 529 4377

Policies – Assurance Statement – Legal and Risk

2. Executive Summary

- 2.1 Council policies are key governance tools. Developing, implementing and following these policies helps to achieve the Council's vision, values, pledges and outcomes. They are critical to the Council's operations and compliance with the policies ensures that statutory and regulatory obligations are met in an efficient and accountable manner.
- 2.2 To ensure that Council policies reflect current legislative requirements and best practice, all Council directorates and policy owners are required to review policies on an annual basis.

3. Background

- 3.1 Council policies are key governance tools. Developing, implementing and following these policies helps to achieve the Council's vision, values, pledges and outcomes. They are critical to the Council's operations and ensure that statutory and regulatory obligations are met in an efficient and accountable manner.
- 3.2 To strengthen governance arrangements in this area, a policy framework has been developed to ensure that all Council policies are easily accessible and are created and renewed in a consistent manner and to an appropriate standard. This includes the development of a comprehensive register of Council policies and the introduction of a policy template to provide the Council with a standardised format in terms of content and style.
- 3.3 The Corporate Policy and Strategy Committee agreed the approach detailed above on 3 September 2013.

4. Main report

- 4.1 A critical element of the policy framework is to ensure that all Council policies remain fit for purpose. This requires each directorate and policy owner to review, on an annual basis, all policies relevant to their services and to provide the necessary level of assurance that these policies are current and relevant or make the required changes to the policies.
- 4.2 This report confirms that the policies listed in the appendix have been reviewed by directorate senior management and are all still considered to be fit for purpose.
- 4.3 All Council policies are available through an interactive directory on the Council's website.

5. Next Steps

- 5.1 These policies will continue to be reviewed on an ongoing basis to ensure that they remain fit for purpose.

6. Financial impact

- 6.1 There are no direct financial impacts as a result of this report.

7. Stakeholder/Community Impact

- 7.1 Consultation was undertaken, where appropriate, with recognised trades unions as part of the Council's Working Together Protocol and local collective consultation arrangements.

8. Background reading/external references

- 8.1 [Corporate Policy and Strategy Committee Report 3 September 2013 – Review of Council Policy.](#)
- 8.2 [Governance, Risk and Best Value Committee Report 22 May 2014 – Review of Council Policy: up-date.](#)

9. Appendices

- 9.1 Appendix 1 – Assured Policies

Appendix 1 – Assured Policies

Title:	Council Health and Safety Policy
Approval date:	14/05/2019 (business bulletin)
Approval body:	Policy and Sustainability Committee
Review process:	Annual
Change details:	Next review is due in May 2020.

Title:	Smoke Free Policy
Approval date:	02/10/2018 (business bulletin)
Approval body:	Policy and Sustainability Committee
Review process:	Annual
Change details:	Next review is due in October 2019. Business Bulletin update due at Policy and Sustainability Committee in October 2019 recommending no changes.

Title:	Council Asbestos Policy
Approval date:	04/12/2018 (business bulletin)
Approval body:	Policy and Sustainability Committee
Review process:	Annual
Change details:	Next review is due in November 2019.

Title:	Council Fire Safety Policy
Approval date:	04/12/2018 (business bulletin)
Approval body:	Policy and Sustainability Committee
Review process:	Annual
Change details:	Next review is due in November 2019.

Title:	Council Water Safety Policy
Approval date:	14/05/2019 (business bulletin)
Approval body:	Policy and Sustainability Committee
Review process:	Annual
Change details:	Next review is due in May 2020.

Title:	Enterprise Risk Management Policy
Approval date	07/08/2018
Approval body:	Policy and Sustainability Committee
Review process:	Annual
Change details:	Next review is due in October 2019. Business Bulletin update due at Policy and Sustainability Committee in October 2019 recommending no changes.

Title:	Internal Audit Charter
Approval date	19/03/2019
Approval body:	Governance, Risk and Best Value Committee
Review process:	Annual
Change details:	This charter supersedes the previous charter (approved 20/03/2018). Next review is due in March 2020.

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Policy and Sustainability Committee

10.00am, Tuesday, 1 October 2019

Internal Audit – GDPR (Gap Analysis) Follow-up and Quality, Governance and Regulation – referral from the Governance, Risk and Best Value Committee

Executive/routine
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Governance, Risk and Best Value Committee has referred the attached GDPR (Gap Analysis) Follow-up and Quality, Governance and Regulation Audits to the Policy and Sustainability Committee for review and scrutiny.

Andrew Kerr

Chief Executive

Contact: Jamie Macrae, Committee Officer

E-mail: jamie.macrae@edinburgh.gov.uk | Tel: 0131 553 8242

Referral Report

Internal Audit – GDPR (Gap Analysis) Follow-up and Quality, Governance and Regulation – referral from the Governance, Risk and Best Value Committee

2. Terms of Referral

- 2.1 The Governance, Risk and Best Value Committee on 13 August 2019 considered a report by the Chief Internal Auditor, [Internal Audit Annual Opinion for the year ended 31 March](#), which detailed the outcome of the audits carried out as part of the Council's 2018/19 Internal Audit annual plan and the status of open Internal Audit findings as at 31 March 2019.
- 2.2 The Governance, Risk and Best Value Committee agreed:
- 2.2.1 To note the Internal Audit opinion for the year ended 31 March 2019.
- 2.2.2 To request that the Chief Executive, Executive Directors and Chief Officer of the Edinburgh Health and Social Care Partnership, supported by the Chief Internal Auditor, report to the relevant Executive Committee at the earliest opportunity and the subsequent Governance, Risk and Best Value Committee setting out clear plans to ensure the closure of all historic and overdue internal audit management actions to enable an improvement to the overall Internal Audit Opinion for 2019/20.
- 2.2.3 To refer all audits with a red finding to the next meeting of the appropriate Executive Committee for their consideration and that action plans would be reported back to the Governance, Risk and Best Value Committee.
- 2.3 This report therefore refers the GDPR (Gap Analysis) Follow-up and Quality, Governance and Regulation audits to the Policy and Sustainability Committee for consideration.

3. Background Reading/ External References

- 3.1 [Internal Audit Annual Opinion 2018/19](#) – report by the Chief Internal Auditor
- 3.2 [Governance, Risk and Best Value Committee – 13 August 2019 – Webcast](#)

4. Appendices

Appendix 1 – Internal Audit – GDPR (Gap Analysis) Follow-up

Appendix 2 – Internal Audit – Quality, Governance and Regulation

The City of Edinburgh Council

Internal Audit

Final Report

GDPR (Gap Analysis) Follow-up

8 August 2019

CW1805

Overall report rating:

**Generally adequate but
with enhancements
required**

Areas of weakness and non-compliance in the control environment and governance and risk management framework that that may put the achievement of organisational objectives at risk

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This internal audit review is conducted for the City of Edinburgh Council under the auspices of the 2018/19 internal audit plan approved by the Governance, Risk and Best Value Committee in March 2018. The review is designed to help the City of Edinburgh Council assess and refine its internal control environment. It is not designed or intended to be suitable for any other purpose and should not be relied upon for any other purpose. The City of Edinburgh Council accepts no responsibility for any such reliance and disclaims all liability in relation thereto.

The internal audit work and reporting has been performed in line with the requirements of the Public Sector Internal Audit Standards (PSIAS) and as a result is not designed or intended to comply with any other auditing standards.

Although there is a number of specific recommendations included in this report to strengthen internal control, it is management's responsibility to design, implement and maintain an effective control framework, and for the prevention and detection of irregularities and fraud. This is an essential part of the efficient management of the City of Edinburgh Council. Communication of the issues and weaknesses arising from this audit does not absolve management of this responsibility. High and Critical risk findings will be raised with senior management and elected members as appropriate.

1. Background and Scope

Background

Legislative requirements

The General Data Protection Regulation (GDPR), together with the UK Data Protection Act 2018, introduced widespread changes to data protection legislation on 25 May 2018. These included increased financial sanctions for non-compliance, and stronger direction in relation to roles and responsibilities and how personal data should be processed and stored by organisations both within and outwith the EU.

In advance of the 25th May 2018, organisations processing and storing personal data were expected by the Information Commissioner's Office (ICO) to conduct a programme of work to prepare for the new legislation. This included performing a gap analysis to identify areas of non-compliance and risk, and ensuring that appropriate implementation plans and supporting timeframes were established by 25th May 2018 to address the gaps identified.

