

Public Document Pack



To: Councillor Taylor, Convener; Councillor Len Ironside CBE, Vice Convener; Councillors Boulton, Cameron, Carle, Cooney, Crockett, Lesley Dunbar, Greig, Kiddie, Laing, Noble, Samarai, Jennifer Stewart, Stuart, Thomson, Townson and Young; and Mrs Angela Bowyer (Parent Representative (Primary Schools and ASN)), Mr S Duncan (Teacher Representative - Primary Schools), Reverend E McKenna (Church of Scotland Religious Representative), Mr M Paul (Teacher Representative (Secondary Schools)), Mrs A Tree (Third Religious Representative), Ms S Wildi (Parent Representative (Secondary Schools)) and Mrs I Wischik (Roman Catholic Religious Representative)

Town House,
ABERDEEN 25 May 2015

EDUCATION AND CHILDREN'S SERVICES COMMITTEE

The Members of the **EDUCATION AND CHILDREN'S SERVICES COMMITTEE** are requested to meet in Council Chamber - Town House on **TUESDAY, 2 JUNE 2015 at 2.00 pm**

RODERICK MACBEATH
SENIOR DEMOCRATIC SERVICES MANAGER

BUSINESS

1 **DETERMINATION OF EXEMPT BUSINESS**

1.1 **Members are requested to determine that any exempt business be considered with the press and public excluded.**

2 **REQUESTS FOR DEPUTATIONS**

2.1 **None at this time**

3 **MINUTE OF PREVIOUS MEETING**

3.1 **Minute of Previous Meeting of 11 March 2015 (Pages 1 - 10)**

4 **COMMITTEE BUSINESS**

4.1 **Committee Business Statement (Pages 11 - 14)**

5 REFERRALS

5.1 There are no items under this heading

6 EDUCATION AND CHILDREN'S SERVICES FINANCE, PERFORMANCE AND SERVICE WIDE ISSUES

6.1 2014/15 Revenue Budget Monitoring (Pages 15 - 26)

6.2 Education and Children's Services Performance Report (Pages 27 - 60)

6.3 Progress Review of Knowledge Transfer Partnership (KTP) Agreement Between University of Aberdeen and Aberdeen City Council (Pages 61 - 86)

6.4 Removal of Nelson Street and Kaimhill Outdoor Centre from the Education and Children's Services Account Portfolio (Pages 87 - 108)

7 EDUCATION

7.1 Statutory Consultation - Consultation Reports on the proposals: (Pages 109 - 160)

- (i) To rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and
- (ii) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;
- (iii) To locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise; and
- (iv) Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015.

7.2 Fairly Road Adventure Park (Pages 161 - 184)

ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE

8 EDUCATION

8.1 Aberdeen International Youth Festival - Business Plan (Pages 185 - 204)

8.2 Sports Grants (Pages 205 – 238)

8.3 Culture Programme and Cultural Awards 2015/16 (Pages 239 - 248)

**AT THIS JUNCTURE, EXTERNAL MEMBERS OF THE COMMITTEE WILL
DEPART**

9 CHILDREN

9.1 Policy and Procedure for Managing Substance Misuse Incidents Involving Children and Young People (Pages 249 - 292)

9.2 Fees and Allowances Paid to Foster Carers, Adopters and Associated Services (Pages 293 - 302)

10 ADULT

10.1 Adult Services Performance Report (Pages 303 - 326)

10.2 2014/15 Revenue Budget Monitoring (Pages 327 - 342)

10.3 Rosehill Replacement Facility - Procurement of Construction Works (Pages 343 - 362)

10.4 Review of Social Work Non Residential Charging Policy (Pages 363 - 406)

ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE

11 CHILDREN

11.1 Minute of meeting of Social Work Complaints Review Committee of 1 April 2015 (Pages 407 - 414)

12 ADULT

12.1 Renewal of Contracts for Care at Home Services (Pages 415 - 438)

12.2 Housing and Personal Care (including Lifestyle Support) Service (Pages 439 - 468)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email aswanson@aberdeencity.gov.uk

Briefing for Elected Members on the Importance of EHRIAs

As an elected member, you will know you have an important role to play in championing equality within and outside Aberdeen City Council. There is also a scrutiny role for you to ensure that equality considerations are included in the decision making and governance of the council.

In exercising your duties as an elected member, you will make decisions which shape the council budget as well as the practice, strategies, plans and policies of the council. You have to make sure that the relevant equality implications are considered and so need to have sufficient information to satisfy our legal requirement to pay “due regard” to equality. Since public authorities subject to the equality duties are also likely to be subject to the obligations under the Human Rights Act, our impact assessment tool also considers the potential impact our decisions could have on human rights – Equality and Human Rights Impact Assessment (EHRIA).

EHRIA forms are included in the agenda pack, and this is important as it ensures that the impact of any proposals being considered by the Committee is clear at the point of decision making. These are included at the back of the report, as an appendix. Committee members should feel able to ask questions of report authors in relation to EHRIA forms, including questions about why an impact assessment has not been carried out/is not included.

There is an onus on elected members to make sure that EHRIAs are robust and give appropriate weighting in decision-making processes. In recent guidance from the Equality and Human Rights Commission, relevant case law examples show the Courts stating that, the public authority had to demonstrate that it had paid ‘due regard’ to its equality obligations.

Policies and practices should be assessed for impact across the three parts of the public sector duty (eliminate unlawful treatment, advance equality of opportunity and foster good relationships).

These duties do not prevent us from taking many difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor do they stop us from making decisions, that may affect one group more than others. Whilst we have a duty to involve groups of people who have protected characteristics, this does not give them the right of veto regarding any of our budget proposals or other council decisions.

What the equality duties do is enable us to demonstrate that we are making decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of our communities.

The EHRIA will allow you to see that people with protected characteristics are enjoying equal access to our services, and where they are not, or are over/under-represented, or are not getting as good a service, the EHRIA gives the opportunity to do something to resolve the situation.

The equality target groups, or people with protected characteristics, include age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation.

The sort of questions to ask yourself as you read an EHRIA might include:

- How might the proposal impact on ethnic minority communities, including Gypsy/Travellers?
- How might the proposal impact on people with a disability?
- Would the impacts on women and men or the Transgender community differ?
- Would the proposal affect ethnic minority women and men in the same ways?
- Would the proposal affect women and men with disabilities in the same ways?
- What about age considerations when thinking about impacts?

It is important to remember that the potential impact is not just about numbers. Evidence of a serious impact on a small number of individuals is just as important as something that will impact on many people. You should also think about how individual proposals might relate to one another. This is because a series of changes to different policies or services could have a severe impact on particular protected groups.

The EHRIA is therefore an invaluable tool to assist you in ensuring that the interests of all groups are properly taken into account when difficult choices about resources are required.

A case study on “Southall Black Sisters – the need to impact assess decisions” is set out below.

Southall Black Sisters (SBS) provides specialist services to Asian and Black Caribbean women, particularly in relation to domestic violence issues.

In June 2007, Ealing council announced proposals to move away from funding particular organisations (such as SBS), towards commissioning services (including domestic violence services) following a competitive bidding exercise.

During discussions about criteria for commissioning domestic violence services SBS had highlighted the adverse impact the criteria could have on pre-existing domestic violence services provided to women from ethnic minority communities, and so an equality impact assessment should be carried out.

Ealing carried out belated impact assessments on proposals before deciding to proceed with the existing domestic violence services commissioning criteria, resulting in two SBS service users launching a judicial review of the decision.

Ultimately, Ealing conceded these submissions and withdrew from the case. However, in an oral judgement, Lord Justice Moses reiterated the importance of undertaking an equality impact assessment, and also the importance of carrying out an impact assessment before policy formulation.

Should you require any help with EHRIAs please contact me at sandrab@aberdeencity.gov.uk or 01224 523039 or Faiza at fnacef@aberdeencity.gov.uk or 01224 523183.

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EDUCATION AND CHILDREN'S SERVICES COMMITTEE

ABERDEEN, 11 March 2015. Minute of Meeting of the EDUCATION AND CHILDREN'S SERVICES COMMITTEE. Present:- Councillor Taylor, Convener; Councillor Len Ironside CBE, Vice-Convener; and Councillors Boulton, Cameron, Carle, Cooney, Corall (as substitute for Councillor Kiddie), Crockett, Lesley Dunbar, Greig, Laing, MacGregor (as substitute for Councillor Samarai), Noble, Stuart, Thomson, Townson, Young and Yuill (as substitute for Councillor Jennifer Stewart). External Members (for articles 1 to 9 only):- Mrs Angela Bowyer (Parent Representative (Primary Schools and ASN)), Mr Stewart Duncan (Teacher Representative - Primary Schools), Mr Mike Paul (Teacher Representative (Secondary Schools)), Ms Shona Wildi (Parent Representative (Secondary Schools)) and Mrs Irene Wischik (Roman Catholic Religious Representative).

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=504&MIId=3458&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

MEMBERSHIP

1. The Convener advised that Councillor May had been replaced with Councillor Stuart on the Committee and thanked Councillor May for his contribution on the Committee.

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

2. The Convener proposed that items 8.1 and 8.2 of today's agenda (article 16 of this minute onwards refers) be considered with the press and public excluded.

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for items 8.1 and 8.2 of the agenda (article 16 of this minute onwards) so as to avoid disclosure of information of the classes described in paragraph 6 of Schedule 7(A) to the Act.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

MINUTE OF PREVIOUS MEETING OF 29 JANUARY 2015

3. The Committee had before it the minute of its previous meeting of 29 January 2015.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

4. The Committee had before it a statement of pending and outstanding committee business which had been prepared by the Head of Legal and Democratic Services.

With regards item 1 (Adventure Aberdeen – Fairley Road Field), the Committee heard from Mr Couperwhite who provided an update on the current status of the project.

The Committee resolved:-

- (i) in relation to item 1 (Adventure Aberdeen – Fairley Road Field), to note the verbal update provided by the Head of Policy, Performance and Resources; and
- (ii) to otherwise note the updates provided.

2014/15 REVENUE BUDGET MONITORING (ECS/15/020)

5. With reference to article 4 of the minute of its previous meeting of 29 January 2015, the Committee had before it a report by the Director of Education and Children's Services and the Head of Finance which advised members of the current year revenue budget to date for the former Education, Culture and Sport service, and outlined any areas of risk, and management action being taken in this regard.

The report recommended –
that the Committee –

- (a) note the report on the near actual figures on the revenue budget and the information on areas of risk and management action that was contained therein; and
- (b) instruct officers to continue to review budget performance and report on service strategies.

The Committee resolved:-

to approve the recommendations.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

CHILDREN'S SERVICES PERFORMANCE REPORT (ECS/SCW/007)

6. The Committee had before it a report by the Director of Education and Children's Services which provided information relating to the performance of the Children's Social Work Service against its agreed indicators. Appended to the report was an update on associated performance measures.

The report recommended –

that the Committee –

- (a) approve the Children's Social Work Service performance report; and
- (b) note that work was ongoing to develop a new suite of performance indicators, aligned to the outcomes in the Service's Business Plan 2014-17.

The Committee resolved:-

to approve the recommendations.

STATUTORY CONSULTATION - REZONING OF SCHOOLS (ECS/15/018)

7. With reference to article 3 of the minute of the meeting of the former Education, Culture and Sport Committee of 7 February 2013, the Committee had before it a report by the Director of Education and Children's Services which detailed the outcome of the statutory consultation on the proposals to (a) rezone ground to the north and east of the River Don currently within the Brimmond School zone to a new zone to be created to serve primary education provision in the Grandhome development, with effect from August 2015; and (b) rezone the ground within the Middleton Park School zone which lies to the west and north of the current limit of the built up area of Middleton Park to a new zone to be created to serve primary education provision in the Grandhome development, with effect from August 2015.

The report recommended –

that the Committee agree to implement proposals (a) and (b) above and to instruct officers to make the necessary arrangements to ensure successful implementation in time for the start of the academic session 2015/2016 in August 2015.

The Committee resolved:-

to approve the recommendations.

**MEMBERSHIP OF THE SEEMIS GROUP LLP – PENSION SCHEME LIABILITIES
MEMORANDUM OF UNDERSTANDING (ECS/15/009)**

8. With reference to article 13 of the minute of the meeting of the former Education, Culture and Sport Committee of 21 November 2013, the Committee had before it a report by the Director of Education and Children's Services which sought approval to enter into a Memorandum of Understanding (MOU) with the SEEMiS Group LLP (the

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

provider of our schools' Management Information System) and South Lanarkshire Council, and a subsequent legally-enforceable guarantee to South Lanarkshire Council, which required the Council to commit to contributing to any unfunded costs in relation to the LLP's membership of the Local Government Pension scheme.

The report recommended –

that the Committee approve the Council's entering into a Memorandum of Understanding with South Lanarkshire Council and the SEEMiS Group LLP, and a subsequent legally-enforceable guarantee to South Lanarkshire Council, which MOU and guarantee would require the Council to indemnify South Lanarkshire Council on a proportionate basis in relation to any unfunded costs (exit liabilities) which might arise with regard to the LLP's membership of the Local Government Pension scheme (LGPS).

The Committee resolved:-

to approve the recommendation.

JOINT INSPECTION OF CHILDREN'S SERVICES (ECS/SCW/009)

9. With reference to article 9 of the minute of the meeting of Council of 4 March 2014, the Committee had before it, by way of a remit, a report from the Director of Education and Children's Services which provided a summary of the outcome of the Care Inspectorate's report on the Joint Inspection of Services for children and young people in the Aberdeen City Community Planning Partnership area.

The report recommended:-

that Council note the outcome of the Care Inspectorate's report on the Joint Inspection of Services to children and young people.

The Council resolved:-

- (a) to approve the recommendation;
- (b) to congratulate all staff involved for their work; and
- (c) to refer the report to the Education and Children's Services Committee for further consideration.

The Committee resolved:-

- (i) to note the outcome of the Care Inspectorate's report on the Joint Inspection of Services to children and young people;
- (ii) to congratulate the Director and all staff involved for their work; and
- (iii) to request the service to report back on progress on the joint action plan to the Committee at its meeting on 3 September 2015.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

At this juncture the external members of the Committee departed.

SPORTS GRANTS (ECS/15/010)

10. With reference to article 5 of the minute of its previous meeting of 29 January 2015, the Committee had before it a report by the Director of Education and Children's Services which presented applications for financial assistance from various sporting organisations and individuals.

The report recommended –

that the Committee –

- (a) consider the applications through the club development grants and approve the following recommendations:

Applicant	Funding Recommended
St Machar Academy (School of Football)	£977.50
Aberdeen Kayak Club	£4,594.50
Total Award	£5,572.00

- (b) consider the applications through the talented athletes grant programme and approve the following recommendations:

Applicant	Sport	Funding Recommended
G Donald	Skiing	£800.00
F Jack	Snowboarding	£480.00
A Kelly	Hockey	£200.00
M Merry	Hockey	£0
P Watt	Dodgeball	£75.00
Total Award		£1,555.00

The Committee resolved:-

to approve the recommendations.

DECLARATION OF INTEREST

Councillor Lesley Dunbar declared an interest in the subject matter of the following article of business by virtue of her involvement with Aberdeen Woman's Alliance and withdrew from the meeting prior to consideration of this item.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

CULTURAL AWARDS - PROJECT FUNDING (ECS/15/014)

11. The Committee had before it a report by the Director of Education and Children's Services which presented recommendations for the allocation of cultural awards-project funding.

The report recommended –

that the Committee approve the allocation of cultural awards – project funding as detailed within the report.

The Committee resolved:-

to approve the recommendation.

ADVENTURE ABERDEEN - PROPOSED AMENDMENT TO CHARGING METHODOLOGY (ECS/15/012)

12. The Committee had before it a report by the Director of Education and Children's Services which sought approval for the proposed changes to the charging methodology for Adventure Aberdeen to come into effect from 1 April 2015.

The report recommended –

that the Committee -

- (a) approve the charging methodology as set out in Appendix 1 of the report;
- (b) agree that the new charges be implemented from 1 April 2015; and
- (c) note the contents of the report.

The Committee resolved:-

to approve the recommendations.

2014/15 REVENUE BUDGET MONITORING (SCWB) (ECS/SCW/006)

13. With reference to article 7 of the minute of its previous meeting of 29 January 2015, the Committee had before it a report by the transitional Director of Social Care and Wellbeing and the Head of Finance which advised members of the current year revenue budget to date for the former Social Care and Wellbeing service, and outlined any areas of risk, and management action being taken in this regard.

The report recommended –

that the Committee –

- (a) note the report on the forecast outturn on the revenue budget and the information on areas of risk and management action that was contained therein; and
- (b) instruct officers to continue to review budget performance and report on service strategies.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

The Committee resolved:-

to approve the recommendations.

ADULT SERVICES PERFORMANCE REPORT (ECS/SCW/008)

14. The Committee had before it a report by the transitional Director of Social Care and Wellbeing which provided information relating to the performance of the Adult Social Work Service against its agreed indicators. Appended to the report was an update on associated performance measures.

The report recommended –
that the Committee –

- (a) approve the Adult Social Work performance report; and
- (b) note that work was ongoing to develop a new suite of performance indicators, aligned to the outcomes in the Service's Business Plan 2014-17.

The Committee resolved:-

to approve the recommendations.

EXEMPT INFORMATION

In accordance with the Data Protection Act 1988 (principle 1), the press and public were excluded from the meeting during consideration of the following item.

SPORTS GRANTS

15. With reference to article 10 of this minute, the Committee had before it an appendix which contained further details of the applications for financial assistance from individuals under the age of 16.

The Committee resolved:-

to note that this item was considered earlier on today's agenda (article 10 refers).

EXEMPT BUSINESS

In accordance with the decision taken at article 2 of this minute, the following item of business was considered with the press and public excluded.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

DECLARATIONS OF INTEREST

The Convener declared an interest in the subject matter of the following article by virtue of her position as a Council appointed Board member of Garthdee Alpine Sports Board. The Convener chose to remain in the meeting as Garthdee Alpine Sports had a specific exclusion in terms of the Councillors' Code of Conduct.

Councillor Boulton declared an interest in the subject matter of the following article by virtue of her position as a Council appointed Board member of Sport Aberdeen. Councillor Boulton chose to remain in the meeting as Sport Aberdeen had a specific exclusion in terms of the Councillors' Code of Conduct.

GARTHDEE ALPINE SPORTS BUSINESS PLAN 2015 - 16 (ECS/15/013)

16. The Committee had before it a report by the Director of Education and Children's Services which sought approval for the Garthdee Alpine Sports Business Plan for 2015/2016.

The report recommended –

that the Committee –

- (a) note the contents of the report; and
- (b) approve the Garthdee Alpine Sports Business Plan for 2015/2016.

The Committee resolved:-

to approve the recommendations.

DECLARATION OF INTEREST

Councillor Boulton declared an interest in the subject matter of the following article by virtue of her position as a Council appointed Board member of Sport Aberdeen. Councillor Boulton chose to remain in the meeting as Sport Aberdeen had a specific exclusion in terms of the Councillors' Code of Conduct.

EDUCATION AND CHILDREN'S SERVICES COMMITTEE
11 March 2015

SPORT ABERDEEN BUSINESS PLAN 2015-16 (ECS/15/011)

17. The Committee had before it a report by the Director of Education and Children's Services which sought approval for the Sport Aberdeen Business Plan for 2015/2016.

The report recommended –
that the Committee –

- (a) note the contents of the report; and
- (b) approve the Sport Aberdeen Business Plan for 2015/2016.

The Committee resolved:-

to approve the recommendations.

- COUNCILLOR ANGELA TAYLOR, CONVENER

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**EDUCATION AND CHILDREN'S SERVICES
COMMITTEE BUSINESS**

2 JUNE 2015

Please note that this statement contains a note of every report which has been instructed for submission to this Committee. All other actions which have been instructed by the Committee are not included, as they are deemed to be operational matters after the point of committee decision.

Reports which are overdue are shaded.

	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
1.	Education, Culture and Sport 28/03/13 article 20	<u>Adventure Aberdeen – Fairley Road Field</u> The Committee resolved to instruct officers to develop a detailed costed proposal, and report back to a future meeting.	A Project Proposal form is to be presented to the Corporate Plan and SIP Review Group on Wed 21 January 2015. This paper outlines recent progress on this proposed project, and notes comments from a wide range of Officers from support services across the council. Following this, a full report will be prepared and submitted to the ECS committee in June 2015 . A verbal update was provided at the Committee's meeting on 11 March 2015. A report is on the agenda.	Head of Education Services	21/11/13
2.	Education, Culture and Sport Committee 27/03/14 article 10	<u>Knowledge Transfer Partnership</u> The Committee resolved to instruct officers to review the Knowledge Transfer Partnership Agreement in twelve months and report back to the Committee in this regard.	A report will be submitted to the Committee at its meeting on 2 June 2015. A report is on the agenda.	Head of Policy, Performance and Resources	11/03/15

3.	Social Care and Wellbeing 16 May 2013 (Article 7)	<p><u>Residential Children's Services Review And Redesign Programme</u></p> <p>The Committee resolved, amongst other things, request a final report of recommendations be presented to Committee in September 2013.</p>	<p>The service has extended staff consultation and widened discussions on the review. It is taking the opportunity to align messages from the ICs inspection with these recommendations and to align with plans for reclaiming social work implementation.</p> <p>A report will be submitted to the Committee's meeting on 3 September 2015.</p>	Head of Children's Services	10/09/13
4.	Audit and Risk Committee 26 June 2014 (Article 10)	<p><u>System of Risk Management</u></p> <p>The Committee resolved, amongst other things, to instruct all Services to review their business continuity arrangements and to report back to their Service Committee.</p>	<p>A report will be submitted to the Committee at its meeting on 2 June 2015.</p> <p>An information bulletin report is available.</p>	Directorate Support Managers for Education, Culture and Sport and Social Care and Wellbeing	11/3/15
5.	Education and Children's Services Committee 29 January 2015 article 5(B)	<p><u>Organisation Review – Phase 3 (Sport Aberdeen)</u></p> <p>The Committee resolved, amongst other things, to instruct officers to: (a) amend the existing contract agreement with Sport Aberdeen to reflect the additional functions of the sports team; (b) undertake a broader review of the existing contract agreement with a view to strengthen further the system of governance of Sport Aberdeen; and (c) report back to the Committee in Autumn (November 2015) cycle.</p>		Director of Education and Children's Services	12/11/15

6.	Education and Children's Services Committee 29 January 2015 article 5(B)	<p><u>Joint Inspection of Children's Services</u></p> <p>The Committee resolved, amongst other things, to request the service to report back on progress on the joint action plan to the Committee at its meeting on 3 September 2015.</p>		Head of Children's Services	3/9/15
Annual Reports					

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ABERDEEN CITY COUNCIL

COMMITTEE	Education & Children's Services
DATE	2 June 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	2014/15 Revenue Budget Monitoring
REPORT NUMBER:	ECS/15/030
CHECKLIST COMPLETED:	YES

1. PURPOSE OF REPORT

1.1 The purpose of this report is to

- i) bring to Committee members attention the current year revenue budget performance for the services which relate to this Committee; and
- ii) advise on any areas of risk and management action.

2. RECOMMENDATION(S)

2.1 It is recommended that the Committee:

- i) Note this report on the near actual figures on the revenue budget and the information on areas of risk and management action that is contained herein;
- ii) Instruct that officers continue to review budget performance and report on service strategies;
- iii) Approve the ring-fencing of funding for ICT for the new South of the City Secondary School from service underspends.

3. FINANCIAL IMPLICATIONS

3.1 The revised total Education & Children's Services revenue budget amounts to around £171.9M net expenditure.

- 3.2 Based upon the near actual figures it is anticipated that the financial performance of the Directorate, an underspend of £900K, which compares favorably with the period 10 estimate of a £375 underspend.

4. OTHER IMPLICATIONS

- 4.1 Every organisation has to manage the risks inherent in the operation of large and complex budgets. These risks are minimised by the regular review of financial information by services and corporately by Members. This report is part of that framework and has been produced to provide an overview of the current operating position.

5. BACKGROUND/MAIN ISSUES

- 5.1 This report informs Members of the current year E&CS revenue budget performance to date, and provides a high level summary for the consideration of Members, of the near actual figures for the year.
- 5.2 The Directorate's revenue budget report and associated notes are attached as

Financial Position

- 5.3 In overall terms, as set out in Appendix A, the near actual position reflects spend of £900K below budget.
- 5.3.1 The final financial position reflects movements to Earmarked Reserves of £1.8M in respect of underspends by schools in line with the approved scheme of delegation which allows schools to carry forward underspends between financial years. This included funds of £700K to purchase appropriate ICT equipment upon completion of the ICT Connectivity work in 2015-16.
- 5.3.2 The budget provision for the new South of the City Secondary School is insufficient to fully meet ICT costs, currently estimated at £1m. the service has indicated that it could contribute to this from the underspends on its 2014/15 budget.
- 5.3.2 The main areas of variance leading to this level of underspend are also detailed in the appendices to this report.
- 5.3.3 Key underlying assumptions and risks concerning the near actual figures are as follows:
- Accruals have been calculated based on the most appropriate available data. In some instances the accruals are based on actual invoices paid or received in the new financial year, whereas in other

instances it has been necessary to identify an appropriate method to estimate the value of invoices outstanding.

- It is assumed that heads of service, service managers and budget holders have advised Services Accounting of any costs or incomes that need to be accrued or prepaid in 2014/15. Accruals have been prepared on the basis of information thus received.
- It remains a risk that significant accruals or prepayments are identified which have not been allowed for and which have a material effect on the figures reported or result in pressure on next year's budget.

6. IMPACT

- 6.1 As a recognised top priority the Council must take the necessary measures to balance its revenue budget. Therefore Committees and Directorates are required to work within a financial constraint. Every effort is being focused on delivering services more efficiently and effectively.

7. BACKGROUND PAPERS

Financial ledger data extracted for the period.

8. REPORT AUTHOR DETAILS

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Additional contributions to analysis of risks and management action by
Director & Heads of Service – Education & Children's Services.

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**ABERDEEN CITY COUNCIL
REVENUE MONITORING 2014/2015**

DIRECTORATE : Education And Children's Services

As at end of March 2015				
ACCOUNTING PERIOD 12	Full Year Revised Budget £'000	Actual Expenditure £'000	Variance Amount £'000	Variance Percent %
Head of Service - Communities, Culture & Sport	40,540	39,353	(1,187)	(2.9)
Head of Service - Education Services	127,406	127,634	228	0.2
Head of Service - Resources	3,936	4,004	68	1.7
TOTAL	171,882	170,991	(891)	(0.5)

DIRECTORATE :Education Culture & Sport

HEAD OF SERVICE :

As at end of March 2015	Full Year revised Budget	Actual Expenditure	Variance Amount	Variance Percent	Change from Last Report
ACCOUNTING PERIOD 12	£'000	£'000	£'000	%	£'000
STAFF COSTS	20,524	19,312	(1,212)	(5.9)	(107)
PROPERTY COSTS	2,150	2,120	(30)	(1.4)	(31)
ADMINISTRATION COSTS	566	515	(51)	(9.0)	(33)
TRANSPORT COSTS	175	155	(20)	(11.4)	(10)
SUPPLIES & SERVICES	5,842	6,407	565	9.7	104
COMMISSIONING SERVICES	7,136	6,934	(202)	(2.8)	(163)
TRANSFER PAYMENTS TOTAL	9,850	10,177	327	3.3	448
GROSS EXPENDITURE	46,243	45,620	(623)	(1.3)	208
LESS: INCOME					
GOVERNMENT GRANTS	(1,170)	(1,033)	137	(11.7)	177
OTHER GRANTS	(551)	(787)	(236)	42.8	(163)
FEES & CHARGES	(2,821)	(2,948)	(127)	4.5	(446)
RECHARGES	(355)	(482)	(127)	35.8	(128)
OTHER INCOME	(806)	(1,017)	(211)	26.2	(5)
TOTAL INCOME	(5,703)	(6,267)	(564)	9.9	(565)
NET EXPENDITURE	40,540	39,353	(1,187)	(2.9)	(357)

Staff Costs

The main staffing underspend areas were, Communities £270k, Culture £350k, Early Years £360k plus Families & Vulnerable Learners £430k

(1,212) (107)

Property Costs

(30) (31)

Administration costs

(51) (33)

Transport costs

(20) (10)

Supplies & Services

The major change from the previous forecast mainly reflects an underspend of £150k in Surestart funding.

565 104

Commissioning Services

Out Of Authority Placements were £1M greater than budgeted at £3.5M. This was offset by lower than expected payments to Pre School Providers.

(202) (163)

Transfer Payments

Transition grants to stand alone community centres were £160k below budget reflecting the number of centres which have fulfilled the requirements to operate on their own. This was offset by additional payments in respect of the Belmont Cinema plus additional Sport Grant Expenditure which was supported by Common Good Income.

327 448

Income - Government Grants

This variance reflects Creative Scotland Grants where permission was granted to carry forward underspends to the next financial year.

137 177

Income - Other Grants

The additional income reflects a number of small grants which will be utilised within the current financial year 2015-16.

(236) (163)

Income - Fees & Charges

While Creche Income was ultimately £250K less than budgeted, the variance reflects delays in banking of Receipts which is being closely monitored by finance and service staff to ensure regular banking is carried out.

(127) (446)

Income - Recharges

Final income reflects recharges to the Common Good Fund in relation to underspends in Sports Grants from 2013-14 which were carried forward into 2014-15.

(127) (128)

Income - Other Income

(211) (5)

(1,187)	(357)
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ABERDEEN CITY COUNCIL
REVENUE MONITORING 2014/ 2015

DIRECTORATE :Education Culture & Sport
HEAD OF SERVICE : C Penman

As at end of March 2015

Accounting Period 12	Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent	Change from Last Report
	£'000	£'000	£'000	%	£'000
STAFF COSTS	96,311	95,688	(623)	(0.6)	(1,221)
PROPERTY COSTS	25,091	24,901	(190)	(0.8)	42
ADMINISTRATION COSTS	214	182	(32)	(15.0)	(37)
TRANSPORT COSTS	250	213	(37)	(14.8)	(35)
SUPPLIES & SERVICES	7,835	8,506	671	8.6	627
COMMISSIONING SERVICES	403	441	38	9.4	8
TRANSFER PAYMENTS TOTAL	134	121	(13)	(9.7)	7
GROSS EXPENDITURE	130,238	130,052	(186)	(0.1)	(609)
LESS: INCOME					
GOVERNMENT GRANTS	(506)	(311)	195	(38.5)	196
OTHER GRANTS	(356)	(314)	42	(11.8)	92
FEEES & CHARGES	(1,119)	(947)	172	(15.4)	81
OTHER INCOME	(851)	(846)	5	(0.6)	104
TOTAL INCOME	(2,832)	(2,418)	414	(14.6)	473
NET EXPENDITURE	127,406	127,634	228	0.2	(136)

<u>BUDGET TO DATE MONITORING VARIANCE NOTES</u>	VARIANCE £'000	CHANGE £'000
<u>Staff Costs</u>		
The year to date position mainly reflects a cumulative staffing underspend in respect of the schools DEM budgets. These sums have been utilised by schools to purchase additional teaching resources such as books and IT equipment and this is reflected in the Supplies & Services expenditure line.	(623)	(1,221)
<u>Property Costs</u>		
The Unitary Charge budget was underspent by £155K as a result of contract monitoring efficiencies plus savings as a result of minimal vandalism costs and contractual letting income sharing arrangements.	(190)	42
<u>Administration costs</u>		
	(32)	(37)
<u>Transport costs</u>		
	(37)	(35)
<u>Supplies & Services</u>		
There is a one year saving of £120K within the Exam Fee budget which reflects changes in the SQA invoicing process only. The bulk of the overspends reflects schools utilising staffing underspends to purchase additional teaching resources.	671	627
<u>Commissioning Services</u>		
	38	8
<u>Transfer payments</u>		
	(13)	7
<u>Income - Government Grants</u>		
The variance reflects grants which were for more than one financial year and which have been carried forward into 2015-16	195	196
<u>Other Grants</u>		
The variance reflects grants which were for more than one financial year and which have been carried forward into 2015-16	42	92
<u>Income - Fees & Charges</u>		
Music Fees were £60K less than anticipated. This was partially related to staff vacancies and was offset by lower than forecasts staff costs.	172	81
<u>Income - Other Income</u>		
Shared Premises Cost Recoveries were £40K higher than budget reflecting year on year cost increases which have been recharged.	5	104
	228	(136)

**ABERDEEN CITY COUNCIL
REVENUE MONITORING 2014/ 2015**

**DIRECTORATE :Education Culture & Sport
HEAD OF SERVICE : E Couperwhite**

As at end of March 2015

Accounting Period 12	Full Year revised Budget	Actual Expenditure	Variance Amount	Variance Percent	Change from Last Report
	£'000	£'000	£'000	%	£'000
STAFF COSTS	2,638	2,503	(135)	(5.1)	75
PROPERTY COSTS	137	119	(18)	(13.1)	(41)
ADMINISTRATION COSTS	440	463	23	5.2	(23)
TRANSPORT COSTS	56	64	8	14.3	6
SUPPLIES & SERVICES	775	927	152	19.6	(60)
TRANSFER PAYMENTS	325	293	(32)	(9.8)	(5)
GROSS EXPENDITURE	4,371	4,369	(2)	-0.05	(48)
LESS: INCOME					
GOVERNMENT GRANTS	(366)	(313)	53	(14.5)	16
OTHER GRANTS	(25)	(22)	3	(12.0)	3
FEES & CHARGES	(10)	(10)	0	0.0	0
OTHER INCOME	(34)	(20)	14	(41.2)	6
TOTAL INCOME	(435)	(365)	70	(16.1)	25
NET EXPENDITURE	3,936	4,004	68	1.73	(23)

<u>BUDGET TO DATE MONITORING VARIANCE NOTES</u>	VARIANCE £'000	CHANGE £'000
<u>Staff Costs</u>		
The year to date underspend reflects the management of vacancies to contribute towards service wide annual vacancy factor savings. The change from the previously estimated figure reflects some filling of posts plus greater than forecast staff advertising posts as the service continues extensive recruiting to fill front line posts within schools and services.	(135)	75
<u>Property costs</u>		
	(18)	(41)
<u>Administration costs</u>		
Additional PVG check costs of £60K have largely been offset by underspends in other administration costs.	23	(23)
<u>Transport costs</u>		
	8	6
<u>Supplies & Services</u>		
The main variances relates to additional licences for the replacement MIS programme which is being run in tandem with the previous system, plus Health & Safety inspection costs in relation to schools technical departments.	152	(60)
<u>Transfer Payments</u>		
Within this heading, payments to students in respect of Education Maintenance payments was slightly less than budgeted. This is reflected in reduced grant income.	(32)	(5)
<u>Government Grants</u>		
Education Maintenance Allowance Expenditure, which is wholly reclaimable from the Scottish Government was slightly less than budgeted.	53	16
<u>Other Grants</u>		
	3	3
<u>Income - Fees & Charges</u>		
	0	0
<u>Other Income</u>		
	14	6
	68	(23)

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ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2nd June 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	Education and Children's Services Performance Report
REPORT NUMBER	ECS/15/028
CHECKLIST RECEIVED:	Yes

1. PURPOSE OF REPORT

The purpose of this report is to:

- provide Elected Members with a summary of quarterly Education and Children's Services (E&CS) Directorate performance outcome data up to and including 31st March 2015 and the most recent Service Delivery indicator information.

2. RECOMMENDATION(S)

The Committee is asked to:

- Approve the E&CS Service Performance Report for the quarterly period to 31st March 2015
- Note the ongoing work being completed to assimilate and re-aggregate data against particular performance metrics from the former Service structures in respect of the new Directorate's responsibilities

3. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the report.

4. OTHER IMPLICATIONS

There are no direct implications arising from this report.

The Services are required to act as set out in the Local Government Act 1992, and as defined within the Statutory Performance Indicator

2013 Direction provided by the Accounts Commission, in respect of its Public Reporting obligations and;

There may be legislative, property, equipment or Health and Safety implications linked to the Service-wide Health and Safety update included in this report. These are addressed by Service as a matter of course, and in accordance with best practice, as required.

5. BACKGROUND/MAIN ISSUES

5.1 Service Plan & Strategy Map Priorities and Reporting

As Members will be aware, the meeting of Council on 20th August approved proposals for Service re-structuring which incorporated a revised Directorate remit, encompassing the work of the former Education, Culture and Sport Directorate and Children's Services, previously delivered through the Social Care and Wellbeing Directorate.

Following the consultation around implementation of the third phase of this Organisation Review process, outlined at the meeting of this Committee on the 29th January 2015, the new Directorate structure, under the four respective Heads of Service, was agreed and has, of 1st April 2015, been put in place

The reports attached at Appendices A and B, piloting a new collaborative template, provide:

Analysis relating to a selection of Key Service Performance Indicators covering the most recently available data up to and including 31st March 2015, reflecting discrete outcomes against the Education and Children's social work functions delivered through the Directorate.

Additional work is presently being undertaken, in collaboration with colleagues in Corporate Governance teams, to re-align employee and other corporate measures to provide a combined suite of Service-wide indicators.

Alongside this, the Directorate is presently reviewing the content of pre-existing Business and Improvement Plans to ensure that the strategic and service priorities aligned with the former structures are both captured in full and, as required, re-invigorated as the Directorate moves forwards.

5.2 Key Analysis

Members should note the following highlighted performance metrics covering the period up to March 2015, taken from the attached appendices.

It should be noted that, where these are included, Service Delivery metrics are based on the respective Service structures preceding full implementation of the third phase of organisational review and includes corporate data that may, in some instances, cover aggregated functions aligned with the former Directorate structures.

In particular, it should be noted that those 'corporate' metrics aligned with Children's Services, at this point in time, reflect outcomes which include the functions of both this discrete Service and those of Adult Social Work teams.

The following provides analysis of some key areas of performance across the Directorate's functions

5.2.1 Education Services

Library Visits In Person

Against a national background of declining visits to library facilities and a number of extended site closures for refurbishment and repairs in 2014-15, a total of 996,285 visits in person to library sites were recorded which is an increase against the previous year of just less than 1%.

Of the additional 8,850 visits, the majority of these were noted against the four libraries housed within the Central Library and with 606,511 visits being recorded through the community library network which maintains levels recorded in the previous year in spite of the maintenance issues identified above.

Museum Visits In Person

Some 281,981 visits in person were recorded across the four museum and gallery sites in 2014-15, some 3.2% greater than in the previous year despite the redevelopment closure of the Art Gallery and Museum and Cowdray Hall at the end of February.

In spite of this, and whilst the latter facility noted a fall in numbers of 1,300 visits, the main Gallery site maintained virtually the same level of annual admissions as in 2013-14 with 161,995 visits. The Maritime Museum experienced the largest increase in numbers, rising by 14.2% (+ 9,711) with the Tolbooth Museum maintaining the growth levels from 2014-14, recording just under 23,000 visits (+1.7%)

5.2.2. Children's Services

Child Protection

Over the course of each quarter during 2014-15 and the full 12 month period, each child placed on the Child Protection Register was allocated with a Social Worker resource, which demonstrates the culmination of a four year trend in improvement against this metric.

Absence Management

In terms of the average number of days absence through illness per employee and although the Quarter 4 outcome is marginally above the target figure, substantial progress has been made throughout 2014-15 to minimise absence levels across the Service.

The rolling figure for March 2015 was 11.4 as opposed to 15.5 days in the previous year, with the Quarter 4 figure falling from 15.6 days to 11.4 and the compound annualised data showing a comparative reduction of 6.0 days per employee from 18.9 averaged days in 2013-14 to 12.9 days over the 2014-15 fiscal period.

6. IMPACT

Corporate

Reporting to the Committee is an essential governance requirement of the Service's performance management arrangements, by which members may seek assurance that performance improvement activity is evidenced and robust.

The measures reported against ensure linkage to the Single Outcome Agreement and the themes contained in "Improving Scottish Education.", together with the Administration's Policy Statement 'Smarter Aberdeen', covering:

Smarter Living Priorities;

"We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities which promote independence, resilience, confidence and self-esteem"

"We will improve access to and increase participation in arts and culture by providing opportunities for citizens and visitors to experience a broad range of high quality arts and cultural activities."

"We will promote and improve opportunities for physical activity and sport to enable Aberdeen's citizens to lead more active, healthier lives."

Smarter People Priorities;

"We will provide a high quality education service within our schools and communities which will improve attainment and life chances of our children and young people to achieve their full potential in education, employment or training,"

"Working with our third, public and private sector partners, we will provide opportunities for lifelong learning which will develop knowledge, skills and attributes of our citizens to enable them to meet the changing demands of the 21st century."

Smarter Mobility Priorities

“We will maximise digital connectivity to ensure equal opportunity of access to services for all people.”

Public

The report is designed for information purposes only and no Equalities and Human Rights implications are involved either in its preparation or the recommendations contained within the body of the Report.

Transparency in our performance reporting is a key component of our Public Performance Reporting requirement, which is subject to annual audit by Audit Scotland. Education, Culture and Sport undertakes to report our own performance to the Committee and thereby into the public domain.

7. MANAGEMENT OF RISK

The nature of this report is not such that a risk assessment of options is required for consideration by the Committee. However, the regular reporting of performance is itself mitigation of the risk that the Council’s Public Performance Reporting might be regarded as insufficient for the purposes of meeting the obligations placed upon it.

8. BACKGROUND PAPERS

- **Appendix A:** E&CS Directorate Performance Scorecard up to 31st March 2015
- **Appendix B:** E&CS Directorate Performance Charts up to 31st March 2015 and Strategy Map

9. REPORT AUTHOR DETAILS

Co-ordinated by;

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E&CS Performance Scorecard – Quarter 4, 2014-15

Summary scorecard of Directorate indicators against Service Plan Priorities and Strategy Maps

Report Author: Alex Paterson

Generated on: 14th May 2015



Performance Data Traffic Light						
						2
Red						2
Amber						2
Green						2
Data Only						27

Improving Staff Experience

Performance Measure	January 2015	February 2015	March 2015	Q4 2014/15		Target	Status	Long Trend
	Value	Value	Value	Value	Value			
Average number of days lost through sickness absence across Education, Inclusion and Policy and Performance services*	7.3	7.5	7.2			10.0		
Average number of days per employee lost through sickness absence across Social Care & Wellbeing*	11.3	11.5	11.4			11.3		

Performance Measure	January 2015	February 2015	March 2015	Q4 2014/15		Target	Status	Long Trend
	Value	Value	Value	Value	Value			
H&S Employee Reportable by Directorate – ECS*					1	Minimise		
H&S Employee Non Reportable by Directorate – ECS*					24	Minimise		
H&S Employee Reportable by Directorate - SC&W*					0	Minimise		
H&S Employee Non Reportable by Directorate - SC&W*					4	Minimise		

Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value		Value		Value		Value				
Headcount of Agency Staff - Education & Children's Services+	92		35		112		N/A		N/A		

+This is a new metric which, as of March 2015, reflects adjustments to accommodate the revised Directorate structure. As such this information is not directly comparable with previous figures reported to Committee.



Improving Customer Experience - Education and Children's Services											
Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value		Value		Value		Value				
% of FOI requests replied to within timescale (Education, Inclusion and Policy and Performance)*	100%		100%		100%				100%		
% of formal complaints acknowledged within 5 day timescale (Social Care & Wellbeing)*								68%	100%		
% of formal complaints responded to within 28 day timescale (Social Care & Wellbeing)*								41%	75%		
% of formal complaints acknowledged within 5 day timescale (Social Care & Wellbeing)*								85%	100%		

* Please note that these figures currently relate to the combined staffing complement or structures/functions aligned with the former Social Care and Wellbeing and Education, Culture and Sport Directorates.





Improving Customer Experience – Education Services

Priority One: Accelerate progress to improve learning outcomes for specific underperforming groups in particular Children and Young People with Additional Support Needs, Literacy and Adults											
Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value		Value		Value		Value				
Number of PC terminal and Wi-Fi Netloan access uses in Library Learning Centres and Learning Access Points	16,050		16,294		18,081		50,425		Linked to SPI		

Priority 2 - Improve health and wellbeing outcomes through more people being more active, more often and improved mental health and resilience

Performance Measure	January 2015	February 2015	March 2015	Q4 2014/15	Target	Status	Long Trend
	Value	Value	Value	Value			
Number of attendances at Sport Aberdeen and Aberdeen Sports Village indoor sports and leisure facilities (excluding school and community facilities)				452,758	Linked to SPI		↑
Number of attendances at Sport Aberdeen and Aberdeen Sports Village pool facilities (excluding school and community facilities)				162,991	Linked to SPI		↑

Priority Four - Extend Quality Cultural opportunities

Performance Measure	January 2015	February 2015	March 2015	Q4 2014/15	Target	Status	Long Trend
	Value	Value	Value	Value			
Number of visits to libraries - virtual	41,952	38,870	42,995	123,817	Linked to SPI		↑
Number of visits to/uses of council funded or part funded museums - virtual	122,543	47,068	61,959	231,570	Linked to SPI		↑
Number of visits to libraries - person	74,232	73,597	77,692	225,521	Linked to SPI		↑
Number of visits to/uses of council funded or part funded museums - person	14,247	15,236	7,527	37,010	Linked to SPI		↑

Improving Customer Experience – Children’s Services

Effective Resource Management

Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value		Value		Value		Value				
% of children with an allocated social worker								95%	Increase		↑
% of children on the Child Protection Register with allocated social worker							100%		Increase		▬
% of Looked After Children with allocated social worker							84%		Increase		↑
% of children who are Looked After & Accommodated Children (LAAC) with an allocated social worker							99%		Increase		↑



People At Risk Are Protected - Balance of Care

Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value		Value		Value		Value				
% of Looked After Children at home								23%	Increase		↑
% of Looked After Children in a Kinship Care Arrangement								18%	Increase		→
% of Looked After Children in community based care								43%	Increase		↑
% of Looked After Children in residential care								16%	Decrease		→

People Are Supported Within Their Families And Communities											
Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value	Value	Value	Value	Value	Value	Value	Value			
The number of referrals of Children's Cases in a quarter								759	N/A		
Children's Referrals with No Further Action outcome								322	N/A		
Children's Referrals with Proceed To... outcome								324	N/A		
Children's Referrals with Pending outcome								113	N/A		

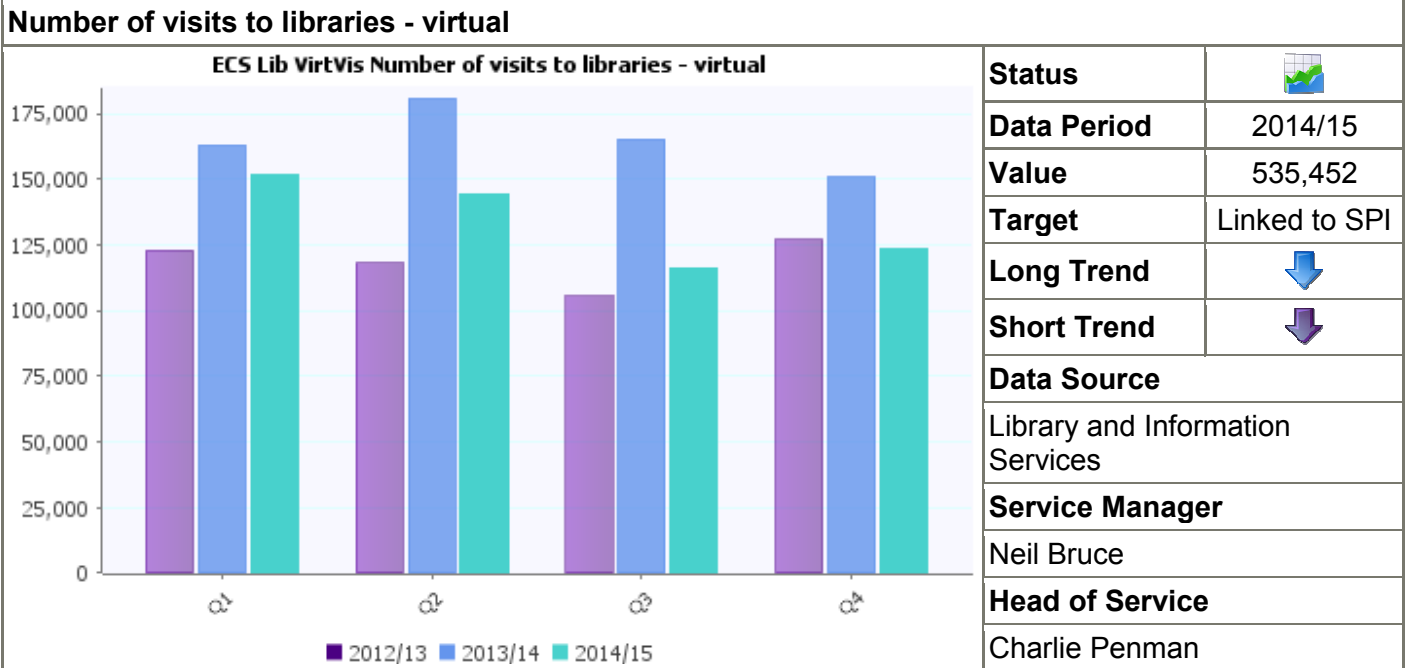
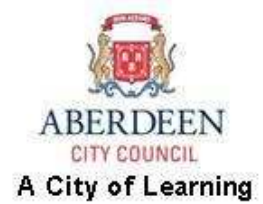
Wellbeing Is Promoted In All Care Groups – Child Protection											
Performance Measure	January 2015		February 2015		March 2015		Q4 2014/15		Target	Status	Long Trend
	Value	Value	Value	Value	Value	Value	Value	Value			
Child Protection: number of new registrations								40	N/A		
Child Protection: number of de-registrations								38	N/A		
Child Protection: number on register at end of quarter								99	N/A		

PI Status			Long Term Trends			Short Term Trends		
	Alert			Improving		Improving		
	Warning			No Change		No Change		
	OK			Getting Worse		Getting Worse		

	Unknown
	Data Only

ECS Performance Trend Charts- Quarter 4, 2014-15

Report Author: Alex Paterson
Generated on: 14th May 2015



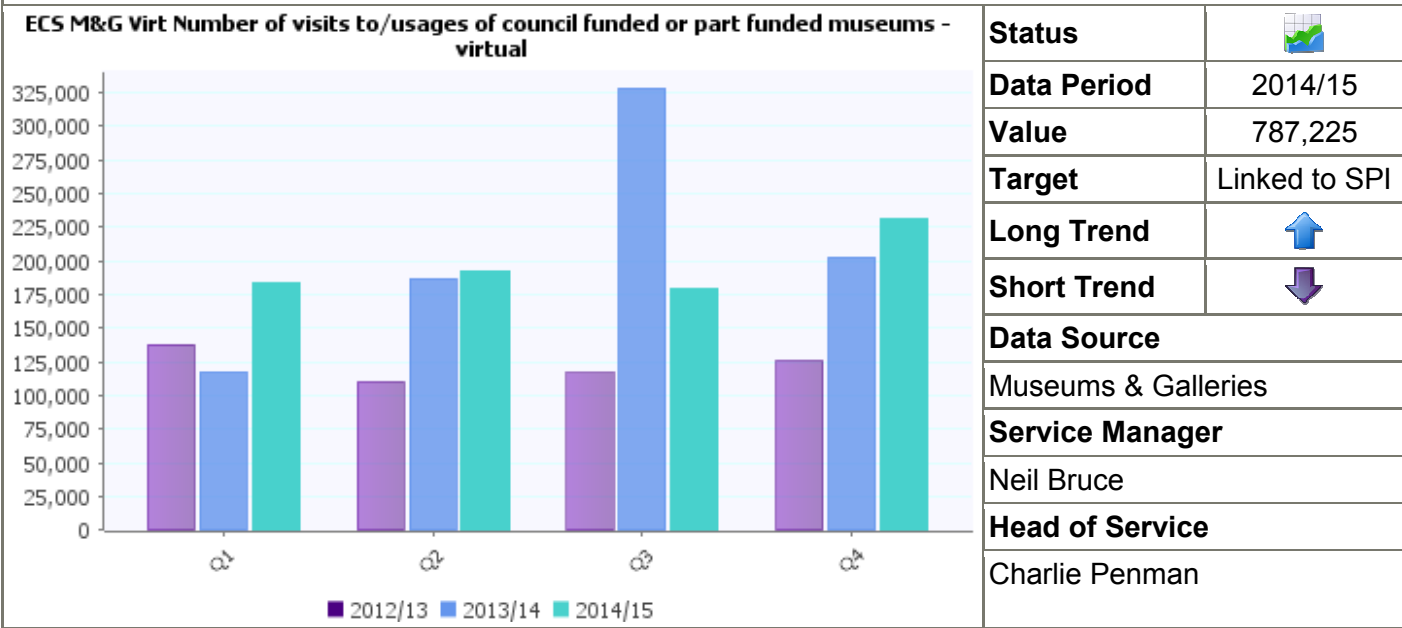
Narrative and Analysis

A total of 535,452 virtual visits through Library and Information Service digital platforms were recorded in 2014-15 which represents a reduction on the previous year of just over 18%.

This reflects a number of factors which, in part, relates to the functionality of parts of the ICT infrastructure across community libraries, changes in the methodology of calculations linked to the provision of mobile access technology which is increasingly supported by the Service and the movement in the popularity of a minority of Service sites.

Testing of measures of this latter functionality is now sufficiently robust to enable calculation and incorporation of data from these types of use in the formal SPI process which will be completed during June and, it is anticipated, will counter the reduction in this figure by a reasonable margin.

