

Agenda



Corporate Services Committee

Date: Wednesday, 10 February 2016

Time: 14:00

Venue: Clydebank Town Hall - Council Chambers,
Dumbarton Road, Clydebank, G81 1UE

Contact: Craig Stewart, Committee Officer
Tel: 01389 737251 craig.stewart@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the Corporate Services Committee as detailed above.
The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Kath Ryall (Chair)
Councillor George Black
Councillor Gail Casey
Councillor Jim Finn
Councillor David McBride
Councillor Jonathan McColl
Councillor Patrick McGlinchey
Councillor John Mooney
Councillor Lawrence O'Neill
Councillor Tommy Rainey (Vice Chair)
Councillor Gail Robertson
Councillor Martin Rooney

All other Councillors for information

Chief Executive
Executive Director of Corporate Services
Executive Director of Infrastructure and Regeneration
Executive Director of Educational Services
Chief Officer of West Dunbartonshire Health & Care Partnership

Date of issue: **28 January 2016**

Corporate Services Committee

Wednesday, 10 February 2016

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 MINUTES OF PREVIOUS MEETING 5 - 8

Submit for approval as a correct record, the Minutes of Meeting of the Corporate Services Committee held on 11 November 2015.

4 MINUTES OF JOINT CONSULTATIVE FORUM – 10 DECEMBER 2015 9 - 14

Submit for information and where necessary ratification, the Minutes of Meeting of the Joint Consultative Forum held on 10 December 2015.

5 CORPORATE SERVICES BUDGETARY CONTROL REPORT TO 31 DECEMBER 2015 (PERIOD 9) 15 - 40

Submit report by the Executive Director of Corporate Services advising on the performance of the Corporate Services budget for the period to 31 December 2015.

6 GRANT APPLICATIONS 2015/16 41 - 48

Submit report by the Executive Director of Corporate Services

providing information on grant applications with recommendation for payout to voluntary organisations from Trust Fund, Community Council and Dumbarton Common Good budgets.

7 WRITE-OFF OF MISCELLANEOUS INCOME DEBTOR ACCOUNTS 2015/2016 QUARTER 3 49 - 52

Submit report by the Executive Director of Corporate Services seeking approval for the write-off of debts in respect of miscellaneous income debtor accounts, which have been deemed as irrecoverable during Quarter 3 2015/16.

8 WRITE-OFF OF NATIONAL NON DOMESTIC RATES 53 - 62

Submit report by the Executive Director of Corporate Services recommending for approval the write-off of debts in respect of National Non-Domestic Rates (NNDR), which have been deemed as irrecoverable during the financial year 2015/16.

9 SCOTTISH REGULATORS' STRATEGIC CODE OF PRACTICE 63 - 76

Submit report by the Head of Legal, Democratic and Regulatory Services informing of the progress being made by all West Dunbartonshire Council regulators to adopt the principles of better regulation in contributing to sustainable economic growth, as set out in the Scottish Regulators' Strategic Code of Practice.

10 DISCIPLINARY POLICY AND PROCEDURE REVISIONS 77 - 100

Submit report by the Head of People and Transformation providing an update on revisions to the Disciplinary Policy and Procedure.

11 ATTENDANCE MANAGEMENT: QUARTER 3 – 2015/16 101 - 108

Submit report by the Executive Director of Corporate Services advising on attendance levels within Corporate Services and providing a summary of the quarter 3 absence statistics.

CORPORATE SERVICES COMMITTEE

At a Meeting of the Corporate Services Committee held on Wednesday, 11 November 2015 in Committee Room 3, Council Offices, Garshake Road, Dumbarton at 2.06 p.m.

Present: Councillors George Black, Gail Casey, Jim Finn, David McBride, Jonathan McColl, *Patrick McGlinchey, John Mooney, Lawrence O'Neill, Tommy Rainey, Martin Rooney and Kath Ryall.

* Attended later in the meeting.

Attending: Angela Wilson, Executive Director of Corporate Services; Stephen West, Head of Finance and Resources; Vicki Rogers, Head of People and Transformation; Amanda Coulthard, Corporate & Community Planning Manager; Annabel Travers, Procurement Manager; Malcolm Bennie, Corporate Communications Manager; Jennifer Ogilvie, Finance Business Partner; Marion Smith, Section Head (Revenues & Benefits); Peter Hessett, Head of Legal, Democratic and Regulatory Services and Craig Stewart, Committee Officer.

Apology: An apology for absence was intimated on behalf of Councillor Gail Robertson.

Councillor Kath Ryall in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda at this point in the meeting.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Corporate Services Committee held on 12 August 2015 were submitted and approved as a correct record.

MINUTES OF JOINT CONSULTATIVE FORUM – 24 SEPTEMBER 2015

After discussion, the Minutes of Meeting of the Joint Consultative Forum (JCF) held on 24 September 2015 were submitted for information and noted.

CORPORATE SERVICES DEPARTMENTAL PLAN 2015/16 MID-YEAR PROGRESS REPORT

A report was submitted by the Executive Director of Corporate Services setting out the progress towards the delivery of the Corporate Services Departmental Plan 2015/16.

After discussion and having heard the Executive Director of Corporate Services and the Corporate & Community Planning Manager in further explanation and in answer to Members' questions, the Committee agreed to note the contents of the report and the progress to date.

Note: Councillor McGlinchey entered the meeting during consideration of this item.

CORPORATE SERVICES BUDGETARY CONTROL REPORT TO 30 SEPTEMBER 2015 (PERIOD 6)

A report was submitted by the Executive Director of Corporate Services advising on the performance of the Corporate Services budget for the period to 30 September 2015 (Period 6).

After discussion and having heard the Head of People and Transformation in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) to note that the revenue account currently shows a projected annual favourable variance of £0.300m (1.56% of the total budget); and
- (2) to note that the capital account shows a projected annual favourable variance of £0.574m (29.2% of annual budget) and project life adverse variance of £0.144m (1.8% of project life budget).

GRANT APPLICATIONS 2015/16

A report was submitted by the Executive Director of Corporate Services providing information on grant applications with recommendations for payment to voluntary organisations from Trust Fund, Community Council and Dumbarton Common Good.

After discussion and having heard the Head of Executive Director of Corporate Services in further explanation and in answer to Members' questions and the Head of Legal, Democratic & Regulatory Services in clarification, the Committee agreed to approve the grants recommended to be awarded for Community Councils (totalling £3,258) as shown in Appendix A to the report, which would be contained within the Community Council's annual budget allocation.

WRITE-OFF OF MISCELLANEOUS INCOME DEBTOR AND COUNCIL TAX ACCOUNTS - 2015/16 QUARTERS 1 & 2

A report was submitted by the Executive Director of Corporate Services seeking approval for the write off of debts in respect of miscellaneous income debtor and council tax accounts, which have been deemed as irrecoverable during Quarter 1 and Quarter 2 of 2015/16, arising from various years as detailed in Appendix 1 and for the reasons detailed in Appendix 2 of the report.

After discussion and having heard the Head of Finance and Resources in answer to Members' questions, the Committee agreed:-

- (1) to approve the write-off of miscellaneous income debtor accounts totalling £129,309.54; and
- (2) that officers would break-down the Prescribed part of the Appendix 1 table in future reports, in order that an indication could be given of the categories involved.

PROCUREMENT STRATEGY (2015 to 2017) – ANNUAL PROGRESS REPORT

A report was submitted by the Executive Director of Corporate Services providing an update on the outcomes achieved relative to the Council's Procurement Strategy, 2015 to 2017 and the areas of focus for the next 12 months.

After discussion and having heard the Corporate Procurement Manager in elaboration and in answer to Members' questions, the Committee agreed to note the content of the report with satisfaction.

EQUALITY AND DIVERSITY IN EMPLOYMENT POLICY

A report was submitted by the Executive Director of Corporate Services providing an update on the development of the Equality and Diversity in Employment Policy.

The Committee agreed:-

- (1) to note the contents of the report;
- (2) to approve the implementation of the Equality and Diversity in Employment Policy; and
- (3) to approve the amendments to the Grievance Policy.

ATTENDANCE MANAGEMENT: QUARTER 2 - 2015/16

A report was submitted by the Executive Director of Corporate Services advising on attendance levels within Corporate Services and providing a summary of the Quarter 2 absence statistics.

After discussion and having heard the Executive Director of Corporate Services and the Head of People and Transformation in further explanation and in answer to a Member's question, the Committee agreed to note the content of the report and the attendance results for the year, namely a significant decrease of 513 days lost (32%) compared to the same period last year.

EARLY RETIREMENT, VOLUNTARY SEVERANCE AND REDEPLOYMENT – 1 APRIL TO 30 SEPTEMBER 2015

A report was submitted by the Executive Director of Corporate Services advising on early retirements, voluntary severance, and redeployments during the 6 month period from 1 April to 30 September 2015.

The Committee agreed to note the contents of the report.

WEST DUNBARTONSHIRE COUNCIL WORKFORCE MONITORING REPORT

A report was submitted by the Executive Director of Corporate Services providing employment information relating to the Council for the period 1 April 2015 to 30 September 2015.

After discussion and having heard the Head of People and Transformation and the Executive Director of Corporate Services in further explanation and in answer to Members' questions, the Committee agreed to note the following employment information for 1 April to 30 September 2015:-

- Attendance statistics
- Occupational health and counselling
- Accidents/incidents
- Discipline, grievance and dignity at work
- Employee development
- Recruitment monitoring
- Staffing watch as at 14 June 2015

The meeting closed at 3.27 p.m.

JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 10 December 2015 at 2.05 p.m.

Present: Councillors George Black, Jim Finn, David McBride, *Patrick McGlinchey, Kath Ryall and Tommy Rainey; James Halfpenny (EIS); Claire Mackenzie (SSTA); Joe McLaren and Jim Smith (UCATT); Joanne Harkin, Val Jennings, Simon Macfarlane, Tom Morrison, Peter O'Neill and Susan Shannon (UNISON); James Docherty and Jackaleen McMonagle (Unite).

*Attended later in the meeting.

Attending: Angela Wilson, Executive Director of Corporate Services; Terry Lanagan, Executive Director of Educational Services; Soumen Sengupta, Head of Strategy, Planning and Health Improvement; Ronnie Dinnie, Head of Neighbourhood Services; Vicki Rogers, Head of People and Transformation; Paul McGowan, Human Resources & Workforce Development Manager; Malcolm Bennie, Manager of Corporate Communications; Raymond Lynch, Senior Solicitor; and Scott Kelly, Committee Officer, Legal, Democratic & Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Councillor Gail Robertson, William McEwan (GMB) and Charlie McDonald (Unite).

Jackaleen McMonagle in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Joint Consultative Forum held on 24 September 2015 were submitted and approved as a correct record.

REVIEW OF TRADES UNION FACILITY TIME ARRANGEMENTS

A report was submitted by the Head of People and Transformation providing an update on the review of internal structures that support efficient and effective partnership working arrangements and consultation.

Following discussion and having heard the Executive Director of Corporate Services and the Head of People and Transformation in answer to Members' questions, the Forum agreed:-

- (1) to note that a meeting had been held recently in relation to the review of the workings of the Joint Consultative Forum and that another such meeting would take place in the new year; and
- (2) otherwise to note the contents of the report.

Note: Councillor McGlinchey entered the meeting during consideration of this item.

EMPLOYEE SURVEY 2015

A report was submitted by the Head of People and Transformation informing of the results, key highlights, and improvement planning process, in relation to the 2015 Employee Survey.

Following discussion and having heard the Executive Director and Corporate Services and the Head of People and Transformation in answer to Members' questions, the Forum agreed:-

- (1) to note the terms of the discussion which had taken place in relation to the future reporting of the comments provided by employees in response to the survey; and
- (2) to note the results summary (Appendix A to the report), the comparison to the 2013 results, and the next steps in terms of improvement planning and communicating the results.

DISCIPLINARY POLICY AND PROCEDURE REVISIONS

A report was submitted by the Head of People and Transformation providing an update on agreed revisions to the Disciplinary Policy and Procedure.

Following discussion and having heard the Executive Director and Corporate Services, the Head of People and Transformation and the Human Resources & Workforce Development Manager in answer to Members' questions, the Forum agreed:-

- (1) to note that the Head of People and Transformation had invited the Trades Unions to provide her with details of any matters relating to the Disciplinary Policy or Procedures which they believed required clarification, and that she would meet with them to discuss these prior to the intended remittance of the revised policy to the Corporate Services Committee on 10 February 2016;
- (2) to note the terms of the discussion which had taken place in relation to the procedure used at Appeals Committee hearings (Appendix 3 to the policy); and
- (3) otherwise to note the contents of the report.

Note: Councillor Finn left the meeting during consideration of this item.

WORKING WELL TOGETHER: QUARTER 2 2015/2016

A report was submitted by the Head of People and Transformation providing an update on the increasing levels of sickness absence within West Dunbartonshire Council and the actions progressed through the Attendance Working Group, as part of the Working Well Together campaign.

Following discussion and having heard the Executive Director and Corporate Services and the Head of People and Transformation in answer to Members' questions, the Forum agreed:-

- (1) that it would be appropriate for matters relating to absence related overtime to be discussed at departmental Joint Consultative Committees;
- (2) that the Head of People and Transformation would give consideration to the future reporting of absence statistics and absence related overtime statistics in view of their apparent non-alignment; and
- (3) to note the contents of the report.

DISCIPLINE, GRIEVANCE AND DIGNITY AT WORK – QUARTER 2 UPDATE (1 JULY 2015 – 30 SEPTEMBER 2015)

A report was submitted by the Head of People and Transformation advising of progress on discipline, grievance and dignity at work cases for the period 1 July 2015 to 30 September 2015.

Following discussion and having heard the Executive Director and Corporate Services and the Head of People and Transformation in answer to Members' questions, the Forum agreed to note the contents of the report.

MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES, HEALTH & SAFETY MEETINGS AND EMPLOYEE LIAISON GROUP

A report was submitted by the Head of People and Transformation providing the minutes from departmental Joint Consultative Committees (JCCs), Health & Safety meetings and Employee Liaison Group (ELG) meetings for the period 1 July 2015 to 30 September 2015.

The Forum agreed to note the contents of the report.

TRADES UNIONS ISSUES

Fuel Emission System (item requested by Joint Trades Unions)

The Forum heard Ms Harkin who sought an update on the costs and savings associated with the Council's Fuel Emission System.

In response the Head of Neighbourhood Services advised that use of the system allowed the Council to make net savings of £310,000 over four years and to reduce carbon emissions by 131,000 tonnes. He went on to explain that the system has operational benefits to the Council in terms of: (i) locating vehicles; (ii) accident investigation; (iii) driver behaviour and safety; and (iv) lower insurance costs.

He further clarified that managers were obliged to follow a protocol, which had been agreed with the Trades Unions, when using the system.

Following discussion, the Forum agreed:-

- (1) to note that the Head of Neighbourhood Services had invited the Trades Unions to discuss with him, outwith the meeting, any specific concerns which they may have about the protocol not being followed by managers; and
- (2) that the Head of Neighbourhood Services would, in consultation with the Manager of Corporate Communications, consider appropriate ways of promoting the important contribution made by the drivers of Council vehicles, including a 'How's My Driving' promotion, and reassuring the public that the Council takes driver and vehicle safety very seriously.

Home Start (item requested by Joint Trades Unions)

The Forum heard Mr Docherty who sought clarification on when the working day was deemed to begin for Home Start employees and what the position was in respect of their insurance.

In response the Head of Neighbourhood Services advised that for Home Start employees the working day commences at 8.00 a.m. and that the insurance position was the same as for other Council employees.

The Forum noted that a protocol in relation to Home Start was being developed by Management in consultation with the Trades Unions.

Consultation with Trades Unions on Management Adjustment (item requested by Joint Trades Unions)

The Forum heard Mr O'Neill who sought clarity on each department's timetable for consulting with the Trades Unions on management adjustments relating to the planned Council restructure.

In response the Head of People and Transformation suggested that this matter be raised at each department's Joint Consultative Committee and, following a suggestion that the matter had not been raised at the Health & Social Care Partnership's Joint Staff Forum, requested that the Trades Unions confirm their position once clarified.

Kill the Bill (item requested by Joint Trades Unions)

The Forum heard Mr Morrison who drew attention to the STUC campaign against the current Trade Union Bill and austerity and provided an update on the local meetings which had recently been held in this connection and which were planned for the future.

The meeting closed at 3.50 p.m.

WEST DUNBARTONSHIRE COUNCIL
Report by the Executive Director of Corporate Services
Corporate Services Committee – 10 February 2016

**Subject: Corporate Services Budgetary Control Report to 31 December 2015
(Period 9)**

1. Purpose

- 1.1** The purpose of this report is to advise the Committee on the performance of the Corporate Services budget for the period to 31 December 2015.

2. Recommendations

- 2.1** Members are asked to:

- i) note that the revenue account currently shows a projected annual favourable variance of £0.436m (2.28% of the total budget); and
- ii) note that the capital account shows a projected annual favourable variance of £0.753m (35.96% of annual budget) and project life adverse variance of £0.006m (0.07% of project life budget).

3. Background

Revenue

- 3.1** At the meeting of West Dunbartonshire Council on 4 February 2015, Members agreed the revenue estimates for 2015/2016, including a total net Corporate Services budget of £19.245m. Budget adjustments have taken place revising the budget to £19.140m as detailed below.

Budget Agreed February 2015	£19.245m
Allocation of general savings targets	(£0.021m)
Transfer of phone budgets from other departments	£0.133m
Removal of recurring variances	(£0.183m)
Transfer of FOM budgets to sundry	(£0.047m)
Transfer of staffing budget from HEED to Procurement	£0.013m
Revised Budget	£19.140m

Capital

- 3.2** At the meeting of Council on 4 February 2015, Members also agreed the updated 10 year General Services Capital Plan for 2013/2014 to 2022/23. The next three years from 2015/16 to 2017/18 have been approved in detail with the remaining 4 years being indicative at this stage.

4. Main Issues

Revenue

- 4.1 The summary report at Appendix 1 identifies a projected annual favourable variance (underspend) of £0.436m (2.28% of the total budget). A graphical representation is attached as Appendix 2 while service reports are attached as Appendix 3.
- 4.2 Notes on the projected annual variances in excess of £0.050m are highlighted and noted within Appendix 4, with additional information on action being taken to minimise or mitigate overspends where possible.
- 4.3 Although the report indicates that expenditure is favourable in comparison to that anticipated during the budget exercise, the present variance should be viewed in the knowledge that there are a number of variable factors which could arise between now and 31 March and which could affect the year end results.
- 4.4 Agreed savings and management adjustments for 2015/16 are monitored with current indications showing that of the total target being monitored (£1.045m), the majority of actions are currently on target to be achieved. However it indicates that £0.016m is currently not on target (see Appendix 5). It should be noted that any variances are included within the service information and variances identified within this report.