GDPR Readiness Programme

The City of Edinburgh Council's (The Council's) Information Governance Unit (IGU) within Strategy and Communications developed and implemented a risk based GDPR readiness programme (the Programme) that assessed the extent of GDPR readiness across the Council. This programme included 20 workstreams addressing all areas of preparations for the new legislation. At a corporate level, these included establishing roles and responsibilities, new and revised guidance and procedures, establishment of new documentation such as the Record of Processing, privacy notices, and revised contract provisions, as well as an extensive communications and training programme.

One of the workstreams was a service gap analysis which identified areas of improvement to support services in achieving better compliance.

Outcomes of the 2017/18 GDPR Readiness Programme Internal Audit review

The 2017/18 audit of the of the GDPR readiness programme (performed between March and May 2018) confirmed that the programme was appropriately designed to identify key GDPR readiness risks and control gaps across the Council, with High risk service areas prioritised, and significant focus on awareness and training.

The review also highlighted that completion of the programme had been delayed due to IGU resourcing challenges that could also potentially impact the IGU's ability to validate effective implementation of GDPR findings raised, and their capacity to support ongoing and increasing volumes of operational IGU activities and other general enquiries generated as a result of the new regulations.

Gap analysis outcomes

Prior to commencement of the gap analysis, an initial information risk priority assessment was performed by IGU across all service areas. This was based on an assessment of the privacy impact and processing risks associated with the information being processed and retained. The outcomes were then combined, and a priority ranking of High; Medium; or Low allocated to each service area.

Following completion of the gap analysis in April 2018, a total of 94 GDPR action plans with 715 supporting recommendations were issued by the programme across Council Service areas. These included 4 service areas with an overall 'red' report rating assessment; 78 with 'amber'; and 12 with

green. Of the 715 supporting recommendations 118 were assessed as 'high' priority; 473 'medium'; and 124 as low, with the following definitions applied:

- High - address as quickly as possible and before 25th May 2018 if at all possible
- Medium - address when possible, if not prior to 25th May 2018 then as quickly as possible thereafter.
- Low - address within usual business practices.

A number of holistic Council wide GDPR related risks were also identified by the programme (for example third party; contracts; and shadow (non-centrally hosted) IT) and communicated to the Council's Corporate Leadership Team (CLT) and Directorate risk committees. The IGU also proposed that a Council working group should be established to ensure that these risks are effectively managed through Directorate risk committees, with local plans developed and implemented to ensure that they are addressed.

IGU GDPR readiness follow-up

Given their limited resources; increasing workload; and the volume of GDPR action plans and recommendations, the IGU adopted a self-attestation process to confirm with service areas that their GDPR actions had been addressed, and progress has been reported to individual Directors. In some instances, evidence of implementation was provided to IGU, however, for the reasons outlined above, no assurance testing was performed to confirm that the actions had been effectively implemented and sustained.

Information governance maturity model

IGU has also developed a GDPR maturity model (an assessment tool) that has been designed to enable services to assess the maturity of their established information governance processes in comparison to GDPR regulations and information governance more widely, to identify any potential risks and areas of non-compliance. The maturity assessment was issued across the Council in March 2019.

The model is based on the Generally Accepted Record Keeping Principles (GARP) developed by the Association of Records Managers and Administrators (ARMA). The eight GARP principles include accountability; transparency; integrity; protection; compliance; availability; retention; and disposal.

Within the model, each principle has a set of questions with 5 answers attributed to each question. The responses are then matched to a graded maturity assessment that determines the maturity of information governance across the Council.

Information Board

A new Information Board has been established (the inaugural meeting was March 2019) with the objective of providing dedicated oversight of GDPR implementation; providing assurance to the Council's Corporate Leadership Team that appropriate frameworks have been established to support Directorates and service areas in effective management of information governance risk; and driving and supporting information management across the Council.

IGU management has advised that they now plan to close the Programme based on the self-attestation responses received from service areas, with ongoing assurance provided through a combination of reliance on the Council's established risk management framework to record and manage any remaining GDPR gap analysis actions that have not yet been addressed, and ongoing business as usual activity of the IGU which includes training and awareness, data protection impact assessments, records management assessments, the information maturity model, handling of

information requests and breach management. All of which support the identification of information risks across the Council and reinforces the IGU's role as a second line of defence.

Scope

As the GDPR readiness programme was reviewed in 2017/18, the scope of our current review was limited to an assessment of the design adequacy of the IGU validation process to confirm that services had either closed their actions, or were making adequate progress towards completion

The review was also designed to provide assurance in relation to the following Corporate Leadership Team (CLT) risk:

Information Governance - A major loss of data from the Council's control could result in fines, claims, loss of public trust and reputational damage. This includes both physical records (papers, files, folders etc) and data lost as a result of cyberattacks. This risk takes into account new requirements under the new General Data Protection Regulation.

Approach

Sample testing of completed GDPR actions and recommendations

A total of nine GDPR reports and their 98 supporting recommendations (25 High; 66 Medium; and 7 low) were selected by Internal Audit for testing. This represents 10% of the 94 GDPR action plans issued by the IGU across the Council. All red rated reports were included in the sample, and five (6%) of the amber reports.

We reviewed service area action plans to confirm that they were aligned with GDPR recommendations; interviewed service area representatives; and requested evidence to determine whether actions had been effectively implemented and sustained.

Our sample covered the following Directorates and service areas:

Directorate	Service	IGU Initial Risk Ranking	GDPR Report Priority Rating
Communities and Families	Early Years and Childcare	Medium	Red
	Residential Care	High	Red
	Community Safety	Medium	Amber
Place	Parks, Greenspaces, and Cemeteries	Low	Red
Resources	Facilities Management	Medium	Red
	Human Resources	Medium	Amber
	Legal Services	Medium	Amber
	Transactions: Assessment & Finance	Medium	Amber
	Lothian Pension Fund	Medium	Amber

Review of risk registers

We also reviewed risk registers for each of the services and Directorates noted above to establish whether any GDPR actions that had not been completed were recorded on the risk registers; and that the holistic risks identified by IGU had also been recorded (where relevant).

Discussions were also held with the Chief Risk Officer to understand how Programme outcomes had been reflected in, and were being managed through, the Council's established risk management framework.

We also reviewed the IGU Maturity Model to assess whether it is adequately designed to support ongoing identification and management of information governance risks.

Further details on the scope of our review are included at Appendix 2 – Areas of Audit Focus

A summary of the testing outcomes for each service area reviewed are included at Appendix 3.

2. Executive summary

Total number of findings: 3

Summary of findings raised	
High	1. Implementation of GDPR gap analysis actions
Medium	2. Ongoing management of information governance risks
Low	3. Information Governance maturity model – design and implementation

Further detail on the basis of the classifications applied to our findings is included at Appendix 1.

Opinion

Our review established that there is currently insufficient evidence available to confirm effective implementation and sustainment by service areas of General Data Protection Regulations (GDPR) gap analysis actions raised by the GDPR readiness Programme (the Programme) to address gaps identified between current Council information governance processes and the new GDPR regulations

Additionally, the Council's risk management framework cannot be relied upon to confirm that the information risks associated with all remaining GDPR gaps (including holistic Council wide risks) have been recorded and are being effectively managed. It is therefore likely that the gaps identified that need to be addressed across the Council to progress towards GDPR compliance and meet the expectations of the Information Commissioner's Office have not been addressed, and could potentially result in loss of data and significant breach of applicable regulations.

Whilst the Council could have explored alternative options to confirm that GDPR actions had been effectively implemented and would be sustained across Service Areas, reliance was placed on the Information Governance Unit (IGU) to complete this exercise. Given the limited resources and capacity of the IGU (as highlighted in the High rated finding raised in the GDPR Readiness Programme report issued in August 2017) IGU adopted a self attestation approach that was not designed to obtain and review evidence from services confirming effective implementation.

IGU intend to close the GDPR Programme and obtain ongoing assurance on information governance risk management by first line service areas via the risk management framework and newly launched information governance maturity model, with oversight provided by the recently established Information Board. The proposed information governance assurance framework is well designed and could potentially be a leading approach across the public sector. As with the gap analysis, it is, however, dependent on service areas providing factual responses to the maturity model assessment, and identifying; managing; and addressing their information governance risks effectively.

It is Internal Audit's opinion that the Programme should not be closed until further assurance has been obtained to confirm that all significant GDPR actions have been implemented and will be sustained by services; remaining and holistic information governance risks effectively managed through the risk management framework; the maturity model effectively embedded and used as a tool to assess information maturity and identify any significant risk and control gaps; and the Information Board's authority and oversight responsibilities clearly established.

