

Public Document Pack



To: Councillor Stewart, the Depute Provost, Convener; Councillor Graham, Vice-Convener; and Councillors Lesley Dunbar, Allard, Greig, Henrickson, Houghton, MacGregor and Wheeler.

Town House,
ABERDEEN 19 October 2021

PUBLIC PROTECTION COMMITTEE

The Members of the **PUBLIC PROTECTION COMMITTEE** are requested to meet in the **Council Chamber - Town House** on **WEDNESDAY, 27 OCTOBER 2021 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

1.1 There is no urgent business at this time

DETERMINATION OF EXEMPT BUSINESS

2.1 There is no exempt business at this time

DECLARATIONS OF INTEREST

3.1 Members are requested to intimate any declarations of interest (Pages 5 - 6)

DEPUTATIONS

4.1 Deputations

MINUTE OF PREVIOUS MEETING

- 5.1 Minute of Previous Meeting of 23 June 2021 (Pages 7 - 10)

COMMITTEE PLANNER

- 6.1 Committee Planner (Pages 11 - 14)

NOTICES OF MOTION

- 7.1 No notices of motion

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

- 8.1 Referrals from Council, Committees or Sub Committees

POLICE AND FIRE RESCUE SERVICE

- 9.1 Police Scotland - Thematic Report : Domestic Abuse/Coercive Control - POL/21/234 (Pages 15 - 20)
- 9.2 Police Scotland - Annual Performance Report 2020/2021 - POL/21/235 (Pages 21 - 46)
- 9.3 Scottish Fire and Rescue Service Quarterly Performance Report - SFR/21/236 (Pages 47 - 68)

CHILD AND ADULT PROTECTION

- 10.1 New Public Protection Website: Aberdeen Protects Including Presentation - OPE/21/265 (Pages 69 - 72)
- 10.2 Chief Social Work Officer Annual Report 2020/21 - OPE/21/247 (Pages 73 - 100)
- 10.3 Implementation of the Age of Criminal Responsibility Act 2019 in Aberdeen City - OPE/21/233 (Pages 101 - 140)

PROTECTIVE SERVICES

- 11.1 Water Safety - OPE/21/239 (Pages 141 - 148)

BUILDING STANDARDS

12.1 Building Standards Activity Report - COM/21/238 (Pages 149 - 154)

Date of Next Meeting - 7 December 2021 at 10:00am

EHRIAs related to reports on this agenda can be viewed [here](#)

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Website Address: aberdeencity.gov.uk

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DECLARATIONS OF INTEREST

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons

For example, I know the applicant / I am a member of the Board of X / I am employed by... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

OR

I have considered whether I require to declare an interest in item (x) for the following reasons however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

OR

I declare an interest in item (x) for the following reasons however I consider that a specific exclusion applies as my interest is as a member of xxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
 - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
 - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

OR

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

PUBLIC PROTECTION COMMITTEE

ABERDEEN, 23 June 2021. Minute of Meeting of the PUBLIC PROTECTION COMMITTEE. Present:- Councillor Stewart, the Depute Provost, Convener; Councillor Graham, Vice-Convener; and Councillors Lesley Dunbar, Greig, Henrickson, Houghton, MacGregor, Townson (as substitute for Councillor Allard) and Wheeler.

The agenda, reports associated with this minute can be found [here](#), whilst the recording of the meeting can be found [here](#). 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.

INTRODUCTION

1. The Convener welcomed everybody to the meeting.

The Convener advised of the following changes to the Committee.

- Councillor Graham as replacement for Councillor Duncan and to adopt role of Vice Convener replacing Councillor Lesley Dunbar
- Councillor Henrickson as replacement for Councillor Townson.

The Convener expressed appreciation for the support and kindness provided by Councillor Lesley Dunbar during her time as Vice Convener and expressed appreciation to Councillors Duncan and Townson for their assistance and participation within the Committee.

Councillor Henrickson was welcomed to the Committee.

INTIMATION OF DECLARATIONS OF INTEREST

2. The Convener invited Members to declare any interests in the business before the Committee.

There were no intimations.

PUBLIC PROTECTION COMMITTEE

23 June 2021

MINUTE OF PREVIOUS MEETING OF 28 APRIL 2021

3. The Committee had before it the draft minute of its previous meeting.

The Committee resolved :-

to approve the minute as a correct record.

COMMITTEE PLANNER

4. The Committee had before it the Committee Planner.

Members heard that the planner represented current and future business and advised that following Members' suggestions, themes for future reporting by Police Scotland and the Scottish Fire and Rescue Service were now included.

Members were asked to consider themes for future reporting by all services and statutory bodies reporting to the Committee and provided suggestions to progress with both Police and Fire.

The Committee resolved :-

to note the Committee planner.

POLICE SCOTLAND - THEMATIC REPORT : DEATH INVESTIGATION - POL/21/142

5. The Committee had before it the report from the Local Police Commander, Police Scotland which presented information regarding Investigation of Death within North East Division, including categories of death with specifics around offshore incidents and deaths involving children, use of technology by Officers first at scene and our mechanisms to support the welfare of Police Officers and Staff.

Prior to the presentation, Members heard that with respect to the pandemic situation, Police had broadly returned to business-as-usual and continued positive engagement with the community.

Members were presented an overview of the report and heard of the sensitive nature of these investigations and of the processes in place to assist staff and families.

The report recommended :-

that the Committee discuss, comment on and endorse the report.

The Committee resolved :-

to approve the recommendation.

PUBLIC PROTECTION COMMITTEE

23 June 2021

POLICE SCOTLAND - THEMATIC REPORT : CYBER/FRAUD - POL/21/143

6. The Committee had before it the report from the Local Police Commander, Police Scotland which presented information regarding the current threat presented in respect of Fraud, particularly non-contact and cyber-enabled to those most vulnerable within the community.

Members were presented an overview of the report and heard of the range of potential offences and of the support and actions taken whilst responding to reports of crimes of this nature.

The report recommended :-

that the Committee discuss, comment on and endorse the report.

The Committee resolved :-

to approve the recommendation.

SCOTTISH FIRE AND RESCUE SERVICE - LONG TERM STRATEGIC VISION - SFR/21/151 - INCLUDES A PRESENTATION

7. The Committee had before it the report from the Local Area Commander (LAC), Scottish Fire and Rescue Service (SFRS) which presented the Long-Term Vision of SFRS and national approach and offered the opportunity to engage in consultation.

Prior to beginning the presentation, the LAC, Area Commander Farquharson advised Members that current activity had returned to more normal following the pandemic period, whilst certain restrictions around social distancing continued to impact on certain areas of the Service.

Members received a presentation to assist summarise the report before them and heard of the direction in which SFRS wished to proceed.

The report recommended :-

That the Committee note the information provided in Appendix A in relation to the SFRS Long Term Vision.

The Committee resolved :-

- (i) to approve the recommendation; and
- (ii) to support the wider distribution of the SFRS Long Term Vision to enable wider public consultation.

PUBLIC PROTECTION COMMITTEE

23 June 2021

SCOTTISH FIRE AND RESCUE SERVICE - THEMATIC REPORT ; RECRUITMENT AND RETENTION - SFR/21/150

8. The Committee had before it the report from the Local Area Commander (LAC), Scottish Fire and Rescue Service (SFRS) which presented an outline of 'Recruitment and Retention' post Covid-19 in the Scottish Fire and Rescue Service.

Members heard a summary of the key points of the report which included that SFRS was very much considered an employer of choice with very high levels of staff retention.

The report recommended :-

that the Committee consider and note the information provided in Appendix A in relation to the SFRS Thematic Report.

The Committee resolved :-

to approve the recommendation.

- **Councillor Jennifer Stewart, Convener**

	A	B	C	D	E	F	G	H	I
1	PUBLIC PROTECTION COMMITTEE BUSINESS PLANNER								
	The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3	27 October 2021								
4	Police Scotland - Thematic Report : Domestic Abuse/Coercive Control	An update on 'Coercive Control' following the implementation of the Domestic Abuse (Scotland) Act 2018.		George Macdonald	Police Scotland	Police Scotland	5.7		
5	Police Scotland - Thematic Report : Mental Health & Wellbeing Support	To provide information to the Committee on the approach to mental health matters for all staff, in particular front line Officers in regard to the recognition and treatment of Post-Traumatic Stress Disorder.		George Macdonald	Police Scotland	Police Scotland	5.7	Delayed	This report will be delayed until early 2022
6	Police Scotland - Annual Performamnce Report 2020/2021			George Macdonald	Police Scotland	Police Scotland	5.7		
7	Scottish Fire and Rescue Service Quarterly Performance Report	To present the most recent 6 monthly Performance Report		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.6		
8	Scottish Fire and Rescue Service - Thematic Report ; Community Engagement	As suggested by Members on 9 March 2021		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7	Delayed	The delay has been due to a number of factors which has included a change in the author of the reports and work required for the COP26 event. When we return to our full engagement programme, which will include reviewing what we did prior to COVID restrictions being in place, an engagement report will be more comprehensive at that time.
9	Building Standards Activity Report	At its meeting on 28 April 2021, the Committee agreed to receiving a future 6 monthly update (on 27 October 2021)		Gordon Spence	Place	Governance	4.1		
10	Chief Social Work Officer Annual Report	To present the Chief Social Work Officer annual report.		Graeme Simpson	Integrated Children's and Family Services	Operations	1.6		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
11	"Secure Care - Children's Rights"	To present the Children's Commissioner Audit on Implementation of Secure Accommodation Authorisation Regulations		Graeme Simpson	Integrated Children's and Family Services	Operations	1.1.3	Delayed	Report will now be presented at the December committee due to staff pressures.
12	Water Safety	To present an update on ACC participation with Water Safety		Steven Shaw	Operations and Protective Services	Operations	2.1		
13	Implementation of the Age of Criminal Responsibility Act 2021 in Aberdeen City	To present a report on this new legislation.		Alison McAlpine	Integrated Children's and Family Services	Operations	1.1.1		
14	New Public Protection Website: Aberdeen Protects	to provide contextual information about the new Aberdeen Protects website, in advance of a demonstration of the site at the meeting		Val Vertigans & Stuart Lamberton	Integrated Children's and Family Services	Operations	1.1.4		
15	07 December 2021								
16	Police Scotland - Thematic Report : National Assets	To provide Committee an update on availability and employment of national assets		George Macdonald	Police Scotland	Police Scotland	5.7		
17	Scottish Fire and Rescue Service : Thematic Report : Inspections	As suggested by Members on 9 March 2021	alternative meetings for Perf then Thematic	Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.6		
18	Building Standards Activity Report	At its meeting on 10 October 2019, the Committee agreed to six monthly assurance reporting		Gordon Spence	Place	Governance	4.1		
19	Publication of Updated National Child Protection Guidance	To provide Committee with assurance and update on the planning to take account of the updated National CP Guidance which was published in September 2021.		Kymme Fraser	Integrated Children's and Family Services	Operations	1.1		
20	National Guidance re Learning Reviews	To provide Committee with assurance and update on the planning to take account of the updated National guidance for child protection committees undertaking learning reviews which was published in September 2021.		Kymme Fraser	Integrated Children's and Family Services	Operations	1.1		
21	Child Protection Committee Annual Report	To present the Child Protection Committee annual report.		Graeme Simpson	Integrated Children's and Family Services	Operations	1.1, 1.2		This report will go via CPC, the Executive Group and be presented to PPC on 07.12.2021
22	Annual Committee Effectiveness Report	to present the Annual Committee Effectiveness report to the Committee to enable Members to provide comment on the data contained within.		Fraser Bell	Governance	Governance	GD 7.4		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
23	Resilience Annual Report to include details on PAMP from 23 June 2021 Planner	As per ToR's; 2.1 monitor compliance with the Council's duties relating to resilience and local emergencies; this includes reviewing staffing arrangements and systems for incident management; 2.3 receive assurance that services are maintaining and reviewing Business Continuity Plans in accordance with the priorities allocated to them; and 2.5 monitor the Council's response to the National CONTEST strategy and associated plans relating to Counter Terrorism.	Last reported on 02.12.2020	Vikki Cuthbert	Governance	Governance	2.1, 2.3, 2.5		
24	National Hub for Reviewing and Learning from the Deaths of Children and Young People	To present the report as referenced to PPC		Graeme Simpson	Integrated Children's and Family Services	Operations			
25	02 March 2022								
26	Police Scotland - Thematic Report	As suggested by Members		George Macdonald	Police Scotland	Police Scotland	5.7		
27	SFRS - Thematic Report : Rescue and Specialist Support	As suggested by Members		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7		
28	Scottish Fire and Rescue Service Six Monthly Performance Report	To present the most recent 6 monthly Performance Report		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.6		
29	SFRS - Thematic Report : Managing Automatic Alarms/ Fales calls	As suggested by Members		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7		
30	28 June 2022								
31	Police Scotland - Thematic Report			George Macdonald	Police Scotland	Police Scotland	5.7		
32	Scottish Fire and Rescue Service – Annual Scrutiny Report			Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service			
33	Building Standards Activity Report	At its meeting on 10 October 2019, the Committee agreed to six monthly assurance reporting		Gordon Spence	Place	Governance	4.1		
34	UKAS Annual Audit of Scientific Services	To present Annual Audit of Scientific Services by the United Kingdom Accreditation Service			Operations and Protective Services	Operations	3.1		
35	12 October 2022								
36	Police Scotland - Thematic Report	As suggested by Members		George Macdonald	Police Scotland	Police Scotland	5.7		
37	Scottish Fire and Rescue Service Six Monthly Performance Report	To present the most recent 6 monthly Performance Report		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.6		
38	SFRS - Thematic Report	As suggested by Members		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
39	Chief Social Work Officer Annual Report	To present the Chief Social Work Officer annual report.	This report is due to be prepared in Autumn and will be presented to PPC on 27 October 2021	Graeme Simpson	Integrated Children's and Family Services	Operations	1.6		
40	12 December 2022								
41	Police Scotland - Thematic Report	As suggested by Members		George Macdonald	Police Scotland	Police Scotland	5.7		
42	SFRS - Thematic Report	As suggested by Members		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7		
43									
44	Resilience Annual Report			Vikki Cuthbert	Governance	Governance	2.1, 2.3, 2.5		
45	Building Standards Activity Report	At its meeting on 10 October 2019, the Committee agreed to six monthly assurance reporting		Gordon Spence	Place	Governance	4.1		

OFFICIAL

ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection
DATE	27 October 2021
EXEMPT	No
REPORT TITLE	Coercive Control
REPORT NUMBER	POL/21/234
DIRECTOR	
CHIEF OFFICER	
REPORT AUTHOR	Detective Chief Inspector Carron McKellar North East Division, Police Scotland
TERMS OF REFERENCE	5.7

1. PURPOSE OF REPORT

- 1.1 To update members regarding 'Coercive Control' following the implementation of the Domestic Abuse (Scotland) Act 2018 in April 2019.

2. RECOMMENDATION(S)

- 2.1 The Committee discuss, comment on and endorse the report.

3. BACKGROUND

- 3.1 Tackling Domestic Abuse is a priority for Police Scotland. Prior to 2018, it was recognised that Domestic Abuse was wider than physical and sexual abuse and that emotional abuse in the form of 'coercive control' played a large part in perpetrators abusing victims.
- 3.2 The Domestic Abuse (Scotland) Act 2018 (from herein referred to as 'the Act') came into force on 1 April 2019. The Act represents a significant change in the law and adds to existing common law and statutory offences by making a range of abusive behaviours an offence, including those of a physical, sexual and psychological nature which are perpetrated within a Domestic relationship.
- 3.3 To ensure the effective use of this legislation, all Police Officers received comprehensive training, 'Domestic Abuse Matters (Scotland)', and across North East Division there are a further 65 officers who have been trained as Domestic Abuse 'Champions', local experts who provide advice and guidance to their peers to ensure all possible evidence of coercive control and other abusive behaviours are explored fully.

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APPLICATION OF THE ACT

- 3.4 During its first year of enactment, indicative figures provide that within Aberdeen City, 159 Domestic Abuse (Scotland) Act 2018 were reported within Aberdeen City, of which 114 were detected, giving a detection rate of 71.7%. This is in the context of 2294 Domestic offences being recorded across the city in the same period, with a detection rate of 70% overall.
- 3.5 Between 01 April 2020 and 31st March 2021 indicative figures provide that 140 Domestic Abuse (Scotland) Act 2018 offences were reported within Aberdeen City, of which 96 were detected, giving a detection rate of 68.6%. This is in the context of 2456 Domestic offences being recorded across the City, of which 1914 were detected, giving a detection rate of 77.9% overall.
- 3.6 To date for this financial year, indicative figures provide that, within Aberdeen City, 82 Domestic Abuse (Scotland) Act 2018 offences have been reported. This is in the context of 1087 Domestic offences having been recorded across the city since 1 April 2021. At this time, the proportion of Domestic offences which come under the Act, has risen slightly this year.
- 3.7 The use of the Act is thoroughly embedded in Police process. When considering the numbers of offences recorded under the Act, it is important to note that one offence can relate to behaviour or behaviours perpetrated over a period of time and this only relates to any behaviour that has occurred since April 2019 when the Act was enacted.

IMPLICATIONS OF COVID-19

- 3.8 The period of reporting covering 2020 in particular has undoubtedly been impacted by the COVID-19 Pandemic and this picture is replicated across Scotland. Overall demand reduced significantly in many aspects of the Policing Priority 'Protecting People at Risk of Harm' at the outset of the lockdown restrictions associated with the Pandemic.
- 3.8 Conversely, reporting of Domestic Abuse incidents throughout lockdown was relatively unchanged. Strong messaging regarding the hidden harm in this area in particular has undoubtedly contributed to this and this is also reflected in the levels of support sought by victims from partners. In addition to a rise in detections of Domestic offences, Multi-Agency Risk Assessment Conference (MARAC) referral (co-ordinated through the Police), have increased month on month, ensuring that those most at risk and at need are provided with appropriate support to mitigate the risk posed to them.
- 3.9 The Scottish Government Domestic Abuse campaign, in conjunction with Police Scotland and Safer Scotland, was well supported in North East Division social media channels and built upon by the Violence Against Women Partnerships (VAWP) to ensure victims were aware that support was available locally and nationally despite COVID-19 restrictions. The local messages were translated into the 10 most requested languages in the North East and sent out through community channels to ensure the messages were as wide-

OFFICIAL

reaching as possible. This included articles published in local community newsletters and distributed to locality areas, aiming to reach those who may not have internet access.

- 3.10 To support its efforts regarding the Act, the division has also been driving forward awareness raising and training with partners regarding multi-agency processes which have been continuing throughout this time to protect those most at risk. This includes the Disclosure Scheme for Domestic Abuse Scotland (DSDAS), the MARAC process (aiming to reduce future harm to the most vulnerable victims and their families), and the management and scrutiny of perpetrators provided by the Multi-Agency Tasking and Coordination (MATAC) process following a national review, where the objective is to protect people at risk of harm by targeting higher risk perpetrators.