Number of visits to/uses of council funded or part funded museums - virtual



Status	
Data Period	2014/15
Value	787,225
Target	Linked to SPI
Long Trend	
Short Trend	
Data Source	Museums & Galleries
Service Manager	Neil Bruce
Head of Service	Charlie Penman

Narrative and Analysis

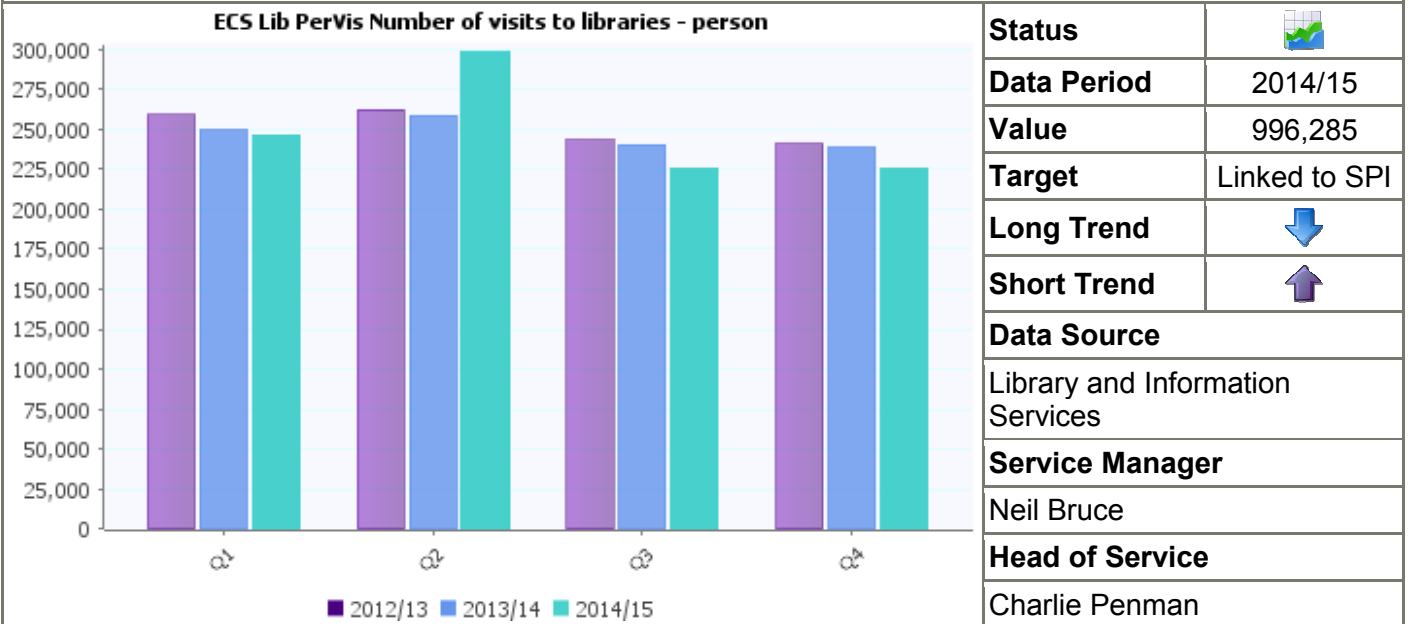
The data relating to Quarter 4, although +14% up on the same period in 2014, has been impacted by the loss of “virtual visit” information linked to the upgrading of one of the Museums and Galleries stand-alone websites during February and March.

Whilst it is hoped that this information may be retrieved from back-up systems, this also affects the year-end outcome, currently -6% down on 2013-14. If this process, however, is unsuccessful, it should be possible to complete an extrapolation exercise to limit the impact on the Services Statutory Performance Indicator submission in June.

Assuming that this is practical, it would be forecast that the annual out-turn will be within -1 to -2% of the previous year’s figures and, in any case, already substantially exceed the 2012-13 result by around 60%

Number of visits to libraries - person

This indicator monitors the number of visits to libraries in person. Trend calculation method is year on year- Short trend calculates current period v previous year period; Long trend calculates average over 12 month period. Annual value = cumulative monthly values. Annual long trend is calculated over a 3 year period.

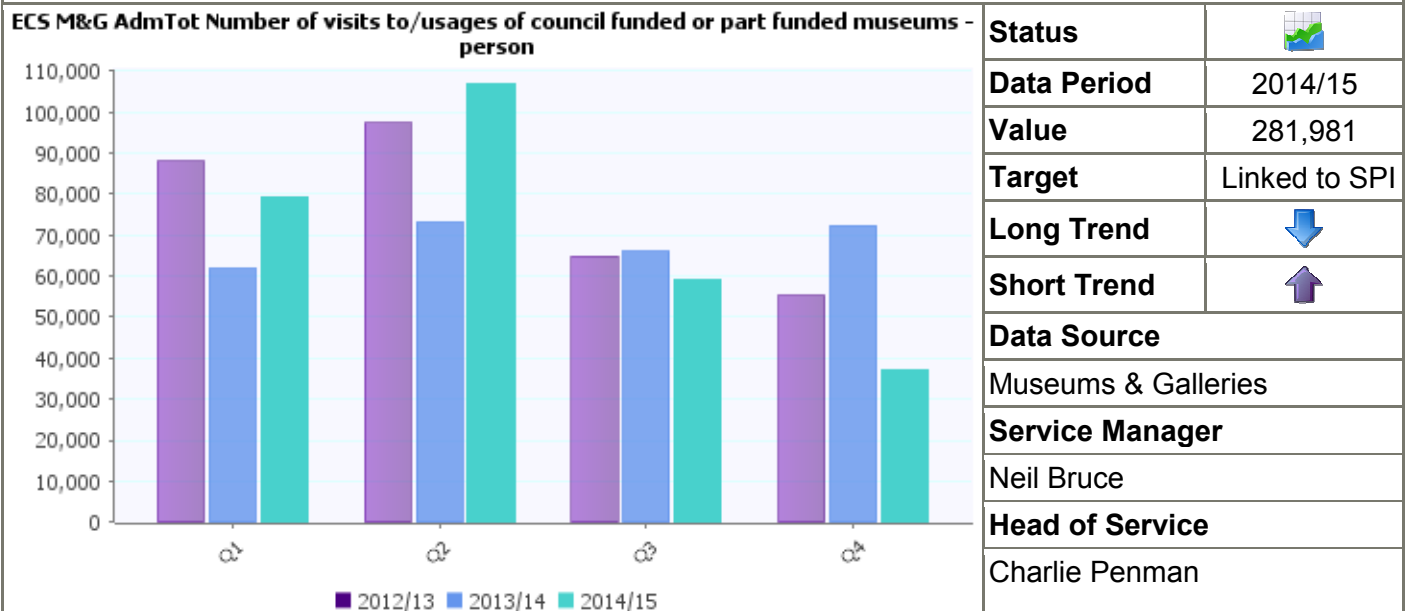


Status	
Data Period	2014/15
Value	996,285
Target	Linked to SPI
Long Trend	
Short Trend	
Data Source	Library and Information Services
Service Manager	Neil Bruce
Head of Service	Charlie Penman

Narrative and Analysis

In 2014-15, a total of 996,285 visits in person to library sites were recorded which is an increase against the previous year of around 1%. Of the additional 8,850 visits, the majority of these were noted against the four libraries housed within the Central Library and with 606,511 visits being recorded through the community library network, a figure that is virtually identical to that in 2013-14 despite extended closure periods at both Airyhall and Northfield Libraries linked to repair/redevelopment works.

Number of visits to/uses of council funded or part funded museums - person



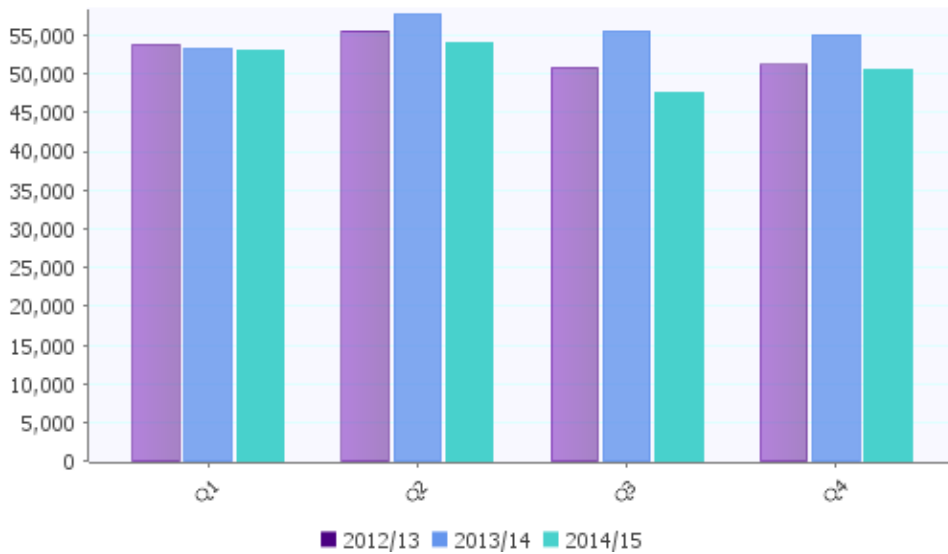
Status	
Data Period	2014/15
Value	281,981
Target	Linked to SPI
Long Trend	
Short Trend	
Data Source	Museums & Galleries
Service Manager	Neil Bruce
Head of Service	Charlie Penman

Narrative and Analysis

Some 281,981 visits in person were recorded across the four museum and gallery sites in 2014-15, some 3.2% greater than in the previous year despite the redevelopment closure of the Art Gallery and Museum and Cowdray Hall at the end of February which has materially impacted on the Quarter 4 outcome.

Number of PC terminal and Wi-Fi Netloan access uses in Library Learning Centres

ECS LibPC/WiUse Number of PC terminal and Wi-Fi Netloan access uses in Library Learning Centres and Learning Access Points



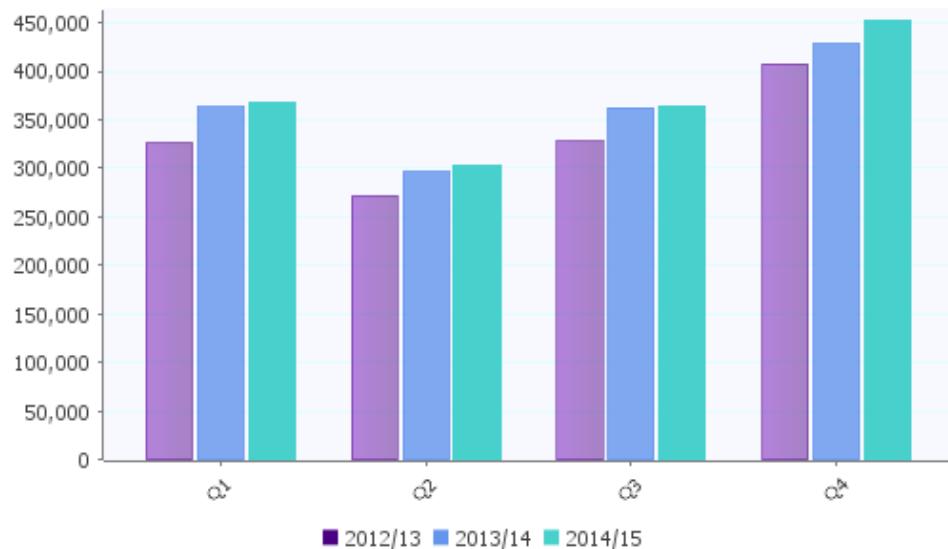
Status	
Data Period	2014/15
Value	204,840
Target	Linked to SPI
Long Trend	
Short Trend	
Data Source	Library and Information Services
Service Manager	Neil Bruce
Head of Service	Charlie Penman

Narrative and Analysis

Just under 205,000 uses of PC terminal and Wi-Fi access were made over the course of the year, a fall of 7.4%. The majority of this reduction relates to PC based user figures which, by comparison, experienced a particularly strong rise in 2013-14, although this is increasingly being counter-balanced in part by healthy growth in Wi-Fi use which has risen by an average of around 4% in each of the past three years.

Number of attendances at Sport Aberdeen and Aberdeen Sports Village managed indoor sports and leisure facilities (excluding school and community facilities)

ECS Spo AddDryTot Number of attendances at Sport Aberdeen and Aberdeen Sports Village indoor sports and leisure facilities (excluding school and community facilities)



Status	
Data Period	2014/15
Value	1,485,238
Target	Linked to SPI
Long Trend	
Short Trend	
Data Source	Sport Aberdeen/Aberdeen Sports Village
Service Manager	Neil Bruce
Head of Service	Charlie Penman

Narrative and Analysis

A total of 452,758 visits (+ 6%) were recorded against Quarter 4, covering some additional admissions to Sport Aberdeen and Sports Village sites of over 14,000 (+ 7%) and just under 11,000 (+5%) against the respective organisations.

The annual outcome above reflects a total growth of 2.5% p.a. on 2013-14 with Sport Aberdeen sites having generated some 716,705 attendances, marginally below that in the previous year at less than -1% fewer and the Aberdeen Sports Village recording an increase of 6% and 42,873 more visits.

Number of attendances at Sport Aberdeen and Aberdeen Sports Village pool sports and leisure facilities (excluding school and community facilities)

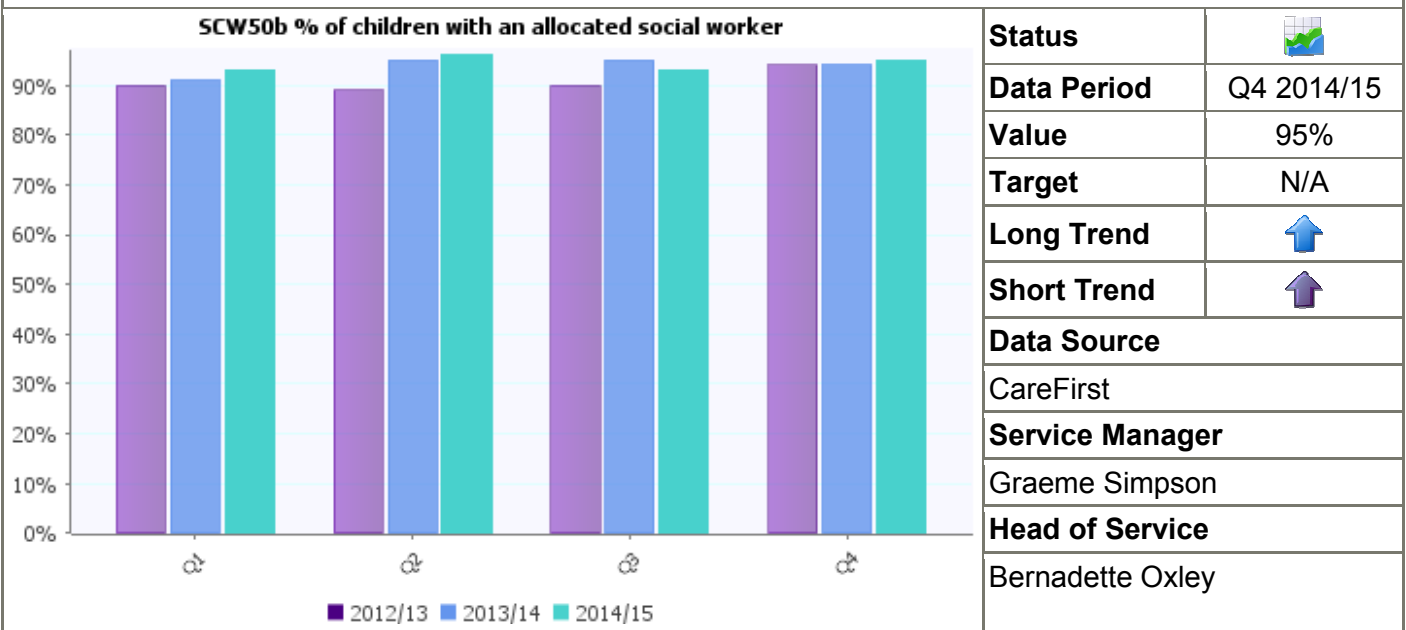
ECS Spo AdPolTot Number of attendances at Sport Aberdeen and Aberdeen Sports Village pool sports and leisure facilities (excluding school and community facilities)		Status		
		Data Period	2014/15	
		Value	601.947	
		Target	Linked to SPI	
		Long Trend		
		Short Trend		
		Data Source	Sport Aberdeen/Aberdeen Sports Village	
		Service Manager	Neil Bruce	
		Head of Service	Charlie Penman	

Narrative and Analysis

Over the course of Quarter 4, 162,911 visits to pool facilities were recorded, an increase of 23% on the previous year. This reflects a total of 68,218 admissions to Aberdeen Sports Village which is counter-balanced by a reduction in attendances at Sport Aberdeen sites of around 26% in comparison with the same quarter in 2013-14.

The year end figures display a similar pattern of diversity with the contribution of the Aberdeen Sports Village adding some 212,863 visits in its first year of operation and Sport Aberdeen recording 389,804 admissions (-8%) resulting in a total of 601,947 visits, an increase of 33.4% on the prior fiscal year and a net gain of 150,800 attendances.

% of children with an allocated Social Worker

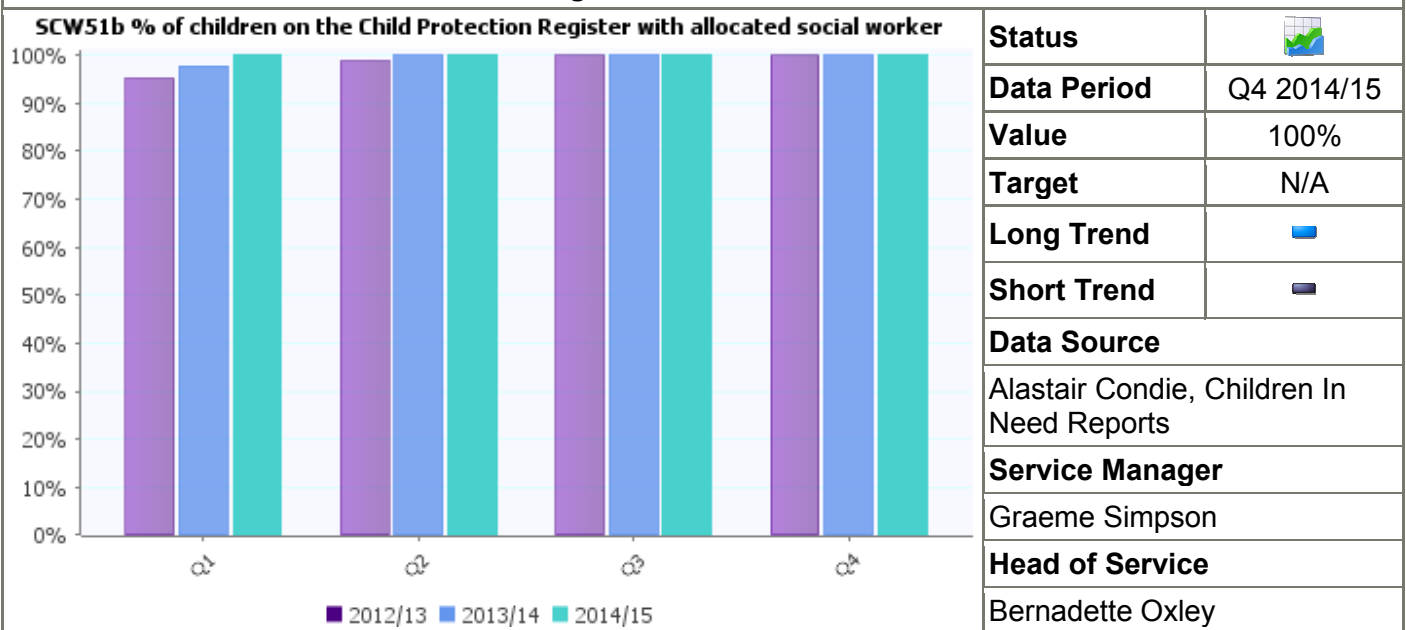


Status	
Data Period	Q4 2014/15
Value	95%
Target	N/A
Long Trend	
Short Trend	
Data Source	CareFirst
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

Please note that the percentage calculations for each quarter against this, and each of the other three 'allocated social worker' metrics are a snapshot in time which reflects movement of children on and off the Service caseload across the three month period as opposed to an average of monthly outcomes which, in most circumstances, would reflect a higher percentage outcome. From a total of 1829 children identified as requiring the support of a Social Worker, during Quarter 4, 1729 or 95% of these were allocated a specific resource during the course of the three month period.

% of children on the Child Protection Register with allocated social worker

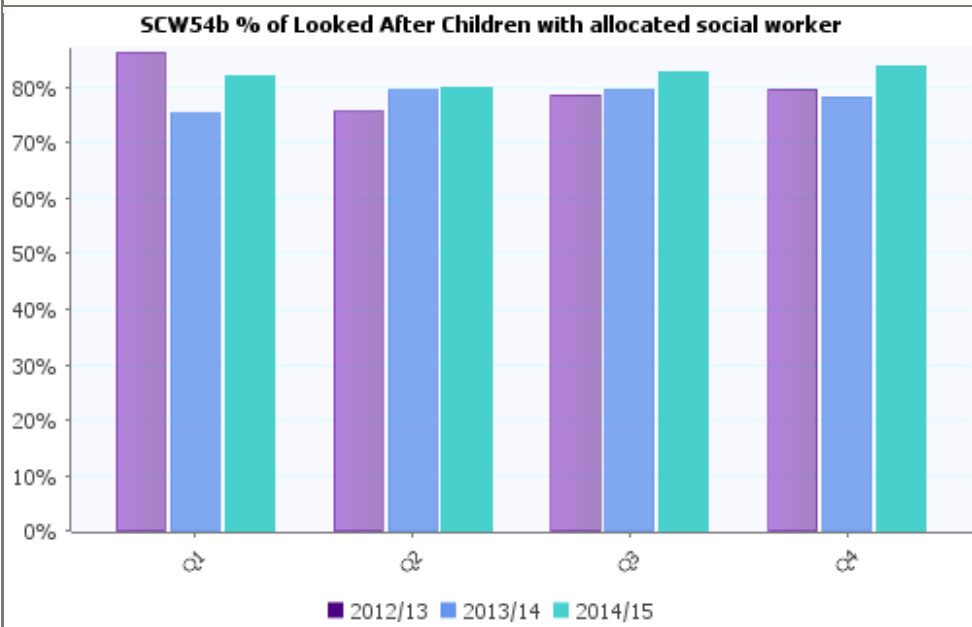


Status	
Data Period	Q4 2014/15
Value	100%
Target	N/A
Long Trend	
Short Trend	
Data Source	Alastair Condie, Children In Need Reports
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

Over the course of each quarter during 2014-15 and the full 12 month period, each child placed on the Child Protection Register was allocated with a social worker resource, which demonstrates the culmination of a four year trend in improvement against this metric

% of Looked After Children with an allocated Social Worker



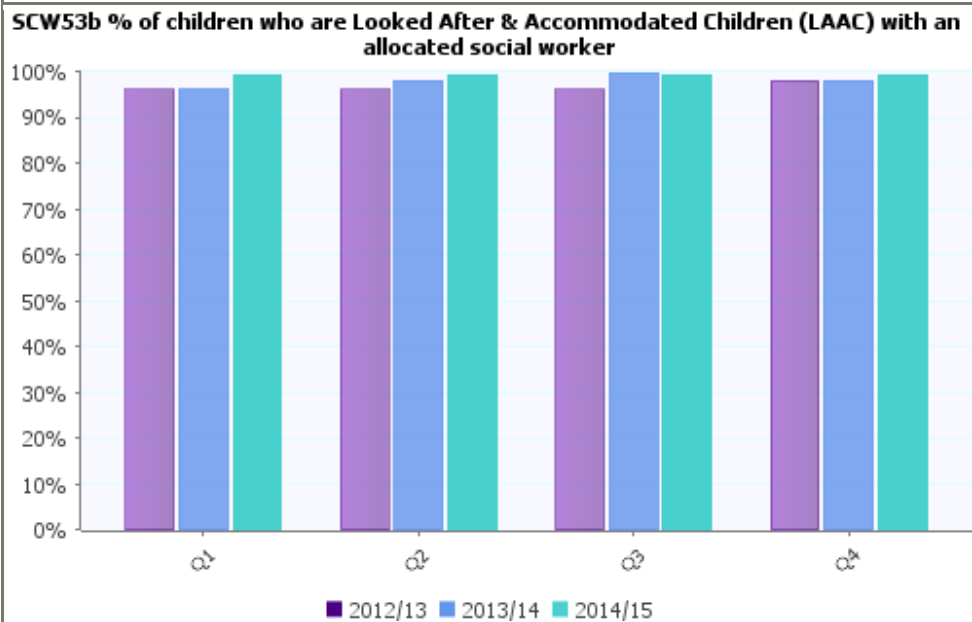
Status	
Data Period	Q4 2014/15
Value	84%
Target	N/A
Long Trend	
Short Trend	
Data Source	CareFirst (Alastair Condie)
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

The quarterly figures for 2014-15 have, in each instance, have shown an improvement on the position from the previous year with the outcome exceeding 80% in all four quarters and Quarter 4 of this year being the highest quarterly figure in almost two years. Comparatively, the compound average for the 12 month fiscal period is calculated at 82.25%, an increase of 4.5 percentage points.

% of children who are Looked After & Accommodated Children (LAAC) with an allocated social worker

Percentage (%) of children who are Looked After & Accommodated Children with an allocated social worker



Status	
Data Period	Q4 2014/15
Value	99%
Target	N/A
Long Trend	
Short Trend	
Data Source	CareFirst (Alastair Condie)
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

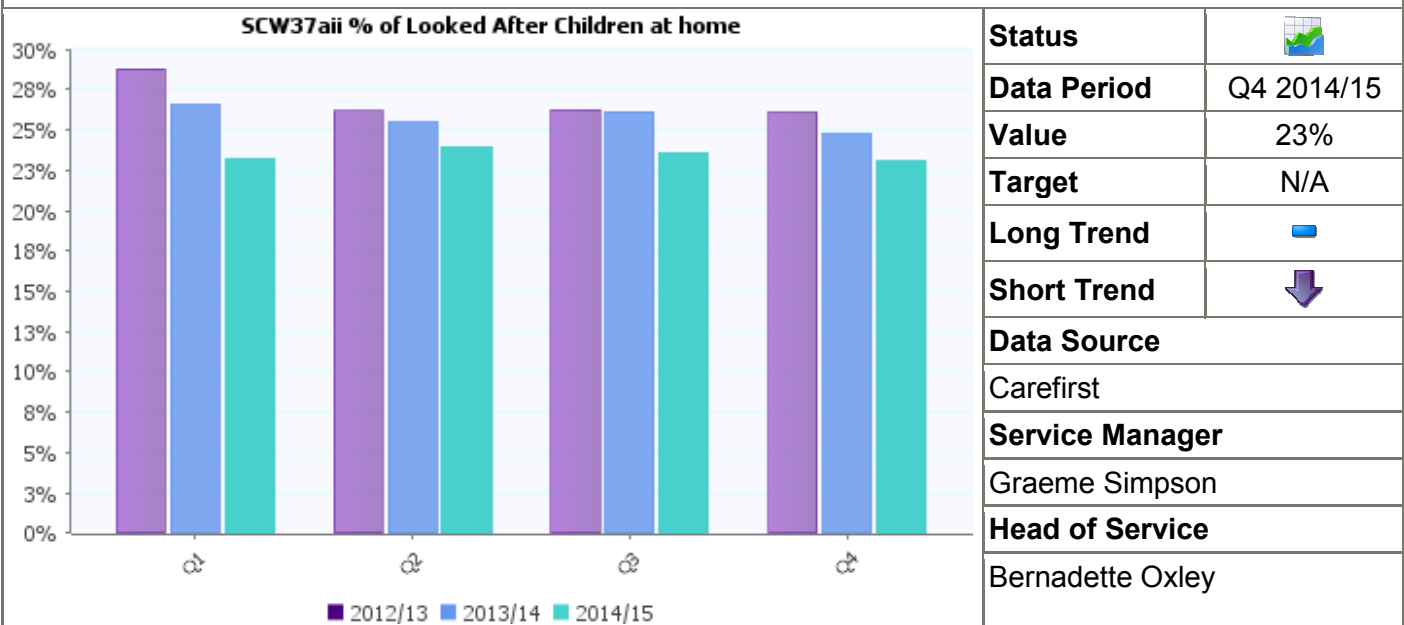
Narrative and Analysis

In Quarter Four, 474 out of 481 LAA Children (99%) were supported by an allocated Social Worker. As with the metric highlighted above around children placed on the Child Protection Register, the annual compound outcome across all four quarters is the highest in the four years of this measure.

Benchmark data for the total number of children who are Looked After & Accommodated Children is reflected in the table below:

	Aberdeen City	Aberdeenshire	Dundee	Glasgow	National
2013	433	291	479	2,845	11,436
Note: Benchmark figures provided by Alastair Condie based on figures as at 31 July 2014					

% of Looked After Children at home



Narrative and Analysis

Looked After Children Summary:

The table above and those below shows that there has not only been little change in the type of placement in which looked after children and young people are accommodated between Q3 and Q4, but also throughout the last twelve months. The proportion of children and young people accommodated in community based placements has remained at around 43%.

However, as noted in the Report "Children's Social Work Services", the increased demand, and implementation of the Reclaiming Social Work model " presented to Finance & Resources Committee on 18 February 2015, whilst the number of looked after children in Aberdeen had increased from 448 to 577 in the 10 year period to December 2013, there was a significant change in where children were placed in line with the strategic aim to shift the balance of care and the focus on improving outcomes for children.

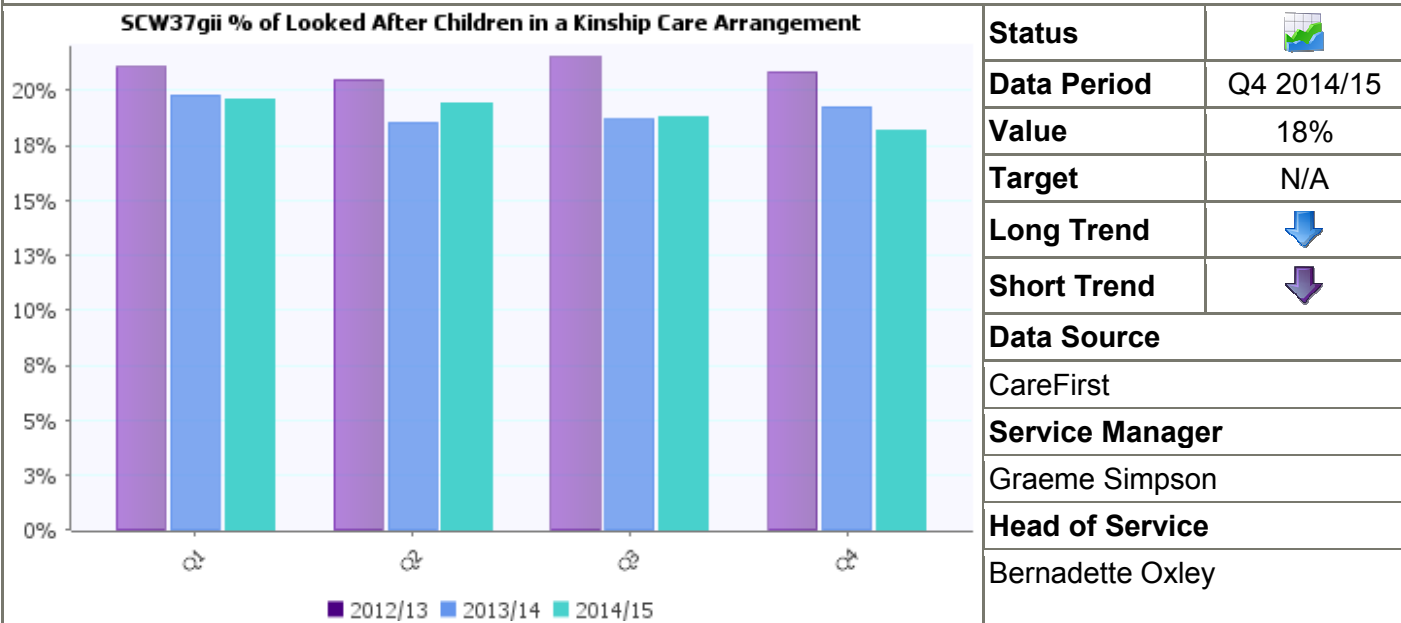
For example, placements in residential schools which peaked at over 50 in March 2008 fell to 20 by September 2013, whilst children and young people placed in foster care rose from just under 200 to nearly 250 over the same period.

It is anticipated that as the Reclaiming Social Work model is implemented over the next few years, not

only will the numbers of looked after children and young people start to be reduced, but the proportion placed in expensive out of authority placements will be reduced

Over the course of January to March 2015, a total of 625 children were accommodated in 659 placements with 152 children Looked After At Home.

% of Looked After Children in a Kinship Care Arrangement

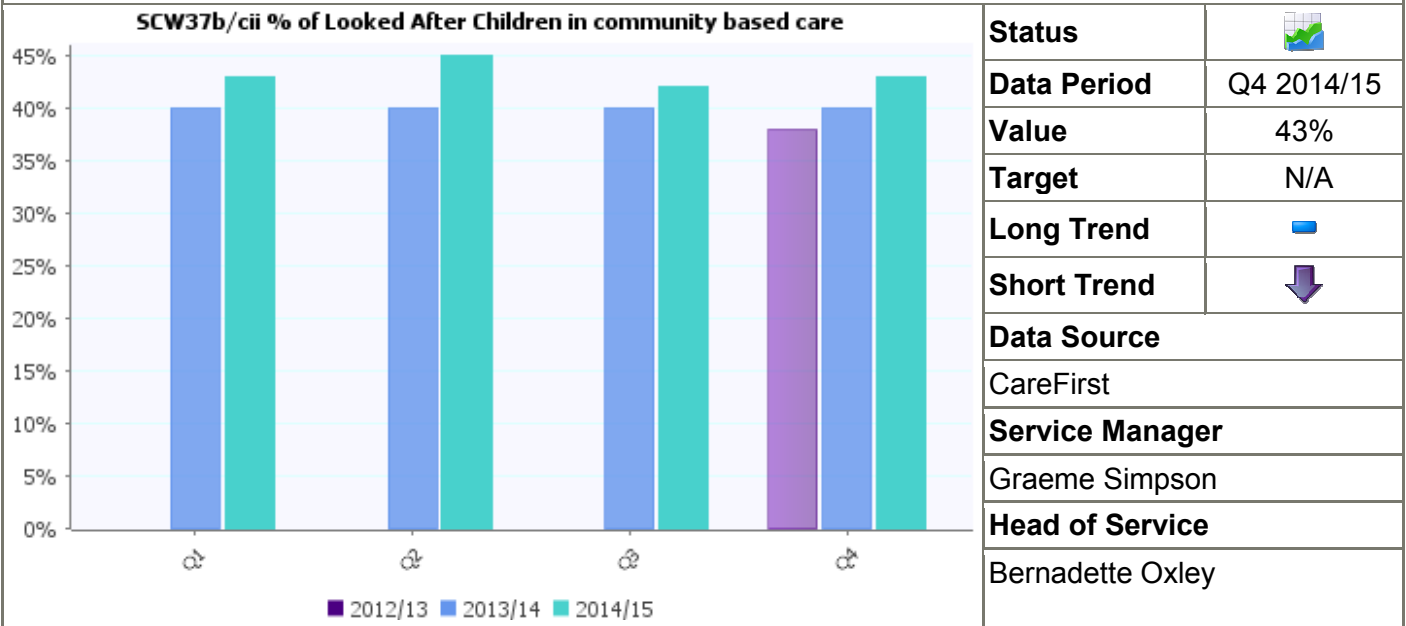


Narrative and Analysis

A total of 120 children were looked after in the context of a Kinship Care Arrangement (i.e. now including with friends/relatives) over the course of Quarter 4.

% of Looked After Children in community based care

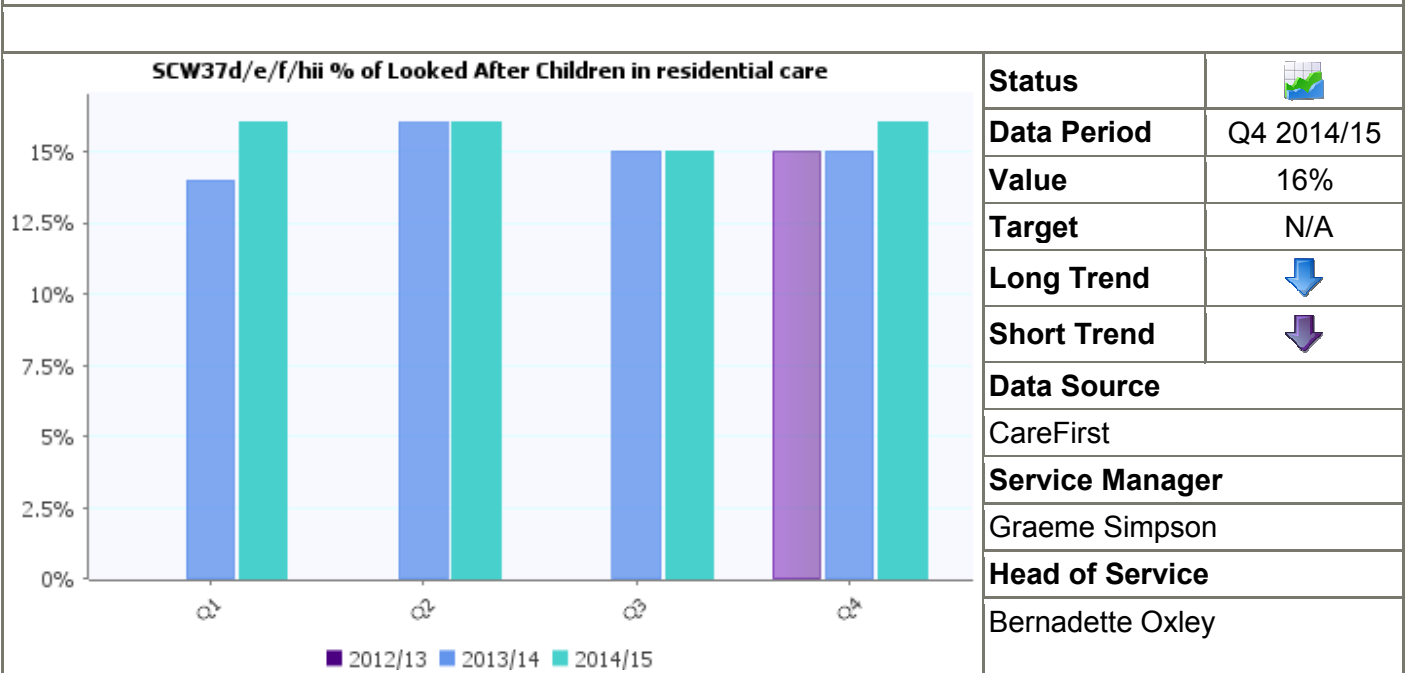
The % of Looked After Children in community based care (foster placements, ACC and outwith) or with prospective adopters)



Narrative and Analysis

See above summary

% of Looked After Children in residential care



Narrative and Analysis

See above summary

Benchmark Data – Looked After Children*

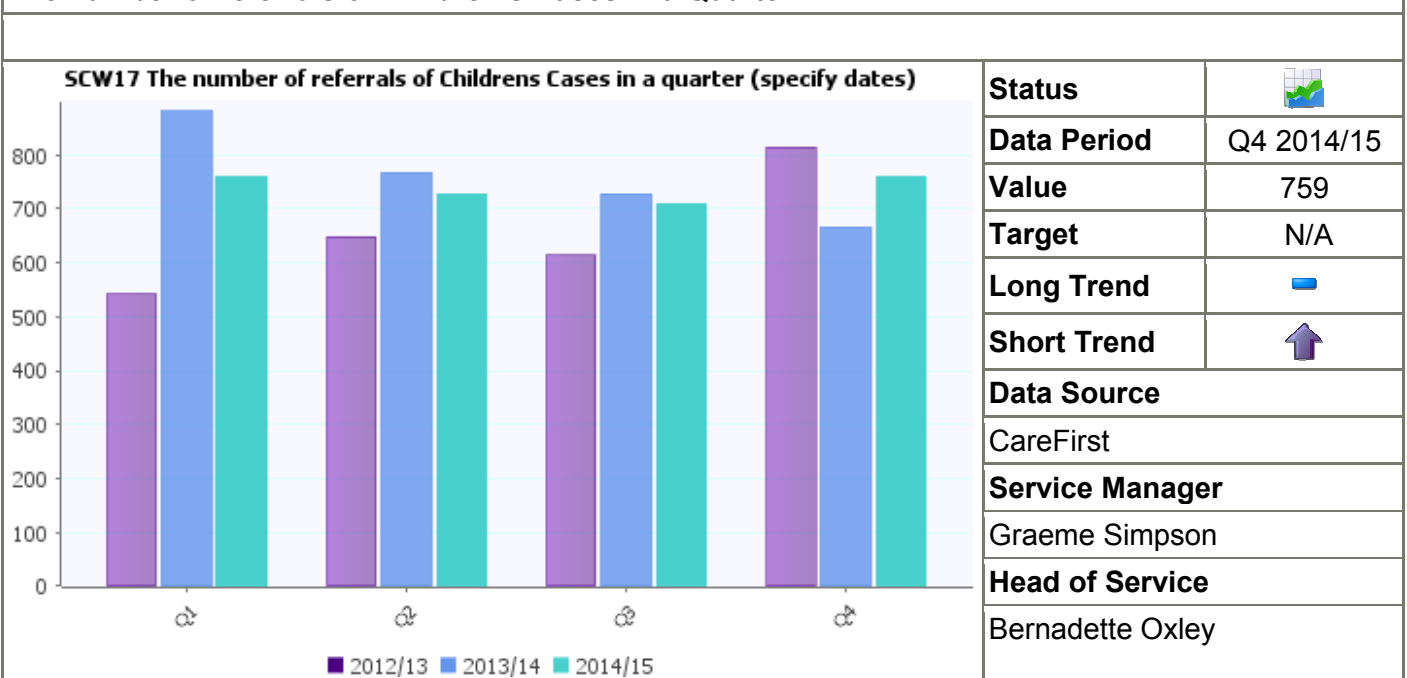
	At home with parent	With friends/relative	With foster carers	In other community	In LA home / voluntary home ⁽¹⁾	In other residential care ⁽²⁾	Total Looked After Children
Aberdeen City	25%	20%	43%	2%	4%	7%	100%
Aberdeenshire	28%	17%	39%	3%	6%	7%	100%
Dundee	22%	29%	40%	3%	4%	2%	100%
Glasgow	19%	39%	35%	0%	4%	4%	100%
Scotland	27%	27%	36%	2%	4%	5%	100%

*Benchmark figures correct as at 31 July 2014. Table excludes children who are on a planned series of short term placements.

(1) In other community includes with prospective adopters.

(2) Other Residential Care includes Crisis care and secure Accommodation and in residential school.

The number of referrals of Children's Cases in a Quarter



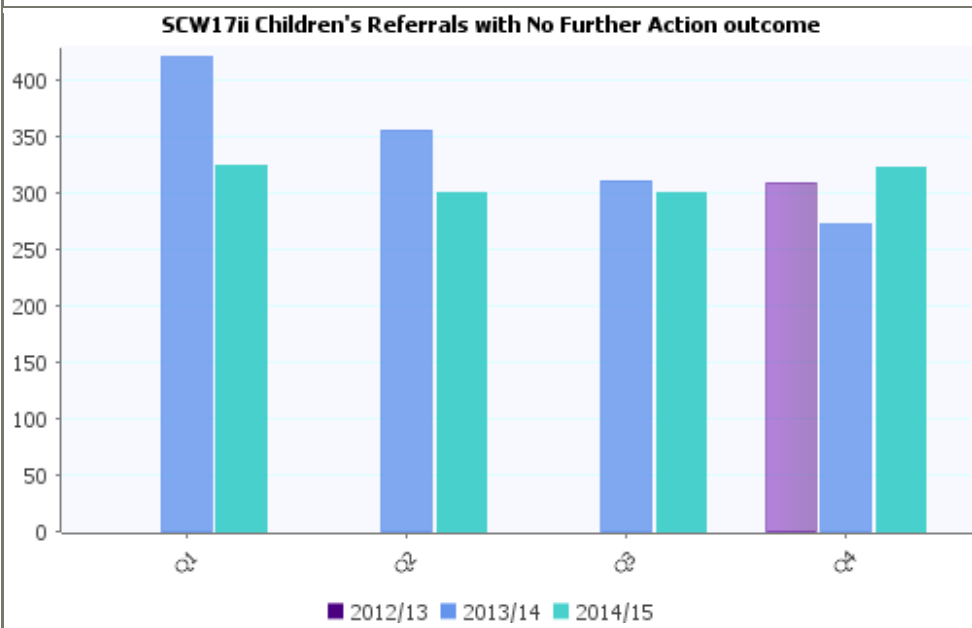
Narrative and Analysis

Over the course of Quarter Four, there were a total of 759 referrals of Children's Cases with the monthly figures being 267 and 218 for January and February respectively and 274 cases recorded against March.

A combined summary table, reflecting the summary content of the relevant metrics is presented below but it should be noted that the remaining tables are offered only in terms of information only

Total Referrals	No further action	Proceed to...	Pending
759	322	324	113

Children's Referrals with No Further Action outcome

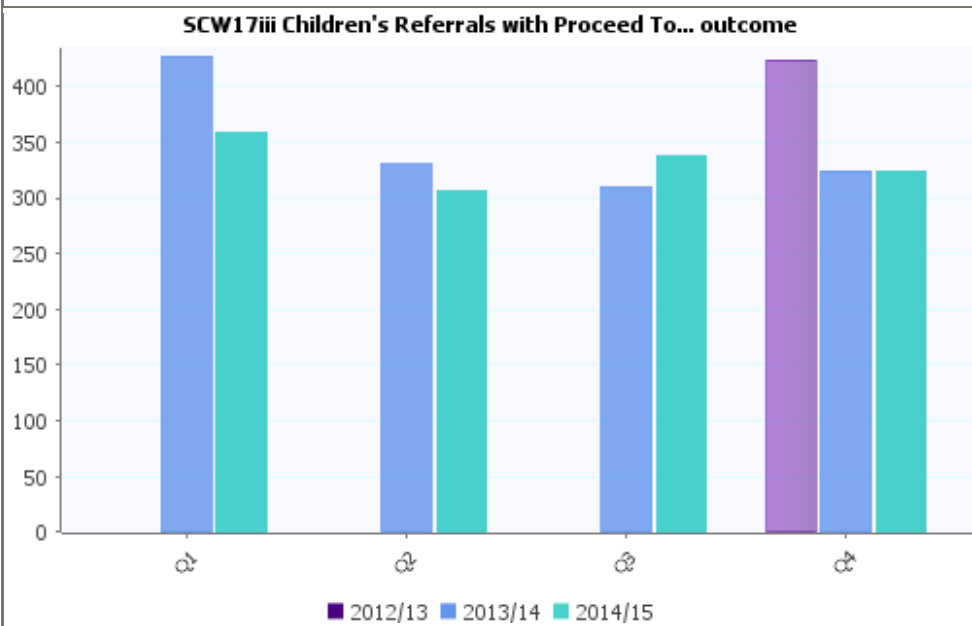


Status	
Data Period	Q4 2014/15
Value	322
Target	N/A
Long Trend	
Short Trend	
Data Source	CareFirst (Alastair Condie)
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

Disaggregated data provided for information only

Children's Referrals with Proceed To... outcome



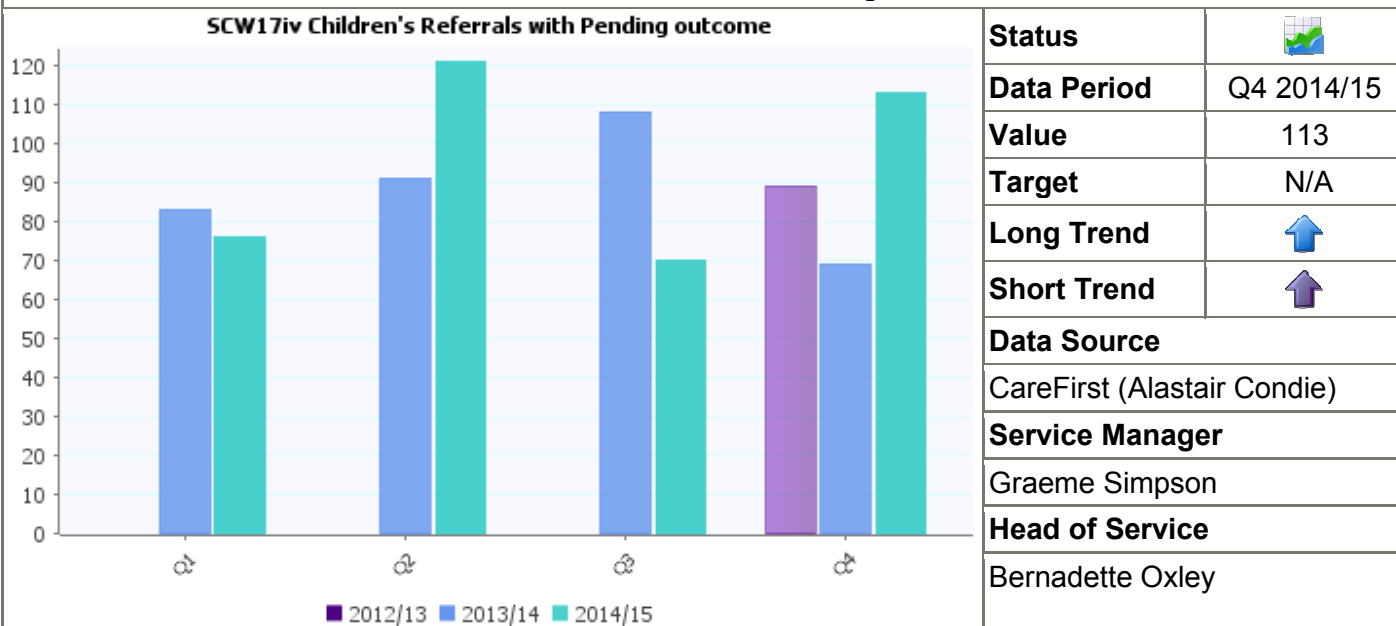
Status	
Data Period	Q4 2014/15
Value	324
Target	N/A
Long Trend	
Short Trend	
Data Source	CareFirst (Alastair Condie)
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

Disaggregated data provided for information only

Children's Referrals with Pending outcome

Number of referrals of children's cases with an outcome of Pending



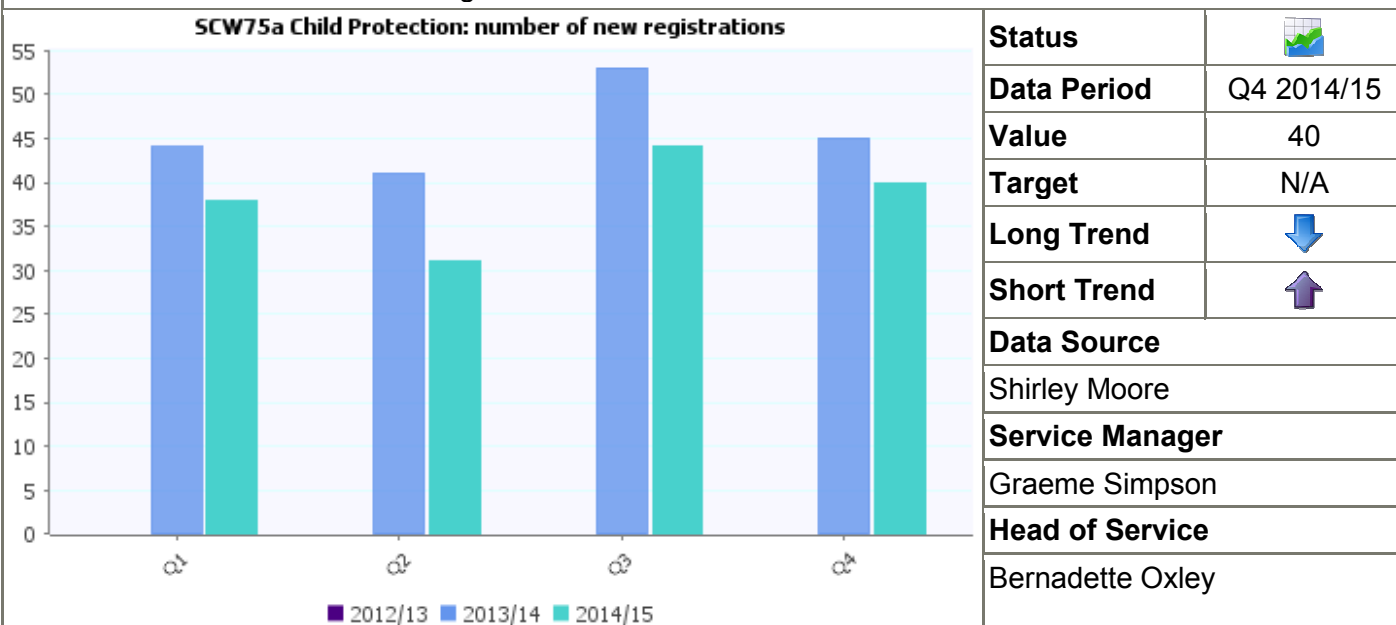
Status	
Data Period	Q4 2014/15
Value	113
Target	N/A
Long Trend	
Short Trend	
Data Source	CareFirst (Alastair Condie)
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

Disaggregated data provided for information only

Child Protection: number of new registrations

Child Protection: number of new registrations



Status	
Data Period	Q4 2014/15
Value	40
Target	N/A
Long Trend	
Short Trend	
Data Source	Shirley Moore
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

Child Protection Summary:

The nature of registration means that there will always be fluctuations in numbers of children registered due to individual circumstances. There is no target set for numbers on the Register, nor for the length of time a child's name should remain registered. Each case requires to meet the threshold that the child is suffering or is likely to suffer significant harm and that a multi-agency child protection plan is required to recognise and importantly, to mitigate against such risk. Given this, it is necessary to consider the statistics over a longer period, for useful analysis.