Consequently, three findings, one High; one Medium; and one Low have been raised.

Our detailed findings and recommendations are laid out at Section 3 below.

3. Detailed findings

1. Implementation of GDPR gap analysis actions

High

Implementation of GDPR actions

Our review of a sample of nine GDPR reports and their 98 supporting recommendations confirmed that:

1. Services have not attested to IGU that all recommendations have been addressed. Of the 98 recommendations included in our sample (25 High; 66 Medium; and 7 low), only 38% (38) have been self attested as closed; and
2. Supporting evidence of implementation was available for only 50% of the 38 actions where services had confirmed closure;

The recommendations where no evidence could be provided to support implementation covered the following GDPR themes highlighted by the IGU in their reports:

- *Storage limitation* – teams should be consistently applying Council record retention policies and schedules to both hard copy and electronic records. A disposal record should be created and maintained for records that have been destroyed in line with the Council Records Management Policy requirements;
- *Security, Integrity, and Confidentiality* – employees should be aware of and consistently applying Clear Desk and Acceptable Use Policies designed to support effective information governance and GDPR compliance;
- *Collection and Purpose limitation* - ensuring that online privacy notices are updated with links included on hard copy forms. Additionally, where privacy notices have been published online, they are not consistently linked to the customer's online journey. This was a consistent theme across all services with the notable exception of Human Resources.
- *Lawfulness, fairness, and transparency* – information sharing with third parties.

Further details on our sample testing outcomes and associated themes are included at Appendix 2.

Discussions with service area representatives highlighted a number of reasons for implementation delays and their inability to provide evidence to support closure. Whilst Internal Audit has not performed testing to validate these reasons, they have been included at Appendix 4 for information.

Risks

The potential risks associated with our findings are:

- The Council is unable to demonstrate that all High and Medium rated service priority actions identified by the Information Governance Unit (IGU) GDPR readiness programme have been effectively implemented and will be sustained as per the Information Commissioner's Office (ICO) expectations, and is unable to close the GDPR readiness programme;
- Potential risk of non-compliance with applicable legislation and internal information governance policies; resulting in potentially breaches; loss of data and potential penalties.

1.1 Recommendation – Implementation of GDPR gap analysis actions

An appropriate risk based approach to confirm satisfactory implementation of all actions identified by the gap analysis should be designed and implemented.

The approach should consider the limited resources within the Information Governance Unit (IGU), and should include, but not be restricted to obtaining independent assurance and supporting evidence from services and Directorates that the all high and medium rated actions included in GDPR action plans have been effectively implemented and sustained.

1.1 Agreed Management Action - Implementation of GDPR gap analysis actions

The Information Governance Unit will adopt an evidence-based methodology and meet with service area representatives to assess and update (when appropriate) that current recommendations have been met and progressed. Progress and on-going risks will be monitored by the Information Board.

Owner

Laurence Rockey, Head of Strategy and Communications

Contributors

Kevin Wilbraham, Information Governance Manager
Sarah Hughes-Jones, Information Compliance Manager
Donna Rodger, Executive Assistant

Agreed Implementation Date

31 December 2019

2. Ongoing management of information risks

Medium

Our review of the risk management framework established to support ongoing management of information risk across the Council confirmed that:

1. The Corporate Leadership Team (CLT) risk register refers to controls such as the information Security and Information Governance policies; laptop and media encryption; Internal Audit testing of phishing; GDPR implementation tracked by IGU; and cyber essentials accreditation.
These do not reflect the necessary controls required to effectively manage information risk across the Council by either preventing data breaches and losses or detecting them once they have occurred;
2. There is no clear link between the IGU GDPR gap analysis reports and the risks included in Directorate and service area risks registers;
3. Where risks are recorded and scored on the Pentana system, there is insufficient detail supporting the risk and describing the relevant controls;
4. Not all teams that own GDPR actions have established risk registers. It is acknowledged that Risk Management team is working proactively with service areas to establish risk registers where gaps have been identified;
5. The inaugural meeting of the Information Board was March 2019. At the time of our review, the Board terms of reference was in draft. Review of the draft terms of reference highlighted the opportunity to improve the scope of the Board in relation to the following areas:
 - Inclusion of Risk Management;
 - Inclusion of arm's organisations such as the Lothian Pension Fund; and
 - Ensuring that the service areas roles and responsibilities for managing and providing assurance on their management of information governance risk is clearly articulated.

Risk

The potential risks associated with our findings are:

Information governance risks are not being effectively managed through the established risk management process, and holistically across the Council within agreed and accepted risk tolerance parameters.

2.1 Recommendation – roles, responsibilities, and membership of the Information Board

1. Risk management should be invited to attend the new Information Board;
2. The Information Board should review and agree the appropriate wording and rating of all Council wide information risks, and supporting controls to be included in the Corporate CLT risk register in conjunction with risk management, and present this for consideration at the CLT risk committee;
3. The roles, responsibilities, and expectations of first line services; the second line Information Governance Unit (IGU) and the Information Board in relation to managing information governance and risks across the organisation should be clearly articulated in the Information Board's terms of reference.

This should include (be not be restricted to) responsibility for providing ongoing assurance to the Board that services are compliant with applicable both applicable legislation and internal Council policies;

4. The Board should consider whether arm's length organisations should be included within membership (for example, the Lothian Pension Fund and the Lothian Valuation Joint Board);
5. The Board terms of reference should include responsibility for ongoing monitoring of service progress with implementation of GDPR gap analysis actions, enabling the Board to make a risk based recommendation to the CLT as to when the GDPR gap analysis validation process should be closed; and ongoing monitoring of the information governance maturity assessment model completion rates and outcomes to identify services who have not completed the questionnaire ensure that that failure to complete and any significant risk areas are communicated to services, with any significant themes or trends reported to the CLT.

2.1 Agreed Management Action – roles, responsibilities, and membership of the Information Board

1. Risk and assurance representation are already included within the Information Board's Terms of Reference.
2. The Information Board will review identified Council-wide information risks (and controls) from existing sources for presentation to the Corporate Leadership Team (CLT);
3. The Information Board's Terms of Reference will be reviewed to provide clarity around respective responsibilities and roles in relation to risk management, assurance and reporting.
4. Existing governance arrangements between the Council and its arm's length companies will be used to provide assurance that information legislation is complied with.
5. The Information Board's Terms of Reference already provides for work stream monitoring and assurance. Specific projects and progress will be referenced through board documentation and papers.

Owner

Laurence Rockey, Head of Strategy and Communications

Contributors

Kevin Wilbraham, Information Governance Manager
Sarah Hughes-Jones, Information Compliance Manager
Donna Rodger, Executive Assistant

Agreed Implementation Date

30 June 2020

2.2 Recommendation – communication of requirements to implement outstanding GDPR actions and ongoing management of information risk

1. The Information Governance Unit (IGU) should issue a communication to all Directorates and service areas highlighting the need to:
 - Ensure that all GDPR agreed actions are progressed and implemented;
 - Retain appropriate evidence to confirm implementation of agreed actions (providing examples of evidence requirements), and ensure that the actions (once implemented) are sustained;
 - Record any unimplemented actions and any relevant holistic GDPR risks on their risk registers, and ensure that supporting implementation action plans have been developed with responsibility allocated to appropriate owners within their service;
 - Proactively advise the IGU when actions have been implemented; and
2. Information Governance should continue to maintain a tracker of all completed GDPR actions (as advised by services) and present this to the Information Board for their review and consideration of which actions should be included in the independent risk based assurance process recommended in Finding 1 in this report.

a. Agreed Management Action - communication of requirements to implement outstanding GDPR actions and ongoing management of information risk

Further communications will be incorporated into the current Information Governance annual communications plan to take account of the above recommendations.

The Information Governance Unit will continue to track completed GDPR actions and report to the Information Board.

Owner

Laurence Rockey, Head of Strategy and Communications

Contributors

Kevin Wilbraham, Information Governance Manager
Sarah Hughes-Jones, Information Compliance Manager
Donna Rodger, Executive Assistant

Agreed Implementation Date

30 December 2019

2.3 Recommendation – ongoing information risk management

To ensure effective ongoing management of information risks across the Council, Risk Management should obtain copies of the General Data Protection Regulation (GDPR) gap analysis action plans issued by the Information Governance Unit (IGU) and:

1. Review them in comparison to Directorate and service area risk registers to identify any risks that have not been included, and ensure that these are raised and discussed at risk committees; and
2. Identify any services with information governance risks and GDPR readiness gaps that do not currently have an established risk register, and ensure that their development is either prioritised, or the risks reflected in the risk register at the next level.