SUMMARY

- 3.11 It has been thoroughly embedded into Police process and forms the basis of risk assessments and seeking support for victims through close working with partners, such as Rape Crisis and Grampian Women’s Aid who are also able to provide advice and guidance to those victims who do not feel ready to report any form of Domestic Abuse to the Police.
- 3.12 Given the context of the Pandemic over the last year and a half, it is difficult to look at comparative data within that time period. However, the strength of working in partnership with support agencies has ensured that there has been no decrease in reporting of Domestic Abuse as was expected.
- 3.13 Continued awareness raising of the Domestic Abuse (Scotland) Act 2018 to Police Officers and other practitioners in Aberdeen City carried out by Police and the wider partnership, along with current governance structures and training for Police, will ensure the Act continues to be used effectively by North East Division.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
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OFFICIAL

Financial	N/A		
Legal	N/A		
Employee	N/A		
Customer	N/A		
Environment	N/A		
Technology	N/A		
Reputational	N/A		

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous People	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that 'Aberdeen is a place where all people can prosper' and towards the achievement of the LOIP theme which aims to make people more resilient and protect them from harm; where every child, irrespective of their circumstances, is supported to grow, develop and reach their full potential; and where all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm, supported when necessary and fully included in the life of the City.
Prosperous Place	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that 'Aberdeen is a place where all people can prosper' and towards the achievement of the LOIP theme which aims to support individuals and communities to live in healthy, sustainable ways; and the development of sustainable communities with strong and resilient communities.

Design Principles of Target Operating Model	
	Impact of Report
Governance	The Council has an oversight role of the North East Division of Police Scotland in terms of its performance and delivery of the Local Police Plan.
Partnerships and Alliances	The Council and Police Scotland are Community Planning Aberdeen partners with a shared commitment to deliver the LOIP.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Not required.
Data Protection Impact Assessment	Not required.
Duty of Due Regard/Fairer Scotland Duty	Not applicable.

9. BACKGROUND PAPERS

N/A

10. APPENDICES (if applicable)

N/A

11. REPORT AUTHOR CONTACT DETAILS

Detective Chief Inspector Carron McKellar
North East Division, Police Scotland

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection
DATE	27 October 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Police Scotland Performance Report April 2020 - March 2021
REPORT NUMBER	POL/21/235
DIRECTOR	
CHIEF OFFICER	
REPORT AUTHOR	Chief Superintendent George Macdonald, North East Division, Police Scotland (Appendix A)
TERMS OF REFERENCE	5.7

1. PURPOSE OF REPORT

- 1.1 To present the Police Scotland Performance Report – April 2020 to March 2021 for Committee scrutiny.

2. RECOMMENDATION

- 2.1 That the Committee discuss, comment on and endorse the report.

3. BACKGROUND

- 3.1 The report, attached as **Appendix A** provides a detailed account of Police Performance in Aberdeen City in support of agreed priorities, both local and national for April 2020 to March 2021.
- 3.2 Much of the content of the report reflects on the collaborative methods which Police Scotland now deploy across the City. The report demonstrates how communities can benefit when Community Planning Partners work within both the Local Outcome Improvement Plan and Locality Plans.

OFFICIAL

3.3 The report covers a wide range of police activity including corporate governance; detection rates; response times; and audit methodology. The report provides year on year comparisons to allow the Committee to evaluate trends in performance.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	N/A		
Legal	N/A		
Employee	N/A		
Customer	N/A		
Environment	N/A		
Technology	N/A		
Reputational	N/A		

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous People	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that ' <i>Aberdeen is a place where all people can prosper</i> ' and towards the achievement of the LOIP theme which aims to make

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	people more resilient and protect them from harm; where every child, irrespective of their circumstances, is supported to grow, develop and reach their full potential; and where all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm, supported when necessary and fully included in the life of the city.
Prosperous Place	Police Scotland are key partners within Community Planning Aberdeen and help contribute to the shared vision for 2026 that ' <i>Aberdeen is a place where all people can prosper</i> ' and towards the achievement of the LOIP theme which aims to support individuals and communities to live in healthy, sustainable ways; and the development of sustainable communities with strong and resilient communities.

Design Principles of Target Operating Model	
	Impact of Report
Governance	The Council has an oversight role of the North East Division of Police Scotland in terms of its performance and delivery of the Local Police Plan.
Partnerships and Alliances	The Council and Police Scotland are Community Planning Aberdeen partners with a shared commitment to deliver the LOIP.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	<i>Not required</i>
Data Protection Impact Assessment	<i>Not required</i>
Duty of Due Regard / Fairer Scotland Duty	<i>Not applicable</i>

9. BACKGROUND PAPERS

N/A

10. APPENDICES (if applicable)

Appendix A – Police Scotland Performance Report (April – March 2021).

11. REPORT AUTHOR CONTACT DETAILS

Chief Superintendent George Macdonald
North East Division
Police Scotland



POLICE
SCOTLAND
Keeping people safe

Public Protection Committee

North East Division
Aberdeen City

April 2020 – March 2021

OFFICIAL



Contents

- Introduction
- Staffing
- Complaints About the Police
- Anti-Social Behaviour, Violence and Disorder
- Acquisitive Crime
- Road Safety and Road Crime
- Protecting People at Risk of Harm
- Serious Organised Crime
- Counter Terrorism and Domestic Extremism
- Miscellaneous

OFFICIAL



Introduction

I am pleased to present you with the latest Public Protection Committee report on behalf of Police Scotland, North East Division. The report documents a detailed journey of Police performance in Aberdeen City aligned to the agreed priorities at both local and national levels, between 1 April 2020 and 31 March 2021.

There has been significant change to law and legislation centred on the COVID-19 Pandemic during this period. The Public health approach to Policing and Community wellbeing have been our principle priorities as communities were asked to stay at home to protect life and services.

This report presents data set against 5 Year Averages but it is clear there have been significant reductions when compared to 2019/20 figures in public space Violence, Acquisitive Crime and many aspects of Antisocial Behaviour and Road Safety. These reductions have allowed us to focus on effects of Hidden Harm, as people were confined to their homes and movements were restricted.

The resilience shown by the communities and people of Aberdeen has been exceptional as they have adhered to instructions on new regulations, acted with the greatest of care to prevent the spread of the virus and looked for new ways to reach out to people and offer help. It is impossible to capture the magnitude of the kindness shown but it has been humbling to help support communities and our partners.

Resilience and collaboration are two key words that were valuable in the partnership as we all sought to protect the vulnerable and ensure that the risks to young and old were minimised.

A key factor for Aberdeen City has also included the North East Integration Project which has commenced in earnest with plans now in action for staff moving to the new integrated hub at Marischal College.

The opening of the new public service counter at Marischal College will coincide with the closure of the public counter at Queen Street and will offer customers multiple public services under one roof, with Aberdeen City Council and Police Scotland working alongside each other. We hope to see the real benefits of integrated working as the working arrangements mature and align with the return to the workplace by those who have been working from home.

The state-of-the-art custom built multi-agency CCTV operations centre is now established at Marischal College. The digital upgrades in the Police CCTV network and easier access to shared footage not only hugely benefits wider community safety but offers enhanced intelligence gathering and investigative opportunities.

Criminality also adapted and increased on line and within the virtual space, the effect of which was no less hard hitting. In contrast, the virtual world offered valuable prevention opportunities to be delivered efficiently and to a wide audience. This was also the platform for a new approach to Cyber Enabled Crime and we have responded to that with the inception of a specialist team dedicated to tackle online crime in the North East.

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I would like to take this opportunity to record my thanks for the exemplary work done by Health and Social Care colleagues, along with the wider public sector to secure a stronger partnership and work in different more agile ways with Police Officers, Police Staff and our volunteers in the Special Constabulary and Youth Volunteers. We continue to strive collectively to achieve positive outcomes in order that Aberdeen City emerges through these challenging times in an even stronger position than before.

Regards

A handwritten signature in black ink, which appears to read 'George Macdonald'.

George Macdonald
Chief Superintendent
North East Division
Police Scotland



Staffing

	Authorised Establishment	March 2021	Difference
Police Officers ¹	1103 FTE	1060.12 FTE	- 42.88 FTE
	March 2020	March 2021	Difference
Police Staff ¹	117.41 FTE	121.28 FTE	+ 3.87 FTE

¹North East Division (Aberdeenshire, Moray and Aberdeen City) Full Time Equivalent (FTE)

The authorised establishment of North East Division has remained consistent, with a steady although relatively small dip in numbers throughout the past year. These figures fluctuate with retirements and quarterly recruitment but have been impacted by the Coronavirus Pandemic due to the capacity for training at the Scottish Police College.

The next intake of Probationary Constables are due to commence work within the Division shortly following the Pandemic related delays as part of the recruitment model. Numbers for this intake are projected to be **15** and a further intake totalling **35** is planned for later in the year.

We also have **26** Special Constables working alongside full time colleagues in the City. Their dedication and contribution in the provision of an excellent service to our communities cannot be overstated.



Complaints About the Police

Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	%Change 2021 v 2020
Overall Satisfaction of How Police Dealt With Your incident ²	N/A	71.0%	83.7%		-12.7%
Complaints Received About The Police	N/A	345	266	+79	+29.7%
Number of Complaints Per 10,000 Police Incidents	N/A	51.8	35.0	+16.8	+48.0%
On Duty Allegations Raised	N/A	443	294	+149	+50.7%
Off Duty Allegations Raised	N/A	1	1	0	0.0%
Quality of Service Allegations	N/A	115	47	+68	+144.7%
Total Allegations	N/A	559	342	+217	+63.5%

² North East Division (Aberdeen City, Aberdeenshire and Moray)

Levels of overall satisfaction remain high at **71%** and while down on the previous year, is in line with the national average. While this is a reduction on the previous year it is of relevance that the survey methodology changed in April 2020 from a telephone survey to a text survey, due to Coronavirus restrictions. This change correlated with a predicted and notable drop across all measures. As such, comparison with previous years may not be reflective of performance or experience.

There has been a **29.7%** increase in the number of Complaints about the Police received during this reporting period. With any rise in complaint numbers there is also a rise in the number of allegations, particularly so in light of recommendations from the Police Investigations & Review Commissioner (PIRC), which aim to ensure that each aspect of a complaint is recorded separately. Ultimately this can result in one complaint comprising of several allegations.

A number of complaints stem from a lack of understanding of Police powers and procedures. These allegations are categorised as 'Quality of Service' complaints, which have risen by **68** in total. The unprecedented challenges associated with the Coronavirus Pandemic resulted in dynamic and, at times, difficult decisions around Officer deployment. Some of these complaints are directly attributed to our response to the Pandemic although it is considered that many others have been influenced by people's behaviour, general tolerance levels and frequently changing guidance, direction and to a lesser extent, legislation over the last year.

Our Policing tone of “Engage, Explain, Encourage and Enforce”, has remained consistent throughout ensuring our response has remained proportionate, reasonable and fair.

Our Front Line Resolution process, which affords the complainer an opportunity to ask questions and receive an explanation regarding actions taken by Police, remains the primary means by which Complaints About the Police are resolved in the North East. During this reporting period, if complaints

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were not resolved in this way our dedicated Service Delivery team would investigate, supported by the national Professional Standards Department where appropriate.

Of the **345** complaints about the Police received, **25%** required action by our Service Delivery team, with only **11%** of allegations contained within these complaints upheld.

Following recommendations arising from the review of Complaint handling conducted by the Rt Hon Dame Elish Angiolini, since May 2021, all Complaints About the Police have been retained and investigated by the national Professional Standards Department. While this has had no bearing on the reporting period it marks a change going forward and will of course influence future reports.

Through User Experience Surveys and robust governance processes, in partnership with our Professional Standards colleagues, we will ensure that learning points and areas for improvement continue to be identified, shared and acted upon to improve our overall service to the public.



Antisocial Behaviour, Violence and Disorder

Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 5 Year Av
Common Assault - Recorded	3,007.6	2,505	2,868	-502.6	-16.7%
Common Assault - Detection Rate	71.0%	76.7%	70.8%		+5.7%
Robbery - Recorded	104.8	100	90	-4.8	-4.6%
Robbery - Detection Rate	80.7%	89.0%	86.7%		+8.3%
Vandalism - Recorded	1,964.0	1,691	1,643	-273.0	-13.9%
Vandalism - Detection Rate	24.8%	32.5%	26.0%		+7.7%
Fire Raising - Recorded	117.8	147	110	+29.2	+24.8%
Reports of Street Drinking	95.8	20	61	-75.8	-79.1%
Drunkenness and Disorderly Conduct	211.4	33	151	-178.4	-84.4%
Racially Aggravated Harassment / Conduct	90.6	83	105	-7.6	-8.4%
Racially Aggravated Harassment / Conduct - Detection Rate	88.3%	98.8%	87.6%		+10.5%
Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 2020
Group 1 Crimes - Recorded ³	N/A	487	514	-27	-5.3%
Group 1 Crimes - Detection Rate	N/A	80.5%	75.5%		+5.0%
Serious Assault - Recorded ⁴	187.0	122	161	-65.0	-34.8%
Serious Assault - Detection Rate	89.4%	95.1%	91.9%		+5.7%
Hate Crime - Recorded	N/A	304	271	+33	+12.2%
Hate Crime - Detection Rate	N/A	77.3%	76.4%		+0.9%

³ Crimes of Violence include Murder, Attempted Murder, Culpable Homicide, Cruelty, Neglect and Un-natural Treatment of Children and Adults, Abduction, Robbery, Assault with intent to Rob, Serious Assault, Threats and Extortion and Coercive or Controlling Behaviour (w hich was added in 2019).

Group 1 Crime is a term used to encapsulate all forms of serious non-sexual Violent Crime and incorporates a range of diverse offences.

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The overall figures for Violence and Antisocial Behaviour are unsurprisingly framed by the Coronavirus Pandemic where call demand and crime reporting reduced as restrictions on movement saw people in the City locked down in the early stages of the reporting period.

The lack of a meaningful night time economy and associated licensing restrictions also influenced crime trends within Aberdeen and saw a demand shift from public to private space violence. Naturally this also affected reported street drinking and disorderly conduct.

Following the various levels of restriction and 'lockdown' we saw a return to more familiar levels of criminality closely resembling business as usual however we know that the comparison with last year's figures may not provide an accurate reference and this may impact reporting for some time.

Looking at the figures in more depth there are welcome reductions in Common Assault, down **16.7%** against the 5 Year Average and significantly lower than the previous year with an exceptionally strong detection rate of **76.7%**.

Continuing the trend, Serious Assaults are also down by **34.8%** against the 5 Year Average. Similarly, there is a notable increase in detection rates too from the previous year, remaining consistently high at **95.1%**.

Recognising the impact that these crimes have on victims we continue to ensure that those intent on committing acts of violence are held accountable for their actions and that the victims of these crimes are provided with the appropriate support.

Recorded Robbery has seen a marginal increase since the previous year but overall has seen a reduction of **4.6%** against the 5 Year Average. Detection rates also saw a marginal increase of **8.3%** and currently sitting at **89.0%**. Work continues to tackle this crime type through effective investigations and partnership support.

Throughout the implementation of Scottish Government restrictions we have remained fully engaged with partners citywide to better understand the implications for the hospitality sector and to provide advice, guidance and support.

Activity at licensed premises has been curtailed as a result of restrictions however we remain aware of the wider impacts harmful levels of alcohol consumption can have in terms of Antisocial Behaviour and Violence with indications that alcohol consumption has increased during the Pandemic. We continue to work with various agencies to tackle alcohol fuelled violence, provide support to the most vulnerable and promote a responsible drinking culture.

We are very aware that local communities continue to experience quality of life issues and working together with partners our teams across the City designed bespoke initiatives ensuring there is an appropriate balance of enforcement, education and diversion. Community Policing Inspectors are empowered to take ownership of problems within their own areas and have modified the response to the current climate.

This approach has contributed to a notable reduction in Vandalism, an over **13.9%** reduction in comparison with the 5 Year Average. Detection rates have also increased by almost **8%** this reporting

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period by the same comparison, which demonstrates the effectiveness and commitment of the Community Policing teams throughout Aberdeen City.

The **decrease of 5.3%** for overall Group 1 crime with an increased detection rate of over **80%** indicates that despite a slight increase in ASB incidents our preventative work has been effective to date. However, it should be acknowledged that these figures do not separately detail the emergence of incidents of on-line threats and extortion (Sextortion) which like all types of Cyber Enabled crime have consistently increased during the pandemic.

The increase in incidents of Wilful Fire-raising have increased by **24.8%** during this period and early analysis shows this to be connected largely to incident involving youths engaging in Antisocial behaviour. Partnership work with SFRS and other diversion groups aim to tackle this issue as restrictions continue to lift.

While Hate Crime has increased slightly over the reporting period and our detection rates remain high, we understand that many factors affect these figures, including how able people are to identify same, and how willing people are to report it.

With this in mind we continue to campaign to raise awareness of Hate Crime, the impact on those affected, and the alternative ways to report same. We will continue to work with partner organisations and critical friends to look for ways to make our service more understanding and accessible to those experiencing hate.

Operation 'Restart' is a plan designed to provide an overview of tactical options and contingencies across North East Division in response to the Scottish Government COVID-19 timeline for the hospitality sector. This plan was closely linked to the 'Staycation' work undertaken by the Grampian Local Resilience Partnership. The purpose again is to focus on maintaining public trust and confidence in North East Division as a service provider and as an effective professional partner in supporting the combined partnership response.



Acquisitive Crime

Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 5 Year Av
Crimes of Dishonesty - Recorded	6,266.4	4,635	5,134	-1,631.4	-26.0%
Crimes of Dishonesty - Detection Rate	44.6%	41.5%	45.6%		-3.1%
Housebreakings - Recorded	689.6	428	344	-261.6	-37.9%
Motor Vehicle Crime - Recorded ⁵	781.0	402	518	-379.0	-48.5%
Motor Vehicle Crime - Detection Rate	27.0%	38.8%	31.7%		+11.8%
Theft of Motor Vehicle - Recorded	280.2	148	178	-132.2	-47.2%
Common Theft - Recorded	1,512.6	1,043	1,269	-469.6	-31.0%
Common Theft - Detection Rate	30.0%	31.0%	31.0%		+1.0%
Theft by Shoplifting - Recorded	2,081.0	1,409	1,966	-672.0	-32.3%
Theft by Shoplifting - Detection Rate	72.6%	66.3%	68.6%		-6.3%

⁵ Theft from secure motor vehicle; Theft from insecure motor vehicle; Theft of a motor vehicle; Attempted Theft of a Motor Vehicle.

Theft by housebreaking (including attempts) - Detection Rates	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	% Change 2021 v 5 Year Av.
Overall	24.7%	37.1%	28.2%	+12.4%
Dwelling House	30.1%	43.3%	39.7%	+13.2%
Non-Dwelling (e.g. Sheds)	18.2%	30.4%	18.0%	+12.2%
Other Premises (e.g. Commercial)	31.8%	37.7%	24.4%	+5.9%

Housebreaking refers to a variety of buildings including sheds, garages, shops as well as dwelling houses.

This year has shown widespread significant decreases in reported Crimes of Dishonesty within Aberdeen City in comparison with previous year 2019/20. This illustrates a positive and effective preventative strategy, particularly when compared with the 5 Year Average performance in this area, showing a **26.4% decrease**, which indicates steps in the right direction.

These decreases are in part as a result of this strategy being focused and structured to ensure we are proactive in the right places at the right times. Also by enhanced efforts through Crime Reduction and partners to inform the local communities of what they can do to prevent and/or lessen the likelihood of them falling victim to a Theft or associated crime.