During Q1 the number of registrations had fallen from 108 to 79 (Jan 2014-June 2014.) During Q2 these numbers remained static with Q2 ending with 78 children/unborn babies registered. During Q3 registration numbers rose from 78 to 97 and to 99 in Q4 (March 2015.) This rising and falling of registration numbers between late 70s and just over 100 children/unborn children registered, appears to have been a fairly consistent pattern in Aberdeen for several years now. The pattern sees a rise over the winter months, possibly related to pressures that this time of year can entail (financial burdens, weather conditions etc.) Over this same winter period, a rise in registration numbers was also apparent in Aberdeenshire and for Moray.

Aberdeen City's registration numbers at the end of Q4, at 2.9 children per 1,000 population aged 1-16yrs sit as higher than our neighbouring authorities (Aberdeenshire 1.5 and Moray 2.4 registrations per 1000 population) but are in line with the National average which also reports at 2.9 registrations per 1000 population over the same period.

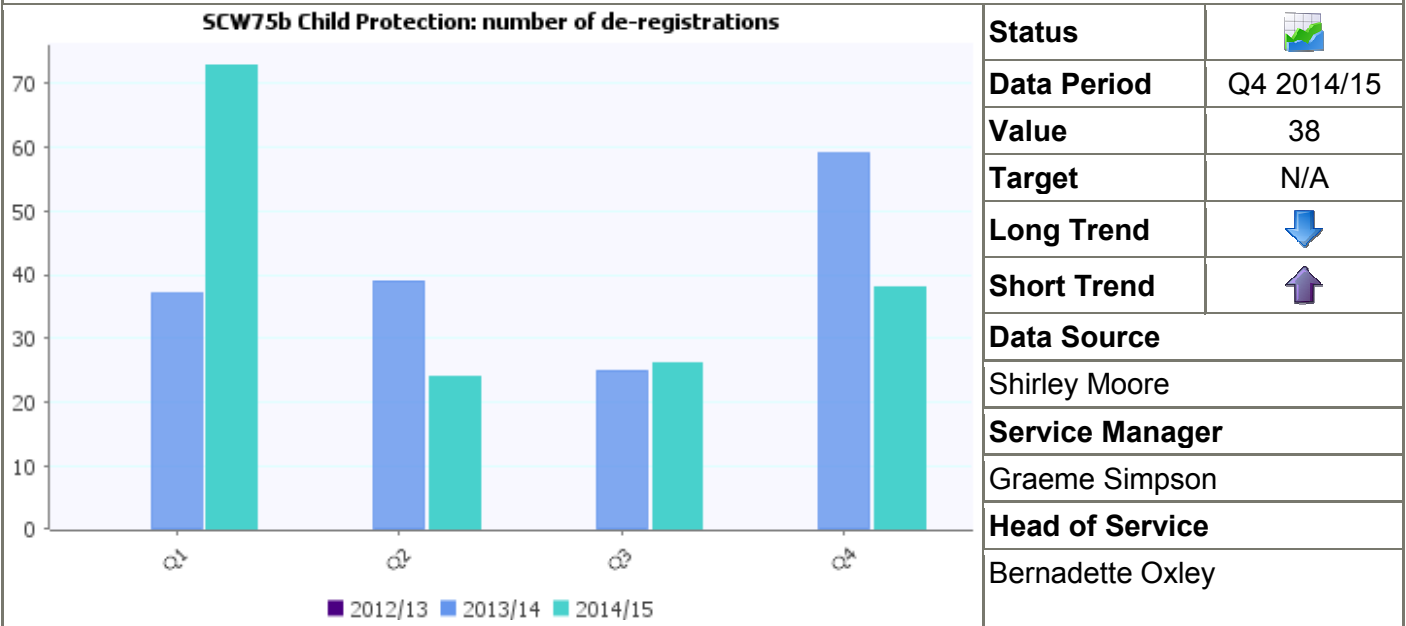
Over the past 12 months, we have continued to see a raising of the profile of domestic violence as an unacceptable feature of relationships in our society. Within Aberdeen, domestic violence, alongside parental drug misuse remain the two most common risk categories, leading to registration at 33% and 37% respectively (Q4.) Emotional abuse continues to be the highest category for registration in Aberdeen at 43% - not surprising in light of the fact it can be the observed result of the impact of many other noted categories. Over the past year, the Alcohol and Drug Partnership have noted the particularly high level of drug related fatalities within the City, evidencing the dangerous aspect of substance misuser's lifestyles. In recognition of the high prevalence of substance misuse difficulties experienced in Aberdeen City, work under the auspices of the Child Protection Committee continues to develop a coordinated approach to parental recovery and to timely planning for our children.

Statistics highlight that we are now registering children within Aberdeen City at a younger age, and for a shorter period than had been the case previously. This may well evidence that we are responding at an earlier stage to children in need of protection and that the supports in place reduce the risks within a shorter time-frame. Our pre-birth intervention and support has continued to be progressed through the embedding of the 'Pre Birth Team' set up via Early Years Change Fund, to augment the work carried out by the social work service alongside partner agencies to support this vulnerable group of families. Aberdeen City's work alongside Renfrewshire Council with the PACE (Permanence and Care Excellence) project, and the Early Years collaborative has also seen a particular focus on use of early years change methodology as a means of trialling out potential improvements in service delivery with children and their families. Our focus on the accumulative impact of chronic neglect for children continues to be progressed, and is aimed at identifying and intervening timeously, particularly when children are at risk of significant harm.

This context might aid our understanding of the short and medium trends in Registration statistics, but further work assigned via the Child Protection Committee as well as within Children's Services is required to further explore our figures, particularly with regard to longer trends, and to be utilised to inform future practice and intervention with this particularly vulnerable group of children and families.

Child Protection: number of de-registrations

Child Protection: number of de-registrations



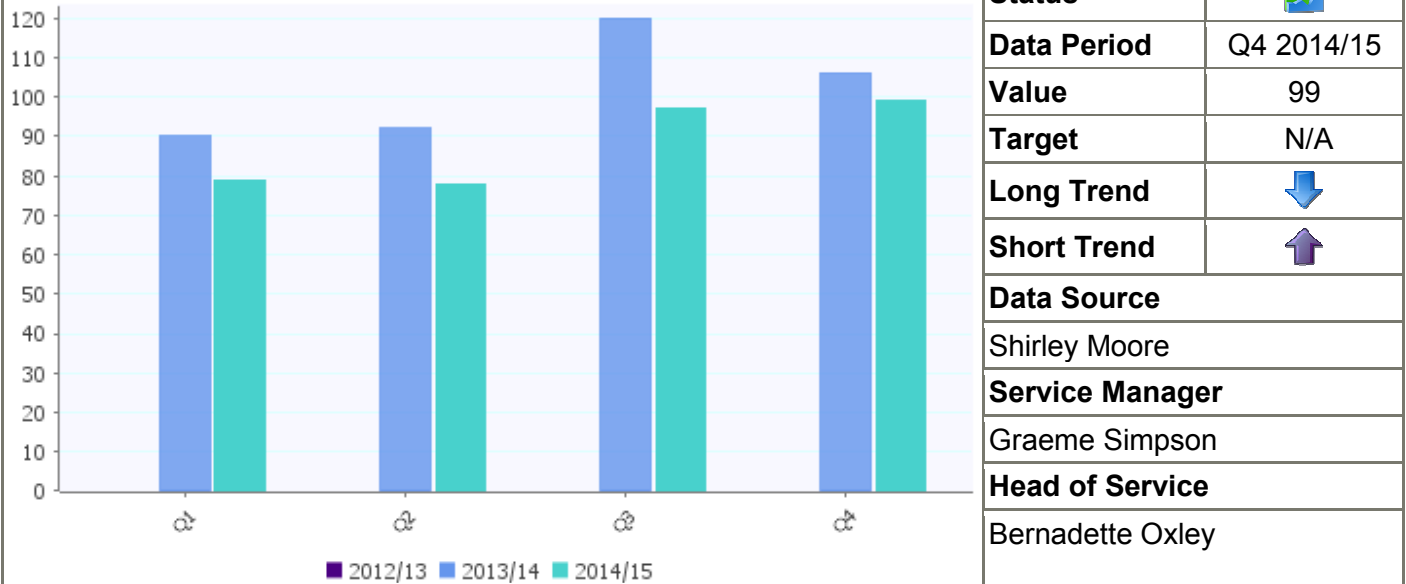
Status	
Data Period	Q4 2014/15
Value	38
Target	N/A
Long Trend	
Short Trend	
Data Source	Shirley Moore
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

See above summary

Child Protection: number on register at end of Quarter

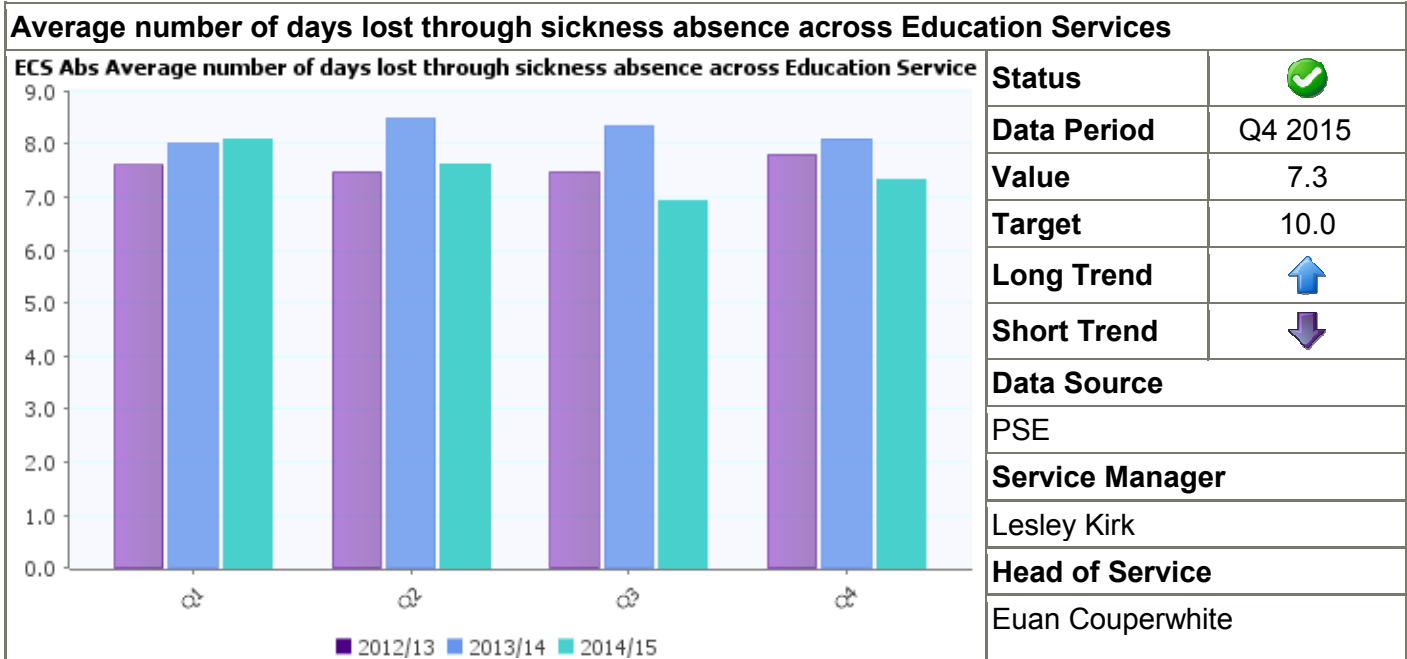
SCW75c Child Protection: number on register at end of quarter



Status	
Data Period	Q4 2014/15
Value	99
Target	N/A
Long Trend	
Short Trend	
Data Source	Shirley Moore
Service Manager	Graeme Simpson
Head of Service	Bernadette Oxley

Narrative and Analysis

See above summary

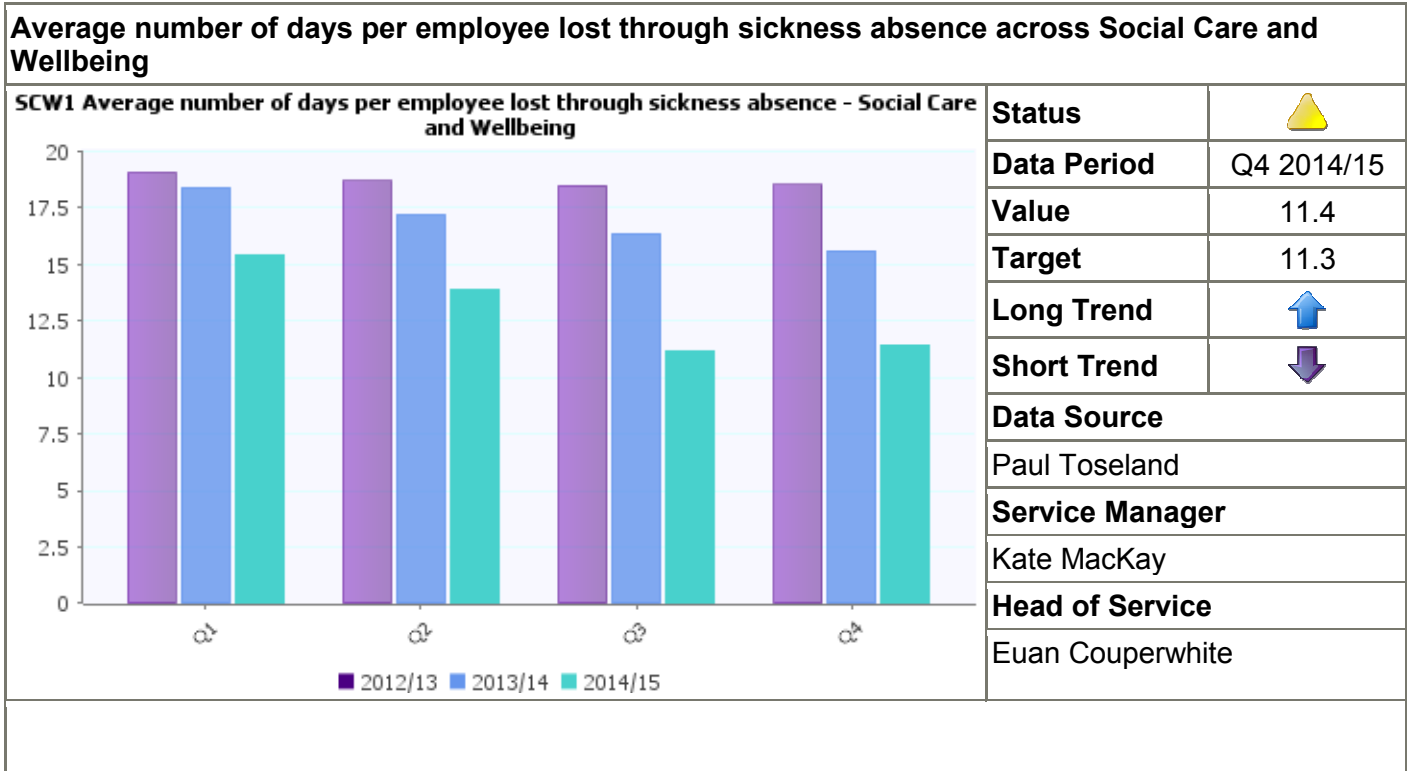


Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Education, Culture and Sport Directorate.

The current rolling year figure for the average number of days lost through sickness per employee is 7.2 days with a quarterly average of 7.3 which, although well within target, follows a marginal rise in absence levels over the course of the winter that would not be unexpected.

At the same time, average monthly levels of absence, since July, have been consistently below those of the previous year and from September onwards, have shown consistent improvement on 2013-14. At this point in time in 2014, the Service was recording an average monthly absence rate of 8.1 and, at 2013-14 year's end, noted an annual figure of 8.2 days in comparison with 7.5 days in 2014-15.



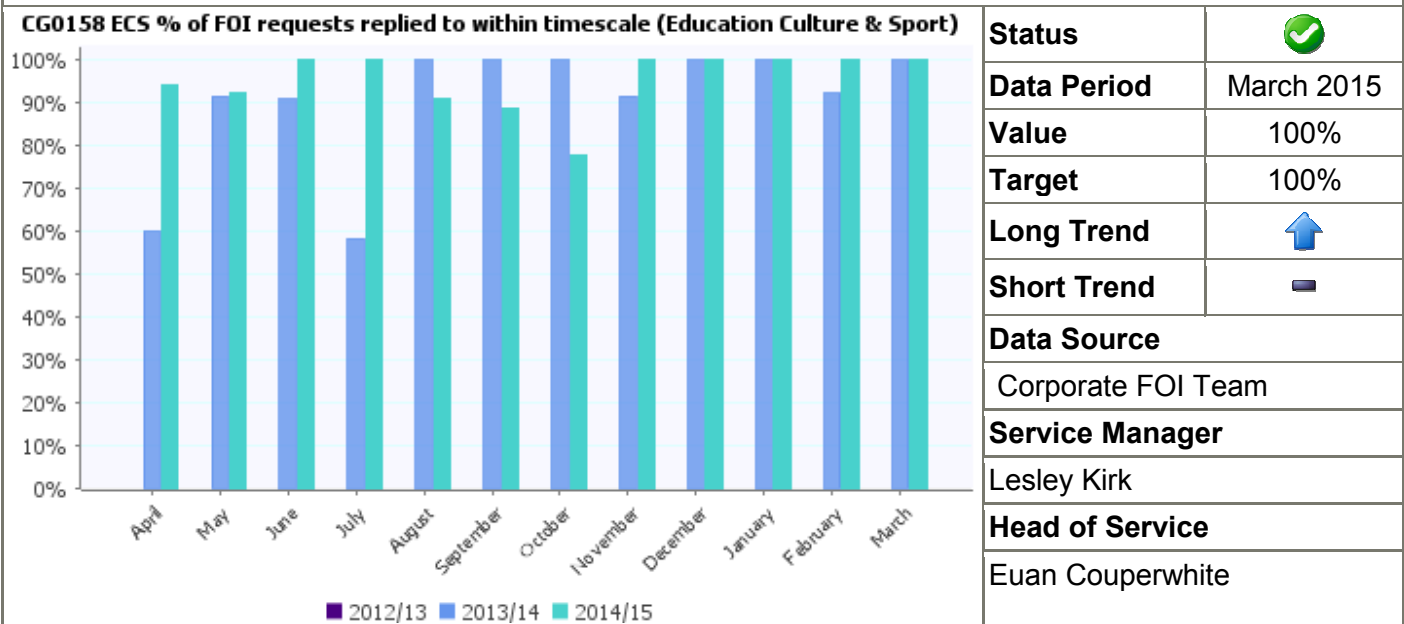
Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Social Care and Wellbeing Directorate.

Although the Quarter 4 outcome is marginally above the target set and 0.2 days per employee greater than in Quarter 3, substantial progress have been made throughout 2014-15 to minimise absence levels across the Service with comparable figures for March 2014 and the 2013-14 Quarter 4 period being 15.5 and 15.6 days respectively.

Managers within the Service continue to closely monitor and manage the situation to improve the statistics and overall absence levels to consistently achieve the target figure in place.

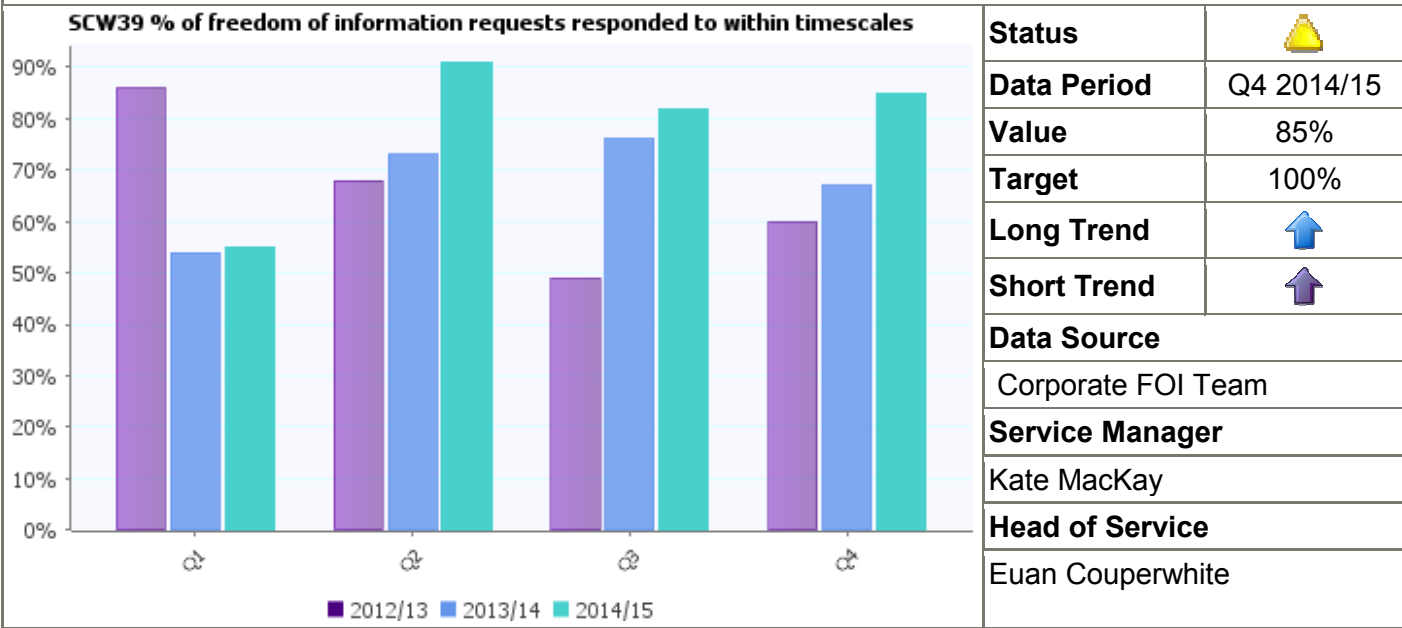
% of FOI requests replied to within timescale (Education Culture & Sport)



Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Education, Culture and Sport Directorate

% of FOI requests replied to within timescale (Social Care & Wellbeing)

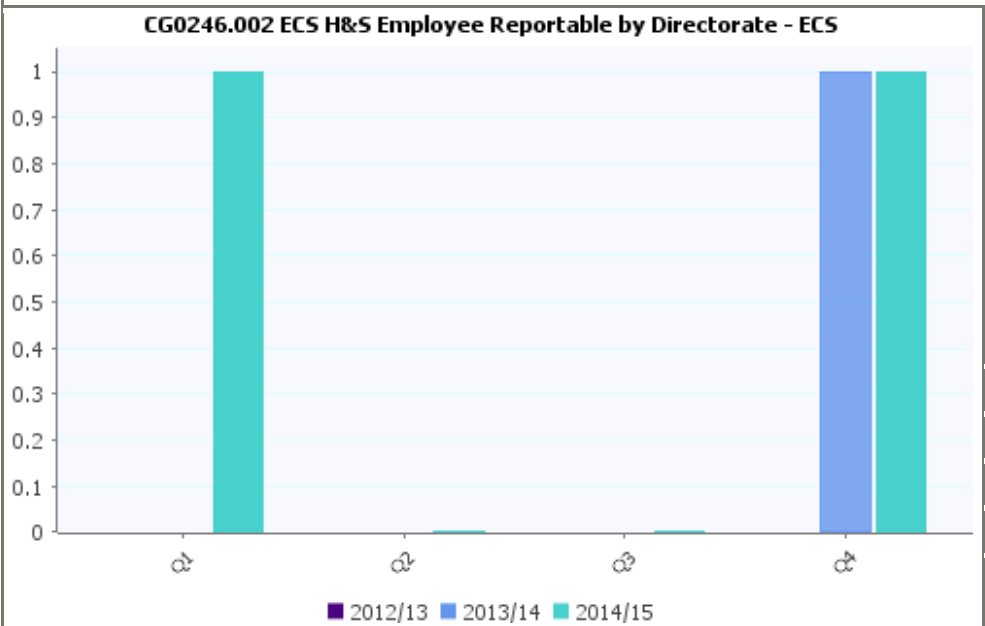


Status	🚩
Data Period	Q4 2014/15
Value	85%
Target	100%
Long Trend	↑
Short Trend	↑
Data Source	Corporate FOI Team
Service Manager	Kate MacKay
Head of Service	Euan Couperwhite

Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Social Care and Wellbeing Directorate

H&S Employee Reportable by Directorate - ECS



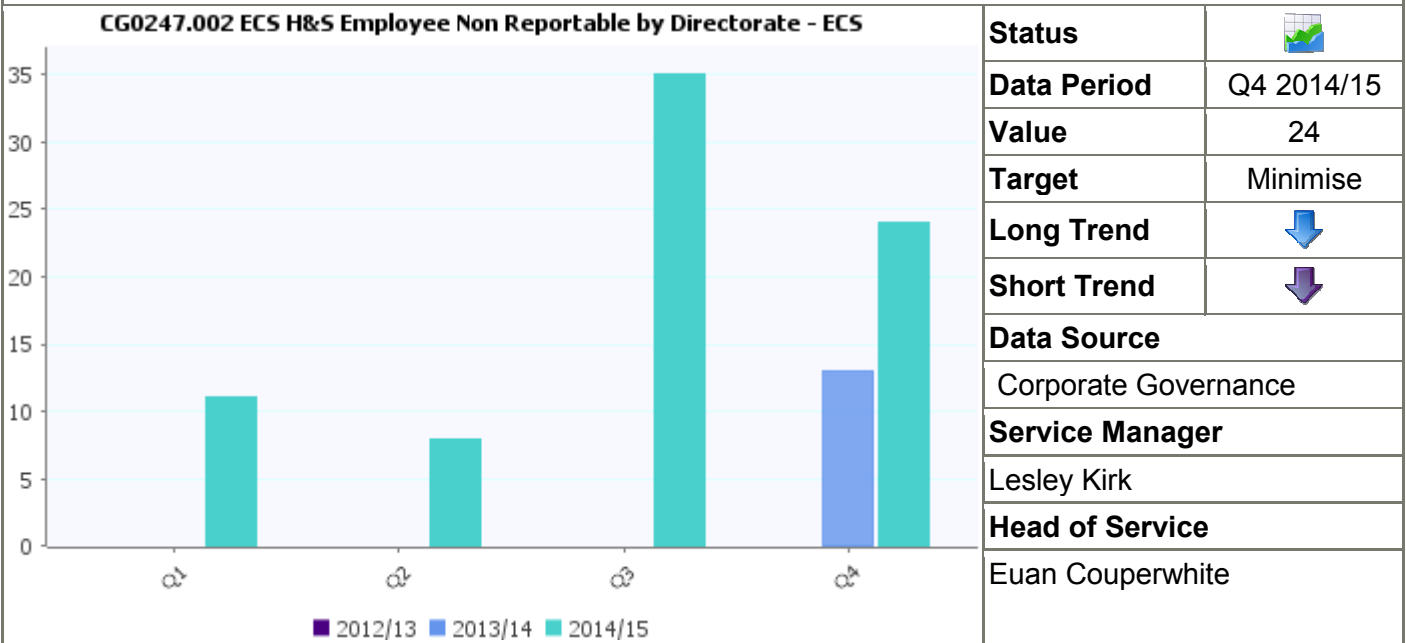
Status	📈
Data Period	Q4 2014/15
Value	1
Target	Minimise
Long Trend	↓
Short Trend	▬
Data Source	Corporate Governance
Service Manager	Lesley Kirk
Head of Service	Euan Couperwhite

Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Education, Culture and Sport Directorate and that this information reflects a series of adjustments to corporate recording and reporting frameworks linked to health and safety management.

There was a single reportable incident affecting employees over the course of Quarter 4, resulting in a total of 2 reportable events during the 2014-15 fiscal period.

H&S Employee Non Reportable by Directorate - ECS



Status	
Data Period	Q4 2014/15
Value	24
Target	Minimise
Long Trend	
Short Trend	
Data Source	Corporate Governance
Service Manager	Lesley Kirk
Head of Service	Euan Couperwhite

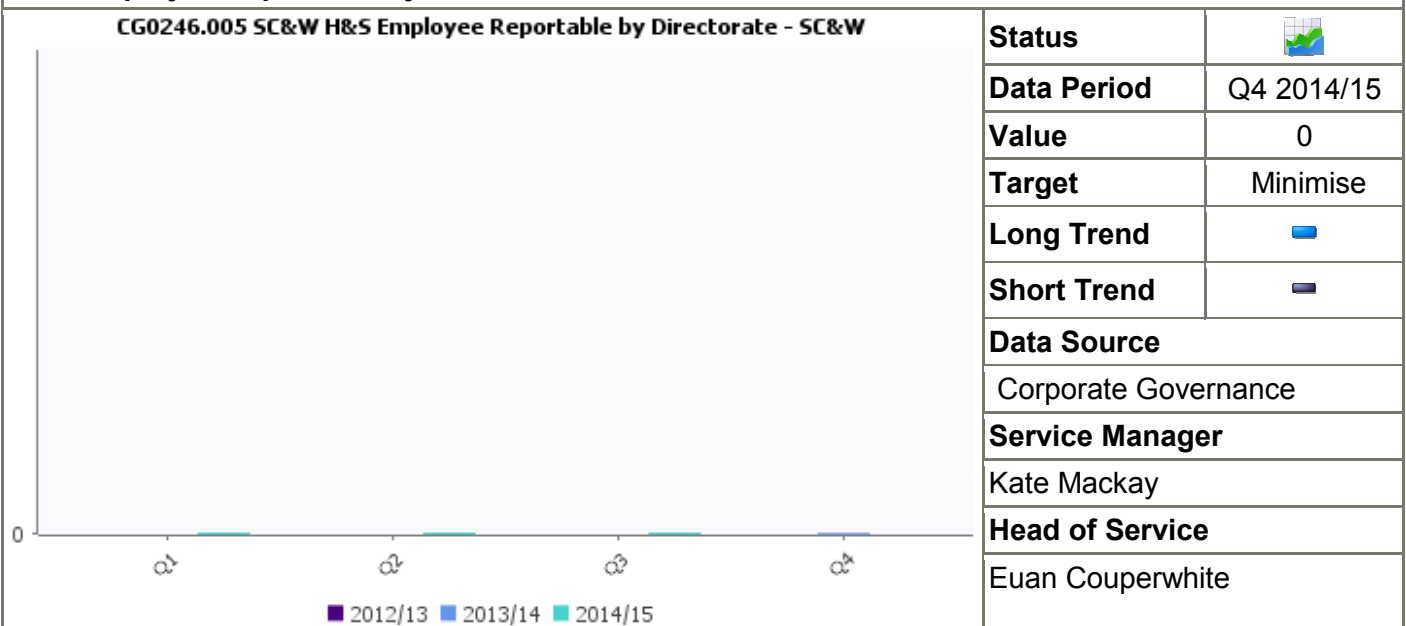
Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Education, Culture and Sport Directorate and that this information reflects a series of adjustments to corporate recording and reporting frameworks linked to health and safety management.

Over the course of Quarter 3, there were a total of 24 non-reportable events involving employees within the former Directorate structures and Services. This is an increase on the comparable quarter in 2013-14 but represents a reduction on the prior quarter where the figure was recorded at 35 events.

In total, 78 events have been recorded under this revised reporting framework during 2014-15, which will now serve as one of the baseline metrics for the assessment of health and safety management moving forwards

H&S Employee Reportable by Directorate - SC&W



Status	
Data Period	Q4 2014/15
Value	0
Target	Minimise
Long Trend	
Short Trend	
Data Source	Corporate Governance
Service Manager	Kate Mackay
Head of Service	Euan Couperwhite

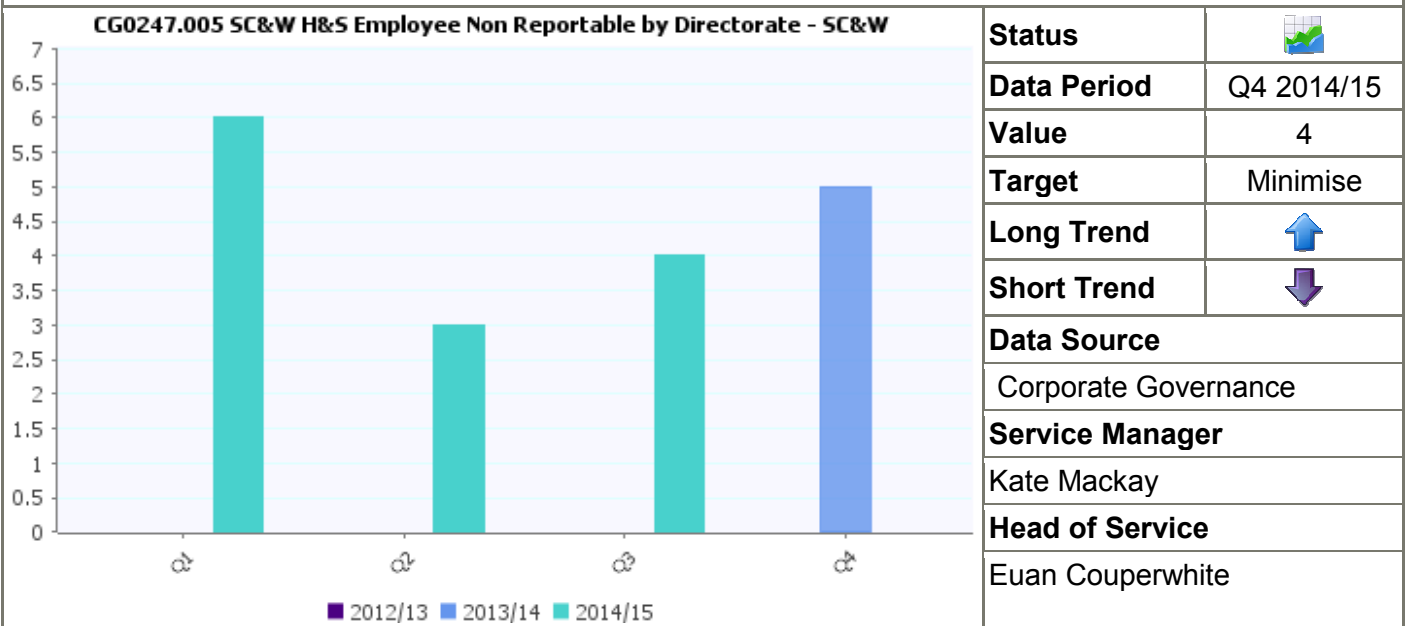
Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned

with the former Social Care and Wellbeing Directorate and that this information reflects a series of adjustments to corporate recording and reporting frameworks linked to health and safety management

There were no reportable events involving employees recorded over the course of Quarter 4 and none recorded during the 2014-15 fiscal period.

H&S Employee Non Reportable by Directorate - SC&W



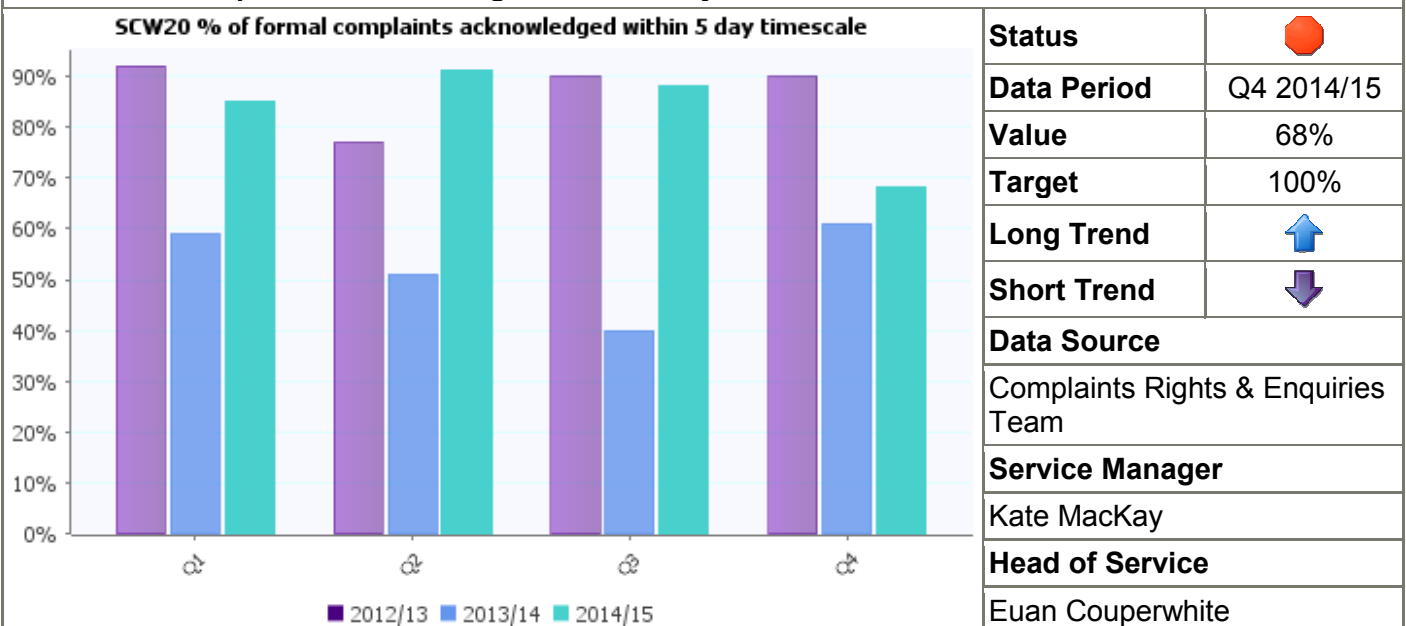
Status	
Data Period	Q4 2014/15
Value	4
Target	Minimise
Long Trend	
Short Trend	
Data Source	Corporate Governance
Service Manager	Kate Mackay
Head of Service	Euan Couperwhite

Narrative and Analysis

Please note that these figures currently relate to the combined staffing complement or functions aligned with the former Social Care and Wellbeing Directorate and that this information reflects a series of adjustments to corporate recording and reporting frameworks linked to health and safety management

There were four non- reportable events involving employees recorded over the course of Quarter 4 and 17 recorded during the 2014-15 fiscal period

% of formal complaints acknowledged within 5 day timescale



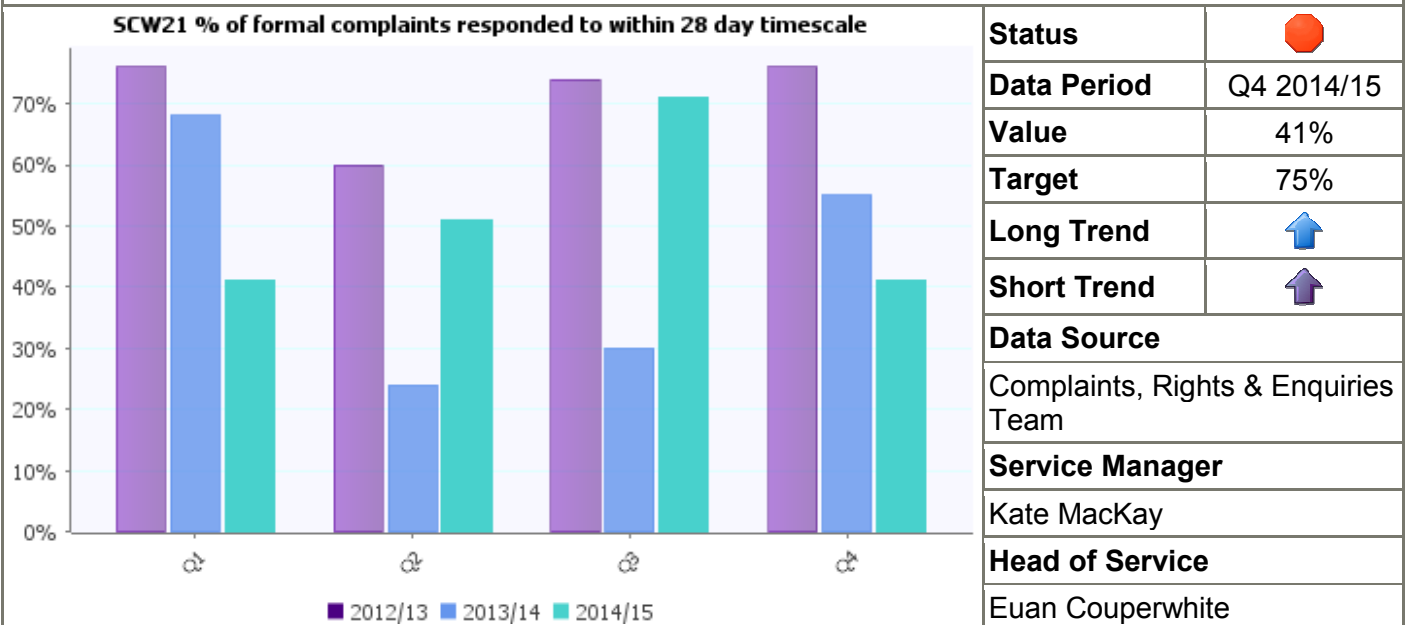
Status	
Data Period	Q4 2014/15
Value	68%
Target	100%
Long Trend	
Short Trend	
Data Source	Complaints Rights & Enquiries Team
Service Manager	Kate MacKay
Head of Service	Euan Couperwhite

Narrative and Analysis

Of the 33 complaints received in Quarter 4, 30 were statutory complaints, two were corporate investigative complaints, one complainant also applied for a CRC during Period 3 and one remains on hold. Of these statutory complaints, 1 was a formal complaint moving to the appeal stage, 21 were formal, 5 were informal and three were passed onto the relevant organisation.

28 of the 32 complaints required acknowledgement against which, as of 14/04/15, 19 (68%) of the acknowledgements were completed within the statutory/corporate timeframe and nine (28%) were not. Of the completed late acknowledgements, there have been delays ranging from 2-17 days with staff absence being the cause of the most significant delays.

% of formal complaints responded to within 28 day timescale



Narrative and Analysis

As of 14/04/15, 13 (41%) of the above complaints received had been completed through a response within the statutory/corporate timeframe. 11 (34%) had not been completed within the timescales and 8 remained outstanding.

Of the completed late responses, there were delays ranging from 1-28 days with late responses from the investigating officer were the causes for the most significant delays. Resultantly six holding letters were sent out, with four of the newly agreed response dates being met.

PI Status		Long Term Trends		Short Term Trends	
	Alert		Improving		Improving
	Warning		No Change		No Change
	OK		Getting Worse		Getting Worse
	Unknown				
	Data Only				

Children's Social Work Services Performance Indicators linking to Strategy Map 2015

People at risk are protected	People are effectively supported within their families and communities	People fully participate in individual and service planning, review and delivery	Wellbeing is promoted in all care groups	Our resources are managed effectively
% LAC looked after at home	Number of referrals of children's cases		A: Number of new Child Protection Registrations B: Number of De-registrations from Child Protection register C: Number on Child Protection Register at end of quarter	% children with an allocated social worker
% LAC in community based care (foster placements (ACC and outwith) or with prospective adopters)				% children on Child Protection Register with an allocated social worker
% LAC in residential care				% children who are Looked After & Accommodated Children with an allocated social worker
% LAC in Kinship care (family)				% children who are Looked After Children with an allocated social worker
				Average number of days per employee lost through sickness absence - Social Care and Wellbeing

ABERDEEN CITY COUNCIL

COMMITTEE:	Education and Children's Services
DATE:	2nd June 2015
DIRECTOR:	Gayle Gorman
TITLE OF REPORT:	Progress review of Knowledge Transfer Partnership (KTP) Agreement between University of Aberdeen and Aberdeen City Council
REPORT NUMBER:	ECS/15/026
CHECKLIST COMPLETED:	YES

1. PURPOSE OF REPORT

The purpose of this report is to inform Committee of progress to date of the Knowledge Transfer Partnership (KTP) between the University of Aberdeen and Aberdeen City Council; (Data Observatory Project).

2. RECOMMENDATION(S)

That Committee notes the progress of the project and that an evaluation of the project and options for future developments are reported to Committee by March 2016.

3. FINANCIAL IMPLICATIONS

- 3.1.1 The value of the contract for the period 2014-2016 is £66,704 with the service supplied through the recruitment of a Knowledge Transfer Partnership Research Associate, in conjunction with Aberdeen University and the UK Technology Strategy Board. The value of £66704 represents ACC's matched contribution to the Technology Strategy Boards grant to Aberdeen University and is being met as follows from within the existing Education and Children's Services revenue budgets for Research, Development, Technology and CPD:

June 2014 – March 2015: £27,793
April 2015 – March 2016: £33,355
April 2016 – May 2016: £5,556

- 3.2 The University is responsible for employment functions and provides academic support to the Associate and will also supply academic and technological solutions in order to develop the project, specifically across three distinct areas of applied research in business, computer science and education.

4. OTHER IMPLICATIONS

4.1 Legal

Following advice from Legal & Democratic Services and detailed discussions between parties, the terms of the Agreement were re-negotiated and an agreed position reached.

4.2 Resource

The employment of the Research Associate is undertaken by the University of Aberdeen as the Associate is an employee of the University. The Associate is based within Council premises and complies with all Council policies and the Council, along with the University supervisors, provide support and guide the Associate in the practical aspects of the project. Council terms and conditions of employment have been appended to the Associate's University contract of employment. The Associate has been Disclosure checked as they require access to data held by the Council as part of the research project. Access to data will be monitored to ensure that compliance with the Data Protection Act and with the Council's ICT Access and Security Policy

- 4.3 Equipment, sustainability and policy implications are key components of this project and have been identified as stages in the work plan of Research Associate.

5. BACKGROUND/MAIN ISSUES

- 5.1 Aberdeen City Council, in partnership with the University of Aberdeen, the Scottish Government and the UK Technology Strategy Board recognise that effective performance monitoring, planning and policy decisions requires a robust evidence base on which to make decisions for monitoring existing services and future service developments. The Council and its partners recognise that they have all the necessary information; however this is not always easily accessible.

- 5.2 The strategic need for the Knowledge Transfer Partnership is to enable the Council and its partners to establish a capability where each and all might have ease of access to specific data currently stored in huge collections of data banks. This will be in the form of a digital data observatory and will contribute to improved collection and use of routine data, and provide information for assessing further needs. This information will provide the basis for service delivery and developments and support innovations in service delivery.
- 5.3 The data observatory will also facilitate and help those involved in service delivery and service users' access and use the information they need to understand and improve, initially, education, culture and sport within the region. Once established this may be rolled out to other areas of Aberdeen City Council's operations. The observatory will enable access to a comprehensive set of data that can provide the basis for an evidence based research approach that will inform policy and planning decisions, possibly involving all council and service partner's departments at some point in the future. With planners and policy makers able to access all this information with ease, a considerable amount of time and money can be saved during the consultancy phase.
- 5.4 To this end, the Council and its partners were successful in a Knowledge Transfer Partnership funding bid aimed at securing the employment of a Research Associate to complete the above tasks. The Technology Strategy Board agreed on 18 September 2013 the allocation of matched funding over a period of 24 months in order to fund the employment of the Research Associate. Following an initial recruitment exercise, the matched funding was increased to £66,704 in order that candidates who may require the University of Aberdeen to support their visa applications could be considered as part of the recruitment process.
- 5.5 An associate was recruited and took up post in June 2014 and the project is closely monitored by a local management committee which meet on a regular basis.
- 5.6 A detailed project plan for the Associate includes the following:
- Induction phase including Literature and desk survey
 - Project development plan, critical path network and risk assessment
 - Scoping workshops
 - Development, evaluation and expansion of a viable beta observatory
 - Training & development e.g. project management, KTP modules 1-4
 - Project dissemination and close

- 5.7 The project has met all the milestones within the project plan and at this stage 'proof of concept' has been established and a viable beta data observatory has been developed. This initial working observatory will form the basis of further developments and enable the project to be developed across other Departments. A detailed progress report against the project plan is attached (Appendix 1).

6. IMPACT

6.1 Corporate

The purpose of the Knowledge Transfer Partnership is to:

- support improvements to the use and effectiveness of our data and management of information;
- maintain compliance with legislative frameworks;
- publication of research papers and the unique development of teaching materials on data mining across three University departments

The Partnership, the first of its kind for Aberdeen City Council, will ensure linkages to performance monitoring as part of the Council's Single Outcome Agreement, the Administration's Policy Statement – Smarter Aberdeen and the Council's Business Plan, together with the Education and Children's Service Standards and Quality Improvement Planning process and Integrated Children's Services planning process.

6.2 Public

The purpose of the Knowledge Transfer Partnership is ultimately to secure improvements to services. Improvements in the services provided by Education and Children's Service impact positively on all communities across the whole of the City.

7. Management of Risk

Risk assessment and project management are key components of this project and have been identified as early stages in the workplan of Research Associate. The management of risks will be managed by the Education and Children's Service in collaboration with the University of Aberdeen.

8. Background Papers

- Knowledge Transfer Partnership Grant application Part A
- Knowledge Transfer Partnership Grant application Part B
- Minutes of the Local Management Committee

9. REPORT AUTHOR DETAILS

Kevin Stelfox

Acting Service Manager, Planning, Policy and Research

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Appendix 1

KTP Project progress to date.

We established a basic version of the data observatory as proof of concept. This enabled us to learn how to display overlapping datasets from two databases and to understand the issues involved, and as a key means to show others the ability and potential of the data observatory. We also learned that we need to have two versions of the site in order to make it more secure so that we can prevent any leakage of data to unauthorised personnel.

We will build a public facing site hosted externally, which supplies data for the public. The data on this site will already be in the public domain and feature aggregated data that complied with data protection requirements in full. The data would be hosted externally, and therefore be unable to compromise any internal Aberdeen City Council IT systems.

The internal Aberdeen City Council system will be hosted on an Aberdeen City Council server and follow and will be secure from public access. In the coming months as we develop the site we will determine a suitable level of data transparency and access for staff.

We will now be building a deployable version of the data observatory behind the Aberdeen City Council firewall so that it can safely connect to council systems and be available to council staff. We will start this using data from SEEMis, and progress onto CareFirst and other systems in due course. We are in the process of setting up our development to deployment process onto the server space we have for deployment.

During June 2015 the project will have a working system live and new features lined up for development following another workshop with users, who will have been able to use the system for a while and can feed back problems and issues to us, along with any new opportunities that they might want to share with us.