2.3 Agreed management action - ongoing information governance risk management

Through the quarterly risk committees and risk management group cycles, the Corporate Risk Management Team will ensure that Service Areas are advised, with specific reference to their GDPR gap analysis action plans, to identify and consider inclusion and escalation as appropriate, of any information risks that are not yet included in their risk registers.

Owner

Stephen Moir, Executive Director of Resources

Contributors

Nick Smith, Head of Legal and Risk; Rebecca Tatar, Principal Risk Manager; Michelle Vanhegan, Business Support Executive; Layla Smith, Business Manager

Agreed Implementation Date

31 December 2019

3. Information Governance maturity model – design and implementation

Low

Whilst the Generally Accepted Record Keeping Principles (GARP) that form the basis of the maturity model questionnaire have been adapted for relevance to the Council, our review of the launch and content of the model established that:

1. Limited guidance was provided to support the users expected to complete the questionnaire. Prior to launch, senior management teams were briefed and advised that the questionnaire would be sent to information asset owners (generally tier 4 managers) on a phased basis from December 2018;
2. The questions are technical and may not be easily understood by all asset information owners across the Council. Whilst some guidance was provided with the distribution e mail, individuals would need to have a strong knowledge and understanding of information governance principles to support completion; and
3. The questionnaire does not include a 'non applicable' response to questions and forces selection from a range of pre determined responses. A good example is the question on whether services have created and published privacy notices, which may not be relevant for teams who do not deal directly with customers (for example second and third line assurance teams) and instead place reliance on the overarching Council privacy notice in relation to the data that the process and retain.

Risk

The potential risks associated with our findings are:

Responses received may not accurately represent the effectiveness of information governance maturity across the Council.

3.1 Recommendation - Information Governance maturity model – design and implementation

The information Governance Unit (IGU) should

1. Produce guidance to support completion of the model, explaining why the model has been developed and launched; frequency of completion; and how the responses will be analysed and used / reported to governance forums.
2. Review and simplify the questions included in the assessment (where possible) and consider inclusions of examples for the answer options and 'non applicable' responses. Where non applicable responses are included, the survey should force respondents to provide supporting rationale; and
3. Include a question to determine whether services are including information risks on their risk registers and managing them effectively.

3.2 Agreed management action - Information Governance maturity model – design and implementation

1. The Information Governance Unit will revise the model guidance and provide further details to support services in completing the survey.
2. The Information Governance Unit will review the assessment form and give consideration to the use of 'non-applicable' responses.
3. Questions on risk and risk management will be included in the next version of the maturity model.

Owner

Laurence Rockey, Head of Strategy and Communications

Contributors

Kevin Wilbraham, Information Governance Manager

Henry Sullivan, Information Asset Manager

Donna Rodger, Executive Assistant

Agreed Implementation Date

31 December 2019

Appendix 1 - Basis of our classifications

Finding rating	Assessment rationale
Critical	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Critical impact on operational performance; or • Critical monetary or financial statement impact; or • Critical breach in laws and regulations that could result in material fines or consequences; or • Critical impact on the reputation or brand of the organisation which could threaten its future viability.
High	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Significant impact on operational performance; or • Significant monetary or financial statement impact; or • Significant breach in laws and regulations resulting in significant fines and consequences; or • Significant impact on the reputation or brand of the organisation.
Medium	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Moderate impact on operational performance; or • Moderate monetary or financial statement impact; or • Moderate breach in laws and regulations resulting in fines and consequences; or • Moderate impact on the reputation or brand of the organisation.
Low	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Minor impact on the organisation's operational performance ; or • Minor monetary or financial statement impact; or • Minor breach in laws and regulations with limited consequences; or • Minor impact on the reputation of the organisation.
Advisory	<p>A finding that does not have a risk impact but has been raised to highlight areas of inefficiencies or good practice.</p>

Appendix 2 – Areas of Audit Focus

The audit areas and related control objectives that were tested in detail were:

Audit Area	Control Objectives
IGU Validation Process and Maturity Model	<p>Review the IGU validation process and maturity model and confirm that:</p> <ul style="list-style-type: none"> • a clear methodology has been developed to support the validation and maturity assessment process, and is consistently applied; • arms length external organisations associated with the Council (for example, Lothian Pension Fund) are included in scope of the validation and maturity assessment process; • where validation or maturity assessment outcomes identify areas where further action is required, these are communicated to service areas; and • GDPR action plan implementation progress (including areas where lack of progress is evident) is monitored and regularly reported to the CLT and relevant executive committees.
Management of GDPR risks	<ul style="list-style-type: none"> • Confirm whether a Council working group was established to address key generic GDPR corporate risks; • Obtain a copy of the terms of reference for the working group and confirm that the roles and responsibilities of the committee have been clearly defined; • Confirm that ownership of these risks has been appropriately allocated; • Confirm that the full population of risks has been discussed at Directorate risk committees and reflected in Directorate and Corporate Leadership Team risk registers, where applicable; • For a sample of risks, establish progress with defining and implementing key controls, and confirm that (where implemented) effectiveness of the controls has been assessed and recorded in risk registers; and • Review the CLT risk register and confirm whether appropriate controls have been established to manage information governance / GDP risks, and their effectiveness appropriately assessed.

Appendix 3 – Testing Outcomes

The following table summarises our testing outcomes across the 9 service areas included in our sample.

Sample	Area	IGU Initial Risk Ranking*	IGU GDPR Readiness Report Priority Rating	Recommendations					
				Total in report	High address pre 28/5/18	Medium address as soon as possible post 28/5/18	Low address as part of business as usual processes	Recs completed per self-attestation to IGU	Recs completed with supporting evidence
1	Residential Care	High	Red	10	8	2	0	6	1
2	Early Years and Childcare	Medium	Red	15	7	8	0	8	0
3	Parks, Greenspaces and Cemeteries	Low	Red	19	5	14	0	0	0
4	Facilities Management	Medium	Red	15	4	9	2	8	3
5	HR	Medium	Amber	9	1	6	2	3	2
6	Legal Services	Medium	Amber	4	0	3	1	1	2
7	Community Safety	Medium	Amber	8	0	8	0	6	0
8	Transactions: Assessment & Finance	Medium	Amber	11	0	10	1	6	10
9	Lothian Pension Fund	Medium	Amber	7	0	6	1	During our audit this was currently being assessed by IGU as a wider review.	1
Totals				98	25	66	7	38	19

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Appendix 3 – Testing Outcomes (cont.)

The following table summarises the themes (based on IGU classifications used in original GDPR reports) associated with recommendations where evidence was not provided to support actions that had been closed.

Sample	Area	IGU Initial Risk Ranking	IGU Report Rating	Themes associated with medium and high recommendations of recs where no evidence of closure could be provided
1	Residential Care	High	Red	Record retention and disposal (Storage Limitation) Clear desk policy, DP training on breaches (Security, Integrity, and Confidentiality) Record of updating personal data, privacy notices (Collection and Purpose limitation)
2	Early Years and Childcare	Medium	Red	Information sharing. (Lawfulness, fairness and transparency) Privacy notices (Collection and Purpose limitation) Record retention and disposal (Storage Limitation)
3	Parks, Greenspaces, and Cemeteries	Low	Red	Security of laptops used, risk assessments of premises, staff training (Security, Integrity, and Confidentiality). Privacy notices (Collection and Purpose limitation) A process for ensuring that access control data (Accuracy) Record retention (Storage limitation) Transferring data (Security, Integrity, and Confidentiality)
4	Facilities Management	Medium	Red	Collection and Purpose limitation. (Data Minimisation) A process for ensuring that access control data (Accuracy) Suitable controls for the transmission of personal data electronically, removable media (Security, Integrity, and Confidentiality)
5	HR	Medium	Amber	Record retention (Storage limitation) Alternative use to personal data used in training (Data Minimisation)
6	Legal Services	Medium	Amber	Process used by team members for retention of data ((Storage Limitation))
7	Community Safety	Medium	Amber	Privacy notices; CCTV signage (Collection and Purpose limitation) A regular review of the siting and range of CCTV cameras (Data Minimisation) A process for ensuring that access control data (Accuracy)

Sample	Area	IGU Initial Risk Ranking	IGU Report Rating	Themes associated with medium and high recommendations of recs where no evidence of closure could be provided
8	Transactions: Assessment & Finance	Medium	Amber	Privacy notices (Collection and Purpose limitation)
9	Lothian Pension Fund	Medium	Amber	Privacy notices (Collection and Purpose limitation) A process for ensuring that access control data (Accuracy) Disposal record (Storage limitation) Security of papers in transit (Security, Integrity, and Confidentiality)

Appendix 4 - Reasons provided by Service Areas for implementation delays and lack of evidence to support closure of GDPR actions

Discussions with service area representatives highlighted the following reasons for implementation delays and inability to provide evidence to support closure:

1. IGU did not provide guidance on the evidence required to support completion of actions. A number of services confirmed that this was discussed verbally by IGU when GDPR reports were issued;
2. Where services did provide evidence to IGU, there was limited response to confirm that the evidence provided was adequate. It is understood that this was attributable to the limited resources available within IGU;
3. Lack of clarity regarding team member completion rates of CECil online GDPR and information governance learning modules, as completion is not proactively tracked. Whilst completion reports are available from the system, these are not consistently used.