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This approach is led by Aberdeen City's Community Policing Teams with assistance from specialist CID, Operational Support and along with relevant partners.

It is noted the detection rates across most areas of Acquisitive Crime have seen increases in comparison with previous year and against the 5 Year Average figure. This is pleasing and again is a positive contribution to all-round performance and testament to the investigative work carried out by Community Policing Teams, Criminal Investigation Departments, the Crime Reduction team and partners.

Despite the strong performances in prevention and detection this year, the future focus remains primarily on prevention. Police Scotland's Crime Reduction Team have a crucial role to ensure our communities are aware of the measures they can take to reduce the likelihoods of them becoming victims of acquisitive crime.

Acquisitive Crime Governance structures are in place within A Division to address intelligence led emerging trends proactively, while directing and co-ordinating Community Policing resources across Aberdeen City to all areas affected by acquisitive activity.

Equally North East Division recognises the significant rise in reported 'Non-Contact' Frauds and in particular Cyber Enabled Fraud with interconnected and associated crimes and offences.

'Non-Contact' Frauds have increased, which is reflective of society in terms of increased internet usage in general and during the Pandemic.

Numerous on line applications have presented opportunities for Organised Crime Groups to carry out 'Non-Contact' online Frauds, often targeting those most vulnerable to online financial exploitation.

To address this emerging trend, North East Division is the first division in Scotland to implement a dedicated unit, the Divisional Cyber-Enabled Crime Team, within the Criminal Investigation Department who will have responsibility for all Investigative and Preventative strategies in this area of criminality across the entire Division.

The unit aims to improve and forge strong links within the financial sector and establish effective working partnerships with Economic and National Cyber Investigations.

Aberdeen City's Community Policing Teams will work in conjunction with this specialist unit, alongside third sector agencies such as Crimestoppers, Citizens Advice, Victim Support and Adult Protection who will be pivotal to the success of the our approach.

This is in keeping with the national strategies in this area, offering actionable advice across local communities and commercial institutions along with business resilience expertise.

While significant efforts are ongoing locally to improve our investigative capabilities in this area, the primary focus remains on prevention, education and support for those most vulnerable to these crime types.

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To address the anticipated annual increase in Thefts of motorcycles and bicycles across the City and the associated crime and resultant risks, Operation Armour was instigated with dedicated resources secured and target-hardening prevention work progressed alongside internal and external partners to raise awareness of this crime type. The Operation yielded some notable results which will be provided in full during the next reporting period.



Road Safety and Road Crime

Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019- Mar 2020	Difference	% Change 2021 v 2020
People Killed/Seriously Injured	N/A	36	48	-12	-25.0%
Children Killed/Seriously Injured	N/A	2	4	-2	-
People Killed	N/A	0	3	-3	-
Children Killed ⁶	N/A	0	0	0	-
Advice/Education Given to Motorists ⁷	N/A	15,064	17,508	-2,444	-14.0%
Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019- Mar 2020	Difference	% Change 2021 v 5 Year Av
Mobile Phone Offences	393.0	90	133	-303.0	-77.1%
Speeding Offences	1,924.8	1,263	1,356	-661.8	-34.4%
Drink/ Drug Driving Offences	287.4	363	257	+75.6	+26.3%
Dangerous Driving	95.8	130	86	-34.2	+35.7%
Disqualified Driving	95.8	86	75	-9.8	-10.2%
Detected Offences Relating to Motor Vehicles	7,591.4	5,768	5,824	-1823.4	-24.0%
Parking Fixed Penalties Issued ⁸	878.6	285	854	-593.6	-67.6%

⁶ Child is under 16 years of age.

⁷ North East Division (Aberdeen City, Aberdeenshire and Moray) figures by Road Policing Officers.

⁸ North East Division (Aberdeen City, Aberdeenshire and Moray).

While the number of people killed and seriously injured on our roads has decreased by 25%, cognisance must be taken of the various restrictions on movement applied throughout the year, significantly reducing levels of vehicular traffic.

Despite this, our commitment to improve road safety during this difficult time has remained steadfast. The loss of any life on our roads is tragic and has significant widespread impact. This remains the driving motivation behind our commitment to improving road safety.

The implementation of COVID-19 restrictions also significantly impacted upon our ability to work directly with partners, with the cancellation of several well established campaigns such as ‘Safe Drive Stay Alive’ and ‘Rider Refinement North’. However, through flexibility and innovation, road safety initiatives continued locally under Operation CEDaR (Challenge, Educate, Detect and Reduce). Through the review of statistical data, community consultation and engagement with partners, Officers responded to

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road safety concerns with targeted activity, positively influencing driver behaviour through education and enforcement. Community Policing Teams throughout the city also undertook directed activity in support of national Road safety campaigns.

During the reporting period Operation 'Close Pass' was re-launched in Aberdeen providing focus on cyclist safety. This operation saw Officers deployed on pedal cycles educating drivers on the dangers of passing too closely to cyclists. The inclusion of digital cameras fixed to the bikes enables drivers to see the potential dangers and impact their driving may have, from a cyclist's point of view. This operation has and continues to be received positively both in local and national media.

In a bid to reduce road crime, several days of action in relation to Operation Contemn were conducted. This is a joint intelligence led operation involving Officers from Roads Policing and Proactive CID, targeting individuals utilising the road network in furtherance of their criminal activities. The operation to date has seen significant success.

Social media has been widely used to highlight our activity, consistently receiving support and positive comment by the public.

We remained committed to the North East Scotland Strategic Road Casualty Group, continuing to identify and target routes with significant collision histories, appropriately balancing high visibility and unmarked patrols, utilising enforcement and education in order to improve road safety and driver behaviour.

Our activity has been aligned to the Priority Focus Areas contained in the Scottish Government's National Road Safety Framework. A new framework was issued in February 2021 and sets out a vision for Scotland to have the best road safety performance in the world by 2030 and an ambitious long term goal where no one is seriously injured or killed on our roads by 2050. The Framework builds on what has already been achieved here in the North East over the last decade. It sets out new strategic outcomes for road safety, built around the safe system approach. We will work diligently with partners to ensure our activity is appropriately aligned as we advance through the coming year.

As mentioned above, the 'Rider Refinement' training scheme, designed to improve motorcycle riding standards, was unfortunately postponed as a result of the COVID Pandemic restrictions. Undeterred, plans are in place for this initiative to return at the appropriate juncture, with safe working practices in place to ensure the wellbeing of everyone involved. Similarly, work is ongoing to ensure the previously good work of the 'Safe Drive Stay Alive' campaign continues in a revised format ensuring it remains relevant and fit for purpose.

The reporting period saw notable increases in Drink/Drug Driving **(26.3%)** and Dangerous Driving **(35.7%)** offences against the 5 Year Average. The increase in the number of Drink/Drug Driving offences can be directly attributed to the increased use of roadside drug screening tests and similarly, along with offences pertaining to Dangerous Driving, to the reduction in traffic flow allowing those committing offences to be more easily identified and intercepted.

The number of offences pertaining to Motor Vehicles, Mobile Phones and Speeding were, as expected, significantly lower than previous years. This again can be directly attributed to the reduction in traffic volume and periods where our ability to deploy proactively were variously restricted.



Protecting People at Risk of Harm

Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 5 Year Av
Group 2 Crimes - Recorded ⁹	675.0	668	609	-7.0	-1.0%
Group 2 Crimes - Detection Rate	63.3%	61.7%	63.2%		-1.6%
Rape - Recorded	87.0	97	82	+10.0	+11.5%
Rape - Detection Rate	59.8%	66.0%	57.3%		+6.2%
Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 2020
Domestic Abuse Incidents Reported	N/A	2,548	2,530	+18	+0.7%
Domestic Abuse Crimes - Detection Rate	N/A	75.9%	64.9%		+11.0%

⁹ Group 2 Crimes of Indecency include Rape, Assault with intent to Rape, Indecent Assault, Sexual Assault, and Prostitution related crime and others with an indecent element.

Over the year the Division has actively carried out local multi-agency messaging and promoted national campaigns around online safety and other types of hidden harms – the national ‘Eyes and Ears Open’ campaign being an example of this. Extensive coverage in local press has included specific focus on Hidden Harm and targeting harder-to reach groups, using local community and faith groups and translating messaging into a number of languages. Working closely with the public protection strategic groups, the potential for delayed demand as a result of any restrictions being loosened has been pre-empted through increased frequency of meetings and the resulting work carried out by the Division and its partners.

Recorded Group 2 crimes have exceeded the number in 2019/20 and remain below the 5 Year Average. The impact of the Pandemic and associated restrictions during the periods of lockdown as well as the closing down of the night-time economy during these times have impacted on this. Q2 and Q3 both showed a rise in reported offences as we experienced a loosening of restrictions, whereas the lockdown and associated restrictions had a material effect on the levels of Rape and serious sexual offending being reported initially.

Although slightly lower than the 5 Year Average, the detection rate shows how problematic investigating crimes of a sexual nature can be. Group 2 ‘Champions’ provide a level of expert oversight locally within policing teams and the Public Protection Unit progress enquiries of a more complex nature, both recent and non-recent, led by a Senior Investigating Officer. With the increasing use of social media and the internet, communications offences which have a sexual element are included in these figures and we continue to see a rise in this area. The recently formed Divisional Cyber-Enabled Crime Team will provide specialist support in the investigation of such crimes, which can often be protracted.

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With regard to recorded Rape, there have been 10 more in this reporting period than in the 5 Year Average. It is important to note that this includes 'non-recent' crimes which may have occurred a number of years ago, or featured as part of longer term domestic abuse. Anecdotally, partners have fed back to Police that some victims have decided to report such non-recent incidents after the period of lockdown and this may have been further impacted by amount of awareness raising across all media in relation to sexual crimes and associated Hidden Harms.

Throughout lockdown, reporting of Domestic Abuse incidents was relatively unchanged. Strong messaging regarding the hidden harm in this area in particular has undoubtedly contributed to this and this is also reflected in the levels of support sought by victims from partners. Positively the detection rate associated with domestic abuse crimes has risen. Multi-Agency Risk Assessment Conference (MARAC) referrals, co-ordinated through the police, have increased month on month, ensuring that those most at risk and at need are provided with appropriate support to mitigate the risk posed to them. It should also be noted that the majority of referrals to MARAC originate from the Police.

With a change in legislation regarding Domestic Abuse in 2018 (the introduction of the Domestic Abuse (Scotland) Act) a comparison with the 5 Year Average is unable to be made.

Our Partnership Co-ordination Unit (PCU) provides support and access to services 7 days a week for those experiencing harm from Domestic Abuse, and they assemble appropriate safety plans and security measures to prevent future harm reoccurring while also continuing to utilise the Multi-Agency Risk Assessment Conference (MARAC) process to assist victims and their families, and the Multi-Agency tasking and Co-ordinating (MATAC) to focus on higher risk perpetrators to protect those potentially at risk.

Positively, the numbers of requests for disclosures of information under the Disclosure Scheme for Domestic Abuse Scotland (DSDAS) continue to rise steadily as people become more familiar with it and understand the information that can be provided. We also continue to champion awareness of Domestic Abuse through campaigns such as our 'Hidden Harms' campaigns and the annual 16 Days of Action that takes place in November/December each year.



Serious Organised Crime

Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 5 Year Av
Proceeds of Crime Act Seizures ¹⁰	£257,040.46	£157,643.67	£291,522.34	-£99,396.79	-38.8%
Drug Possession Offences	1,573.8	1,649	1,555	+75.2	+4.8%
Drug Supply Offences	230.0	282	261	+52.0	+22.6%
Indicator	5 Year Average	Apr 2020 - Mar 2021	Apr 2019 - Mar 2020	Difference	% Change 2021 v 2020
Drug Deaths	N/A	66	39	+27	+69.0%

¹⁰ A Division (Aberdeenshire, Moray & City) reported seizures (reported figures only, this may mean that the money might finally be returned to the defender, forfeit at court or seized and remitted to Crown office Procurator Fiscal Service).

Due to the Pandemic, proactivity in relation to the sale and supply of controlled drugs across North East Division and nationally has been challenging, mainly due to the nature of the processes and investigative methods traditionally used in carrying out these types of investigations.

Despite this, it is illustrated very positively in performance analysis that our commitment to address this problematic area of policing has seen Aberdeen City's performance continue to improve with a notable **increase of 22.6%** in relation to drug supply offences in Aberdeen City.

Despite the challenges it is pleasing to report significant numbers of persons across Aberdeen from Organised Crime Groups (OCG's) originating from England, were reported to COPFS for being involved in the sale and supply of drugs, along with other associated crimes and offences during this reporting period.

In addition to the drug seizures, Community Policing and CID teams have collectively seized approximately £160,000 in cash during the course of enquiries into Serious and Organised Crime. This will be processed through courts and may be seized permanently under Civil Recovery laws for long term benefits to local communities.

Importantly the impact of drug supply and consequences of this, such as drug related deaths, drug misuse and suicide is monitored closely.

Efforts are ongoing to proactively identify those in most need of support. This is led by the Division's Partnership and Interventions (now based at Aberdeen's Marischal College) in conjunction with partners in public and Third Sectors.

This includes the well-established 'Cuckooing' initiative, which has continued to provide support and diversion for the most vulnerable and includes enhanced referral, support and preventative mechanisms for those affected by drug and alcohol misuse.

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Looking forward, North East Division continues to lead strongly in our approach to Serious and Organised Crime. Our focused monitoring of emerging trends allows us to tackle the widespread and evermore sophisticated nature of this area effectively.

'County Lines' remains a national issue and North East Division are utilising a wide range of investigative tactics available which has included 'joined up' investigations with other forces and partners nationally.

OCG's from England continue to pose the greatest threat in terms of 'County Lines' activity and remain prevalent across most areas of Aberdeen City.

By using the 4D (DETECT-DISRUPT-DETER-DIVERT) methodology, some very positive successes have been seen when reflecting on enforcement results and our work with key partners to support and signpost those linked to Organised Crime assessed as being in need of intervention.

The key message to local communities within Aberdeen City is to remain engaged with their Community Policing Teams confidently, by using our new and of course our conventional communication methods.

All information provided to us is assessed and allows us to act positively, while applying sensitivity and confidence. This is a crucial tool in tackling Serious and Organised Crime.



Counter Terrorism and Domestic Extremism

Counter Terrorism and Domestic Extremism remains a Policing Priority and North East Division continues to work strongly in partnership with members of the North East CONTEST Multi-Agency Board. The key principles to the national CONTEST strategy are Prevent, Pursue, Protect and Prepare.

Prevent.

We have been working to ensure that 'Prevent' referral processes are clearly identified in organisational policies and that all partners are aware of when a prevent referral is necessary. Prevent Multi-Agency Panels (PMAP), a government framework to effectively support individuals at risk of radicalisation, have been established and implemented with meaningful and effective input from all partners. A Prevent group meets and engages regularly with ports and industry to focus and review all partnership prevent activity. In addition Local Contest Liaison Officers (LCLO's) continue to support locally and provide advice and guidance on all aspects of the Contest strategy.

Pursue.

North East Division have been working closely to improve understanding throughout the public and private sectors on the mechanisms available to promptly share information regarding concerning or suspicious activity linked to counter terrorism or domestic extremism. LCLO's have attended at local harbour offices to raise awareness and Borders Policing Command have worked with local Policing teams in an operation where vessels, deemed at increased security risk were boarded and checked. In addition a robust governance process exists to ensure that all incidents and intelligence linked to counter terrorism are effectively managed.

Protect.

Police Scotland, through the multi-agency group has reached out to partners, seeking feedback on the 'Protect Duty' which proposes a legislative framework to provide for the provision of protective security at publically accessible locations. LCLO's continue to undertake a vitally important role in providing security advice at these locations and where the risks are more significant then highly trained counter Terrorism Security Advisors (CTSA's) can undertake detailed surveys and make recommendations. Recent examples of this has been security surveys at COVID mass vaccination centres, specifically the P&J Arena.

Prepare.

Police Scotland continue to push the Action Counters Terrorism (ACT) program, ensuring that it is embedded in training packages in partner organisations. Police and partners work closely together in developing plans for a variety of emergency situations. This has included table top exercises for the Menu of Tactical Options (MOTO) which have been delivered and will continue as they develop.

CTLO's and LCLO's have attended a week of specific training covering a variety of subjects.

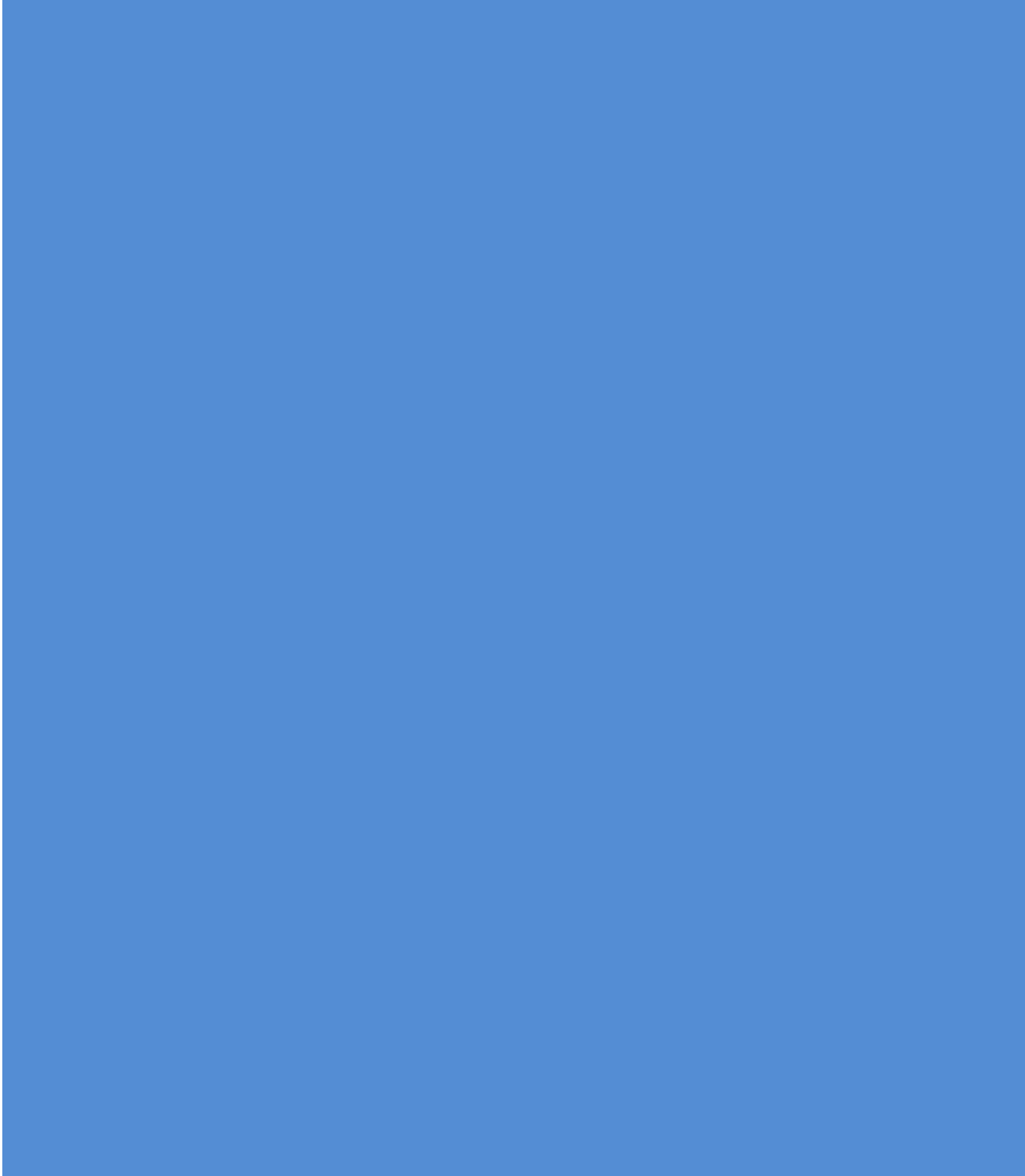


Miscellaneous

Stop and Search

Indicator	Apr 2020 - Mar 2021	Apr 2020 - Mar 2021 (positive)
Consensual	0	-
Legislative	2,344	787
Number of Consensual Stop and Searches Refused	-	-

OFFICIAL



ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection
DATE	27 OCTOBER 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Scottish Fire and Rescue Service Quarterly Performance Report
REPORT NUMBER	SFR/22/236
DIRECTOR	Bruce Farquharson, Local Senior Officer, SFRS
CHIEF OFFICER	Group Commander Scott Symon, SFRS
REPORT AUTHOR	Bruce Farquharson, Local Senior Officer, SFRS
TERMS OF REFERENCE	5.6

1. PURPOSE OF REPORT

- 1.1 To present the performance of SFRS against the objectives contained within the Aberdeen City Local Fire and Rescue Plan

2. RECOMMENDATION(S)

- 2.1 That the Committee consider and note the performance data provided in **Appendix A** in relation to the SFRS 2021/22 Performance Report

3. BACKGROUND

- 3.1 This report invites you to review the Scottish Fire and Rescue Service Aberdeen City Performance for Quarter 1 of 2021/22.
- 3.2 This update shows the progress being made by the SFRS locally against the priorities and objectives for Aberdeen City.
- 3.3 This report allows scrutiny from Local Authority Partners to ensure that the priorities of the SFRS Strategic Plan, and the Aberdeen city Local Outcome Improvement Plan are being delivered.