Capital

- 4.5 The current progress on the capital plan is shown in Appendix 6 and 7.
- 4.6 The overall Corporate Services programme summary report at Appendix 6 shows that planned expenditure and resource for 2015/16 is projected to show a favourable variance of £0.753m while project life is projected to show an adverse variance of £0.006m. Projects which are currently at red status are detailed in Appendix 7.

5. People Implications

- 5.1 There are no people implications.

6. Financial and Procurement Implications

- 6.1 Other than the financial position noted above, there are no financial or procurement implications from this budgetary control report.

7. Risk Analysis

- 7.1 The main financial risks to the ongoing financial position relate to unforeseen costs being identified between now and the end of the financial year. This can affect all service areas

8. Equalities Impact Assessment (EIA)

8.1 No equalities impact assessment was required in relation to this report.

9. Consultation

9.1 All departments involved in delivering the revenue and capital budgets have been consulted in the compilation of this report.

10. Strategic Assessment

10.1 Proper budgetary control and sound financial practice are cornerstones of good governance and support Council and officers to pursue the 5 strategic priorities of the Council's Strategic Plan. This report forms part of the financial governance of the Council.

Angela Wilson
Executive Director of Corporate Services

Date: 15 January 2016

Person to Contact: Jennifer Ogilvie, Finance Business Partner
Council Offices, Garshake Road, Dumbarton
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E-mail: jennifer.ogilvie@west-dunbarton.gov.uk

Appendices:

- Appendix 1 - Revenue Budgetary Control 2015/16
– Summary Report
- Appendix 2 - Revenue Budgetary Control 2015/16
– Graphs
- Appendix 3 - Revenue Budgetary Control 2015/16
– Service Reports
- Appendix 4 - Analysis of Revenue Variances over
£50,000
- Appendix 5 - 2015/16 Savings and Management
Adjustments Monitoring
- Appendix 6 - Overall Capital Programme Summary
Financials
- Appendix 7 - Capital Projects at Red Status

Background Papers: Ledger output – Period 9
General Services Revenue Estimates 2015/16
General Services Capital Plan 2015/16 to 2017/18 - Council
4 February 2015

Corporate Services Budgetary Control Report to 30
September (Period 9)
General Services Capital Plan - Analysis of Projects at
Green Status

Wards Affected All Wards

WEST DUNBARTONSHIRE COUNCIL
REVENUE BUDGETARY CONTROL 2015/2016
CORPORATE SERVICES AND CHIEF EXECUTIVE SUMMARY

APPENDIX 1

MONTH END DATE

31 December 2015

PERIOD

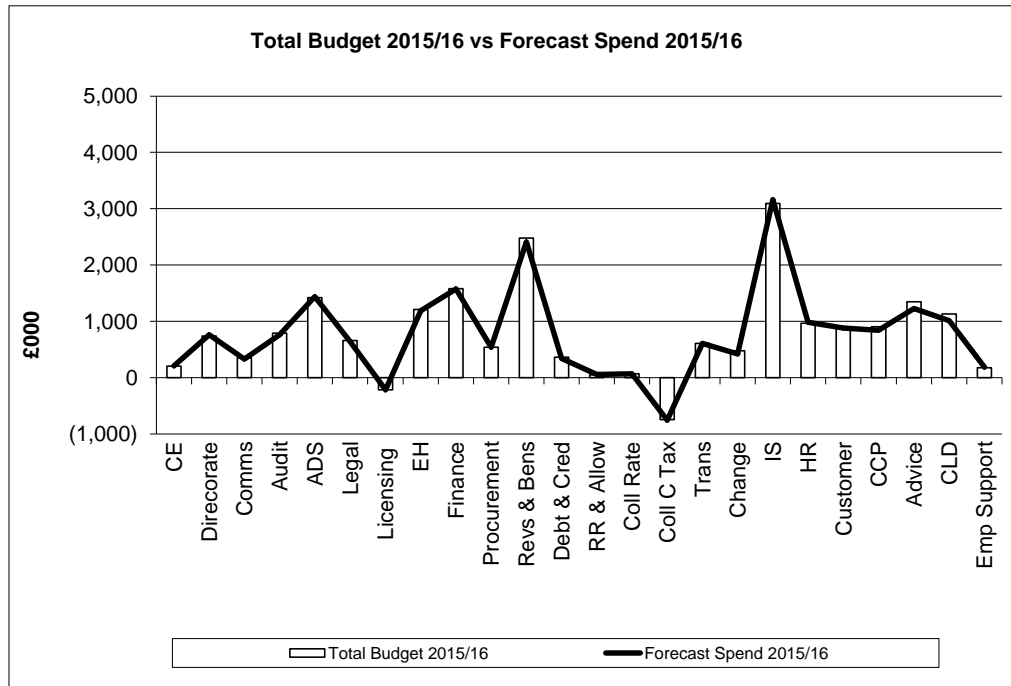
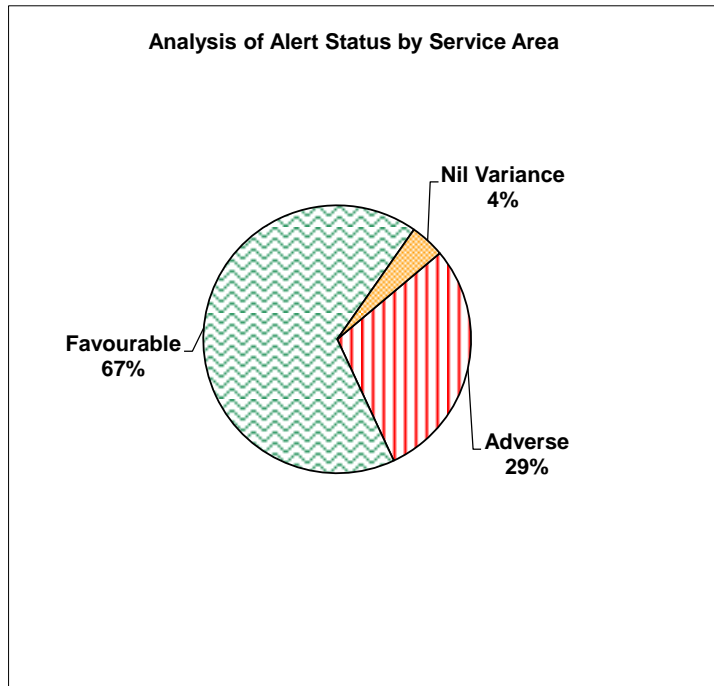
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Actual Outturn 2014/15	Departmental / Subjective Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status	
£000	Departmental Summary	£000	£000	%	£000	£000	%	
221	Chief Executive	209	152	73%	212	3	1%	↓
791	Directorate & Corporate Resources	738	543	74%	763	25	3%	↓
316	Communications & Marketing	356	220	62%	334	(22)	-6%	↑
730	Audit & Risk	790	583	74%	761	(29)	-4%	↑
1,374	Administrative & Democratic Services	1,421	1,068	75%	1,437	16	1%	↓
634	Legal Services	660	516	78%	642	(18)	-3%	↑
(282)	Licensing	(213)	(180)	85%	(216)	(3)	1%	↑
1,239	Environmental Health	1,211	859	71%	1,190	(21)	-2%	↑
1,584	Finance	1,583	1,162	73%	1,579	(4)	0%	↑
555	Procurement	541	457	84%	540	(1)	0%	↑
2,511	Revenues & Benefits	2,482	1,836	74%	2,409	(73)	-3%	↑
319	Debtors & Creditors	366	236	64%	345	(21)	-6%	↑
243	Rent Rebates & Allowances	51	38	75%	56	5	10%	↓
61	Cost of Collection of Rates	73	6	8%	68	(5)	-7%	↑
(586)	Cost of Collection of Council Tax	(741)	(195)	26%	(753)	(12)	2%	↑
571	Transactional Services	610	443	73%	610	0	0%	→
448	Change Support	480	291	61%	424	(56)	-12%	↑
2,882	Information Services	3,092	2,494	81%	3,162	70	2%	↓
945	Human Resources & Organisational Development	968	708	73%	984	16	2%	↓
800	Customer Service	893	544	61%	880	(13)	-1%	↑
520	Corporate & Community Planning	908	493	54%	845	(63)	-7%	↑
1,286	Advice Service	1,350	932	69%	1,229	(121)	-9%	↑
1,248	Community Learning & Development	1,133	722	64%	1,015	(118)	-10%	↑
195	Employment Support	179	582	325%	188	9	5%	↓
18,605	Total Net Expenditure	19,140	14,510	76%	18,704	(436)	-2%	↑

MONTH END DATE **31 December 2015**

PERIOD **9**

Corporate Services / Chief Executive Graphs



WEST DUNBARTONSHIRE COUNCIL
 REVENUE BUDGETARY CONTROL 2015/2016
 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

APPENDIX 3

MONTH END DATE 31 December 2015

PERIOD 9

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status	
£000	Chief Executive	£000	£000	%	£000	£000	%	
214	Employee	203	148	73%	204	1	0%	↓
0	Property	0	0	0%	0	0	0%	→
2	Transport and Plant	1	2	200%	3	2	200%	↓
5	Supplies, Services and Admin	5	2	40%	5	0	0%	→
0	Payments to Other Bodies	0	0	0%	0	0	0%	→
0	Other	0	0	0%	0	0	0%	→
221	Gross Expenditure	209	152	73%	212	3	1%	↓
0	Income	0	0	0%	0	0	0%	→
221	Net Expenditure	209	152	73%	212	3	1%	↓
£000	Directorate & Corpportate Resources	£000	£000	%	£000	£000	%	
781	Employee	732	536	73%	754	22	3%	↓
0	Property	0	0	0%	0	0	0%	→
2	Transport and Plant	1	1	100%	2	1	100%	↓
8	Supplies, Services and Admin	5	6	120%	7	2	40%	↓
0	Payments to Other Bodies	0	0	0%	0	0	0%	→
0	Other	0	0	0%	0	0	0%	→
791	Gross Expenditure	738	543	74%	763	25	3%	↓
0	Income	0	0	0%	0	0	0%	→
791	Net Expenditure	738	543	74%	763	25	3%	↓

WEST DUNBARTONSHIRE COUNCIL
 REVENUE BUDGETARY CONTROL 2015/2016
 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

APPENDIX 3

MONTH END DATE 31 December 2015

PERIOD 9

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Communications & Marketing	£000	£000	%	£000	£000	%
263	Employee	287	191	67%	271	(16)	-6% ↑
0	Property	0	0	0%	0	0	0% →
0	Transport and Plant	0	1	0%	1	1	0% ↓
50	Supplies, Services and Admin	63	25	40%	59	(4)	-6% ↑
3	Payments to Other Bodies	6	3	50%	3	(3)	-50% ↑
0	Other	0	0	0%	0	0	0% →
316	Gross Expenditure	356	220	62%	334	(22)	-6% ↑
0	Income	0	0	0%	0	0	0% →
316	Net Expenditure	356	220	62%	334	(22)	-6% ↑
£000	Audit & Risk	£000	£000	%	£000	£000	%
705	Employee	806	578	72%	796	(10)	-1% ↑
0	Property	0	0	0%	0	0	0% →
3	Transport and Plant	5	2	40%	3	(2)	-40% ↑
13	Supplies, Services and Admin	14	12	86%	14	0	0% →
12	Payments to Other Bodies	15	6	40%	15	0	0% →
0	Other	0	0	0%	0	0	0% →
733	Gross Expenditure	840	598	71%	828	(12)	-1% ↑
(3)	Income	(50)	(15)	30%	(67)	(17)	34% ↑
730	Net Expenditure	790	583	74%	761	(29)	-4% ↑

WEST DUNBARTONSHIRE COUNCIL
 REVENUE BUDGETARY CONTROL 2015/2016
 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

APPENDIX 3

MONTH END DATE 31 December 2015

PERIOD 9

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status	
£000	Administrative & Democratic Services	£000	£000	%	£000	£000	%	
1,543	Employee	1,501	1,122	75%	1,510	9	1%	↓
8	Property	0	0	0%	0	0	0%	→
6	Transport and Plant	6	4	67%	5	(1)	-17%	↑
27	Supplies, Services and Admin	32	22	69%	39	7	22%	↓
0	Payments to Other Bodies	0	0	0%	0	0	0%	→
0	Other	0	0	0%	0	0	0%	→
1,584	Gross Expenditure	1,539	1,148	75%	1,554	15	1%	↓
(210)	Income	(118)	(80)	68%	(117)	1	-1%	↓
1,374	Net Expenditure	1,421	1,068	75%	1,437	16	1%	↓
£000	Legal Services	£000	£000	%	£000	£000	%	
641	Employee	750	533	71%	732	(18)	-2%	↑
0	Property	0	0	0%	0	0	0%	→
1	Transport and Plant	1	1	100%	1	0	0%	→
17	Supplies, Services and Admin	16	9	56%	17	1	6%	↓
0	Payments to Other Bodies	10	13	130%	18	8	80%	↓
0	Other	0	0	0%	0	0	0%	→
659	Gross Expenditure	777	556	72%	768	(9)	-1%	↑
(25)	Income	(117)	(40)	34%	(126)	(9)	8%	↑
634	Net Expenditure	660	516	78%	642	(18)	-3%	↑

WEST DUNBARTONSHIRE COUNCIL
 REVENUE BUDGETARY CONTROL 2015/2016
 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

APPENDIX 3

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PERIOD **9**

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Licensing	£000	£000	%	£000	£000	%
181	Employee	178	128	72%	178	0	0% →
0	Property	0	0	0%	0	0	0% →
2	Transport and Plant	1	1	100%	1	0	0% →
31	Supplies, Services and Admin	5	5	100%	6	1	20% ↓
0	Payments to Other Bodies	0	0	0%	0	0	0% →
0	Other	0	0	0%	0	0	0% →
214	Gross Expenditure	184	134	73%	185	1	1% ↓
(496)	Income	(397)	(314)	79%	(401)	(4)	1% ↑
(282)	Net Expenditure	(213)	(180)	85%	(216)	(3)	1% ↑
£000	Environmental Health	£000	£000	%	£000	£000	%
1,154	Employee	1,137	826	73%	1,124	(13)	-1% ↑
10	Property	21	8	38%	14	(7)	-33% ↑
25	Transport and Plant	24	17	71%	25	1	4% ↓
93	Supplies, Services and Admin	46	27	59%	45	(1)	-2% ↑
89	Payments to Other Bodies	87	51	59%	87	0	0% →
0	Other	0	0	0%	0	0	0% →
1,371	Gross Expenditure	1,315	929	71%	1,295	(20)	-2% ↑
(132)	Income	(104)	(70)	67%	(105)	(1)	1% ↑
1,239	Net Expenditure	1,211	859	71%	1,190	(21)	-2% ↑

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 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

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PERIOD **9**

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Finance	£000	£000	%	£000	£000	%
1,623	Employee	1,688	1,208	72%	1,654	(34)	-2% ↑
0	Property	0	0	0%	0	0	0% →
4	Transport and Plant	2	3	150%	4	2	100% ↓
22	Supplies, Services and Admin	14	14	100%	15	1	7% ↓
3	Payments to Other Bodies	2	2	100%	2	0	0% →
0	Other	0	0	0%	0	0	0% →
1,652	Gross Expenditure	1,706	1,227	72%	1,675	(31)	-2% ↑
(68)	Income	(123)	(65)	53%	(96)	27	-22% ↓
1,584	Net Expenditure	1,583	1,162	73%	1,579	(4)	0% ↑
£000	Procurement	£000	£000	%	£000	£000	%
559	Employee	635	391	62%	638	3	0% ↓
0	Property	0	0	0%	0	0	0% →
1	Transport and Plant	1	0	0%	0	(1)	-100% ↑
0	Supplies, Services and Admin	1	3	300%	3	2	200% ↓
66	Payments to Other Bodies	66	63	95%	63	(3)	-5% ↑
0	Other	0	0	0%	0	0	0% →
626	Gross Expenditure	703	457	65%	704	1	0% ↓
(71)	Income	(162)	0	0%	(164)	(2)	1% ↑
555	Net Expenditure	541	457	84%	540	(1)	0% ↑

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Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Revenues & Benefits	£000	£000	%	£000	£000	%
2,482	Employee	2,470	1,753	71%	2,413	(57)	-2% ↑
1	Property	0	0	0%	0	0	0% →
17	Transport and Plant	10	5	50%	7	(3)	-30% ↑
94	Supplies, Services and Admin	62	34	55%	68	6	10% ↓
870	Payments to Other Bodies	870	626	72%	870	0	0% →
0	Other	0	0	0%	0	0	0% →
3,464	Gross Expenditure	3,412	2,418	71%	3,358	(54)	-2% ↑
(953)	Income	(930)	(582)	63%	(949)	(19)	2% ↑
2,511	Net Expenditure	2,482	1,836	74%	2,409	(73)	-3% ↑
£000	Debtors & Creditors	£000	£000	%	£000	£000	%
242	Employee	292	195	67%	278	(14)	-5% ↑
0	Property	0	0	0%	0	0	0% →
0	Transport and Plant	0	0	0%	0	0	0% →
77	Supplies, Services and Admin	74	41	55%	67	(7)	-9% ↑
0	Payments to Other Bodies	0	0	0%	0	0	0% →
0	Other	0	0	0%	0	0	0% →
319	Gross Expenditure	366	236	64%	345	(21)	-6% ↑
0	Income	0	0	0%	0	0	0% →
319	Net Expenditure	366	236	64%	345	(21)	-6% ↑