Additionally, there is also no single source of employee data that accurately replicates the current Council organisational structure making completion difficult to track within Service Areas (this was also identified in the Phishing Resilience Internal Audit report finalised in July 2018. Management are currently implementing agreed actions to ensure that this is resolved).

Changes in team members responsible for implementation of GDPR actions with insufficient handover performed. Examples provided included changes in Business Support, or new Managers starting after GDPR action plans had been agreed.

The City of Edinburgh Council

Internal Audit

Quality, Governance, and Regulation

Final Report

5 July 2019

CW1802

**Generally adequate but
with enhancements
required**

Areas of weakness and non-compliance in the control environment and governance and risk management framework that that may put the achievement of organisational objectives at risk

Contents

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This internal audit review is conducted for the City of Edinburgh Council under the auspices of the 2018/19 internal audit plan approved by the Governance, Risk and Best Value Committee in March 2018. The review is designed to help the City of Edinburgh Council assess and refine its internal control environment. It is not designed or intended to be suitable for any other purpose and should not be relied upon for any other purpose. The City of Edinburgh Council accepts no responsibility for any such reliance and disclaims all liability in relation thereto.

The internal audit work and reporting has been performed in line with the requirements of the Public Sector Internal Audit Standards (PSIAS) and as a result is not designed or intended to comply with any other auditing standards.

Although there is a number of specific recommendations included in this report to strengthen internal control, it is management's responsibility to design, implement and maintain an effective control framework, and for the prevention and detection of irregularities and fraud. This is an essential part of the efficient management of the City of Edinburgh Council. Communication of the issues and weaknesses arising from this audit does not absolve management of this responsibility. High and Critical risk findings will be raised with senior management and elected members as appropriate.

1. Background and Scope

Background

Provision of social work services by local authorities is regulated by the Care Inspectorate who performs annual inspections to confirm ongoing compliance with applicable regulations and assess the quality of the services provided.

The City of Edinburgh Council (the Council) and the Edinburgh Health and Social Care Partnership (the Partnership) provides a total of 173 regulated social work services to adults, children and young people across the following areas:

- Communities and Families - children's social work (e.g. care homes and young people's centres);
- Safer and Stronger Communities - community justice social work, homelessness services and family and household support); and
- The Partnership - adult social work (e.g. care homes and care at home).

Local authorities are required to appoint a Chief Social Work Officer (CSWO) in line with section 3 of the Social Work (Scotland) Act 1968 requirements, and further supported by section 45 of the Local Government etc (Scotland) Act 1994. The CSWO is responsible for provision of appropriate strategic and professional leadership and advice; supporting overall performance improvement; and management of corporate risk in relation to statutory social work services delivered by both the Council and the Partnership.

This is achieved by providing the Chief Executive of the Council; the Council's Corporate Leadership Team (CLT); the Edinburgh Integration Joint Board (EIJB) that is responsible for direction and scrutiny of the Partnership; and elected members with updates on risks and issues that could impact upon the safety of vulnerable people and / or social work services and sharing the outcomes of relevant service quality and performance reports.

The CSWO is also required to publish an annual report for both the Council and the EIJB on the functions of the CSWO role, and an evaluation of the quality of delivery of the Council and HSCP's social work services. In Edinburgh, the Quality, Governance and Regulation (QGR) team is responsible for supporting the CSWO in performing their statutory role by providing ongoing review, support, and challenge in relation to delivery of adult and children social work services. QGR cover the following services: quality and compliance, regulation; public protection; family & household support; and the Syrian Refugee and Migration Programme.

QGR is also responsible for monitoring implementation of Care Inspectorate Improvement plans (issued following completion of annual inspections) to ensure that the weaknesses they have identified are addressed

Included within QGR, is the Quality Assurance and Compliance team (QAC). The remit of the QAC is to support services - highlighting strengths; areas for improvement; identifying and analysing trends and themes; and developing action plans (where required) to ensure that barriers preventing delivery of effective social work services in line with applicable regulatory requirements are removed.

QGR works closely with both Council and Partnership teams; in collaboration with external partner agencies; and also works with external regulatory bodies such as the Scottish Social Services Council; the Care Inspectorate; and the Healthcare Improvement Service.

The Three Lines of Defence model can be applied to delivery of social work services across the Council and Partnership, where the 'first line' is the teams responsible for delivery of social work

services; the 'second line' the CSWO supported by QGR and QAC who provide assurance on delivery and quality of social work services, and report to senior management and relevant Committees and Board through delivery of the CSWO annual report. The 'third line' provides independent assurance (for example, Internal Audit or the Care Inspectorate) on key controls established to manage social work risks.

An Audit Scotland coordinated governance forum, the Local Area Network (LAN) that includes the Care Inspectorate; Education Scotland; the Housing Regulator; Audit Scotland; and external audit (Scott Moncrieff); meets quarterly to discuss their scrutiny activities across the Council and Partnership, and areas of concern, in line with the Audit Scotland Code of Audit Practice 2016.

These quarterly discussions include focus on the quality of delivery of social work services.

Scope

This review assessed the design and operating effectiveness of the QAC assurance framework to confirm that it enables the CSWO to effectively discharge their statutory responsibilities across the Council and Partnership, and adequately supports the CSWO annual reports provided to the Council and the EIJB.

Sample testing was performed for the period 1 October 2017 to 31 October 2018. Our audit work concluded on 28 February 2019 and our findings and opinion are based on the outcomes of our testing at that date.

Limitations of Scope

There were no limitations of scope.

2. Executive summary

Total number of findings: 3

Summary of findings raised	
High	1. Quality Assurance and Compliance Assurance Framework
Medium	2. Quality Assurance and Compliance Methodology and Operational Processes
Low	3. Data Protection Impact Assessment

Opinion

Generally adequate but with enhancements required

The Council's Quality Assurance and Compliance (QAC) team is a highly skilled and experienced team that provides invaluable second line assurance in relation to the Council and Partnership's key social work risks; supports the CSWO's evaluation of the quality of delivery of social work services in their annual report; and also, the effective delivery of CSWO statutory obligations.

Our review confirmed that the design and operating effectiveness of the QAC is generally adequate with enhancements required, as we identified some areas of weakness in the QAC assurance framework that could have a potentially significant impact upon the quality of assurance delivered, and the content of the CSWO's annual report.

Consequently, one High; one Medium; and one Low rated findings have been raised.

Our High rated finding reflects the need for QAC to establish a Terms of Engagement that clearly defines how they will engage with both the Council and the Partnership, and the levels of access required to employees, systems, records and files to support delivery of their assurance reviews.

This finding also highlights that there are currently no established protocols to ensure that QAC assurance review outcomes are reported to, and subject to scrutiny by, appropriate Council; Partnership; and EIJB governance forums; and the importance of ensuring that QAC are engaged to review and where involved provide feedback on the quality of service improvement plans designed by service areas and submitted to external assurance providers prior to their submission.

Whilst QAC applies an established methodology to support delivery of their reviews that is subject to ongoing review to improve the quality of their review process, our Medium rated finding reflects a number of areas where the methodology should be further enhanced.

These include the need to develop and implement a risk based annual plan to confirm appropriate coverage of all high risk social work services; apply ratings to findings raised to reflect the risks associated with the weaknesses identified in the quality of social work practices; document the escalation process applied to significant findings identified prior to completion of reviews or where immediate concerns relating to practice or conduct are highlighted; and implement a risk based follow up process to ensure that agreed management actions have been effectively implemented and sustained.