4. FINANCIAL IMPLICATIONS

4.1 There are no significant financial implications for the Council.

5. LEGAL IMPLICATIONS

5.1 There are no significant legal implications for the Council.

6. MANAGEMENT OF RISK

6.1 Not applicable

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Economy	Whilst not specific to any Stretch Outcome, the paper seeks contribution to fire safety which will assist achieve a safer place to live, work and visit.
People	<p>The proposals within this report support the delivery of the following LOIP Stretch Outcomes</p> <p>10. 25% fewer people receiving a first ever Court conviction and 2% fewer people reconvicted within one year by 2026.</p> <p>11. Healthy life expectancy (time lived in good health) is five years longer by 2026.</p> <p>The paper seeks contribution to the Strategic Plan to reduce instances of deliberate fire setting and improve fire safety and prevention.</p>
Place	Whilst not specific to any Stretch Outcome, the paper seeks contribution to fire safety which will assist achieve a safer place to live, work and visit.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	
Organisational Design	
Governance	
Workforce	
Process Design	
Technology	
Partnerships and Alliances	

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	N/A
Privacy Impact Assessment	N/A
Duty of Due Regard / Fairer Scotland Duty	Not required.

9. BACKGROUND PAPERS

None

10. APPENDICES (if applicable)

Appendix A – SFRS Aberdeen City 2021/22 Q1 YTD Performance Report

11. REPORT AUTHOR CONTACT DETAILS

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QUARTERLY MONITORING REPORT

Covering the activities and performance in support of the Local Fire and Rescue Plan for Aberdeen City 2020



SCOTTISH
FIRE AND RESCUE SERVICE
Working together for a safer Scotland

Quarter One: 2021/22

**Working together
for a safer Scotland**



Community Planning
Aberdeen

ABOUT THE STATISTICS IN THIS REPORT

The activity totals and other statistics quoted in this report are provisional in nature and subject to change as a result of ongoing quality assurance and review.

Because all statistics quoted are provisional there may be differences in the period totals quoted in our reports after original publication which result from revisions or additions to the data on our systems.

The Scottish Government publishes Official Statistics each year which allow for comparisons to be made over longer periods of time.

TABLE OF CONTENTS

Introduction	4
Performance Summary	5
Priority 1 - Improving Fire Safety in The Home	6-8
<ul style="list-style-type: none">• Performance Measure 1; Accidental Dwelling Fires (ADF)• Performance Measure 2; ADF Fatal Casualties• Performance Measure 3; ADF Non-Fatal Casualties• Performance Measure 4; High Risk Home Fire Safety Visits	
Priority 2 – Reducing Deliberate Fires	9-10
<ul style="list-style-type: none">• Performance Measure 5; All Deliberate Secondary Fires• Performance Measure 6; All Deliberate Primary Fires	
Priority 3 – Improving Fire Safety in the Business Community	11-12
<ul style="list-style-type: none">• Performance Measure 7; All Fires in Relevant Premises• Performance Measure 8; Number of Framework Fire Safety Audits Completed• Performance Measure 9; Number of Non-Framework Thematic Audits Completed	
Priority 4 - Reducing Unwanted Fire Alarm Signals	13-14
<ul style="list-style-type: none">• Performance Measure 10; Number of UFAS Incidents	
Priority 5 – Effective Risk Management and Operational Preparedness	15-17
<ul style="list-style-type: none">• Performance Measure 11; Number of Operational Intelligence Visits Undertaken• Performance Measure 12; Number of Multi-Storey Operational Assurance Visits Undertaken• Performance Measure 13; Percentage of Personnel Competent in Role• Performance Measure 14; Availability of Appliances and Specialist Resources	

INTRODUCTION

This report provides detail on the performance of the Scottish Fire and Rescue Service (SFRS) in the Aberdeen City area. In doing so it outlines our progress in the delivery of local priorities as set out within the Local Fire and Rescue Plan and the SFRS framework document.

The Scottish Government provides an overarching vision for public services. This vision is supported by 16 national outcomes, which demonstrate commitment to creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable growth. The SFRS can make a significant contribution to improving these outcomes for Aberdeen City by contributing to the Community Planning arrangements across the city.

The national priorities for the SFRS are set out in the Fire and Rescue Framework (Scotland) 2016. The SFRS Strategic Plan 2019-22 outlines how the SFRS will deliver against these priorities and the outcomes against which this delivery can be measured.













The SFRS Local Fire and Rescue Plan for the Local Authority Area of Aberdeen City is the mechanism through which the aims of the SFRS Strategic Plan are delivered to meet the agreed needs of Aberdeen City's communities.

The Plan sets out the priorities and objectives for SFRS within Aberdeen City and allows our Local Authority partners to scrutinise the performance outcomes of those priorities. The SFRS will continue to work closely with our partners in Aberdeen City to ensure we are all "Working Together for a Safer Scotland" through targeting risks to our communities at a local level.

Aberdeen City Council's Public Protection Committee agreed the new Local Fire and Rescue Plan for Aberdeen City on 4 December 2020. In support of delivering the priorities in this plan, 14 performance measures and targets have been set, and form the basis of this quarterly monitoring report.

PERFORMANCE SUMMARY

The table below provides a summary of quarter 1 activity and year-to-date performance under identified performance measurements and against annual targets. It aims to provide, at a glance, our direction of travel during the current reporting year.

INCIDENTS ATTENDED DURING REPORTING QUARTER 1		
<p>PM 1 Accident Dwelling Fires</p>  <p>Q1 – 52 YTD – 52 Annual Target – 255</p>	<p>PM 2 & 3 Accidental Dwelling Fire Casualties</p>  <p>Q1 – 3 YTD – 3 Annual Target – 32</p>	<p>PM 4 Home Fire Safety Visits</p>  <p>Q1 – 303 YTD – 303 Annual Target – 2500</p>
<p>PM 5 Deliberate Secondary Fires</p>  <p>Q1 – 107 YTD – 107 Annual Target – 266</p>	<p>PM 6 Deliberate Primary Fires</p>  <p>Q1 – 33 YTD – 33 Annual Target – 102</p>	<p>PM 7 Fires in Non-Domestic Premises</p>  <p>Q1 – 12 YTD – 12 Annual Target – 100</p>
<p>PM 8 & 9 Legislative Fire Safety Audits</p>  <p>Q1 – 29 YTD – 0 Annual Target – 488</p>	<p>PM 10 Unwanted Fire Alarm Signals</p>  <p>Q1 – 281 YTD – 281 Annual Target – 1332</p>	<p>PM 11 Operational Intelligence</p>  <p>Q1 – 0 YTD – 0 Annual Target – 0</p>
<p>PM 12 Multi-Storey Operational Assurance Visits</p>  <p>Q1 – 0 YTD – 0 Annual Target – 236</p>	<p>PM 13 Staff Competence</p>  <p>On Target – 34 trainees</p>	<p>PM 14 Appliance/Resource Availability</p>  <p>Wholetime availability 96% RVDS availability 74.45%</p>

PRIORITY 1

IMPROVING FIRE SAFETY IN THE HOME

PM 1 – Accidental Dwelling Fires

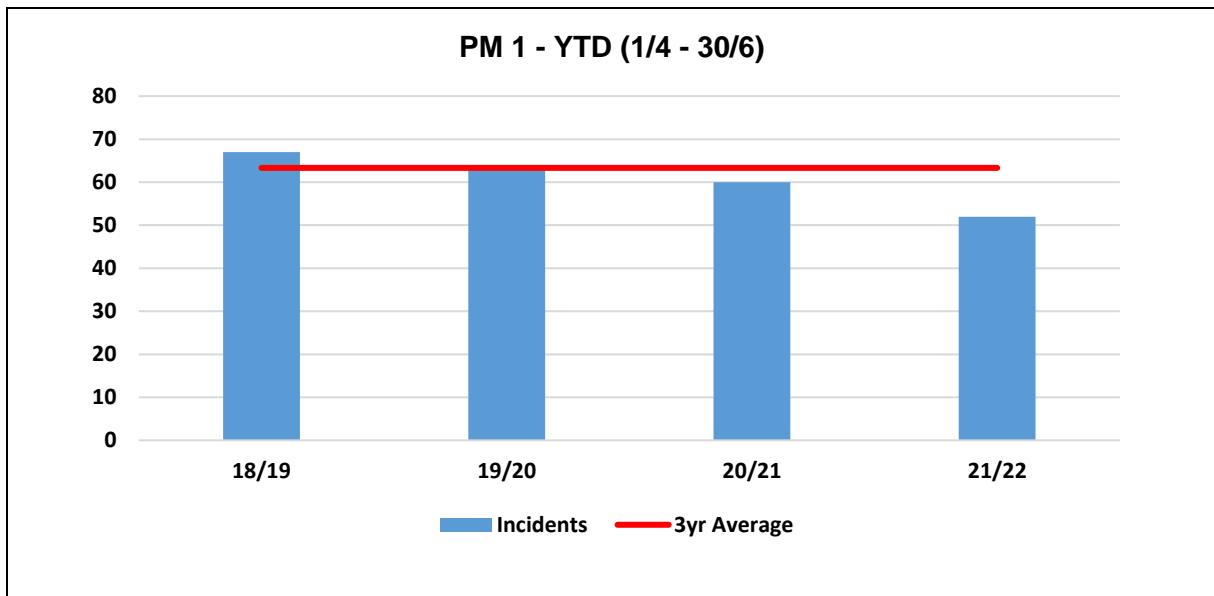


Table 1: Year to Date Performance

	18/19	19/20	20/21	21/22	YTD	Annual Target
Accidental Dwelling Fires	67	63	60	52	Green	255

PM 2 - ADF Fatal Casualties & PM 3 - ADF Non-Fatal Casualties

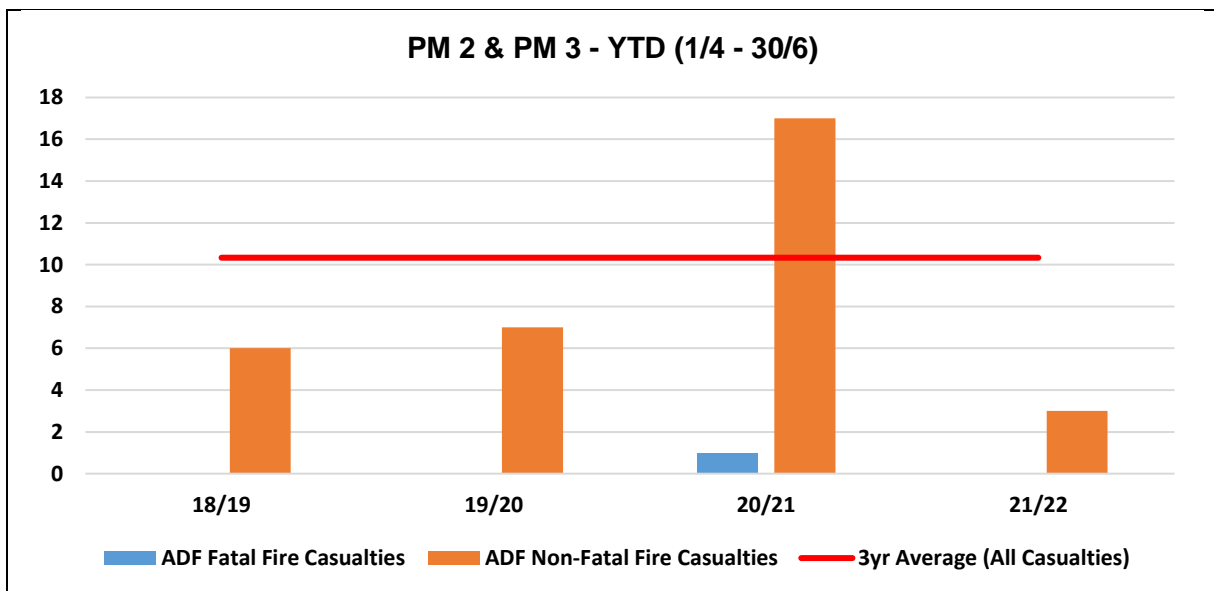


Table 2: Year to Date Performance

	18/19	19/20	20/21	21/22	YTD	Annual Target
ADF Fatal Casualties	0	0	1	0	Green	0
ADF Non-Fatal Casualties	6	7	17	3	Green	21

PM 4 – High Risk Home Fire Safety Visits

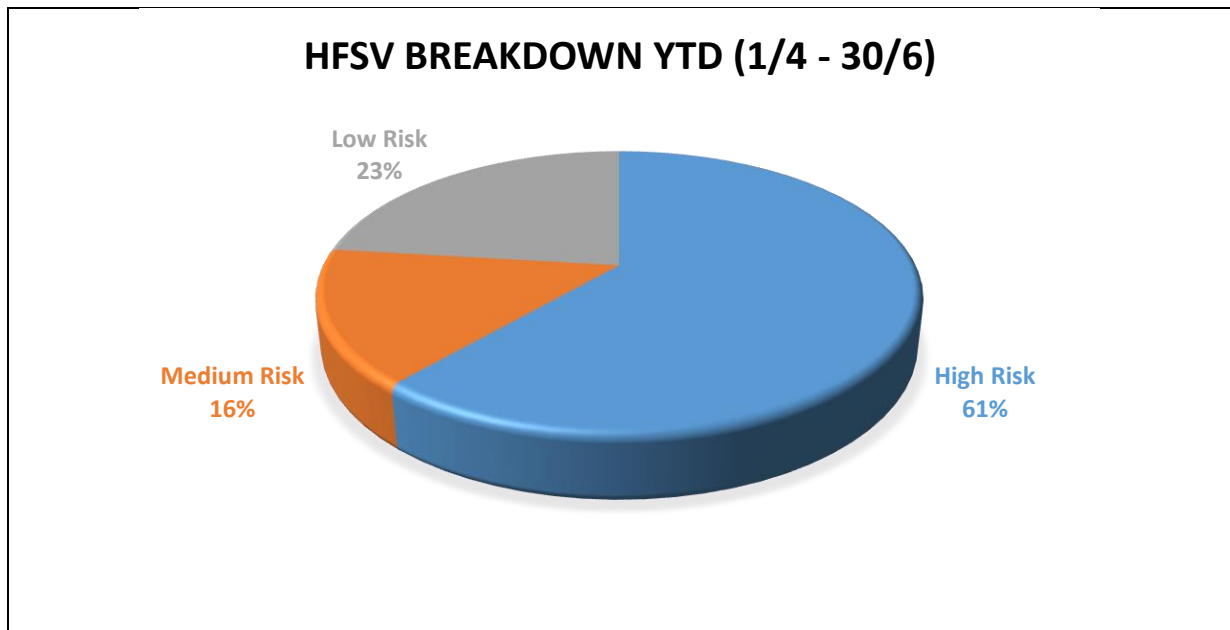


Table 3: Year to Date Performance

	High Risk	Medium Risk	Low Risk	YTD Total	YTD
Home Fire Safety Visits	186	47	70	303	Red
	61%	16%	23%	N/A	Green

Priority Description

The largest single type of primary fire in Aberdeen City is accidental fires in the home, similarly accidental dwelling fires are also the primary cause of most fire casualties and fatalities. Their prevention, therefore, is a key focus of the Service's community safety activity.

PM 1 – Accidental Dwelling Fires (ADF)

As a target, the aim is to reduce the rate of ADF's by keeping these fires **below 255** each year.

PM 2 – ADF Fatal Casualties

This measure counts those people for whom fire has been clearly identified as the cause of death, even if they die some-time after the actual fire. Those who die at, or after, the fire but where fire is **not** identified as the cause of death are not included in these figures.

As a target, the aim is to have **Zero ADF Fatal Casualties** in Aberdeen each year.

PM 3 – ADF Non-Fatal Casualties

This measure counts all types of non-fatal fire injury in the home, including precautionary checks.

As a target, the aim is to reduce the risk of injury from fire in the home, in an increasing Aberdeen population, by keeping fire injuries **below 32** each year.

PM 4 – High Risk Home Fire Safety Visits

This measure counts the percentage of all home fire safety visits that are delivered to addresses that are identified as high risk.

As a target, the aim is that **61%** of all completed home fire safety visits are categorised as high risk.

What we aim to Achieve

- *Improved community safety and wellbeing*
- *Reduction in number of accidental dwelling fires*
- *Reduction in number of casualties and fatalities resulting from accidental dwelling fires*

Performance Management

Accidental dwelling fires (ADF) and casualties as a consequence of accidental dwelling fires are both on target to achieve the reduction aim for the reporting year.

Community safety activity is focussed on the most vulnerable people and addresses with strong referral pathways developed to ensure partner agencies forward details of people who are either with risk or at risk.