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Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Rent Rebates & Allowances	£000	£000	%	£000	£000	%
0	Employee	0	0	0%	0	0	0% →
0	Property	0	0	0%	0	0	0% →
0	Transport and Plant	0	0	0%	0	0	0% →
0	Supplies, Services and Admin	0	0	0%	0	0	0% →
46,840	Payments to Other Bodies	42,556	30,532	72%	46,825	4,269	10% ↓
0	Other	0	0	0%	0	0	0% →
46,840	Gross Expenditure	42,556	30,532	72%	46,825	4,269	10% ↓
(46,597)	Income	(42,505)	(30,494)	72%	(46,769)	(4,264)	10% ↑
243	Net Expenditure	51	38	75%	56	5	10% ↓
£000	Cost of Collection of Rates	£000	£000	%	£000	£000	%
0	Employee	0	0	0%	0	0	0% →
0	Property	0	0	0%	0	0	0% →
0	Transport and Plant	0	0	0%	0	0	0% →
22	Supplies, Services and Admin	25	6	24%	20	(5)	-20% ↑
98	Payments to Other Bodies	98	0	0%	98	0	0% →
0	Other	0	0	0%	0	0	0% →
120	Gross Expenditure	123	6	5%	118	(5)	-4% ↑
(59)	Income	(50)	0	0%	(50)	0	0% →
61	Net Expenditure	73	6	8%	68	(5)	-7% ↑

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 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

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PERIOD 9

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Cost of Collection of Council Tax	£000	£000	%	£000	£000	%
0	Employee	0	0	0%	0	0	0% →
0	Property	0	0	0%	0	0	0% →
0	Transport and Plant	0	0	0%	0	0	0% →
91	Supplies, Services and Admin	88	31	35%	77	(11)	-13% ↑
47	Payments to Other Bodies	48	35	73%	47	(1)	-2% ↑
0	Other	0	0	0%	0	0	0% →
138	Gross Expenditure	136	66	49%	124	(12)	-9% ↑
(724)	Income	(877)	(261)	30%	(877)	0	0% →
(586)	Net Expenditure	(741)	(195)	26%	(753)	(12)	2% ↑
£000	Transactional Services	£000	£000	%	£000	£000	%
562	Employee	602	438	73%	602	0	0% →
0	Property	0	0	0%	0	0	0% →
0	Transport and Plant	0	0	0%	0	0	0% →
9	Supplies, Services and Admin	8	5	63%	8	0	0% →
0	Payments to Other Bodies	0	0	0%	0	0	0% →
0	Other	0	0	0%	0	0	0% →
571	Gross Expenditure	610	443	73%	610	0	0% →
0	Income	0	0	0%	0	0	0% →
571	Net Expenditure	610	443	73%	610	0	0% →

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PERIOD **9**

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Change Support	£000	£000	%	£000	£000	%
416	Employee	479	290	61%	422	(57)	-12%
0	Property	0	0	0%	0	0	0%
0	Transport and Plant	0	0	0%	1	1	0%
34	Supplies, Services and Admin	1	1	100%	1	0	0%
0	Payments to Other Bodies	0	0	0%	0	0	0%
0	Other	0	0	0%	0	0	0%
450	Gross Expenditure	480	291	61%	424	(56)	-12%
(2)	Income	0	0	0%	0	0	0%
448	Net Expenditure	480	291	61%	424	(56)	-12%
£000	Information Services	£000	£000	%	£000	£000	%
1,745	Employee	1,765	1,327	75%	1,821	56	3%
0	Property	0	0	0%	0	0	0%
8	Transport and Plant	6	6	100%	8	2	33%
1,109	Supplies, Services and Admin	1,308	1,154	88%	1,323	15	1%
25	Payments to Other Bodies	13	10	77%	13	0	0%
0	Other	0	0	0%	0	0	0%
2,887	Gross Expenditure	3,092	2,497	81%	3,165	73	2%
(5)	Income	0	(3)	0%	(3)	(3)	0%
2,882	Net Expenditure	3,092	2,494	81%	3,162	70	2%

WEST DUNBARTONSHIRE COUNCIL
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Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	HR & Organisational Development	£000	£000	%	£000	£000	%
715	Employee	738	542	73%	738	0	0% →
16	Property	16	3	19%	14	(2)	-13% ↑
2	Transport and Plant	2	2	100%	2	0	0% →
3	Supplies, Services and Admin	3	1	33%	3	0	0% →
209	Payments to Other Bodies	209	162	78%	229	20	10% ↓
0	Other	0	0	0%	0	0	0% →
945	Gross Expenditure	968	710	73%	986	18	2% ↓
0	Income	0	(2)	0%	(2)	(2)	0% ↑
945	Net Expenditure	968	708	73%	984	16	2% ↓
£000	Customer Service	£000	£000	%	£000	£000	%
688	Employee	817	513	63%	805	(12)	-1% ↑
65	Property	62	27	44%	63	1	2% ↓
2	Transport and Plant	2	0	0%	0	(2)	-100% ↑
13	Supplies, Services and Admin	8	1	13%	8	0	0% →
32	Payments to Other Bodies	4	3	75%	4	0	0% →
0	Other	0	0	0%	0	0	0% →
800	Gross Expenditure	893	544	61%	880	(13)	-1% ↑
0	Income	0	0	0%	0	0	0% →
800	Net Expenditure	893	544	61%	880	(13)	-1% ↑

WEST DUNBARTONSHIRE COUNCIL
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 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

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Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Corporate & Community Planning	£000	£000	%	£000	£000	%
471	Employee	687	463	67%	627	(60)	-9% ↑
0	Property	0	0	0%	0	0	0% →
1	Transport and Plant	7	4	57%	6	(1)	-14% ↑
5	Supplies, Services and Admin	7	3	43%	5	(2)	-29% ↑
43	Payments to Other Bodies	207	23	11%	207	0	0% →
0	Other	0	0	0%	0	0	0% →
520	Gross Expenditure	908	493	54%	845	(63)	-7% ↑
0	Income	0	0	0%	0	0	0% →
520	Net Expenditure	908	493	54%	845	(63)	-7% ↑
£000	Advice Service	£000	£000	%	£000	£000	%
946	Employee	1,068	654	61%	874	(194)	-18% ↑
2	Property	0	0	0%	0	0	0% →
9	Transport and Plant	9	7	78%	9	0	0% →
15	Supplies, Services and Admin	17	8	47%	16	(1)	-6% ↑
506	Payments to Other Bodies	511	289	57%	511	0	0% →
0	Other	0	0	0%	0	0	0% →
1,478	Gross Expenditure	1,605	958	60%	1,410	(195)	-12% ↑
(192)	Income	(255)	(26)	10%	(181)	74	-29% ↓
1,286	Net Expenditure	1,350	932	69%	1,229	(121)	-9% ↑

WEST DUNBARTONSHIRE COUNCIL
 REVENUE BUDGETARY CONTROL 2015/2016
 CORPORATE SERVICES AND CHIEF EXECUTIVE DETAIL

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PERIOD 9

Actual Outturn 2014/15	Service Summary	Total Budget 2015/16	Spend to Date 2015/16	% Spend to Date of Total Budget	Forecast Spend 2015/16	Forecast Variance 2015/16	RAG Status
£000	Community Learning & Development	£000	£000	%	£000	£000	%
1,154	Employee	1,161	692	60%	969	(192)	-17% ↑
0	Property	0	0	0%	0	0	0% →
15	Transport and Plant	13	9	69%	10	(3)	-23% ↑
23	Supplies, Services and Admin	17	11	65%	17	0	0% →
101	Payments to Other Bodies	57	10	18%	58	1	2% ↓
0	Other	0	0	0%	0	0	0% →
1,293	Gross Expenditure	1,248	722	58%	1,054	(194)	-16% ↑
(45)	Income	(115)	0	0%	(39)	76	-66% ↓
1,248	Net Expenditure	1,133	722	64%	1,015	(118)	-10% ↑
£000	Employment Support	£000	£000	%	£000	£000	%
379	Employee	868	694	80%	876	8	1% ↓
23	Property	22	19	86%	22	0	0% →
27	Transport and Plant	33	21	64%	30	(3)	-9% ↑
12	Supplies, Services and Admin	9	10	111%	11	2	22% ↓
300	Payments to Other Bodies	229	193	84%	229	0	0% →
0	Other	0	0	0%	0	0	0% →
741	Gross Expenditure	1,161	937	81%	1,168	7	1% ↓
(546)	Income	(982)	(355)	36%	(980)	2	0% ↓
195	Net Expenditure	179	582	325%	188	9	5% ↓

WEST DUNBARTONSHIRE COUNCIL
REVENUE BUDGETARY CONTROL 2015/2016
ANALYSIS FOR VARIANCES OVER £50,000

APPENDIX 4

MONTH END DATE 31 December 2015

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Budget Details	Variance Analysis			
	Total Budget	Forecast Spend	Forecast Variance	RAG Status
	£000	£000	£000	%

Corporate Services / Chief Executive

Revenues & Benefits (Stephen West)	2,482	2,409	(73)	-3%	↑
Service Description	This service area includes the staffing resource associated with the administration of rates, council tax and benefits				
Main Issues / Reason for Variance	A favourable variance in staffing is anticipated due to vacancies				
Mitigating Action	Due to the favourable variance, none is required at this time				
Anticipated Outcome	Favourable staffing variance anticipated at year end				

Rent Rebates & Allowances (Stephen West)	51	56	5	10%	↓
Service Description	This service area includes both the spend and resources associated with				
Main Issues / Reason for Variance	An overspend in benefit payments of £4.269m is anticipated, however this is funded by additional income, with a slight shortfall of £5k				
Mitigating Action	Due to the nature of the overspend little can be done to mitigate the overspend. However officers will continue to monitor the budget taking action where possible to minimise the overspend				
Anticipated Outcome	Slight adverse variance is anticipated at year end				

Change Support (Alison McBride)	480	424	(56)	-12%	↑
Service Description	This service area provides support and advice regarding change management.				
Main Issues / Reason for Variance	Staffing is currently showing a favourable variance of £0.059m due to vacancies which are being reviewed with a restructure planned for the last quarter of the year.				
Mitigating Action	None required at this time				
Anticipated Outcome	Favourable staffing variance anticipated at year end				

Information Services (Patricia Kerr)	3,092	3,162	70	2%	↓
Service Description	This service area provides general ICT support to the Council and also support transformational change and modernisation of working practices through technology.				
Main Issues / Reason for Variance	Staffing is currently showing an overspend due to full turnover savings not being met. Supplies and Services are currently showing an overspend due to changes needed to resolve printing issues during the move to Aurora building				
Mitigating Action	Due to the nature of the overspend little can be done to mitigate the overspend. However officers will continue to monitor the budget taking action where possible to minimise the overspend				
Anticipated Outcome	Overspend in staffing anticipated by year end				

WEST DUNBARTONSHIRE COUNCIL
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 ANALYSIS FOR VARIANCES OVER £50,000

APPENDIX 4

MONTH END DATE

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Budget Details	Variance Analysis				
	Total Budget	Forecast Spend	Forecast Variance	RAG Status	
	£000	£000	£000	%	
Corporate & Community Planning (Peter Barry)	908	845	(63)	-7%	↑
Service Description	Corporate and Community Planning supports the development and promotes the strategic approach to planning and performance both with West Dunbartonshire Council and across the Community Planning Partnership.				
Main Issues / Reason for Variance	Vacancy savings ahead of restructure has resulted in a favourable position				
Mitigating Action	Due to the favourable variance, none is required at this time				
Anticipated Outcome	A favourable variance is anticipated				
Advice Service (Peter Barry)	1,350	1,229	(121)	-9%	↑
Service Description	This service area comprises welfare rights, Macmillan Team, money advice, and information workers. The main focus is on advice and advocacy in relation to social security benefits and debt issues. It sits within the wider Working4U service.				
Main Issues / Reason for Variance	Staffing is currently showing an underspend due to effective budget management in relation to current vacancies with a view to mitigating the future impact of the W4U restructure on staff.				
Mitigating Action	Due to the favourable variance, none is required at this time				
Anticipated Outcome	Favourable staffing variance anticipated at year end				
Community Learning & Development (Peter Barry)	1,133	1,015	(118)	-10%	↑
Service Description	This service area comprises Adult Learning, Community Literacies, Youth Services and Community Development. The main focus is on improved life chances for people of all ages, including young people, in particular through learning, personal development and active citizenship, along with stronger, more resilient, supportive, influential and inclusive communities. It sits within the wider Working4U service.				
Main Issues / Reason for Variance	Staffing is currently showing an underspend due to effective budget management in relation to current vacancies with a view to mitigating the future impact of the W4U restructure on staff.				
Mitigating Action	Due to the favourable variance, none is required at this time				
Anticipated Outcome	Favourable staffing variance partially offset by adverse income variance anticipated at year end				

REF	DETAIL	DEPT	AMOUNT (£)	PROJECTION OF TOTAL SAVED DURING 2015/16 (£)	PROJECTION OF TOTAL NOT SAVED DURING 2015/16 (£)	COMMENTS
MA 1	Implement new model for secretarial support	CS	70,000	70,000	-	Anticipate savings will be achieved by end of year
MA 5	Review of Community Engagement budgets in Corporate & Community Planning	CS	47,392	47,392	-	Anticipate savings will be achieved by end of year
MA 7	Cashless Organisations - partial or fully embedding cashless by default	CS	13,865	8,365	5,500	Anticipate savings will not be fully achieved due to project delay arising from national online schools payment project and redesign of Bridge St OSS to allow the installation of cash payment machines
MA 8	Consider current advertising policy - consider selling of space & any alternatives to the Council's adverts (including vacancy adverts outwith myjobscotland)	CS	42,000	42,000	-	Anticipate savings will be achieved by end of year
MA 9	Rationalise training spend	CS	43,760	43,760	-	Anticipate savings will be achieved by end of year
MA 11	New workforce models within Corporate Services through removal of vacant posts, more efficient working practices	CS	401,299	401,299	-	Anticipate savings will be achieved by end of year
MA 12	Working 4 U - maximise funding from European Programme	CS	73,833	73,833	-	Anticipate savings will be achieved by end of year
MA 13	10% reduction in postage as a result of installation of risk verification software	CS	5,000	5,000	-	Anticipate savings will be achieved by end of year
MA 14	Reduction in legal publication budget	CS	1,500	1,500	-	Anticipate savings will be achieved by end of year
MA 15	Council Tax magazine to be replaced by a short leaflet with 'how Council tax is spent' info and pointing people to the website for all other things.	CS	5,000	5,000	-	Anticipate savings will be achieved by end of year
MA 16	Remove budget for one issue of Talk per year.	CS	950	950	-	Anticipate savings will be achieved by end of year
MA 17	Remove provision for Transport, Services and Supplies and Subsistence.	CS	622	622	-	Anticipate savings will be achieved by end of year
MA 18	Organisation and Development: reduction in training/equipment	CS	4,700	4,700	-	Anticipate savings will be achieved by end of year
MA 19	Organisation Development: reduction in catering	CS	2,000	2,000	-	Anticipate savings will be achieved by end of year
MA 20	Reduction in printing costs	CS	15,000	15,000	-	Anticipate savings will be achieved by end of year
SO 30	sales fees charges review - other	CS	10,000	-	10,000	Anticipate savings will be not achieved due to changes relating to card payments

REF	DETAIL	DEPT	AMOUNT (£)	PROJECTION OF TOTAL SAVED DURING 2015/16 (£)	PROJECTION OF TOTAL NOT SAVED DURING 2015/16 (£)	COMMENTS
MA 2	Service Rationalisation: Corporate & Community Planning; Advice Services; CLD; Performance and Policy; Anti-Social Behaviour; and potentially others	CS/HEED	308,000	308,000	-	Anticipate savings will be achieved
MA 2016/16 (October 2015)	Bottled Water	CS	541	541	-	Anticipate savings will be achieved
			1,045,462	1,029,962	15,500	

WEST DUNBARTONSHIRE COUNCIL
GENERAL SERVICES CAPITAL PROGRAMME
OVERALL PROGRAMME SUMMARY

APPENDIX 6

MONTH END DATE 31 December 2015

PERIOD 9

Project Status Analysis	Project Life Status Analysis				Current Year Project Status Analysis					
	Number of Projects at RAG Status	% Projects at RAG Status	Spend to Date £000	% Project Spend at RAG Status	Number of Projects at RAG Status	% Projects at RAG Status	Spend to Date £000	% Project Spend at RAG Status		
Red Projects are forecast to be overspent and/or experience material delay to completion	3	25%	6,190	93%	3	25%	842	78%		
Amber Projects are either at risk of being overspent and/or delay in completion (although this is unquantifiable at present) or the project has any issues that require to be reported at this time	0	0%	0	0%	0	0%	0	0%		
Green Projects are on target both in relation to overall budget and the forecast stages in the project life cycle and no issues are anticipated at this time	9	75%	464	7%	9	75%	232	22%		
TOTAL EXPENDITURE	12	100%	6,655	100%	12	100%	1,075	100%		
	Project Life Financials				Current Year Financials					
	Budget £000	Spend to Date £000	Forecast Spend £000	Forecast Variance £000	Budget £000	Spend to Date £000	Forecast Spend £000	Forecast Variance £000	Re-Phasing £000	Over/ (Under) £000
Red Projects are forecast to be overspent and/or significant delay to completion	7,122	6,190	7,142	20	1,774	842	1,035	(739)	(739)	0
Amber Projects are either at risk of being overspent and/or delay in completion (although this is unquantifiable at present) or the project has any issues that require to be reported at this time	0	0	0	0	0	0	0	0	0	0
Green Projects are on target both in relation to overall budget and the forecast stages in the project life cycle and no issues are anticipated at this time	912	464	898	(14)	320	232	306	(14)	0	(14)
TOTAL EXPENDITURE	8,034	6,655	8,040	6	2,094	1,075	1,341	(753)	(739)	(14)

MONTH END DATE

31 December 2015

PERIOD

9

Budget Details	Project Life Financials					
	Budget	Spend to Date		Forecast Spend	Forecast Variance	
	£000	£000	%	£000	£000	%

1	Workforce Management System (Arun Menon)							
	Project Life Financials	1,099	1,078	98%	1,099	0	0%	
	Current Year Financials	38	17	45%	20	(18)	-47%	
	Project Description	Rollout of self service module of existing Workforce Management System						
	Project Lifecycle	Planned End Date	31-Mar-16	Forecast End Date	31-Mar-17			
	Main Issues / Reason for Variance							
	There was a national delay in issuing the new version of WMS by our supplier (Frontier). We are currently testing version 8 which is to include a number of system improvements and upgrades. The implementation of version 8 has been delayed till July 2016 due to delays in system changes/ developments from Frontier and factoring in testing, year-end process and Auto Re-enrolment completion. We still plan to explore other areas where Frontier resources could be used to expedite development as well as new modules for improving the process.							
	Mitigating Action							
	Regular discussions with system supplier to resolve issues and ensure smooth implementation. These issues are also being raised nationally by officers and through Frontier user groups. We have adjusted internal resourcing to better support WMS and our ability to implement further changes and system enhancements. Until implementation of the latest module is complete, it is challenging to forecast exact timelines.							
	Anticipated Outcome							
	This upgrade will improve general system functionality, enable greater self service, reduce manual interventions especially around pay calculations							