The Medium rated finding also reflects the need for QAC to develop and maintain a risk register that captures the potential risks that could impact upon their assurance delivery, and the key controls established to ensure that these risks are effectively managed.

Our Low rated finding highlights that there is currently no Data Protection Impact Assessment covering the processes applied by QAC in relation to the personal data they obtain; review; process; and retain to support completion of their assurance reviews, to ensure that they are compliant with applicable data protection legislation and principles.

3. Detailed findings

1. Quality Assurance and Compliance Assurance Framework

High

Quality Assurance and Compliance (QAC) Terms of Engagement

QAC Service level agreements (SLAs) have been recently drafted and are supported by revised template scoping and procedural documents covering the key types of assurance review undertaken. Our review noted, that while the SLAs provide an overview of the team's assurance responsibilities & engagement approach, they are not supported by an overarching Terms of Engagement to support their ongoing engagement with, and rights of access to, employees and records of the Council; the Health and Social Care Partnership (the Partnership); and the Edinburgh Integration Joint Board (EIJB), enabling them to deliver their ongoing assurance, and discharge their responsibility to provide professional advice in relation to any planned significant social work service changes.

Management has confirmed that their direct reporting line to the CSWO and existing (informal) escalation processes would be applied if required in the event of any access issues that could potentially impact upon assurance delivery.

Review and scrutiny of QAC assurance outcomes

There are currently no established protocols to ensure that QAC planned assurance activities and outcomes (with the exception of public protection) are reviewed and scrutinised by appropriate governance forums on an ongoing basis, to confirm that appropriate coverage of all significant social work risks is planned, and enable early identification and resolution of significant issues and / or recurring themes in advance of receiving the Chief Social Work Officer's (CSWO's) annual report.

Review of the 2016/17 CSWO annual report found only limited reference to specific QAC reviews and links to EIJB; Children's Services; and Community Justice annual performance reports. In addition, the 2017/18 CSWO annual report did not include any detail on QAC assurance reviews. Management advised that this was the result of an oversight.

Ongoing CSWO engagement with senior management and external assurance providers

Whilst the CSWO has regular meetings with the Chief Executive of the Council; reports directly to the Executive Director of Communities and Families (CF); and attends quarterly CF Risk and Assurance Committee meetings, ongoing engagement with Partnership senior management Team is currently limited to invitation from the Chief Officer to attend Partnership senior management meetings.

We also confirmed that the CSWO does not attend and is not represented at Local Area Network (LAN) meetings.

Review of quality improvement plans to address external assurance actions

There is currently no requirement for QAC to perform an independent second line review of the quality of improvement plans designed by service areas and submitted to external assurance providers (for example the Care Inspectorate). Our review noted that improvement actions submitted by Service Managers generally included short term solutions rather than the longer term strategic improvements required to address the root causes of the concerns raised.

The Regulation Service is currently piloting a programme of continuous improvement with three Care Homes to track progress with implementation of Care Inspectorate improvement plans, using Pentana, the Council's performance and risk management system. The processes being set up, aim to encourage managers to consider the root causes of quality issues identified, and each action will have

to be validated before being signed off as completed in Pentana. Responsibility for validation is still to be determined.

Risks

- Insufficient second line assurance coverage of all Council and Partnership significant social work risks.
- Inability to provide assurance to the Council; the Partnership and the EIJB on significant social work risks.
- Significant issues and holistic themes are not identified and addressed in a timely manner.
- The Chief Social Work Officer annual report could potentially be incomplete and / or inaccurate.
- The Chief Social Work Officer is unable to fulfil their statutory obligations in relation to providing professional advice on planned significant social work service changes.

1.1 Recommendation - Terms of Engagement

A Terms of Engagement, should be developed and agreed with Council and Health and Social Care Partnership (Partnership) senior management and where appropriate, relevant Council Executive and Edinburgh Integration Joint Board (EIJB) committees to support ongoing delivery of second line social work services assurance activities, and discharge of Chief Social Work Officer (CSWO) responsibilities to provide professional advice. The Terms of Engagement should include, but should not be limited to:

1. CSWO statutory obligations;
2. Roles and responsibilities of the second line Quality Governance and Regulation teams and how the team supports the CSWO in discharging their statutory obligations and the CSWO annual report;
3. The requirement for Quality Assurance and Compliance (QAC) to prepare and deliver an annual, risk-based assurance plan that provides coverage of all significant Council and Partnership social work risks on an ongoing basis;
4. Right of access to all relevant Council; Partnership; and EIJB employees and records (including ongoing engagement with senior management and external assurance providers), and a supporting escalation process where potential blockages arise;
5. Details of relevant governance forums responsible for approving the proposed QAC annual plan and reviewing and scrutinising assurance review outcomes, as agreed in consultation with key stakeholders;
6. Involvement in any planned significant changes to delivery or registration requirements of social work services across the Council and Partnership to provide professional advice; and
7. Responsibility for review of service improvement plans prior to submission to external assurance providers.

Agreed Management Action

The service has prepared a Service Charter, which sets out the role and wider function of the service devolved under the Chief Social Work Officer. This will act as a vehicle to deliver audit activity and a framework which will be supported by a Service Level Agreement to ensure the focus, scope and frequency of audit activity is agreed with key stakeholders and customers on a rolling annual basis.

These documents are now available for internal audit to review, with a launch planned for August 2019.

Owner: Alistair Gaw, Executive Director Communities and Families

Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

Implementation Date:

Service Charter – 31 August 2019

Directorate level SLAs – 31 October 2019

1.2 Recommendation - Review of service improvement plans

Quality Assurance & Compliance (QAC) should develop a process to support review and challenge of service improvement plans to address external social work services assurance finding raised across the Council and the Health and Social Care Partnership (the Partnership) prior to their submission.

The process should include, but not be limited to:

1. Confirming that the root causes of external assurance recommendations have been identified by service areas;
2. Confirming that improvement plans will address the root causes identified and satisfy the relevant external assurance provider
3. Confirming that ownership is appropriate and that implementation dates are realistic and achievable; and
4. Detailing the expected evidence to be retained and any follow up work to be performed by QAC to confirm satisfactory implementation advance of the next planned visit from the external assurance provider.

This could be achieved through formalising the approach used for the Care Homes pilot project currently underway.

The process should be agreed with relevant service areas; the Corporate Leadership Team (CLT) and Council Executive and Edinburgh Integration Joint Board (EIJB) Committees prior to implementation.

Agreed Management Action

The Quality Assurance and Compliance (QAC) Service would not have sufficient capacity or coverage to actively support, review and challenge all improvement plans generated from external assurance activity due to the overall size of the service compared with the volume and scale associated with many of the plans and improvement actions generated from activity.

Some areas of development may require several phases of work over a number of years. It is also the case that improvement plans become the responsibility of a recognised governance forum, such as the Integration Joint Board, Public Protection Committee's and Senior Management Teams who are responsible and accountable for oversight. The Service Managers and Chief Social Work Officer (CSWO) hold membership at these forums.

The following processes will however be developed where QAC is overseeing progress of assurance actions from self-evaluation/audit activity:

- Where service improvements and/or recommendations have been generated as part of self-evaluation and/or audit activity, tracking of progress and/or monitoring against agreed implementation dates/targets will be undertaken by a nominated officer at 3, 6 and 12-month intervals.

- The process for recording and reporting progress will be agreed at the point in which the Terms of Engagement are signed. Any change or deviation from this agreement will require agreement by both parties.
- Each improvement action will be assigned a lead officer or nominated point of contact and completion or target end date.
- Where tracking and monitoring reveal limited progress, or in cases where concerns have been raised by the lead officer and no discernible action taken, the matter will be escalated by the CSWO to the Director, Chief Officer or in some cases directly to the Chief Executive.
- These processes will be set out in the Directorate Level Service Level Agreements.

Owner: Alistair Gaw, Executive Director Communities and Families
Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

Implementation Date:
31 October 2019

2. Quality Assurance and Compliance methodology and operational processes

Medium

Annual Planning Process

Our review established that Quality Assurance and Compliance (QAC) do not have an established risk based annual plan to determine their coverage of both the Council's and Health and Social Care Partnership's most significant social work risks.

Currently, QAC annual work plans are determined by Quality Governance and Regulation (QGR) and approved by the Chief Social Work Officer (CSWO).