The Project Plan

Project Work Plan for the Associate	
Task description	Outputs & key decision points
Knowledge Base & Company induction	Induction completed
Training and development including KTP modules 1, 2, 3 and 4 and mini project (altogether calculated as 10% of total project time).	PDP planned and implemented
Associate to complete detailed action plan, e.g. including a Gantt or Critical Path Network, and risk assessment, for the entire project and a detailed task list for all project stages.	Detailed action plan complete
Project Stage 1 – Literature and Desk Survey	
<p>Associate to:</p> <p>Undertake a literature review to validate the Children and Young People's Audit and determine what is in use and where the data comes from Carry out a desk based survey of existing digital observatory projects. Setup a Wiki to share finding of the literature review and desk based survey Carry out survey of current observatory implementations and make recommendations based on what is feasible within the council system</p>	<p>Literature review completed.</p> <p>Literature report prepared.</p> <p>Project wiki established.</p> <p>Recommendations for software to use for the observatory</p>
Project Stage 2 – Scoping Workshops	
<p>Associate to:</p> <p>Plan workshop format Organise and invite participants Deliver a series of 3 workshops to define the minimum viable scope of the pilot observatory based around the theme of children and young people.</p> <p>The workshops will be one day events hosted by ACC and targeted at the different potential observatory user groups. ACC will work with the Associate to identify participants. The academic team will work with the associate to design and facilitate the workshop.</p> <p>Post workshop the associate will: Prepare report Post the report on-line using the project wiki. Use the wiki to gather additional comments Revise and disseminate scoping report</p>	<p>3 scoping meetings organised and held.</p> <p>Report produced. Report posted online for review. Comments captured. Report revised and circulated.</p>
Project Stage 3 – Development of Minimum Viable Beta Observatory	
<p>The associate will work with the academic team to develop a pilot of the observatory, drawing on findings from the 3 scoping workshops. The prototype will be designed using a web authoring environment.</p> <p>To do this the associate will: Undertake appropriate training in the observatory authoring and development tool. Develop and evaluate with users and stakeholders paper prototypes to establish format of data presentation, user screens, data access issues, as well as security and data protection issues around the data held and presented. Integrate data as identified from the Children and Young People's Audit. Establish the nomenclature for search tools Review security and data protection issues Develop the minimum viable observatory with continued input from the ACC and previous workshop participants so that we continue to receive feedback as and allow its development to evolve. Create a presentation, which demonstrates the scope and use of the observatory.</p>	<p>Training course undertaken. Example data sets collated. Paper prototypes evaluated.</p> <p>Pilot observatory created and deployed.</p> <p>Nomenclature for search tools established Security and data protection</p>

<p>Upload the presentation to the project wiki. Deploy and test the observatory</p>	<p>protocols identified and established Presentations completed</p> <p>Information uploaded to the project wiki</p>
<p>Project Stage 4 – Evaluate: Minimum Viable Beta Observatory</p>	
<p>With the minimal functional observatory in place and being used by a growing number of user communities, the associate will identify and deploy appropriate methods for:</p> <p>Ensuring that data is available and usable as expected. Recording and capture data usage activity Identifying any additional data requirements Identifying any required system changes to ensure the smooth running of the observatory Capture any training requirements and or job functions required for the on-going development and maintenance of the observatory by the Authority Identifying the next important features to develop for the observatory.</p>	<p>Data and system usage report prepared New data requirements established System changes identified New requirements scoped Training requirements established</p>
<p>Project Stage 5 – Expand and Embed: Beta Observatory</p>	
<p>The observatory will be expanded and enhanced by the associate carrying out a number of development cycles. Each cycle will follow the process outlined in Phase 4 above followed by the implementation of any agreed changes. It is anticipated that there will be 4 expansion cycles. With the first cycle taking the longest as the approach and methods are developed</p> <p>After the first cycle, the remaining cycles will flow more smoothly as the process is understood and more impediments are resolved</p> <p>During each cycle the Associate will work with the project team to:</p> <p>Complete an evaluation of the previous development Cycle (see tasks in phase 4 above) Implement updates to the observatory Providing appropriate training Identify any additions to job roles and skills requirements for council staff Identifying, as doing 5.3 above, which parts can be handed off most easily to the council on the next cycle Designing appropriate training</p> <p>Repeat '5.1 – 5.5 handing off more responsibility to the council during each iteration of the cycles</p> <p>Expansion Cycle 2 Expansion Cycle 3</p> <p>Uses the beta observatory tool to generate and update information for the Young People Audit Report</p>	<p>New feature set implemented 3 Development cycles completed A process for the incremental handover of the observatory to the authority established and started.</p> <p>Updated Young People Audit Report</p>
<p>Project Stage 6 – Project Close and Dissemination</p>	
<p>Associate to:</p> <p>Prepare a system manual to include:</p> <ul style="list-style-type: none"> - Technical specifications - Training materials - Usage reports - Maintenance Schedules etc <p>Prepare academic papers for publication</p> <p>Prepare close out report and lessons learnt</p>	<p>System manual Lessons learnt report Key list of next steps Two papers submitted for publication</p>

2 Time Plan for the proposed Project work for the Associate

Project stage	Project Months							
	0-3	3-6	6-9	9-12	12-15	15-18	18-21	21-24
Knowledge Base & Company								
Training & Development (KTP Modules already added)	1 2	3	4					
Completion of detailed action plan	Complete							
Literature and Desk Survey	Complete							
Scoping Workshops		Complete						
Development of Minimum Viable Beta Observatory			Complete					
Evaluate: Minimum Viable Beta Observatory				Work in progress				
Expand and Embed: Beta					TBC			
Project Close and Dissemination								TBC

Equality and Human Right Impact Assessment: The Form



EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information

<p>Name of Proposal:</p> <p>Knowledge Transfer Partnership (KTP) between the University of Aberdeen and Aberdeen City Council; (Data Observatory Project).</p>	<p>Date of Assessment:</p> <p>23/04/2015</p>
<p>Service: Education and Children's services</p>	<p>Directorate: Education and Children's services</p>
<p>Committee Name or delegated power reference (Where appropriate): Education and Children's Services</p>	<p>Date of Committee (Where appropriate): 2/6/2015</p>
<p>Who does this proposal affect?</p> <p>Please Tick ▼</p> <p style="text-align: center;"><input checked="" type="checkbox"/></p>	<p>Employees <input checked="" type="checkbox"/></p> <p>Job Applicants <input type="checkbox"/></p> <p>Service Users <input type="checkbox"/></p> <p>Members of the Public <input checked="" type="checkbox"/></p> <p>Other (List below) <input type="checkbox"/></p>

2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	

3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>The strategic need for the Knowledge Transfer Partnership is to enable the Council and its partners to establish a capability where each and all might have ease of access to specific data currently stored in huge collections of data banks. This will be in the form of a digital data observatory and will contribute to improved collection and use of routine data, and provide information for assessing further needs. This information will provide the basis for service delivery and developments and support innovations in service delivery. The data observatory will also facilitate and help those involved in service delivery and service users' access and use the information they need to understand and improve services Once established this may be rolled out to other areas of Aberdeen City Council's operations. The observatory will enable access to a comprehensive set of data that can provide the basis for an evidence based research approach that will inform policy and planning decisions, possibly involving all council and service partner's departments at some point in the future. With planners and policy makers able to access all this information with ease, a considerable amount of time and money can be saved during the consultancy phase.</p>
<p>b- What equality data is available in relation to this proposal? (Please see guidance notes)</p>	

<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	<p>3 workshops have been held to define the minimum viable scope of the pilot observatory based around the theme of children and young people. The workshops were one day events hosted by Aberdeen City Council and targeted at the different potential observatory user groups. Feedback from the workshops has assisted in the development the pilot observatory.</p>

<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text" value="£ 666,704"/></p> <p>Projected Savings <input type="text" value="£"/></p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	
<p>Aberdeen City Council, in partnership with the University of Aberdeen, the Scottish Government and the UK Technology Strategy Board recognise that effective performance monitoring, planning and policy decisions requires a robust evidence base on which to make decisions for monitoring existing services and future service developments.</p> <p>This proposal will enable us to take positive action to improve services and access to services for people from the protected characteristics groups and so will help the council and partners to advance equality of opportunity.</p>	
<p>f- How does this proposal link to the Council's Equality Outcomes?</p>	
<p>Provides an effective platform for performance monitoring, planning and policy making which will contribute to the</p>	

Council's Equality Outcomes as follows:

An informed Community

An accessible city

Improved customer service provision which advances equality and addresses peoples different needs.

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)		X	✓	Provides an effective platform for performance monitoring, planning and policy making for 0 to 25 year olds
Disability (Mental, Physical, Sensory and Carers of Disabled people)		X		Provides an effective platform for performance monitoring, planning and policy making
Gender Reassignment	X			
Marital Status (Marriage and Civil Partnerships)	X			
Pregnancy and Maternity	X			

Equality Impact Assessment Test:				
What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)		X		Provides an effective platform for performance monitoring, planning and policy making
Religion or Belief or Non-belief	X			
Sex (Women and men)		X		Provides an effective platform for performance monitoring, planning and policy making
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	X			
Other		X		Provides an effective platform for performance monitoring,

(e.g: Poverty)					planning and policy making including data on poverty using the Scottish Index of Multiple Deprivation
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5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> X </p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> X </p> <p>Evidence:</p>

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p> <input type="checkbox"/> Red <input type="checkbox"/> Red Amber <input checked="" type="checkbox"/> Amber <input type="checkbox"/> Green </p>
<p>Reason for that rating:</p>	<p>Potential negative impact in relation to accessibility to observatory public website however this is being addressed by using the existing council standards and protocols for accessibility</p>

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7: Action Planning				
As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Accessibility to website	Development of data on website to comply with existing standards			

8: Sign off					
Completed by (Names and Services) :					
Signed off by (Head of Service) :					
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p> Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB </p> <p>Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>					

9: Completion Terminology:

<p>Assessment Pre-screening Rating:</p>	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<p>Assessment Rating:</p>	<p>After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed. Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken. Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document. Green: As a result of performing this proposal does not appear to have any adverse</p>

	<p>impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> <p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p> <p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p> <p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>
Equality Data:	
Genuine Determining Reason	
Human Rights	
Legal Status:	

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2 nd June 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	Removal of Nelson Street and Kaimhill Outdoor Centre from the Education and Children's Services account portfolio.
REPORT NUMBER:	ECS/15/019
CHECKLIST:	YES

1. PURPOSE OF REPORT

This report advises committee on the future need by Education and Children's Services of the outdoor centre properties at Nelson Street, AB24 5EP and Kaimhill Outdoor Centre, Ramsay Gardens, AB10 7AE

2. RECOMMENDATION(S)

It is recommended that the Committee:

- Notes the content of the report.
- Declares Nelson Street Playing fields and Kaimhill Outdoor Centre surplus to Education and Children's Services requirements and confirms its removal from the Education and Children's services account portfolio
- Remits the property to the Head of Land and Property Assets to decide on its future use.

3. FINANCIAL IMPLICATIONS

These properties are no longer in use and are surplus to the service's requirements. No income is received for these properties and by declaring it surplus there will be no future running costs for the Service and the Council can decide on the future use of the property.

The current revenue budget allocated from the service to Nelson Street (E30588) is £1,232.00 this covers utility bills and the phone line. The only additional cost is for grass cutting and maintenance of the shrub beds which is carried out by the Communities, Housing and Infrastructure Team and costs £3,788.34 annually.

The disposal of these properties may generate future capital receipts for the Council and there will be future costs associated with holding the property and marketing costs if the Council puts it on the market.

4. OTHER IMPLICATIONS

There are no significant other implications in relation to the proposal.

5. BACKGROUND/MAIN ISSUES

5.1 Nelson Street

Nelson Street Playing fields consists of two artificial pitches (30m x 20m), one eleven aside grass pitch and a small changing pavilion. The artificial pitches were built in approximately 1995 to provide an outdoor sport facility for Causewayend primary school which closed in June 2008.

The artificial pitches were closed to the public in 2012 due to a health and safety concern in relation to the surface which had reached the end of its life span. The only users of the grass pitch since this date has been the primary schools football league that received a free let however they have now subsequently moved their matches to other facilities within the city.

It should be noted that in recent years extensive funding from the City Council has developed the world class facilities at Aberdeen Sports Village and further developments on this site are planned which will meet demand for this type of bookable facility in the city.

Options for the future of this site may need to be taken in conjunction with sportscotland dependant on the proposal.

5.2 Kaimhill Outdoor Centre

Kaimhill Outdoor Centre was built around 1950 and currently consists of one pavilion, two tennis courts in poor condition and two outdoor bowling greens, one of which has been unused for considerable time. Implications of the budget reductions in 1998/1999 led to funding withdrawal from Kaimhill Outdoor Centre earmarking it for closure from 1 April 1998. However, it was later agreed to maintain one of the two bowling greens and to offer the management and financing of the facility to a local management group.

In 2008 a report went to committee on 9th April 2008 titled, 'Review of Outdoor Sports Centres and Under Utilised Bowling Greens'. This report notes, 'Kaimhill – this facility is community managed and operated, with the Council providing grounds maintenance.'

Up until the end of last season, one of the bowling greens was being used by groups, Garthdee Ladies and Aberdeen Casuals. However,

there was a necessity for user groups to formalise a temporary access agreement and have insurance in line with council policy. Unfortunately, these recommendations were not accepted, and as a consequence Garthdee Ladies relocated to Ruthrieston Outdoor Centre, and Aberdeen Casuals returned the keys of the facility to council officers.

6. IMPACT

Corporate – declaring the property surplus will ensure that the Service is utilising its property portfolio to support the aims and service provision requirements within Education and Children’s Services. It will also generate income for the Council if the decision is made to sell the property.

Public – there will be an impact on the local community if the premises is re-used or sold and there is a change of use.

7. MANAGEMENT OF RISK

The assessment of risk associated with this report is low. However, there is a risk to the property if it remains empty for a significant period, as it could become a target of vandalism or theft.

8. BACKGROUND PAPERS

03.10.98 Meeting of Sport and Amenity Sub Committee – Kaimhill Outdoor Centre

09.01.08 Council – Review of Outdoor Sports Centres and Under Utilised Bowling Greens

9. REPORT AUTHOR DETAILS

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(01224) 523798

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Equality and Human Right Impact Assessment: The Form



EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

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strategy, plan, procedure, report or business case. This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

Aberdeen City Council

1: Equality and Human Rights Impact Assessment- Essential Information

<p>Name of Proposal</p> <p style="text-align: center;">Removal of Nelson Street and Kaimhill Outdoor Centre from the Education and Children’s Services Account Portfolio</p>	<p>Date of Assessment:</p> <p style="text-align: center;">12 May 2015</p>
<p>Service:</p> <p style="text-align: center;">Sport</p>	<p>Directorate:</p> <p style="text-align: center;">Education and Children’s Services</p>
<p>Committee Name(Where appropriate):</p>	<p>Date of Committee(Where appropriate):</p> <p style="text-align: center;">02 June 2015</p>
<p>Who does this proposal affect?</p> <p>Please Tick ▼</p>	<p>Employees <input type="checkbox"/></p> <p>Job Applicants <input type="checkbox"/></p> <p>Service Users <input type="checkbox"/></p> <ul style="list-style-type: none"> • Members of the Public <input type="checkbox"/>

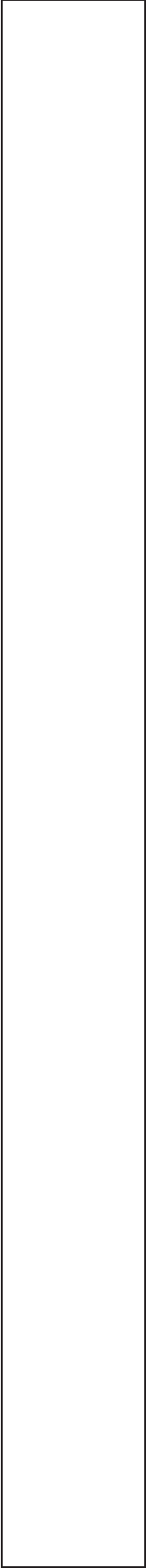
	Other (List below) <input type="checkbox"/>
2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	<input type="checkbox"/> Yes <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	

3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>The aim of the proposal is to approve the recommendation that the Committee:</p> <p>Declares Nelson Street Playing fields and Kaimhill Outdoor Centre surplus to Education and Children’s Services requirements and confirms its removal from the Education and Children’s services account portfolio</p> <p>Remits the property to the Head of Land and Property Assets to decide on its future use.</p>
<p>b- What equality data is available in relation to this proposal? (Please see guidance notes)</p>	<p>Both Kaimhill and Nelson Street have been identified as surplus to the service. There is potential for an opportunity to explore alternative options for future use and this will be guided by the Council’s head of land and property assets. The Council is committed to its duty of care towards citizens who have been using these facilities and consequently offers alternative venues. By providing alternative venues physical accessibility is offered to all users to eliminate discrimination.</p>

	<p>This recommendation advances equal opportunities and fosters good realtions by providing alternative venues throughout the city which offer people with protected characteristics opportunities to participate.</p>
<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	<p>Consultation has taken place with users and risk assessments carried out to arrive at the decision.</p>
<p>d- Financial Assessment If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text"/></p> <p>Projected Savings <input type="text" value="£0"/></p>

<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	
<p>This contributes by offering alternative venues for users.</p>	
<p>f- How does this proposal link to the Council’s Equality Outcomes?</p>	
	<p>The proposal links to outcomes by ensuring all citizens are encouraged and supported appropriately to make their full contribution. This links to Equality Outcome 14, that people with protected characteristics make better use of sporting and cultural facilities.</p>



4: Equality Impact Assessment – Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ‘ <i>Genuine Determining Reason</i> ’* exists *(see completion terminology)
Age (People of all ages)		✓	✓	
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		
Gender Reassignment		✓		
Marital Status (Marriage and Civil Partnerships)		✓		
Pregnancy and Maternity		✓		

Equality Impact Assessment Test:				
What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)		✓	✓	
Religion or Belief or Non-belief		✓		
Sex (Women and men)		✓		
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)		✓		
Other (e.g: Poverty)		✓		

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5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	No Evidence:
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	No Evidence:
Article 6: Right to a fair and public hearing	No Evidence:

<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p><input type="checkbox"/> No</p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p><input type="checkbox"/> No</p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p><input type="checkbox"/> No</p> <p>Evidence:</p>
<p>Other article not listed above, please state:</p>	<p><input type="checkbox"/> No</p> <p>Evidence:</p>

6: Assessment Rating:	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Green </p>
<p>Reason for that rating:</p>	<p>There are no negative impacts.</p>

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7: Action Planning				
As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

8: Sign off					
Completed by (Names and Services) :	Gillian Innes, Sport Physical Activity Strategy Partnership Officer				
Checked by (Equality Check):					
Signed off by (Head of Service) :					
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p> Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB </p>					

9: Completion Terminology:	
Assessment Pre-screening Rating:	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
Assessment Rating:	<p>After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed. Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken. Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions</p>

	<p>detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> <p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p> <p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p> <p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>
Equality Data:	
Genuine Determining Reason	
Human Rights	
Legal Status:	

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ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2 June 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	Statutory Consultation – Consultation Reports on the proposals: (i) To rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and (ii) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter; Further, to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise; Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015
REPORT NUMBER:	ECS\15\032
CHECKLIST:	Yes

1. PURPOSE OF REPORT

To report to Committee on the outcome of the statutory consultation on the proposals to:

- (i) The proposal by Aberdeen City Council to rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and
- (ii) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;

Further, to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;

Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015

2. RECOMMENDATION

(i) To implement the following recommendations:

1. For the Cults Academy rezoning proposal:

- (a) Retain the area of the Lairhillock School zone, which is currently within the Cults Academy zone and which was the focus of this consultation exercise, as part of the Cults Academy zone; and
- (b) Advise Aberdeenshire Council that any new housing developments in their Council area which are currently zoned to Cults Academy, including the Blairs development, will require to be rezoned to an Aberdeenshire Council secondary school following a public consultation.

2. For the Stoneywood new build and rezoning proposals:

- (a) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;
 - (b) To locate the new Stoneywood School building on ground at the former Bankhead Academy site; and
 - (c) To rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015
- (ii) to instruct officers to make the necessary arrangements to ensure successful implementation of the above recommendations by the indicated times.

3. FINANCIAL IMPLICATIONS

Financial resources for the new Stoneywood School building's construction costs have been allocated in the Council's five year capital programme. There are no financial implications associated with the Cults Academy rezoning proposals.

4. OTHER IMPLICATIONS

Legal – The public consultations have complied with the requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014. As these proposals refer do not refer to the proposed closure of any school in either consultation exercise, any decision to implement them by this Committee cannot be called in by Scottish Ministers.

Resources – Officer time and expenditure associated with these consultation exercises has been met from existing service budgets.

Personnel – Implementation of the recommendations will not result in any significant personnel implications.

Property – A new build Stoneywood School will provide state of the art educational accommodation for staff and pupils and will result in an “A” rated building in terms of condition and suitability.

Equipment – There are no equipment implications or risks associated with this report.

Sustainability and environmental – Implementation of these proposals will have a positive impact upon sustainability and environmental issues related in the school estate through the creation of a 21st Century asset for Stoneywood School.

Health and safety – There are no implications or risks related to this report.

Policy – there are no policy implications or risks related to this report.

5. BACKGROUND/MAIN ISSUES

5.1 School Reorganisation Proposals

These proposals contribute to a widespread programme to manage the school estate across the city arising from both the review of secondary schools and primary schools which were previously reported to Committee on 28 October 2010 and 7 February 2013.

These statutory consultations were carried out as result of an instruction from Education, Culture and Sport on 7 February, 2013.

5.2 Educational Implications

The Education Authority has a programme to ensure the provision of an affordable and suitable education service for all its pupils. Implementation of these proposals will assist in the delivery of these objectives, thereby meeting

the Council's statutory obligations as set out in the Education (Scotland) Act 1980 (as amended).

5.3 Statutory Consultation Feedback

Appendix 1 details the Consultation Report for the proposed rezoning of the Cults Academy zone, while Appendix 2 contains the Consultation Report for the creation of a new school building for Stoneywood School, its location and the rezoning of ground t Stoneywood School from Brimmond School.

The following sections provide a synopsis of the written submissions, comment from the public consultation meetings and the service's response to these submissions and the reports from Education Scotland.

5.3.1 Rezoning of Cults Academy's Zone

(a) Methodology

All requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014 were met in full.

(b) Feedback from Stakeholders and Education Scotland

There was a significant response to the proposed rezoning of the Cults Academy zone. In total, there were 76 written responses to the consultation, with only 2 in favour of the proposed rezoning. At the public meeting approximately 40 stakeholders were present and at a separate meeting organised by the Parent Council of Lairhillock School there were approximately 25 people in attendance.

Of the vast majority who were opposed to the rezoning proposal the submission focused on the areas listed below:

- The small number of pupils attending Cults Academy from Lairhillock School each year would have no significant impact on the overall roll of Cults Academy;
- If implemented, the rezoning proposal would have detrimental impact on peer groups, with a negative impact of the overall community of Lairhillock. Individual families would be penalised if siblings were forced to attend different secondary schools and this would reduce opportunities for pupils to participate in after school activities, thereby reducing their overall educational experience;
- Travel to an alternative secondary school were further away than Cults Academy, would take longer and would be undertaken on less safe routes which may well be exacerbated by the construction of the AWPR;
- There was inadequate communication with officers of Aberdeenshire Council prior to the consultation process being started; and
- Aberdeenshire Council secondary schools also had a lack of available space to accommodate pupils from Lairhillock School.

Respondents also submitted comment that they believed the Proposal Document was flawed as it:

- Contained pupil roll projections which overstated the number of pupils arriving at Cults Academy, and took no account of the impact of the downturn in the oil industry;
- Did not evidence any meaningful education benefits;
- Did not identify any alternative secondary school which Lairhillock School pupils would attend; and

In addition, several comments were received that criticised the format of the public meeting.

Education Scotland confirmed in their report that there were educational benefits which may be delivered by the implementation of the amended proposal which is set out in the recommendation section of this report.

The Council's responses to these issues are included in the Consultation Report at Appendix 1.

(c) Overall View of the Proposal

The volume of responses to this consultation proposal was significant and the strength of opposition can be demonstrated by the fact that 74 of the 76 submissions opposed the original proposal.

Having considered the matter at Directorate level, it was agreed that a revised proposal should be implemented which would result in the Cults Academy zone being maintained, with the exception that all new housing developments which are constructed in the affected area, south of the River Dee and including the Blairs development, would be rezoned to an Aberdeenshire Council secondary school. Any rezoning of such areas will be undertaken in partnership with Aberdeenshire Council. This means that there would be no change or disruption to pupils already attending Cults Academy or Lairhillock Primary both now and in the future.

This change in proposal was discussed with the Parent Council and Education Scotland, following the end of the consultation. Both parties responded favourably to the amended proposal.

5.3.2 Stoneywood School – New Build and Rezoning

(a) Methodology

The consultation met of all the requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014.

(b) Feedback from Stakeholders and Education Scotland

Seventeen writing submissions were made, including fifteen Comment Cards which were received at the public meeting. Of these responses, fourteen were

in favour of a new school, 2 were opposed and one provided no comment. The majority of responses preferred the former Bankhead Academy site as the location for the new school building and also supported the rezoning proposal.

The pupils of Stoneywood School also submitted their responses via class teachers. Overall the majority of pupils were in favour of a new school building and 64 of 136 were in favour of the school being constructed at the former Bankhead Academy site.

(c) Overall View of the Proposal

The level of response to this consultation was considered to be low considering the importance of a new build school for the communities of Stoneywood and Bankhead. All of the matters contained within views submitted have been responded to either during the consultation period or in the Consultation Report.

6. IMPACT

6.1 Corporate

Aberdeen the Smarter City

- (i) We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities which promote independence, resilience, confidence and self-esteem.
- (ii) Working with our third, public and private sector partners, we will provide opportunities for lifelong learning which will develop knowledge, skills and attributes of our citizens to enable them to meet the changing demands of the 21st Century.
- (iii) Again, working with partners, we will create a City of Learning which will empower individuals to fulfil their potential and contribute to the economic, social and cultural wellbeing of our communities.
- (iv) We will aim to have a workforce across the city which has the skills and knowledge to sustain, grow and diversify the city economy.

6.2 Equality and Human Rights implications

A full Equality and Human Rights Impact Assessment is attached as Appendix 3 of this report.

6.3 Management of the School Estate

The implementation of the revised rezoning proposal for Cults Academy will ensure a sustainable and manageable pupil roll. The implementation of the

proposals for Stoneywood School will create a new school building which will accommodate the projected increase in pupil roll arising from the significant housing developments in the school's zone.

7. MANAGEMENT OF RISK

There is not expected to be significant operational risk arising from the implementation of the proposals. Having followed all applicable legislation, the Council will be perceived as having taken account of the result of the consultation process.

8. BACKGROUND PAPERS

Appendix 1 Consultation Report on the Proposal to rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and

Appendix 2 Consultation Report on the Proposal to create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;

Further, to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;

Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015

9. REPORT AUTHOR DETAILS

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CONSULTATION REPORT

This Consultation Report has been compiled in responses to the recent public consultation on the proposed rezoning of the Cults Academy delineated area. The document summarises the responses received on the proposal set out below and Aberdeen City Council's response to the verbal and written comments submitted by interested parties, in compliance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014.

Proposal:

- To rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016.

1. METHODOLOGY

This consultation was conducted in accordance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014. All requirements of the legislation have been met.

2. INVOLVEMENT OF STAKEHOLDERS

(a) Public Events

A public consultation event was held on Tuesday, 10 March 2015 to discuss the proposal issued for public consultation. The table below details the number of attendees at the public meeting:

<i>Date</i>	<i>Time</i>	<i>Venue</i>	<i>Number of Recorded Attendees</i>
10 March 2015	7- 8 pm	Cults Academy	Approximately 40 parents/ 2 Elected Members from Aberdeenshire Council plus officers of Aberdeen City Council.

Officers also attended a meeting chaired by the Parent Council of Lairhillock School on Tuesday 24 March, at which approximately 25 parents/carers and members of the public were in attendance. This meeting provided a further opportunity for officers to discuss the proposals which were being consulted upon and to hear stakeholder views and concerns.

(b) Comments Received

The following written submissions were received:

<i>Format</i>	<i>Number of submissions</i>
E-mail	16
Written	27
Comment Cards	16
Public Meeting Comment Cards	17

Paper copies of the submission were made available in the Members Library and have been circulated to external members of the Education and Children's Services Committee. The submission, anonymised as necessary, was also made available on the Council website.

(c) Issues Raised

Public Meetings – 10 and 24 March 2015

As well as discussing the proposals for the future rezoning of Cults Academy's school zone, 17 stakeholders provided their feedback in the form of completed Comment Cards. The comments submitted in this way are summarised below:

General Comments

All 17 submissions at the public meeting of 10 March were opposed to the proposed rezoning. The following paragraphs detail the reasons for this viewpoint.

The proposal would have limited effect due to the small number of pupils who would be affected by the rezoning

- Those in attendance at the public meetings commented that the number of pupils transferring each year from Lairhillock School to Cults Academy was small compared to the annual intake of S1 pupils, and that cumulatively the proposal to remove the Lairhillock School zone from Cults Academy would not significantly reduce the overall pupil roll.

Siblings of pupils attending Cults Academy should be guaranteed a place at the school

- Respondents commented that siblings of pupils already attending Cults Academy should be guaranteed a place at the school. Several submissions and verbal responses at the public meetings commented on the potential disruption on peer networks and family groups if pupils were forced to attend different schools.

The Proposal Document was fundamentally flawed

- Several parents took issue with the accuracy of data within the Proposal Document. This included questioning the projected roll data for Cults Academy and the number of children identified as coming from Lairhillock School in the future. One parent commented that the Educational Benefits Statements were poor and contained only one realistic benefit.

The rezoning proposal would have a negative impact on peer, social and family groups

- Those in attendance at the meeting commented on the potential disruption to family life should siblings not be able to attend the same secondary schools. As the community was also relatively small splitting peer groups to different secondary schools would result in the loss of close, established social and peer groups.

- Comment was also received that the established community and social links that pupils and families had made with nearby communities in Cults, Milltimber and Peterculter would be lost if pupils from Lairhillock School were required to attend an alternative secondary school.

There was a lack of consultation with Aberdeenshire Council before the Proposal Document was issued

- Comment was received which criticised the apparent lack of consultation with colleagues from Aberdeenshire Council. Of specific concern was the lack of an alternative secondary school provision, should the rezoning proposal be implemented. In addition, a number of parents also commented on the lack of available capacity in nearby Aberdeenshire Council secondary schools.

Cults Academy was geographically closer to Lairhillock School

- Representation was also made about the geographic proximity of Cults Academy to the pupils from Lairhillock School and that secondary school in the Aberdeenshire Council area would be further away and would also result in travelling on more dangerous roads. It was also believed that the road safety issue would be exacerbated by the construction of the Aberdeen Western Peripheral Route.

Alternative Proposals

- A number of alternatives to the rezoning proposal were raised by those in attendance at the meeting. These included rezoning ground in the north of the Cults Academy zone to Westhills Academy and to rezone any new residential developments in the affected area to an alternative secondary school in Aberdeenshire Council.

Parent Council of Lairhillock School

The Parent Council of Lairhillock School submitted a written response which commented on a number of aspects which they believed were pertinent to the consultation. In considering their response, the Parent Council noted the disruption to pupils as a result of there being no clear alternative secondary school provision should the rezoning proposals be implemented. The response also commented on the capacity issues faced by secondary schools within Aberdeenshire Council. It was also noted that the rezoning may place difficulties for families if their children were educated in different secondary schools and the Parent Council stated their desire that siblings of pupils currently attending Cults Academy would be eligible to attend the school.

The Parent Council also expressed their grave fears that the proposed changes would fracture the established peer groups in such a small community. They argue that parents and children have an expectation that peers should be educated together.

The response provided comment on road safety and the AWPR, noting that the latter would place greater difficulty in terms of travel arrangements and that the AWPR would also have a detrimental impact on families at home. The Parent Council state that many parents are unhappy at the prospect of children having to attend Mackie Academy in Stonehaven and travelling on roads which will have increased traffic volume arising from the construction of the AWPR.

The Parent Council also commented on the format of the public meeting, stating that they felt a more formal approach with a presentation to all present would have been far more beneficial.

The Parent Council also noted that the standard room occupancy rate is set at 84% and that if this was extended to 90% then additional capacity could be generated.

As an alternative to the rezoning proposal, the Parent Council proposed that the Blairs development and any additional large housing developments be excluded from Cults Academy. This would then allow for all children currently in the Cults Academy zone to remain in zone, with children from the Blairs development and any future housing development being zoned to another school.

Aberdeenshire Council

Aberdeenshire Council submitted a response to the consultation proposals which had been approved by their Education, Learning and Leisure Committee at their meeting of 26 March 2015. The settled view of Aberdeenshire Council was that no changes should be made to the current zoning arrangements.

If change was necessary, Aberdeenshire Council's preference would be for all children attending Lairhillock School, including pre-school aged children, to attend Cults Academy for their secondary education and any siblings of these children should also be allowed to attend Cults Academy.

Community Council

The North Kincardine Rural Community Council submitted a response which supported the response submitted by the Parent Council of Lairhillock School.

Individuals

Twenty four (24) letters and sixteen (16) e-mail and sixteen (16) Comment Card responses were received from individuals. The detail of these submissions is set out in the following paragraphs.

- Maureen Watt, MSP, submitted a response to the consultation having been contacted by a constituent. Ms Watt advised that Cults Academy was the closest secondary school for pupils from Lairhillock School and she implored the Council to review the proposal to exclude Lairhillock School from the Cults Academy zone at this time. Ms Watt intimated that the Parent Council of Lairhillock School understood that rezoning was necessary but that the timing

was “strange” with the forthcoming changes to the area such as the AWPR and developments such as Chapelton of Elsick.

Ms Watt also commented on the perceived lack of consultation with colleagues from Aberdeenshire Council.

- Sir Robert Smith, former MP, submitted 7 letters to the Chief Executive’s Office on behalf of his then constituents. Although each of the letters forwarded by Sir Robert were individual they contained many similar points.
 - As the number of pupils arriving at Cults Academy from Lairhillock School was so small, any rezoning impact would be negligible.
 - Rezoning would have a detrimental impact on Lairhillock School which had established a strong sense of identity.
 - Rezoning would cause transport disruption to pupils in the form of longer transport time from home to school on more difficult roads. In addition, the AWPR development was expected to cause further transport disruption.
 - The downturn in the oil industry has had an effect on families resident in Aberdeen and surrounding areas who have returned home to search for work. It is believed that this will lead to a reduction in the pupil roll at schools, including Cults Academy.
 - Due to the consultation legislation, Aberdeenshire Council would be unable to start any necessary consultation process until after the rezoning proposal had been determined by the Education and Children’s Services Committee of Aberdeen City Council. This means that there is no clear alternative available for parents to consider and would mean that any subsequent consultation by Aberdeenshire Council would not be complete until December 2015.
 - Pupils from the existing Lairhillock School zone should remain within the Cults Academy zone and any new housing developments should be zoned to an appropriate Aberdeenshire Council secondary school.
- Comments from stakeholders stated that siblings of pupils already attending Cults Academy should be guaranteed a place at the school and that it was unfair to split Lairhillock pupils. It was also reported that the pupils of Lairhillock School, particularly those in the upper school, expected, and had planned, to attend secondary school at Cults Academy.
- Parents of pupils at Lairhillock School stated their belief that the rezoning proposal would impact on the social network for their children. An example provided was the difficulty for pupils of obtaining out of school care activities with their friends, should they attend separate secondary schools. It was also commented that as parents frequently worked within the Aberdeen city centre, having their children attend Cults Academy made it easier logistically for them to collect children from school or take them to after school activities.

- Respondents remarked that there appeared to have been little communication between colleagues from Aberdeenshire Council and Aberdeen City Council in preparing the rezoning proposal issued for consultation purposes. Of major concern was the failure of the Proposal Document to provide any indication of what the alternative secondary school provision would be should the rezoning be implemented. Respondents stated that the nearest secondary schools in Aberdeenshire at Stonehaven, Portlethen and Banchory all had capacity issues and would therefore not be able to provide suitable alternatives to Cults Academy.
- Several respondents commented on the insufficient timescale for alternatives to be implemented should the Council go ahead with the rezoning proposal from August 2016. One response stated that the proposals were short term boundary adjustments and that a long term strategy should be developed.
- Respondents expressed concern at the format of the public meeting held on 10 March, with one submission describing the meeting as “shambolic”, suggesting that officers from Aberdeen City Council did not wear name tags or have any other form of identification. The respondent concerned expressed dismay was that no record was taken of the comments expressed by interested parties on the night.
- The issue of safe travel arrangements to an Aberdeenshire secondary school were also raised. This included the distance to the nearest Aberdeenshire secondary school which was twice the travel distance to Cults Academy. Also of concern was the safety of the roads as they were classed as “B” roads and the length of time it would take for pupils to be transported to school. Further submissions received commented on the likely impact of the Aberdeen Western Peripheral Route which would increase traffic to Stonehaven.
- Responses commented on the impact of the oil industry’s downturn on pupil rolls at Cults Academy. It was claimed that this would reduce pupil rolls as families relocate to other places in search of work.
- Responses also commented on the number and scale of housing developments which were being built or had been approved within the Cults Academy zone to the north of the River Dee. Submissions commented on the number of pupils who would be generated by these developments.
- Two respondents commented on the impact that the proposed Aberdeen Western Peripheral Route and the rezoning proposal would have on house prices in the Maryculter area.
- Two submissions expressed support for the rezoning proposals, noting the capacity issues which required to be addressed at Cults Academy. This response suggested that it was fair for those with a Cults address to be favoured over those out with the area.

- One response asked why the Council had not included a change to the Cults Academy zone as a result of the Countesswells development, asking why the Proposal Document was being issued at this particular time.
- One submission made by a resident in the affected area commented on the number of pupils likely to be generated by the Oldfold Farm development, asking how these pupils would be accommodated in Cults Academy. The response also stated that the individual concerned “had paid a premium” for his home as it was in the Cults Academy catchment area, asking “who will compensate us for the loss” should the rezoning proposal be implemented.
- Many submissions submitted alternative rezoning proposals such as rezoning other areas within the Cults Academy zone to other schools within the Aberdeen City Council area or to Westhill Academy and to limit the out of zone placing requests. Several attendees at the public meeting of 10 March 2015 commented that Westhill Academy had sufficient spare capacity to accommodate a significant intake of pupils from the Cults Academy zone. Three responses suggested that the Police Station within Cults Academy be relocated to create additional classrooms.

Education Scotland Report

An essential element of the statutory consultation process is involvement of Education Scotland whose report is provided as Annex A of this Consultation Report.

Education Scotland comment on the fact that, having reviewed submissions and considered both verbal and written comment, that Council officers would recommend that no changes would be made to the current Cults Academy zone which is south of the River Dee. Those pupils attending Lairhillock School, and those who reside in the Cults Academy zone but who attend a different primary school, and who would normally transfer to Cults Academy would therefore be remain entitled to attend Cults Academy as in zone pupils.

Education Scotland believe that this will deliver educational benefits such as attending the same school as older siblings and being educated in a positive learning environment which is within operational capacity. Education Scotland comment on the need for the Council to respond to alleged inaccuracies within the Proposal Document and consultation process. The Council’s response to these matters is set out in Section 4 of this document.

3. THE COUNCIL’S RESPONSE TO ISSUES RAISED DURING THE CONSULTATION PERIOD AND CONTINUED WITHIN THE EDUCATION SCOTLAND REPORT

The following paragraphs will provide detailed comment on the comments and written submissions received during the consultation period. It is noted that many respondents provided comment on many of the same matters and the Council’s response to these points is set out below.

The Proposal Document and Consultation Process was Flawed

Several respondents provided comment that the Proposal Document and consultation process were flawed. The data contained within the Proposal Document was prepared by officers with significant experience in preparing for and conducting school consultations. The pupil roll projection data took account of all known data at the time of publishing the Proposal Document, which included a projection of pupils coming to Lairhillock School and Cults Academy from the Blairs development. These pupils were excluded from the pupil figures provided to parents from the Head Teacher of Lairhillock School.

Stakeholders were advised that there had been no noticeable impact of the downturn in the oil industry on the pupil rolls at any Aberdeen City Council school and to make an adjustment for this unknown would be to determine an arbitrary figure which could not be justified on experiential grounds.

The Education Benefits Statement was clear that the main benefit, and the driver for this consultation exercise, was the projected over capacity issue at Cults Academy. It is recognised that through implementation of the rezoning proposal that not all of the overcrowding could be addressed but that it would make a significant contribution.

Officers were mindful that approximately 60% of the Lairhillock School pupil cohort transfer to Cults Academy for secondary education. The remaining pupils transfer to other secondary schools, including Mackie Academy in Stonehaven and it was believed that an educational benefit would be achieved by having the entire pupil cohort transfer to one secondary school, rather than two secondary schools as is the case at present.

The consultation process followed the set norms of Aberdeen City Council, which has never before been criticised. It is also noticeable that Education Scotland have not raised any concern about the format of public consultation meetings in this or any previous reports on school consultations.

Officers were clearly identifiable and the majority of those present at the 10March meeting did in fact have their identification badges on display. Comments were received to thank officers for their clear explanation of issues that required clarification at the meeting.

It is acknowledged that the document did contain two typos, which when notified of by stakeholders, were rectified by officers and the amended Proposal Document was placed on the Council website.

Further commentary on the Proposal Document and the consultation process is detailed in section 4 of this report.

The Proposal Document Contained Conflicting Information from Other Council Sources

It is accepted that the Proposal Document contained information regarding the placing of siblings in Cults Academy which differed from that stated within the Guide to Education document. It is therefore accepted that, should the Education and Children's Service decide to implement the original rezoning proposal, siblings of pupils already being educated at Cults Academy would be entitled to attend the school.

Effective Consultation with Aberdeenshire Council

Respondents commented on the apparent lack of consultation with Aberdeenshire Council. In fact, discussions had taken place over a number of years on this matter and these discussions included input from senior and chief officers.

It is recognised that Aberdeen City Council were unable to provide any information on alternative secondary provision within the Proposal Document as this would be the responsibility of Aberdeenshire Council. It is also recognised that any decision by Aberdeenshire Council to consult on this alternative provision during the current consultation period could have been seen to prejudice the impartiality of the consultation and led stakeholders to believe that there was already a determined outcome. This would have been contrary to the letter and spirit of the applicable legislation.

Distance from and Access to Cults Academy

Parents submitted the point that Cults Academy was geographically closer to Lairhillock, with easier access, than any of the neighbouring secondary schools in Aberdeenshire. This point is accepted, as is the fact that a significant proportion of parents work in Aberdeen. Having children educated at Cults Academy does provide easier access for parents to transport pupils to and from school and allow them to participate in the range of after school activities on offer at Cults Academy.

It is also accepted that good community and pupil relations have been established with neighbouring communities on the north side of the River Dee.

Impact of the Aberdeen Western Peripheral Route

It was a coincidence that the consultation exercise was conducted at the same time as work on the AWPR. It was made apparent that this infrastructure investment was causing significant concern for families in the Maryculter area and although not related to the rezoning consultation it is accepted that increased disruption to travel may arise during the construction of the road and that increases in traffic volume are expected once the road is complete.

It would be inappropriate for the Council to comment on the AWPR's or the rezoning proposal's impact on house prices in the area.

Alternative Proposals

As described in the previous Section, there were several alternative proposals submitted during the consultation process. Having considered their merits and practicalities, it is believed that it would not be appropriate to seek to rezone pupils from the Aberdeen City Council area to an alternative school out with the authority's boundary.

It should be noted that Police Scotland have leased their premises within Cults Academy for the period of the school's operational contract.

Several comments received stated that the Council should consider excluding new developments in the affected area. It was stated that this would reduce the number of future pupils attending Cults Academy from Lairhillock School.

Taking the comments contained in responses, officers believe that it would be appropriate for a revised proposal to be implemented. This is set out in the following paragraph.

Revised Proposal

Having considered the comments received during the consultation process, officers have concluded that it is appropriate for:

- (i) The area affected by the consultation process to remain within the Cults Academy zone; and
- (ii) Aberdeenshire Council to make secondary school provision for any children who arrive as a result of new housing developments in the area, including the Blairs development.

This will allow Aberdeen City Council to mitigate the increase in pupil numbers who arrive from such housing developments and which will assist in the process of sustainably managing the Cults Academy pupil roll. This will also allow Aberdeenshire Council to seek Section 75 contributions for any necessary expansion to their school estate arising from new housing developments.

4. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT

A number of comments were received which alleged inaccuracies in the Proposal Document or within the consultation process. These are detailed in the following paragraphs.

Incorrect Data on Pupil Roll Projections

Comments received intimated that the rationale used to justify the rezoning proposal was flawed and that the Proposal Document had identified the incorrect year that the projected pupil roll would go above the capacity at Cults Academy. Respondents also commented that the projected pupil roll should be adjusted to take account of the

current downturn in the oil industry as this would impact on the number of pupils attending Cults Academy.

In reviewing the data used to project pupil rolls there was no evidence of the oil industry downturn affecting pupil rolls at any Aberdeen City Council schools. The Proposal Document also identifies that roll projections are based on all of the available information at a given point and as such they cannot take account of uncertainties. The impact of the economic situation is such an uncertainty and there is no way of foretelling how this may impact on the pupil roll at Cults Academy.

It was acknowledged that the Proposal Document contained a typo at paragraph 8 as it had identified 2016 as the year when the pupil roll would be above the school's stated capacity. In fact, the correct year was 2019, as identified in Table 1 to which paragraph 8 related. The document was subsequently updated, but as this had no effect on the rationale for the proposal no further action was deemed necessary by officers. The Proposal Document was clear in the fact that the pupil roll of Cults Academy was projected to go beyond the school's capacity and as such action had to be taken.

This allegation is therefore refuted.

No Defined Educational Benefits

Responses to the consultation stated that there were no educational benefits to be derived from the implementation of the proposal.

The proposal identified that action would be required to manage the capacity at Cults Academy or the school would be unable to offer the full breadth of the curriculum. This would affect all pupils at the school, particularly in the delivery of practical subjects. In addition, it is noted that a significant minority of pupils from Lairhillock School currently attend an Aberdeenshire Council secondary school. The proposal, if implemented, would have ensured that all pupils from Lairhillock School would have attended the same secondary school, therefore maintaining the pupil relationships which had been established in primary school.

This allegation is therefore refuted.

No Consideration of Alternative Proposals or Liaison with Aberdeenshire Council

A number of respondents commented that there was little or no communication between officers of Aberdeenshire Council and Aberdeen City Council prior to the Proposal Document being issued. In addition, verbal and written submissions commented on the lack of alternative proposals to deal with the capacity issues at Cults Academy.

Officers are content that the dialogue between representatives of the two authorities was conducted in a spirit of openness and partnership prior to the consultation process starting. The level of contact was between senior Council officials and was maintained throughout the consultation period.

The Schools (Consultation) (Scotland) Act 2010 requires authorities to issue a proposal for public consultation. Officers are content the Council complied with Section 2 of the Act in issuing a relevant proposal for consultation. As part of the consultation process, officers encouraged stakeholders to submit alternatives which would be considered at the stage of preparing this Consultation Report. Commentary on the alternative proposals has been detailed above.

This allegation is therefore refuted.

Format of the Public Meeting

Several respondents commented that the format of the public meeting held on 10 March 2015 did not provide for meaningful consultation or recording of comments from those present.

The format used was similar to those undertaken by the Council at school consultation meetings. Those present were able to discuss, at length, the many concerns they had for their children's secondary education and the potential implications should the proposal be implemented. In addition to the verbal comments heard by officers, those present were asked to submit written submissions during the consultation meeting that officers could subsequently review. It is believed that this format is beneficial as concerns can be expressed in writing rather than having to rely on a Council officer trying to record every point of view heard at the meeting. The comments received on the Comment Forms at the public meeting are discussed in Section 2 (above).

This allegation is therefore refuted.

5. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 AND CONSIDERATION OF THE PROPOSALS

Following the conclusion of the consultation period, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal, having had regard to the written representations that have been received by it during the consultation period; oral representations made to it at the public meetings held on 4 March 2015 and 5 March 2015 and Education Scotland's report.

In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010, the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

With relation to Section 9(1) of the 2010 Act and having considered all of the information received during the consultation process, officers have revised the original proposal which was issued for public consultation and recommend that pupils attending Lairhillock School, and those children resident in the Lairhillock School zone but attending other primary schools, who are currently zoned to Cults Academy remain entitled to attend Cults Academy. Any future housing developments in the Lairhillock School zone, including the Blairs development, will be rezoned to an Aberdeenshire Council secondary school.

6. RECOMMENDATION

It is recommended that the Education and Children's Services Committee agree to implement the proposals to:

- (i) Retain the area of the Lairhillock School zone, which is currently within the Cults Academy zone and which was the focus of this consultation exercise, as part of the Cults Academy zone; and
- (ii) Advise Aberdeenshire Council that any future new housing developments in their Council area which are currently zoned to Cults Academy, including the Blairs development, will require to be rezoned to an Aberdeenshire Council secondary school following a public consultation.

Gayle Gorman
Director of Education and Children's Services
May 2015

REPORT FROM EDUCATION SCOTLAND

Report by Education Scotland addressing educational aspects of the proposal by Aberdeen City Council to amend the Cults Academy catchment area to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016.

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the Schools (Consultation) (Scotland) Act 2010 and the amendments contained in the Children and Young People (Scotland) Act 2014. The purpose of the report is to provide an independent and impartial consideration of Aberdeen City Council's proposal to amend the Cults Academy catchment area to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.2.1 In preparing this report, HM Inspectors undertook the following activities:

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- consideration of further representations made directly to Education Scotland on relevant educational aspects of the proposal;
- consideration of further information on all schools affected; and
- visits to the site of Cults Academy and Lairhillock School, including discussion with relevant consultees.

2. Consultation Process

- 2.1 Aberdeen City Council undertook the consultation on its proposal with reference to the Schools (Consultation) (Scotland) Act 2010 and the amendments in the Children and Young People (Scotland) Act 2014.
- 2.2 The consultation period lasted from 19 February 2015 until 2 April 2015. A public meeting to explain the proposal to stakeholders was held in Cults Academy on 10 March 2015. The meeting was very well attended by a range of stakeholders. Pupils and staff from both schools were not directly consulted. The consultation proposal documents were available on Aberdeen City Council's website. Hard copies were available in various locations across the city. A total of 93 responses were received, including responses from the Parent Councils of both schools and from Aberdeenshire Council. During the consultation an officer of the council met with members of the Lairhillock School Parent Council to discuss their concerns. Two responses were in favour of the proposal. Ninety-one responses were against the original proposal.
- 2.3 After the consultation period closed, the council took into consideration the concerns expressed in submissions and, in discussion with Aberdeenshire Council, officers of Aberdeen City Council decided to amend its proposal. It decided not to alter the current Cults Academy catchment area for pupils from Lairhillock School. Any new housing developments, including those currently under construction, will be rezoned at a future date to an Aberdeenshire Council secondary school.

3. Educational Aspects of Proposal

- 3.1 The amended proposal means that pupils from Lairhillock School, who live in the current Cults Academy catchment area, will continue to attend the same secondary school as their siblings and more easily benefit from the support of their whole family. Rezoning new housing developments will help the Cults Academy roll to remain below its operational capacity of 1141 pupils, supporting young people to learn effectively. The amended proposal will assist Aberdeen City Council to deliver education in schools which are not overcrowded.
- 3.2 All pupils, parents and staff who spoke with HM Inspectors were positive about the amended proposal. They saw it as an effective compromise which allowed

siblings to be educated in the same secondary school while ensuring the roll at Cults Academy remained at a sustainable level. A few parents would like clarification regarding the position of children who live in the Lairhillock School catchment area but are educated in another primary school within the Cults Academy catchment area. In finalising its consultation report, the council needs to continue to work with stakeholders to clarify aspects of the amended proposal.

- 3.3 During the consultation period the council was notified of alleged inaccuracies in the proposal. The council will need to ensure that it takes the necessary steps to investigate these alleged inaccuracies. In its final consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies notified to it.

4. Summary

The amended proposal has a number of educational benefits. Young people attending Cults Academy will continue to benefit from a positive learning environment within its operational capacity. Children attending Lairhillock School will still be able to attend the same secondary school as their older siblings. In its final consultation report, the council needs to set out the actions it has taken to address any alleged inaccuracies notified to it. It also needs to continue to work with stakeholders to ensure they are clear about all aspects of the final proposal.

**HM Inspectors
Education Scotland
April 2015**



CONSULTATION REPORT

This Consultation Report has been compiled in responses to the recent public consultation on the future of the existing Stoneywood School buildings and the school's zone. The document summarises the responses received on the proposals set out below and Aberdeen City Council's response to the verbal and written comments submitted by interested parties, in compliance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014.

Proposal:

- To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;

Further

- To locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;

Further

- To rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015

1. METHODOLOGY

This consultation was conducted in accordance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014. All requirements of the legislation have been met.

2. INVOLVEMENT OF STAKEHOLDERS

(a) Public Events

Two public consultation events were held on Tuesday 4 March and Wednesday 5 March 2015 to discuss the proposals issued for public consultation. The table below details the number of attendees at the public meetings:

<i>Date</i>	<i>Time</i>	<i>Venue</i>	<i>Number of Recorded Attendees</i>
4 March 2015	7- 8 pm	Stoneywood School	25 parents/ members of the public plus officers and Elected Members
5 March 2015	7- 8 pm	Brimmond School	4 parents plus officers and representatives from Education Scotland

Officers also met separately with the staff and Parent Council of Stoneywood School to discuss the proposals which were being consulted upon.

(b) Comments Received

The following written submissions were received:

<i>Format</i>	<i>Number of submissions</i>
E-mail	3 (from 1 individual)
Written	0
Comment Cards	1
Public Meeting Comment Cards	15

Paper copies of the submission were made available in the Members Library and have been circulated to external members of the Education and Children's Services Committee. The submission, anonymised as necessary, was also made available on the Council website.

Two public meetings were held at Stoneywood School and Brimmond School and were attended by 25 individuals and 4 individuals respectively. Representatives from Education Scotland were also present at the meeting in Brimmond School.

(d) Issues Raised

Public Meetings – 4/5 March 2015

As well as discussing the proposals for the future of Stoneywood School's existing buildings and its possible future location, 15 stakeholders provided their feedback in the form of completed Comment Cards. The comments submitted in this way are summarised below:

New Build

- Fourteen of the fifteen responses indicated support for the creation of a new 2 stream school building. Reasons provided included the need for modern educational facilities and to accommodate the projected increase in the pupil roll from new housing developments.
- One respondent was against the proposal for a new school building, commenting that the school should be single stream on two sites, given the size of the school zone.

Site of a New School

- The vast majority of those in favour of a new build school expressed support for the site of the former Bankhead Academy. One individual expressed no preference, while one submission commented on the desire to keep the school in its existing location but if that was not feasible due to the size of the site then the former Bankhead Academy site was the preferred choice of site.
- Respondents commented on the suitable size of the site and its ability to deliver the highest standards of Curriculum for Excellence. It was also seen as being more central within the school zone and the potential loss of the playing fields was considered to be detrimental to the community.
- The submission against a new school building suggested a site to the east of Stoneywood Road, where the majority of pupils attending the school would reside. The submission also commented on the need for the Council to use its power to secure a new school site within new residential developments.

School Zone Amendment

- Thirteen responses supported the rezoning proposal. Comments included the need to ensure the school could accommodate any increase in pupil roll caused by the increase in the school zone and that residents on the north side of the A96 would be best served sending their children to Stoneywood School.
- Two submissions were opposed to the rezoning proposals due to the size of the future pupil roll being too large. Comments were also made on the possibility for school transport for those pupils residing on the edge of any revised school zone.

Other Comments

- Several responses commented on the need for road calming measures in the proximity of any new school building and secure drop off points for school pupils. The need for safe walking routes to a new school building was also raised as an issue to be addressed.
- One respondent stated that the Council had not used its powers to create an underpass in the vicinity of the existing school, which could be used by pupils rather than them having to cross the road. Further, a potential site within the Dandara development could be secured for a new school site.
- One submission expressed concern as to how the existing school buildings would be dealt with, should the school be relocated into a new build on another site.
- One stakeholder commented that the proposals were coming forward at an optimum time to establish a new, modern educational facility which would be forward looking.