MONTH END DATE

31 December 2015

PERIOD

9

Budget Details	Project Life Financials					
	Budget	Spend to Date		Forecast Spend	Forecast Variance	
	£000	£000	%	£000	£000	%

2	Working 4U Client Tracking System (Peter Barry)						
Project Life Financials	20	8	41%	40	20	100%	
Current Year Financials	20	8	41%	15	(5)	-25%	
Project Description	Upgrade to current Management Information System to facilitate streamlining of information recording and sharing across the 3 aligned services and reduced customer disengagement.						
Project Lifecycle	Planned End Date	31-Mar-16	Forecast End Date	31-Mar-17			
Main Issues / Reason for Variance							
<p>Westlink3 is currently being piloted by the Employability Programme to ensure that it meets all the new reporting requirements outlined by the European Social Fund and will be tested to identify suitability for this to run as a Single Information Management System. The intention to use the system both as a Case Management and Performance Management tool, however this will require to be tested and a full cost benefit analysis will identify the most economically viable option for West Dunbartonshire Council. Testing will occur in January and full costing and project outline will be available for the February Working4U Project Board on Friday 4th February 2016. The upgrade is likely to be more expensive than originally estimated due to the above and is now anticipated to cost £40k, however the budget will not be fully spent this financial year and the Performance Group (which includes support from ICT) has advised the project lifecycle requires to be extended to March 2017 due to delays in development and specifications.</p>							
Mitigating Action							
<p>The Working4U Performance Management Group are meeting regularly and taking advice from ICT to monitor and progress the project and deal with key challenges. The new Working4U Project Manager has implemented a mechanism to ensure that a full analysis of all needs are established and a cost effective, fit for purpose system is designed; with a full cost benefit analysis before proceeding with any further expenditure and is receiving comprehensive advice from the ICT Business Partner.</p>							
Anticipated Outcome							
<p>An overspend of £20k is anticipated overall.</p>							

MONTH END DATE

31 December 2015

PERIOD

9

Budget Details	Project Life Financials					
	Budget	Spend to Date		Forecast Spend	Forecast Variance	
	£000	£000	%	£000	£000	%

3	ICT Modernisation / Infrastructure (Patricia Kerr)					
Project Life Financials	6,003	5,104	85%	6,003	0	0%
Current Year Financials	1,716	817	48%	1,000	(716)	-42%
Project Description	This budget is to facilitate ICT infrastructure and modernise working practices					
Project Lifecycle	Planned End Date		31-Mar-16	Forecast End Date		31-Mar-17
Main Issues / Reason for Variance						
<p>The main issue continues to be the supplier delays and an escalation meeting with the supplier took place on 15th January. Capita confirmed that to date they have seen no improvement from BT Openreach since their complaint to the Regulator but they continue to escalate issues at the highest levels within BT Openreach and have been involved in changes that should deliver improved timescales in next few months. Capita provided assurances that they would continue to provide support to WDC to minimise disruptions to other WDC projects. The ICT project team continue to develop work around solutions for various aspects of the project including VOIP telephony, wireless and network. Thin Client roll out is progressing including scoping thin client for a primary school environment and an assessment of resource requirements is underway to speed up the roll out timescales. A review of the capital budget allocation is in progress with a view to the budget being re-profiled.</p>						
Mitigating Action						
<p>Contractual and escalation discussions will continue with the supplier Capita. Preparatory works are on-going to ensure WDC resources are aligned as soon as work is completed by the supplier. The supplier Capita has been asked to identify alternate solutions to mitigate potential delays to other WDC projects for example the Kilpatrick School New Build project. Workaround solutions for VOIP telephony being implemented.</p>						
Anticipated Outcome						
<p>Aspects of the project that are not dependant on the WAN upgrades will continue. Planning work carried out to ensure WDC resources and tasks are ready for implementation as and when WAN migrations take place. Survey and investigative work started on contingency solution for some WAN locations. BT Openreach performance has been reported to the regulator.</p>						

TOTAL PROJECTS AT RED STATUS

<u>Project Life Financials</u>						
Corporate Services	7,122	6,190	87%	7,142	20	0%
<u>Current Year Financials</u>						
Corporate Services	1,774	842	47%	1,035	(739)	-42%

WEST DUNBARTONSHIRE COUNCIL**Report by Executive Director of Corporate Services****Committee Services Committee: 10 February 2016**

Subject: Grant Applications 2015/16**1. Purpose**

- 1.1** The purpose of this report is to provide Committee with information on grant applications with recommendations for payment to voluntary organisations from Trust Fund, Community Council and Dumbarton Common Good budgets.

2. Recommendations

- 2.1** The grants shown in Appendix A are recommended to be paid, following assessment of financial need and favourable impact to residents within the Council area. The Committee is asked to:

- i) agree the grants recommended to be awarded for Community Councils (totalling £1,814.35 which will be contained within the Community Council's annual budget allocation; and
- ii) agree the grant recommended to be awarded for Tulloch Trust from Dumbarton Common Good Fund (totalling £3,360) which will be contained within the Dumbarton Common Good Fund's annual budget allocation

3. Background

- 3.1** Community Chest grants are administered by the West Dunbartonshire Community Volunteer Service (WDCVS) and are reported to Committee at the year end.
- 3.2** The Council continues to administer grants for organisations identified as Strategic Partners, Community Councils, Dumbarton Common Good and Trust Funds and the Older People's Grant payments.

4. Main IssuesCommunity Council Applications

- 4.1** Two applications have been received for funding in respect of running costs of the Community Councils in 2015/16. Details are shown in Appendix A and Members should note that £1,814.35 is due to be paid.

Dumbarton Common Good Fund

- 4.2** One application has been received from Tulloch (who are too large an organisation to be funded by the Community Chest Fund) in relation to the Heads Up Project (totalling £3,360). Details of this application are shown in Appendix A and officers recommend a grant of £3,360 is paid.
- 4.3** The Heads Up Project supports 42 children in Dumbarton Academy who are referred to Tulloch by pastoral care for reasons which include low self-esteem, challenging behaviour, poor attendance or truancy. It specifically supports young people in S2 and S3 with the aim to change behaviour, overcome problems and issues to allow them to achieve positive outcomes in school and in their local community. This is achieved by educating young people about the issues that affect them and help them to make more informed decisions in the future with the aim of helping the young people identified to achieve nationally recognized qualifications, which begin in S4.
- 5. People Implications**
- 5.1** There are no personnel issues.
- 6. Financial and Procurement Implications**
- 6.1** The recommended grants to Community Councils per Appendix A will be met from within the budgets for these purposes.
- 7. Risk Analysis**
- 7.1** The Council must consider financial and reputational risks when considering grant applications. The financial risk is not only that the Council and Common Good Fund remain within budget, but also that the voluntary organisation is in a long term viable position. Organisations funded by the Council and the Common Good Fund must also comply with conditions of grant which cover issues such as discrimination, health and safety, insurance, etc.
- 8. Equalities Impact Assessment (EIA)**
- 8.1** No issues were identified in a screening of applications.
- 9. Consultation**
- 9.1** Consultation has taken place with Legal Services. Those organisations submitting grant application are consulted regarding recommendations of grant prior to the report being submitted to Committee.
- 10. Strategic Assessment**
- 10.1** The Council has identified five main strategic priorities, namely; improve economic growth and employability, improve life chances for children and

young people, improve care for and promote independence with older people, improve local housing and environmentally sustainable infrastructure, improve the wellbeing of communities and protect the welfare of vulnerable people.

- 10.2** The award of these grants has an indirect impact on social regeneration through work by the groups.

Angela Wilson
Executive Director of Corporate Services
Date: 11 January 2016

Person to Contact: Jennifer Ogilvie, Finance Business Partner
Telephone: (01389) 737453
E-mail: jennifer.ogilvie@west-dunbarton.gov.uk

Appendices: Appendix A: Detail of applications for assessment

Background Papers: Grant application forms

Wards Affected: Wards 3 & 5

**Community Council applications
for consideration on 10 February 2016
(2015/16)**

Organisation	Purpose of organisation	Grant requested	Purpose of grant	Comments
Dalmuir & Mountblow Community Council c/o Mr Craig Edward 11B Crescent Court Dalmuir Clydebank	To find out the views of the community, co-ordinate and express these views to the local public and public authorities. Act in the interest of their community.	£1,224	To fund the running costs of the Community Council in 2015/16	Amount as per agreed formula £3,482.94 Recommendation: £1,224
Number of members	How often does it meet	Other grants applied for/awarded	Bank Balance	Accounts balance
9	Monthly	£2,258 Awarded by WDC November 2015	New Community Council	New Community Council

Organisation	Purpose of organisation	Grant requested	Purpose of grant	Comments
Bowling & Milton Community Council c/o Mr McNeill 8 Scott Avenue Bowling	To find out the views of the community, co-ordinate and express these views to the local public and public authorities. Act in the interest of their community.	£990.35	To fund the running costs of the Community Council in 2015/16.	Amount as per agreed formula £967.23 Recommendation: £567.23
Number of members	How often does it meet	Other grants applied for/awarded	Bank Balance	Accounts balance
8	Monthly	£200 awarded by WDC (November 2015)	£1,357.51 as @ 20/10/15	£1,357.51 as @ 31/03/15

**Dumbarton Common Good Fund applications
for consideration on 10 February 2016
(2015/16)**

Organisation	Purpose of organisation	Grant requested	Purpose of grant	Comments
Tullochan The Polaroid Building Vale of Leven Industrial Estate	Youth Development charity operating throughout West Dunbartonshire providing early intervention and support to facilitate the empowerment of young people so that they may reach their full potential.	£3,360	A grant is being requested to assist with the Heads Up Project. The total cost of the project is £133,183 and funding will contribute towards project activities including an 8 week block course and residential totalling £9,294.	Recommendation: £3,360

Number of members	How often does it meet	Other grants applied for/awarded	Bank Balance	Accounts balance
6	Board of Trustees meet quarterly. Weekly Management and project meetings.	<p><u>Education Trust</u> Heads Up Project - awarded £17,000 June 15.</p> <p><u>Christina MH Trust</u> Heads Up Project - applied for £7,000 outcome due November 2015.</p> <p><u>AMW CT</u> General Grant but can be used for Heads Up Project. Applied for £3,000 result.</p> <p><u>Sylvia Aitken CT</u> General Grant but can be used for Heads Up Project. Applied for £1,000 result pending.</p> <p><u>Big Lottery Fund</u> Heads Up Project 2016/17. Cannot be used in 2015-16.</p>	£145,273.63 As at 18/09/15	£260,832 As at 31/08/14

WEST DUNBARTONSHIRE COUNCIL**Report by the Executive Director of Corporate Services****Corporate Services Committee: 10 February 2016**

**Subject: Write-Off of Miscellaneous Income Debtor Accounts
2015/2016 Quarter 3****1. Purpose**

- 1.1** The purpose of this report is to seek Committee approval for the write off of debts in respect of miscellaneous income debtor accounts, which have been deemed as irrecoverable during Quarter 3 2015/16, arising from various years and reasons as detailed in Appendix 1.

2. Recommendations

- 2.1** It is recommended that the Committee approve the write-off of miscellaneous income debtor accounts totalling £35,629.07.

3. Background

- 3.1** Miscellaneous income debtor accounts are issued to individuals and organisations for the use of Council services. The Council's annual billing amount for miscellaneous income debtors is £18.5m of which approximately 80% is collected in the year it is billed. In certain circumstances these debts may become uncollectable.
- 3.2** Financial Regulation D4 gives the Head of Finance & Resources authority to write-off individual debts up to £1,000. The Head of Finance & Resources is required to seek the approval of Members prior to writing off any debt in excess of £1,000.

4. Main Issues

- 4.1** Debts totalling £35,629.07 are submitted for write off. Appendix 1 outlines the dates and reasons for miscellaneous debt write off in more detail

5. People Implications

- 5.1** There are no people implications.

6. Financial & Procurement Implications

- 6.1** The value of miscellaneous income debtor accounts being written off, totalling £35,629.07 is provided for in the Council's bad debt provision. There are no procurement implications.

7. Risk Analysis

7.1 If write offs are not approved this will affect the monitoring of performance against targets for performance indicators and budget monitoring.

8. Equalities Impact Assessment (EIA)

8.1 No significant issues were identified in a screening for potential equality impact of this report.

9. Strategic Environmental Assessment (SEA)

9.1 There is no requirement to carry out a SEA.

9. Consultation

9.1 The views of Finance and Legal Services have been requested on this report and both have advised there are neither any issues nor concerns with the proposal.

10. Strategic Assessment

10.1 The write-off of uncollectible miscellaneous income debtors accounts forms part of the financial governance of the Council. Sound financial practice and budgetary control are imperative to assist with the governance of the Council and supports officers of the Council in achieving the five strategic priorities

.....
Angela Wilson
Executive Director of Corporate Services
Date: 12 January 2016

Person to Contact: Marion Smith, Section Head (Revenues & Benefits), Garshake Road. Telephone (01389) 737412.
Email: marion.smith@west-dunbarton.gov.uk

Appendices: Appendix 1: Summary of Write Off by Year and Reasons

Background Papers: Detailed list of proposed write offs

Wards Affected: All Council wards.

Appendix 1-Summary of Write Off by Category and Year

Year	Miscellaneous Income Debtors Deceased	Miscellaneous Income Debtors Prescribed	Total
2003/2004	£1,022.19		£1,022.19
2004/2005		£1,951.66	£1,951.66
2006/2007		£2,456.01	£2,456.01
2008/2009	£6,072.42	£1,101.19	£7,173.61
2009/2010	£1,016.96	£1,013.46	£2,030.42
2010/2011	£7,608.84	£5,844.19	£13,453.03
2011/2012	£5,805.47		£5,805.47
2012/2013	£1,736.68		£1,736.68
Totals	£23,262.56	£12,366.51	£35,629.07

Note

Prescribed:

Prescribed is the legal terminology under the Prescription & Limitations (Scotland) Act 1973. This means a debt cannot be enforced after 5 years from the date it became due. The period applies in the absence of a relevant claim e.g. a court decree, summary warrant, or acknowledgement of the debt via letter or payment. Where a relevant claim has been made, statute advises that all debts cannot be legally collected after 20 years of the last payment or acknowledgment of the debt and a debt becomes prescribed at that point.

The amounts in the table above relate to 8 cases, broken down as follows:

- 1 case payment error
- 6 cases HRA repairs
- 1 case homeless fuel charges

Deceased:

When someone dies that owes debt we contact the executor of the estate and check records to determine whether any estate exists against which a claim could be made.

WEST DUNBARTONSHIRE COUNCIL**Report by Executive Director of Corporate Services****Corporate Services Committee: 10 February 2016**

Subject: Write-off of National Non Domestic Rates**1. Purpose**

- 1.1** The purpose of this report is to recommend for approval the write-off of debts in respect of national Non-Domestic Rates (NNDR), which have been deemed as irrecoverable during the financial year 2015/16, arising from various years as detailed in the Summary of Write Offs by Year (Appendix 1) and for the reasons detailed in the Summary of Write Off Reasons (Appendix 2).

2. Recommendations

- 2.1** It is recommended that the Committee approve the write-off of NNDR accounts totalling £529,055.11

3. Background

- 3.1** The NNDR is a national rate of non-domestic properties and is determined each year by the Scottish Parliament. All local authorities collect the rate and the monies collected are pooled into a central fund. The Scottish Government allocates a grant to each authority from this fund. The Council's annual billing amount for NNDR is £32.5 million of which approximately 97% is collected to date.
- 3.2** The grant distribution formula used by the Scottish Government has regard to the amount of NNDR collectable by each local authority. The Council makes an annual return to the Scottish Government detailing the amounts collected for each year. Included in this return is a note of any amounts written off as uncollectable. As such, NNDR collected by a local authority represents a receipt of grant income. Specific debts deemed uncollectable are written off and the reduction in NNDR collected locally is compensated for in future grant settlements.
- 3.3** Financial Regulation D4 gives the Head of Finance & Resources authority to write-off individual debts up to £1,000. The Head of Finance & Resources is required to seek the approval of Members prior to writing off any debt in excess of £1,000.
- 3.4** A report is submitted annually to Committee seeking approval for write-off of irrecoverable debts. The write-offs are not specific to any one year but

instead are the debts which have been deemed irrecoverable during 2015/16. Appendix 1 outlines the distribution of the recommended write off over the years from which the debts were originally raised. Write off can be due to a number of reasons, for example, a company has ceased trading or a review of outstanding cases has now deemed that the debt is irrecoverable.

- 3.5** Where a company has ceased trading through liquidation or administration the Council formally submit a claim to the trustee up to and including the date of liquidation/administration. At this stage the Council would propose this amount for write off. The Council is classed as an unsecured creditor (i.e., secured creditors are organisations such as HMRC and Banks) and in these cases it is extremely unlikely that any recovery of the outstanding monies will be received. If such a recovery was received this would be credited to the rates account and the write off to this value reversed or reduced.

4. Main Issues

- 4.1** Debts totalling £529,055.11 are submitted for write off. Non-collection of debts and request for write off is predominately due to the companies being liquidated, dissolved or sequestration. Appendix 2 outlines the reasons for NNDR write off in more detail. Appendix 3 provides details of the individual debt. However personal details and corresponding addresses have been anonymised based on advice from Legal on account of Data Protection Act.
- 4.2** Although the debts are treated as written off, should any circumstances change whereby debts can be collected, the Council will pursue them.

5. People Implications

- 5.1** There are no people implications.

6. Financial and Procurement Implications

- 6.1** The NNDR debts written off totalling £529,055.11 will be notified to the Scottish Government NNDR pool for reimbursement.

7. Risk Analysis

- 7.1** The grant distribution formula adopted by the Scottish Government assumes the Council will collect NNDR liabilities. If sums deemed uncollectable are not notified to the Scottish Government, this will have an adverse effect on the Council's cash flow.

8. Equalities Impact Assessment (EIA)

- 8.1** No significant issues were identified in a screening for potential equality impact of this measure.

9. Consultation

9.1 Consultation has taken place with Finance and Legal Services and both have advised there are neither any issues or concerns with the proposal.

10. Strategic Assessment

10.1 The write off of uncollectable NNDR debts forms part of the financial governance of the Council. Sound financial practice and budgetary control are imperative to assist with the governance of the Council and support officers of the Council in achieving the five strategic priorities.