Quality Assurance and Compliance (QAC) review methodology

Review of a sample of four QAC assurance reports completed between 1 October 2017 to 31 October 2018 highlighted the need to improve the QAC methodology in the following areas:

1. Findings raised in reports are not currently rated to reflect the risks associated with the weaknesses identified in the quality of social work practices;
2. Significant issues identified during an assurance review that could adversely impact the quality of services delivered or result in a regulatory breach are immediately highlighted to Quality Assurance management; the CSWO; and senior management. However, this escalation process is not documented. Concerns were also noted that outcomes and actions taken by management are not always fed back to QAC to evidence satisfactory resolution;
3. Service areas are not required to provide management responses detailing the actions that they will take to address findings raised or provide dates for implementation of these action. Management has advised that QAC methodology is currently being refreshed and will include implementation of terms of reference detailing the work to be performed in individual reviews; and the requirement for management to develop and deliver improvement plans that will be reviewed by a Quality Assurance Officer at 3, 6 and 12 monthly intervals, with the CSWO kept informed of progress.

This approach was noted for one of the reviews tested: Management actions to address findings raised in the review of Community Justice Services Practice Evaluation completed in September 2018 have been recorded in an improvement plan and the service has committed to providing

regular progress updates. It was noted however, that some of the QAC report recommendations outlined in the plan are in the format of statements rather than actions;

4. No consistent follow up approach was applied to confirm that agreed management actions have been implemented and effectively sustained.

In, addition, the QAC Manager provided details of seven assurance reports issued between October 2017 and April 2018 where there was either no action or limited action taken by Service Areas in response to findings raised. Four of these reports covered 69 recommendations or proposals. Three further reports were in respect of extensive quality improvement work undertaken in Locality Offices. This feedback was in line with the results of the IA review of four reports.

It is recognised that not all recommendations or proposed actions will be prioritised and/or taken forward by the service area, however, in such cases, a record of the decision should be noted and held.

Risk Register

QAC does not currently maintain a risk register that captures the potential risks in relation to the quality of assurance provided, and availability of resources required to ensure appropriate coverage of social work risks across the Council and Partnership to support the CSWO's annual report.

Skills and Experience

Whilst QAC roles, responsibilities, and reporting lines are clearly defined and recorded in job descriptions and role specifications, they are not currently used as the basis for setting employee performance objectives as part of their annual 'looking forward' conversations.

Management advised that the requirement for Quality Assurance Officer to hold a social work qualification and have relevant social work experience was revised in 2017, however the revised job description could not be located, and the original job description was used for recruitment in Autumn 2018.

Risks

- Assurance outcomes do not cover all significant social work risks and do not fully support the Chief Social Work Officer's annual report;
- Findings raised do not include a rating indicating the significance of the associated risks;
- A risk-based approach checking that a sample of management actions have been effectively implemented cannot be applied if findings are not rated;
- There is no assurance that gaps identified in social work services have been addressed by both Council and Partnership management;
- Quality Assurance and Compliance (QAC) assurance risks have not been identified and recorded, and management cannot demonstrate that they are being effectively managed; and
- QAC team objectives do not reflect roles and responsibilities as detailed in job descriptions and role specifications.

2.1 Recommendation - Risk based annual planning

A risk based annual plan should be developed and implemented to support delivery of Quality Assurance and Compliance (QAC) assurance across both the Council's and Health and Social Care Partnership's (the Partnership's) key social work service delivery risks. This should include, but not be restricted to:

1. Establishing an 'assurance universe' of the full population of social work services delivered by the Council and the Partnership;
2. Performing an annual risk assessment of Council and Partnership social work services to ensure that all high-risk services are reviewed on an ongoing basis (for example, once every three years); and
3. A process supporting changes to the plan in response to new risks, or changes in existing risk profiles.

Annual Programmes of Activity should be generated in consultation with customers and partners and reviewed by the Corporate Leadership Team (CLT) and the relevant Council executive and Edinburgh Integration Joint Board (EIJB) committees.

Agreed Management Action

Each Directorate will in partnership with the Quality Assurance and Compliance (QAC) Service generate a Programme of Work or Activity Plan for the forthcoming 12 months. This Programme of Work will detail areas of interest and scrutiny, the approach, model and methodology to be used, timescale for completion, reporting arrangements and agreed frequency of monitoring/tracking.

This expectation will also be set out in the Service Level Agreements (SLAs) between QAC and Communities and Families; the Health and Social Care Partnership (the Partnership) and Community Justice. It is not envisaged that programmes of work will be reviewed by the Corporate Leadership Team (CLT) or the relevant Council executive/Edinburgh Integration Joint Board (EIJB) committees.

Governance for reporting and escalation processes will reside with the Chief Social Worker Officer (CSWO) and Head of Service/Director, and will be delivered through the Senior Management Teams, Public Protection committee's and Health and Social Care Partnership (the Partnership).

QAC will ensure high risk services and areas of social work delivery, particularly Public Protection and the focus of decision making with regard removal of liberty are prioritised within each plan and are subject to scrutiny at least once every two years. The Programme will also consider and absorb activity as generated and commissioned by each relevant Public Protection Committee or Partnership.

Activity commissioned by or generated from Public Protection and Safeguarding Partnerships will correlate directly to the capacity available to the respective service areas (i.e. Child Protection Committee commissioned child protection audit linked to Communities and Families Annual Programme of Activity.)

The QAC Manager will be responsible for ensuring there is sufficient time, capacity and resource allocation available and where/if necessary remove or delay other areas of work detailed on the programme to this end. If required medium/low risk work will be carried over to the following year or at a point in time where capacity becomes available.

Activity generated from unplanned/unpredictable events, episodes or incidents, such as death and serious harm, findings from SCR's or LSI's, outcomes following SSSC investigation or recommendations following external scrutiny/inspection may where appropriate replace pre-agreed activity/work where required. Where additionality is not possible due to lack of capacity, the Department/Chief Officer will be notified of the need for planned work to be cancelled, scaled back or rescheduled. The CSWO reserves the right to commission activity in response to any of the above scenarios as required to ensure they are able to dispense their statutory duties accordingly.

Owner: Alistair Gaw, Executive Director Communities and Families

Implementation Date:
31 October 2019

Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

2.2 Recommendation - QAC methodology

Existing QAC methodology should be reviewed and refreshed to include:

1. Application of ratings to findings raised that reflect the significance of the control gaps identified and the associated risks;
2. The requirement to record the process applied where significant issues have been escalated to senior management prior to completion of a review; and
3. Implementation of a risk based follow up process to confirm that management has implemented and sustained their agreed actions to address the findings raised.

Agreed Management Action

1. Quality Assurance and Compliance (QAC) does not propose to apply ratings to findings. The rationale for this is, that the QAC methodology and the presentation and interpretation of the findings generated is often subject to a number of variables. Evaluation can comprise of and include the use of both qualitative and quantitative evidence that can offer insight of patterns, trend and trajectory. Other methods of intelligence/evidence gathering, such as the use of testimonials and people's stories provide a user experience that may not necessarily reflect prescribed changes or improvements to policy, procedure, process or practice. The impact of change to service provision, practice approaches and legislation can shift the balance of care and focus within the social work and public protection sphere, impacting on data and performance that can potentially present artificial and/or flawed interpretation.

It is important that each service area has a degree of autonomy and independence to prioritise work/activity and in certain situations reject proposed activity in favour of an alternative yet equally effective approach. Such decisions are important for social work services to retain a degree of control.

However, where proposed areas of improvement are identified and subsequently rejected, the decision, rationale and alternative approach, if any, will be recorded and held by the commissioning service and QAC.

2. The following escalation processes will be developed:

During Activity

Should concerns be raised that relate to an individual's immediate safety or protection or where the service becomes aware of evidence of (gross) misconduct whilst undertaking any commissioned work, the matter will be immediately escalated in writing to the Quality Assurance and Compliance Manager or Senior Manager Quality, Governance and Regulation or the Chief Social Work Officer (CSWO). The matter will be raised/escalated to the Director or Commissioning Manager for immediate action as required. This escalation process is detailed in the Service Level Agreement.

Post Activity

For escalation post activity (concerned with monitoring and tracking of service improvements and recommendations) we will follow this process outlined at management action 1.2.

3. For recommendation 3 – we will apply the follow-up process for monitoring progress with actions, as set out in the management action for 1.2.

Owner: Alistair Gaw, Executive Director Communities and Families

Implementation Date:
31 October 2019

Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

2.3 Recommendation - QAC Risk register

A Quality Assurance & Compliance (QAC) risk register should be established and maintained in the Pentana risk management system that includes all relevant QAC assurance risks and supporting controls,

The risks and controls should be allocated to appropriate owners who will be responsible for ensuring that the risks are regularly re assessed and the controls remain effective.