Stoneywood School Pupils

Staff at Stoneywood School consulted with their pupils in a way that was appropriate for each age and stage of the school. Of the 136 pupils who were consulted, 98 (72%) were in favour of a new school building and 38 were against the proposal.

47% of pupils (64) were in favour of the new school being constructed on the former Bankhead Academ site, while 37 (27%) wanted the school to stay in its existing location and 35 (26%) chose the former Bankhead Academy playingfields.

Pupils wanted to see the new school having bigger classrooms, better ICT equipment and quiet areas. They also wanted each class to have smartboards, more PE space with dedicated changing areas and better outdoor areas such as sporting areas, and play equipment in the playground.

Parent Council

The Parent Councils of Stoneywood School and Brimmond School did not submit any written response to the consultation. In the meeting attended by officers, the Parent Council of Stoneywood School expressed support for a new build school and the proposed rezoning.

Individuals

Two responses were received from individuals to the proposals.

- Mark McDonald, MSP, supported the proposal for a new build school given the age of the existing school building, the growth of the Stoneywood community and the financial support on offer from the Scottish Government for a new school building. Mr McDonald also supported the construction of a new school on the site of the former Bankhead Academy and the rezoning proposals.

- E-mail correspondence was received from the owner of the former janitor's house which is adjoined to Stoneywood School. Concerns were raised regarding the accuracy of the Council's electronic mapping system which appeared to show the house as part of the Education property portfolio. Having reviewed the matter, officers made adjustments to the system to reflect the actual property boundaries.

Education Scotland Report

An essential element of the statutory consultation process is involvement of Education Scotland whose report is provided as Annex A of this Consultation Report.

Education Scotland state in their report that the proposal to construct a new Stoneywood School building has clear educational benefit, noting the condition and suitability of the existing school building. Education Scotland also comment that the new build proposals have the support of the majority of parents and that the Council should ensure on-going communication regarding the capacity of the new school and projected pupils rolls.

On the matter of the proposed rezoning, Education Scotland note that the proposal will alleviate the issue of having to cross the A96 trunk road to attend Brimmond School and also supports pupils from Stoneywood and Bankhead areas attending the same school. Clarity is required on how this will apply to siblings of current pupils of Brimmond School who live in the affected area.

Finally, Education Scotland comment that the Council will need to set out the actions it has taken to address alleged inaccuracies notified to it in relation to the electronic mapping system, which has also been outlined in the second bullet point of the Individual responses (above).

3. THE COUNCIL'S RESPONSE TO ISSUES RAISED DURING THE CONSULTATION PERIOD AND CONTAINED WITHIN THE EDUCATION SCOTLAND REPORT

The following paragraphs will summarise the Council's response to the comments and written submissions received during the consultation period.

The Need for a New School

In developing long term plans for the primary estate, it should be noted that a strategic review was considered by the former Education, Culture and Sport Committee on 7 February 2013. It was at this Committee that the need for consultation for a new Stoneywood School, with rezoning of the area north of the A96 to the Stoneywood School zone, was agreed.

The physical condition of Stoneywood School is rated as "C" and the Council's desire to create purpose built, modern education facilities is supported by Education

Scotland. A state of the art building will deliver many educational benefits for pupils and staff.

Choice of New Build School Location

The majority of respondents chose the former Bankhead Academy site as their preferred location of a new Stoneywood School building. This site, which is 2.4 hectares in area, is large enough to accommodate a 2 stream school, under the School Premises Regulations of 1967. Having previously been used as a school site, it has the added advantage of being within the Education property portfolio and initial discussions with colleagues in the Planning Service have not raised any issues.

School Capacity and Pupil Roll Projections

Using the maximum class sizes of 25 pupils in P1, 30 pupils in P2 and P3, and 33 pupils in P4 to P7, the new building will have capacity to accommodate 434 pupils. As noted in the Education Scotland report the projected pupil roll will be monitored closely and staff and parents will be kept informed should the capacity of the school require to be adjusted to accommodate actual pupil numbers. It should be noted that the proposed capacity will be sufficient to accommodate the maximum projected roll of 382 pupils at 2021.

The capacity at the nursery class will also be increased to meet the projected demand for places and space will also be created for the Out of School provision currently delivered from Stoneywood School.

Rezoning Implications

The proposal to rezone the school's delineated area from August 2015 was to allow those pupils residing in the affected area to attend Stoneywood School prior to the new school being constructed. It is, however, recognised that a number of pupils currently attend Brimmond School and it is proposed that this arrangement should continue. In addition, any younger siblings of pupils attending Brimmond School from the affected area will have the right to attend Brimmond School, if their elder siblings will be in continuing education at the school at the time of the younger siblings admission, without the need to make a placing request. Should parents from the affected area wish to enrol their children into the current Stoneywood School from August 2015, this will be facilitated wherever possible.

Should the Education and Children's Services Committee agree to implement the rezoning proposals from August 2015, the parents of pupils living in the affected area will be informed of their right to keep children (and their younger siblings) at Brimmond School or to enrol them into Stoneywood School from August 2015, provided there is sufficient capacity in each of the classes.

An Alternative Site Within the Dandara Development

As the Section 75 agreement for this particular residential development was concluded some time ago, it is not possible to re-enter into negotiations. As such the Council would require to enter into negotiations with Dandara to acquire the

necessary ground which would significantly increase the cost of the new school building. The ground is also not zoned for an education facility on the local plan which may also result in issues with the Planning Authority.

The time to negotiate purchase of ground and the necessary planning consent may result in additional time for the new school project. A condition of the Scottish Government's funding support is that the new school building is completed in 2017.

Traffic Calming and Safe Walking Routes

In developing the new school building and its surrounding environment, officers will consult with colleagues from the Roads Service to determine what measures need to be put in place to ensure that staff, parents and pupils can safely access the school on foot or by car. A school travel plan will be prepared with input from appropriate stakeholders and it is likely that any planning approval will include traffic calming conditions which must be met in full.

The Future of the Existing School Building

Consideration will require to be given to the future of the school building once the new school building becomes operational. In normal circumstances, the building would be declared surplus to educational requirements and transferred to the corporate Estates team to review how it could be utilised, or failing that how it could be disposed of. Cognisance will need to be given to the fact that one of the school buildings is linked to the former janitor's house which is now in private ownership. It will be necessary for clear communication channels to be established with the owner of this property in the event that the building is to be marketed for sale.

4. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT

One response was received commenting on the accuracy of the data held within the Council's electronic mapping system which had identified the former janitor's house as being within the Education property portfolio. Following correspondence with the house owner, the mapping system has been updated to remove the former janitor's house from the service portfolio.

As this issue did not impact on the rationale for any aspect of the three elements being consulted upon the proposals all remained valid for the purposes of consultation.

5. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 AND CONSIDERATION OF THE PROPOSALS

Following the conclusion of the consultation period, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal, having had regard to the written representations that have been received

by it during the consultation period; oral representations made to it at the public meetings held on 4 March 2015 and 5 March 2015 and Education Scotland's report.

In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010, the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

With relation to Section 9(1) of the 2010 Act and having considered all of the information received during the consultation process, officers are satisfied that no comments have been received which would have caused them to review the merits of the proposal to construct a new two stream school building for Stoneywood School, to locate the new school building on the site of the former Bankhead Academy and to rezone the ground north of the A96 to Stoneywood School from Brimmond School, with effect from August 2015.

6. RECOMMENDATION

It is recommended that the Education and Children's Services Committee agree to implement the proposals to:

- (iii) Create a new Stoneywood School building, which will accommodate a two stream primary school, accommodate an increased nursery class and host out of school care provision;
- (iv) Locate the new school building on the site of the former Bankhead Academy; and
- (v) Implement the proposal to rezone ground north of the A96 to the Stoneywood School zone from that of the Brimmond School zone, with effect from August 2015.

Gayle Gorman
Director of Education and Children's Services
May 2015

REPORT FROM EDUCATION SCOTLAND

Report by Education Scotland addressing educational aspects of the proposal by Aberdeen City Council to create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter; further to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise; further to re-zone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015.

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of Aberdeen City Council's proposal to create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter; further to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise; further to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the school; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;

- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 5 March 2015 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- visits to the sites of Stoneywood School and Brimmond School, including discussions with staff, parents and children; and
- visit to the site of the former Bankhead Academy and playing fields.

2. Consultation Process

Aberdeen City Council undertook the consultation on its proposals with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*. The statutory consultation period ran from 6 February to 27 March 2015. The council held two public meetings on 4 March 2015 at Stoneywood School and 5 March 2015 at Brimmond School. The council received 17 written responses to the proposal. Almost all of the responses supported the proposal for the creation of a new school building for Stoneywood School and for the rezoning of the catchment area to include ground north of the A96 which is currently in the Brimmond School catchment area. Almost all responses supported the location of the proposed new Stoneywood School being at the site of the former Bankhead Academy. Pupils in each class of Stoneywood School were consulted. Most children were in favour of a new school building for Stoneywood.

3. Educational Aspects of Proposal

3.1 The proposal to create a new school building for Stoneywood School has clear educational benefits. The current school is located in two buildings and is not in a good condition. The proposal has the potential to deliver Curriculum for Excellence within modern, purpose-built accommodation creating a more positive environment with more flexible learning spaces. The proposed new school building for Stoneywood School will be larger than the current school. This has the potential to broaden the range of curriculum opportunities for children, including the opportunities to interact with a wider range of peers,

both educationally and socially. The proposal has the potential to provide a larger number of teaching staff with a wider range of skills and interests and the opportunity to share and develop practice. The proposal for a new building for Stoneywood School has the potential to support best value to benefit children and young people across the council. The council has indicated that significant capital investment would be required to keep the current Stoneywood School buildings operational and that the proposal would support freeing up of resources to improve the council's school estate.

- 3.2 Almost all stakeholders who submitted written responses and almost all staff, parents and children who met with HM Inspectors were strongly in favour of the proposal for a new building for Stoneywood School. They felt a new school building would have a positive impact on children's learning. Some parents and staff raised concerns regarding the move to a larger school, including losing the identity of 'Stoneywood'.
- 3.3 Some stakeholders who met with HM Inspectors raised perceived concerns about potential traffic management at a new school as there are already traffic problems in the area surrounding the current school. In taking forward the proposal the council needs to ensure that current challenges in terms of traffic management outside the school, parking and drop-off areas and safe road crossings are addressed in planning for a new school building.
- 3.4 Almost all of the stakeholders who met HM Inspectors preferred the former Bankhead Academy site as the possible location for the proposed new Stoneywood School building. This is the site of a former school and has many potential advantages, including being located in a residential area and on a public transport/bus route. The proposal to re-zone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015, will alleviate the issue of having to cross the A96 trunk road to attend Brimmond School. This also supports pupils from Stoneywood and Bankhead areas attending the same school.
- 3.5 Some stakeholders who met with HM Inspectors were concerned about the placing of siblings of children who are currently attending Brimmond School, who would be re-zoned to attend Stoneywood School should the proposal go ahead. In its final consultation report, the council needs to clarify plans for siblings of current Brimmond School pupils who live in the area affected by the proposed re-zoning.
- 3.6 The council proposes to make changes to the catchment areas for Brimmond School and Stoneywood School with effect from August 2015, and, as a result, there may be a very short notification period to families who may be affected by the proposed re-zoning from Brimmond School to Stoneywood School. The council will need to address concerns regarding the proposed timescale and ensure appropriate arrangements are put in place which support continuity in learning; it also needs to clarify arrangements for siblings of pupils who currently attend Brimmond School and may be affected by the re-zoning.

- 3.7 Some stakeholders who met with HM Inspectors queried the numbers indicated for the new housing area and school roll, along with the proposed additional area from the re-zoning from Brimmond School. Concern was that the new Stoneywood School may not be big enough for the number of houses being planned for the area. If the proposal goes ahead, the council should ensure clear communication with stakeholders to alleviate concerns about projected rolls.
- 3.8 During the consultation period an alleged inaccuracy in the proposal was identified relating to maps being outdated. The council responded to this query during the consultation, updating the maps on their consultation website. In its final consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies notified to it.

4. Summary

- 4.1 The proposal to create a new school building for Stoneywood School is of clear educational benefit. The proposal has the support of almost all parents and staff and most children. The current school is located in two buildings, with several sets of stairs in each, and is not in a good condition. The proposal has the potential to improve the quality of the curriculum and deliver Curriculum for Excellence within modern, purpose-built accommodation, creating a more positive environment for effective learning and teaching. Implementation of the proposal has the potential to support best value to benefit children and young people across the council. The council has indicated that significant capital investment would be required to keep the current Stoneywood School buildings operational. If this proposal is taken forward the council should ensure that there is clear communication with stakeholders regarding projected rolls and capacity in the new Stoneywood School.
- 4.2 The proposal to re-zone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015, will alleviate the issue of having to cross the A96 trunk road to attend Brimmond School. This also supports pupils from Stoneywood and Bankhead areas attending the same school. It is not clear from the proposal paper how this will apply to siblings of current pupils of Brimmond School. In its final consultation report, the council will need to clarify plans for siblings of current Brimmond School pupils who live in the area affected by the proposed re-zoning. The council indicates the proposal will be implemented from August 2015. The council will need to address concerns regarding the proposed timescale and outline transition arrangements for those children affected by the proposal. In its final consultation report, the council will need to set out the actions it has taken to address alleged inaccuracies notified to it.

Equality and Human Right Impact Assessment: The Form



ABERDEEN
CITY COUNCIL

EHR/IA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information									
Name of Proposal: Rezoning of Cults Academy Zone New Build Stoneywood School and Rezoning	Date of Assessment: 25 May 2015								
Service: Policy, Performance and Resources	Directorate: Education and Children's Services								
Committee Name or delegated power reference (Where appropriate): Education and Children's Services	Date of Committee (Where appropriate): 2 June 2015								
Who does this proposal affect? Please Tick ▼	<table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Employees</td> <td style="width: 20%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Job Applicants</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	<input type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	<input type="checkbox"/>	Members of the Public	<input type="checkbox"/>
Employees	<input type="checkbox"/>								
Job Applicants	<input type="checkbox"/>								
Service Users	<input type="checkbox"/>								
Members of the Public	<input type="checkbox"/>								

	Other (List below)
2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).</p>	

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3: Equality and Human Rights Impact Assessment	
a- What are the aims and intended effects of this proposal?	<p>To create a new school for the Stoneywood and Bankhead communities, including rezoning to incorporate all areas of Brimmond School which lie to the north of the A96.</p> <p>To keep the Lairhillock School catchment area within the Cults Academy catchment area.</p>
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p>The proposal to create a new Stoneywood School will enhance the educational environment and have a positive impact for staff, pupils and community groups using the building.</p> <p>Maintaining the Cults Academy zone will ensure that the school can be managed with a sustainable school roll.</p>

<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	<p>Following public consultation, it is recommended that the following actions are taken:</p> <ol style="list-style-type: none"> 1. Create a new Stoneywopod School building to be located on the site of the former Bankhead Academy playingfield and rezone all areas of Brimmond School to the north of the A96 too Stoneywood. 2. Maintain the Lairhillock School zone within the Cults Academy zone, but exclude any future new housing developments, including the Blairs development, from Cults Academy.
<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings</p>	<p>Costs (£)</p> <p>Implementation cost £ 13.0 m</p>

<p>expected from the proposal.</p>	<p>Projected Savings</p> <p>£ -</p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	
<p>The proposal to create a new Stoneywood School will provide a 21st Century educational environment which will promote the delivery of Curriculum for Excellence. The proposal to keep Lairhillock School pupils attending Cults Academy will provide them with the opportunity to be taught in a very successful secondary school.</p>	
<p>f- How does this proposal link to the Council's Equality Outcomes?</p>	
<p>These proposals positively promote the Council's equality outcomes. See previous comments.</p>	

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)			X	Young people will be positively affected by the implementation of the proposals.
Disability (Mental, Physical, Sensory and Carers of Disabled people)			X	The new Stoneywood School will be fully DDA compliant.
Gender Reassignment	X			
Marital Status (Marriage and Civil Partnerships)	X			
Pregnancy and Maternity	X			

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)	X			
Religion or Belief or Non-belief	X			
Sex (Women and men)	X			
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	X			
Other (e.g: Poverty)	X			

5: Human Rights Impact Assessment Test

Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate

Article 2 of protocol 1: Right to education

Yes No

Evidence:

Positive educational benefits as outlined within the Proposal Document's Educational Benefits Statement.

Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment

Yes No

Evidence:

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence: Positive benefit as the consultations were compliant with Scottish Government legislation.</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence: Positive benefit. Where responses asked not to be made public this wish has been followed.</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence: Positive benefits as the Council actively sought submissions from those stakeholders who had an interest in the consultations.</p>

<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p><input type="checkbox"/> Red <input type="checkbox"/> Red Amber <input type="checkbox"/> Amber <input type="checkbox"/> Green</p>

Reason for that rating:	See above comments.
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7: Action Planning				
As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Not applicable.				

8: Sign off					
Completed by (Names and Services) :		Euan Couperwhite			
Signed off by (Head of Service) :		Euan Couperwhite			
Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to: Equalities Team Customer Service and Performance Corporate Governance					

Aberdeen City Council
Business Hub 13
 Second Floor North
 Marischal College
 Broad Street
 Aberdeen
 AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk

9: Completion Terminology:	
Assessment Pre-screening Rating:	This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.
Assessment Rating:	After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.

	<p>Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p>Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>
<p>Equality Data:</p>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p>
<p>Genuine Determining Reason</p>	<ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought</p>

	prior to completing an Equality Impact Assessment.
Human Rights	The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.
Legal Status:	This document is designed to assist us in “ <i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i> ” as required by <i>The Equality Act Public Sector Duty 2011</i> . An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.

ABERDEEN CITY COUNCIL

COMMITTEE:	Education and Children's Services
DATE:	2 June 2015
DIRECTOR:	Gayle Gorman
TITLE OF REPORT:	Fairley Road Adventure Park - Update
REPORT NUMBER:	ECS\015\031
CHECKLIST COMPLETED:	Yes

1. PURPOSE OF REPORT

- 1.1 This report seeks to provide Education and Children's Service Committee with an update made on progressing the Fairley Road Adventure Park and seeks agreement for Adventure Aberdeen to undertake the final stages of fundraising, planning and building of the Fairley Road Adventure Park in Kingswells.

2. RECOMMENDATION(S)

- 2.1 The Education and Children's Services Committee are recommended to:
- (i) Note the progress made to date in developing the plans for a new Adventure Park on land at Fairley Road and Kingswells; and
 - (ii) Instruct officers from Adventure Aberdeen to continue fundraising and design work to create the Fairley Road Adventure Park.

3. FINANCIAL IMPLICATIONS

- 3.1 The current capital estimates for the concept design is approximately £330.000. It is also estimated that an annual revenue budget of £10.000 will be required to maintain the park. This includes the inspection and maintenance of equipment, insurance, grounds maintenance and vandalism. The revenue costs will be raised through team development events over the year on the team challenge course and other income associated to the use of the area by Adventure Aberdeen
- 3.2 A grant of £10.000 has been secured from Aberdeen Green Space for landscaping and tree planting. The remaining of £320.000 is to be raised from corporate partners, benefactors and private monies from patrons or similar. It is anticipated that the fundraising element of the project will be complete by the end of August 2015. It is the services intention to raise all the capital before the procurement process starts

3.3 Preliminary works on drainage solutions top soil dressing, and design work have cost approximately £72.000. Funding for this work has come from a variety of sources including developer contributions, mainstream Education and Children's Service budgets and the Adventure Aberdeen budget.

4. OTHER IMPLICATIONS

4.1 Legal

4.1.1 The project will be required to go through the appropriate planning and procurement route as per standing orders. Legal elements and conditions associated with funding contributions are expected and will be brought to the attention of the contracts team of Legal Services.

4.1.2 The Council will have responsibilities and liabilities in terms of overseeing and managing the adventure park as per any other play space across the city.

4.2 Resources

4.2.1 Officer time on consultation and design has been met by Adventure Aberdeen. It is anticipated that the officer time will continue to see the project through and ensure it is set up as per design and public / service use ethos.

4.3 Property

4.3.1 The proposed Adventure Park space is the property of Aberdeen city Council. It is situated directly adjacent to the Adventure Aberdeen premises and is divided by a wall.

4.4 Equipment

4.4.1 The park will have specialist adventure equipment designed and built by contractors. This will be maintained as per the equipment checking contract

4.5 Sustainability and environmental

4.5.1 The Adventure Park is designed to bring people, predominantly young people, close-up to nature, engendering and developing ideas about sustainability and responsible use of green spaces. Aberdeen Green Space believe the park has the right elements to deliver on this both from an informal play perspective by young people from the local / city/ regional community and by using the space as an outdoor classroom in a more formal setting used by school from across the city / shire and by adventure Aberdeen Courses.

4.6 **Health and safety**

4.6.1 The design of all the elements of the adventure park has, and will continue to be, by specialist contractors who create equipment and play spaces to nationally recognised specifications. The build and maintenance programme will be of the same standard. The park will be for unsupervised public play / activity and for more organised activities organised by Adventure Aberdeen or other visiting organisations involved in play and activity.

4.6.2 The park will, like all play spaces still present hazards and risk to users. It is understood across the country that such elements are essential if young people are to be able to learn how recognise and manage and risk. Adventure Aberdeen has thirty years of experience of organising and managing adventurous activities and is therefore able to identify where undue hazards occur and place appropriate procedures in place to manage these risks.

5. BACKGROUND/MAIN ISSUES

5.1 On 28 March 2013 an outline proposal paper was agreed at the then Education, Culture and Sport Committee to develop the plan of an adventure park. The proposed Adventure Park is detailed in Appendix 1 of this report.

5.2 The principle project aims are shown below:

- Creating a modern shared public / Council facility for the local, wider and Regional community that can be used an excellent example of public / Council partnership working
- Creating a natural play and adventure space that provides for creative, social, adventurous and physical activity that can enrich lives, bring park users close to nature, and nurture attitudes and life skills
- Creating a showcase of creativity and imagination on behalf of the Authority for others to see how ground can be transformed to have a diverse and far reaching effect upon the lives of young people

5.3 The Fairly Road Field is an informal playing pitch area, adjoining the Adventure Aberdeen base in Kingswells. The field has been out of use for many years mostly due to recurrent drainage problems. Although these issues appear to have been rectified, it must be remembered that the site is extremely low-lying directly adjacent to the Denburn and may still have seasonal issues of poor drainage.

5.4 Such is the pressure for local play and greenspace, arising from local residential developments, there is a need for the space to be re-

juvenated and brought back into sustainable use in a way that meets as many social, play, activity needs as possible

- 5.5 Adventure Aberdeen sees an opportunity in the development of the adjacent field into an adventure park to provide a direct service to the public and to create a larger adventure campus incorporating the space the service directly manages at present, recognising that there is an opportunity to bring the building and the outdoor space into greater use by the local and wider community public.
- 5.6 Following on from a consultation exercise involving the Kingswells School and local young people from the associated secondary school (Bucksburn Academy), the community council, local voluntary youth organisations and some local residents concept designs for the park have been drawn up to strengthen the vision for the Fairley Rd Adventure Park.
- 5.7 In line with the growing appetite for engaging and robust Natural Play opportunities, the Adventure Park will allow children to develop experience in managing the challenges of the real world and developing resilience. In addition, there will be opportunities for child driven experimentation e.gg in the extensive sand and water area which provides for construction and engineering, social and co-operative enterprises and sculptural and tactile experiences all of which sustain meaningful play over extended or revisited periods.
- 5.8 The multi sports area is designed to facilitate a broad spectrum of use both semi-formal and informal. This includes football goals and two basketball courts. The space also caters for tennis with net available from Adventure Aberdeen. The surfacing will be selected to serve the widest range of activity (budget allowing), and high end fencing to retain balls. Sections each side of the court will be open in line with anti-bullying design practice and to provide court side seating.

6. IMPACT

6.1 Smarter governance

- 6.1.1 We will seek to develop a sense of community in Aberdeen based upon principles of openness, fairness reciprocity and responsibility. We will encourage and support citizens to participate in development, design, and decision making of services to promote civic pride, active citizenship and resilience

6.2 Smarter living

- 6.2.1 We will enhance the physical and emotional wellbeing of all our citizens by offering support, and activities which support independence, resilience, confidence and self-esteem. We will improve access to and increase participation in arts and culture by providing opportunities for

citizens and visitors to experience a broad range of high quality arts and cultural events for the whole community and beyond. We will promote and improve opportunities for physical activity and sports to enable Aberdeen's citizens to lead more active healthier lives

6.3 **Smarter people**

6.3.1 We will provide high quality education services within our schools and communities which will improve attainment and life chances of our children and young people to achieve their full potential in education employment and training. Working with our Third and Public sector partners we will provide opportunities for lifelong learning which will develop knowledge, skills and attributes to our citizens to enable them to meet the challenges of the 21 century. Working with our partners we will create a city for learning which will empower individuals to fulfil their potential and contribute to social and cultural wellbeing of our communities

6.4 **Smarter environment**

6.4.1 We will design all new infrastructure to be energy efficient by maximising the use of low carbon technology and materials we will use recycled materials where appropriate. We will provide clean, safe and attractive street scape and promote bio- diversity and nature conservation. We will encourage wider access to greenspace in our streets parks and countryside

6.5 **Smarter economy**

6.5.1 We will work with partners to promote the city as a place to invest, work and export from.

6.6 **Smarter mobility**

6.6.1 We will provide a sustainable transport system including cycling which reduces transport emissions.

7. **MANAGEMENT OF RISK**

7.1 The significant risks to the council are perceptions from the local and wider community not to be seen not to be investing in the future of Aberdeen's young people by providing modern, play spaces that focus on creative, social, adventurous play and physical activity. Recent research shows that play and activity should allow young people to make contact with nature in challenging environments.

7.2 There is a risk that investors / benefactors / patrons cannot be found to realise the project. In this position it will not be possible to develop the Adventure Park without Council financial assistance.

- 7.3 The project still requires planning permission. There is a risk that some members of the community may see this facility as not required or inappropriate. Work is on-going with officers from Planning and with the local community to mitigate this risk.

8. BACKGROUND PAPERS

- 8.1 Education, Culture and Sport Committee (28 March 2013) Agenda Item 20 (Adventure Aberdeen – The Fairley Road Field)

9. REPORT AUTHOR DETAILS

Jonathan Kitching. jkitching@aberdeencity.gov.uk 01224 270990
Adventure Aberdeen Fairley Rd, Kingswells, Aberdeen AB15 8PZ

PROPOSED PLAN FOR THE FAIRLEY ROAD ADVENTURE PARK

Fairley Rd Adventure Park & Adventure Aberdeen

- Features:
1. Disabled parking/maintenance access
 2. Toddler proof gate to river platforms
 3. Flexible games area football goals and basketball hoops. Tennis net/posts available from Adventure Aberdeen. Bench seating
 4. Vertical climbing logs
 5. Troll bridge over wetland (no standing water)
 6. Balancing log crossings
 7. Water pump
 8. Drainable water channels with lock gates (emptied of standing water each day)
 9. Cargo box
 10. Small rowable stumps & timber dams
 11. Boulder wall
 12. Seating area with temp canopy/tables
 13. Teth tunnels
 14. Split level stage/meeting area
 15. Basket swing
 16. Embankment slide
 17. Pendulum swing
 18. Picnic tables
 19. Shelter (no walls) with deck and seating. Adjacent cycle racks
 20. Cycle track with pump track and jump elements
 21. Tangle balance beams
 22. Adventure course (see detail A)
 23. Zip slide (25m)
 24. Woodland walk/clearing
 25. Storage structure—access from 2 sides sliding doors. Storage of loose play materials, construction toys etc.
 26. Planters
 27. Wide gates, keyholders Adventure Aberdeen
 28. Wall seat
 29. Pedestrian access from public parking

- Drainage
- Self binding gravel path
 - Reinforced crushed stone
 - Wetland planting beds
 - Cobble setts
 - Bark/woodchip
 - 500mm contours



Following the very positive response from the 2014 public engagement events, the plan will be further refined to strengthen the vision for the Fairley Rd Adventure Park. The plan for the park is to establish a public play area and community green space for the increasing low community of 1500 people, as well as a sheltered park for those travelling from surrounding communities. The spaces will provide a wide range of flexible play features within a natural landscape for all ages to enjoy. This includes timber framed frames, village green, staff sports area, water wall, bark and woodchip, sand and water area, walking and adventure play features. Adventure Aberdeen are leading this initiative, and will also use the space to deliver their staffed outdoor activity (Adventure Learning sessions for young people, and taking of learning staff from across Aberdeen City and Shire authorities). The features have been carefully designed to be suitable for both unstaffed and staffed use, and to appeal also to parents, cyclists, walkers, joggers, nature lovers, dog walkers and those who just like to relax in a quality green space. The park is the perfect, regarded by Adventure Aberdeen will provide a further focus for the low community to come together.

In the staff, the growing appetite for engaging and robust outdoor play opportunities, the Adventure Park will allow children to develop experience in managing the challenges of the real world and developing resilience. In addition there will be opportunities for children to experience learning in the water and water area which provides for construction and engineering, social and cooperative play and outdoor and aquatic experiences of which water play is a natural part of childhood.

The staff sports area is designed to facilitate a broad spectrum of use (both formal and informal). This includes football goals and basketball goals. The space also caters for tennis but will not be available from Adventure Aberdeen. The building will be selected to meet the varied range of activities (budget allowing), and high and being to retain balls. Below each side of the court will be open to the wetland building design and to provide visual screening.

This scheme also proposes a greater focus than with the current Adventure Aberdeen space. This includes access into the Adventure Aberdeen space off the river when the facilities open can change. Feasibility considerations of new car parking for the public is underway as it is understood that for this regional facility some cars will arrive by car. Disabled access parking is proposed within the park.

Client: Adventure Aberdeen  <small>These drawings have been produced by Wildside Design, who hold the copyright. Unauthorised reproduction of part or all of these drawings, drawings copyright and may lead to prosecution or civil proceedings.</small>	Site: Fairley Rd Adventure Park Title: Concept Plan, Proposed General Arrangement	Drawing no.: HD1-AA-354	Wildside Design 19 Waverley Crescent Stirling FK8 1XE Tel 07926 169785 www.wildside.scot
		Job no.: 15057 Scale: NTS Date: 01.04.15 Drawn by: JL	

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Equality and Human Right Impact Assessment: The Form



EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information											
Name of Proposal: Fairley Road Adventure Park	Date of Assessment:										
Service: Adventure Aberdeen	Directorate: Education and Children's Services.										
Committee Name or delegated power reference (Where appropriate): Education and Children's Services	Date of Committee (Where appropriate): 2 nd June 2015										
Who does this proposal affect? Please Tick ▼	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Employees</td> <td style="width: 20%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Job Applicants</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Other (List below)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	<input checked="" type="checkbox"/>	Members of the Public	<input checked="" type="checkbox"/>	Other (List below)	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>										
Job Applicants	<input type="checkbox"/>										
Service Users	<input checked="" type="checkbox"/>										
Members of the Public	<input checked="" type="checkbox"/>										
Other (List below)	<input type="checkbox"/>										

2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	<div style="display: flex; justify-content: space-around; align-items: center;"> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </div>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	<p>The adventure park project has no detrimental element to any vulnerable group. The project will enhance and improve opportunities for all park users to be active in a natural setting. The park has addressed disability access and provided for all ages and abilities.</p>

--	--

3: Equality and Human Rights Impact Assessment	
a- What are the aims and intended effects of this proposal?	
b- What equality data is available in relation to this proposal? (Please see guidance notes)	

	<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>		
<p>d- Financial Assessment If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text"/> £</p> <p>Projected Savings <input type="text"/> £</p>		

	<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>
	<p>f- How does this proposal link to the Council's Equality Outcomes?</p>



4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)				
Disability (Mental, Physical, Sensory and Carers of Disabled people)				
Gender Reassignment				
Marital Status (Marriage and Civil Partnerships)				
Pregnancy and Maternity				

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)				
Religion or Belief or Non-belief				
Sex (Women and men)				
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)				
Other (e.g: Poverty)				

5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p><input type="checkbox"/> Red</p> <p><input type="checkbox"/> Red Amber</p> <p><input type="checkbox"/> Amber</p> <p><input type="checkbox"/> Green</p>
<p>Reason for that rating:</p>	

7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

8: Sign off

Completed by (Names and Services) :	Jonathan Kitching Adventure Aberdeen Team Leader
Signed off by (Head of Service) :	

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk

9: Completion Terminology:

<p>Assessment Pre-screening Rating:</p>	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<p>Assessment Rating:</p>	<p>After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed. Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken. Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document. Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

<p>Equality Data:</p>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p>
<p>Genuine Determining Reason</p>	<ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
<p>Human Rights</p>	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
<p>Legal Status:</p>	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>

Exempt information as described in paragraph(s) 6 of Schedule 7A of the Local Government (Scotland) Act 1973.

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of the Local Government (Scotland) Act 1973.

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ABERDEEN CITY COUNCIL

COMMITTEE: **Education and Children's Services**

DATE: **02 June 2015**

DIRECTOR: **Gayle Gorman**

TITLE OF REPORT: **Policy and Procedure for Managing Substance Misuse Incidents Involving Children and Young People**

REPORT NUMBER: **ECS/15/023**

CHECKLIST COMPLETED: **Yes**

1. PURPOSE OF REPORT

This report seeks Education and Children's Services Committee approval for the revised Policy and Procedure for Managing Substance Misuse Incidents Involving Children and Young People

2. RECOMMENDATION(S)

Committee (with any specific observations on content) accept the proposal to replace the 2003 policy with the 2015 revision

3. FINANCIAL IMPLICATIONS

There are no direct cost implications. However this policy could be more resource 'intensive' in as much as we are asking for more defined recording etc. It is worth noting that in the case of FOI type enquiries or other more routine data gathering – it could in fact balance itself out in terms of resource/staff time.

4. OTHER IMPLICATIONS

Members should be aware that the Policy and Procedure for Managing Substance Misuse Incidents Involving Children and Young People in Schools may result in a spike of reported substance misuse incidents. This does not mean that more of Aberdeen's young people are using substances but that we are reflecting a more accurate picture through implementing improved recording and reporting mechanisms.

5. BACKGROUND/MAIN ISSUES

With funding from the Aberdeen Alcohol Drug Partnership a Substance Misuse Development Officer post was created (for a six month period between 2013/14) with a focus on engaging parents in the education of Substances; illegal or otherwise.

By the nature of the post title there were several enquiries from schools attempting to source a policy that would act as a support in dealing with incidents of pupils using substances.

Through investigations it became apparent that the most recent policy was over ten years old and clearly not suitable for purpose. Further to this there was no evidence within current recording mechanisms of any incidents of substance use in schools; this was in contrast to anecdotal evidence from schools and local service providers.

It was with this information that the post holder began the process of creating a policy fit for purpose. A working group of relevant staff and agencies worked up a draft that has subsequently been presented to and commented on by the GIRFEC team, Curriculum manager, social work representatives, the DLT, volunteered Head Teachers and subsequently the remaining Head Teachers as well as opportunity for direct conversation being possible with officers at the Aberdeen Learning Festival.

The main aims of the policy is that schools have guidance on how to approach incidents of substance use by pupils or deal with parents who arrive under the influence of a substance. There is also an emphasis on supporting young people through seeking appropriate support for them via referring onto and working in partnership with external agencies.

There is also instruction for schools to record using the mechanisms in place. In a climate where services and agencies are under pressure due to reduced capacity to respond it is vital that current trends are captured through recording incidents accurately. This data will then enable the Education and Children's Services to seek support with current, up to the date information being utilised to inform agencies who can then have a planned and focused response.

6. IMPACT

The information generated by the collation of the data gathered through recording will support existing planned projects and inform opportunity for creating new ones. This is only possible by gathering data and feeding into local services and agencies who will work in partnership with schools and educational establishments.

This policy will impact on the public in terms of potentially increased visible numbers of substance use being recorded and reported on. Members need to

be aware that as recorded incidents increase public interest and debate as to why this is happening may ensue.

Parents of children and young people who have had an incident or incidents of substance use should feel supported and engaged in partnership working with the school and agencies in addressing their sibling's substance use.

An Equality and Human Rights Impact Assessment has been completed in relation to this report, appendix 1

7. MANAGEMENT OF RISK

Positive aspects of approval will be that schools have a current policy and procedures to refer to when dealing with substance use issues. Although substance use continues to evolve the policy covers all known aspects of substance use; New Psychoactive Drugs (NPS or more commonly Legal Highs), illegal drugs, alcohol, volatile substances and cigarettes.

Children, young people and parents will feel that there are support mechanisms available through support from schools and agencies in addressing sibling's substance use. This in turn has the potential to maximise life chances and opportunities for young people, their families and communities.

Potentially the recording mechanism being utilised could demonstrate a spike in substance use and generate community and media commentary. Arguably this spike could be demonstrated as merely reflecting local trends. The Aberdeen Alcohol and Drugs Partnership will be supportive partner should this scenario play out.

It should be noted that the Scottish Schools Lifestyle and Substance Use Survey (SALSUS) continues to show that less and less young people are using any form of substance.

8. BACKGROUND PAPERS

Learning and Leisure Policy and Procedures for Drug Related Incidents Involving School Students and Pupils (2003) - Appendix 2

Link to Aberdeenshire Council – Management of Incidents of Substance Misuse (2010)

<http://www.aberdeenshire.gov.uk/about/departments/SubstanceMisuseIncidentPolicy2011.pdf>

Link to the Scottish Schools Lifestyle and Substance Use Survey (SALSUS) publication

http://www.isdscotland.org/Health-Topics/Public-Health/Publications/2014-11-25/SALSUS_2013_Aberdeen_City.pdf

9. REPORT AUTHOR DETAILS

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Policy and Procedure for Managing Substance Misuse Incidents Involving Children and Young People in Schools



DRAFT

Lead Officer: Graham Donald
Head of Service: Charlie Penman
Date approved:
Date for review: 12 months from date of approval

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SECTION 1

1. Introduction

This document sets out, in partnership with Aberdeen City Council, NHS Grampian, Police Scotland, Aberdeen City Alcohol and Drugs Partnership (ADP) and DA Aberdeen, the policy to be adhered to in relation to substance misuse, should an incident occur within a primary or secondary school. The policy applies to all staff within Aberdeen City Council educational establishments. It outlines the actions to be taken along with the relevant roles and responsibilities of staff.

When an incident of substance misuse involving a child or young person occurs it is important that all staff and partners working within schools are familiar with procedures and their responsibilities.

Despite the educative and supportive measures put in place by schools there will be times when staff are required to deal with the following situations:

- Clearing a school of substance related litter
- Substance misuse-related incidents involving adults (see p4)
- Suspicion, allegation, disclosure of substance misuse
- Child/young person/adult who displays symptoms of substance misuse
- Child/young person/adult taking, selling or found with harmful substances

This policy provides staff and partners with a procedure to follow when they are required to respond to information, evidence or allegations that children or young people are misusing drugs as well as in managing incidents involving substance misuse by children, young people and other adults.

2. Background

Aberdeen City Council regards substance misuse as a serious matter. It affects the physical and emotional health and wellbeing of our young people. The council and its schools have an important part to play in educating young people and their families about substance misuse and in reducing the risks associated with this.

In order to enable staff to meet their responsibilities in relation to substance misuse, this policy contains information and guidelines on the following areas:

- Management of incidents of substance misuse
- Child protection
- Principles of substance education

The national drug strategy for Scotland; The Road to Recovery (May 2008) – A New Approach to Tackling Scotland’s Drug Problem, requires the Council to have a clearly laid out set of procedures to help deal effectively with incidents of substance misuse within schools.

<http://www.scotland.gov.uk/Publications/2008/05/22161610/0>

This policy should be considered in conjunction with:

- National Guidance for Child Protection in Scotland, 2014
- National Practice Model
- Getting it right for every child in Aberdeen – Operational Guidance 2012 (currently under review)
- Curriculum for Excellence
- Integrated children’s services Policy developments
- Tackling Dugs in Scotland – Getting Our Priorities Right Guidelines (GOPR)
- Hidden Harm report.

(Links can be found in appendix 4)

Aberdeen City Alcohol and Drug Partnership (ADP) oversee the implementation of national strategy at a local level. Supporting policies “Together we will tackle drugs misuse and its effects in Aberdeen City (2011-21) and “A Safer, Healthier & Responsible attitude to Alcohol in Aberdeen” (2009-19). Both available here: www.aberdeencityadp.org.uk

3. Definitions

Definition of ‘Substance’ & ‘Substance Misuse’

A *substance* here will be defined as that when administered (e.g. ingested, inhaled, or injected) into the body, will affect the central nervous system (i.e. has psychoactive properties). This often results in variable changes to cognition, and thereby affects the behaviour, mood and consciousness of the individual consuming (sometimes with unpredictable consequences).

A definitive list of such substances can never be complete but for purposes here will be broadly taken to include the following (excluding tobacco and tobacco related products, see Section 7):

- Alcohol
- Any psychoactive substance (controlled by legislation e.g. *Misuse of Drugs Act (1971)* (Appendix 1) and *Medicines Act (1968)*) including prescription and non- prescription (e.g. ‘over the counter’) medications
- Any psychoactive substance (uncontrolled by legislation) and referred to as ‘new psychoactive substances’ (NPS), but often given the term ‘legal highs’ by media sources
- Volatile substances (solvents, gases and other domestic/commercial products)

Substance *misuse* refers specifically to the use of a substance for a purpose not consistent with legal or medical guidelines (as in the non-medical use of prescription medications) with the term ‘misuse’ often preferred to ‘abuse’ in the belief that it is less judgemental.

Definition of a ‘Substance related incident’

Substance related incidents can be defined in relation to, for example:

- **Possession of a substance and/or substance related paraphernalia (e.g. papers, packaging needles, grinders, ‘bongs’/pipes, tin foil etc)**
- **Substance or paraphernalia (or substance related litter) found within the school or grounds**
- **A suspicion (or presentation) during the school day of a pupil being ‘under the influence’ of a substance. This may present in a variety of ways and could include obvious (but usually unexplained) changes in personal presentation, demeanor, ability to communicate and/or ‘out of character’ interaction**
- **Parent/Carer being under the influence whilst coming/visiting school. (see page 16 Managing incidents of substance misuse involving other adults)**
- **A suspicion that person or person(s) are dealing in substances and/or distributing paraphernalia in or around school premises**

4. Role and responsibilities

Senior Management Team (SMT)

SMT in schools must ensure that the policy is implemented. Incidents of substance misuse need to be managed effectively and ensure the safety and welfare of everyone within the school continues to be of paramount importance. SMT must ensure staff know how to access the relevant manager with responsibilities.

Good practice requires schools to identify the line-management duties for co-ordinating action both within the premises and between other relevant agencies. Local multi-agency networks involving staff, police, health and social work should be put in place for responding to incidents in which a child or young person may be at risk. The Child Protection Officer in schools should ensure that these linkages are effectively utilised to manage incidents of substance misuse. Appropriate training will be provided, to the Child Protection Officer of the school, on an annual basis in relation to how this policy works in practice and current substance misuse trends.

It is the responsibility of the SMT to ensure that staff:

- Are informed about their role in the management of incidents of substance misuse, and are fully committed to policies relating to substance misuse.
- Are aware of their responsibilities under law. It is important that staff are aware of the legal implications of discovering a child or young person with a controlled substance, and how they would be expected to deal with such an event.
- Are aware of to whom all incidents of substance misuse are reported to.
- Are informed of the limits of confidentiality that can be offered and that information about controlled and uncontrolled substance misuse may be offered in confidence but the recipient cannot keep such information to him or herself.

- Are aware that it is acceptable for a responsible person to take possession of a controlled drug for the purpose of preventing an offence in connection with that drug. The controlled drug must then be delivered into custody of a person lawfully entitled to take custody of it (Section 5(4)(b) of the Misuse of Drugs Act 1971). They will then have a defence against prosecution for possession if the incident were deemed severe enough for prosecution.

All staff and partners

All staff and partners when working for an Aberdeen City Council educational establishment, by association this includes the safety and well being of employees and the people in their care on visits, are responsible for implementing this policy.

It is crucial that all staff in schools are fully aware of their function and role in management of incidents of controlled and uncontrolled substance misuse.

Child Protection Officer

This is usually the Head Teacher of a school and they will provide a nominated other in their absence. In the occurrence of an incident they will assess the need for another agency's support and they will then contact the relevant service and discuss the case including discussion as to how parents are to be engaged. This may include contacting Police (telephone number 101), Children's Social Work Reception Team 01224 522055 or the Joint Child Protection Team 01224 306877. Where appropriate the Quality Improvement Officer (QIO) should be contacted who will inform all other relevant personnel including the Corporate Media Team.

Named Person

A named person is responsible for making sure that every child or young person has the right support in place to maintain their wellbeing and to encourage them to reach their developmental potential across each key life stage. These are not new responsibilities and are within the existing responsibilities of health practitioners, head teachers or members of the senior management or pastoral team in a secondary school.

5. Child protection

All children and young people in Scotland have the right to be cared for and protected from harm and to grow up in a safe environment in which their rights and needs are respected.

The Children (Scotland) Act 1995 places a general duty on the local authority to safeguard and promote the wellbeing of the individual child and/or young person within the area who are in need and to investigate if it believes that a child is suffering or is likely to suffer significant harm. <http://www.scotland.gov.uk/Topics/People/Young-People/legislation>

Evidence of parental substance misuse or substance misuse within the family may be a cause for concern under the child protection guidelines and although, in itself the substance misuse does not confirm that abuse of the child is happening, it may indicate the need for further investigation. Each school has a designated Child Protection Officer who, when concerns arise, should follow the process in accordance with National Guidance for Child Protection in Scotland, 2014.

6. Education on substance misuse

Curriculum for Excellence is about making a difference to children and young people, developing values, attitudes and skills as well as knowledge and understanding.

There is also now a legislative duty on local authorities under the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 to ensure that schools are health promoting.

<http://www.scotland.gov.uk/Topics/Education/Schools/HLivi/foodnutrition>

Substance misuse education in schools is often the first line of prevention against drug use, providing opportunities to pass on accurate, up-to-date facts, explore attitudes and, crucially, foster the skills needed to make positive, informed decisions.

Early years settings and Primary and Secondary schools have an important role to play in developing in young people qualities of resilience and adaptability so that they are able to make informed choices to enhance their own health and wellbeing.

To be effective, substance education should take account of children and young people's knowledge, beliefs and attitudes relating to substance misuse. It is not just about classroom teaching, but encompasses all policies, practices, programmes, initiatives and events connected with the prevention and reduction of substance related harm.

Teachers will always be in the front-line for delivery in schools, however, the message will be most effective if delivered in partnership with children and young people, a range of partners and agencies.

The following document contains the educational framework for substance misuse, specifically alcohol, drugs and tobacco.

Grampian Health Promoting School Substance Misuse guidance

<http://aberdeencityadp.org.uk/wp-content/uploads/2014/05/Substance-Misuse-Pack-June-2013-Final-Master-copy-doc.pdf>

7. Tobacco

Under the Tobacco and Primary Medical Services (Scotland) Act 2010 (Scottish Government Jan 2010) the police have powers to confiscate tobacco products from under 18's although it is not illegal to smoke.

There is no legal duty to inform parents / carers if their children are smoking as the law focuses on the sale and purchase of tobacco products rather than the possession or use. However an effective dialogue with all can be beneficial and you would need young people's consent to share this information

It would be appropriate to provide information about what help and support is available to stop smoking for those who have breached policy should they wish it.

Everyone on school premises should be clear that use of tobacco products or bringing cigarettes is not tolerated. There are also potential legal issues for young people who sell cigarettes to each other if under the age of 18. Turning a blind eye to these situations sends out the wrong message. Any sanctions for breaches of policy by anyone should be explicit. These sanctions should be agreed by all. Punitive or hastily applied sanctions may have the opposite effect on smoking behaviour.

Scottish Directors of Public Health strongly advocate that e-cigarettes as they stand should be treated in the same way as normal cigarettes in relation to local policy, i.e. if the local policy indicates no smoking is permitted in Aberdeen City Council school buildings and grounds, the same should apply to e-cigarettes.

For more information please visit:

<http://www.ashscotland.org.uk/what-we-do/supply-information-about-tobacco-and-health/briefings/ecigarettes.aspx>

Consideration should be given to the fact that it may be an adult / staff member who breaches policy.

This reflects current legislation at July 2014.

8. Involvement of support agencies

In schools, the provision of substance education should be well supported by input from partner agencies from both the statutory and voluntary sectors.

Effective handling of any substance misuse incident will be enhanced where positive, trusting and respectful relationships exist between partner organisations. It is important therefore, to develop good collaborative links with Children's Social Work services, Adult Services, health services, police and other voluntary and statutory organisations in order to provide a network of support and guidance for children and young people. Staff should be familiar with Aberdeen City Council guidelines in relation to confidentiality and be aware that different agencies will operate under different guidelines.

As part of dealing with incidents of substance misuse services external to schools should be contacted. Advice and guidance from these services will assist in determining the next steps in supporting children, young people or families in relation to substance use.

Where good inter-agency working exists, incidents can be dealt with quickly ensuring the best outcome for the child or young person involved.

SECTION 2 - PROCEDURE

1. Managing incidents of substance misuse

Any member of staff who finds himself or herself involved in an incident of substance misuse, involving a young person, must contact a member of the SMT and where relevant the named person. They will also access another member of staff (teaching or non-teaching) to act as a witness. It is important to have an independent witness present in order to corroborate all actions taken in the event of the police making a subsequent charge and the case taken to court.

In some instances it may be difficult to access the support of another member of staff immediately. Until another member of staff can be contacted the child or young person will not be left alone or have contact with anybody else. The member of staff will contain the situation and make contact through the main office to the most appropriate person within the local network as soon as possible.

The member of staff will remind the child or young person of policy regarding substance misuse and the procedures to be followed to investigate the incident, including the intention to contact parents/carers (if the child or young person is under 16) and the police.

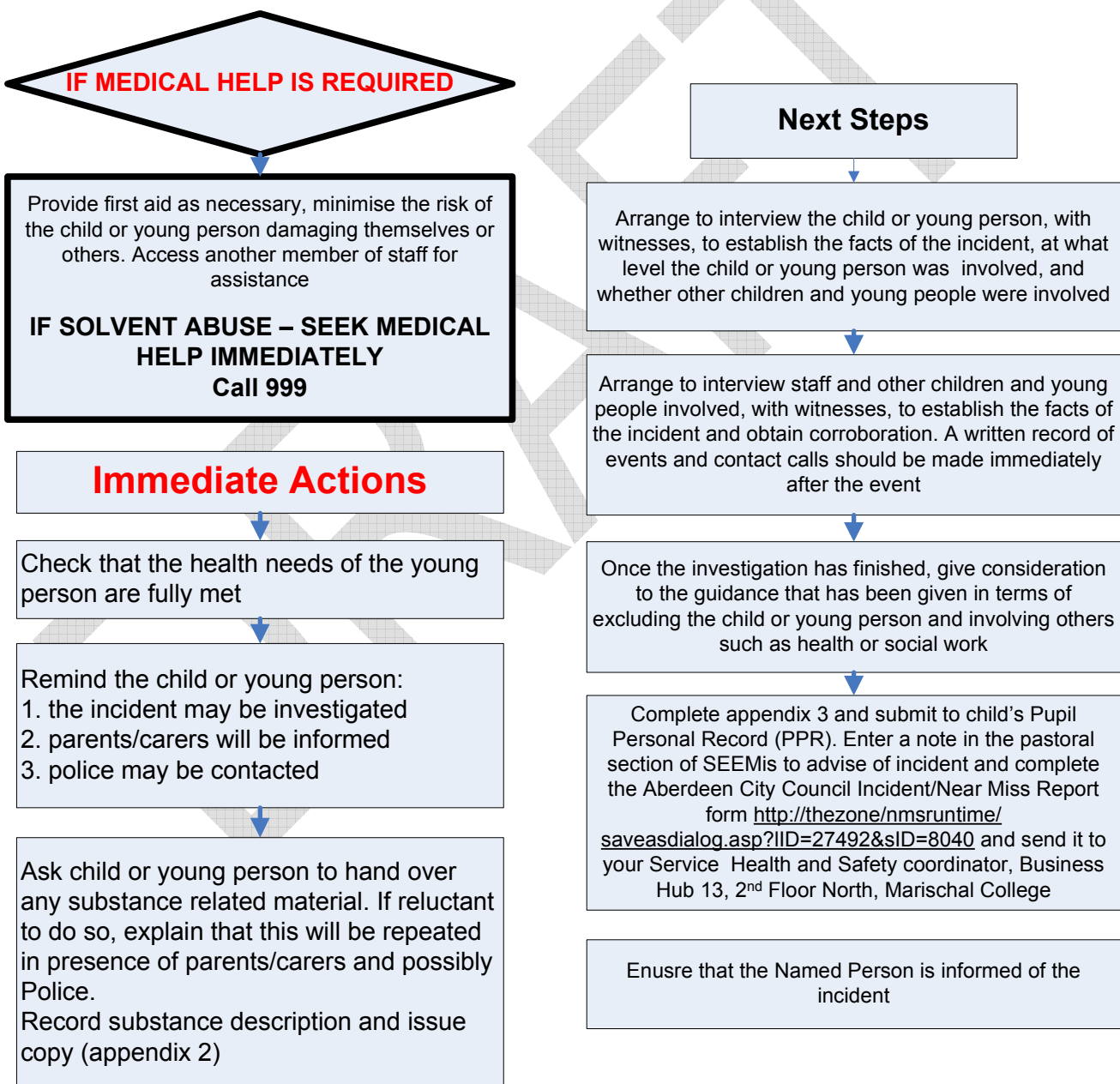
The SMT of Primary and Secondary schools are responsible for ensuring that they are well prepared to manage incidents of substance misuse, should they occur and that all members of staff are fully aware of their role and function in the event of their involvement in incidents of this type.