Angela Wilson
Executive Director of Corporate Services

Date: 10 February 2016

Person to Contact: Stella Kinloch, Section Head – Transactional Services,
Business Support, Garshake Road, Dumbarton.
Tel: 01389 737724
Email: stella.kinloch@west-dunbarton.gov.uk

Appendices: Appendix 1: Summary of Write-off by Year
Appendix 2: Summary of Write-off by Reason
Appendix 3: Details of Cases

Background Papers: Equalities Impact Screening.

Wards Affected: All Council Wards.

WEST DUNBARTONSHIRE COUNCIL

Report by Executive Director of Corporate Services

Corporate Services Committee: 10th February 2016

Subject: Write-off of National Non Domestic Rates

Appendix 1 – Summary of Write Off by Year

Year	Total
1990/1991	£4,290.00
1997/1998	£1,012.15
1998/1999	£2,250.60
2005/2006	£1,136.51
2006/2007	£1,134.23
2009/2010	£1,505.39
2011/2012	£7,736.44
2012/2013	£45,990.11
2013/2014	£224,727.75
2014/2015	£206,929.13
2015/2016	£32,342.80
Totals	£529,055.11

WEST DUNBARTONSHIRE COUNCIL

Report by Executive Director of Corporate Services

Corporate Services Committee: 10th February 2016

Subject: Write-off of National Non Domestic Rates

Appendix 2: Summary of Write Off by Reason

REASON	TOTAL
Administration	£35,235.13
Ceased Trading	£370.70
Deceased	£1,136.51
Dissolved	£334,468.85
Gone Away	£1,134.23
Liquidation	£50,488.81
No Funds – Legal	£16,668.64
Sequestration	£15,522.98
Sheriff Officers – Dissolved	£28,044.06
Sheriff Officers – Gone Away	£4,290.00
Sheriff Officers – Irrecoverable	£3,262.75
Sheriff Officers – Proposal to Strike Off	£38,803.15

WEST DUNBARTONSHIRE COUNCIL

Report by Executive Director of Corporate Services

Corporate Services Committee: 10th February 2016

Subject: Write-off of National Non Domestic Rates

Appendix 3: Details of Cases (personal information anonymised for Data Protection)

1990/1991 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Clydebank	£4,290.00	Sheriff Officers - Gone Away
		Total	£4,290.00	

1997/1998 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Clydebank	£1,012.15	Sheriff Officers - Irrecoverable
		Total	£1,012.15	

1998/1999 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Clydebank	£2,250.60	Sheriff Officers - Irrecoverable
		Total	£2,250.60	

2005/2006 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
Details Removed due to Data Protection Act	Removed due to Data Protection Act	Alexandria	£1,136.51	Deceased
		Total	£1,136.51	

2006/2007 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
37096583040738	Keltic Connections Ltd	Unit 8, 80 Ben Lomond Way, Balloch, Alexandria	£1,134.23	Gone Away - Liability Ended
		Total	£1,134.23	

2009/2010 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Clydebank	£1,505.39	Sequestration
		Total	£1,505.39	

2011/2012 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
37018647031236	Sutherland School Of Dance Limited	Scalliwags, 173 Main Street, Alexandria	£2,051.78	Dissolved
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Dumbarton	£5,684.66	No Funds - Per Legal Services
		Total	£7,736.44	

2012/2013 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
37020323121337	Horizon (Scotland) Ltd	Kind Man, 165 Main Street, Renton, Dumbarton	£2,690.08	Dissolved
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Dumbarton	£9,157.50	No Funds - Per Legal Services
37035193121337	Riggwood Limited	3 Sylvania Way, Clydebank	£20,611.64	Dissolved
37035886091331	Fifebay Limited	48 Sylvania Way, Clydebank	£11,000.09	Sheriff Officers - Proposal to

Reference Number	Name	Address	Balance for Write-Off	Reason
				Strike Off
37109448011334	Iplay Centres Ltd	Unit 3, 3 Kilbowie Retail Park, Clydebank	£2,530.80	Liquidation
		Total	£45,990.11	

2013/2014 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
37002082141430	Atrim Limited	Burgh Bar, 117 High Street, Dumbarton	£3,662.31	Dissolved
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Alexandria	£3,372.62	Sequestration
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Dumbarton	£1,826.48	No Funds - Per Legal Services
37035193121434	Riggwood Limited	3 Sylvania Way, Clydebank	£28,236.45	Dissolved
37035258171433	Homez Ltd	29 Sylvania Way, Clydebank	£38,729.04	Dissolved
37035320061434	Ketling Limited	51 Sylvania Way, Clydebank	£4,726.78	Liquidation
37035347071436	Paper Box (UK) Ltd	55 Sylvania Way, Clydebank	£23,161.36	Dissolved
37035452131432	Desire Fashion Accessories Ltd	89 Sylvania Way, Clydebank	£24,434.44	Dissolved
37035886091437	Fifebay Ltd	48 Sylvania Way, Clydebank	£25,645.95	Sheriff Officers - Proposal to Strike Off
37036378101433	Arnold S Enterprises Ltd	3 Britannia Way, Clydebank	£36,139.25	Dissolved
37102834011438	Sox & Slides Ltd	2 Colquhoun Road, Milton, Dumbarton	£14,356.65	Dissolved
37107569021432	The Laughing Fox Ltd	119 Bridge Street, Alexandria	£3,415.08	Dissolved
37109448011431	Iplay	Unit 3, 3 Kilbowie	£15,679.27	Liquidation

Reference Number	Name	Address	Balance for Write-Off	Reason
	Centres Ltd	Retail Park, Clydebank		
37112775011433	West Tanks (Services) Ltd	140 Castlegreen Street, Dumbarton	£1,342.07	Dissolved
		Total	£224,727.75	

2014/2015 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
37001930111534	Adlake Services Ltd	65 High Street, Dumbarton	£6,376.54	Dissolved
37002082141536	Atrim Ltd	Burgh Bar, 117 High Street, Dumbarton	£1,760.12	Dissolved
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Alexandria	£5,191.85	Sequestration
37029452061536	Clydebank Bars Ltd	Mountblow Bar, 832 Dumbarton Road, Clydebank	£11,284.65	Sheriff Officers - Dissolved
37035193121531	Riggwood Ltd	3 Sylvania Way, Clydebank	£12,112.53	Dissolved
37035258171530	Homez Ltd	29 Sylvania Way, Clydebank	£15,023.55	Dissolved
37035347071533	Paper Box (UK) Ltd	55 Sylvania Way, Clydebank	£6,998.64	Dissolved
37035444041533	Bank Fashion Ltd	83 Sylvania Way, Clydebank	£3,623.59	Administration
37035452131538	Desire Fashion Accessories Ltd	89 Sylvania Way, Clydebank	£16,032.77	Dissolved
37035762081538	Dalmarnock 2009 Ltd	72 Sylvania Way, Clydebank	£16,759.41	Sheriff Officers - Dissolved
37035851061536	4Trade Marketing Solution Ltd	52 Sylvania Way, Clydebank	£21,786.35	Dissolved
37035886091534	Fifebay Ltd	48 Sylvania Way, Clydebank	£2,157.11	Sheriff Officers - Proposal to Strike Off
37036378101530	Arnold S Enterprises	3 Britannia Way, Clydebank	£31,573.77	Dissolved

Reference Number	Name	Address	Balance for Write-Off	Reason
	Ltd			
37098543021535	LMB Realisations Ltd	Unit 20, 10A College Way, Dumbarton	£8,972.73	Dissolved
37102230081537	West Coast 22 Ltd	40 Sylvania Way, Clydebank	£31,611.54	Administration
37102230111530	Gear Up Manchester Ltd	40 Sylvania Way, Clydebank	£6,631.79	Liquidation
37102834011535	Sox & Slides Ltd	2 Colquhoun Road, Milton, Dumbarton	£7,338.21	Dissolved
37112775011530	West Tanks (Services) Ltd	140 Castlegreen Street, Dumbarton	£1,693.98	Dissolved
Total			£206,929.13	

2015/2016 Specific Write-Off List as at 31/03/2016

Reference Number	Name	Address	Balance for Write-Off	Reason
3700193011631	Adlake Services Ltd	65 High Street, Dumbarton	£5,969.51	Dissolved
Details Removed due to Data Protection Act	Details Removed due to Data Protection Act	Alexandria	£5,453.12	Sequestration
37102230111636	Gear Up Manchester Ltd	40 Sylvania Way, Clydebank	£20,920.17	Liquidation
Total			£32,342.80	

WEST DUNBARTONSHIRE COUNCIL**Report by Head of Legal, Democratic and Regulatory Services.****Corporate Services Committee: 10 February 2016**

Subject: Scottish Regulators' Strategic Code of Practice**1. Purpose**

- 1.1 To inform members of the progress being made by all West Dunbartonshire Council regulators to adopt the principles of better regulation and contributing to sustainable economic growth as set out in the Scottish Regulators' Strategic Code of Practice.
- 1.2 To ask the committee to approve the updated enforcement policy which is applicable to environmental health, licensing, waste services, trading standards, antisocial behaviour, estates and building standards

2. Recommendations**2.1** It is recommended that Members

- Approve the attached enforcement policy,
- Agree that all Council regulators with the exception of planning functions should adopt the high level approaches outlined in the Scottish Regulators' Strategic Code of Practice by August 2016,
- Note the progress being made by services and the work planned for 2016 to adopt the principles of better regulation and sustainable economic growth and
- Agree that this report will form the basis of the West Dunbartonshire Council Annual Compliance Statement 2015/16 as required by the Code.

3. Background

- 3.1 Section 5 of the Regulatory Reform (Scotland) Act 2014 has been used by Scottish Ministers to introduce the Scottish Regulators' Strategic Code of Practice. This Code places a duty on regulators to exercise their powers in accordance with the principles of better regulation (regulation should be transparent, accountable, consistent, proportionate and targeted only where needed) and to contribute to sustainable economic growth.
- 3.2 The Code applies to various devolved regulators and regulatory functions as well as the regulatory functions undertaken by local authorities. However the planning function is specifically excluded.

3.3 Regulators must take into account the Code's provisions and give them due weight when developing their policies or principles or in setting standards or giving guidance.

3.4 The Code recognises that many regulators work with both devolved and reserved regulations and in partnership with UK Regulators e.g. Health and Safety Executive. The Code is intended to work alongside the UK Regulators' Code without additional burdens being placed on either regulators or business.

4. Main Issues

4.1 The Code suggests that all Regulators should adopt the following high level operational approaches

- Adopt a positive enabling approach in pursuing outcomes that contribute to sustainable economic growth
- When fulfilling the core regulatory remit be alive to other interests, including relevant community and business interests; taking business factors appropriately and proportionately into account in their decision making processes; and protecting public health and safety
- Adopt risk and evidence based protocols which help target action where it is needed and helps to ensure the achievement of measurable outcomes.
- Develop effective relationships with those they regulate and have clear two-way communication in place
- Tailor their approach depending on the nature of the sector they are regulating and the desired outcomes. This includes a commitment to advising and supporting those who seek to comply, allied with robust and effective enforcement when justified
- Recognise, in their policies and practice, a commitment to the five principles of better regulation described in paragraph 3.1.
- Pursue continuous improvement in regulatory practice based on the principles of better regulation.

4.2 It is expected that regulators will have mechanisms in place for gaining stakeholder feedback on both service delivery and on alignment with the Code

4.3 The Scottish Government is committed to making sure the Strategic Code is fully implemented. It intends to review the effectiveness and progress with embedding the Code and will commission a study 18 months after coming into effect i.e. August 2016. The Review Group will be drawn from regulators, business and other bodies that helped to develop it.

West Dunbartonshire Council Action to Date

- 4.4** In August 2015 the Code was circulated to all regulators within the Council and each manager was asked to:
- Review existing operational policies e.g. enforcement policy, service charter etc. to ensure alignment with the Code
 - Take account of the Code in developing any new operational policies and build the Code into relevant staff training/awareness-raising
 - Ensure that the Code and core operational policies are available to regulated persons so they know what to expect
 - Pursue continuous improvement under the Code and share and seek to understand good practice with other regulators
 - Use existing Governance arrangements to publish an annual statement of compliance with the Code.
- 4.5** Council Services which have been identified as having a regulatory role include Regulatory Services (environmental health and trading standards), licensing, waste services, greenspace, antisocial behaviour, roads and building standards. All have been asked to consider the Code and try to establish whether their existing policies and procedures are generally in line with the Code's principles.

Regulatory Services and Licensing

- 4.6.** The Regulatory Services Enforcement Policy approved at the Corporate and Efficient Governance Committee on 27 January 2010 has been updated to reflect the Code and the amended policy is attached as an appendix to this report for members' consideration and approval. This policy has been passed to all other Council managers with a regulatory role to establish whether or not the document suited their purposes and could become a West Dunbartonshire Council Enforcement Policy guiding all regulatory activity. There is a general consensus that the amended policy is suitable
- 4.7** Regulatory Services and Licensing have a long established business and customer satisfaction process in place which includes the opportunity for feedback. For the last 2 years local businesses satisfied or very satisfied with the service from Regulatory Services has been 100%. The survey methodology is under review and it is intended to move to electronic feedback as soon as is feasible.
- 4.8** The existing Regulatory Services Enforcement Policy and the Code are available to stakeholders via the Council's website under trading standards environmental health and licensing pages.
- 4.9** Operational plans within Regulatory Services are developed and updated every year taking full cognisance of the Code. Officers attend liaison groups and team meetings where good practice and new ideas are explored and developed consistently.

- 4.10** The Environmental Health teams are members of the Association of Public Sector Excellence (APSE) Performance Benchmarking Group and were finalists in the Best Performing Environmental Health Service 2015

Roads

- 4.11** There are three regulatory areas within Road Services in its capacity as a Roads Authority and Flood Authority, namely Roads (Scotland) Act 1984, New Roads and Street Works Act 1991 and Flood Risk Management Act 2009. Roads and Transportation confirmed the intention to

- Ensure that operational plans are reviewed in March 2016 and annually to ensure compliance with the Code.
- Inform and train staff in respect of changes to policy or actions
- Inform communities and businesses through updates to web pages as necessary.
- Pursue continuous improvement through existing collaborative workshops and forums amongst 33 Roads authorities and the 14 local flood districts.
- Performance reports and feedback will be reported annually within Covalent and will contain an annual statement on compliance with the Code.

Greenspace

- 4.12** Greenspace deal with Environmental Protection Act 1990 (Sections 33 and 87 Fly-tipping and Litter) and the Dog Fouling (Scotland) Act 2003. It is the intention to consider the Code when developing new policies and seek to continuously improve consistency through forums such as Keep Scotland Beautiful and the Association of Public Service Excellence (APSE).

Waste Services

- 4.13** Waste Services reported regulatory activities covering presentation of waste, separation of dry recyclate, food waste and abandoned vehicles covered by the Waste (Scotland) Regulations 2012, Refuse Disposal (Amenity) Act 1978 and parts of the Environmental Protection Act 1990. Similar to Roads operational plans and policies will be reviewed annually to ensure compliance with the Code and staff will be trained as necessary. The first opportunity will be during March 2016. Covalent will be utilised for feedback and performance reporting including an annual statement on compliance with the Code. Best practice and collaborative working is pursued through regular communication and meetings such as Waste Managers Network, Zero Waste Scotland, Keep Scotland Beautiful, APSE and Scottish Environment Protection Agency (SEPA).

Building Standards

- 4.14** Performance and service quality in Building Standards is assessed by a Balanced Scorecard approach combined with national Key Performance Outcomes (KPO's) and local Performance Indicators. KPOs are submitted quarterly to the Scottish Government.
- 4.15** An annual Operational Plan is produced which provides a review of the previous year commitments and actions and identifies and addresses the issues likely to affect the service in the forthcoming year. The Scottish Government carry out a national customer survey for each of the 32 local authorities and the service, together with Planning carry out their own local customer survey at time of completion certification of the building work. The terms of the Code can be fed into the Balanced Scorecard and the Operational Plan for 2016/17
- 4.16** It should be noted that Planning Services are specifically excluded from the Strategic Code of Practice. Planning Services have an Enforcement Charter which is reviewed every 2 years. It explains the current enforcement powers available to the Council and how enforcement complaints will be dealt with. Service quality and performance are assessed through the Planning Performance Framework which is submitted to the Scottish Government on an annual basis

Antisocial Behaviour

- 4.17** The regulatory functions applicable to the delivery of anti-social behavior services in its regulatory capacity are the Housing (Scotland) Act 2001 and Part 5 of the Anti-Social Behaviour Etc. (Scotland) Act 2004. During March 2016 operational plans and policies will be reviewed to ensure compliance with the Code and staff will be trained as necessary. This will be repeated each year. Covalent and the web pages will be utilised for feedback and performance reporting. Best practice and collaborative working is pursued through regular communication and meetings with colleagues in the national Anti-social Behaviour Officers Forum (ASBOF).

5. People Implications

- 5.1** No personnel issues.

6. Financial and Procurement Implications

- 6.1** No financial or procurement implications associated with this report.

7. Risk Analysis

- 7.1** There is no risk at this stage but all parts of the council will need to consider their policies and plans, staff training, gathering feedback etc. to ensure they are consistent with the Code and maintain the Councils reputation.

8. Equalities Impact Assessment (EIA)

- 8.1** A screening has been undertaken which indicates there are no equalities issues associated with this report or the amended enforcement policy which is presented for approval.

9. Consultation

- 9.1** All services with a regulatory role have been consulted in respect of the Code and the enforcement policy. Those services where the regulatory aspects are peripheral to the main purpose have indicated that when developing new policies and plans they will take cognisance of the Code and take appropriate action to comply. The Section Head Customer Services has confirmed that in his opinion the enforcement policy is in line with the West Dunbartonshire Customer Charter.

10. Strategic Assessment

- 10.1** The Scottish Government wants all regulators to help achieve sustainable economic growth during regulatory activity. By complying with the Scottish Regulators' Strategic Code of Practice all 5 Council strategic priorities will be supported:

- Improve economic growth and employability.
- Improve life chances for children and young people.
- Improve care for and promote independence with older people.
- Improve local housing and environmentally sustainable infrastructure.
- Improve the well-being of communities and protect the welfare of vulnerable people.