PRIORITY 2 REDUCING DELIBERATE FIRES

PM 5 – Deliberate Secondary Fires

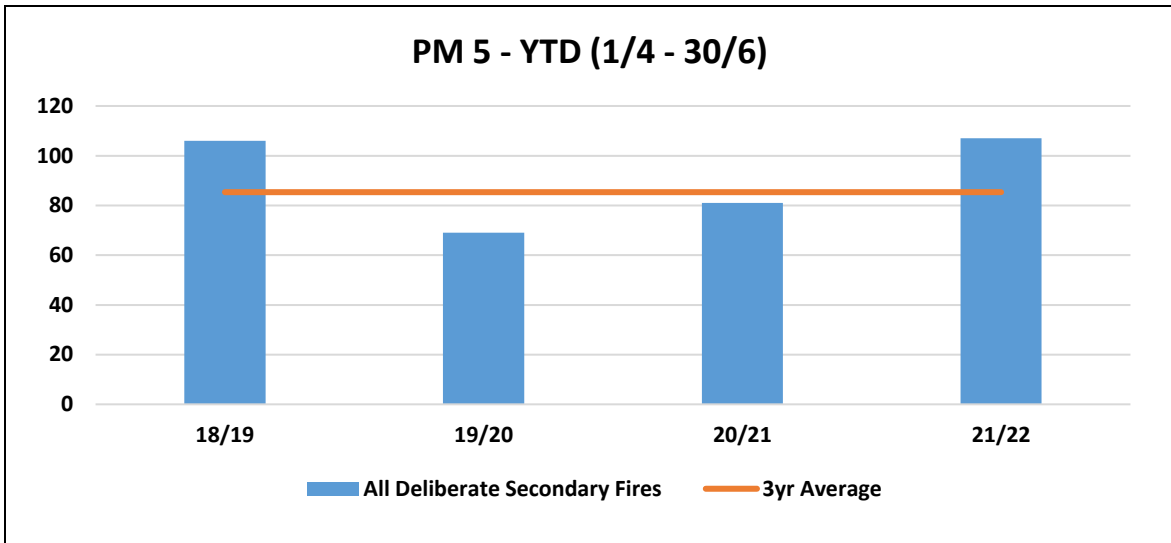


Table 4: Year to Date Performance

	18/19	19/20	20/21	21/22	YTD	Annual Target
Deliberate Secondary Fires	106	69	81	107	Red	266

PM 6 – Deliberate Primary Fires

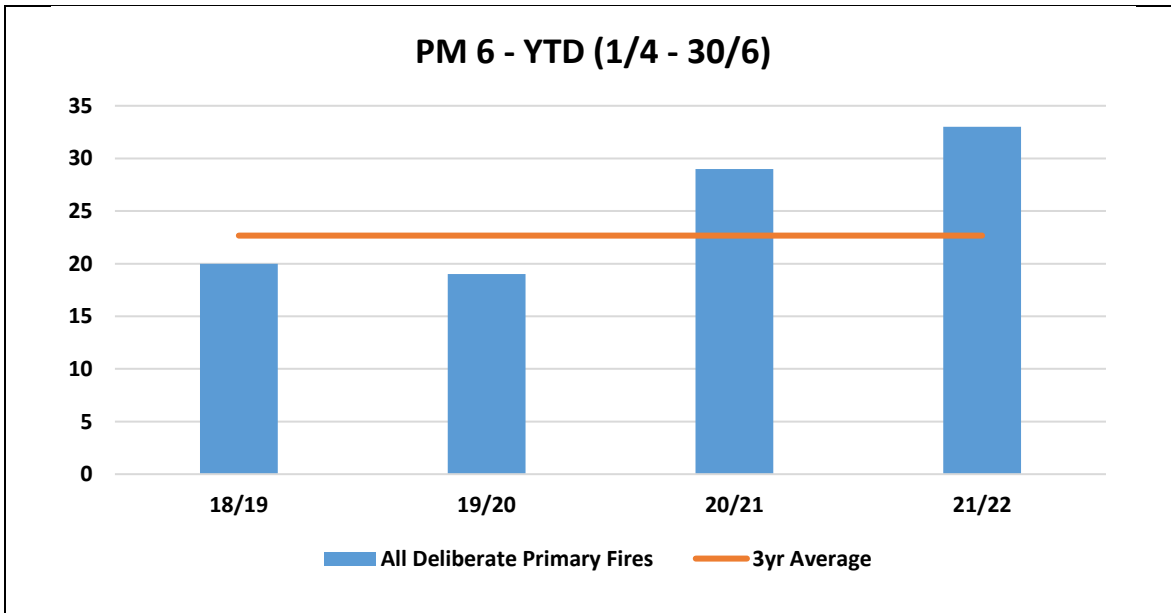


Table 5: Year to Date Performance

	18/19	19/20	20/21	21/22	YTD	Annual Target
Deliberate Primary Fires	20	19	29	33	Red	102

Indicator Description

These measurements and targets account for all types of fire that are believed to have been started intentionally and are categorised as *deliberate primary fires* and *deliberate secondary fires*.

PM 5 – Deliberate Secondary Fires

Deliberate secondary fires cover the majority of outdoor fires including grassland and refuse fires along with fires in derelict property.

As a target the aim is to reduce the rate of deliberate secondary fires in Aberdeen by keeping these **below 266** for the reporting year.

PM 6 – Deliberate Primary Fires

These deliberate fires cover the following property types;

- Fires in the home
- Fires in non-domestic premises
- Fires in motor vehicles

As a target we aim to reduce the rate of deliberate primary fires in Aberdeen by keeping these **below 102** for the reporting year.

What we aim to Achieve

- *Reduce the number of deliberate fires by 10% (LOIP Key Driver 10.2)*
- *Improved community safety and wellbeing*
- *Improved data analysis to ensure resources are directed to maximise community outcomes*
- *Protect Aberdeen’s natural and built environment.*

Performance Management

We continued to work with the Community Safety hub and community partners to share our community safety engagement information to mitigate deliberate fire in the Aberdeen City area.

We are also in the process of becoming strategic board members of the Denis Law Legacy Trust whose mission statement is “Supporting and empowering young people to be confident, capable, independent and responsible citizens within their own communities”. We plan to work with the trust and our partners in reducing anti-social behaviour.

PRIORITY 3
IMPROVING FIRE SAFETY IN THE BUSINESS COMMUNITY

PM 7 – Fires in Non-Domestic Premises

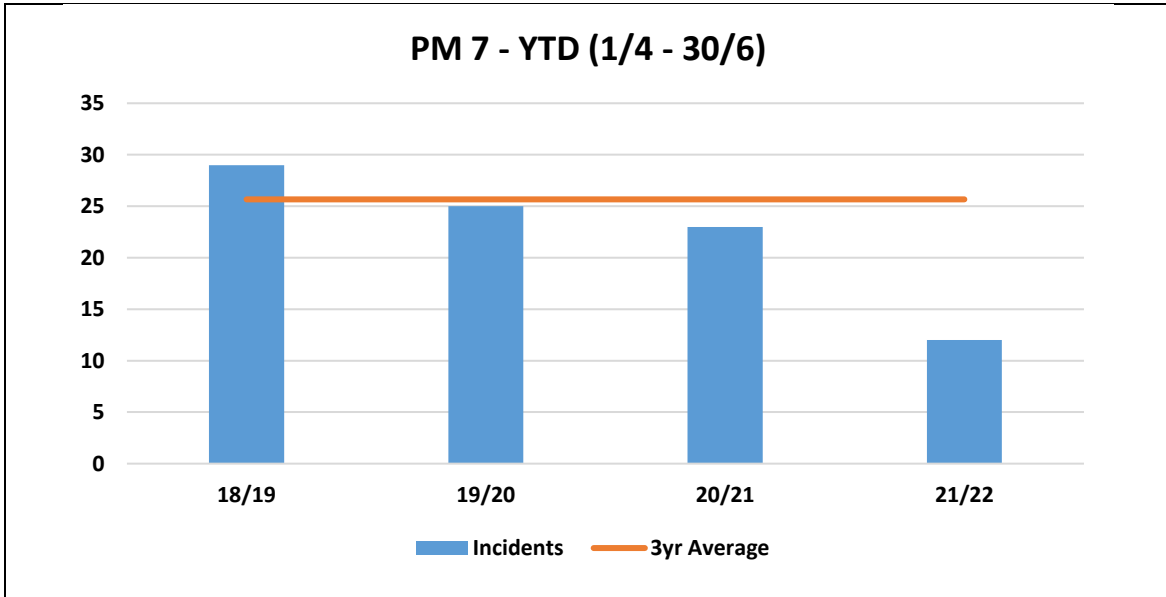


Table 6: Year to Date Performance

	17/18	18/19	19/20	20/21	YTD	Annual Target
Fires in Non-Domestic Premises	29	25	23	12	Green	100

PM 8 – Legislative Fire Safety Audits

Table 7: Completed Audits

Houses in Multiple Occupation	23
Hotel	2
School	1
Day Nursery	1
Licensed Premises	1
Shop	1
TOTAL	29

Indicator Description

These performance measures and targets cover the type of non-domestic premises applicable to Part 3 of the Fire (Scotland) Act 2005 i.e. business premises, and is designed to reflect the effectiveness of fire safety management in respect of these types of buildings.

PM 7 – Non-Domestic Building Fires Applicable to the Act

As a performance measure we aim to reduce the rate of fires in non-domestic premises (where the Act applies) by keeping them **below 100** for the reporting year.

PM 8 & 9 – Legislative Fire Safety Audits

As a performance measure we aim to ensure all premises that meet the SFRS framework requirements are subject to an annual fire safety audit.

What we aim to Achieve

- *Through a risk-based audit programme, we will protect Aberdeen's built environment and heritage at the same time supporting economic growth.*
- *Enhanced understanding of fire safety legislation and responsibilities across the business sector.*

Performance Management

A dedicated team of legislative fire safety enforcement and auditing officers work across Aberdeen City auditing relevant premises that are considered as presenting the highest risk to life in the event of a fire.

PRIORITY 4 REDUCING UNWANTED FIRE ALARM SIGNALS

PM 10 – Unwanted Fire Alarm Signals

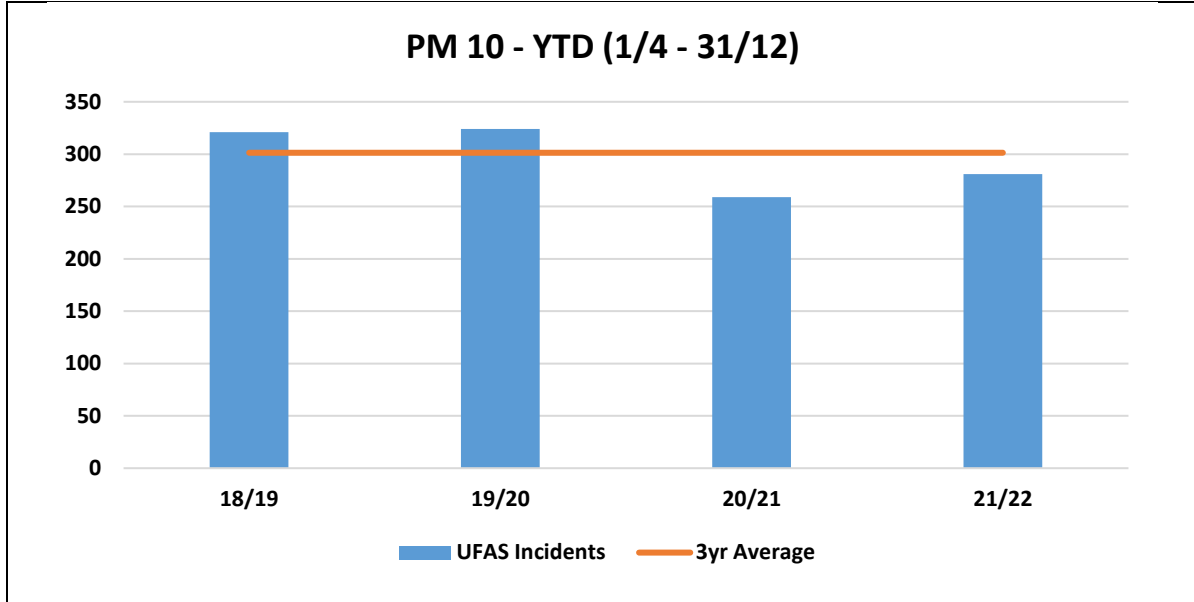


Table 8: Year to Date Performance

	17/18	18/19	19/20	20/21	YTD	Annual Target
UFAS Incidents	321	324	259	281	Green	1332

Indicator Description

Automatic Fire alarms (AFA) are fundamental to providing early warning from fire, giving people the chance to evacuate safely. However, to be effective, they must be properly installed and maintained, and a good fire safety management regime must be in place by the duty holder, so they do not activate when there is no fire.

Every Unwanted Fire Alarm Signal (UFAS) from an AFA has an impact in terms of unnecessary blue light journeys, redirecting SFRS resources away from other activities such as community safety work and causing considerable disruption to businesses.

PM 10 – Unwanted Fire Alarm Signals (UFAS)

As a headline target, the aim is to improve fire safety management and awareness, by reducing the number of attendances to unwanted fire alarm signals (UFAS) from automatic systems in non-domestic buildings to **less than 1375** each year.

What we aim to Achieve

- *Reduced impact on businesses, communities and the SFRS, creating capacity to deliver against other local and national priorities.*
- *Reduce SFRS' carbon footprint through less vehicle movements.*
- *Reduction in unnecessary demand on retained firefighters and their primary employers.*
- *Reduced road risk for SFRS operational personnel and the general public.*

Performance Management

Commentary and actions

The table below lists the 5 property types that had persistent call-outs due to UFAS during quarter three.

Property Types	No. of UFAS
Hospitals	68
Purpose Built Office	26
Sheltered Housing	18
Student Halls of Residence	15
Converted Office	12

SFRS personnel proactively engage with any premises that are identified as “repeat offenders” to assist them in developing strategies and procedures that will reduce false alarms of all types.

SFRS are currently consulting with the public for their opinions on options to change the way we respond to false alarms within business premises.

PRIORITY 5

EFFECTIVE RISK MANAGEMENT AND OPERATIONAL PREPAREDNESS

PM 11 – Operational Intelligence

Table 9: Year to Date Performance

	Q1	Q2	Q3	Q4	YTD	Annual Target
Operational Intelligence Visits	166				Red	550

PM 12 – Multi-Storey Operational Assurance Visits

Table 10: Year to Date Performance

	Q1	Q2	Q3	Q4	YTD	Annual Target
Multi-Storey Operational Assurance Visits	55				Red	236

PM 13 – Staff Competence

Table 11

	Total	Competent	Development	Red	Amber	Green	Beyond Target
Firefighter	112	78	34	14	12	8	
Crew Commander	38	29	9				
Watch Commander	16	11	5				
Senior Manager	7	5	2				1

PM 14 – Appliance/Resource Availability

Table 12: Year to Date Performance

	Q1	Q2	Q3	Q4	YTD	Annual Target
Wholetime	96					96%
Retained	75.45					

Indicator Description

Risk Management and operational preparedness are key areas of work for the SFRS. For Aberdeen City this means;

- Knowing what the risks are and making appropriate plans to ensure we are resilient and informed to respond effectively to any event at that risk.
- Being prepared to respond to national threats or major emergencies.
- Firefighters being trained and equipped to deal with emergencies safely and effectively and our stations being ready to respond.

PM 11 – Operational Intelligence

Each operational watch is tasked with undertaking 7 operational intelligence inspections each 7-week cycle. These will be a combination of new inspections and re-visits to validate the currency of the information held.

As a performance target we aim to complete 550 operational intelligence visits across Aberdeen during the reporting year.

PM 12 – Multi-Storey Operational Assurance Visits

Each identified multi-storey premises in Aberdeen City should receive a quarterly inspection.

As a performance target we aim to inspect 59 residential multi-storey premises every quarter.

PM 13 – Staff Competence

On initial appointment, and upon promotion, all personnel enter a period of development where it is expected that they follow an appropriate development plan that will see them achieve competency in role within a defined period.

For new appointments there is a development period of 36 months. For newly promoted personnel achieving competence is expected within 12-24 months.

As a performance target we aim to have all personnel competent in role within these defined timescales.

PM 14 – Appliance/Resource Availability

Good application and efficient use of attendance management, crewing and resourcing policies assists us to keep, as far as reasonably possible, all appliances available at all times.

As a performance target we aim to achieve 100% resource availability for the reporting year.

What we aim to Achieve

- *Support the wellbeing and safety of the public, SFRS personnel and other emergency responders*
- *Improved community resilience.*
- *A Fire and Rescue Service that can respond effectively and efficiently across Aberdeen, and beyond.*

Performance Management

Due to the restrictions of COVID 19 Risk Management and operational preparedness performance indicators have been problematic to meet especially in relation to Operational Intelligence.

An OI improvement plan has been implemented for the area giving stations additional support/direction which will assist in reducing the time each OI takes and assist with the workload. This is being supported by the OI team.

Staff competence is back on track due to the support of the local training team which has included catch-up assessments due to COVID impact and local mitigation measures.

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	27 th October 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	New Public Protection Website: Aberdeen Protects
REPORT NUMBER	OPE/21/265
DIRECTOR	Rob Polkinghorne, Chief Operating Officer, ACC
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Val Vertigans, Lead Strategic Officer, Adult Public Protection Stuart Lamberton, Child Protection Lead Officer
TERMS OF REFERENCE	1.1.4

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide contextual information about the new Aberdeen Protects website, in advance of a demonstration of the site at the meeting. The link for the site can be found at: [Aberdeen Protects | Aberdeen City Council](#)

2. RECOMMENDATION

That the Committee

- 2.1 Note the development of the Aberdeen Protects website, and provide any feedback as deemed appropriate.

3. BACKGROUND

- 3.1 The Aberdeen City Executive Group for Public Protection (ACEGPP) agreed the development of a microsite primarily to share resources for staff across the different but cross cutting public protection agendas: Child Protection; Adult Protection; Violence Against Women / Gender-based Abuse; Community / Youth Justice; and Multi Agency Public Protection Arrangements (MAPPA). The Care Inspectorate's Adult Protection and Child Protection Quality Indicator Frameworks include an indicator relating specifically to staff being trained and supported, with 'very good practice' around this being evidenced by policy, guidance, and multi agency training being widely available across Aberdeen City.
- 3.2 The resulting Aberdeen Protects website was developed and populated by the Lead Officers of the different public protection partnerships, in conjunction with ACC digital development staff. It was launched on 1 September 2021, and

promoted widely. This site is currently being updated to include Getting It Right For Every Child, the Children’s Service Board, Corporate Parenting and Children’s Rights.

3.3 The site will continue to be updated so that it is ‘current’, by the public protection leads, via consideration at each meeting of the different partnerships. Data analytics relating to usage of the site will also be collated and used by the partnerships to evaluate impact. Anecdotal feedback about the site has so far been very positive.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications.

6. MANAGEMENT OF RISK

6.1 There are no risk implications of the development of this site. It will contribute to reducing any risks associated with lack of awareness of public protection issues.