There will be no doubt as to the seriousness of incidents of substance misuse. It is important that such incidents are dealt with robustly.

2. FLOW CHART - Actions for managing recording and reporting of substance related incidents

Managing, Recording and Reporting of Substance Related Incidents

The implementation of all stages of this process depends on the severity of the incident and which steps are required will be decided at a local level



3. Dealing immediately with the young person

It is vital that the health needs of the child or young person are fully met before any formal investigation involving the child or young person is undertaken.

If the condition of the child or young person involved gives rise for concern, **medical help must be sought.**

Procedure to follow if medical assistance is required:

- **Provide first aid as necessary, minimise risk of the child or young person damaging him/herself or others.**

AND/OR

- **Send for an ambulance. Arrange for an adult to accompany child or young person to hospital.**

In the event of a young person requiring an ambulance, steps are required to take possession of any substances and/or related items. Recording must be made as described in the procedures that follow. Medical staff will require a description of any substances or related items that may have a bearing on the young person's health.

All staff should be made aware that extreme physical dangers present after an incident of solvent abuse. Solvent misuse demands a different approach from other types of substance misuse. The potential for heart failure demands that any suspected incident of this nature be treated as a medical emergency. Solvent misusers should not be 'excited' in any way; that is no additional stress, pressure exerted which may also exacerbate their condition.

Medical assistance should also be sought if there is any possibility that the young person has taken an NPS.

The medical treatment of the young person should be the priority.

4. Taking possession of suspected substances

Any child or young person suspected of being involved must be requested to hand over any suspected substances and/or related items to be delivered to the police. A description of the items handed over by the young person, including any packaging or paraphernalia, must be recorded and signed by both the person in charge, and the members of staff involved and the person acting as a witness (Appendix 2). The receiving adult must lock the suspected substances and/or related items away in a secure place, in the presence of a witness. The items must be handed over to the police at the first opportunity. If a young person refuses to hand over any substances or related items, isolate them until the police arrive who then have the power to search them.

The young person must be given a receipt for anything he/she hands over to staff, with a description (e.g. colour, quantity) of the items. Where possible this should be signed by the child or young person as confirmation of what has been handed over. Should the child or young person refuse to sign the receipt ensure the other staff member signs to witness the handing over of said materials.

It is important that the child or young person does not have the opportunity to destroy or pass on any evidence. They should not be left alone or permitted to go to the toilet.

In exceptional circumstances, for example while on an excursion, with no access to a safe place to hold the substance, and solely to reduce the risk of, or to prevent, harm to the child or young person, the person in charge should take overall responsibility for holding the substance(s). The substances require to be retained for possible use as evidence, or for chemical analysis. All such actions must be witnessed and recorded and subsequently reported to the police at the earliest opportunity.

5. Contacting parents and police

Guidance from the police states that if a child or young person approaches a teacher or some other person employed by the Council and discloses an issue they have around substance misuse, this is not a matter for the police provided there is no suspicion that the individual is in possession of a substance. The primary consideration is the health and wellbeing of that child or young person and the sharing of information should be concerned with ensuring this is addressed. There would be no requirement for police involvement in such cases, unless some kind of associated issue was raised, for example around extended criminality by the young person or others or because of a child protection concern.

If the child or young person is known or suspected to be in possession of a substance, then they must be advised of policy and told that their parent/guardian will be informed as required and the police will be notified. This must be the case regardless of what the substance is thought to be, as only laboratory examination will determine whether that substance is controlled or not. It is not for any employee of the Council to decide whether or not they can be discretionary about possession of one substance over another nor should they assume identification.

The policy of the service in respect of zero tolerance of possession of substances requires to be on open display so that those occupying schools can be in no doubt as to the action to be taken if policy is breached. In sharing this policy with children and young people, the responsibility is placed upon staff to report such instances. If an individual chooses to bring a substance onto school premises it is the individual who breaks the trust of the member of staff and not the staff member by reporting the incident to the police.

In regard to contacting parents, The Management of Exclusion in School Policy¹ states that;

The Age of Legal Capacity (Scotland) Act 1991 states that a person under the age of 16 has legal capacity where they have sufficient maturity and understanding, and there is a general presumption that children aged 12 and over have that capacity. This requires schools to communicate directly with the pupil if he/she has legal capacity. **However, it is considered good practice to also keep parents informed and involved at every stage regardless of the age of the child.** In general, there is a presumption that children over 12 have sufficient maturity and understanding to have legal capacity

¹ The Management of Exclusion in School Policy and Procedures August 2009

With respect to the above parents must be contacted immediately, unless this action is seen to be in contrast to the welfare of the child, and advised that the police will be informed and there has been an incident in which there is suspicion that a controlled substance might be involved, and which may involve their son / daughter. The time of the call should be recorded. The child/young person's parents will be asked to come to the school as soon as practicable, If the child or young person is deemed to be a looked after child, living at home, the schools should inform both the parents or guardians and the allocated social work team

If the child or young person is looked after and accommodated by the local authority and

- living with Foster carers / relative carers or guardians they should be informed and asked to come to the school immediately
- resident in a children's home – the officer in charge or appropriate member of staff should be informed and asked to come to the school immediately

If parents are not available, the authority has a duty of care to the young person and, accordingly, the designated senior member of staff must support the young person, until such a time as an interview can take place. This might include accompanying the child/young person to the interview venue, if this is not to take place within the school. Joint interviews of children are conducted by specially trained police officers and social workers.

If parents/carers arrive before the police, the parents/carers should be allowed access to the child or young person with an adult present at all times, unless otherwise instructed by the police.

If police arrive before parents/carers, the police must be asked to wait until the parents/carers arrive. However, circumstances may dictate the police taking immediate action. In such cases an adult must be present during the subsequent interview.

Police are entitled to detain and search anyone suspected to be in possession of suspicious substances. Such searches are the responsibility of the police.

If the police require to search the child/young person on the premises, this must be carried out in the presence of the parent and/or appropriate member of staff.

The police may wish to take the child or young person away for questioning. In such cases staff are asked to seek an explanation from the attending police officer(s) for their actions and ensure a member of staff accompanies the child/young person if the parents have not already arrived.

6. Responding to the media

Where applicable, following a substance misuse incident, the Aberdeen City Council press office should be informed by a Quality Improvement Officer and a statement for the press prepared.

http://thezone/AskHR/YourEmployment/additional_employee_info/EMP_media_protocol.asp

If staff are approached by the press, they must be directly referred to the QIO responsible for managing the incident. If the press, approach the establishment before an agreed

statement is prepared, they must be directed to Aberdeen City Council's press office. Apart from the agreed statement, no further comment should be made.

Where other agencies are involved, they should agree a strategy for handling any approaches from the media. Aberdeen City ADP can also be contacted and seen as an expert mediator between schools and the media. www.aberdeencityadp.org.uk/contact-us/

7. Reason and purpose of reporting and recording

The collection of data around substance use in Aberdeen serves to act as an early warning system for what substances are beginning to become more prevalent within citywide locations. The collection and collation of information can give an overview of trends and as such agencies and services can elicit a response. It is this hard evidence of data collection that informs where limited resources can be allocated as a way of reducing the likelihood of trends becoming common use. Without data collection it can be difficult to argue for additional support or input from funders, service or agencies intervention.

8. Keeping a record: Evidence and statements

The senior member of staff and any other member of staff present must keep a written record of events and contact calls (including times). This record should be made immediately after each event, or as soon as practically possible. (Appendix 3)

Anyone involved in dealing with an incident of controlled drug misuse should expect to be interviewed by a senior member of staff and possibly the police, and to supply a statement of their involvement. It should be remembered that a court case may result from an incident and, therefore, a written record of the interview with a young person suspected of being in possession of, or supplying substances, must be made. Staff must be aware of where record forms are kept.

Any further action taken must also be recorded, and the QIO responsible for dealing with the incident will ensure the relevant people are informed at the earliest opportunity. Copies of completed incident forms must be stored in a locked cabinet in line with the Data Protection Act 1998.

Reference to the incident is uploaded to the young person's pastoral notes on SEEMiS (Scottish Education Establishment Management Information System) (ensuring that the confidential box is ticked), education management software. Additionally incidents should be reported to the Health and Safety Officer responsible for Educational Establishments using the Aberdeen City Council Incident/Near Miss Report form available on The Zone, internal Aberdeen City Council site:

<http://thezone/nmsruntime/saveasdialog.asp?IID=27492&sID=8040>

9. Communication with parents & community members

Heads Teachers and managers of schools will need to consider how information on individual substance misuse incidents should be communicated. Staff will require to be informed but whether information should be communicated to all parents/carers generally and the wider community will depend on the nature of the incident.

9.1 School staff need to:

- **Be given the broad facts**
- **Know that the incident is being managed in line with current procedures**
- **Agree the response to inquiries by children and young people and parents/carers, and the need to follow this advice to ensure consistency**
- **Know that they are required to refer all media inquiries to the designated senior member of staff, including the corporate media team**
http://thezone/AskHR/YourEmployment/additional_employee_info/EMP_media_protocol.asp

In the event of school exclusion, all staff directly involved with the child/young person should be informed of the decision, but no details should be given.

Other than to the staff involved above, the name of child/young person involved must be kept confidential.

9.2 Parents

Generally it is not advisable for schools to write to all parents in response to a particular incident. However, there may be specific instances in which the headteacher may wish to consider, in consultation with appropriate officers, whether a letter should be written to all parents providing advice and reassurance:

- **That a substance-related incident has happened in the school**
- **That the school policy with which parents are familiar, has been fully adhered to in this instance**
- **That medical needs have been attended to**
- **That parents/guardians or carers and police are involved**
- **That procedures are in place to manage the incident effectively and bring it to a satisfactory conclusion**

10. Partners and other services

At the conclusion of the incident, a discussion with the agencies involved should be convened in order to review how the incident was managed, to help inform potential improvements in order to ensure best practice for the future, and to maximise opportunities for agencies to work together as effectively as possible. A record of the outcome should be kept.

11. Management review

A review should also be organised by the HT/QIO to discuss incident management and procedures.

12. Reporter to the children's panel

Where the school has sufficient concern, the head teacher may wish to liaise with relevant professionals operating within the community network. School staff will follow the Getting it right for every child operational guidance, 2012 to meet the needs of the child/young person. The practice model highlights that 'children in need' may be eligible for social work assessment. Where this is the case, contact with the social work service should take place. Contact however may also be made with the Reporter to the Children's Panel, to consider whether compulsory measures of supervision may be required.

13. Excursions outwith school

School transport providers must be made aware that they should report any substance related incident directly to the head teacher, who will then be responsible for dealing with the incident.

This policy applies equally on school excursions. Before undertaking such excursions, the manager responsible must ascertain any relevant laws and penalties for substance misuse of the country to be visited and should agree procedures to be followed in the event of any incident. For any further guidance on excursions contact should be made with the Outdoor Learning and Education Excursions Coordinator based within the Education and Children's service.

14. Managing incidents of substance misuse involving staff

If a member of staff is involved in an incident of substance misuse the corporate policy and guidance notes for the operation of policy on alcohol and drug misuse must be followed. <http://thezone/nmsruntime/saveasdialog.asp?IID=23432&slD=8142>

15. Managing incidents of substance misuse involving other adults

Head teachers and managers of schools must deal appropriately with incidents involving substance misuse related behaviour by adults. The senior member of staff will need to take account of the safety of everyone both within and outwith the establishment when determining action to be taken.

There may be occasion when school staff encounter a concern regarding substance misuse or related behaviour that involves a parent or other adult. As with incidents involving children and young people, some situations will require immediate action in collaboration with other agencies to ensure the protection of a child or young person.

If a member of staff is not confident that a parent/carer is able to provide appropriate care and supervision of their child because he/she is under the influence of a substance, they have a duty to protect the welfare of the child or young person involved. They will attempt to contact an alternative guardian/carer to make safe care arrangements for the child/young person. Where this cannot be done, it may be necessary to follow child protection procedures, contacting Children's Social Work, Reception Team 01224 522055

or Joint Child Protection Team 01224 306877, or out with normal office hours the emergency before contacting social work staff, Duty Social Worker at your local social work office, or Emergency out of Hours Service 01224 693936. If necessary Police Scotland – Phone 101.

If there are concerns about the safety of a child or young person, staff should attempt to persuade the adult not to leave with the child or young person until appropriate help arrives. If the adult insists on leaving with the child or young person, staff should immediately inform social work staff (Duty Social Worker or Out of Hours Service) and the police. Depending upon the age of the child, the course of action may vary.

Examples are given below.

Where the child is not of an age to look after themselves e.g. a young child attending Early learning and childcare services, the member of staff should:

- **Enlist the support of another member of staff**
- **Attempt to persuade the adult not to leave the premises with the child until appropriate assistance arrives**
- **Attempt to contact an alternative carer for the child (either the emergency contact or a family friend)**
- **NOT attempt to restrain the adult if they insist on leaving**
- **Contact the social work service or Police, contact numbers as detailed above.**

Where the child is older and able to look after themselves e.g. an upper stage pupil being picked up after school, the member of staff must check that the young person feels safe to go home with this adult. If not, an alternative (carer/neighbour/relative willing to take responsibility etc) should be contacted. If the young person is happy to leave, but the adult is intending to drive, the member of staff should:

- **Try to persuade the adult not to drive home**
- **Suggest the adult does not take the young person**
- **Offer to order a taxi**
- **Suggest a friend drives them home**

If the adult insists on leaving, the member of staff should contact the police.

If an adult is acting threateningly or aggressively on school premises, the member of staff should:

- **Attempt to calm the situation**
- **Attempt to isolate the young person or adult by taking them aside, preferably to a quiet room**

- **Advise the adult that the police will be called if the behaviour continues. (As above present as key information)**

These incidents must be recorded on the corporate 'Incident/Near Miss Report Form' <http://thezone/nmsruntime/saveasdialog.asp?IID=27492&sID=8040> and sent to your Health and Safety Coordinator.

16. Support for young people affected by parental substance misuse

A number of young people in school are affected – or may have been previously affected - by parental substance misuse. This may constitute a child protection issue and staff should liaise with other relevant agencies as directed by the National Guidance for Child Protection in Scotland, 2014. Getting Our Priorities Right and Hidden Harm are two further documents which outline the specific harms from parental substance misuse. Both of these, along with Getting it Right for Every Child (GIRFEC) Operational Guidance, emphasise the importance of strong partnership working in order to meet the needs of the child.

In all cases, staff should be alert to concerns about a child's welfare and report any issues to the relevant senior member of staff. The designated member of staff will co-ordinate a school support plan for the child/young person and liaise with other agencies as appropriate.

17. Support for young person(s) involved in incidents of substance misuse

It is important that children and young people receive appropriate support and reassurance in the period following a substance misuse incident or disclosure of substance misuse as they may feel extremely vulnerable at this time. Staff should work closely with parents and identified partner agencies, in supporting the young person.

Where necessary children and young people need:

- **To be told the facts of the incident, including the consequences**
- **To have the policy on substance misuse reinforced**
- **To have their substance misuse education programme reviewed and supplemented where necessary. Along with using the Grampian Health Promoting School – Substance Misuse guidance pack (link on page 7 and appendix 4), consultation with partner agencies will also enhance any educational programme.**

18. Support within the school

Education and Children's Services work towards an agenda for inclusion of all children/young people. For this reason every effort must be made to allow the child/young person to continue his/her education. Schools should collaborate with parents and partner agencies to support the child/young person in identifying and planning possible referrals while also supporting the process when required. These programmes must be reviewed and amended on a regular basis.

19. Substance related litter

If any member of staff either finds substance-related litter (e.g. bottles, needles, syringes or product packaging) or it has been brought to their attention, they must first arrange for

its safe retention where it may prove useful for identification or removal in accordance with Health and Safety protocols

For non-needle litter:

- **Arrange for the substance to be safely and securely stored whilst waiting to hand over to the Police.**

For needle/syringe type litter:

- **Discarded needles and used syringes present environmental health and safety implications for school, staff, young people and the wider community. Discarded injecting equipment should only be removed by persons appropriately trained and equipped to do so. The removal of substance related litter of this nature should be in accordance with Health Scotland protocols and the Council's Health and Safety at Work Standing Procedures.**
- **Staff, if not properly trained or equipped, should isolate discarded needles and syringes from young people and other staff members before calling Environmental Services (ph: 01224 219281) who will arrange the safe removal of needles. Needles and syringes can only be transported or stored safely in a "sharps" box.**

For all substance-related litter, the member of staff must:

- **Complete a substance receipt (Appendix 2), giving a description of the substance and/or related litter**
- **Ensure the school service manager or Quality Improvement Officer are notified of the incident at the earliest opportunity.**

APPENDIX 1 – Misuse of Drugs Act 1971

Background and Terminology

Drug Misuse – The Misuse of Drug Act 1971 defines the use of all illegal drugs covered in the Act as misuse. For this reason, the term drug misuse is generally used within official documents and has become more widely recognised and understood than terms such as drug use, abuse or drug taking.

Drug misuse within these guidelines is used to cover all these terms, primarily covering misuse of controlled substances such as heroin, cocaine and cannabis. However, substance misuse can also include the use of solvents, New Psychoactive Substances (“legal highs”), tobacco, medication and alcohol and these guidelines will be of help in managing incidents of all types.

Parents – References to parents in these guidelines should be taken to mean the primary care giver to the young person involved.

Staff – The term staff relates to all teaching and non-teaching staff within the service.

Temporary Classification Drug Orders (TCDO) under the Misuse of Drugs Act (1971) information available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98006/temporary-class-drug-factsheet.pdf

Legislation

Age of criminal responsibility and criminal prosecution

Under age 8

The age of criminal responsibility in Scotland is 8 years of age. Children below this age are therefore generally deemed not to be responsible for any criminal act.

Age 8 – 15

The age of criminal prosecution in Scotland is 12 years of age therefore children who commit offences between the ages of 8 yrs and 12 years will be referred to the Scottish Children’s Reporters Authority (SCRA) and not to the Procurator Fiscal. Children between the ages of 12 years and 15 years will also generally be dealt with by SCRA, although for children over the age of 12 yrs, if the crime is determined as being of a serious nature, it may be dealt within the criminal court system.

Accessing information

Up to date details on drug classification and legislation can be found here:

<https://www.gov.uk/government/publications/controlled-drugs-list>

with further information on particular substances available via “Know the Score”

<http://knowthescore.info> and <http://www.mycrew.org.uk/> a website providing impartial drugs information, advice and support.

APPENDIX 2 - Substance Receipt

Establishment:		
Date of Incident:	Date & time reported:	Reported by:
Person(s) involved:		
Name(s):	DOB:	Home contact number:
Description of substance:		
Description of any packaging:		
Substance surrendered by: Signed: Date:		
Substance surrendered to: Name: Designation: Signed: Date: Witnessed by: Name: Designation: Signed: Date:		
Where is substance being kept?		

A copy of this form must be given to the person(s) as receipt of surrender.

APPENDIX 3 - Record of Substance-related Incident including Medical Emergencies

Establishment:		
Date of Incident:	Date & Time Reported:	Reported by:
Person(s) involved:		
Name(s):	D.O.B.:	Home Contact Number:
Description of Incident:		

Category of Incident:	Action Taken	By whom	Contacted
Substance-related litter on or near establishment premises			
Suspicion, allegation & disclosure in and out of school activities			
Symptoms of substance misuse			
Person(s) with substances on establishment premises/trip/transport			
Person(s) taking substances on establishment premises/trip/transport			
Person(s) selling/ supplying substances on establishment premises/ trip/transport			
Substance Type (if known) or description and related materials			
Removed by	Where retained	Receipt given and countersigned	

APPENDIX 4 - Local support and links

Aberdeen City Council Integrated Children's Services Plan 2011-15

http://www.aberdeency.gov.uk/social_care_health/social_work/childrens_services/integrated_childrens_services_plan.asp

Aberdeen City Council Local Authority Child Protection Guidelines

<http://www.aberdeency.gov.uk/childprotection/>

The Aberdeen City Alcohol & Drugs Partnership (ADP)

A multi-agency partnership which was formed in 2009 following the publication of the Scottish Government / COSLA document, '[A Framework For Local Partnerships On Alcohol And Drugs](#)'.

ADP – Local services and support

<http://aberdeencyadp.org.uk/local-services-and-support/>

ADP - Contacts

www.aberdeencyadp.org.uk/contact-us/

ASH Scotland – Action on Smoking and Health (Scotland) - is the independent Scottish charity taking action to reduce the harm caused by tobacco.

<http://www.ashscotland.org.uk/what-we-do/supply-information-about-tobacco-and-health/briefings/ecigarettes.aspx>

Choices for Life

Information and advice on drugs, alcohol, tobacco and online safety

<http://choicesforlifeonline.org/>

Getting Our Priorities Right (GOPR) - Policy and Practice Guidelines for Working With Children and Families Affected by Problem Drug Use

<http://www.scotland.gov.uk/Publications/2001/09/10051/File-1>

Grampian Health Promoting School Substance Misuse guidance

<http://aberdeencyadp.org.uk/wp-content/uploads/2014/05/Substance-Misuse-Pack-June-2013-Final-Master-copy-doc.pdf>

Hidden Harm

<http://www.drugscope.org.uk/OneStopCMS/Core/CrawlerResourceServer.aspx?resource=D5DC9EDC-E28E-4BF1-864F-75C7C456552D&mode=link>

Hidden Harm – 3 years on

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/119103/HiddenHarm20071.pdf

NHS Grampian Smoking Advice Service

http://www.nhsgrampian.org/nhsgrampian/gra_display_simple_index.jsp?pContentID=7731&p_applc=CCC&p_service=Content.show&

The national drug strategy for Scotland; The Road to Recovery (May 2008)

<http://www.scotland.gov.uk/Publications/2008/05/22161610/0>

Tobacco Fact Pack – Health Scotland

www.healthscotland.com/documents/311.aspx

A resource pack for teachers, youth workers and those working with children and young people on tobacco issues. For use with P7-S2.

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Equality and Human Right Impact Assessment: The Form



EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information											
Name of Proposal: Policy and Procedure for Managing Substance Misuse Incidents Involving Children and Young People in Schools	Date of Assessment: 24 February 2015										
Service: Education and Children's Services	Directorate:										
Committee Name or delegated power reference (Where appropriate): Education and Children's services	Date of Committee (Where appropriate): 2 June 2015										
Who does this proposal affect? Please Tick ▼	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Employees</td> <td style="width: 20%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Job Applicants</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Other (List below)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	<input checked="" type="checkbox"/>	Members of the Public	<input checked="" type="checkbox"/>	Other (List below)	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>										
Job Applicants	<input type="checkbox"/>										
Service Users	<input checked="" type="checkbox"/>										
Members of the Public	<input checked="" type="checkbox"/>										
Other (List below)	<input type="checkbox"/>										

2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<p>If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).</p>	<p>Substance misuse is as a serious matter. It affects the physical and emotional health and wellbeing of our young people. The council and its schools have an important part to play in educating young people and their families about substance misuse and in reducing the risks associated with this.</p> <p>In order to enable staff to meet their responsibilities in relation to substance misuse, this policy contains information and guidelines on the following areas:</p> <ul style="list-style-type: none"> • Management of incidents of substance misuse • Child protection • Principles of substance education <p>The collection of data around substance use in Aberdeen serves to act as an early warning system for what substances are beginning to become more prevalent within citywide locations. The collection and collation of information can give an overview of trends and as such agencies and services can elicit a response. It is this hard evidence of data collection that informs where limited resources can be allocated as a way of reducing the likelihood of trends becoming common use. Without data collection it can be difficult to argue for additional support or input from funders, service or agencies intervention.</p>

3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>This document sets out, in partnership with Aberdeen City Council, NHS Grampian, Police Scotland, Aberdeen City Alcohol and Drugs Partnership (ADP) and DA Aberdeen, the policy to be adhered to in relation to substance misuse, should an incident occur within a primary or secondary school. The policy applies to all staff within Aberdeen City Council educational establishments. It outlines the actions to be taken along with the relevant roles and responsibilities of staff. When an incident of substance misuse involving a child or young person occurs it is important that all staff and partners working within schools are familiar with procedures and their responsibilities.</p>
<p>b- What equality data is available in relation to this proposal? (Please see guidance notes)</p>	
<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	

<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text"/> £</p> <p>Projected Savings <input type="text"/> £</p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	

	f- How does this proposal link to the Council's Equality Outcomes?	

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please <input checked="" type="checkbox"/>	Positive Impact: Please <input checked="" type="checkbox"/>	Negative Impact: Please <input checked="" type="checkbox"/>	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)				
Disability (Mental, Physical, Sensory and Carers of Disabled people)				
Gender Reassignment				
Marital Status (Marriage and Civil Partnerships)				
Pregnancy and Maternity				

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)				
Religion or Belief or Non-belief				
Sex (Women and men)				
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)				
Other (e.g: Poverty)				

5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p><input type="checkbox"/> Red</p> <p><input type="checkbox"/> Red Amber</p> <p><input type="checkbox"/> Amber</p> <p><input type="checkbox"/> Green</p>
<p>Reason for that rating:</p>	

7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

8: Sign off

Completed by (Names and Services) :	
Signed off by (Head of Service) :	
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p>Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB</p> <p>Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>	

9: Completion Terminology:

<p>Assessment Pre-screening Rating:</p>	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<p>Assessment Rating:</p>	<p>After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed. Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken. Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document. Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

<p>Equality Data:</p>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p>
<p>Genuine Determining Reason</p>	<ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
<p>Human Rights</p>	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
<p>Legal Status:</p>	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimization</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>

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ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children Services
DATE	2 June 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	Fees and Allowances Paid to Foster Carers, Adopters and Associated Services
REPORT NUMBER	ECS/15/029
CHECKLIST COMPLETED	YES

1. PURPOSE OF REPORT

This report seeks committee agreement to the various fees and allowances paid to foster carers, adopters, kinship carers and carers who provide supported lodgings. It also sets out the fees paid to Curators-ad-litem, Reporting Officers and Panel Chairs. The report details the proposed increases/changes to these fees and allowances.

2. RECOMMENDATION(S)

Committee is asked to:

- i. Approve with effect from 1 April 2015 a 1% increase in the level of :
 - Fostering Allowance (5.1)
 - Payment for Skills fees (5.2)
 - Adoption Allowance (5.3)
 - Curator-ad-litem/Reporting Officer fees (5.7)
 - Supported Lodgings Allowance (5.8).
- ii. Approve with effect from 1 April 2015 that there be no change to the level of fee charged for:
 - Inter-Country Adoptions (5.4)
- iii. Approve with effect from 1 April 2015 that there be no change to the level of fee charged for:
 - Independent Chairs of Adoption and Permanence/Fostering Panels (5.5)
- iv. Approve with effect from 1 April 2015 changes to the level of allowance paid to kinship carers to achieve parity with the allowance paid to foster carers. (5.6)

3. FINANCIAL IMPLICATIONS

All costs for the above will be met from within the existing budget.

4. OTHER IMPLICATIONS

None

5. BACKGROUND/MAIN ISSUES

5.1 Fostering Allowances

- 5.1.1 Aberdeen City Council pays foster carers a fostering allowance to cover the costs associated with caring for a child and a fee in recognition of the service they provide.
- 5.1.2 In 2005 Aberdeen City Council took the decision to adopt the fostering allowance rates recommended by “The Fostering Network” (tFN). In 2011 the Social Care and Wellbeing Committee moved away from paying the tFN recommended allowance. This followed tFN recommending an increase of 5.1%. Given the financial climate most local authorities chose not to implement this increase. In recent years tFN have continued to recommend increases to the fostering allowance in excess of the budgetary increases local authorities have been awarded. For 2015/16 tFN have recommended a 1.8% increase.
- 5.1.3 In 2012 the Scottish Government commissioned a National Review of Foster Care. Part of the remit of this review was to consider the remuneration of foster carers. (The respective governments in England and Wales set the level of fostering allowance paid to foster carers. In Scotland each Local Authority sets its own allowance.) While the National Review of Foster Care Report did not make any substantive recommendation in relation to the level of fostering allowance paid to foster carers the Scottish Government in February 2015 intimated a wish to revisit how fostering allowances are most appropriately determined.
- 5.1.4 In recognition of the continuing increase in the cost of living Aberdeen City Council has in recent years approved year on year increases to the level of allowances/fees paid to foster carers. **It is recommended that a similar approach is agreed for the coming year and that an increase of 1% is made for the coming year.** The rates are payable over 56 weeks to enable the equivalent of 4 weeks allowances to be paid as holiday, Christmas/Religious festival and birthday allowances.
- 5.1.5 Table 1 below details the costs associated with this allowance.

Table 1

Age Group	No. of Children	2014/15 Weekly Rate	2015/16 Weekly Rate
0 – 4	49	128.88	130.17
5 – 10	33	146.80	148.27
11 – 15	33	182.75	184.58
16 – 18	9	222.28	224.50

*These figures are based on the number of children in a foster placement as of 1 March 2015 and do not include children who receive regular respite.

5.1.6 Based on these figures the projected spend for 2015/16 is **£1,085,431**

5.2 Payment for Skills

5.2.1 The Payment for Skills scheme has been operational since 2003/04. This scheme pays a fee to foster carers in recognition of the service they provide.

5.2.2 Foster carers provide children of Aberdeen City with a dedicated and committed service. They provide care and stability 24 hours per day, supporting many children who present complex and challenging behaviours. In addition they actively contribute to the planning for the child's future needs.

5.2.3 The fostering service operates in a competitive market with foster carers increasingly approaching a number of agencies before making a definitive approach. It is therefore important that Aberdeen City Council fostering service remains competitive both in terms of the fee paid as well as the standard of service/support provided to its foster carers.

5.2.4 The numbers of children requiring a foster resource continue to grow both locally and nationally. It is therefore important that Aberdeen City Council continues to grow its fostering service to meet this need. As part of the Priority Based Budget process shifting the balance of care is one of the Service priorities i.e. reducing the numbers of children placed in high cost external placements to a more local provision. To meet this need and deliver on this priority it is important that the fostering service continues to offer competitive remuneration to its foster carers.

5.2.5 Recruitment over the past year has been challenging. High employment levels and the high cost of property locally are factors which have affected the level of recruitment. In conjunction with colleagues in Corporate Governance the service has developed a recruitment strategy for the coming year. This will require a level of investment to achieve its outcomes. Hopefully this will contribute to a more successful outcome for the coming year where we have set a target to recruit 20 new carers.

5.2.6 In recognition of the financial pressures on the local authority but also with a need to remain competitive with other foster providers **it is**

recommended that there is a 1% increase in the fee for year 2015/16.

5.2.7 The cost of placing a child with an Independent Fostering Agency vary from £50,000 - £85,000 per annum and these costs are significantly higher than the costs associated with placing a child on an in-house basis. It is not only the financial costs that are significant. The cost to children being placed far from their home, families and communities are also significant. It is therefore important that the Fostering Service continues to develop its service to allow more children to be placed locally.

5.2.8 The costs of the fees are detailed in Table 2 below.

Table 2

Level	No. of Carers	2014/15 Annual Fee	2015/16 Annual Fee
1	22*	8114	8195
2	55*	12,169	12291
3	23	16,228	16390
4	8	20,057	20258
ARC Scheme	3	27,320	27593
Total	111		

** These figures are based on the number of approved carers not all of whom provided full time foster placements.*

Based on these figures the projected spend for 2015/16 is **£1,178,993.20***

5.2.9 From time to time there may be exceptional circumstances where a higher fee is paid in order to facilitate the return of a child from a high cost out-of-authority placement. Where this is the case the fee is agreed by the Head of Service.

* This figure includes respite carers who receive a pro-rata fee for the duration of each placement.

5.3 Adoption Allowances

5.3.1 **It is recommended that for the year 2015/16 adoption allowances, as with the fostering allowance, are increased by 1%.** Adoption Allowances are paid on a 56 week basis to allow for holidays, birthdays and Christmas/religious festival celebration. Adoption allowances are paid having considered the needs of the child and the financial circumstances of the adopters.

5.3.2 Enhancements are currently paid for 4 children reflecting the complex/life limiting needs of the children or the circumstances by which adoption could be achieved. In the latter cases this was seen as a “spend to save”, removing children from a high cost out-of-authority care placement.

5.3.3 Children placed with prospective adopters on a fostering basis receive an allowance equivalent to the adoption allowance pending the

conclusion of legal proceedings. This reflects the task the prospective adopters have assumed and allows for consistency in allowances paid in respect of the child post adoption. There is no Payment for Skills fee in respect of adoptive or prospective adoptive parents.

5.3.4 The Adoption & Children (Scotland) Act 2007 recognised that for some children who cannot be returned home, given their life history and the secure attachments they have formed with their foster carers adoption can be hard to achieve. It however recognised that for these children adoption often still offers the most positive outcome. The 2007 Act made provision for foster carers to continue to receive their fostering fee for a period when they adopt the children they are caring for.

5.3.5 Over recent years there has been a small but noticeable uptake in the number of foster carers claiming through adoption the child/children they are caring for. While these offer the best outcome for the child it requires a continuing financial commitment by the local authority to support these placements.

5.3.6 The resultant costs are detailed in Table 3 below.

Table 3

Age Group	No. of Children receiving Adoption Allowance	2014/15 Weekly Rate	2015/16 Weekly Rate
0 – 4	5	74.67	75.42
5-10	36	92.68	93.61
11 – 15	33	115.36	116.51
16 – 18	4	149.37	150.86

5.3.7 Child benefit is deducted from this allowance prior to payment in acknowledgement that adopters are eligible to claim this universal benefit (£13.40 per child per week.). Accordingly based on these figures the projected spend for 2015/16 is **£409,752.**

5.3.8 Adopters can claim a Legal Expenses Allowance up to £300.00 to contribute towards the legal costs involved in adopting a child. Adoption is a private legal action and not something the Local Authority can be party to. This payment replicates practice in neighbouring authorities. The costs associated with this allowance will be met from within the existing budget available to the Adoption Service.

5.4 Inter-Country Adoptions

5.4.1 As well as receiving applications from people interested in adopting a local child the Local Authority has a legal duty to consider applications from people interested in adopting a child from overseas. Unlike other adoption applications the legislation allows local authorities to charge a fee for undertaking the necessary assessment and work associated with an Inter-Country Adoption (ICA) application.

5.4.2 The standard of assessment in an ICA is no different from other adoption assessments. What is different is the work associated with placing a child from overseas. The immigration issues are often time consuming and complex. Consequently there is a need to communicate regularly with Scottish Government officials to progress an adoption once the assessment has been concluded.

5.4.3 In addition different countries have different expectations on the local authority once a child is placed with adopters. Some countries require regular and detailed updates for up to three years post placement giving feedback on the welfare of the child.

5.4.4 At present Aberdeen City charges ICA applicants £5000.00 to cover the costs associated with this work. The number of ICA applications in Aberdeen City is relatively low (often no more than 1 or 2 per year). The level of fee charged is consistent with many other authorities but not all. **It is proposed that there is no change to the above fee.**

5.5 Fee Paid to the Independent Chairs of the Adoption/Permanency and Fostering Panels.

5.5.1 In line with Scottish Government guidance and consistent with the practice of most Local Authorities the chairs of Aberdeen City Council's Adoption & Permanency Panel and Alternative Family Care Panel (2 Panels) are independent of the Local Authority. These appointments promote the independence and scrutinising role of the Panels. Due to the need to retain an Independent Chair of both Panels an allowance is paid to the Chairs.

5.5.2 These Panels fulfil a statutory function and meet on an alternate weekly basis. The time involved in attending and preparing for each panel is approximately 10/15 hours per panel.

5.5.3 In 2015 Aberdeen City Council agreed to increase the level of payment to panel chairs to £250.00 per panel. This increase brought the Council into line with many other authorities. This change represents an **annual cost of £12,000** (based on 48 panels per year).

5.5.4 It is recommended that for the coming year there is no change to the level of payment. The cost associated with this allowance is met from within the existing budget.

5.6 Kinship Carer Allowance

5.6.1 Kinship Care is the term used to describe the placement of children with extended family members or friends where they cannot live with their parents. The Local Authority only has responsibility for those children it places with family members and/or are subject to statutory orders. The Service does not have responsibility for arrangements which family members make.

- 5.6.2 In order to support these arrangements the Local Authority pays an allowance (to cover the costs associated with caring for a child) to approved kinship carers. In 2011 and 2012 the Social Care and Wellbeing Committee agreed a significant investment in support of kinship carers. This brought the level of allowance paid to kinship carers for children in their care up to approximately 75% of the allowance paid to foster carers for children in their care.
- 5.6.3 In 2014 seven Scottish Local Authorities were contacted by the Equalities and Human Rights Commission (EHRC) to challenge the level of payment of allowances made to kinship carers. They highlighted that the legal status of a looked after child placed with foster carers was the same as a looked after child placed with kinship carers. Accordingly they argued kinship carers should receive parity in the level of payment. This argument followed a Court decision in England that supported this position.
- 5.6.4 The EHRC have contacted a further four local authorities regarding this issue. Given there is not parity in the level of allowance Aberdeen City Council pays to its kinship carers it is recognised that if we do nothing there is a risk to the Council of litigation and reputational damage.
- 5.6.5 In February 2015, the 32 Scottish Local Authorities, along with the Scottish Government, Social Work Scotland and other interested representatives met to agree a consistent approach to this issue. The model recommended to ensure parity is that used by North Ayrshire. Through this model kinship carers are supported to maximise their income for the child via the Benefits Agency i.e. child benefit and Tax Credits. Having done so, the Local Authority “tops up” this income to ensure parity with the allowance paid to foster carers. (Foster carers cannot claim these state benefits.)
- 5.6.6 This approach will achieve parity for kinship carers. It will also mean that the amount the Local Authority pays each kinship carer will differ according to their individual circumstances.
- 5.6.7 Some preliminary work on 10 cases has highlighted that based on the figures in table 4 this will on average incur an additional spend of £676.18 per annum per child. There are currently 71 children in a kinship placement. **Based on this figure this will incur an additional spend of £48,009, bringing the total spend to £432,705.**
- 5.6.8 At the meeting in February 2015 the Scottish Government indicated that they would be willing to consider providing some additional funding to Local Authorities to mitigate this cost although no mention was made to the level of support.
- 5.6.9 It is recognised that this solution is only a temporary solution. The introduction of Universal Credit will bar kinship carers claiming any state benefits for looked after children – these costs being seen as the responsibility of the Local Authority. When Universal Credit is implemented this will have a far greater financial impact on Local

Authorities. The position is further complicated by the ongoing debate as to which powers will be devolved to the Scottish Parliament as part of the Smith Commission.

5.6.10 Table 4 below details the costs associated with this allowance.

Table 4

Age Group	No. of Children	2014/15 Weekly Rate	2015/16 Weekly Rate
0 – 4	21	92.21	130.17
5 – 10	31	107.35	148.27
11 – 15	18	133.63	184.58
16 – 18	1	165.64	224.50

5.6.11 In 2011 the Social Care and Wellbeing Committee agreed to establish a Permanent Kinship Allowance. There are a number of children for whom a return to their parents care is neither safe nor in their best interests. Many such children don't need to remain within the "looked after" system, a system which does not offer them any sense of security or predictability. Many kinship carers are put off securing the child permanently due to financial worries – they would cease to receive the kinship allowance. The Permanent Kinship Allowance allows them to do so and where their circumstances allow continue to receive an allowance.

5.6.12 The Permanent Kinship Allowance is set at 60% of the full allowance and is means tested. (This reflects the parity between the fostering allowance and the adoption allowance.) It is proposed that it continues to be paid on the same ratio as was agreed in 2011.

Table 5

Age Group	No of Children	2014/15 Weekly Rate	2015/16 Weekly Rate
0 – 4	8	55.88	78.10
5 – 10	8	65.04	88.96
11 – 15	5	80.98	110.75
16 – 18	1	100.37	134.70

5.6.13 As with the kinship allowance kinship carers receiving a permanent allowance will be supported to maximise their income via the benefits agency. Having done so we would "top up" the amount we pay to equal the above levels of payment. **Based on these figures the projected spend for permanent kinship allowances for 2015/16 is £66,694.**

5.6.14 When the Kinship Allowance was introduced in 2011 it was recognised that some existing carers might not want to access this allowance given the increased level of assessment the legislation required. In addition for some they could be financially worse off due to the impact this allowance could have on other benefits. As a result a small number of children (4) continue to be cared for by carers who are paid under the old "Linkcarers" scheme. This number will continue to diminish over the coming years as these children leave the care system.

5.7 Curator ad-litem/Reporting Officer Fees

5.7.1 In 2007 Resources Management Committee agreed the levels of fee paid to Curators-ad-litem/Reporting Officers. The fee set was in recognition of the difficulties in recruiting officers to produce such reports. Work was undertaken with Aberdeenshire Council and Moray Council to ensure a consistency of fee across authorities given that the three authorities tend to access the same Curators and Reporting Officers.

5.7.2 The three authorities **are proposing a 1% increase to the level of fee paid to Curators ad-litem and Reporting Officers for the coming year.**

5.7.3 Aberdeen City Council along with all Local Authorities has a statutory duty to recruit Curators ad-litem and Reporting Officers who are in turn appointed by the Courts to report on certain cases involving children. The Local Authority has no control over the volume of work undertaken by Curators ad-litem and Reporting Officers.

5.7.4 The fee structure is detailed in table 6 below.

Table 6

	Fees 2014/15	Fees 2015/16
Curator ad Litem Reports		
Appointment by Court	259.90	262.50
Second and Subsequent Children	129.95	131.25
Joint Curator ad Litem and Reporting Officer Reports		
Appointment by Court	389.83	393.73
Second and Subsequent Children	194.92	196.87

5.7.5 The payment of a mileage allowance at the standard rate of 40p per mile will be paid.

5.8 Supported Lodgings Scheme

5.8.1 The Council runs a Supported Lodgings scheme that is accessible to vulnerable young adults (from aged 16 to 21) who have previously been looked after and who would benefit from living with a family or single person. The person providing the lodgings (the carer) is paid a weekly allowance.

5.8.2 It is proposed that the fee of £207.50 is increased by 1% to £209.58 in order to attract and retain carers.

5.8.3 The Service user is expected to make a small contribution towards part of this cost.

5.8.4 The legislation in relation to young people leaving care is due to change in the coming year. This recognises that young care leavers

are often not as prepared to live independently as they need to be. As a result of new legislation young people in certain circumstances will be able to remain in their care placement up to the age of 21. It is unclear what impact this change in legislation will have on young people wishing to access Supported Lodgings. Accordingly we will review where this service fits within the wider spectrum of services for care leavers.

6. IMPACT

The fee's and allowances paid to foster carers, adopter's, kinship carers and carers who provide supported lodgings reinforces the Council's duty to provide effective services to children and young people that safeguard and protect their safety and wellbeing as well as ensuring all services are targeted towards reducing inequalities and improving outcomes. These expectations are consistent and fully aligned to the Council's Single Outcome Agreement.

7. MANAGEMENT OF RISK

This report outlines how as a Local Authority we are supporting foster carers, adopter's, kinship carers and carers who provide supported lodgings. The levels of payment to kinship carers has been a source of national debate and the proposals in relation to achieving parity of allowance for kinship carers mitigates against the risks faced by local authorities with regard to litigation and reputational damage.

Payment to carers will be met from within existing resources.

8. BACKGROUND PAPERS

None.

9. REPORT AUTHOR DETAILS

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01224 523496

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2 June 2015
DIRECTOR	Judith Proctor, Chief Officer
TITLE OF REPORT	Adult Services Performance Report
REPORT NUMBER	ECS/SCW/012
CHECKLIST	Yes

1. PURPOSE OF REPORT

The purpose of the report is to provide the Committee with information on the performance of Adult Social Work against the Key Performance Indicators, as defined by the service. The timeframe for the report will be determined by the individual indicator and will be indicated in the analysis, as contained in Appendix A.

2. RECOMMENDATION(S)

Members of the Committee are asked to:

- i Approve the Adult Social Work performance report; and
- ii Note that work is ongoing to develop a new suite of performance indicators, aligned to the outcomes in the Service Business Plan 2014-17.

3. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

4. OTHER IMPLICATIONS

There are no direct implications arising from this report, however, the purpose of performance management and reporting is to manage improvement to the services provided to the citizens of Aberdeen. Improvements in the services provided by the Social Care and Wellbeing Directorate impact positively on communities across the City.

5. BACKGROUND/MAIN ISSUES

5.1 Background

The report attached in Appendix A has been produced following review and will be subject to ongoing developments including links into the Service Business Plan.

Where available, benchmarking data has been included in this report. Establishing benchmarking information has proved difficult as there is only one national Statutory Performance indicator for Social Work, which is for Home Care. Where additional returns are made, such as the Community Care Quarterly Return, there are concerns regarding consistency of recording and reporting across all local authorities.

5.2 The performance report attached at Appendix A has been created in Covalent and is structured according to the priority themes contained within the Service Business Plan, namely:

Appendix B: Performance Report Links to Strategy Map 2015

- People at risk are protected
- People are effectively supported within their families and communities
- People fully participate in individual and service planning, review and delivery
- Wellbeing is promoted in all care groups
- Our resources are managed effectively
- Our organisation is effective.

5.3 Performance Information relating to Adult Social Work Services is reported to a number of different forums and web links to each of these reports is included on the final page of appendix A.

5.4 Indicators pages 15 – 19 covering Sickness Absence, Agency Staff, Complaints, Enquiries and FOIs include information relating to Children's Social Work in addition to Adults Social Work, future reports will show Adult Social Work Information.

6. IMPACT

Performance measurement and reporting should be viewed as a means to managing improvement in the services that we provide to the most vulnerable members of our community.

7. BACKGROUND PAPERS

Appendix A: Performance Report

Appendix B: Performance Report Links to Strategy Map 2015

8. REPORT AUTHOR DETAILS

Co-ordinated by Trevor Gillespie,
Team Manager (Performance Management)

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✉ tgillespie@aberdeencity.gov.uk

APPENDIX A

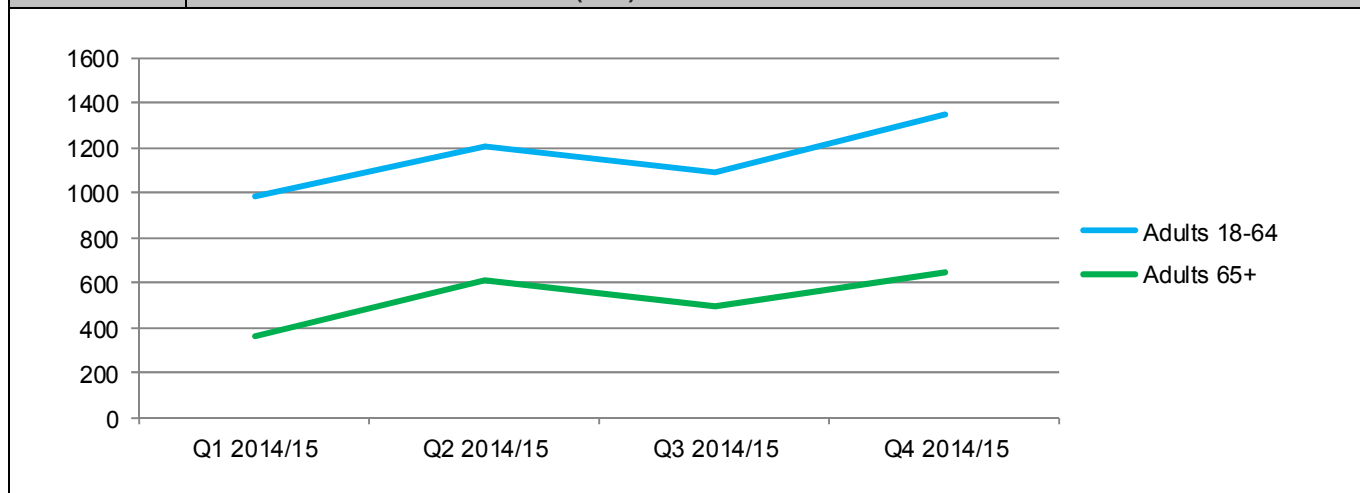
Social Care and Wellbeing Performance Report

Summary for selected non SPI performance indicators

Generated on: 31 March 2015

Traffic Light	
Red	3
Amber	3
Green	0
Data Only	21

SCW17a	Number of referrals of adults (18-64) cases
SCW17b	Number of referrals of adults (65+) cases



Status		
Data Period	Q4 2014/15	
Value	SCW17a	1350
	SCW17b	644
Target	N/A	
Long Trend		
Short Trend		
Data Source	CareFirst (Alastair Condie)	
Managed By	SCW17a	Tom Cowan
	SCW17b	Tom Cowan

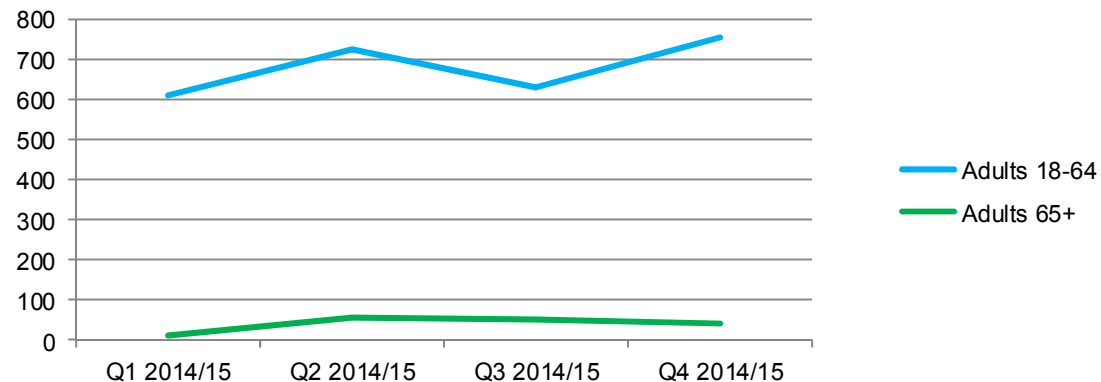
Narrative and Analysis

SCW17a (Adult 18-64) <i>(see breakdown on page 6)</i>	<p>Q4 2014/15</p> <p>No Target can be set Figures taken from careFirst for January to March 2015 January = 510 February = 397 March = 443</p>
---	--

SCW17b (Adult 65+)	<p>Q4 2014/15</p> <p>No Target can be set Figures taken from careFirst for January to March 2015. January = 252 February = 184 March = 208</p>
---------------------------	---

BREAKDOWN OF OUTCOME OF REFERRALS

No further action



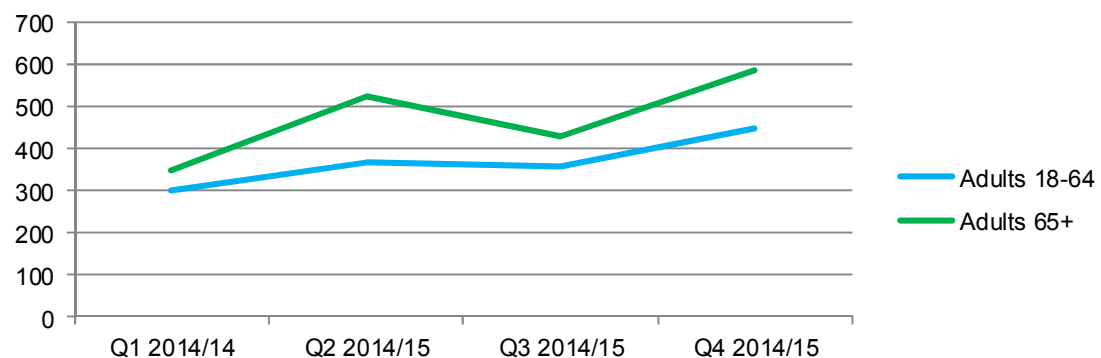
FIGURES FOR Q4 2014/15

	Total	No further action	Proceed to...	Pending
SCW17a	1352	755	449	148
SCW17b	644	39	589	16

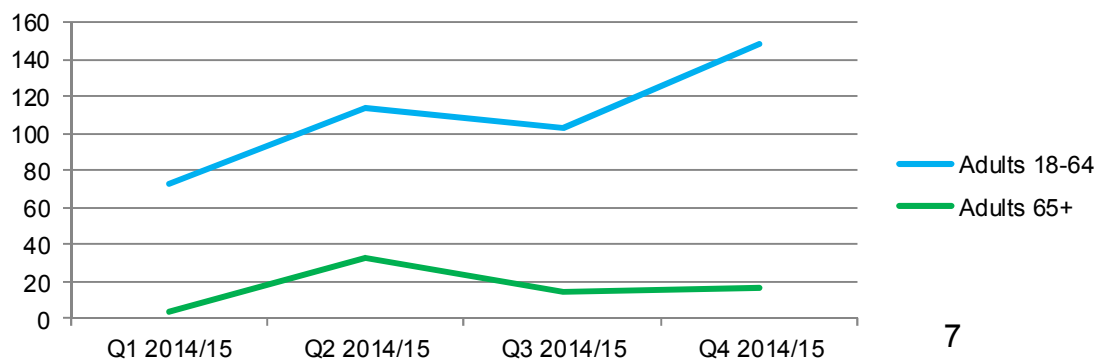
BREAKDOWN OF SCW17a

TEAM	Number
Adult Mental Health 1	51
Adult Mental Health 2	55
Adult Mental Health 3	30
Adult Protection	116
ARI	11
Caledonian System	59
Care Management North	17
A & P	2
Connection Womens Centre	1
Customer Service Centre	90
Community LD Team	2
Duty Team	692
Integrated Alcohol Service	114
Integrated Drugs Service	57
Old Age Psychiatry	5
Out of Hours Team	40
Planned Discharge Team ARI	3
CJ Admin	6
Unpaid Work Team	1
TOTAL	1352

Proceed to...