Peter Hessett

Head of Legal, Democratic and Regulatory Services

Date: 13 January 2016

Person to Contact:	Graham Pollock, Manager of Regulatory Services, Aurora House, Clydebank G81 1BF 0141 951 7972 graham.pollock@west-dunbarton.gov.uk
Appendices:	West Dunbartonshire Council Enforcement Policy 2016
Background Papers:	Scottish Regulators' Strategic Code of Practice Regulatory Services Enforcement Policy 2010
Wards Affected:	All wards

Enforcement Policy

Introduction

In numerous areas of work West Dunbartonshire Council is responsible for ensuring that those persons who must comply with the laws that we enforce do so. This includes compliance with any conditions attached to a licence granted by us. This policy is specifically applicable to Regulatory Services (Environmental Health and Trading Standards), Licensing, Building Standards, Antisocial Behaviour & Estates Service and Waste Services functions.

This document sets out our enforcement policy and explains what regulated persons can expect from us. We have based our approach to enforcement on the Legislative and Regulatory Reform Act 2006¹ and the Regulatory Reform (Scotland) Act 2014².

This document also satisfies our legal obligation to have enforcement policies which apply to food safety and health & safety laws.

In this policy:

- *regulated person* means anyone who must comply with the laws we enforce. Regulated persons will mainly be businesses and their employees but may also include non-business organisations, private individuals and West Dunbartonshire Council.

We will not give the Council more favourable treatment compared to other regulated persons.
- *enforcement* includes all action taken by us following discovery of a breach of the law with the ultimate aim of ensuring that someone complies with the law. Therefore, for the purposes of this policy, the provision of compliance advice is regarded as a form of enforcement, albeit informal.
- *formal enforcement action* means all enforcement action except for the provision of compliance advice, or the issue of warnings. Formal enforcement action includes the issue of statutory notices, fixed penalties, applications to a civil court for an enforcement order, reports to the Procurator Fiscal recommending criminal proceedings, reports to the licensing committee or licensing board recommending that a licence is suspended, or slowing down or stopping an operation by the use of Remedial Action Notices. Formal enforcement action also includes the use of non-routine investigatory powers, including the power to seize and detain goods and documents, the power to apply to a sheriff for a warrant to enter premises by force, or the power to prohibit access to unsafe premises or equipment pending an investigation.

¹The Act applies to regulatory functions that are reserved to the UK Government, including consumer protection, health & safety and gambling licensing. Section 21 of the Act sets out five general principles. Section 22 implements a Regulators' Compliance Code to which all regulators must have regard.

²The Act applies to regulatory functions that are devolved to the Scottish Government, including food safety and alcohol and taxi licensing. Section 4 requires regulators to contribute to achieving sustainable economic growth. Section 5 implements a Scottish Regulators' Strategic Code of Practice to which all regulators must have regard.

Our aims

We aim to:

- ensure that regulated persons take action immediately to deal with serious risks,
- promote and achieve sustained compliance by regulated persons,
- treat all regulated persons fairly,
- be helpful to regulated persons who wish to comply,
- support those who comply by targeting those who don't, in particular by taking firm action against those who flout the law or act irresponsibly,
- contribute to achieving sustainable economic growth by ensuring that we carry out our functions in a way that imposes the smallest burden on regulated persons that is compatible with our regulatory functions, and
- communicate this policy effectively to those people who are affected by it.

We will strive to achieve our aims by carrying out our work in the following ways:

1 Helpfulness

- 1.1 We firmly believe that prevention is better than cure and therefore we place a strong emphasis on the provision of advice to regulated persons. We will actively encourage them to seek advice from us at an early stage, especially new businesses or those expanding into a new area of activity.
- 1.2 Where possible, we will work with regulated persons to encourage compliance in a helpful manner in preference to taking formal enforcement action. However, where they abuse this goodwill we may need to adopt a more formal approach. We will be less likely to take formal enforcement action against anyone who seeks and acts on advice from us.
- 1.3 We will give information and advice in clear, concise and accessible language. We will provide general information and advice to regulated persons in a range of appropriate formats and media.
- 1.4 Before we take any enforcement action we will provide an opportunity to discuss the matter and if possible resolve points of difference. However this will not apply when immediate action is required (for example, to prevent or respond to a serious breach, or where there is an imminent risk to health & safety, or where an opportunity for discussion is likely to defeat the purpose of the proposed enforcement action, or to prevent evidence being destroyed).
- 1.5 When we find non-compliance, we will clearly explain what the non-compliance is, the advice being given or the actions required, and the reasons for these. We will confirm specific advice in writing on request.
- 1.6 Where we have discretion we will ensure that our forms are simple, normally no more than two pages. We aim to minimise the amount and frequency of data collection.
- 1.7 We will try to be considerate in the timing of our visits but we would ask regulated persons to understand that it would be neither practical nor effective to give advance notice of our visits except in limited circumstances.

Trading Standards will provide two days written notice of routine inspection in line with the Consumer Rights Act 2015. For non-routine inspections no prior notice is normally given.

- 1.8 We will set high standards of customer care and we will tell you how we are performing against them. Our aim will always be to coordinate and deliver services as efficiently and effectively as possible. Whenever you contact us we want to make sure you receive an excellent service. We will comply with the Council's Customer Charter.

2 Transparency and Accountability

- 2.1 Occasionally, in order to find out how a regulated person would deal with a member of the public, visits may need to be conducted covertly with the officers posing as private individuals. However with the exception of these covert visits our officers will always produce their written credentials (including their name and photographic identification) and will explain the purpose of their visit.
- 2.2 We will consult regulated persons generally about the way we go about our work and we will carry out regular satisfaction surveys of those which have been inspected and those which have been investigated in response to a complaint from the public. We will publish the results of any surveys and explain what we will do in response.
- 2.3 We will provide an independent, impartial and transparent right of appeal against any action we have taken where any regulated person:
- a. believes we have not complied with this enforcement policy,
 - b. believes we have not complied with the UK Regulators' Code or the Scottish Regulators' Strategic Code of Practice, or
 - c. objects to any regulatory decision we have taken.

Alternatively, instead of exercising a formal right of appeal, a regulated person may ask for a meeting with an officer or a manager to discuss and receive advice about decisions we have taken.

Where we are required to do so, the right of appeal will be clearly explained at the time the enforcement action is taken. In other cases, the right of appeal will be clearly explained on our website, and at any time when one of our employees is made aware of any dissatisfaction that would give rise to a right of appeal.

Any request to appeal an action should be addressed to the Manager of Regulatory Services at the address shown at the end of this policy. The Manager of Regulatory Services will ensure that the action is reviewed by someone who was not involved in the original decision-making process.

In some cases the right of appeal may involve an external body. For example, decisions by health & safety inspectors may be appealed to The Independent Regulatory Challenge Panel.

- 2.4 If any regulated person is dissatisfied with any aspect of our service that is not covered by the right of appeal in para 2.3 above, they can use the Council's complaints procedure.

Complaints should include an explanation of why the regulated person is dissatisfied. Our employees will try to resolve any complaint as soon as possible at the frontline. However, if the regulated person remains dissatisfied, or if the complaint is complex or requires it will be passed to a senior officer for investigation. If the complainer remains dissatisfied after the council has carried out that investigation, the complainer may ask the independent Scottish Public Services Ombudsman to look into it.

- 2.5 We will set service standards and we will measure our performance against them, and we will publish an annual performance report. We will aim to measure important outcomes (such as the percentage of businesses which are compliant), and not just numerical outputs (for example, the number of inspections carried out).
- 2.6 We will not charge fees for carrying out our core work such as providing advice or carrying out inspections. We may charge fees for carrying out specific activities, and the fees will be published on our website. These activities include processing applications for licences, providing export certificates, approval of animal feed businesses, and providing food hygiene training courses. We would also charge fees as part of any 'primary authority' agreement we enter into with a business. Where the Council has discretion to set its own fee, the fee will normally be based on recovering the costs of carrying out the activity.

3 Proportionality

- 3.1 Where we have discretion, when deciding what action to take we will act proportionately by balancing the risks to the public with the costs to the regulated person (in time and money) of implementing changes.
- 3.2 When deciding what action to take we will pay particular attention to our impact on smaller organisations. We will take reasonable steps to ensure that any action we take is proportionate to the size of the organisation unless that comes into conflict with the need for consistency (see below).
- 3.3 We will seek to impose the minimum burden compatible with ensuring compliance. Whilst we will encourage the adoption of good practice, we will always clearly distinguish between legal requirements and recommendations.
- 3.4 We will determine the most appropriate course of action to take by making a careful assessment of *all* of the following criteria with no one factor likely to be decisive on its own:
- (i) The seriousness of the breach and in particular its impact on the safety, health and well-being of all those affected by it
 - (ii) The impact on people who are especially vulnerable, for example by reason of age, disability or any other impaired ability to protect themselves, and in particular whether such people were specifically targeted by the regulated person

- (iii) The steps which the regulated person took, or the reasonable steps which they failed to take to prevent the offence
- (iv) The extent to which the regulated person has been proactive in seeking advice from us, and whether they have complied with any advice we have given
- (v) The history of compliance and in particular whether any previous warnings went unheeded
- (vi) Evidence of fraudulent, deliberate, irresponsible, reckless or negligent behaviour, and evidence of aggression or harassment
- (vii) The likelihood of the contravention happening again
- (viii) The extent to which the regulated person accepts their responsibilities and is willing to heed advice
- (ix) Whether the breach is rectified promptly
- (x) The need to deter future breaches
- (xi) The nature of the evidence available to us

4 Consistency

- 4.1 We will ensure that anyone who is regulated by us is treated consistently on each occasion, and consistently with other regulated persons. Consistency is not the same as uniformity; it means taking a similar approach in similar circumstances to achieve similar ends. We will do this by monitoring the enforcement action taken by our officers, and by training our officers.
- 4.2 We fully support the 'home authority' and 'primary authority' principles as the means by which regulated persons trading across local authority boundaries are able to rely on one local authority as their main source of advice on compliance.
- 4.3 We will work with other local authorities in the west of Scotland and throughout the UK to ensure consistent interpretation and application of the law. We will do this by playing an active part in cross-border working groups as well as by having regard to guidance from bodies such as Food Standards Scotland and the Health & Safety Executive.
- 4.4 We will work collaboratively with other regulators to minimise the risk of different regulators acting inconsistently. Where the law allows, we will share information with other regulators to help target resources and minimize duplication.

5 Fairness and Equality

- 5.1 We will be fair in our dealings with regulated persons. Where we can exercise discretion, we will take into account the unique circumstances of each person and balance this fairly with the need for consistency.

- 5.2 When investigating complaints we will carry out all investigations in an independent, fair and even-handed manner by listening with an open mind to what everyone connected to the dispute has to say. Although we may give advice to the complainer, we will not act on their behalf. We will only form an opinion after examining the facts.
- 5.3 We will not measure ourselves by the quantity of enforcement action we take and we will not set targets. We will not take enforcement action specifically to assist with someone's civil claim and we will ensure that breaches with both criminal and civil elements are investigated by different officers.
- 5.4 We will comply with the council's guidance on 'Communicating Effectively' when providing information and advice to people from minority ethnic groups and to disabled people, for example by providing it in an alternative format to suit the needs of the user. We will provide a language interpreting service during interviews where required.
- 5.5 We will monitor our impact on people with different needs and we will use it to improve the way we carry out our work. We will also monitor our enforcement actions to ensure that no person or group is unfairly treated.
- 5.6 We will take account of cultural issues and seek ways of developing our employees' capacity to deal with these effectively. We will take account of equalities needs during consultations.

6 Targeted action

- 6.1 We will use the principles of risk assessment by taking into consideration the *likelihood* of non-compliance and the *impact* of non-compliance. We will use these principles to determine the frequency of inspection, and we will consider those principles when arranging other visits, for example to take samples and carry out projects. We will normally investigate all complaints from the public.
- 6.2 We will use standard widely-used risk assessment schemes such as those produced by the Society of Chief Officers of Trading Standards in Scotland, CoSLA, Food Standards Scotland and Health & Safety Executive. The risk assessment is usually based on the risk which the activity presents to the public or employees, the complexity of the legislation, the size and type of organisation, and the confidence which we have in the ability of the regulated person to comply based on our knowledge of their control systems and previous compliance levels. On request, we will explain to any regulated person why we have assigned them a particular risk rating.
- 6.3 Our data shows that lower risk entities do still occasionally fail to comply with the law. We will therefore carry out a small element of random inspection but only where the burdens have been minimised.
- 6.4 We will conduct follow up visits generally within 30 days after the issue of a written warning or formal warning to check whether appropriate action has been taken.

Contact details

By post: West Dunbartonshire Council
Regulatory Services
Aurora House
3 Aurora Avenue
Clydebank
G81 1BF

By email: Trading.Standards@west-dunbarton.gov.uk
Environmental.Health@west-dunbarton.gov.uk
wasteaware@west-dunbarton.gov.uk
licensing@west-dunbarton.gov.uk
building.standards@west-dunbarton.gov.uk

Website: www.west-dunbarton.gov.uk/business/trading-standards/
www.west-dunbarton.gov.uk/business/environmental-health/
www.west-dunbarton.gov.uk/business/licences-permits-and-permissions
www.west-dunbarton.gov.uk/planning-building-standards/

By telephone: 01389 737000

WEST DUNBARTONSHIRE COUNCIL

Report by Head of People & Transformation

Corporate Services Committee: 10 February 2016

Subject: Disciplinary Policy and Procedure Revisions

1. Purpose

- 1.1** To update the Corporate Services Committee on revisions to the Disciplinary Policy and Procedure.

2. Recommendations

- 2.1** The Corporate Services Committees is asked to note the contents of the report and agree the changes to the Disciplinary Policy and Procedure.

3. Background

- 3.1** West Dunbartonshire Council is committed to the fair and consistent treatment of all employees to create a positive and productive working environment. This policy and procedure is designed to ensure that there is equitable, fair, transparent and consistent treatment of all West Dunbartonshire Council employees in relation to disciplinary situations.
- 3.2** Following the introduction of the revised Code of Practice on Disciplinary and Grievance Procedures by ACAS in March 2015 and in light of changes previously agreed relating to the Grievance Appeals process by the Corporate Services Committee in February 2015, a review of the Disciplinary Policy and Procedure has been undertaken in consultation with Trade Unions.

4. Main Issues

Changes to ACAS Code of Practice

- 4.1** ACAS has made some small changes to its Code of Practice on Disciplinary and Grievance Procedures. The revised Code came into force on 11 March 2015. The revisions were made following a judgment by the Employment Appeal Tribunal (EAT) which clarified the rules on making requests to be accompanied at grievance or disciplinary hearings. The changes made align the ACAS code to current best practice within West Dunbartonshire Council.

Clarification of Procedure

- 4.2** The terminology throughout the policy has been updated, particularly in relation to disciplinary sanctions, the use of mediation, and the use of informal disciplinary procedures. Procedural guidance has also been revised to ensure

that employment policies are easily understood and provide appropriate support to managers, employees and Trade Unions.

Informal Resolution and Mediation

- 4.3** In line with the ACAS Code of Practice on disciplinary and grievance procedures the revised policy reflects our focus on resolving concerns or complaints informally through the use of appropriate tools such as mediation to limit damage to working relationships.

Appeals Procedure

- 4.4** The revised policy provides clarification on the procedure to be followed in preparation for and during the Stage 3 Appeals Process, in particular reinforcing the requirement of appellant to provide clear details of grounds of appeal. The revised procedures also clarify the provision of advice to Elected Members on HR Policy, procedural and legal matters as part of the appeals process, including the requirement of the HR Adviser to document the deliberations in full and present to the Chair for agreement. The HR Adviser would also be expected to prepare this aspect of any subsequent case to the Employment Tribunal, appearing as a Council witness, on behalf of the Appeals Committee. In addition, a full note is now prepared following each appeal hearing and made available where there are further proceedings.
- 4.5** Changes to the Appeals Committee Process relating to disciplinary matters are fully supported by the Councils Monitoring Officer and are reflective of best practice across the Scottish Local Government Community where senior HR Officers provide independent advice to Elected Members on employment matters at Appeals Committee's. Additionally, these adjustments to our procedure ensure that we are compliant with the expectations of the Employment Tribunal Service.
- 4.6** The procedures outlined in the revised policy will bring the Disciplinary Appeals procedures in line with the currently agreed procedures relating to Grievance Appeals.
- 4.7** The revised Disciplinary Policy and procedures are attached as Appendix 1.
- 4.8** Implementation of the changes to the Disciplinary Policy and Procedures will be fully communicated to employees, managers and trade unions. Appropriate training and guidance, including a revised e learning module, will also be developed to support implementation.

5. People Implications

- 5.1** The review of this policy provides a clear and transparent framework to ensure that employees achieve and maintain effective and appropriate standards of conduct in the workplace.

6. Financial Implications

6.1 There are no financial implications associated with this report.

7. Risk Analysis

7.1 No risk assessment is required.

8. Equalities Impact Assessment (EIA)

8.1 An Equality Impact Assessment has been carried out and found no negative impact to any protected characteristic in carrying out this exercise.

9. Consultation

9.1 The development of the revised Policy has been discussed with Trade Unions at a number of meetings of the ELG throughout 2015 and at the Joint Consultative Forum of 10 December 2015. On 22 December 2015 changes to the policy were further discussed with all trade unions and a number of amendments agreed. All Trade Unions confirmed that the agreed amendments, and further clarification provided in relation to advisory roles, which are reflective of the practice across the Scottish Local Government Community and ensures that the Council is protected in employment matters, would be communicated to individual Branches.

9.2 Following clarification on the recording of advice provided by either or both HR and Legal Advisers any residual concerns from Unite and GMB were alleviated. The local UNISON Branch has confirmed that they are not supportive of the change in respect of the role of advisers.

10. Strategic Assessment

10.1 This report directly supports the Council's Strategic priority of supporting and retaining a committed and dynamic workforce

Vicki Rogers
Head of People & Transformation
Date: 26 January 2016

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Appendices: Appendix 1 – Revised Disciplinary Policy and Procedure.

Background Papers: ACAS Code of Practice on disciplinary and grievance procedures

Wards Affected: None

Disciplinary Policy and Procedures

Implementation Date:



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Disciplinary Policy

1. INTRODUCTION

- 1.1** This policy and procedure is designed to help and encourage all employees to achieve and maintain effective and appropriate standards of conduct in the workplace, or where representing West Dunbartonshire Council. However, there may be occasions when disciplinary action is the only recourse open to West Dunbartonshire Council.
- 1.2** This policy and procedure is designed to ensure that there is equitable, fair, transparent and consistent treatment of all West Dunbartonshire Council employees in relation to disciplinary situations.
- 1.3** The policy and procedure has been developed in line with the recommendations of the ACAS Code of Practice 1 Disciplinary and Grievance Procedures (March 2015) and in consultation with recognised Trade Unions.