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	N/A
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	N/A
Prosperous People Stretch Outcomes	<p>The proposals within this report directly support and link to LOIP stretch outcomes 4 and 5 with key drivers of keeping children and young people safe and improving access to support.</p> <p>The proposals within this report also support the delivery of LOIP Stretch Outcome 11 – Healthy life expectancy is five years longer by 2026 – and Stretch Outcome 12 - Rate of harmful levels of alcohol consumption reduced by 4% and drug related deaths lower than Scotland by 2026.</p>
Prosperous Place Stretch Outcomes	N/A

Regional and City Strategies	N/A
UK and Scottish Legislative and Policy Programmes	The availability of this resource with support staff to meet statutory requirements in relation to all areas of public protection.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

None

10. APPENDICES

None

11. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	27 October 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Chief Social Work Officer Annual Report 2020/21
REPORT NUMBER	OPE/21/247
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Graeme Simpson
TERMS OF REFERENCE	1.5

1. PURPOSE OF REPORT

- 1.1 To presents Elected Members with the Chief Social Work Officer’s Annual Report for year 2020/21. The report is to inform Members of the role and responsibilities exercised by the Chief Social Work Officer; to provide information on statutory decision making in the period; and to give a progress report on key areas of social work provision within Aberdeen City.

2. RECOMMENDATIONS

- 2.1 That the Committee -
notes the content of the Annual Report, as attached at Appendix 1.

3. BACKGROUND

- 3.1 The role of the Chief Social Work Officer (CSWO) is a statutory post in accordance with the Social Work (Scotland) Act 1968, as amended by the Local Government (Scotland) Act 1994. This requires Local Authorities to appoint a CSWO for the purposes of listed social work functions.
- 3.2 The required qualifications of the CSWO are set out in regulations and the post holder must be able to demonstrate senior strategic and operational experience. National Guidance on the role was published by the Scottish Government in 2009 and was revised in May 2017. It provides an overview of position, outlining the responsibility for values and standards, complex decision making, particularly in relation to deprivation of liberty decisions and professional leadership. The guidance also covers accountability and reporting arrangements.
- 3.3 The CSWO provides advice to the Council on social work matters; undertakes decision making in respect of statutory functions and provides professional governance, leadership and accountability for the delivery of social work and social care services, whether they are provided by the Council or on behalf of the Council by another agency. In its 2016 report on Social Work in Scotland,

Audit Scotland outlined the increased complexity of the role: “*With integration and other changes over recent years, the key role of the Chief Social Work Officer (CSWO) has become more complex and challenging. Councils need to ensure that CSWOs have the status and capacity to enable them to fulfil their statutory responsibilities effectively*”.

3.4 This report is consistent with the content and formal guidance laid down by the Chief Social Work Adviser for Scottish Government. The annual report does not provide a complete account of social work activity over the year. Rather it provides an overview of the range of services and initiatives in social work and social care and to highlight key achievements and challenges.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Financial	None for this report.		
Legal	None for this report		
Employee	This report reflects the impact of social work services delivered by the Council, the IJB and commissioned services. It provides a clear narrative as to the critical role social work staff undertake to assess and manage risk posed to and by vulnerable children and adults.	L	Social work services are subject to the scrutiny of independent inspection via the Care Inspectorate. These inspections provide staff with the opportunity to reflect and learn from their practice and the outcomes they deliver.
Customer	This report provides assurance to the citizens of Aberdeen City on the quality of social work services delivered to those who meet the	L	Customers have the opportunity to complain about the quality of services both directly and via the SPSO. A learning

	threshold for social work support and intervention.		approach is actively taken to all complaints. Customers also contribute to inspections via various feedback opportunities enabling them to know that their views and listened to and considered.
Environment	None for this report		
Technology	None for this report		
Reputational	The delivery of effective social work and social care services is critical to the protection and care of vulnerable children and adults. Failure to discharge our statutory responsibilities effectively can bring significant media interest and scrutiny.	L	The public can be assured that the Council ensures compliance with legal requirements and identified areas for improvement are addressed.

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	Not applicable
Prosperous People	Social work services have a significant contribution to make delivering on the LOIP outcomes for Children and Adults – Outcomes 3 to 12. These outcomes require agencies to work in partnership and the attached report sets out the extent to which social work services delivers on these.
Prosperous Place	Not applicable
Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	None

Organisational Design	None
Governance	<p>There are clear and effective governance structures in place for both adult and children's social work services which ensure the safe delivery of services.</p> <p>Both services are also independently inspected by the Care Inspectorate on a cyclical basis. The care inspectorate has the authority to impose 'requirements' or make 'recommendations' on areas improvement identified during the course of their inspection activity.</p>
Workforce	As an employer of scoail workers the Council/IJB has a statutory duty to provide learning and development opportunities to the workforce to enable them to meet their registration requirements.
Technology	Not applicable
Partnerships and Alliances	Services to children; young people and adults are delivered on a multi-agency basis and the scrutiny, challenge and learning requires all agencies to work in partnership with each other.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not required

9. BACKGROUND PAPERS

None

10. APPENDICES

Appendix 1 – Chief Social Work Officer Report 2020/21

11. REPORT AUTHOR CONTACT DETAILS

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Aberdeen City Council's Chief Social Work Officer's 2020/21 Annual Report

Foreword

Every local authority is required to have a professionally qualified Chief Social Work Officer (CSWO), as set out in the Local Government (Scotland) Act 1994. The role of the CSWO is to ensure that the Council and Aberdeen City Health & Social Care Partnership (ACHSCP) receive effective, professional advice and guidance in the provision of social work services, whether provided directly or purchased on behalf of the local authority.

The CSWO has responsibility for performance improvement, as well as the identification, management and reporting of corporate risks as these relate to social work services. To fulfil these responsibilities, the CSWO has access to elected members, reporting through various Committees, and to the Integrated Joint Board (IJB), the Chief Officer of the HSCP and the Chief Executive of the Council. The CSWO provides professional leadership and promotes values and standards of professional practice, ensuring only registered Social Workers undertake those functions reserved in legislation and meet the requirements of the SSSC Codes of Practice.

Audit Scotland in 2016 noted following the establishment Health and Social Care Partnerships, the role of the CSWO had become increasingly complex. In Aberdeen, Children's Social Work is located within the Council, whilst Adult and Justice Social Work is located within the HSCP. This provides two challenges. Firstly, the CSWO has to retain oversight, professional leadership and provide assurance of safety and quality of all social work services across two large and complex organisations. Secondly, the CSWO has to step back from the role of Chief Officer to provide independent, professional oversight and challenge of Children's Social Work.

Delivery of the CSWO responsibilities requires close professional collaboration with the Lead for Social Work within ACHSCP who has operational responsibility for Adult and Justice social work services, and the management teams for whom we each have responsibility. Never has this been more critical than in the past year.

As Aberdeen City's CSWO, it is a privilege to present this report which recognises the excellent and dedicated commitment delivered day in day out by social work staff in a wide range of roles and with a diversity of responsibilities. Despite the COVID pandemic these staff continued to deliver high quality support and services to vulnerable adults and children protecting their safety and wellbeing whilst promoting their independence and improving their outcomes. I sincerely thank everyone of them for the professionalism and sacrifice they have shown in the 2020/21 year.

1. Governance and Accountability

Whilst adult and children's social work have different governance arrangements, alignment is achieved through the governance and scrutiny of the Executive Leadership Group for Public Protection, Community Planning Partnership, Council Committees and the role of Chief Social Work Officer (CSWO) itself.

Children's Social Work Services

Governance of Children's Social Work services is through Council Committee structures, in particular the Operational Delivery Committee and the Public Protection Committee. Strategic improvement and partnership delivery is governed by the Executive Leadership Group (referred to as the Chief Officer Group or COG) in relation to child protection and by Community Planning Aberdeen (CPA) in relation to GIRFEC, Corporate Parenting and Children in Need. Strategic plans are driven forward by the multi-agency partnerships of the Child Protection Committee, who report to the COG, and the Children's Services Board (CSB) who report to CPA. The CSWO is a member of the COG, CPC and CSB and ensures interface across these governance arrangements.

The CSWO leads and works closely with a Children's Services Management team who have operational responsibility for delivery across the range of services.

Adult and Justice Social Work Services

Governance of Adult Social Work and Justice Services is through the Integration Joint Board (IJB). The IJB sets the direction of the Aberdeen City Health and Social Care Partnership (ACHSCP) via the preparation and implementation of the Strategic Plan. The CSWO is a statutory member of the IJB. The CSWO is also a member of the Adult Protection Committee (APC) and is uniquely placed to provide an overview of the leadership and governance around the discharge of the local authority statutory functions in adult support and protection.

ACHSCP has appointed a Lead for Social Work as part of its Leadership team. The Lead for Social Work works closely with the CSWO in respect of statutory responsibilities, governance arrangements, quality assurance and continuous improvement.

Covid arrangements

Additional arrangements were put in place across both Adult and Children's Services in relation to our covid response. Initially daily, then weekly, leadership and portfolio huddles were set up to ensure swift decision-making, response to real time challenges and effective monitoring of agreed actions. The effectiveness of this weekly huddle model is such that it has continued to be utilised whilst we progress through the pandemic. These fed into the wider Council and Partnership response.

Further, in adult services, the Executive Programme Board met weekly and the Adult Protection Committee (APC) increased meetings to monthly and oversaw changes required to streamline local processes if necessary to prevent harm. Similarly, in children's services, the partnership of the CPC met monthly to implement and monitor required adjustments to child protection processes.

Utilising ring-fenced funding additional capacity and oversight of the CSWO role in relation to assurance of Care Home services has been added. A member of the Adult Social Work management team has assumed additional assurance responsibilities to support this COVID related challenge. This role will continue into 2021/22.

2. Service Quality and Performance

Overview of how services are performing – Children, Adults and Criminal Justice
Delivery of Statutory Functions
Key Risks to Delivery

Children's Social Work Services:

Overview of Service performance and delivery of statutory functions

Child Protection

Child Protection processes and administration are well embedded, understood and utilised across all partners in Aberdeen City. The Joint Inspection 2019 noted ***"Recognition of, and responses to, children and young people at immediate risk of harm were very effective and staff were confident in their role, leading to a positive impact on children's and young people's safety"*** and that has continued throughout this challenging year.

Adherence is strictly to the National Guidance for Child Protection and to the Scottish Government's Guidance issued in February 2019 "Protecting children and young people – child protection committee and chief officer responsibilities". Any required adaptation will take place following publication of the new National Guidance in 2021.

We regularly review and quality assure familiar processes such as Inter-agency referral Discussions (IRD), Joint Investigative Interviews (JII), and Child Protection Case Conferences. Throughout this period, IRD processes have routinely included Health and Education colleagues, who strive to ensure discussions are conducted within 1 hour of referral. Work to ensure JII's always and only take place when necessary and we await the national review of this process. This practice continued throughout COVID.

Case Conferences are conducted utilising a strength-based approach; family attendance at our Core Group meetings currently approach 100% which indicates the respectful relationships among professionals and families involved in what can by nature unavoidably be a somewhat tense process. This was commended by the Care Inspectorate in the Joint Inspection 2019 - ***"Strengths-based approaches and relationship-based practice models were having a positive impact on helping to build trusting and respectful relationships between staff and families"***.

New referrals of a child protection nature are received through our Joint Child Protection Team, Reception Team or the Aberdeen Maternity Hospital Team. These are well established and experienced teams. Our Children in Need social work teams, which operate across three geographical areas of the city, predominantly manage ongoing child protection cases. Local practice is for children on the Child Protection Register (CPR) to be seen weekly. The infrequent

return of children to the CPR in short timeframe is indicative of the effectiveness of fieldwork teams' interventions with children and families in order to keep children safe.

A campus school for children with a disability has been operational since 2017. The Children with Disability social work service along with health professionals are hosted within the school. The benefits of this colocation continued to be recognised, not only in relation to professional relationships but also in relationships with families allowing for more natural and supportive engagement opportunities. Improving transition of children with a disability to adult services is a focus for the coming year.

Maintaining a clear focus on risk is critical to all social work teams. The continuing utilisation of systemic practice which is trauma informed and relational in its delivery allows for the effective management of risk across Children in Need and other teams. The challenge remains ensuring the staff team have the requisite skills and support to deliver this complex task.

Child Protection services in children's social work have continued to operate fully notwithstanding the challenges of the coronavirus pandemic, with practitioners working with families and children to maintain personal contact. Numbers on the child protection register were for much of this period high, as practitioners adopted a cautious approach to deregistration whilst other services, such as Education, Health and third sector Services, did not have their usual contact with children and families. This acknowledged our most vulnerable as a priority and ensured that they remained seen on a weekly basis. This support and intervention was supported by the ~~Vulnerable~~ Valuable Learner Hubs. Rapidly developed during the pandemic to support those at greatest risk, and now adapted to continue as "Fit Like" Hubs serving emotional and wellbeing needs of those identified across the city.

The strategic oversight groups such as the Child Protection Committee and Children's Services Board quickly adapted to digital meetings to ensure ongoing delivery of services and improvement planning. There has been rapid development of data to meet local and Scottish Government need and analysis of that data has enabled rapid application of resources to areas of greatest need. It however, also highlighted ongoing challenges of joining-up all partnership data with speed and ease.

There has been a helpful coordination of our public protection fora which has seen greater interface of child protection with other strategic partnerships such as the adult protection, alcohol & drugs, and violence against women partnerships. The CPC and APC share the same Chair.

Our areas for development remain predictable; neglect, parental substance and alcohol misuse, parental mental health and domestic abuse. These are all addressed in improvement plans, particularly the [Child Protection Improvement Programme 2019-2021](#). There has been some escalation of referrals on the grounds of physical and emotional abuse which is indicative of family tensions during periods of lockdown. Areas of hidden harm may yet appear as the manifestations of lockdown emerge further down the line. Ongoing self-evaluation includes implementation of the Independent Care Review articulated in "The Promise", with a particular drive to better enable

children, young people and families to participate and influence our child protection culture and processes.

Monthly referral rates fluctuated during stages of the pandemic, but, overall, the volume of referrals received into the Service remained consistent on the previous year at 9,435, of which 48% progressed to a level of social work assessment, ranging from initial triage to comprehensive assessment and intervention taking place. Work continues with partners to ensure a better understanding of thresholds for social work service intervention.

306 case conferences were held in the year. 277 children in total were on the CPR in the course of the year, with an average of 123 at any one point in time. The rate of registration at 3.3% is slightly higher than the Scottish average of 2.9%, but consistent with other urban areas. Very few children remained on the CPR for more than one year in the period reflecting improvement activity in this respect. A further area for significant improvement activity related to cumulative neglect. A series of events and learning opportunities has resulted in increased numbers on the CPR directly related to improved recognition of and response to this issue. Neglect now accounts for 34.5% of registrations in the City. Aberdeen City's rate of re-registrations has fluctuated between 15% and 24% over the course of the year. Very few children return to the CPR quickly; the majority or re-registrations follow a gap of more than 4 years since a previous registration. This would indicate practice characterised by effective and appropriate interventions.

Corporate Parenting

The role of corporate parent continues to embed and develop. Improvement activity in relation to Corporate Parenting is prioritised and is embedded in the [Local Outcome Improvement Plan](#), [Children's Services Plan 2020-2023](#) and [Corporate Parenting Improvement Plan](#). Our refreshed and updated [Corporate Parenting Plan 2021-2023](#) and [Champions Board](#) plans remain congruent with LOIP priorities. The vision for the refreshed Champions Board Plan for 2021-2023 remains unchanged; 'our care experienced children, young people and care leavers have a right to participate in decision-making about their own lives and have their voices heard'. All strategic plans relating to corporate parenting are overseen by the Children's Services Board (CSB). The Quality Assurance Framework has been adopted by the CSB and a multi-agency data suite is in course of development. There are challenges, shared nationally, with the development of this extensive multi-agency data suite.

Resources have been allocated to the creation of a Corporate Parenting Lead Officer to support the implementation of The Promise, the incorporation of the UNCRC into Scots Law and the aims of the outlined improvement plans.

The number of care experienced young people accessing further and higher education options supported by our care leaving team increased by 30% over the last 3-year period. Increasing from 26 in 2018, 30 in 2019/20 to 34 in 20/21. This is a positive indication of partnership activity including the promotion of access to the Care Experienced Grant, student support with rent and accommodation costs and, more recently, digital connectivity support. It was agreed at the meeting of the Full Council in March 2020, to take forward a Rent Support Scheme which supports

care experienced young people who are Aberdeen City Council tenants and are students enrolled in higher or further education 2020/21. This benefitted 14 young people, an increase from 8 in 2020. Our Council-wide coordinated approach promotes the uptake of Council Tax exemption for care experienced young people. There has been a 131% increase in uptake since this scheme was introduced in 2018. At March 2021, there had been 109 exemptions and 9 discounts, an increase from 88 exemptions and 10 discounts in 2019 and from 47 in 2018.

There were an average of 556 Looked After Children at any one point in time during 2020/21. 39% of Aberdeen City's Looked After Children are cared for in a family setting (Looked After at Home or Kinship Care). This is amongst the lowest in Scotland. In the year ahead, we hope to see the impact of strategic planning to address this along with an enhanced support offer to kinship carers to enable us to place and support more children within their extended family.

The planning for children looked after outwith parental care are routinely reviewed in accordance with the Children (S) Act 1995 by Independent Reviewing Officers, who bring case objectivity to the multi-agency professional and family consideration of the arrangements in place. In many circumstances, these arrangements are formalised through the Children's Hearing System, and we have a close and effective working relationship with the local Area Reporters' office. Recent improvement activity has focussed on the quality of referrals which has improved significantly. Aberdeen City now has one of the highest conversion rates (of referral to Hearing) in the country.

Alternative Family Care

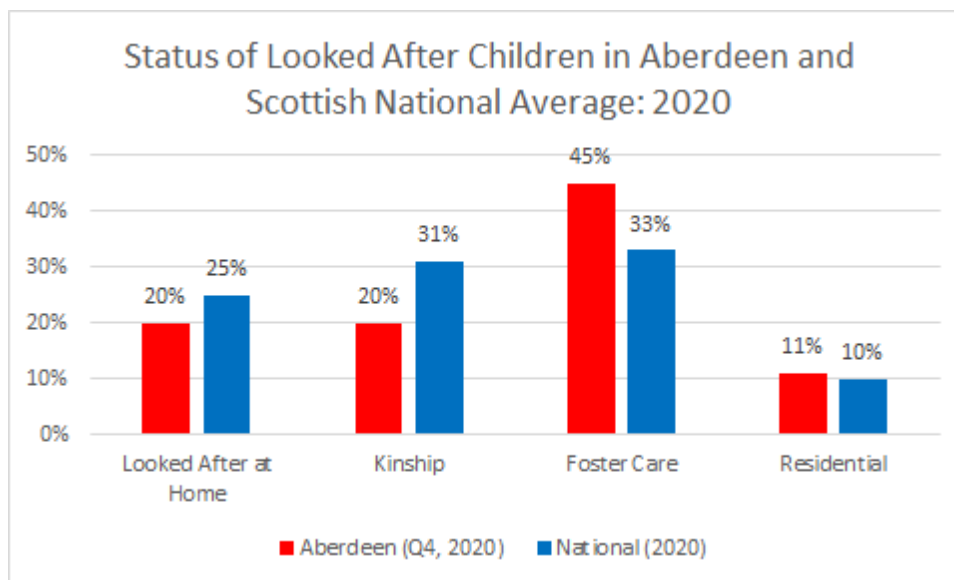
For those who cannot stay with their parents, the Alternative Family Care service provides children and young people with safe and nurturing home environments. There is a strong focus on improving outcomes for children and young people supporting them to continue to feel a sense of belonging and connectedness, enabling them to remain in their care setting and experience continuity of care. Our staff and carers are trained and supported to understand the impact of early childhood abuse, neglect, trauma and insecurity of attachment. The Alternative Family Care Service ensures our carers are well supported and have access to a range of training to help them meet the needs of the children they care for.