Pending



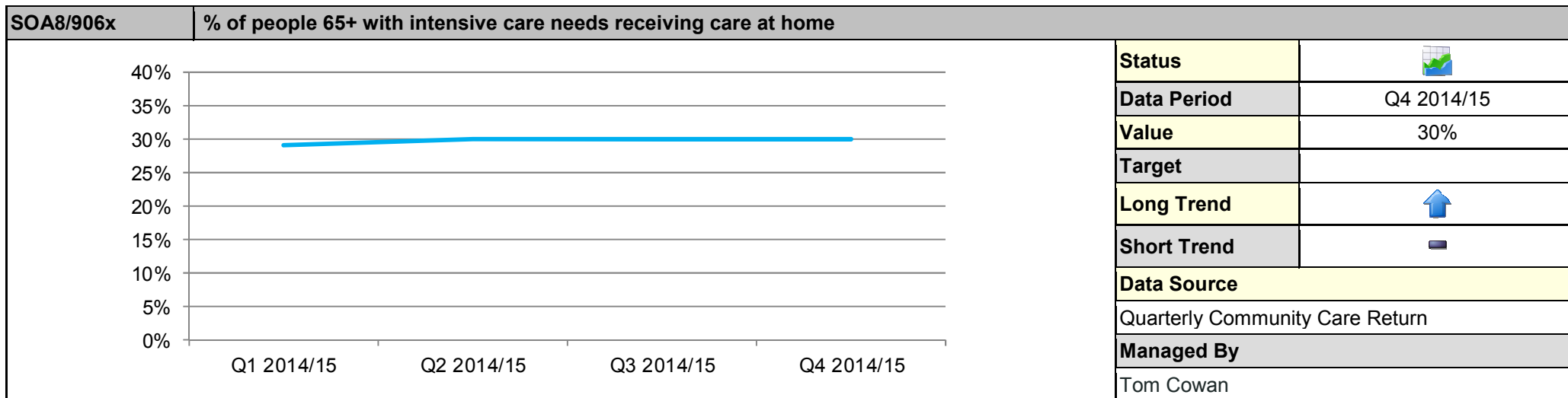
BREAKDOWN OF CLIENTS PER CLIENT GROUP

Snapshot of client groups for people with an allocation relationship as at 31/03/2015 (end of Q4 2014/15)

Client Group	No. of clients
Adult Criminal Justice	855
Alcohol Misuse	41
Carer	35
Child and Family	2,257
Child Looked After	77
Drugs Misuse	22
Elderly Client 65+	3,802
Elderly Client 65+ with Dementia	987
Learning disability	533
Mental health	472
Other Adult Client	220
Physical Disability	643
Physical Health	533
TOTAL	10,477

Narrative and Analysis

A snapshot is being used to increase accuracy of data. If a 3 month period were used, people who have changed client groups during this period would be counted multiple times - David Waite

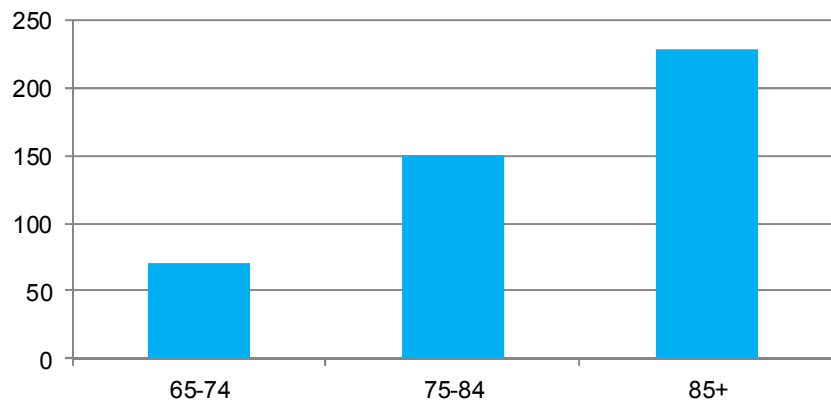


Narrative and Analysis

Q4 2014/15
 No Target can be set. Information taken from the Quarterly Community Care Return. This figure relates January to March 2015:-
 Age 65+ receiving care at home = 1502
 Age 65+ receiving intensive care (10+hours) = 450
 = 30%

Page 311

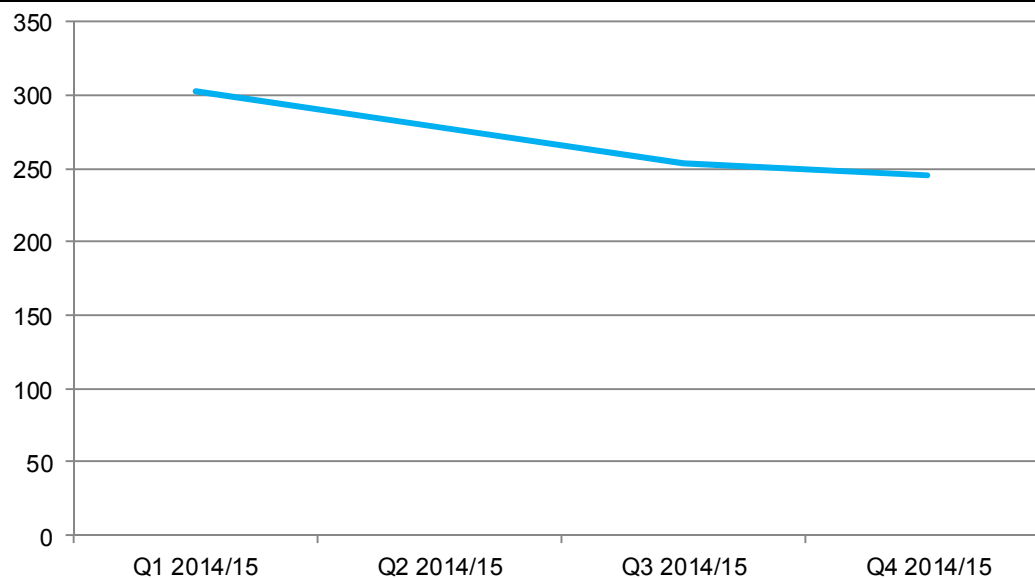
BREAKDOWN OF AGES OF PEOPLE 65+ WITH INTENSIVE CARE NEEDS RECEIVING CARE AT HOME FOR Q4 2014/15



Q4 2014/15

Age bracket	Number of people	Percentage
65-74	70	16%
75-84	151	34%
85+	229	51%

SCW70 **Number of new referrals within Adult Protection procedures**



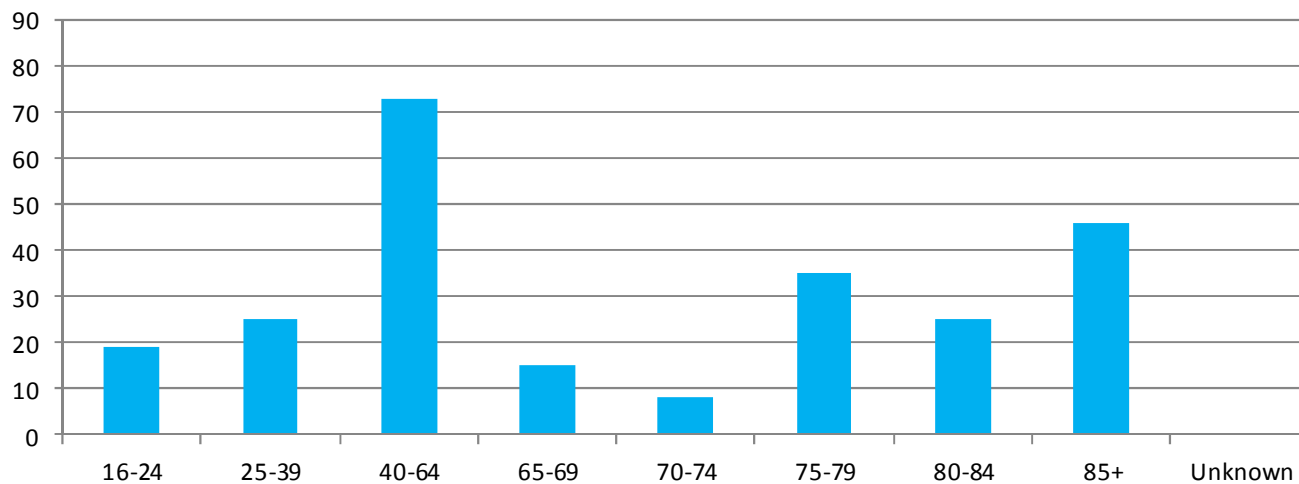
Status	
Data Period	Q4 2014/15
Value	246
Target	N/A
Long Trend	
Short Trend	
Data Source	
David Waite CF Team Data Summary Sheet	
Managed By	
Kenneth O'Brien	

Narrative and Analysis

Q4 2014/15

The number of referrals received at the Adult Protection Unit dropped very slightly from the last quarter, reflecting a continuing downward trend. However, while there are less referrals overall the number then progressing for further case work has increased in this quarter.

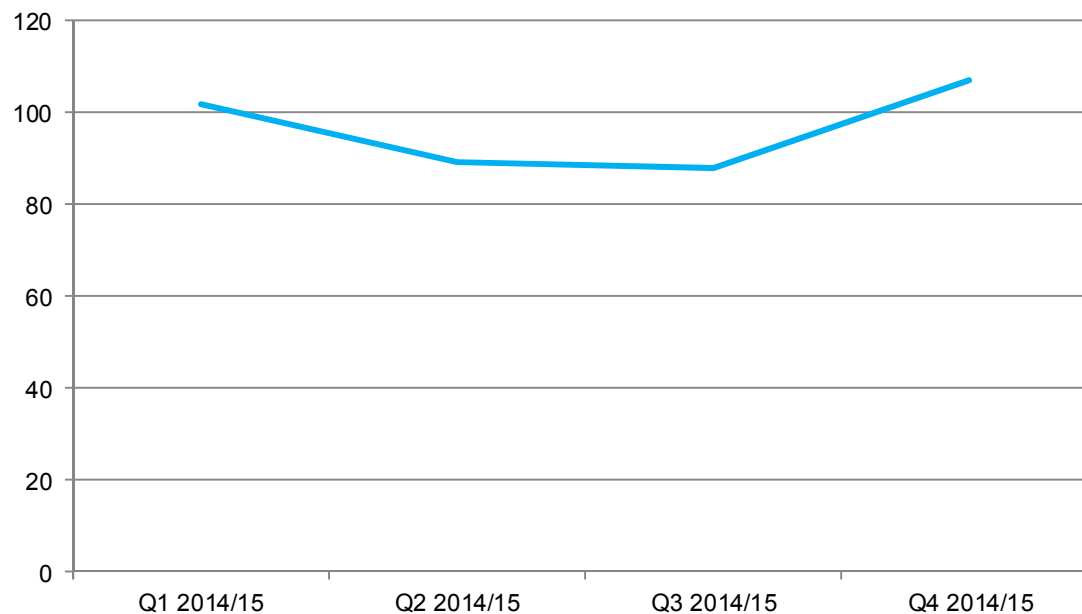
AGE BREAKDOWN OF ADULT PROTECTION REFERRALS FOR Q4 2014/15



Age Bracket	Total
16-24	19
25-39	25
40-64	73
65-69	15
70-74	8

Age Bracket	Total
75-79	35
80-84	25
85+	46
Not Known	0
Total	246

SCW71 **Number of New Referrals Progressing to Initial Investigation Under Adult Protection Procedures**



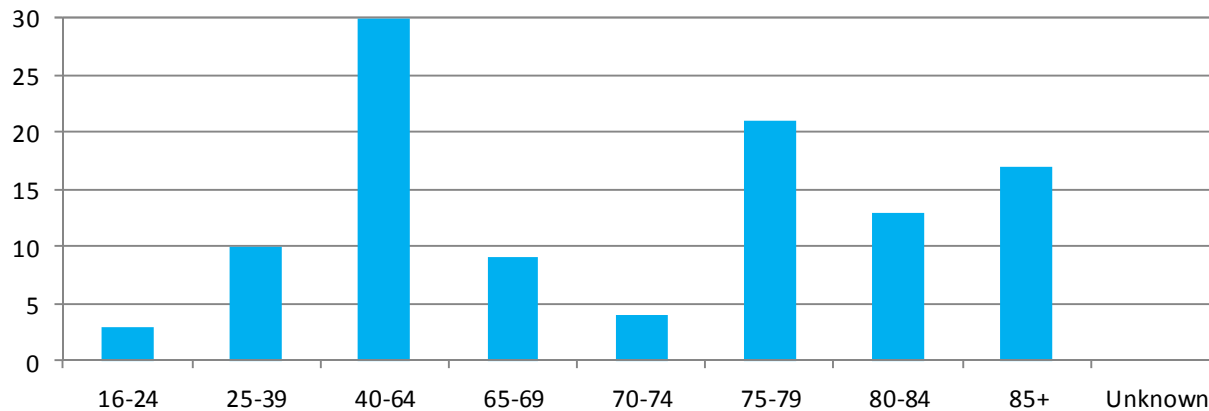
Status	
Data Period	Q4 2014/15
Value	107
Target	N/A
Long Trend	
Short Trend	
Data Source	
David Waite - CF Team - Data Summary Sheet	
Managed By	
Kenneth O'Brien	

Narrative and Analysis

Q4 2014/15

The number of new referrals proceeding to ASP Initial Inquiry increased from the last quarter. This illustrates an increase in the proportion of cases requiring further investigation. Previously the proportion of cases progressing to inquiry remained steady at around one third of referrals. However, in this quarter the proportion increased.

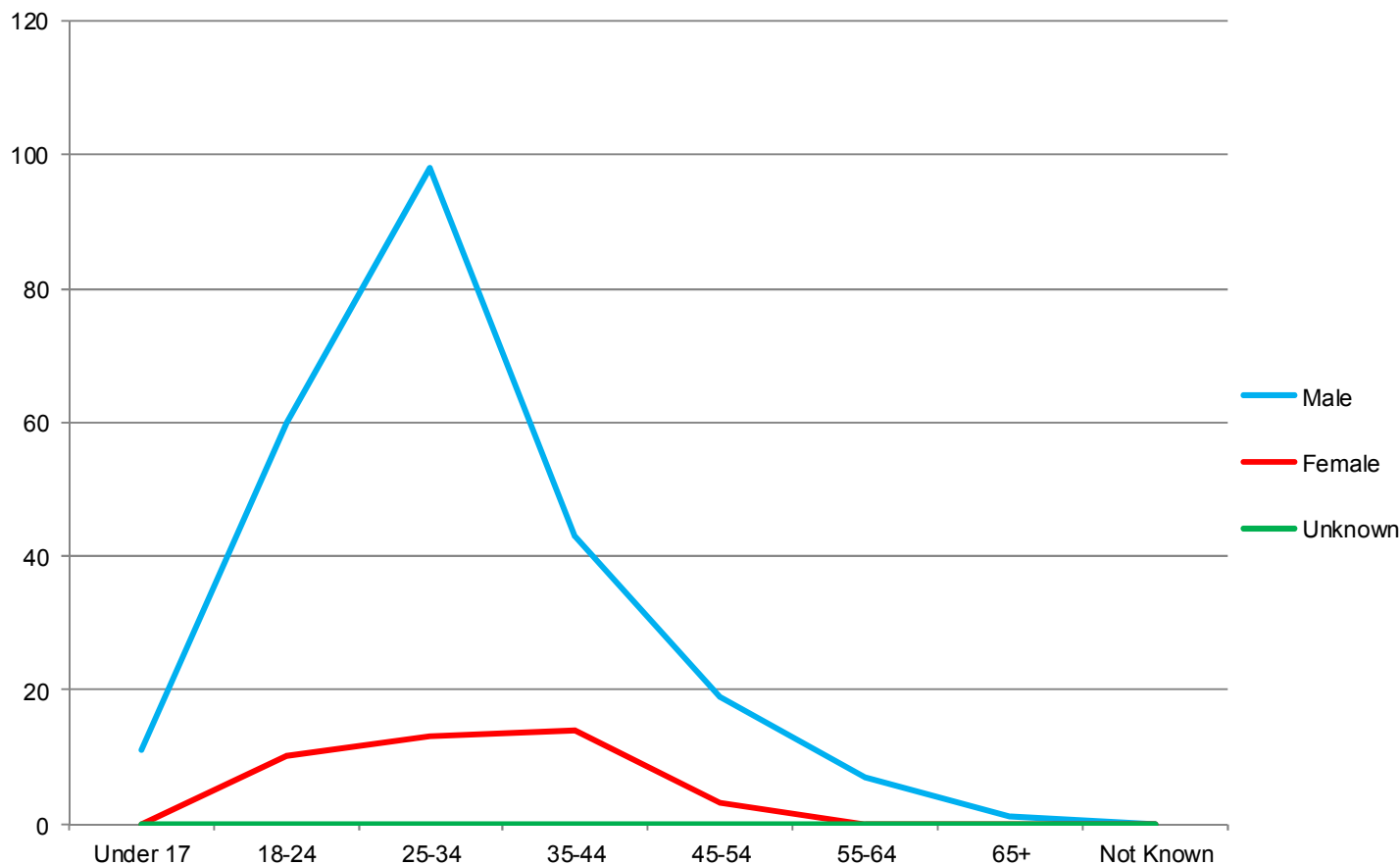
AGE BREAKDOWN OF ADULT PROTECTION REFERRALS PROGRESSING TO INITIAL INVESTIGATION FOR Q4 2014/15



Age Bracket	Total
16-24	3
25-39	10
40-64	30
65-69	9
70-74	4

Age Bracket	Total
75-79	21
80-84	13
85+	17
Not Known	0
Total	107

SCW73 Criminal Justice: Community Payback Orders (including Transferred CPO's)

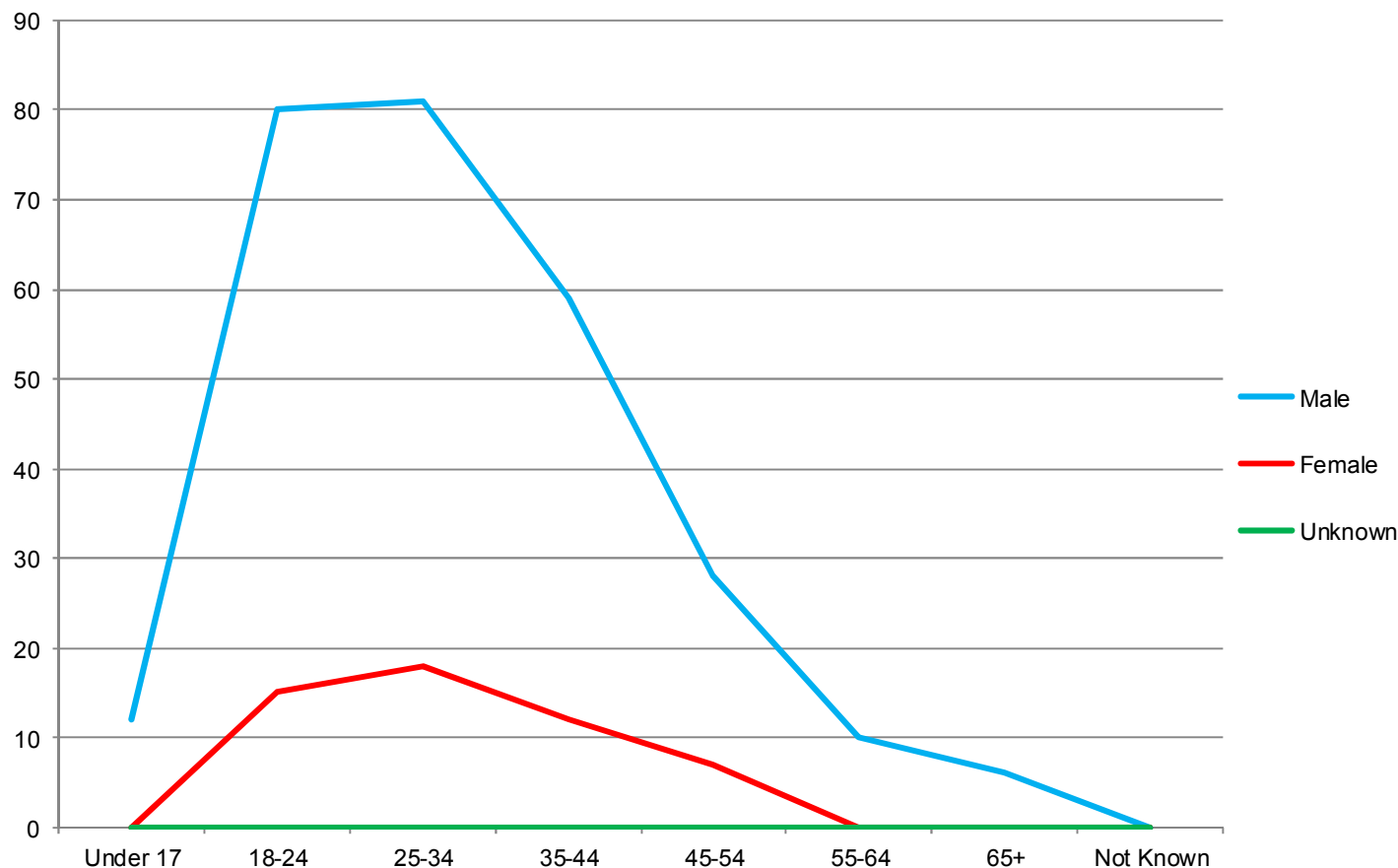


Status					
Data Period		Q4 2014/15			
Target		N/A			
Values					
Male	17 and under	0	18-24	60	
	25-34	68	35-44	43	
	45-54	19	55-64	7	
	65+	1	Not Known	0	
Female	17 and under	0	18-24	10	
	25-34	13	35-44	14	
	45-54	3	55-64	0	
	65+	0	Not Known	0	
Unknown	17 and under	0	18-24	0	
	25-34	0	35-44	0	
	45-54	0	55-64	0	
	65+	0	Not Known	0	
Data Source					
Ross Kennedy, Information & Research Assistant					
Managed By					
Lesley Simpson					

Narrative and Analysis

Q4 2014/15
 This refers to new Community Payback Orders imposed during the period (including CPOs transferred in). No target can be set. 90% of CPOs have an Unpaid Work Requirement.

SCW74 Criminal Justice: Social Work Reports (including supplementary CJSW reports)



Status					
Data Period		Q4 2014/15			
Target		N/A			
Values					
Male	17 and under	12	18-24	80	
	25-34	81	35-44	59	
	45-54	28	55-64	10	
	65+	6	Not Known	0	
Female	17 and under	0	18-24	15	
	25-34	18	35-44	12	
	45-54	7	55-64	0	
	65+	0	Not Known	0	
Unknown	17 and under	0	18-24	0	
	25-34	0	35-44	0	
	45-54	0	55-64	0	
	65+	0	Not Known	0	
Data Source					
Ross Kennedy, Information & Research Assistant					
Managed By					
Lesley Simpson					

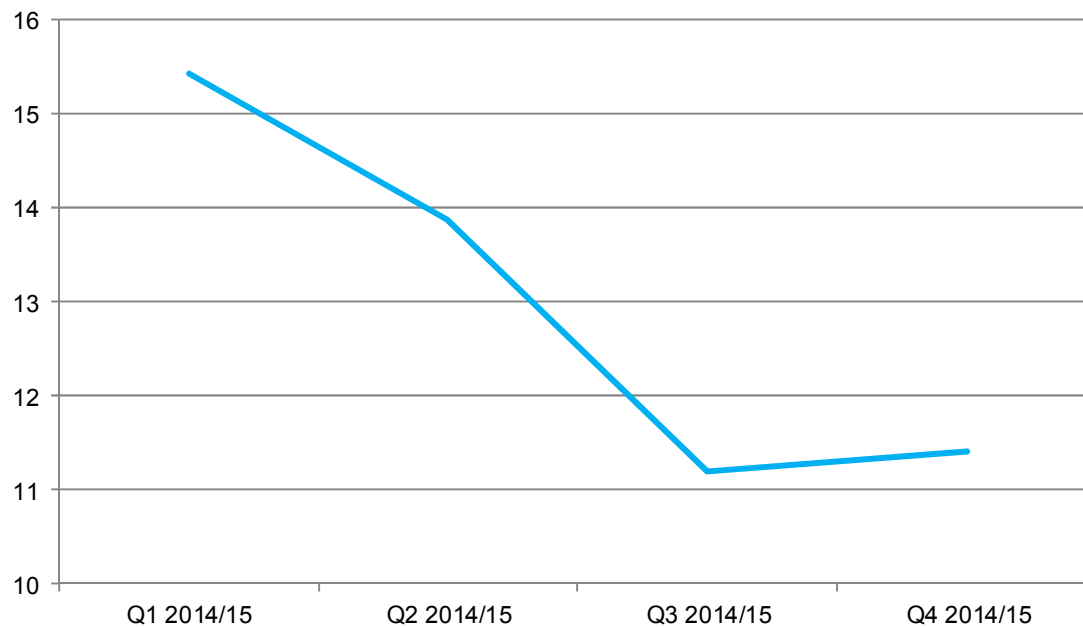
Narrative and Analysis

Q4 2014/15

This refers to Criminal Justice Social Work Reports to Court (including Supplementary Reports but excluding Progress Reports) but does not include reports to the Parole

Board etc.
 No target can be set for numbers but 99.5% of court reports are submitted on time i.e. by noon on the day prior to Court.

SCW1 Average number of days per employee lost through sickness absence - Social Care and Wellbeing



Status	●
Data Period	Q4 2014/15
Value	11.4
Target	11.3
Long Trend	↑
Short Trend	↑
Data Source	Carol Slessor
Managed By	Kate MacKay

Narrative and Analysis

Q4 2014/15

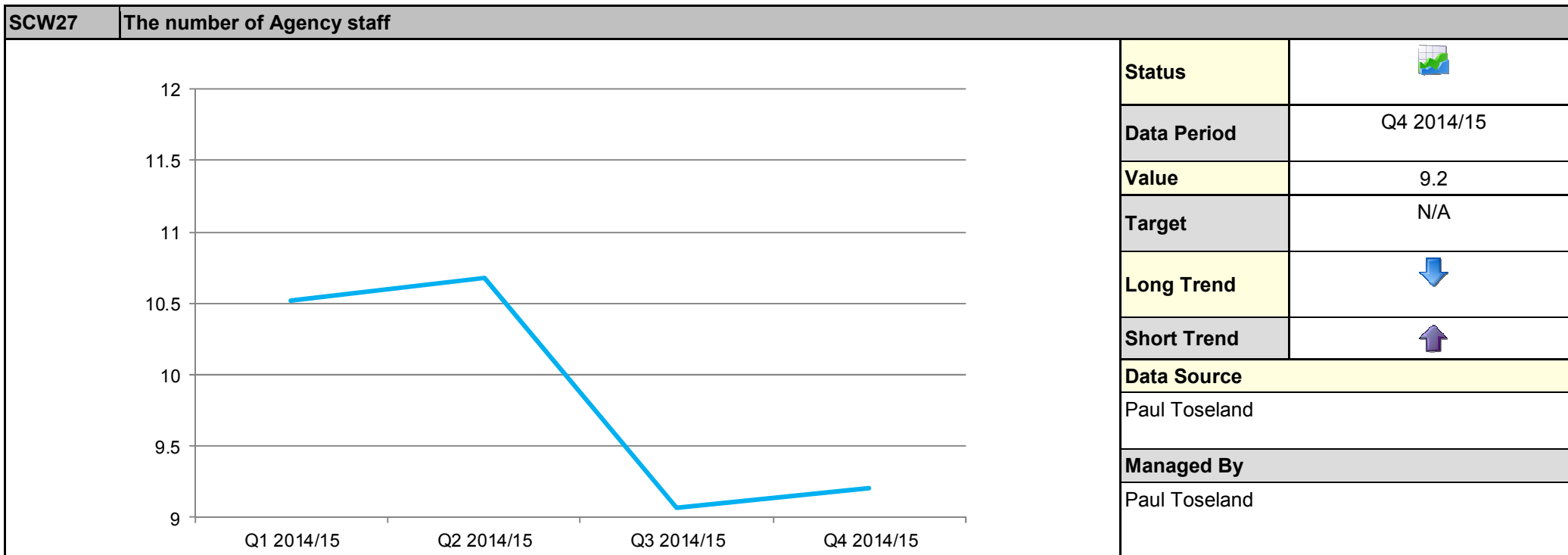
Average of monthly sickness absence figures for January to March 2015:

- January = 11.3
- February = 11.5
- March = 11.4

Sickness absence is calculated on an annual rolling basis. The number of days absent per employee is now calculated on a monthly calculation instead of a single annual calculation.

Overall number of days lost per employee has fallen during last few months.

Managers require to closely monitor and manage the situation to continue to improve the statistics and overall absence levels in the Council.

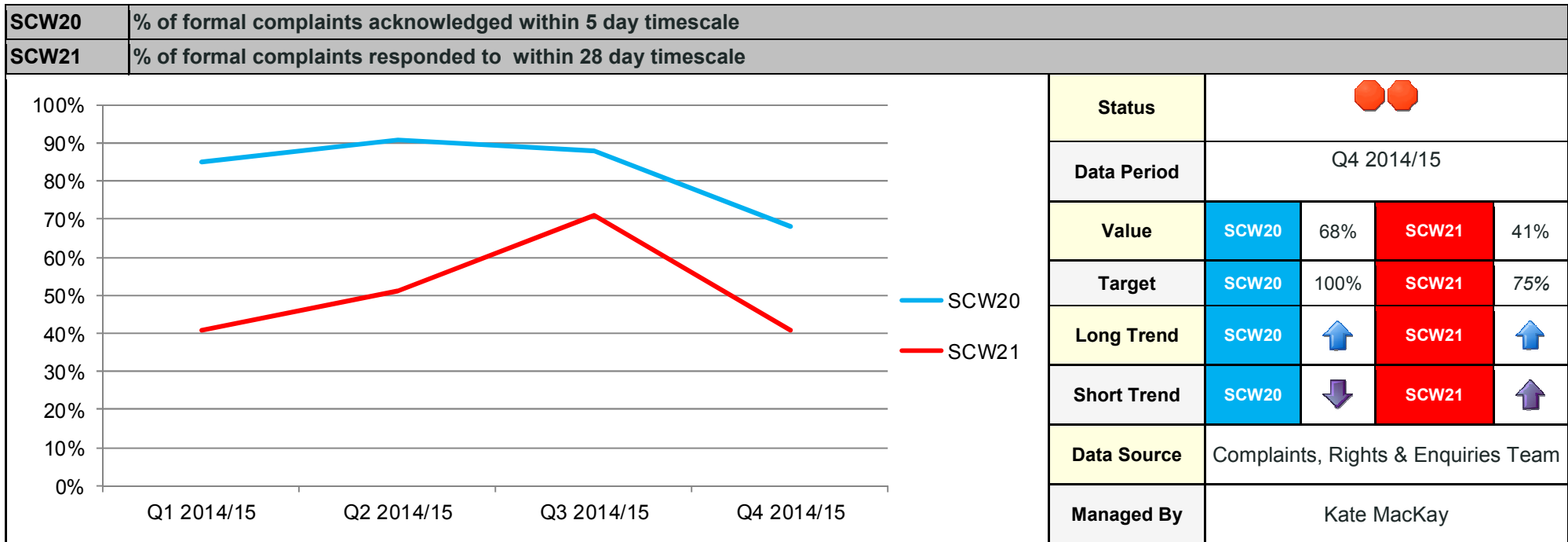


Narrative and Analysis

Q4 2014/15
 Analysis: Agency staff employed in January 2015 was 8.95fte (Care 1.59fte, Admin/ Clerical 1.10fte, Support Worker 4.26fte, Domestic 0.19fte, Professional 0.81fte and Social Worker 1fte).
 Agency staff employed in February 2015 was 8.46fte (Care 1.71fte, Admin/Clerical 2.70fte, Support Worker 2.55fte, Domestic 0.19fte, Professional 0.81fte and Social Worker 0.50fte).
 Agency staff employed in March 2015 was 10.21fte (Care 1.75fte, Admin/Clerical 3.50fte, Support Worker 3.36fte, and Social Worker 1.6fte)

This compares with: October 2014 9.14fte, November 2014 8.96fte, and December 2014 9.12fte.

All requests for the need to employ agency staff are required to be submitted to a Head of Service for consideration by the Social Care and Wellbeing Management Team.



Narrative and Analysis

Q4 2014/15

In period 4, there were 33 complaints received by the CRE team.

- Of the 33 complaints received, 30 were statutory complaints, 2 were corporate investigative complaints and 1 complainant also applied for a CRC during period 3 and one remains on hold.
- Of the 30 statutory complaints, 1 was a formal complaint moving to the appeal stage, 21 were formal, 5 were informal and 3 were passed onto the relevant organisation
- 28 of the 32 complaints required acknowledgement. As of 14/04/15, 19 (68%) of the acknowledgements have been completed within the statutory/corporate timeframe. 9 (28%) have not been completed within the statutory/corporate timeframe. Of the completed late acknowledgements, there have been delays ranging from 2-17 days. Staff absence was the cause for the most significant delays.
- As of 14/04/15, 13 (41%) have been completed within the statutory/corporate timeframe. 11 (34%) have not been completed within statutory/corporate timescales. 8 remain outstanding
- Of the completed late responses, there have been delays ranging from 1-28 days. Late responses from the investigating officer were the causes for the most significant delays.
- 6 holding letters have been sent out, with 4 newly agreed response dates being met.

SCW23	% of enquiries acknowledged within 5 day timescale				
SCW24	% of enquiries responded to within 15 day timescale				
<p>— SCW23 — SCW24</p>	Status	▲▲			
	Data Period	Q4 2014/15			
	Value	SCW23	90%	SCW24	65%
	Target	SCW23	100%	SCW24	75%
	Long Trend	SCW23	▲	SCW24	▲
	Short Trend	SCW23	▼	SCW24	▼
	Data Source	Complaints, Rights & Enquiries Team			
	Managed By	Kate MacKay			
Narrative and Analysis					
Q4 2014/15					
<p>In period 4, there were 49 enquiries received by the CRE team.</p> <ul style="list-style-type: none"> As of 14/04/15, of those that required an acknowledgment (39 of 49), 35 (90%) received this within the corporate timeframe. The 4 which were acknowledged late had delays between 1-3 days. As of 14/04/15, 32 (65%) have been completed within the corporate timeframe. 15 (31%) have not been completed within the corporate timeframe. Of the completed late responses, there have been delays ranging from 3-14 days. Staff absence was the cause for the most significant delays. As of 14/04/15, 1 is currently on-going, and 1 is on hold awaiting mandates. 					

SCW39	% of freedom of information requests responded to within timescales											
<table border="1"> <caption>Data for % of freedom of information requests responded to within timescales</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Q1 2014/15</td> <td>55%</td> </tr> <tr> <td>Q2 2014/15</td> <td>90%</td> </tr> <tr> <td>Q3 2014/15</td> <td>82%</td> </tr> <tr> <td>Q4 2014/15</td> <td>85%</td> </tr> </tbody> </table>	Quarter	Percentage	Q1 2014/15	55%	Q2 2014/15	90%	Q3 2014/15	82%	Q4 2014/15	85%	Status	⚠
	Quarter	Percentage										
	Q1 2014/15	55%										
	Q2 2014/15	90%										
	Q3 2014/15	82%										
	Q4 2014/15	85%										
	Data Period	Q4 2014/15										
	Value	85%										
Target	100%											
Long Trend	↑											
Short Trend	↓											
Data Source												
Complaints, Rights & Enquiries Team												
Managed By												
Kate MacKay												

Narrative and Analysis

Q4 2014/15

In period 4, there were 42 FOIs received by the CRE team.

- As of 14/04/15, 35 (85%) have been completed within the statutory timeframe. 6 (15%) were late, with delays ranging from 3-14 days. Late responses from the investigating officer and delays at the signing off stage were the causes for the most significant delays.
- As of 14/04/15, 1 FOI remains open and still within statutory timeframe

LINKS

Scottish Government Community Care Quarterly Survey

<http://www.scotland.gov.uk/Topics/Statistics/Browse/Health/Data/QuarterlySurvey/QRTDATAECWT>

Northern Community Justice Authority reports

<http://www.northerncja.org.uk/Annual-Reports-incl-MAPPA>

Adult Protection Committee Biennial Report

<http://www.scotland.gov.uk/Topics/Health/Support-Social-Care/Adult-Support-Protection/Committees/BiennialReport-2012>

PERFORMANCE REPORT LINKS TO STRATEGY MAP 2015

Adults

People at risk are protected	People are effectively supported within their families and communities	People fully participate in individual and service planning, review and delivery	Wellbeing is promoted in all care groups	Our resources are managed effectively	Our organisation is effective
SCW17a Number of referrals of adults (18-64) cases	SOA8/906x % of people 65+ with intensive care needs receiving care at home			SCW1 Average number of days per employee lost through sickness absence - Social Care and Wellbeing	SCW73 Criminal Justice: Community Payback Orders (including Transferred CPO's)
SCW17b Number of referrals of adults (65+) cases				SCW27 The number of Agency staff	SCW74 Criminal Justice: Social Work Reports (including supplementary CJSW reports)
SCW70 Number of new referrals within Adult Protection procedures					SCW20 % of formal complaints acknowledged within 5 day timescale
SCW71 Number of New Referrals Progressing to Initial Investigation Under Adult Protection Procedures					SCW21 % of formal complaints responded to within 28 day timescale
					SCW23 % of enquiries acknowledged within 5 day timescale
					SCW24 % of enquiries responded to within 15 day timescale
					SCW39 % of freedom of information requests responded to within timescales

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ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children Services Committee
DATE	02 June 2015
DIRECTOR	Gayle Gorman, Judith Proctor and Head of Finance
TITLE OF REPORT	2014/15 REVENUE BUDGET MONITORING (SCWB)
REPORT NUMBER:	ECS/SCW/017
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

1.1 The purpose of this report is to

- i) bring to Committee members attention the current year revenue budget performance for the services which relate to this Committee; and
- ii) Advise on any areas of risk and management action.

2. RECOMMENDATION(S)

2.1 It is recommended that the Committee:

- i) Note this report on the near actual figures on the revenue budget and the information on areas of risk and management action that is contained herein;
- ii) Instruct that officers continue to review budget performance and report on service strategies;

3. FINANCIAL IMPLICATIONS

- 3.1 The revised total Social Care and Wellbeing revenue budget amounts to around £124.8M net expenditure.
- 3.2 The budget has decreased by £100K since the last report, to reflect the transfer of the Contracts and Commissioning Team, from period 11 to Procurement.
- 3.3 Based upon near actual figures it is anticipated that the financial performance of the Directorate will result in a budget underspend of £460K.

4. OTHER IMPLICATIONS

- 4.1 Every organisation has to manage the risks inherent in the operation of large and complex budgets. These risks are minimised by the regular review of financial information by services and corporately by Members. This report is part of that framework and has been produced to provide an overview of the current operating position.

5. BACKGROUND/MAIN ISSUES

- 5.1 This report informs Members of the current year SC&W revenue budget performance to date, and provides a high level summary for the consideration of Members, of the near actual figures for the year.
- 5.2 The Directorate's revenue budget report and associated notes are attached at Appendices A to F.

Financial Position

5.3 In overall terms, as set out in Appendix A, the near actual position reflects spend below budget of £460K (0.4%).

5.3.1 The main areas of variance leading to this level of underspend are detailed below:-

- Overspend on commissioned services (including direct payments) £1.14M. This consists of four elements:-

in Adults Services there was an underspend on block funded services of £1.1M which was partially offset by an overspend on needs led service budgets (including direct payments) of £120K (and under-recovery client contributions £650K – see income). This gives a combined underspend of £0.98M;

the provision for cost pressures on Adult and Children's budgets that was held within the Directorates budget of £600K and the write off of a provision for VSA Carers created a favourable variance of £670K.

These were partially offset by:-

an overspend in Children's Services on out of authority placements £2.8M and direct payments £120K; which was partially offset by an underspend on other commissioned services £330K, giving an unfavourable variance of £2.59M;

and an additional payment to the LATC £200K. (This consists of Residential Relief not in budget £155K, technical adjustments £39K and additional costs relating to Archibald Simpson House £8K).

- Underspend on staffing costs £1.07M. This reflects underspends on Children's Services £1.04M and Integration & Strategic Commissioning £200K; partially offset by overspends on Business Manager £80K, Adult Services £50K and Director £40K.

- Underspend on other running costs £610K:-

The Director's budget has a net overspend of £360K. This results from a saving of £500K (PBB option SCW13) that was not achieved this year; partially offset by the write off of a provision for a potential ICO penalty notice £80K which has not been incurred and training underspend £70K.

In Adult Services budget has a net underspend of £50K. This results from additional telecare/responder services for the SDS

project not yet being implemented £400K; partially offset by overspends on Adult Services transport £200K and other running expenses £150K.

The Children's Services budget has a net underspend of £260K . This results from underspends on Children's Services Re-investment monies £160K, Other Children's supplies and services £150K, Children's Change Fund £140K and Throughcare and section payments £100K; partially offset by overspends on Children's Services Transport £290K.

The Integration & Strategic Commissioning budget has a net underspend of £250K. This results from underspends on disability aids & adaptations £130K and Older People's Change Fund £110K.

The Business Management budget has a net underspend of £400K. This results from underspends on property costs of £240K (including write off of provision for dilapidations £120K which is no longer required) and other running expenses £160K.

- Under-recovery of income £80K:-

This results from under-recovery of client income £680K, underspend on NESPC budgets £160K, rental income on properties £150K and other income £20K; partially offset by additional NHS income £560K, Housing Benefit £130K, Older People's Change Fund £110K, contributions from other local authorities £70K, inter-adoption fees £30K and Self Directed Support grant £30K.

5.3.2 A level of underspend of £460K is now reported as the near actual position. This is a favourable movement of £840K from the predicted overspend of £380K at period 10. The table below summarizes the main movements in the figures since those presented at period10:-

Analysis for Report of Variance in Forecast

Comparison with Period 10 Outturn	£'000
Reduction in spend on Adult need led services	(1,980)
Reduction in client contributions	1,070
Additional spend other commissioning	140
Write off of provision for additional ICO penalty notice	(80)
Write off VSA carers provision	(70)
Write off provision for dilapidations no longer required	(120)
Additional staff costs	140
Reduction in other grants and contributions	40
Additional spend Reclaiming Social Work	50
Reduction in spend on Childrens commissioned services	(70)
Reduction in spend on transfer payments	(50)
Additional Housing Benefit income	(80)
Additional SDS income	(30)
Increase in other costs	200
TOTAL VARIANCE	(840)

5.3.3 Key underlying assumptions and risk concerning the near actual figures are as follows:

- Accruals have been calculated based on the most appropriate available data. In some instances the accruals are based on actual invoices paid or received in the new financial year, whereas in other instances it has been necessary to identify an appropriate method to estimate the value of the invoices outstanding.
- It is assumed that Heads of Service, service managers and budget holders have advised Services Accounting of any costs or incomes that need to be accrued or prepaid in 2014/15. Accruals have been prepared on the basis of information thus received.
- It remains a risk that significant accruals or prepayments are identified which have a material effect on the figures reported or result in pressure on next year's budget.

6. IMPACT

- 6.1 As a recognised top priority the Council must take the necessary measures to balance its revenue budget. Therefore Committees and Directorates are required to work within a financial constraint. Every effort is being focused on delivering services more efficiently and effectively.

7. BACKGROUND PAPERS

Financial ledger data extracted for the period.

9. REPORT AUTHOR DETAILS

Jimmie Dickie
Finance Partner
jdickie@aberdeencity.gov.uk
01224 346392

Additional contributions to analysis of risks and management action by
Director & Heads of Service – Social Care & Wellbeing.

**ABERDEEN CITY COUNCIL
REVENUE MONITORING 2014/2015**

APPENDIX A

DIRECTORATE : SOCIAL CARE AND WELLBEING

As at end of March 2015				
Accounting Period 12	Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent
	£'000	£'000	£'000	%
Director	997	753	(244)	(24.5%)
Head of Adult Services	63,298	62,345	(953)	(1.5%)
Head of Children's Services	34,345	35,766	1,421	4.1%
Head of Integration & Strategic Commissioning	24,314	23,955	(359)	(1.5%)
Business Support Manager	1,796	1,474	(322)	(17.9%)
TOTAL	124,750	124,293	(457)	(0.4%)

ABERDEEN CITY COUNCIL REVENUE MONITORING 2014/2015					APPENDIX B	
DIRECTORATE :			SOCIAL CARE AND WELLBEING			
HEAD OF SERVICE :			DIRECTOR			
As at end of March 2015						
Accounting Period 12	Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent	CHANGE FROM LAST REPORT	
	£'000	£'000	£'000	%	£'000	
STAFF COSTS	244	289	45	18.4%	0	
ADMINISTRATION COSTS	91	19	(72)	(79.1%)	1	
TRANSPORT COSTS	1	5	4	400.0%	3	
SUPPLIES & SERVICES	(500)	(74)	426	(85.2%)	(78)	
COMMISSIONING SERVICES	791	114	(677)	(85.6%)	(80)	
CAPITAL FINANCING COSTS	400	400	0	0.0%	0	
GROSS EXPENDITURE	1,027	753	(274)	(26.7%)	(154)	
LESS: INCOME						
OTHER INCOME	(30)	0	30	(100.0%)	0	
TOTAL INCOME	(30)	0	30	(100.0%)	0	
NET EXPENDITURE	997	753	(244)	(24.5%)	(154)	
VIREMENT PROPOSALS						
None this cycle						
REVENUE MONITORING VARIANCE NOTES					VARIANCE £'000	CHANGE £'000
Staff Costs					45	0
The adverse variance reflects anticipated spend on the Joint Chief Officer post £30k and shortfall on vacancy savings due to staff turnover being lower than budgeted.						
Administration Costs					(72)	1
The favourable variance reflects underspend on courses.						
Transport Costs					4	3
Supplies and Services					426	(78)
The adverse variance reflects the non-achievement of PBB saving (SCW13) £500k, partially offset by write off of the provision for an ICO penalty notice £80k. The favourable movement since P10 is due to the write off of the ICO penalty notice provision.						
Commissioning Services					(677)	(80)
The favourable variance reflects the provision for cost pressures which will be incurred within Adults & Childrens Services budgets £600k and write off VSA Carers provision £70k. The favourable movement since P10 reflects the write off of VSA Carers provision £70k.						
Capital Financing Costs					0	0
Income					30	0
PBB saving not achieved.						
					(244)	(154)

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DIRECTORATE :		SOCIAL CARE AND WELLBEING				
HEAD OF SERVICE :		HEAD OF ADULT SERVICES				
As at end of March 2015						
Accounting Period 12		Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent	CHANGE FROM LAST REPORT
		£'000	£'000	£'000	%	£'000
STAFF COSTS		15,110	15,163	53	0.4%	73
PROPERTY COSTS		512	557	45	8.8%	(24)
ADMINISTRATION COSTS		156	181	25	16.0%	0
TRANSPORT COSTS		266	465	199	74.8%	15
SUPPLIES & SERVICES		721	395	(326)	(45.2%)	54
COMMISSIONING SERVICES		77,887	75,322	(2,565)	(3.3%)	(1,839)
TRANSFER PAYMENTS		1,804	3,369	1,565	(1,804)	35
CAPITAL FINANCING COSTS		85	95	10	(85)	10
GROSS EXPENDITURE		96,541	95,547	(994)	(1.0%)	(1,676)
LESS: INCOME						
GOVERNMENT GRANTS		(4,658)	(4,644)	14	(0.3%)	0
OTHER GRANTS & CONTRIBUTIONS		(17,208)	(17,841)	(633)	3.7%	(74)
CUSTOMER & CLIENT RECEIPTS		(10,550)	(9,736)	814	(7.7%)	1,084
RECHARGES TO OTHER ACCOUNTS		(721)	(861)	(140)	19.4%	(65)
OTHER INCOME		(106)	(120)	(14)	13.2%	1
TOTAL INCOME		(33,243)	(33,202)	41	(0.1%)	946
NET EXPENDITURE		63,298	62,345	(953)	(1.5%)	(730)
VIREMENT PROPOSALS						
None this cycle						

	VARIANCE	CHANGE
	£'000	£'000
Staff Costs	53	73
The adverse variance reflects overspends in Learning Disability £160k, Head of Service £80k and Mental Health £20k, partially offset by underspends in Criminal Justice £130k and Care Management £80k. The adverse movement since P10 reflects additional expenditure in Learning Disability £50k and Care Management £40k; partially offset by decreased spend in Criminal Justice £20k.		
Property Costs	45	(24)
The adverse variance arises from overspends on property costs £50k and other property rents £10k, partially offset by underspend on utilities £20k. The favourable movement since P10 reflects write off of Park Rd dilapidations provision which is no longer required £20k.		
Administration Costs	25	0
The adverse variance reflects an overspend on legal fees £60k and printing & stationery £20k, partially offset by underspends on courses £30k and telephones £20k.		
Transport Costs	199	15
The adverse variance is due to overspends on hire of taxis for clients £200k and car parking £70k, partially offset by underspends on fleet charges £50k and staff travel £20k. The adverse movement since P10 reflects additional spend on hire of taxis £10k.		
Supplies and Services		
The favourable variance is due to anticipated underspend on telecare/responder service for the Self Directed Support (SDS) project £400k and other expenses £30k, partially offset by overspends on elderly and disabled events programme £70k and equipment £30k. The adverse movement since P10 reflects spend on equipment £30k, Healthy Minds £10k and other supplies £10k.	(326)	54
Commissioning Services	(2,565)	(1,839)
The favourable variance reflects underspend on needs led service budgets, excluding direct payments, of £1.46m and underspends on block funded services for mental health £820k, learning disabilities £260k, addictions £40k and criminal justice £20k; partially offset by overspends on other adult services £40k. The favourable movement since P10 reflects additional underspend of £1.98m on needs led budgets; partially offset by increased spend on other commissioned services £140k. (This is further partially offset by under-recovery of client contribution £1,070k).		
Transfer payments	1,565	35
The adverse variance is due to anticipated overspend on needs led Direct Payments budgets £1.58m, partially offset by underspend on section 12 payments £20k. The adverse movement since P10 is due to additional spend on direct payments £30k.		
Capital Financing Costs	10	10
The adverse movement since P10 is due to additional capital expenditure on the Women's Centre.		
Income		
The adverse variance reflects a shortfall in client contributions £650k and in rent income £150k; partially offset by additional income from NHS funding £530k, Housing Benefit £130k, contribution from other local authorities £70k and SDS income £30k. The adverse movement since P10 reflects under-recovery (linked to reduced expenditure on needs led care packages) of client contributions £1,070k and reduced elderly & disabled events income £20k; partially offset by additional housing benefit £80k, SDS income £30k, contributions from other authorities £20k and NHS income £20k.	41	946
	(953)	(730)

ABERDEEN CITY COUNCIL				APPENDIX D	
REVENUE MONITORING 2014/2015					
DIRECTORATE :		SOCIAL CARE AND WELLBEING			
HEAD OF SERVICE :		HEAD OF CHILDREN'S SERVICES			
As at end of March 2015					
Accounting Period 12	Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent	CHANGE FROM LAST REPORT
	£'000	£'000	£'000	%	£'000
STAFF COSTS	16,357	15,318	(1,039)	(6.4%)	31
PROPERTY COSTS	564	548	(16)	(2.8%)	12
ADMINISTRATION COSTS	243	325	82	33.7%	59
TRANSPORT COSTS	418	712	294	70.3%	26
SUPPLIES & SERVICES	980	465	(515)	(52.6%)	15
COMMISSIONING SERVICES	15,572	18,038	2,466	15.8%	(68)
TRANSFER PAYMENTS	521	537	16	3.1%	(78)
GROSS EXPENDITURE	34,655	35,943	1,288	3.7%	(3)
LESS: INCOME					
OTHER GRANTS & CONTRIBUTIONS	(293)	(133)	160	(54.6%)	34
CUSTOMER & CLIENT RECEIPTS	(14)	(14)	0	0.0%	(14)
OTHER	(3)	(30)	(27)	900.0%	(13)
TOTAL INCOME	(310)	(177)	133	(42.9%)	7
NET EXPENDITURE	34,345	35,766	1,421	4.1%	4

REVENUE MONITORING VARIANCE NOTES	VARIANCE £'000	CHANGE £'000
Staff Costs The favourable variance reflects underspends in Family & Community Support £500k, Young Peoples Care & Accommodation £330k, Children in Need North £150k, NESCP C £110k and Planning & Development £100k; partially offset by overspends in Reception & Protection £50k, Head of Service £50k, Children in Need South £40k and Alternative Family Care £10k. The adverse movement since period 10 reflects anticipated vacancy savings not made £30k.	(1,039)	31
Property Costs The favourable variance reflects an underspend in "other property" costs £70k, partially offset by overspends on rents £10k, repairs and maintenance £10k, energy costs £20k and fixtures £10k. The adverse movement since period 10 is due to additional energy costs £10k.	(16)	12
Administration Costs The adverse variance is due to overspends on legal expenses £40k, courses £30k, telephones £20k, printing & stationery £10k, disclosures £10k and other admin costs £20k; partially offset by underspend on the NESCP C budget £50k. The adverse movement since P10 reflects an increased spend in reclaiming social work courses £50k and other admin expenses £10k.	82	59
Transport Costs The adverse variance is due to an overspend on staff travel £160k, childrens transport £60k, parking permits £50k, internal fleet charges £10k and other transport costs £10k. The adverse movement since P10 reflects an increase in staff travel £20k and childrens transport £10k.	294	26
Supplies and Services The favourable variance is due to underspends on change fund and re-investment monies £340k, equipment, furniture & materials £70k, catering £50k, childrens expenses £20k, services £20k and others £20k. The adverse movement since P10 is due to increased spend on change fund and re-investment monies.	(515)	15
Commissioning Services The adverse variance is due to overspends on out of authority placements £3.1m and youth justice £90k, partially offset by anticipated underspends on adoption and fostering £300k, children with disabilities £120k, kinship care £110k and other commissioned services £190k. The favourable movement since P10 reflects a reduction in other commissioned services £60k and Changing Children's Services £50k, partially offset by additional expenditure of £40k on out of authority placements.	2,466	(68)
Transfer Payments The adverse variance is due to overspend on Direct Payments £120k and section 17 payments £10k; partially offset by an underspend on section 22 payments £70k and throughcare payments £40k. The favourable movement since P10 reflects direct payment refunds £100k, partially offset by increased spend on section 17 payments £20k.	16	(78)
Income The adverse variance is due to an underspend on NESCP C budgets, and therefore offset in figures above, £160k; partially offset by additional inter-adoption fees £30k.	133	7
	1,421	4

**ABERDEEN CITY COUNCIL
REVENUE MONITORING 2014/2015**

APPENDIX E

**DIRECTORATE :
HEAD OF SERVICE :**

**SOCIAL CARE AND WELLBEING
HEAD OF INTEGRATION & STRATEGIC COMMISSIONING**

As at end of March 2015

Accounting Period 12	Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent	CHANGE FROM LAST REPORT
	£'000	£'000	£'000	%	£'000
STAFF COSTS	793	589	(204)	(25.7%)	37
PROPERTY COSTS	4	20	16	400.0%	18
ADMINISTRATION COSTS	39	14	(25)	(64.1%)	6
TRANSPORT COSTS	13	10	(3)	(23.1%)	(1)
SUPPLIES & SERVICES	893	649	(244)	(27.3%)	178
COMMISSIONING SERVICES	25,825	26,026	201	0.8%	(1)
TRANSFER PAYMENTS	0	14	14	0.0%	14
GROSS EXPENDITURE	27,567	27,322	(245)	(0.9%)	251
LESS: INCOME					
OTHER GRANTS & CONTRIBUTIONS	(1,041)	(1,169)	(128)	12.3%	(174)
CUSTOMER & CLIENT RECEIPTS	(1,170)	(1,259)	(89)	7.6%	12
RECHARGES TO OTHER ACCOUNTS	(28)	0	28	(100.0%)	29
OTHER INCOME	(1,014)	(939)	75	(7.4%)	23
TOTAL INCOME	(3,253)	(3,367)	(114)	3.5%	(110)
NET EXPENDITURE	24,314	23,955	(359)	(1.5%)	141

				VARIANCE	CHANGE
REVENUE MONITORING VARIANCE NOTES				£'000	£'000
Staff Costs				(204)	37
The favourable variance is due to the vacant Head of Service post £130k and additional vacancies in contracts and commissioning team £80k. The adverse movement since P10 is due to budget adjustments to reflect the transfer of contracts & commissioning to Corporate Governance from P10 & therefore vacancy savings foregone.					
Property Costs				16	18
The adverse variance, and movement since P11, is due to solar panel installations at residential homes £10k and additional energy costs £10k.					
Administration Costs				(25)	6
The favourable variance is due to an underspend on courses £20k.					
Transport Costs				(3)	(1)
Supplies and Services				(244)	178
The favourable variance is due to an underspend on disability aids & adaptations £130k and Older People's Change Fund £110k. The adverse movement since P10 reflects increased expenditure on Older Peoples Change Fund £170k (offset by additional grant income).					
Commissioning Services				201	(1)
The adverse variance reflects additional contract payments to the LATC £200k.					
Transfer Payments				14	14
The adverse variance is due to expenditure on personal allowances.					
Income				(114)	(110)
The favourable variance reflects additional income from Older Peoples Change Fund £100k, NHS funding £30k and meal charges £10k; partially offset by under-recovery client contributions £30k. The favourable movement since P10 reflects increased Older People Change Fund income £170k; partially offset by reduced income on recoveries £50k and meal charge income £10k.					
				(359)	141

ABERDEEN CITY COUNCIL				APPENDIX F	
REVENUE MONITORING 2014/2015					
DIRECTORATE :			SOCIAL CARE AND WELLBEING		
HEAD OF SERVICE :			BUSINESS MANAGER		
As at end of March 2015					
Accounting Period 12	Full Year Revised Budget	Actual Expenditure	Variance Amount	Variance Percent	CHANGE FROM LAST REPORT
	£'000	£'000	£'000	%	£'000
STAFF COSTS	927	1,002	75	8.1%	(3)
PROPERTY COSTS	417	175	(242)	(58.0%)	(98)
ADMINISTRATION COSTS	135	70	(65)	(48.1%)	1
TRANSPORT COSTS	11	6	(5)	(45.5%)	1
SUPPLIES & SERVICES	346	256	(90)	(26.0%)	0
COMMISSIONING SERVICES	22	28	6	27.3%	0
GROSS EXPENDITURE	1,858	1,537	(321)	(17.3%)	(99)
LESS: INCOME					
OTHER GRANTS & CONTRIBUTIONS	(62)	(62)	0	0.0%	0
CUSTOMER & CLIENT RECEIPTS	0	(1)	(1)	0.0%	0
TOTAL INCOME	(62)	(63)	(1)	1.6%	0
NET EXPENDITURE	1,796	1,474	(322)	(17.9%)	(99)
VIREMENT PROPOSALS					
None this cycle					
REVENUE MONITORING VARIANCE NOTES				VARIANCE	CHANGE
				£'000	£'000
Staff Costs					
The adverse variance is due to overspends on agency staffing of £60k, of which £30k relates to the backdated pay award 2013-14, and shortfall on vacancy savings £20k.				75	(3)
Property Costs					
The favourable variance is due to underspends on property repairs £150k, energy costs £70k, other property costs £10k and water at work £10k. The favourable movement since P10 reflects the write off of Exchequer House dilapidations provision no longer required £120k, partially offset by increased spend on rents £20k.				(242)	(98)
Administration Costs					
The favourable variance is due to underspends on telephones £30k, postages £10k, advertising £10k and courses £10k.				(65)	1
Transport Costs					
				(5)	1
Supplies and Services					
The favourable variance is due to anticipated underspends on miscellaneous expenses £120k, service charges £30k and furniture purchases £10k; partially offset by overspends on hardware maintenance costs £70k.				(90)	0
Commissioning Services					
				6	0
Income					
				(1)	0
				(322)	(99)

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services Committee
DATE	2 June 2015
DIRECTOR	Judith Proctor, Chief Officer
TITLE OF REPORT	Rosehill replacement facility - procurement of the construction works
REPORT NUMBER	ECS/SCW/010
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The report provides an update on progress to replace the Rosehill Day Centre for adults with learning disabilities with a new purpose built centre on the Burnside site, off Mastrick Drive, including confirmation that design work has been completed to RIBA Stage D [Design Development] and that an application for planning permission has been submitted. The next step is to publish the Pre-Qualification Questionnaire, in order to select a shortlist of principal contractors, who will be invited to tender for the project and this report seeks approval of the total estimated cost, which requires committee approval, prior to commencing the tender process.