2. SCOPE

- 2.1** The policy and procedure applies to local government employees and craft workers. Separate Disciplinary Policy and Procedures exist for Teachers and Chief Officers.
- 2.2** The Council will ensure that good equal opportunities practice underpins the operation of this policy irrespective of age, disability, sex, gender re-assignment, race, religion and belief, pregnancy and maternity, marriage and civil partnership or sexual orientation.
- 2.3** Separate policies and procedures are in place to deal with performance issues and the requirement to meet regulatory requirements or adhere to statutory requirements for the post, e.g. membership of the Protection of Vulnerable Groups Scheme or the Scottish Social Services Council, SSSC

3. KEY PRINCIPLES

- 3.1** The key principles of the policy are:
- Employers and employees must raise and deal with issues promptly and must not unreasonably delay meetings, decisions or confirmation of decisions;
 - Disciplinary matters must be treated by Managers, trade unions and all employees involved at any stage of the process, with the highest degree of confidentiality. In exceptional circumstances Trade Unions may require to advise members on a collective position;
 - At every stage of the procedure Managers must endeavour to provide the appropriate assistance to enable employees to achieve the required standards of conduct;

- No employee will be dismissed for a first breach of discipline, except in cases of gross misconduct;
- Managers will ensure that employees are fully aware of their right to be accompanied during the disciplinary hearing;
- Records should be treated as confidential and be kept no longer than necessary in accordance with the Data Protection Act 1998 with all documentation relating to disciplinary investigations will be removed from all files following the expiry of a Warning.

4. APPLICATION OF POLICY AND PROCEDURE

- 4.1** Discipline need not be punitive. It should bring employees' shortcomings in conduct to their attention and encourage sustained improvement. Where disciplinary action is considered the disciplinary procedures must be followed.
- 4.2** Where disciplinary action is being considered against an employee who is a trade union representative the normal disciplinary procedure should be followed. Depending on the circumstances, however, it may be advisable to discuss the matter at an early stage with an official employed by the union, after obtaining the employee's agreement.
- 4.3** If an employee is charged with or convicted of a criminal offence, this is not necessarily in itself a reason for disciplinary action. Consideration will be given to what effect the charge or conviction has on the employee's eligibility and suitability to do the job and their relationship with their employer, work colleagues and clients.

5. LEGISLATIVE/POLICY FRAMEWORK

- 5.1** The Policy and Procedure complies with the Employment Right Act 2008 and the ACAS Code of Practice 1 – Disciplinary and Grievance Procedures (March 2015).

6. RESPONSIBILITIES

- 6.1** In order to ensure the fair, effective, transparent and consistent treatment of our workforce, all managers, employees and trade unions have a responsibility:
- to understand the terms and conditions of the policy and procedure and familiarise themselves with rules and standards of conduct expected and by them.
 - to act reasonably in any disciplinary situation, applying the procedures of the policy.
 - behave in a proactive and supportive manner.

7. RIGHT TO BE REPRESENTED/ACCOMPANIED AT THE DISCIPLINARY MEETING

7.1 Employees have a statutory right to be accompanied at the disciplinary meeting by a companion who may be:

- a fellow worker
- an official employed by a trade union
- a workplace trade union representative, as long as they have been reasonably certified in writing by their union as having experience of, or having received training in, acting as a worker's companion at disciplinary hearings. Certification may take the form of a card or letter.

7.2 It will not be acceptable to request a specific companion who would not be available to attend the hearing, where this would prevent the hearing taking place within a reasonable timescale, if an alternative companion is more readily available.

7.3 If the companion cannot attend on a proposed date, the employee can suggest an alternative date and time so long as it is reasonable and it is not more than **5** working days after the original date.

7.4 The companion will be allowed to address the meeting, to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and to confer with the employee during the meeting. The companion, however, cannot answer questions on behalf of the employee or address the meeting if the employee does not wish it.

7.5 In certain circumstances where the effect of the proceedings could deprive the employee of the right to practice their profession the employee may be entitled to be accompanied by a solicitor.

8. SCHEME OF DELEGATION

8.1 Executive Directors have delegated responsibility for ensuring the maintenance of disciplinary standards within their department, through their Managers. Appendix 1 provides a Scheme of Delegation which identifies the level of Officer authorised to take disciplinary action.

9. REVIEW AND MONITORING

9.1 This policy will be updated to incorporate any relevant change to legislation or best practice as required.

9.2 Complaints about the implementation of the policy or procedures should be referred to the Head of People & Transformation.

Disciplinary Procedure

1.0 INTRODUCTION

1.1 The procedure provides a clear framework and outlines the steps to be taken at an early stage to tackle any problem identified in order to prevent the situation deteriorating into a disciplinary matter. Where this has not been successful the procedure outlines the process to be followed when undertaking disciplinary action.

2.0. MEDIATION

2.1 Mediation can sometimes help resolve disciplinary issues. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute and not the mediator. Where mediation is deemed to be an appropriate method of resolving the issue the discipline procedure can be held in abeyance. In-house trained mediators will be used. In exceptional circumstances jointly funded external mediation may be agreed by the Head of People and Transformation.

3.0. INFORMAL ACTION

3.1 Minor breaches of discipline, unless persistent, are usually best dealt with on an informal basis between the manager and employee without recourse to the formal procedure. As part of any discussion employees will have the opportunity to raise and discuss any difficulties they are experiencing. This informal stage does not form part of the formal disciplinary procedure.

4.0. SUSPENSION

4.1 In certain circumstances suspension from duty may be appropriate while an investigation is being carried out.

4.2 Suspension will only be undertaken after careful consideration and where redeployment to alternative duties has been fully explored. An employee being suspended will be clearly advised that suspension is not an assumption of guilt and is not considered a disciplinary sanction. It will normally take place pending investigation where, for example:

- there is evidence to suggest the continuation of an employee on duty would significantly affect the ability to investigate the allegation(s)
- there are risks to an employee's or the Council's property or where we identify responsibilities to other parties

Decisions to suspend an employee will be reviewed at regular intervals as the investigation progresses. In certain circumstances suspension may be required during an investigation as further

information becomes available. Reasons for suspension must be clearly recorded as part of the investigation process.

- 4.3** Under normal circumstances suspension will be carried out by an appropriate manager. Human Resources must be advised of any potential suspension prior to the suspension taking place and where possible an HR Adviser should be in attendance. If the timescales and circumstances of the suspension permit, then the employee may request to be accompanied at the suspension meeting and this request will not be unreasonably denied.
- 4.4** Suspension will be on full pay which will include all contractual earnings. Employees on suspension must remain contactable and be able to return to the place of work within 24 hours. Managers will act reasonably with regard to situations where annual leave has previously been booked. Employees who are suspended will not be allowed on West Dunbartonshire Council premises during the suspension period, unless with authorisation.
- 4.5** At the suspension meeting, employees will be informed why the suspension is taking place and given the opportunity to give a statement should they wish. A formal letter of suspension will be issued to the employee either after the suspension interview or as soon as possible, normally within 2 working days detailing:
- The reason for suspension
 - The date and time from which it took effect;
 - The duration of the initial suspension;
 - A statement outlining the rules of the suspension.
- 4.6** There is no right of appeal against suspension as it is a means of ensuring that the procedure is followed and not considered a formal disciplinary sanction.

5.0. INVESTIGATION

- 5.1** In all instances of alleged misconduct, an investigation will be undertaken before disciplinary action is considered. All investigations will be undertaken thoroughly, objectively and expediently and should be confined to establishing the facts of the case.
- 5.2** The investigatory stage will be the collation of evidence by the employer for use at the disciplinary hearing. In some cases this may require the appointment of an Investigation Officer to undertake a full investigation. In such cases the Investigation Officer will be trained to undertake this role. In other cases the investigatory stage will involve the collation of evidence by the Manager for use at the disciplinary meeting.
- 5.3** The employee(s) concerned will be informed as soon as is practicable that an investigation is being carried out and the reasons for it.

- 5.4** The Investigation Officer will be concerned only with establishing the facts of the case, defining the problem, the persons affected by the problem and obtaining all relevant facts and information. A guide to undertaking investigations is available on the Intranet.
- 5.5** On conclusion of the investigation the Investigating Officer shall forward to the Manager a copy of the report and any accompanying statements that are taken.

Deciding on Appropriate Action following Investigation

- 5.6** The Manager will review the Investigation Report and decide whether or not there is a disciplinary case to answer. In all cases where, following an investigation, there is no case to answer, the Manager and the HR Adviser will ensure that all documentation relating to the investigation is destroyed. Where there is reasonable belief that the complaint made was malicious or vexatious it will be investigated under the appropriate procedure.

6.0 INFORMING THE EMPLOYEE OF THE PROBLEM

- 6.1** Where it is decided that there is a disciplinary case to answer the employee must be notified of this in writing. The notification will give details of the time and venue for the disciplinary meeting and advise the employee of their right to be accompanied at the meeting. The letter should contain sufficient information about the alleged misconduct and its possible consequences to enable the employee to prepare to answer the case at the disciplinary meeting.
- 6.2** An employee will be given a minimum of 10 working days' notice of a Disciplinary Meeting and also be given a copy of the Investigation Report. The investigation report will include full witness statements and copies of any other written evidence. The Manager may anonymise witness statements to protect witnesses **only** where there are legitimate concerns that the provision of a signed witness statement may result in injury to persons or property.
- 6.3** Any documentation which the employee wishes to present or have considered at the hearing must be submitted to the Disciplining Officer/Manager at least 5 working days in advance. Timescales for the disciplinary procedure as outlined in Appendix 1 should be followed.

7.0 AUTHORITY TO TAKE ACTION

- 7.1** Please refer to Appendix 2 for "Scheme of Delegation" for Warnings and Dismissal.

8.0 BUSINESS IRREGULARITIES

8.1 Where it is suspected or known that business irregularities have occurred (i.e. misappropriation or embezzlement of monies, materials etc. placed in employee's charge) then the Council Business Irregularity Procedure must be followed. The matter should be reported immediately to the Head of Finance & Resources and the Head of People & Technology who will contact Internal Audit for further details on how to proceed. Any subsequent investigation will be carried out either by Internal Audit, the department concerned or jointly and an investigation report will be provided to the Manager.

9.0 HOLDING THE DISCIPLINARY MEETING

9.1 The disciplinary meeting must be held without unreasonable delay whilst allowing the employee reasonable time to prepare their case.

9.2 An HR Adviser will be in attendance at all disciplinary meetings to ensure disciplinary procedures are being adhered to and to advise Managers on equitable employment practice and consistency of approach.

9.3 No disciplinary action will be taken without a disciplinary meeting being held at which the employee will have the opportunity to state their case. Employees and their companion should make every effort to attend the meeting. However, where an employee is persistently unable or unwilling to attend a disciplinary meeting without good cause a decision will be made by the Manager on the evidence available. In taking this decision the Manager will discuss the matter with HR.

9.4 In the event that the employee under investigation either refuses to participate in the disciplinary investigation, or behaves in such a way as to impede the setting up of an investigation or hearing, or refuses to attend the disciplinary hearing then the Manager will progress with the hearing in their absence.

9.5 If a disciplinary situation arises which also involves a police investigation, it will not prevent the disciplinary meeting taking place, provided sufficient information is available to enable the Manager to make a decision.

9.6 Both parties will be advised of the other side's witnesses and a list will be provided to each party as soon as possible, but at least 2 working days in advance of the meeting. Each party is responsible for ensuring that its witnesses attend and subject to operational requirements and notice being given to Managers, potential witnesses will be released from duty.

9.7 At the meeting the Manager should explain the alleged misconduct against the employee and go through the evidence that has been gathered. The Investigating Officer will normally present the findings of

the investigation report calling witnesses as required. The manager and the employee will have the opportunity to ask questions.

- 9.8** The employee will be then be allowed to set out their case and answer any allegations which have been made. The employee will also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. Questions will always be presented through the Manager as the chair of the meeting.
- 9.9** Either party may request an adjournment of the Hearing at any time and the Manager will not unreasonably refuse such a request.
- 9.10** Where the Manager considers that further information or evidence is required he/she may adjourn at any time and require the Investigating Officer to carry out such further investigations as considered necessary. In such circumstances the Hearing may require to be reconvened and any additional information shared with the employee and their representative. Any new information to be considered should be given to the employee and their Representative at least 3 working days before the reconvened hearing.
- 9.11** When all the evidence has been presented the Manager will carefully consider all the facts of the matter and any mitigating circumstances, and on this basis, decide what disciplinary action, if any, requires to be taken. Following adjournment, the employee and their representative will be informed of the decision. This decision will be confirmed in writing within 3 working days of the date of the decision. In circumstances where the decision cannot be made at the meeting, the employee will be notified in writing of the decision, normally within 3 working days of the meeting.
- 9.12** In all cases where, following the disciplinary meeting, no disciplinary sanction has been imposed the Manager and the HR Adviser involved will, ensure that all documentation is destroyed.

10.0 DISCIPLINARY ACTION

- 10.1** When determining disciplinary action, and/or deciding whether a disciplinary sanction is appropriate and what form it should take, the Manager must bear in mind the need to satisfy the test of reasonableness in all circumstances. So far as is possible, account shall be taken of the employee's current disciplinary record and all other relevant factors.

Content of Letter

- 10.2** Following a warning at any stage of the procedure a letter confirming the level of warning issued will be sent to the employee together with details of:
- the reason for action taken

- the improvement required, where appropriate
- the name of the person giving the warning, and their designation
- the time period after which it will be removed from file
- which stage of the disciplinary procedure it constitutes and the right of appeal.

11.0 DISCIPLINARY SANCTIONS

11.1 The following warnings may be invoked at any stage of the disciplinary process should the misconduct warrant the level of action.

Informal Action

11.2 Minor breaches of discipline, unless persistent, are usually best dealt with on an informal basis between the manager and employee without recourse to the formal procedure. As part of any discussion employees will have the opportunity to raise and discuss any difficulties they are experiencing. Employees should be advised of the right to be accompanied should they so wish. This informal stage does not form part of the formal disciplinary procedure.

11.3 Any follow-up actions/resolutions to the problem, which have been agreed, will be recorded with details and timescales. This will be reviewed throughout the agreed period to ensure its effectiveness and/or revise any solutions if necessary. Where the problem has been resolved a document reflecting the content and the agreed outcomes of the discussion will be recorded. Any information pertaining to this will be destroyed (after a period of 6 months). In the event that no agreement to resolve the problem is achieved, then formal actions/steps will be required.

First Written Warning

11.4 In the case of a more serious offence or persistent minor offences the employee shall be given a first written warning.

11.5 The employee will be verbally advised of the decision taken and this will be confirmed in writing.

11.6 The warning will also inform the employee that further action may be taken if there is any further misconduct within 6 months. The first written warning will expire and be removed from the file after 6 months subject to satisfactory conduct.

Final Written Warning

11.7 In the case of serious misconduct or in the case of a further offence having been committed within 6 months of a previous written warning, the employee shall be given a final written warning.

- 11.8** The employee will be verbally advised of the decision taken and this will be confirmed in writing.
- 11.9** The warning will also inform them that they may be dismissed if any further misconduct occurs.
- 11.10** A final written warning will expire and be removed from file after a period of 12 months subject to satisfactory conduct. In exceptional circumstances an extended timescale may be implemented.

Dismissal with Notice

- 11.11** In the case where there are further issues of misconduct within the period stipulated in the final written warning, a further meeting will be held. Where there is a decision to dismiss, unless the employee is being dismissed for reasons of gross misconduct, the employee shall be dismissed with notice or payment in lieu of notice.
- 11.12** The employee will be verbally advised of the decision taken and this will be confirmed in writing.
- 11.13** In exceptional circumstances it may be felt that demotion or transfer to another post is a more satisfactory alternative to dismissal, should a suitable post be available. Where demotion or transfer to another post is the preferred and agreed option, it must be made clear that the employee will transfer to the terms and conditions and remuneration associated with the new post.
- 11.14** In exceptional or mitigating circumstances where conduct would normally warrant dismissal, the disciplining manager may, following consultation with an HR Adviser, commute this to a final warning with an extended timescale.

Summary Dismissal

- 11.15** Summary dismissal is normally the penalty for acts of gross misconduct. Summary dismissal will be a dismissal without notice or payment in lieu of notice.
- 11.16** Acts of gross misconduct are those which result in a serious breach of the terms of employment and warrant summary dismissal. Examples of such misconduct are:
- Theft, attempted theft or unauthorised possession of property belonging to clients, employees of West Dunbartonshire Council or another person. Fraud or attempted fraud, including deliberate falsification of accounts, financial statements or records
 - Physically violent, threatening or bullying behaviour. Indecent or inappropriate sexual behaviour
 - Deliberate and serious damage to West Dunbartonshire Council's property

- Serious misuse of West Dunbartonshire Council's property or name
- Deliberately accessing internet sites containing pornographic, offensive or obscene material
- Serious insubordination
- Unlawful discrimination or harassment
- Bringing West Dunbartonshire Council into serious disrepute
- Serious incapability at work brought on by alcohol or illegal drugs
- Causing loss, damage or injury through serious negligence including willful or negligent failure to comply with legal or other statutory requirements
- A serious breach of health and safety rules
- A serious breach of trust and confidence
- Conviction of a criminal offence that makes the employee unsuitable for their type of employment and no other suitable employment is available.

The above list is illustrative of what is considered as gross misconduct. However, the list is neither exclusive nor exhaustive and therefore, does not preclude the possibility of dismissal for other offences of similar gravity not specified.

11.17 The employee will be provided, as soon as is reasonably practicable, with the following information, which will be contained within the dismissal letter;

- written reasons for dismissal
- the date on which employment will terminate
- the appropriate period of notice or payment in lieu of notice
- information regarding the right of appeal.

12.0 APPEALS

Appeals Against Warnings

12.1 Appeals against warnings must be lodged with the person specified within the disciplining letter within 10 working days of receipt of the letter confirming the disciplinary action. Please refer to Appendix 2 "Scheme of Delegation". Appeals will normally be held as soon as possible and no later than 6 weeks after receipt of the employee's written appeal. Appeals should be submitted in writing using the standard Appeal Form (DCP2/01 - Appendix 3) setting out the grounds for the appeal. Notification of the outcome of the appeal will be confirmed as soon as possible and within 5 working days of the meeting.