The number of children placed in residential settings out with Aberdeen City has slightly fallen. The cost of such placements are prohibitive and the outcomes for young people can be variable. In addition to the statutory reviewing process, we have a forum where senior management staff in Education and Social work scrutinise the quality and planning of individual placements on an annual basis at least. We have commissioned **Includem** to work with in-house resources to provide intensive support to prevent children being placed out with the city but also to support young people who return to the city.

The overall number of children in secure accommodation between 1 April 2020 and 31 March 2021 has remained low, at an average of less than one child in total over the course of the year. This is consistent with 2019/20, with four months when no children were in secure care.

Despite recruitment efforts, the need for carers continues to outweigh the number of carers coming forward. A new payment for skills scheme was approved and will commence in April 2020. It provides incentives to current carers to provide additional placements especially sibling groups where there is national acute shortage and to attract individuals that have wanted to foster but were not in a financial position to stop working.

Aberdeen City Council foster carers currently care for 76 children in 53 households. There are a further 162 children accommodated with agency foster carers. Kinship carers care for 282 children in 227 households. Permanence plans were made for 28 children; 15 for adoption (9 for individual children and 3 sibling groups of 2) and 13 for permanent foster care (2 individual children, 3 sibling groups of 3 and 1 sibling group of 2). Adoption matches were approved for 16 children. With the exception of two sibling groups of two, these were all individual children. In common with other local authority areas, recruitment of foster carers remains a challenge as does fulfilling the aim to place sibling groups together.



Children's Residential Care

The refurbishment and review of our children's residential estate has clarified options which could enhance placement numbers and reduce need for externally purchased provision. Service redesign proposals have been consolidated and ensure residential roles are fit for future purpose i.e. trauma enhanced, Staying Put and recognition that Aftercare as a core function of their role. In support of these functions a Team Leader role has been developed to ensure these pathway transitions are relationally based and offers continuity.

The needs of young people are increasingly recognised to reflect neglect and the traumatic impact of this on their development. Placements are generally not short term, and offer long term or permanency to the majority of young people, most have been in foster care which has disrupted. Placement provision and staff responses have had to be adaptable, to ensure the workforce are prepared. We have invested in a workforce skills development strategy led by a Clinical Practitioner within Residential and Youth Services. We have supported high levels of sustainment

and associated low level of placement disruption with no young people moving on to alternative provision in 2020/21.

Positive outcomes have been recorded following practice change in the partnership approach between Police Scotland and local Children's Homes. These outcomes are demonstrated in data shared by Police Scotland Youth Justice Management Unit, Comparative Report on Juvenile Offenders 2020/21 which indicated the reduction in crime files recorded against local children's homes reducing from a high of 122 in 2014/15; 10 in 2018/19 ;3 in 2019/20; 2 in 2020/21.

Collectively these approaches have contributed to a grading by the Care Inspectorate of good or very good for our Residential, Foster Care and Adoption Services.

Young people placed in alternative to family care are being encouraged to stay put in care placements on a Continuing Care basis. This has a beneficial impact on future success. There has been an increase in the numbers of young people aged 18 years and over remaining in our children's homes. This has increased from 30% in 2019/20 to 38% in 2020/21. In addition, 22 young people are in Continuing Care with foster carers. This is an investment in future capacity and is considered preventative in reducing future dependencies and demand. It also contributes to decreased homelessness. In 2019/20, the joint inspection commended the quality of this service noting that children and young people enjoy sustained positive relationships with staff and carers. The benefits of trauma informed approaches were apparent and almost all care experienced young people reported they felt settled and safe where they currently lived.

The strategic review of Throughcare and Aftercare Provision will report in October 2021, the interim findings from this review highlight that the Children's Social Work service for care leavers continues to expand provision for Aftercare support with over 160 young people who are eligible receiving support. During this review period there have been 91 views collated from over 50 young people who have utilised care leaving supports. There continues to be positive progress in developing integrated supports with the recent co-location of a Housing Support worker within the care leavers team.

Despite the restrictions of Covid, engagement with care leavers has moved to online platforms, with a range of participation opportunities developed, the care leavers team Facebook page has expanded the number of users by over 200% in last 18 month period and has shifted to digital communication as a reflection of young people's preference. In acknowledgement of the impact of digital inequality on those with care experience, a range of direct support has been made available, for example, phase 2 of Connecting Scotland facilitated provision of over 80 devices and 103 mifi connections. More recently full council have supported monies for the ongoing development of digital inclusion for care experienced young people.

Children's Rights and Participation

The AYPRS - Aberdeen Young Person's Rights Service (formerly Children's Rights Service) are key supporters of care experienced young people in their engagement with the Champions Board, improving dialogue with Corporate Parents, and advocating independently on their behalf through various formal processes. Following a review involving care experienced young people, the service has rebranded with an extended remit to include children and young people involved in child protection processes as well as expanding the age range of those who can be referred up to 26

years. The AYPRS is effectively utilised, with a 43% increase in referrals in 2019/20 from the previous year. Covid19 has required a service refocus to digital connections which are effective if limiting by nature. In 2020/21, the AYPRS has been involved in 4 Child Protection Case Conferences and 2 Care and Risk Management Meetings, indicating progress in improving responses and involvement with children and young people in conflict with the law. In addition, the service has provided independent advocacy support to 4 Children's Hearings.

The service has been working hard to extend its reach, including: a webpage, with links to 'Aberdeen Getting It Right' and an updated co-produced leaflet; increasing use of social media; producing a quarterly participation and rights-related bulletin; and fortnightly virtual information 'drop-ins' for professionals, including carers. These approaches have all contributed to extending support to more children and young people who are looked after at home, in kinship care or who may be involved in child protection processes.

In March 2019 Children's Social Work, purchased the Mind of My Own app. The app is the only digital tool that supports Article 12 of UNCRC. Since adoption in 2019, use of the app has grown from 122 young people Mind of My Own accounts, to 194 in March 2021; worker accounts have increased during this period from 352 to 386 and statements from 225 to 878. Aberdeen City have received three awards from the device creators, including, in March 2021, having both the second and ninth highest rate of use by two Children Social Work practitioners nationally (there are over 30 000 users). Care experienced young people have continued to have a key role within the Mind of My Own Champions group as app trainers and facilitators and we expect use of the app to grow.

Quality Assurance

Significant progress has been made in the year to 31 March 2021 in relation to the monitoring of service quality and performance across the Service. The extended use of data, risk registers, service standards and the development of a quality assurance framework have all supported the identification of what is working well and what needs improved. We have a well-established practice of quality assurance across social work teams, which is supported by service wide quality assurance data reporting and analysis.

A multi-agency **Quality Assurance Framework**, led by Children's Social Work, has been developed to create a multi-agency approach to quality assurance across services and to embed a culture of service improvement and learning which is consistent and strong across partner agencies. These audits are commissioned by the CPC and the CSB. They utilise The Care Inspectorate "[A quality framework for children and young people in need of care and protection – August 2019](#)" to support self-evaluation.

The first two audits were completed during the year and recommendations were passed to the CPC and CSB to support longer term strategic and financial planning as well as identifying areas for short term operational support.

Adult and Justice Social Work Services:

Overview of Service performance and delivery of statutory functions

Justice

The justice social work service was inspected by the Care inspectorate in 2020. The planned schedule was interrupted by the pandemic and the inspection was paused in March 2020 but recommenced on a virtual basis, in October. The [Care Inspectorate's inspection report](#) was published in February 2021. Its key messages included the 'transformative impact' of the support provided, the delivery of 'highly person-centred interventions', 'strong leadership vision', 'strong commitment to continuous improvement' and 'performance trends are improving and individuals are being supported to achieve positive outcomes'. The report contained two recommended areas for improvement both of which have been implemented. Firstly, the service Delivery Plan and Performance Management framework should be agreed and implemented and secondly, quality assurance of risk assessment and management should be strengthened. Improvements have also been made to the service QA methodology.

Justice Social Work maintained a face to face service throughout the pandemic with those who are higher risk, potentially vulnerable, have just been released from court or custody and those who do not have phones. Supervision was otherwise maintained via phone, email, WhatsApp, doorstep visits and walking and talking. Our Unpaid Work Team was closed during lockdowns, and remains restricted. It has developed a range of practical and educational resources for clients to do at home. This included work packs for making (and sometimes designing) small pieces of furniture, upcycling, with DIY Instructions and telephone back up from Task Supervisors if needed. These proved so popular that some clients are reluctant to return to work parties. It has also meant that our backlog of UPW hours is not as big as it might otherwise have been.

The pandemic challenged a number of assumptions, not least that our clients, many of whom have seriously compromised immune systems and/or mental health problems, are a lot more resilient than we thought. We have also learned that some clients respond better to telephone contact than to face to face, particularly young people and women. Some will open up more when walking and talking. Some work better from home than in a workshop. This doesn't mean that we radically change the way we deliver services, but that we have to be more flexible to what works with whom.

Mental Health

The Aberdeen City Community Mental Health Delivery Plan 2020 – 2023 was approved by the IJB in March 2020. The implementation of this plan was impacted by the pandemic and the need for the service to focus firstly business continuity and then recovery planning. However, some progress was made as circumstances enabled to implement some actions contained within the plan at pace. The plan has a clear focus on prevention, self-management and self-help and the enhancement of our digital provision and the use of apps to provide an accessible, personalised response to emerging and enduring mental health needs.

There has been a noticeable increase in referrals to our community mental health services. The pandemic has affected different people in different ways but some common themes that have impacted on people's mental health and wellbeing have included social isolation, job and financial losses and housing insecurities.

In relation to our Mental Health Officer (MHO) function, figures for 2020/21 suggest there has been an increase in the overall demand for our MHO Service which is very much in keeping with the national picture. There has been a significant increase in numbers of Community Treatment Orders (CTO) applications. It is reasonable to suggest that the pandemic has impacted on everyone's

mental health wellbeing over the past year and for some this impact has been greater than for others. In addition, staffing issues within the hospital as well as changes to service delivery in the community seem very likely to have had an influence on the admission and discharge of patients and possibly also affected the use of legislation.

A waiting list for MHO allocation is in place – as it is in many other local authority areas across Scotland. This is regularly reviewed and prioritised, with ongoing recruitment in place. Notwithstanding lockdown periods, the normal rate of referrals for allocation to an MHO has continued and there has been in fact an overall increase from last year. Since the Incapacity Act came into force in 2002 numbers of Guardianships have risen year on year with approximately 3 in every 4 being private Guardianships. Over the last year, even with the Courts and solicitors being unable to progress cases due to the pandemic, we have seen 72 referrals and the granting of 92 Guardianships – 41 of them being applications made to appoint the Chief Social Work Officer and 51 private applications.

Learning Disability

Following the publication of our strategy, '**A'thegither in Aberdeen**' in 2019 we are continuing to make progress with the implementation of the associated Action Plan and ensuring that the strategy's key messages are understood across our service and the wider learning disability community of individuals, families and partner organisations. We continue to have a strong focus on building connections at an individual, organisational and community level; our social work teams are aligned to the partnership's localities, and despite the challenges of the pandemic, we have made progress in respect of this inclusive approach. Our Action Plan has been reviewed and our agreed outcomes reflect both local and national policy developments. In particular, we have worked in partnership with key stakeholders to develop creative responses to meeting demand for day and work opportunities when traditional day opportunities were either terminated or had to drastically reduce the number of people who could be supported each session.

Our review of a complex needs service will be concluded during 2021/22. We have completed a widespread review of individuals who are living at home with elderly parents in order to better understand future service needs. The pandemic has created challenges for many individuals, their families and service providers but particularly in supporting those with complex needs who have found changes to practices the most difficult to understand and tolerate. We continue to work with providers and families to find ways to effectively meet needs and keep everyone healthy and meeting their identified outcomes.

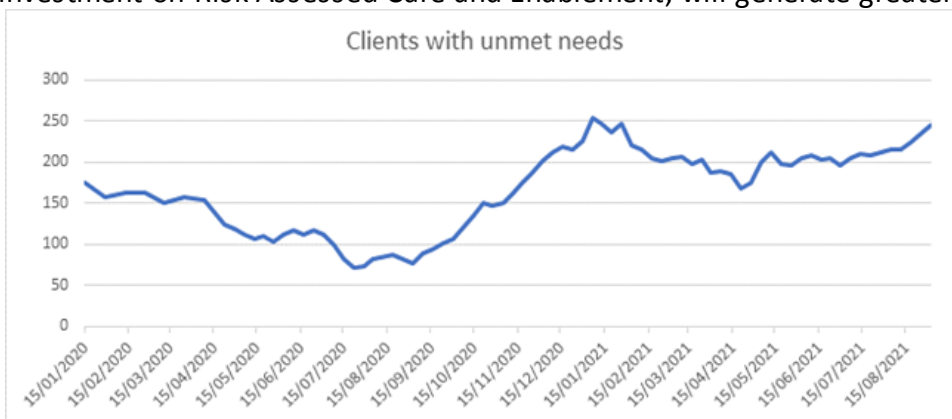
Close partnership working has been evident in our response to these multi-layered and complex circumstances and learning from this has and will continue to be acted upon within to ensure the continued sustainability of services and the delivery of safe, good quality, person-centred care.

Older People and Physical Disability, including Hospital social work

During the year, the Care at Home contract was re-commissioned using an outcome focused approach and awarded to a consortium of local providers. The aim of the new approach is to block

fund service delivery by locality, empowering the providers to adopt a flexible, person centred, outcomes approach within the overall financial envelope. As well as improving outcomes for people, the funding will enable more care to be delivered with the same amount of resource, managing the increasing levels of demand we have in this area. The embedding of this new contract was supported by our Care at Home services commissioned by our ALIO who provided additional capacity for Urgent and End of Life care. This additional capacity assisted in some of the surge in demand for Care at Home, which we found was being utilised as an alternative to day care and respite due to limitations in access due to Covid or service users fears. Alongside this we have noted a greater volume of requests to utilise Option 2 under Self Directed Support to facilitate care at home and respite services.

The implementation of the new care at home contract has not impacted on the unmet need volume recorded across the City due to increasing demand following lockdown. It is anticipated that the second year focus of the Contract on tech-enabled care, alongside the fruition of investment on Risk Assessed Care and Enablement, will generate greater capacity.



Work has begun on re-commissioning Respite and Day Care services under the umbrella of ‘Stay Well Stay Connected’. A co-design/co-production approach with staff, providers, service users and carers all involved is being adopted. This has allowed a broader approach to identifying needs and how services can be developed. We have experienced some difficulties in securing services from the external market to progress developments as designed.

A Care Home Team have been created to support the daily oversight group and to give a framework of governance to the rolling programme of Support and Assurance visits and the development of MDT support to all Care Homes across the City. Social work staff were trained in preparation for deployment across Care Homes at the start of the pandemic. Training was provided re IPC, manual handling and medication management. A number of Adult Support work staff were deployed within a nursing home subject to Large Scale inquiry under Adult Protection. This was viewed as a protective factor and enabled coaching and staff development in creating a more nurturing culture within the resource. Further social work staff were deployed into care home experiencing outbreaks which ensured basic levels of staffing were maintained and residents safety maintained.

The Hospital Social Work Team have been busy throughout the “waves” of Covid-19 and our delayed discharge challenge has fluctuated accordingly. To address demand, ‘surge beds’ were spot purchased from various facilities including nursing homes, sheltered and very sheltered housing near the end of 2019 using winter planning money. Due to Covid-19 the surge beds were kept and this created capacity in the system to enable flow out of hospital and avoid lengthy delays.

	Population (2019 mid year estimates) aged 75+	Delayed discharge bed days 2019/20 aged 75+	Delayed discharge bed days per 1,000 population aged 75+	Delayed discharge bed days 2020/21 aged 75+	Delayed discharge bed days per 1,000 population aged 75+
Scotland	465,845	360,733	774	223,603	480
Aberdeen	16,377	9,488	579	4,319	264

Adult Support and Protection

Adult Support and Protection (ASP) has continued to work effectively during the pandemic by adapting to changes and implementing flexible working for safe practice. The Scottish Government published its [COVID19 Adult Support and Protection Guidance](#) on 30th April 2021. This was taken on board and incorporated into local guidance and procedures, to support staff to continue to undertake their roles in relation to vulnerable adults at risk of harm.

During the initial lockdown period, scheduled Case Conferences were temporarily delayed until they could be organised safely and virtually. To ensure that statutory partners and third sector organisations remained alert to the potential concerns about harm while recognising that ASP concerns may increase during the pandemic, Adult Protection Plans were drawn up to assess any new or additional risks and measures until relevant professionals from different agencies could attend virtual meetings. 34 ASP Case Conferences took place over the year compared to 42 the previous year as face-to-face meetings stopped during the pandemic. However, this has been replaced by virtual meetings allowing service users and their families to join meetings and share information from wherever they are, reducing transport expenses and saving time. Aberdeen Advocacy Service augmented their support role by provision of iPads to enable adults/carers to participate in Case Conferences. One Large Scale Investigation was carried out during this period.

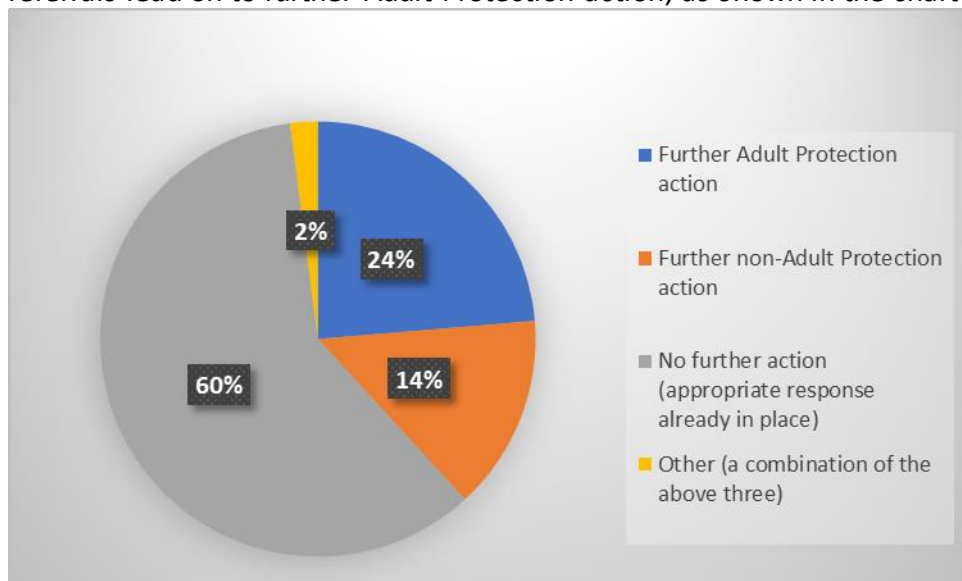
Special sessions were held for Council Officers to provide them with the support needed to ensure the implications of the pandemic were taken into account when supporting clients under ASP legislation.