The register should be regularly reviewed to establish if any risks require to be escalated to the Quality, Governance and Regulation risk register.

Agreed Management Action

Quality Assurance and Compliance (QAC) recognise the need for a service Risk Register. Version 1 of the register was generated on 16 April 2019 and will be monitored through QAC Management within Safer and Stronger and reported to Communities and Families Wider Management Team in accordance with current reporting requirements.

Owner: Alistair Gaw, Executive Director Communities and Families
Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

Implementation Date:
31 August 2019

2.4 Recommendation - Skills and experience

Job descriptions and role specifications should be used as the basis for setting Quality Assurance and Compliance (QAC) employee performance objectives as part of their annual 'looking forward' conversations.

In addition, the qualifications and experience required for the Quality Assurance Officer role should be clarified; the role description updated to reflect the requirements; and the revised role description used to support all future recruitment activity

Agreed Management Action

The 'essential requirements' and qualifications deemed necessary for the role of Quality Assurance Officer (QAO) and Regulation Officer will be reviewed and amended as required within the existing job descriptions and Job Specification.

Whilst the Service acknowledges the need to reflect and align the work of the QAO role with the existing job description, skills, experience and knowledge are gained through ongoing professional development, training and directed learning opportunities.

QAO's are required to work across a range of disciplines and areas of social work practice and legislation, this requires a broad knowledge, yet successful delivery of activity is subject to competency-based project management, time management, clarity of role and function and a predetermined set of parameters. The QAC service adopts a variety of approaches which include quality improvement, quality assurance, evaluation and scrutiny, each deployed to meet the needs of the approach, identified model or the questions generated by the service.

Owner: Alistair Gaw, Executive Director Communities and Families

Implementation Date:
31 October 2019

Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

3. Data Protection Impact Assessment

Low

There is currently no Data Protection Impact Assessment (DPIA) covering the processes applied by Quality Assurance and Compliance (QAC) in relation to the personal data they obtain; review; process; and retain to support completion of their assurance reviews.

A DPIA must be completed to confirm that appropriate controls have been established to ensure ongoing compliance with General Data Protection Regulation (GDPR) legislation; Data Protection principles; and the Council and Partnership's records management policies.

Risks

- Non-compliance with the data protection principles set out in the Data Protection Act 1998, General Data Protection Regulation, and the new Data Protection Act 2018.
- Failure to safeguard personal data, resulting in reputational, and potentially financial, damage to the Council.

3.1 Recommendation - QAC Data Protection Impact Assessment

1. A Data Protection Impact Assessment (DPIA) should be prepared to cover the processes applied to all data obtained; reviewed; processed; and retained by Quality Assurance and Compliance (QAC).
2. The completed document should be submitted to the Information Governance Unit (IGU) for review and assessment.
3. Following receipt of a DPIA assessment report from the Information Governance Unit (IGU), QAC should implement the recommended improvement actions then submit the assessment report, and evidence of completed improvement actions to their Information Asset Owner for the processing to be authorised.

Agreed Management Action

The Quality Assurance and Compliance Manager has completed a Data Protection Impact Assessment which was signed off by the Information Governance Unit on 9 April 2019. This is now available for Internal Audit to review.

Owner: Alistair Gaw, Executive Director Communities and Families
Contributors: Jackie Irvine, Chief Social Work Officer, Jon Ferrer Senior Manager Quality, Governance and Regulation, Keith Dyer Manager, Quality and Compliance

Implementation Date:
31 August 2019

Appendix 1: Basis of our classifications

Finding rating	Assessment rationale
Critical	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Critical impact on operational performance; or • Critical monetary or financial statement impact; or • Critical breach in laws and regulations that could result in material fines or consequences; or • Critical impact on the reputation of the organisation which could threaten its future viability.
High	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Significant impact on operational performance; or • Significant monetary or financial statement impact; or • Significant breach in laws and regulations resulting in significant fines and consequences; or • Significant impact on the reputation of the organisation.
Medium	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Moderate impact on operational performance; or • Moderate monetary or financial statement impact; or • Moderate breach in laws and regulations resulting in fines and consequences; or • Moderate impact on the reputation of the organisation.
Low	<p>A finding that could have a:</p> <ul style="list-style-type: none"> • Minor impact on operational performance; or • Minor monetary or financial statement impact; or • Minor breach in laws and regulations with limited consequences; or • Minor impact on the reputation of the organisation.
Advisory	<p>A finding that does not have a risk impact but has been raised to highlight areas of inefficiencies or good practice.</p>

Appendix 2: Areas of audit focus

The areas of audit focus and related control objectives included in the review are:

Roles and responsibilities

- The roles and responsibilities and reporting lines for the QG&R team have been clearly defined, and are reflected in the team's 'looking forward' performance objectives;
- An appropriate independent reporting line through to the CSWO and elected members has been established;
- There is clear alignment between team objectives; the Chief Social Work Officer's responsibilities; and applicable regulatory requirements;
- Terms of reference detailing the team's assurance responsibilities and engagement approach has been prepared; agreed with; and approved by the Executive Director of Communities and Families; the Chief Officer for the H&SCP; the Corporate Leadership Team; and relevant Council and EIJB Executive Committees;
- The scope of work provides QG&R with right of access to all relevant personnel and documentation in relation to delivery of social work services by the Council and the H&SCP; and
- The scope of work includes the requirement to engage the CSWO and QG&R for professional advice in relation to any planned significant changes to delivery of social work services across the Council and the H&SCP.

Skills and experience

- Skills and experience required for all roles within the QG&R team have been clearly defined and included in team role specifications; and
- The current team is suitably qualified and are required to ensure that continuing professional development (CPD) requirements for their relevant professional bodies are maintained.

Methodology

- A QG&R methodology has been defined and is consistently applied across all reviews performed;
- The methodology includes guidance on understanding key social work risks and controls; preparing the annual plan; planning, performing and reporting on individual assurance reviews; follow-up; and reporting to governance committees; and
- Key performance indicators have been established to manage both QG&R team delivery and ensure effective engagement with relevant Council and H&SCP teams.

Planning

- A risk based annual assurance plan detailing QG&R focus for the financial year is prepared and approved by the CLT; the H&SCP and the relevant Council and EIJB Executive committees;
- The annual assurance plan is based on an assessment of the key risks that could impact delivery of social work services across the Council and the H&SCP;
- The annual plan considers whether available team resources are sufficient to provide assurance on all key social work service delivery risks;

- The plan provides an appropriate level of coverage across all social work services provided by the Council and the H&SCP, and includes an appropriate balance between service delivery and thematic reviews;
- Planning for reviews includes sufficient time to understand social work services processes applied;
- Any process design issues that could impact the quality of services delivered are immediately highlighted and escalated; and
- An appropriate sample selection methodology is applied to ensure that representative samples are selected and tested for assurance reviews.

Fieldwork

- Any significant issues that could result in a regulatory breach or adversely impact quality of social care services is immediately escalated to the CSWO and senior management within the Council and the H&SCP;
- The outcomes of sample based testing performed is recorded, with any testing and emerging themes identified and recorded; and
Further testing is performed (where required) to identify the extent of any significant or system issues.

Reporting and follow-up

- Reports are prepared detailing the outcomes of all QG&R reviews, raising issues / findings where issues have been identified;
- Management responses detailing the actions that will be taken to address findings raised are obtained, together with agreed implementation dates;
- An appropriate risk based follow-up approach is applied by QG&R to confirm that all agreed management actions have been implemented and effectively sustained; and

The follow-up process includes an assessment of progress with implementation of findings raised by external regulatory / scrutiny bodies.

Governance and reporting

- There is a clearly established independent reporting line for reporting QG&R assurance outcomes to appropriate H&SCP governance forums; the CLT and relevant Council and EIJB executive committees;
- Governance and Committee reporting include progress with delivery of the QG&R plan; assurance review outcomes; and progress with implementation of agreed management actions to address the findings raised;
- QG&R reports are shared with the Care Inspectorate and other regulatory bodies upon request;
- Either the CSWO or QG&R are represented at relevant Council and H&SCP risk committees to ensure that any risks relating to quality and delivery of social work services are highlighted and included in risk registers (where appropriate); and

Either the CSWO or QG&R are represented at the Local Area Network meeting hosted by the Council and attended by all assurance providers (including the Care Inspectorate) to ensure that plans and outcomes are shared and discussed (where appropriate).

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