Appeals Against Dismissal

12.2 Any employee who has been dismissed will have the right of appeal to the Council Appeals Committee. The Council Appeals Committee will comprise a minimum of 3 Elected Members.

12.3 The employee should submit their appeal to the Head of People and Transformation within 10 working days of receipt of the disciplinary outcome letter and clearly set out whether the appeal is against

a) the decision to discipline

or

b) the level of disciplinary action taken

12.4 The employee will be advised in writing of the arrangements for the Appeals Committee Hearing at least 4 weeks in advance and will also be provided with the information that has been submitted to the committee 9 working days before the date of appeal.

12.5 The employee will have the right to be accompanied at the Appeals Hearing by a companion in line with section 7. The process to be followed at the Appeal Hearing is outlined in Appendix 3.

12.6 The decision of the Appeals Committee will be notified to the employee and confirmed in writing within **5** working days of the Hearing. The decision of the Appeals Committee is final.

DRAFT

TIMESCALES FOR DISCIPLINARY PROCESS

It is important that all parties adhere to the required timescales.

Person	Action	Timescale (working days) within:
	INFORMAL PROCESS	
Manager	Discuss matter informally on one-to-one basis. Agree follow up action/resolutions to	As soon as possible
	FORMAL PROCESS	
Manager	Suspension (if appropriate)	As soon as required. Suspension should not be for a protracted period (initially not more than 7 days)
Manager	Date for disciplinary meeting	Without unreasonable delay. Employee should receive minimum of 10 days notification of
Employee	Submitting any information for consideration at meeting	Submitted at least 5 working days before hearing.
Manager	Notification of outcome in writing	3 working days of meeting'
Employee	Appeal	10 working days of receipt of letter
Appeal Person	Hear Appeal	Within 6 weeks
Appeal Panel	Hear Appeal	Within 6 weeks
Appeal Person or Legal (Appeal Panel)	Notification of appeal outcome	5 working days

SCHEME OF DELEGATION**AUTHORITY TO TAKE ACTION FOR WARNINGS AND
DISMISSALS**

Level of Action	Employees Grade 1-8	Section Head Grades 9-10	Service Managers Grades 11-12
Verbal Warning	Line Manager (must be minimum grade 6 level)	Service Manager or Line Manager	Head of Service
Appeal	Line Manager's Manager	Head of Service or Line Manager's Manager	Director
First Written Warning	Line Manager	Service Manager or Line Manager	Head of Service
Appeal	Line Manager's Manager	Head of Service or Line Manager's Manager	Director
Final Warning	Line Manager	Service Manager or Line Manager	Head of Service
Appeal	Line Manager's Manager	Head of Service or Line Manager's Manager	Director
Dismissal	Section Head, or Service Manager, or Head of Service	Head of Service or Director	Director
Appeal	Council Appeals Committee	Council Appeals Committee	Council Appeals Committee

(1) Where the line manager is under Grade 6 then a Line Manager senior to the immediate Line Manager, of a Grade 6 or above, must conduct the meeting. This list is for illustrative purposes and levels may be changed to reflect structure arrangements.

Appendix 3

APPEALS COMMITTEE HEARINGS - DISMISSAL APPEALS PROCESS

1. The Appellant or his/her representative will have set out in writing details of the appeal clearly stating whether the appeal is against
 - a) the decision to disciplineor
 - b) the level of disciplinary action taken
2. On receipt of the scheduled Appeal Hearing date representatives of both parties will meet to agree which documents will be submitted jointly to support the case. This will normally be the correspondence relating to the case and will include relevant letters, notes of meetings etc.
3. The appellant will be invited to submit any additional information supporting their case no later than 15 working days prior to the scheduled Appeals Committee on the agreed template.
4. The responding department will be invited to submit a response to the case no later than 15 working days prior to the scheduled Appeals Committee on the agreed template.
5. Items 1-4 above will be issued to the parties and Members of the Committee 9 days prior to the hearing.
6. Additional documentation will only be considered by the Appeals Committee in exceptional circumstances and by agreement with the Appeals Panel Chair.
7. Subject to Paragraphs 19, the Appellant, his/her representative and Departmental representatives are entitled to be present at all times.
8. A Human Resources Adviser, and if required, a Legal Adviser will be present at all times to provide advice to the Committee on matters such as the procedure to be followed by the Committee, the policies of the Council and the range of decisions available to the Committee.
9. A person acting in an advisory capacity to the Appellant or his/her representative or to the departmental representative will also be allowed to be present provided that person is made known to the Committee prior to the commencement of the Hearing.
10. The departmental representative will present their case and call such witnesses as may be required.
11. The Appellant or his/her representative will have the opportunity to ask questions of the departmental representative and any witnesses called by Management.

12. The Members of the Committee will have the opportunity to ask questions of the departmental representative and any witnesses called by the department.
13. Management's representative will have the opportunity to ask further questions of any witnesses called by them to clarify points arising from questions from the Appellant, his/her representative and Members of the Committee. Should new material be introduced and be accepted by the Committee, the procedure will revert to Paragraph 10 above. New material will normally only be accepted where this information was not available at earlier stages of the process.
14. The Appellant or his/her representative will present his/her case and call such witnesses as may be required.
15. The departmental representative will have the opportunity to ask questions of the Appellant, his/her representative and any witnesses called by the Appellant or his/her representative.
16. The Members of the Committee will have the opportunity to ask questions of the Appellant, his/her representative and any witnesses called by the Appellant or his/her representative.
17. The Appellant or his/her representative will have the opportunity to ask further questions of any witnesses called by them to clarify points arising from questions from Management's representative and Members of the Committee. Should new material be introduced and be accepted by the Committee, the procedure will revert to Paragraph 10 above. New material will normally only be accepted where this information was not available at earlier stages of the process.
18. Management's representative and thereafter the Appellant or his/her representative will have the opportunity to sum up their case, introducing no new material.
19. The Appellant, his/her representative, Management's representative, any advisers to the parties and any witnesses will then withdraw from the meeting.
20. The Committee in the presence of the Legal Adviser (if required) and the Human Resources Adviser will then deliberate in private, only recalling, if necessary, the Appellant, his/her representative and Management's representative, together with any witnesses who may be required, to clarify points of uncertainty arising from evidence already given. If recall is necessary, both parties are to return even if only one is required to clarify the point giving rise to doubt.
21. The Committee will recall the Appellant, his/her representative and Management's representative and announce its decision which will be confirmed in writing to both parties.

22. The Committee will uphold or reject the Appeal or order the varying of the action which is the subject of the Appeal. The Committee cannot increase the severity of the action. The form of the decision will be one of the following:-

- (i) The grounds of the Appeal have been substantiated and the Appeal is upheld.
- (ii) The grounds of the Appeal have been substantiated in part and the Appeal is upheld to the extent that
- (iii) The grounds of the Appeal have not been substantiated and the Appeal is not upheld.

NOTE:-

Where the Committee decides to vary disciplinary action to a period of unpaid suspension, the duration of the suspension will be a matter for the determination of the Committee at its discretion having due regard to the circumstances of the case. The Committee can impose any length of unpaid suspension.

WEST DUNBARTONSHIRE COUNCIL**Report by Executive Director of Corporate Services****Corporate Services Committee: 10 February 2016**

Subject: Attendance Management: Quarter 3 - 2015/16**1. Purpose**

- 1.1 The purpose of this report is to advise Committee on attendance levels within Corporate Services and provide a summary of the quarter 3 absence statistics.

2. Recommendations

- 2.1 It is recommended that the Committee note the content of the report and the attendance results for the year, namely a significant decrease of 370 days lost (25%) compared to the same period last year.

3. Background

- 3.1 Improving attendance at work is a key strategic priority for the Council requiring commitment from elected members, Strategic Leadership Group, Trade Unions, individual managers and employees.
- 3.2 The Council has made a commitment to improving attendance levels by setting ambitious targets of reducing days lost for Local Government Employees to 7 FTE days lost per employee by 2017. The 2015/16 target for Corporate Services (Local Government Employees) has been set at 8 FTE days lost.

4. Main IssuesQuarter 3 Performance

- 4.1 Appendix 1 shows quarter 3 absence data for Corporate Services. Absence was reported as 1.96 days lost per employee representing a 25% improvement on quarter 3 last year. The results also showed an improvement compared to Q2 this year (1.98) which is somewhat unusual as seasonal patterns usually show an increase in absence in Quarter 3. Chart 1 below shows the monthly trend for the last nine months (April – December 2015) and compares with the same period last year. The results show that there has been a consistent improvement for the last 9 months and in fact improvement has been now been evident for 14 consecutive months.

Chart 1 – Absence Trend

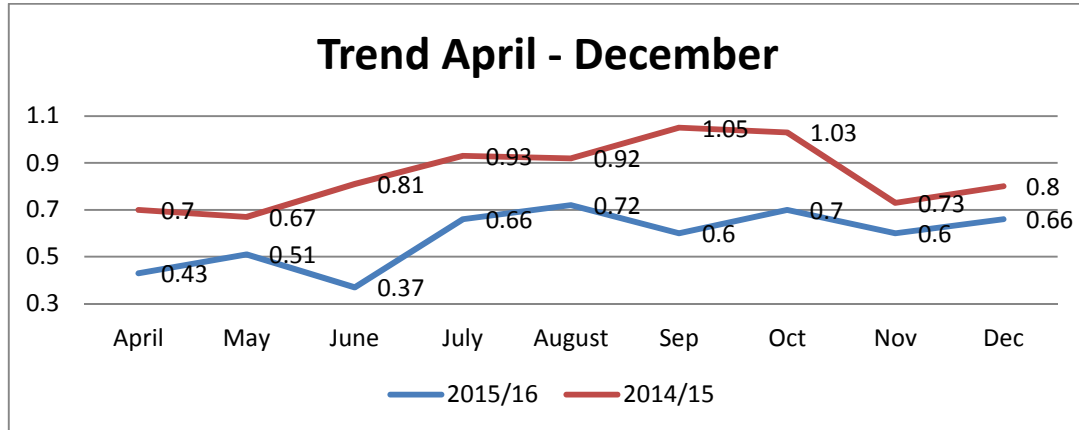


Table 1 shows the service breakdown across Corporate Services. All service areas reported an improved performance compared to last year.

Table 1 – Service Breakdown Quarter 3

Service Area	Days Lost FTE* (2015/16)	Days Lost FTE* (2014/15)	% Var
CE/CS Management & Admin	0	0	-
Corporate Communications	0	0.39	-100%
Customer & Community Services	1.47	2.93	-50%
Finance & Resources	2.45	2.54	-3.5%
Legal, Democratic and Regulatory Services	2.46	3.48	-29%
People & Transformation	1.24	1.59	-22%

*Total number of FTE days lost divided by the number of FTE employees

Year End Projection

- 4.2 After quarter 3 the projected year end result is 7 FTE days lost per employee. However, this does not take into account the winter months where absence traditionally rises. Taking into account the seasonal adjustment, the year end result is projected to be 7.24 days lost, which would meet the Council’s target.

Absence Duration

- 4.3 Across Corporate Services, long term absence (over 4 weeks) is the predominant duration with 48% of days lost in this category (the same as last quarter). This is a shift from quarter 3 last year (52%) suggesting that actions taken to address long term absence continue to take effect and this is consistent with our findings in respect of the reasons for absence in quarter 3 discussed in section 4.4.

Absence Reasons

- 4.4 Table 2 shows the top 5 reasons for absence recorded in quarter 3 this year and last year.

Table 2 – Reasons analysis

Q3	2015/16		2014/15	
	Reason	Days lost	Reason	Days lost
1	Stress	238	Acute Medical Cond	434
2	Recurring Med Cond	187	Minor Illness	391
3	Mental Health	176	Stress	276
4	Minor Illness	171	Recurring Med Cond	202
5	MSK	105	Mental Health Cond	116

Analysis of the reasons reported shows that although Stress accounted for the most days lost in the quarter, days lost due to stress fell significantly compared to quarter 3 last year. We can also see that days lost due to Acute Medical Conditions fell dramatically and did not feature in the top 5 reasons for absence in quarter 3 this year. We also see a significant fall in the number of days lost due to minor illness. This demonstrates the significant effort by managers to reduce the duration of absence periods and to intervene early in potential long term cases.

Attendance Working Group

4.6 The Attendance Working Group last met on 14 December 2015. Actions being progressed are:

- Generic Stress Risk Assessment being developed to assist managers effectively deal with issues in service hotspots.
- Further Stress Workshops being scheduled to wash up Corporate Services Managers
- Development of next phased of manager stress training – intensive support workshops
- Discussion on introducing Bereavement Leave Scheme to support employees
- Wash up of Attendance Management Manager Masterclasses
- Development next Masterclass topic – managing employees with a disability

5. People Implications

5.1 Absence impacts not only those who are absent from work due to illness or injury but also those remaining at work. The absence levels experienced within our services leads to significant additional burdens on our attending workforce. Striving to reduce absence through the appropriate support to those with health issues as well as ensuring that we provide the right assistance to those at work is fundamental to the successful achievement of our annual target.

6. Financial Implications

- 6.1** Significant absence levels impact on the Council in terms of cost, service delivery and motivation. In quarter 3, Corporate Services lost a total of 1018 FTE working days of productivity to sickness absence which is a decrease of 25% compared to last year. Based upon the nominal daily cost of a day's absence (£118.00), it is estimated that the cost of absence for the quarter was £120,124. This figure does not take into account the indirect costs of absence such as overtime, loss of productivity, reduced team performance.

7. Risk Analysis

- 7.1** Compared with quarter 3 last year, there continues to be a significant improvement in absence performance, however, there is still a risk that if the focus and attention by all stakeholders is not maintained, absence rates could rise making it difficult to achieve the Council's target of 8 FTE days. This would contribute adversely to the Council's overall performance.

8. Equalities Impact Assessment (EIA)

- 8.1** An Equalities Impact Assessment Screening has been undertaken and noted that a high level of employees on long term sickness absence will be covered by the Equality Act 2010. Measures to mitigate impact include reasonable adjustments, introduction of Tailored Adjustment Agreements, Disability Leave, Carers' Leave and the provision of Occupational Health advice.

9. Consultation

- 9.1** Consultation is on-going with Trade unions through the Attendance Working Group, ELG, JCF and Corporate Services JCC to identify and address attendance issues.

10. Strategic Assessment

- 10.1** Effective attendance management will support the Council's aim to make best use of both financial and human resources resulting in a positive impact upon service provision.

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Appendices: Appendix 1 – Quarter 1- Corporate Services Attendance

Background Papers: None

Wards Affected: None

TABLE 1 - Headline Figure	Q2 2015/16	1.96	Q2 2014/15	2.62	Year on Year +/-	-25.4%
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TABLE 2 - Days Lost per Employee

Department	FTE Employees	Intermittent (1-3 days)		Short Term (4-5 days)		Medium Term (6 days - 4 weeks)		Long Term (over 4 weeks)		Total Working Days Lost	Total FTE Days Lost	Total FTE Days Lost by FTE Employees
		Working Days Lost	% of Total Days Lost	Working Days Lost	% of Total Days Lost	Working Days Lost	% of Total Days Lost	Working Days Lost	% of Total Days Lost			
CE/CS Management & Administration	2.00	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.0	0.00
Corporate Communications	8.00	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.0	0.00
Customer & Community Services	116.87	19	10.67%	14	7.87%	42	23.60%	103	57.87%	178	172.3	1.47
Finance & Resources	183.64	56	11.43%	20	4.08%	186	37.96%	228	46.53%	490	450.4	2.45
Legal, Democratic & Regulatory Services	110.99	20	6.94%	4.0	1.39%	84	29.17%	180	62.50%	288	272.9	2.46
People & Transformation	98.90	14	11.29%	15	12.10%	52	41.94%	43	34.68%	124	122.5	1.24
LOCAL GOVERNMENT EMPLOYEES TOTAL	520.40	109	10.09%	53	4.91%	364	33.70%	554	51.30%	1,080	1,018.1	1.96

TABLE 3 - Breakdown of Days Lost by Duration Category

Duration	Working Days Lost	Percentage of Lost Days
Intermittent (1-3 days)	109.0	10.09%
Short Term (4-5 days)	53.0	4.91%
Medium Term (6 days-4 weeks)	364.0	33.70%
Long Term (over 4 weeks)	554.0	51.30%
TOTAL	1,080.0	100%

TABLE 4 - Absence Reasons

Department	FTE Employees	Minor Illness	Back Pain	Musculo-skeletal Injuries	Stress	Recurring Medical Conditions	Non Work Related Accident / Injuries	Work Related Accidents / Injuries	Mental Health	Acute Medical Conditions	Pregnancy Related Absence	Drink or Drug Related Condition	Reason Not Disclosed	Total Working Days Lost	FTE Days Lost	Total FTE Days Lost by FTE Employees
CE/CS Management & Administration	2.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00
Corporate Communications	8.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00
Customer & Community Services	116.87	35	1	2	93	1	0	0	22	14	10	0	0	178	172.30	1.47
Finance & Resources	183.64	87	50	47	75	66	12	0	55	80	18	0	0	490	450.44	2.45
Legal, Democratic & Regulatory Services	110.99	20	0	41	71	53	2	0	99	0	2	0	0	288	272.87	2.46
People & Transformation	98.90	30	3	15	0	67	0	0	0	10	0	0	0	125.0	122.50	1.24
LOCAL GOVERNMENT EMPLOYEES TOTAL	520.40	172	54	105	239	187	14	0	176	104	30	0	0	1,081.0	1,018.11	1.96

TABLE 5 - Days Lost by Absence Category

Absence Reason	Working Days Lost	Percentage of Lost Days
Minor Illness	172.0	15.91%
Back Pain	54.0	5.00%
Musculo-skeletal Injuries	105.0	9.71%
Stress	239.0	22.11%
Recurring Medical Conditions	187.0	17.30%
Non Work Related Accidents / Injuries	14.0	1.30%
Work Related Accidents / Injuries	0.0	0.00%
Mental Health	176.0	16.28%
Acute Medical Conditions	104.0	9.62%
Pregnancy Related Absence	30.0	2.78%
Drink or Drug Related Condition	0.0	0.00%
Reason Not Disclosed	0.0	0.00%
TOTAL	1,081.0	100%

Reports are compiled as per COSLA Methodology. Fixed-term employees with less than one year's service are excluded from this report. Full Time Equivalent figures are based upon the average FTE for the reported period. Consequently, data might not be identical to locally-held information.