2. RECOMMENDATION(S)

- 1) The Committee notes the progress to date with the development of the Rosehill Replacement project;
- 2) The Committee approves the total estimated expenditure of £4,341,250 and instructs the Design Team working with officers to publish the Pre-Qualification Questionnaire and Invitation to Tender on the Public Contracts Scotland website and elsewhere, as appropriate

3. FINANCIAL IMPLICATIONS

The total estimated development cost of the project is £4,341,250. The main procurement will be for the construction contract, which will include enabling works, new build, building and fit outs. The estimated cost of these works is approximately £3,775,000. The other costs that take the total estimated development cost to £4,341,250 include contingencies, inflation, design team fees and surveys. Approval is being sought for the total estimated cost of delivering the development project. The project forms part of the council Non-Housing Capital Programme 2015/16 that was approved on 5 February 2015.

4. OTHER IMPLICATIONS

Investment in a replacement for the Rosehill Day Centre is critical to ensure Aberdeen City Council can continue to provide a centre for those adults with severe learning and physical disabilities capable of promoting social inclusion since the Rosehill centre is no longer fit for purpose.

The purpose of the building is to:

- Create a city wide, high quality specialist Day Centre for around 80 people with severe physical disabilities and learning disabilities.
- Create a 'one stop' learning disability service.
- Create office space for 40 professional staff from the local client body and NHSG. (18 ACC staff and 22 NHSG staff)
- Create opportunities for closer partnership working with third sector partners.
- Create integration opportunities with the facility being available for use in the evenings and weekends for service users and the wider non-disabled community.

5. BACKGROUND/MAIN ISSUES

- 5.1 In 2010, two of the three remaining day centres in Aberdeen for people with learning disability closed, leaving Rosehill Day Centre. This was in line with Policy to create more ordinary life opportunities rather than building based services for this client group. It was recognised, however, that for those with profound disabilities ordinary life opportunities would be limited and this, in part, was the reason for Rosehill remaining open.

5.2 The existing Rosehill Day Centre no longer meets the requirements of the service users for the following reasons:

- There is a lack of a specialist facility for those with severe physical and learning disabilities.
- Access within the building is restricted as the building is on three floors and numerous level changes externally limit access to the grounds.
- Changing and toilet facilities require upgrading.
- The site is landlocked with limited room for development of the existing facility
- The office accommodation for the Community Learning Disabilities Teams is remote from this client group, with two teams currently occupying rented accommodation.

5.3 The Burnside site was selected after consideration of various options including upgrading the existing facility, or a purpose built facility on a new site.

The feasibility study concluded the preferred site for development was the Burnside Centre site on Mastrick Drive.

5.4 The construction phase for the development is projected for completion in December 2016 with a view to commence the service later in the month. To maintain this programme, the EU procurement process is required to commence in June 2015 with the publication of the Pre-Qualification Questionnaire. The Invitation to Tender documents will be issued in September 2015 with a deadline for tender returns in October 2015. This allows a period of over two months to award the tender and mobilise the construction team.

6. IMPACT

6.1 Corporate - The report relates to the Council's 5 year Corporate Business Plan, 'Aberdeen - the Smarter City', where "we will embrace the distinctive pride the people of Aberdeen take in their city and work with them to enhance the sense of well-being here, building strong communities which look out for, and look after one another."

Specifically in terms of Smarter Living (Quality of Life):

- We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities, which promote independence, resilience, confidence and self-esteem.
- Challenge inequality and positively promote wellbeing building on cultural and physical activity.

- 6.2 This report is consistent with the Social Care and Wellbeing/Health and Social Care Partnership priorities as the proposal will:
- provide support to the most vulnerable members of our community on a fair basis;
 - identify and respond to the social care needs of people living in Aberdeen, supporting them where they need assistance in their daily lives.
 - in partnership with others, respond with cost-effective, quality services that support and promote the wellbeing and safety of people who are in greatest need.

The project forms part of the council Non-Housing Capital Programme 2015/16 that was approved on 5 February 2015.

Public – this report is likely to be of interest to the public, given the nature and location of the development.

An Equality and Human Rights Impact Assessment (EHRIA) has been prepared; a Privacy Impact Assessment is not required.

7. MANAGEMENT OF RISK

Risk relates primarily to the timeline to procure a contractor, their completing the development to time and to budget and it being completed to minimise the delays in commencing the construction phase of the day centre development. These could be the result of force majeure (unknowns not expected by the Service, design team or construction team) such as weather, ground conditions, abandoned live services, vandalism or theft.

8. BACKGROUND PAPERS

Non-Housing Capital Programme 2015/16 and indicative 5 Year Budgets and Strategic Infrastructure Plan, Council, 5th February 2015;

9. REPORT AUTHOR DETAILS

Roddy MacTaggart
Programme Manager Capital Development
Adult Services
Health and Social Care Partnership

Email RMacTaggart@aberdeencity.gov.uk
Direct Dial 01224 523125

Equality and Human Right Impact Assessment: The Form



Aberdeen City Council

EHR/IA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1:Equality and Human Rights Impact Assessment- Essential Information											
Name of Proposal: Rosehill replacement facility - procurement of the construction works	Date of Assessment: 21 April 2015										
Service: Adult services	Directorate: Health and Social Care Partnership										
Committee Name or delegated power reference (Where appropriate): Education and Children's Services	Date of Committee (Where appropriate): 2 June 2015										
Who does this proposal affect? Please Tick ▼	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Employees</td> <td style="width: 20%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Job Applicants</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Other (List below)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	<input checked="" type="checkbox"/>	Members of the Public	<input checked="" type="checkbox"/>	Other (List below)	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>										
Job Applicants	<input type="checkbox"/>										
Service Users	<input checked="" type="checkbox"/>										
Members of the Public	<input checked="" type="checkbox"/>										
Other (List below)	<input type="checkbox"/>										

2: Equality and Human Rights Impact Assessment- Pre-screening	
Is an impact assessment required?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	

3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>Create a city wide, high quality specialist day centre for around 80 people with profound physical disabilities and learning disabilities.</p> <p>Create a 'one stop' learning disability service.</p> <p>Create office space for 40 professional staff from the local client body and NHSG. (18 ACC staff and 22 NHSG staff)</p> <p>Create opportunities for closer partnership working with third sector partners.</p> <p>Create integration opportunities with the facility being available for use in the evenings and weekends for service users and the wider non-disabled community.</p>
<p>b- What equality data is available in relation to this proposal? (Please see guidance notes)</p>	<p>Current service users, staff and parents were all involved in the preparation of the building design and layout.</p>

<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	
<p>d- Financial Assessment If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text" value="£4.3M"/></p> <p>Projected Savings <input type="text" value="£"/></p>

e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?

The proposal relates to the Council's 5 year Corporate Business Plan, 'Aberdeen - the Smarter City', where:

"we will embrace the distinctive pride the people of Aberdeen take in their city and work with them to enhance the sense of well-being here, building strong communities which look out for, and look after one another."

Specifically in terms of Smarter Living (Quality of Life):

- We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities, which promote independence, resilience, confidence and self-esteem.
- Challenge inequality and positively promote wellbeing building on cultural and physical activity.

This proposal is consistent with the Social Care and Wellbeing/Health and Social Care Partnership priorities as the proposal will:

- provide support to the most vulnerable members of our community on a fair basis;
- identify and respond to the social care needs of people living in Aberdeen, supporting them where they need assistance in their daily lives.
- in partnership with others, respond with cost-effective, quality services that support and promote the wellbeing and safety of people who are in greatest need.

In this way the proposal helps the council meet its public sector equality duty to advance equality of opportunity.

f- How does this proposal link to the Council's Equality Outcomes?

The proposal links to the following Equality Outcomes:

- Improved opportunities for people with protected characteristics to participate in public life
- Improved customer service provision which advances equality and addresses people's different needs
- Fair and diverse social care service
- Human rights based culture within our organisation

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)	✓			
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		See para 3e
Gender Reassignment	✓			
Marital Status (Marriage and Civil Partnerships)	✓			
Pregnancy and Maternity	✓			

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason'* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)	✓			
Religion or Belief or Non-belief	✓			
Sex (Women and men)	✓			
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	✓			
Other (e.g: Poverty)	✓			

5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p><input type="checkbox"/> Red <input type="checkbox"/> Red Amber <input type="checkbox"/> Amber <input checked="" type="checkbox"/> Green</p>
<p>Reason for that rating:</p>	<p>As per para 3e</p>

7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
None	N/A			

8: Sign off

Completed by (Names and Services) :	Roddy MacTaggart
Signed off by (Head of Service) :	Martin Kasprowicz

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk

9: Completion Terminology:

<p>Assessment Pre-screening Rating:</p>	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<p>Assessment Rating:</p>	<p>After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed. Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken. Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document. Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

Equality Data:	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p>
Genuine Determining Reason	<ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
Human Rights	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
Legal Status:	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2 June 2015
DIRECTOR	Judith Proctor, Chief Officer
TITLE OF REPORT	Review of Social Work Non Residential Charging Policy
REPORT NUMBER:	ECS/SCW/016
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

The purpose of the report is to seek final agreement from members of the Committee, with regard to the proposed changes to the Social Care Non Residential Charging Policy. The revision of the Non Residential Charging Policy is required to ensure its applicability to the national and corporate priorities for Self Directed Support (SDS).

2. RECOMMENDATION(S)

It is recommended that members of the Committee agree:

- i. That the current charging methodology of levying set charges for specific services should be discarded;
- ii. That the Council should have one Social Work Non Residential Charging Policy which will apply regardless of how the individual chooses to receive their care under Self Directed Support. This policy is attached in Appendix A;
- iii. That the revised policy is called "Contributing to Your Care and Support";
- iv. That the revised policy is based on an individual being expected to make a contribution towards the total cost to the Council of all chargeable care provided, subject to a financial assessment;
- v. That the percentage contribution of the total cost of all chargeable care and support provided is set at 70% for the financial years 2015/16 and 2016/17;
- vi. That partner's income will not be taken into account for the purposes of determining the contribution an individual will pay towards their care and support;
- vii. To increase the period for which an individual aged over 65 is entitled to free social care services following discharge from

- hospital, from 28 days to 42 days in accordance with national guidance;
- viii. That a transition period be established, where the Council will calculate the difference between an individual's current charge and the contribution calculated under the new policy. In the 2015/16 financial year this would be 33% of the difference, rising to 66% in 2016/17 and in 2017/18 the full charge would be payable;
 - ix. That the new policy will be implemented as part of the programme of roll-out of self-directed support, managed by the SDS Project Manager and overseen by the SDS Programme Board;
 - x. That a programme of Financial Assessments for current service users be carried out as part of their assessment of needs and the development of their individual budget under SDS;
 - xi. That charges for Housing Support services in Sheltered and Very Sheltered Housing remain separate to this policy.

3. FINANCIAL IMPLICATIONS

The Contributing to Your Care and Support policy is designed to be implemented with a zero impact on the anticipated level of income generated to the Council, through charging for social care services.

Income from charging for Social Care and Wellbeing services is budgeted to be £2.1m in the current financial year. Retaining the 67% taper on income and setting the expected contribution at 70% would generate an income in the region of £2.2m.

In future years, the amount of income generated by the service could be increased or decreased, by varying either the taper on income or the expected contribution, or both.

The financial modelling has been based on the current financial information available from completed financial assessments of individual service users and the cost of their current package of care and support.

There are a number of caveats to the financial modelling:

- A number of clients have chosen not to have a financial assessment and currently pay the full charge. If they are expected to make a larger contribution, they may choose to have a financial assessment and may end up paying less than currently;
- Income may increase as people are brought into the new regime, who have not previously had to make a contribution;
- Income during the transitional phase may decrease, as service users are only expected to pay a percentage of the difference between the old charge and the new contribution.

Until all of the financial assessments are completed and individual budgets allocated to all affected service users, we are unable to definitively state what the financial impact of the revised Policy will be. This will become apparent during the 2015/16 financial year and will be reported to the relevant Committee.

There will be an impact on staff in the Council's Finance Team, who will need to process an increased volume of financial assessments and reassessments, as part of the introduction of Self Directed Support. Discussions have taken place between the relevant services and monies will be vired to the finance team to support a fixed term post to process financial assessments. The workload of this post will be monitored to establish whether a permanent post is required. This temporary post will be funded from within existing resources.

4. OTHER IMPLICATIONS

Assistance from a solicitor in Legal Services has been provided, to ensure the legality of the proposals.

An EHRIA accompanies this report. This EHRIA is based on the outcome of two engagement sessions held with groups representing service users, voluntary organisations and providers of social care services.

In order to implement the Contributing to your Care and Support Policy, a new financial assessment or reassessment will be required for all social work clients who come within the scope of the new policy. These financial reviews will be undertaken in conjunction with the introduction of SDS.

The introduction of the Contributing to your Care and Support Policy will be fully embedded into the continued roll out of SDS and will be led by the SDS Team, managed by the SDS Project Manager and overseen by the SDS Programme Board. A training and communication programme for SDS will be delivered which will include financial assessments and contributions to care and support.

5. BACKGROUND/MAIN ISSUES

5.1 Background

As part of the Priority Based Budgeting proposals for the 2012/13 financial year, a proposal was put forward to increase income via a review of the Social Care Non Residential Charging Policy, including an increase in charges and a reconsideration of which services were chargeable. Whilst the financial savings proposed through this PBB option were not included in the final budget, work has continued to review the existing charging policy. A revised option (SCW31) was

taken forward as part of the Priority Based Budgeting Proposals for 2013/14, although no figure was attached to the option.

The meeting of the Social Care and Wellbeing Committee in November 2012, agreed in principle that the current charging methodology of levying set charges for specific services should be discarded, in favour of a charging policy based on a percentage contribution to the total cost of all chargeable care provided. The meeting also agreed in principle that the Council should have one charging policy, which would apply regardless of whether an individual had their services commissioned for them by the Council, or they were in receipt of a personalised budget/self-directed service.

The Committee on 13th September 2013, agreed in principle that the revised charging policy be based on an expected contribution towards the total cost to the Council of all chargeable care provided, with the percentage contribution set at 70%.

A report was presented to the Social Care and Wellbeing Committee on 25th March 2014, which delayed implementation until October 2014 and requested that a final report be brought to the Committee in August of that year. On 28th August, the matter was dealt with via the Committee Business Statement, referring the matter to be considered as part of the budget setting process. Following a re-evaluation of the implications of report, the matter was not considered within the budget papers. The policy is now presented to this Committee to ensure that the principles of equity and fairness in charging for services, are applied to the roll out of SDS.

This report seeks to establish final agreement to the introduction of the Contributing to Your Care and Support Policy, linked to the roll-out of SDS and setting the expected contribution at 70%.

The non-residential charging policy does not incorporate charges for Residential Services as they are made in accordance with regulations made under the National Assistance Act 1948. The non-residential charging policy does not incorporate charges for sheltered or very sheltered housing.

5.2 The Current Policy

The current charging policy was updated in April 2011, with an uplift of 5% across all charges (except for housing support in sheltered/very sheltered housing, previously known as warden services).

The current policy levies a flat rate charge for those services defined as being within the scope of the policy. The flat rate charge bears no relation to the actual cost of the service to the Council. Under the current policy, assessment for service is founded on the principle that the level of service received is based on need and not on ability to pay.

Charges for services are applied following a financial assessment, which determines how much an individual may be required to pay towards their services. A charge is only made if an individual's assessed income is above the income threshold set by the Council. No individual is charged more than the actual cost of providing the service.

The current Personal Allowance is;

- Individuals (under 60 years of age) whose assessed weekly income is £122 or less;
- Individuals (60 years and over) whose assessed weekly income is £173 or less.

Direct Payments: where an individual is currently in receipt of a Direct Payment, they are charged as if the Council were providing the services. After a financial assessment, the amount assessed as the charge is automatically removed at source by the Council and the individual is credited their direct payment minus the charge.

Following the introduction of SDS it will become harder to levy a charge under the charging policy as laid down currently, where individual budgets are given to individuals to achieve outcomes, without a prescription as to what the money is to be used to purchase.

5.3 National Guidance on Charging for Non Residential Services

The 2002 Community Care and Health (Scotland) Act gave the Scottish Executive powers to regulate social care charges in order to achieve a greater level of consistency across Scotland. It was agreed that self-regulation through COSLA would be permitted, if that could achieve the overall policy objective. Over the past decade, national guidance has been disseminated for local authorities to use in determining local charging policies.

National guidance states that:

- Charging policies. . . should be accessible, transparent, fair and equitable and developed from a human rights perspective.
- Policies should be co-produced with the people who might be affected by a charging regime.
- Councils should balance the utility of additional charging . . . against the impact on the quality of life for those who are charged.
- Measures should be taken to ensure that people who use services understand the reasons for charging . . . and that the charges for particular services are clear.
- There should be transparency over what services are chargeable and at what levels.

- Every Council should publish its charging policy.
- Charging policies should define the financial decision making processes that ensures the personal, social and economic circumstances of the individuals are given due regard in determining whether charges should apply.

5.4 The Proposed Charging Policy

The philosophy of the proposed revised charging policy is consistent with the national guidance that any charging policy should be transparent, be non-discriminatory and show equality in the way that charges are applied.

The basic philosophy of the revised charging policy is that it should be:

- Fair and Equitable
- Implementable and implemented consistently
- Monitorable

It is proposed that:

- The revised charging policy should be able to generate a higher income in the future, by varying the income taper, by varying the percentage contribution or by varying both;
- The Council pursues those who don't pay, but retains an element of discretion;
- The Council recognises that it cannot charge for statutory services and those which are delivered free in accordance with national policy;
- Everything else must be considered for charging.

The revised charging policy defines those services which are in scope for charging, as:

- Care at Home (Under 65)
- Care at Home, except Personal Care (for people over 65)
- Personal care for those under 65
- Day Care and day opportunities (including meals)
- One to one support as an alternative to day care
- Support to attend activities, college, university
- Lunch Clubs
- Community Alarm
- Telecare Services
- OT Equipment
- Adaptations
- Care and support services for people with a mental illness
- After Care Services for people with a mental illness
- Overnight/Residential Respite services (all client groups)
- Day and home-based Respite services (all client groups)

- Shared care
- Sitting service/family support
- Laundry Services

The Council cannot charge carers for the provision of services which are provided to them to support their caring role, following a carer's assessment.

Under the proposed charging policy, assessment for service would still be founded on the principle that the level of service received is based on need and not on ability to pay.

The internal Charging Policy Working Group has considered the option of taking partners income into account when completing a financial assessment, The group concluded following financial modelling, analysis and a review of the impact of the new policy in its entirety that to progress with a further significant change to the policy would be detrimental to service users, partners and the Council at this time. Future consideration of partner's income should be undertaken at the next yearly review of the policy.

5.5 The new Charging Methodology

The Council will have one charging policy for non residential social care services, which will apply regardless of whether an individual had their services commissioned for them by the Council, or they chose to arrange their own care services with their SDS budget.

Under the revised charging policy, the current charging methodology of levying set charges for specific services would be discarded.

The charging policy will be based on the service user making a contribution of 70% towards the total cost of all chargeable care provided - i.e. making a contribution of 70% towards the amount they have been allocated as their budget under SDS, following an assessment of need.

Individuals would be subject to a financial assessment, in line with the agreed national guidance and the contribution would be levied in accordance with the individual's assessed ability to meet the contribution.

A transition period would be introduced, to assist those whose contribution is increasing, compared to the charge they previously paid.

It is proposed that the charging thresholds and the financial assessment elements, as outlined in the national guidance and any successor guidance, be retained.

The Contributing to Your Care and Support Policy is attached as Appendix A.

6. IMPACT

Corporate - This report is consistent with the Service's 3 year Business Plan and the Council's 5 year Business Plan. The revision of the charging policy is needed to ensure its applicability to the National and Corporate Priorities for the personalisation of social care services.

Public – An equalities and human rights impact assessment accompanies this report. Two engagement events on the proposals were held in June 2014 and were attended by service users, representatives of service user groups, voluntary sector organisations and providers of social care services.

These events consisted of a presentation and table discussions. The table discussions focused on the impact of the proposals on service users and the potential mitigation the Council could take.

The impact was felt to be:

- The potential that people may not access services if they think they may have to pay;
- The cumulative effect of a number of initiatives on individuals (many of them Government imposed reductions in income) and the additional financial impact of the introduction of charges for those who may not be paying for them at the moment;
- The charge and the rationale for it may not be easily understood by some of those affected;
- Cultural issues may lead some groups of service users not to want to make a financial disclosure. If they refuse a financial assessment, they may be financially worse off;
- The additional financial burden of a contribution, may lead to people making sacrifices in other areas which are detrimental for their wellbeing;
- If services are not taken because of the charge, this may place an additional burden on unpaid carers.

The potential measures the Council could take in mitigation are contained within the EHRIA.

7. MANAGEMENT OF RISK

There is a risk to the Council of not updating the Charging Policy to ensure that it is able to take account of services which are provided through SDS. The risk is that the income the Council currently receives from charging for social care services will decrease. Additional risks and mitigation are included in the EHRIA.

8. BACKGROUND PAPERS

- National Strategy and Guidance for Charges Applying to Non-Residential Social Care Services 2015/16
- Social Care (Self –Directed Support) (Scotland) Bill: Explanatory Notes
- Community Care and Health (Scotland) Act 2002 Guidance on Statutory Rights for Carers
- The Carers Strategy for Scotland 2010-2015
- Department of Health: Fairer Contributions Guidance
- Department of Health: Fairer Charging Policies for Home Care and Other Non-Residential Social Services
- Welsh Government: Introducing More Consistency in Local Authorities Charging for Non-Residential Social Services
- Social Care Charges (Wales) Measure 2010
- Non-residential charging policies from 21 other Local Authorities
- ACC Self Directed Support Direct Payments Handbook
- ACC Charging Policy 2011/12
- Audit Commission: Financial Management of Personal Budgets
- CIPFA: Self Directed Support – Direct Payments. A guide for local authority finance managers
- Scottish Government Social Research: Counting the Cost of Choice and Control – Evidence for the Costs of Self-Directed Support in Scotland
- Financial modelling spreadsheets generated by Social Care and Wellbeing and Corporate Governance staff
- Outcome from two engagement events held in June 2014

9. REPORT AUTHOR DETAILS

Kate Mackay
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<p>Information on making a contribution towards your care and support services</p>	<p>Aberdeen City Council wants to help people live at home independently, safely and for as long as possible. To help us to continue to provide services to people with a range of needs, we may need to ask you to make a contribution towards the cost of your care and support services.</p> <p>These charges might affect you if you are getting services from us at the moment or if you need them in the future. Charges apply whether the service is provided by Aberdeen City Council or is purchased from an external provider.</p> <p>The figures in this guide are correct for the financial year 2015 to 2016.</p> <p>The expectation of a contribution towards the cost of your package of care and support applies regardless of whether you ask the Council to provide or purchase your care and support on your behalf, or whether the Council has provided you with a SDS budget to meet your care and support needs.</p>
<p>Why am I expected to make a contribution?</p>	<p>Local Authorities don't have to but are allowed by law to charge users of non-residential services provided or arranged under the Social Work (Scotland) Act 1968 and other legislation.</p> <p>These charges must be “reasonable” for people to pay taking into account the type of service provided and a person’s ability to meet the cost. Any charges should not exceed the cost of</p>

	<p>providing the service.</p> <p>Your contribution towards your SDS budget will be determined by a financial assessment.</p> <p>You can find out more about financial assessments below.</p>
What can I be asked to make a contribution for?	<p>If you receive a non-residential care service from Aberdeen City Council you may be required to contribute towards the cost of the services you receive.</p>
Who is exempt from being asked to make a contribution to their care?	<p>The following people are exempt from being asked to make a contribution towards the cost of their care and support:</p> <ul style="list-style-type: none"> • People aged under 65 who have a progressive disease where death as a consequence of that disease can reasonably be expected within 6 months, as evidenced through a DS1500 form or a letter from the General Practitioner or Hospital Consultant • People aged over 65 receiving Personal Care in their own home (Personal Care element only) • People aged over 65 receiving new or additional care in their own home following a one off hospital discharge for 42 days, subject to the Council's eligibility criteria • People receiving personal care at home to avoid hospital admission, for the first 14 days only • People with a mental illness who are subject to Compulsory Treatment Orders

	<ul style="list-style-type: none"> • Compulsion Orders under the Criminal Procedure (Scotland) Act 2003 • People in receipt of Criminal Justice Social Work Services • Services for people who are subject to the conditions of a Short Scottish Secure Tenancy (SSST) • Children and young people aged under 18 years (although in some circumstances their parents may be asked to make a contribution towards the cost of services) • Carers receiving services to allow them a break from their caring roles, where this need has been identified following a Carers Assessment. <p>The following services are exempt from being considered as part of the cost of a package of care:</p> <ul style="list-style-type: none"> • Information and Advice • Needs Assessments • Care Management • Personal and Nursing Care for people aged over 65 • Preparation of food where it is conjunction with free personal care
<p>Who will be asked to make a contribution?</p>	<p>For all other users of non-residential services, the Council expects the user to make a contribution towards the cost of their care and support. The National Charging Guidance suggests a level of weekly income below which someone cannot be asked to make a contribution to their care costs.</p>

These are known as minimum income thresholds and are:

	2015/16 weekly
Single person under 60 years	£123
Single person over 60 years	£177
Couples under 60 years	£188
Couples over 60 years	£269

Following a financial assessment, if your assessable weekly income is less than your income threshold figure you should not be expected to make a contribution to your care. If your assessable weekly income is more than your income threshold figure you may be asked to make a contribution towards the costs of your services.

The Council applies a taper on available income. Once a financial assessment has been completed and an assessable weekly income has been determined, the Council will calculate the maximum contribution you could make by determining the percentage of remaining income which is available. This is the maximum contribution you could be expected to make, regardless of the cost of your care and support. The contribution would never exceed the cost of your care and support or the amount the Council has given you as your SDS budget.

The Council will apply a 67% taper on the maximum contribution you could be expected to make. That means that if you have a

	possible contribution of £100, the Council would expect that you could pay £67. This is known as your Net Disposable Income.
For which services will I be asked to make a contribution?	You will be expected to make a contribution to any service that the Council provides or purchases on your behalf, or towards your SDS budget, other than services described above that the Council cannot legally charge for.
How will my contribution be calculated?	<p>The services you receive will always be based on your needs and the contribution will be based on your ability to pay.</p> <p>When we assess your income to see how much you can pay, this is known as a financial assessment. A financial assessment will be carried out if you receive a chargeable service. This will produce a figure called Net Disposable Income.</p> <p>The Council will add up the cost to the Council of providing your assessed package of care and support, or will have worked out the amount of your SDS budget. A 70% percentage charge will be applied, to determine your Maximum Contribution.</p> <p>Your contribution will be the lower of your Net Disposable Income or your Maximum Contribution.</p> <p>During the transitional period, the Council will calculate the difference between the charge you currently pay and the contribution you should pay under the Contributing to Your Care and Support Policy. In 2015/16 you will pay 33% of the</p>

	<p>difference, rising to 66% in 2016/17 and in 2017/18 you will be expected to make the full contribution.</p>
<p>What happens during a financial assessment?</p>	<p>An officer from the council will come and visit you at home to undertake a financial assessment.</p> <p>The officer is required to have proof of all income and capital held.</p> <p>You should therefore have available for inspection any Pension or Benefit statements, and bank or savings books relating to your financial affairs.</p>
<p>What do I do if I want to Comment or Complain about this?</p>	<p>Service Users have the right to complain or comment through the Aberdeen City Council's Social Care and Wellbeing Comments and Complaints procedure. Anyone wishing to do this should be referred to the "Have your say:" leaflet which is available from Social Care and Wellbeing offices, on the Council's website or by contacting scwb_complaints@aberdeencity.gov.uk</p> <p>You may also be able to complain about the way your SDS budget was calculated and your Care Manager will be able to advise you on this.</p>
<p>Q and As about financial assessments</p>	<p>What information must I provide?</p> <p>Your basic financial details including income from employment, pensions, welfare benefits, any savings and capital you have</p>

and any housing expenses.

What if I refuse to provide this information?

If you refuse a financial assessment, or refuse to provide the information requested, the Council will assume that you can make the full contribution towards the cost of your package of care and support.

What income and expenditure is taken into account in the Financial Assessment?

All sources of income are taken into account, including income from most benefits. Income of others in the household/family is not taken into account.

The total value of your capital forms the basis for the tariff income calculation. Types of capital include:

- National savings certificates
- Premium bonds
- Stocks and shares
- SAs, PEPs
- Any savings held in building society and bank accounts

The value of a property that you live in is not normally taken into account, but the value of any other property you own will be included as capital.

Will my partner's information be included in the financial assessment?

You will be financially assessed as an individual.

If you are married, or living with a partner, you will be given half of the rent/mortgage, council tax, board and lodgings, property insurance as allowances.

I have children; will that affect my financial assessment?

There is not a set disregard for dependent children. Income derived from all benefits paid for or on behalf of dependent children will be disregarded.

What happens if my finances are managed by another person?

If your finances are managed by another person, you must provide us with their contact details and provide your permission for them to share information with us. If you do not do this, we will not be able to undertake a financial assessment.

Can I get a full benefits check at the same time? Do I have to have a financial benefits check done?

During the financial assessment, the assessor may decide that it would be in your interests to be referred to the Welfare Rights Service for a benefits check. You must give permission for this referral and cannot be instructed to undergo a benefits check.

Do I have to tell you if my income or savings change?

Yes, you should tell the Council if your situation changes, as your contribution may need to be adjusted.

Do I have to pay if no care or support service is provided because I am in hospital or on holiday? If my Home Carer is on holiday do I have to pay?

You will only be asked to make a contribution to the services you receive. So, if you are in hospital or on holiday, or your care service is not provided for any other reason, there will be no cost to the Council and therefore no expectation of a contribution.

Will I be charged for the full hour if only part of an hour of care or support is given?

The cost of your package of care will be calculated by the Council, according to the actual cost, or the amount of your SDS budget. So if you receive only part of an hour and the council pays for part of an hour, this is what will be included in the calculation of the cost of your care and support services.

If I need more than one home carer will I be charged for both?

The cost of your package of care will be calculated by the Council, according to the actual cost to the Council. So if you

need double-up care, this will be charged at the actual cost.

Will my Self-Directed Support or Direct Payments be affected?

If you are in receipt of Self Directed Support, an individual budget or a Direct Payment, you will still be expected to make a contribution. Once your SDS budget/direct payment has been calculated, a financial assessment will be undertaken. If following your financial assessment, the Council has assessed you can make a contribution, your individual budget/direct payment will be allocated to you net of the amount of the assessed contribution, unless you chose to receive the full amount and be billed by the Council.

Will I have to contribute if I am 65 or over?

If you are 65 or over, you may still be expected to contribute to the costs of your care, if you receive chargeable services. Some services (as outlined above) are provided free, either temporarily or for as long as you need the service, depending on what services you use.

What happens if I can afford to pay but do not?

If you have been assessed as being able to make a contribution, but do not, the Council reserves the right to pursue you for the sums owed.

What should I do if I am finding it difficult to pay?

If you are having problems making your contribution, you should tell your key worker (e.g. Care Manager, Social Worker etc.) as soon as you can and they can arrange for a financial reassessment, or the temporary waiving of your contribution, if approved by a senior officer.

What happens to the information I give you?

The information you provide for your financial assessment will only be used for the purpose for which it is collected. The financial assessment will form part of your social work record and will be retained in accordance with the retention schedule in the Case Recording Policy and Procedure.

When will the financial assessments begin?

If you already have a financial assessment, this will be reviewed on an annual basis.

If you are a new service user, your financial assessment will be undertaken as part of the assessment process, if you need a package of Care and support which is chargeable, or if you are being given an individual budget.

For service users who are coming within the scope of the Contributing to Your Care and Support policy for the first time, your financial assessment will be undertaken during your assessment of needs or your annual review.

What if I am unhappy with any part of the financial assessment?

If you are unhappy with any part of the financial assessment, you can ask for a review to be carried out. You can ask for a review in the following situations:

- i) The assessment has been carried out in ignorance of, or with a mistake as to, a material fact, in which case the new decision takes effect from the date of the decision it replaced (i.e. retrospectively) or;
- ii) There has been a relevant change in your circumstances, in which case the new decision takes place with effect from the date of the change in circumstance.

A review should be requested within one month of you being notified of the outcome of your financial assessment.

If you are still unhappy following the review, you can ask for your assessment to be considered by an Appeals Panel.

The Appeals Panel will meet to consider:

- i) That you are not satisfied with the financial assessment following review and considers that all relevant facts have not been taken into account;
- ii) That the service user considers that the financial assessment has not been calculated in accordance with the Contributing to Your Care and Support Policy.

	<p>It is expected that the Appeals Panel will meet within four weeks of the request being made. The Appeals Panel will be made up of one Service Manager (Chair), one Senior Front Line Manager, one Welfare Rights Officer and one Finance Officer.</p> <p>The decision of the Appeals Panel will be notified to you in writing within 5 days of the panel meeting and the decision of the Appeals Panel will be final.</p>						
<p>What calculation is made to determine my contribution?</p>	<p>To determine the maximum amount you can afford to contribute towards your care and support package, the following calculation will be completed:</p> <p>Example</p> <table data-bbox="1128 807 1536 916"> <tr> <td>Total Income</td> <td>£191.00</td> </tr> <tr> <td>Total Allowances</td> <td><u>£149.00</u></td> </tr> <tr> <td>Available Income</td> <td>£42.00</td> </tr> </table> <p>Net Disposable Income after 67% taper £28.14</p> <p>In this example the service user would be assessed as being able to contribute up to £28.14 per week towards the cost of their care and support package.</p>	Total Income	£191.00	Total Allowances	<u>£149.00</u>	Available Income	£42.00
Total Income	£191.00						
Total Allowances	<u>£149.00</u>						
Available Income	£42.00						
<p>In what circumstances would a contribution to care be waived?</p>	<p>A contribution towards a package of care and support can only be waived by the relevant Head of Service. Each case will be considered on its own merits.</p>						

	<p>If you feel that your contribution should be waived, you should tell your key worker (e.g. Care Manager, Social Worker etc.) as soon as you can and they will arrange for your case to be reviewed by a Head of Service (or equivalent). You should expect to receive a decision within 4 weeks, although this will depend on whether we need to contact you to gather more information.</p>
Further questions	<p>If you have any further questions please contact the non-residential charging policy team or the SDS Project Manager.</p>

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Equality and Human Right Impact Assessment: The Form



EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1: Equality and Human Rights Impact Assessment- Essential Information	
<p>Name of Proposal: Review of Social Work – Non Residential Charging Policy now called “Contributing to your care and support”</p>	<p>Date of Assessment: 7 May 2015</p>
<p>Service: Business Management</p>	<p>Directorate: Education and Children’s Services</p>
<p>Committee Name or delegated power reference (Where appropriate): Education and Children’s Services</p>	<p>Date of Committee (Where appropriate): 2 June 2015</p>
<p>Who does this proposal affect? Please Tick ▼</p>	<p>Employees <input type="checkbox"/></p> <p>Job Applicants <input type="checkbox"/></p> <p>Service Users <input checked="" type="checkbox"/></p> <p>Members of the Public <input type="checkbox"/></p> <p>Other (List below) <input type="checkbox"/></p>

2: Equality and Human Rights Impact Assessment- Pre-screening

Is an impact assessment required?

Yes

No

If No, what is the evidence to support this decision?
(Once this section is completed, please complete section 8 of the form).

3: Equality and Human Rights Impact Assessment

<p>a- What are the aims and intended effects of this proposal?</p>	<p>The main aims of reviewing the current Charging Policy and developing a new “Contributing to your care and support” policy is to ensure Aberdeen City Council has one fair and equitable policy for all and adheres to new Legislation in terms of Self Directed Support and updates the policy throughout accordingly in line with National Guidance and also includes uprated charging thresholds in line with DWP figures. These services support the personalisation agenda within Adult Social Care, promoting independence and supporting people to live at home.</p>
<p>b- What equality data is available in relation to this proposal? (Please see guidance notes)</p>	<p>Equality data is available through the current client recording system as well as through the communication and engagement with service users, carers and their families through complaints, service take up and withdrawal of services as well as any appeals submitted. Data is collated and monitored and reviewed throughout all stages of the project initiation, implementation and once embedded to monitor and review.</p> <p>Financial Modelling has also been completed as well as consideration of National Guidance.</p> <p>Income streaming and equality monitoring processes (finance) to be in place ensuring correct financial codes are applied. Council in a better financial position, reduced need to outsource services, may be in a position to develop in house services. In house services may have requirement to be redesigned to enable purchasing of services by those individuals residing within local authority establishments</p>

<p>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</p>	<p>Engagement events have taken place with service users, carers and representative groups.</p> <p>Public – Two engagement events on the proposals were held in June 2014 and were attended by service users, representatives of service user groups, voluntary sector organisations and providers of social care services.</p> <p>These events consisted of a presentation and table discussions. The table discussions focused on the impact of the proposals on service users and the potential mitigation the Council could take.</p> <p>The impact was felt to be:</p> <ul style="list-style-type: none"> • The potential that people may not access services if they think they may have to pay; • The cumulative effect of a number of initiatives on individuals (many of them Government imposed reductions in income) and the additional financial impact of the introduction of charges for those who may not be paying for them at the moment; • The charge and the rationale for it may not be easily understood by some of those affected; • Cultural issues may lead some groups of service users not to want to make a financial disclosure. If they refuse a financial assessment, they may be financially worse off; • The additional financial burden of a contribution, may lead to people making sacrifices in other areas which are detrimental for their wellbeing; • If services are not taken because of the charge, this may place an additional burden on unpaid carers.
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Practical actions in order to mitigate any impact on individuals will include –

1. To provide information to those affected clearly and in a way they understand, using various methods and ways of communicating.
2. Vary the communication according to the groups of service users we are engaging with.
3. Provide all service users with all the information needed to ensure informed decisions are made.
4. Try to ensure that all service users have a financial assessment or a re-assessment and highlight the advantages of having a financial assessment in order to prevent service users from potentially paying more than they can afford.
5. Promote ways that service users can seek support, advice and assistance (e.g. Welfare Rights, Citizens advice Bureau and external organisations etc)
6. Ensure that staff visiting the homes of service users who complete an assessment of needs and financial assessment are well trained and knowledgeable on the subject matter.
7. Produce a clear policy document, staff guidance and associated documentation in a way that is easy to read, understand and follow for all.
8. To ensure a strong communication strategy is in place with elected members to enable meaningful dialogue with constituents and to be comfortable and confident in holding media enquiries.
9. Clear guidance in the financial assessment process as to which benefits etc the Council will disregard.
10. Encouraging all carers to have their own carers assessment, to ensure that services provided to support the caring role are not included within the service users budget and therefore there is no contribution expected.

<p>d- Financial Assessment</p> <p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Costs (£)</p> <p>Implementation cost <input type="text" value="£"/></p> <p>Projected Savings <input type="text" value="£"/></p> <p>In order to implement the Contributing to your Care and Support Policy a new financial assessment has been developed for all social work clients who come within scope of the new policy.</p> <p>The contributing to your care and support policy is designed to be implemented with a zero impact on the anticipated level of income generated to the council, through charging for social care services. Until all of the financial assessments are completed for all service users affected by the introduction of the policy, we are unable to definitively state what the financial impact of the revised policy will be on individuals.</p>
<p>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</p>	
<p>This report is consistent with the Service's 3 year Business Plan and the Council's 5 year Business Plan. The revision of the charging policy is needed to ensure its applicability to the National and Corporate Priorities for the personalisation of social care services.</p> <p>There is a shared responsibility to deliver the new Contributing to Your Care and Support policy by the Adult Health and Social Care Partnership and Social Work Business Management Staff in Education and Children's Services - in</p>	

conjunction with Finance and Legal colleagues.

The introduction of the new contributing to your care and support policy has been assessed as a positive impact. It will apply regardless of whether an individual has their care services commissioned for them by the council or they are in receipt of an individual budget through Self Directed Support, bringing all service users in line under the same policy to ensure the public sector equality duty is met. Services will be more accessible and person centred, increasing choice for individuals, encouraging the development and growth of services out with Aberdeen City Council to meet this developing and diverse need.

f- How does this proposal link to the Council's Equality Outcomes?

This proposal links to the following equality outcomes, by producing and implementing a consistent and fair approach with the introduction of a new Charging policy "Contributing to your care and support".

Clear, fast, reliable and accessible procedure to contact people and deal with complaints.

Effective customer service that is aware of the differences and requirements of different groups.

An increased proportion of council communication adheres to Accessible Information Guidelines.

Improved opportunities for people with protected characteristics to participate in public life.

Tangible results from an improved Community Planning Partnership working for more effective delivery.

Increased involvement by the private sector in community planning and equalities work.

People with protected characteristics have their social care needs met.

4: Equality Impact Assessment - Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Age (People of all ages)	✓	✓	✓	People of all ages, care and support where needed the most, empowerment, security of jobs/choice. Medical conditions that do/do not get charged for services – consistency/monitoring
Disability (Mental, Physical, Sensory and Carers of Disabled people)	✓	✓	✓	Care and support where needed the most, empowerment and more choice. Challenging behaviour as unaware/uninformed and lack of understanding due to potential communication issues.
Gender Reassignment				
Marital Status (Marriage and Civil Partnerships)		✓		Financial Assessments will not take into account partners income
Pregnancy and Maternity				

Equality Impact Assessment Test:

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)				
Religion or Belief or Non-belief	✓	✓	✓	Training required enabling more understanding of religion/culture/race to improve services for all. Limited pool of staff and resources for people with varying religions/beliefs/race.
Sex (Women and men)				
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)				
Other (e.g: Poverty)	✓	✓	✓	Poverty and isolation, Isolation, feeling empowered to attend or not to groups/services of choice. Small organisations, loss of business, staff and service users perception and decreased morale and motivation

5: Human Rights Impact Assessment Test	
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<p>Article 6: Right to a fair and public hearing</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 8: Right to respect for private and family life, home and correspondence</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 10: Freedom of expression</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>Article 14: Right not to be subject to discrimination</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<p>Other article not listed above, please state:</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<p>6: Assessment Rating:</p>	
<p>Please rate the overall equality and human right assessment (Please see Completion terminology)</p>	<p><input type="checkbox"/> Red</p> <p><input type="checkbox"/> Red Amber</p> <p><input checked="" type="checkbox"/> Amber</p> <p><input type="checkbox"/> Green</p>
<p>Reason for that rating:</p>	<p>It is recognised and evident that there is a risk of negative impact existing and this risk may be removed or reduced by implementing the actions detailed within the action planning section.</p> <p>There is a further risk identified in terms of not implementing the new policy and the negative impact this has, which currently is an unfair and inconsistent approach to service users who either do or do not pay a contribution.</p>

7: Action Planning

As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
<p>All Service Users who receive a chargeable care and support service may be affected by the proposals. As a result of the implementation of the new policy some service users may pay more or less than they do currently.</p>	<p>The amount someone is expected to pay will never be more than we think they can afford following an approved financial assessment process. The income to the Council will enable the continued investment in high quality services to ensure resources are targeted to those who need it most. The policy has been designed to be income neutral to the Council.</p>	<p>Kate MacKay</p>	<p>Ongoing</p>	<p>TBC</p>
<p>As part of the SPS programme a strategy is to be put in place for those who may feel at risk due to lack of confidence and knowledge of increased choice.</p>	<p>There may be a perception of services being withdrawn; this will require to be mitigated through stakeholder involvement and a good communication strategy. Media interest may exacerbate interest. Stakeholder involvement to continue to maintain relationships and build capacity. Carers may feel that the most vulnerable are being targeted to enable financial gain.</p>	<p>Kate MacKay</p>	<p>Ongoing</p>	<p>TBC</p>

Care packages and impact on Service Users	<p>Analysis of Care Packages as follows-</p> <ul style="list-style-type: none"> • Number of noted increase/decrease to packages of care • Number of care and support packages stopped • Increase in number of carers assessments • Percentage increase of care and support packages in place • Referral rates • Review stages (3 months, 6 months, 9 months and 1 year) 	Trevor Gillespie	Ongoing	TBC
Financial Assessments and impact on Service Users	<p>Analysis of Financial Assessments as follows –</p> <ul style="list-style-type: none"> • Increase/decrease in number of financial assessments • Percentage of new financial assessments undertaken to implement new policy • Impact of financial assessments on charging income <p>Ongoing Financial modelling and analysis in conjunction with Corporate Governance and systems colleagues.</p>	Financial Assessment Team	Ongoing	TBC
Lack of engagement and increased number of complaints by Service Users	<p>Analysis of number and nature of complaints regarding financial assessments and amount of contribution levied.</p>	CG colleagues	Ongoing	TBC
		Teresa Waugh	Ongoing	TBC

	<p>Stakeholder consultation/Feedback from staff and service users, families and carers (Survey Monkey/Questionnaires/Engagement Events/Training Sessions etc)</p> <p>Feedback from stakeholders including, voluntary sector organisations, providers of social care services and representatives of service user groups. The methods used will include information leaflets, visits to community groups, updated internet pages, social media (ACC twitter feed and Facebook) and relevant documentation available in various accessible formats.</p> <p>Involvement and consultation has taken place through Engagement Events held in June/July 2014 with service users, family members, carers, representatives of service user groups, voluntary sector organisations and providers of social care services. The sessions held were very informative and provided opportunities for a two way flow of information and communication, consisting of a presentation and table discussion. The outcomes have been used in the completion of this EHRIA form.</p>			
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8: Sign off

Completed by (Names and Services) :	Teresa Waugh & Kate Mackay – Education and Children’s Service
Signed off by (Head of Service) :	Sally Wilkins

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk

9: Completion Terminology:

<p>Assessment Pre-screening Rating:</p>	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<p>Assessment Rating:</p>	<p>After completing this document, rate the overall assessment as follows: Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed. Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken. Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document. Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

Equality Data:	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i> <p>Certain discrimination may be capable of being justified on the grounds that:</p>
Genuine Determining Reason	<ol style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
Human Rights	<p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p>
Legal Status:	<p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>

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