Council Officers continued to maintain regular contact with existing ASP clients and partner agencies and the Adult Protection Unit developed guidance about Covid-19 triage and assessment which was shared with key agencies and organisations.

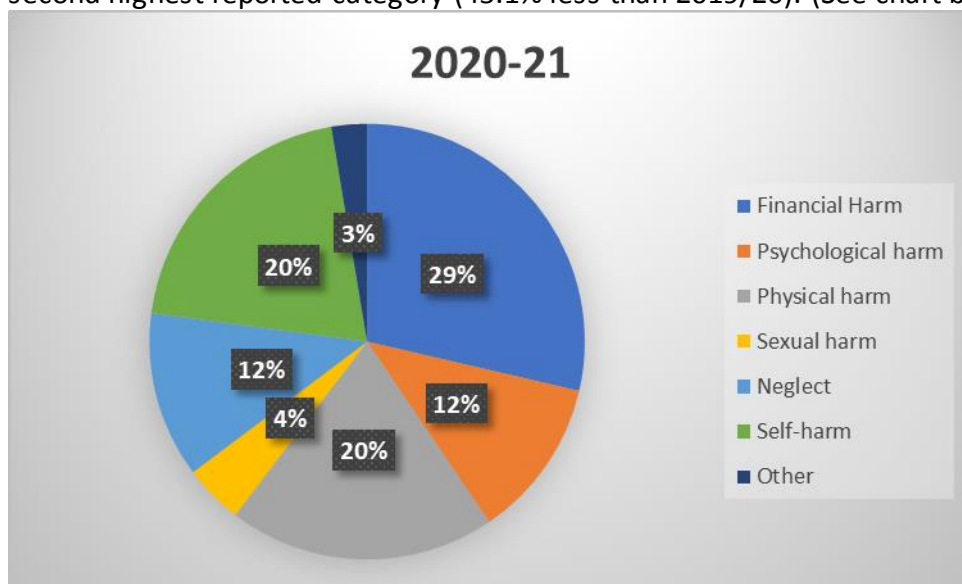
Local operational groups were established in response to the COVID pandemic. They worked directly with care homes supporting the safety and protection of residents and to support the delivery of high-quality care. Assurance visits with key partners helped identify issues with infection prevention and control and both social care and nursing care concerns. ASP referrals were

crossmatched to determine where there were known ongoing issues and to establish patterns/themes to assist with early intervention and prevention. Reports were regularly collated and sent to the Scottish Government and to the Chief Executive of NHS Grampian and the Council.

Data Summary: ASP referrals (1377) reduced in 2020-21 by 5.74% from the 2019/20 figure due to individuals not being able to access the same level of support from services as they could before lockdown and shielding staff. Referrals leading to an adult protection investigation dropped by 25.3% from last year's figure as social distancing measures were put in place with non-essential activity postponed until after the covid crisis. As with previous years, the most common referral outcome was No Further Action, reflecting that appropriate responses are already in place. 24% of referrals lead on to further Adult Protection action, as shown in the chart below.



Financial harm was the most common type of harm reported. The Adult Protection Unit received 65 referrals (14.4% less than 2019/20) relating to financial harm with physical harm (45) being the second highest reported category (45.1% less than 2019/20). (See chart below)



In 2020, the APC Convenor published, as required by statute, a [Biennial report 2018-20](#) in respect of how well the APC's functions and responsibilities had been discharged.

Self-directed Support (SDS)

SDS continues to provide a statutory foundation to our social work practice across both Children's and Adults' services. Our SDS function was impacted by a turnover of staff in our SDS team that has since been mitigated by the substantive recruitment of a SDS Co-ordinator and Officer. Our practitioners continue to have appropriate conversations with individuals and their families about their preferred option that underpins the care and support delivered to them. There has been a nine-fold increase in the number of individuals who have chosen Option 2 which gives them greater choice and control over their preferred care provider. The responsiveness in respect of care package commencement and ongoing flexibility have also been contributing factors to this trend.

Quality Assurance

Work is ongoing to consider operational performance needs to ensure the right information reaches the right people at the right time. We are operating in a constantly changing environment and what we measure now to assess performance is likely to develop and evolve, as we pool data across health and social care, particularly at locality and community level. While some of the data may be limited, and the measures possibly imperfect we are continuing to develop our use and capacity to use data to better understand where we are and where we want to be. Work is ongoing with colleagues in NHS Grampian Health Intelligence and Aberdeen City Council Business Intelligence teams to improve the quality and range of data available and our ability to analyse it.

The HSCP's performance framework was previously revised to align it to the partnership's Strategic Plan. Local and National Indicators have been assigned to each Strategic Aim and each set of strategic performance indicators are reported through our governance arrangements.

The impact of the changes in service delivery throughout the pandemic can be seen clearly in our data with significant decreases in the number of emergency admissions, unscheduled bed days, A&E attendances and delayed discharge figures. It is anticipated that these figures will increase as services get back to pre-pandemic activity. There was a 3% increase in the percentage of people spending the last 6 months of life in the community and a 13% increase in number of days during the last 6 months of life spent in the community compared to the baseline year (2015/16). These increases are encouraging and have been positively impacted by the work of the partnership to enable people to continue to live at home or in a homely setting.

Key Risks to Delivery:

Managing risk is an integral element of the social work function and is a responsibility that our Managers and Senior staff take seriously to ensure, as far as is practicable and reasonable, the continued wellbeing and welfare of the individuals with whom we work.

Both adult and children's social work services actively track and report risk via Risk Registers which in turn are reported to Council Committee or the IJB's Clinical and Care Governance Committee.

Children's Social Work records and reports risk on the Aberdeen City Council Cluster and Operational Risk Registers and the multi-agency CPC Risk Register.

Cluster risk registers are owned by Chief Officers and reviewed monthly by Directors. Cluster risk registers set out the risks that may prevent the delivery of critical services, commissioning

intentions and/or strategic outcomes whereas Operational risk registers are risk registers owned by individual teams working within the Clusters. The risks contained within these registers will be localised to individual teams and are owned by team managers and leaders. Risks contained within Operational risk registers may be escalated to cluster risk register when the level and severity of risk increases.

The risk register held under the CPC represents one element of the multi-agency system of managing the risk of significant harm to children in the city and is reviewed at every CPC quarterly meeting. Recognising their interconnectedness, the Risk Registers of all public protection forums (CPC, APC, VAWP and ADP) are considered by the Executive Leadership Group for Public Protection (COG) at their bi-monthly meetings.

The IJB has in place a Board Assurance and Escalation Framework to provide the necessary assurance that the partnership has put in place the structures, behaviours and processes necessary for setting risk appetite, for delegating the identification of both significant events and trends, for assessment and mitigation of risk, and for putting in place effective controls and assurances, properly owned and actioned.

The Strategic Risk register is owned primarily by the Chief Officer, with individually identified risks assigned to different members of the Leadership Team as appropriate. The Strategic Risk Register is presented to the Audit and Performance Systems Committee (APS) on a quarterly basis and then presented, with any required revisions, to the following IJB meeting thus ensuring regular and robust scrutiny of the assessed risks and the mitigating activities and interventions. The pandemic has arguably brought a greater intensity to this scrutiny and encouraged a whole-system approach to the management of risk in our social work services.

From an operational social work perspective across both children's and adults services, the key risk to service delivery was in relation to the capacity and resilience of our social work-trained workforce and also the wider social care workforce. Illness, family illness, infection outbreaks at a service level, the need to self-isolate and other lockdown impacts all had an impact on the availability and wellbeing of our colleagues with daily monitoring and interventions needed to ensure the continuity of our services through very critical and challenging times. It is a matter of particular note and pride that services adapted and continued throughout, with considerable positive feedback from those accessing our services.

3. Resources - Financial Pressures

Aberdeen is the third largest city in Scotland with an estimated population of 228,670 (2019) with a significant population increase anticipated in the next 10 and 20 years, particularly among the 65 to 74 and over 75 age groups. Rising expectations and demand for our services, in both children and adult services, coupled with rising costs and reduced funding presents a significant challenge to our ambitions to deliver effective interventions that lead to improved individual experiences and outcomes.

Budgets agreed in March 2020 understandably made no provision for the impact of the pandemic on operations and finances. Since then, significant additional costs have been incurred, largely in relation to providing supplier sustainability payments to social care providers, purchasing additional surge capacity, additional staffing and Personal Protection Equipment (PPE). These costs

were all funded through the Local Mobilisation Plan. There were also indirect costs of COVID, such as additional care at home costs to keep people in their own homes and lost income through client contributions.

In addition, the impact of COVID on Children's Hearings resulted in a number of children being unable to move in as timely a manner as would be hoped to either adoption placements or returned to a community setting. Children's Services also encountered an increase financial, food and fuel insecurity in many families. This was perhaps most acutely noted in relation to our care leavers. Utilising Hardship Funding and other funding the Service moved to quickly provide the practical support families needed to survive the insecurities imposed by the pandemic.

Given the lack of access to community supports many families with a child with a disability also required additional supports to be mobilised to enable them to be cared for within their family.

Whilst financial planning is as robust as possible, new risks have emerged and will require management. These include:

- Whether some of the changes in cost profile and services as a result of COVID are recurring and will require additional funding,
- The impact of the health debt caused by COVID on our delegated services. More certainty on these risks will start to materialise early in the new financial year.

As of April 2021, social work services await the clarification on the provision of financial support to implement the findings of the Independent Care Review – The Promise. Without additional funding the Partnership will struggle to deliver the scale and pace of the change. Without clear financial support to core social work services, and partners, the aspirations of The Promise to delivering preventive and early intervention support to children and families enabling more children to be cared for within their families will remain an aspiration.

The Independent Review of Adult Social Care has proposed significant change to the arrangements and delivery of social work and social care services to adults. It recognised the under investment in social care/social work. As of April 2021, we await the Scottish Governments response to this review due to be published later in the year.

4. Workforce

Workforce Planning - staffing and recruitment issues

At this point in my report, I would like to pay tribute to the social work staff across children's and adult services who have so commendably risen to the challenges of the past year. The past year has seen pandemic factors impact on the morale and wellbeing of our social work staff. Notwithstanding the extent to which colleagues across social work and the wider social care sector have responded – sometimes at personal cost to themselves - to the needs of the individuals with whom we work and support, has been heartening and a testimony to their commitment, resilience and professionalism.

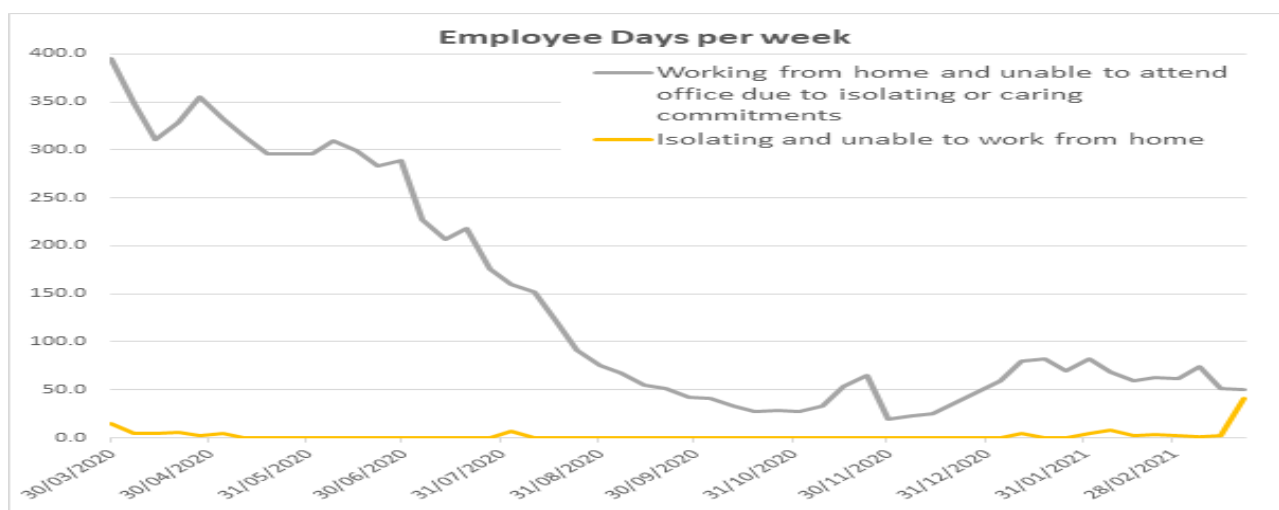
Many staff were working from home and made adaptations to home and life to continue to deliver services. The length of the average working day and week increased as managers and staff attempted to address these new, significant challenges. Staff support systems were put in place such as maintaining regular team catch-ups and weekly virtual meetings to offer support and reassurance. Staff also maintained peer to peer contact through virtual means and wellbeing programmes were available throughout the Grampian area relating to mental health and wellbeing as part of the COVID response.

Health & Safety risk assessments during the coronavirus frequently changed to reflect changes in government and local guidance. In particular, the necessary use of PPE was required to be constantly clarified and training provided where appropriate. Staff were alert to changing guidance to ensure they and others remained safe.

In the early weeks and months of the pandemic, social workers were redeployed to enable the continued delivery of adult support and protection work and Appropriate Adult activities and screening. In addition, in excess of fifty colleagues from the health and social care partnership and the local authority were redeployed into different job roles to enable care homes to continue to function given the sustained and significant pressures that they were experiencing. Children’s social work colleagues continued to make at least weekly visits to homes where children were on the CPR and were often the sole professional contact at times of school closure of schools and the diversion of health services.

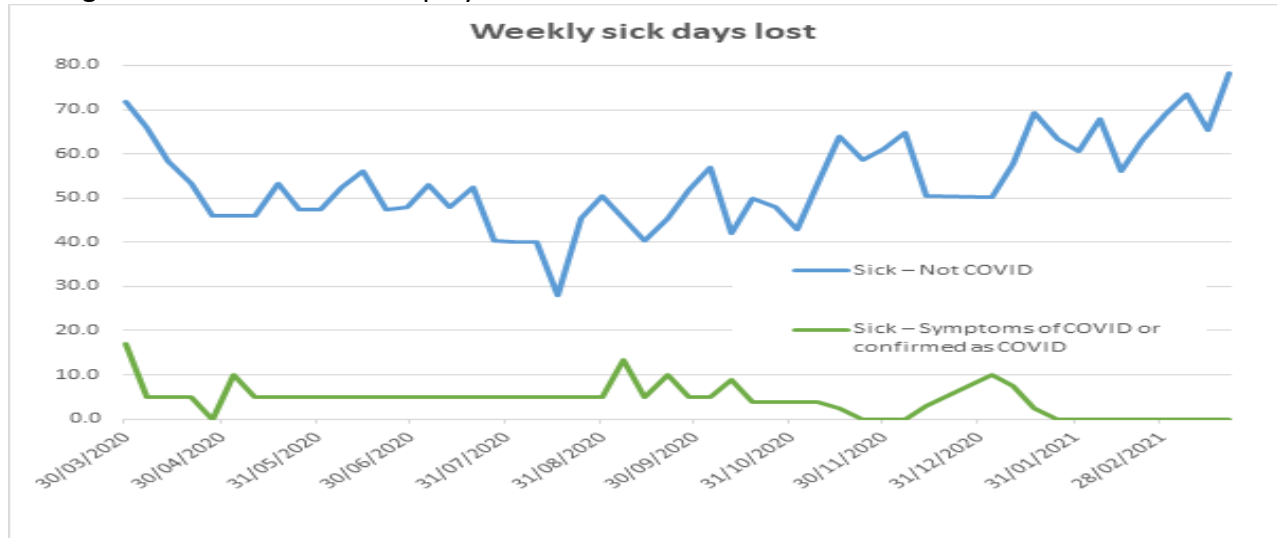
Children’s Social Work Services

In the vast majority of cases, employees who have been have been able to work from home. During the first quarter a number of employees were fully working from home due to caring, underlying health conditions or due to self-isolating. In most cases where working from home was not possible, this has been due to lack of ICT equipment, quickly resolved by Bring Your Own Device or by the Device Refresh programmes which ensured nearly all workers had a corporate device. In a small number of cases workers were unable to do their front-line role from home, e.g. Residential workers, and therefore had to take special leave. At the end of the financial year there was a small spike in the number of employees unable to work from home whilst isolating due to a COVID case in a one of the Homes.



Sickness

Approximately 215 days have been lost to COVID or COVID symptoms. Most of these were lost to long term sickness as two employees were off for a number of weeks with the virus.



Recruitment

Recruitment remains a challenge across all areas of the Service with notable vacancies in Residential Care, Children in Need, Learning & Development. Secondment opportunities or internal recruitment enables staff experience to grow but leaves a gap elsewhere. The Council is moving to enhance a “grow our own” scheme support interested staff without a social work degree to undertake distance learning development.

Adult Social Work and Justice Services

This pandemic has highlighted the challenges of attracting and retaining suitably qualified staff that is either available locally in sufficient depth or willing to relocate to the area. It was not unusual to receive no applications for advertised positions as people were not willing to move jobs during a time of great uncertainty. Brexit has also had an impact on our social care workforce with fewer staff of EU-origin remaining in the country.

Internal movement of staff is utilised but limited to adding capacity. Strong collegiate relationships have been required from our service managers and their seniors to ensure that everyone has felt sufficiently supported with these issues as they have impacted on every service at some point in the past year.

Our services moved to 7-day delivery. Staff absences were monitored daily and identified risks were acted on immediately. Staff were upskilled in appropriate ASP practices to ensure adequate contingency planning and redeployment processes were in place for any emergency cover that was required. Deployed staff received induction and core training to ensure awareness of responsibilities under ASP Act.

Whilst covid-related staff absences were low, the pandemic has still impacted upon staff and services; stress levels would seem to be higher and resilience lower. A key priority has been ensuring that colleagues have had access to the psychology services in the local resilience hub that was established. We recognised the importance of supporting our staff during this pandemic

and that given our professional social work values, we ensure that the necessary time, space and tools are available to enable appropriate recovery in both a personal and professional sense.

The Mental Health service has also experienced particular workforce challenges. In Aberdeen we have an existing establishment of 15.6 FTE MHOs within our Mental Health and Learning Disability services. This does not include the Out of Hours Service and other qualified MHO practitioners working in areas outwith mental health but who are able to provide some limited input to the service. Retirement, promotion and natural turnover offsets the gains we make in training suitably experienced social workers but we strive to maintain a flow of at least 3 candidates each year. The creation of additional posts including Relief MHO posts also enhances our ability to meet the ever-increasing demand. We have been establishing a rigorous Quality Assurance system for MHO work which we anticipate will help raise and maintain good quality service delivery in the coming year.

Despite the challenges imposed by COVID social work services continued to offer learning and development opportunities to social work students. While not at the same level those we were able to offer placements to spoke very positively of their experiences and support they received. Although we anticipate hybrid working arrangements to continue for much of the 2021/22 year the commitment to students in the coming year will reflect pre-pandemic years. The recognises the need for a strong supply of newly qualified social workers entering the profession.

Workforce Development

Children's Social Work Services

We have a well-established multi-agency child protection learning and development programme co-delivered in-house and by a commissioned service. In the period January – December 2020, 84 courses have been delivered on the following 12 topics:

- Introduction to Safeguarding
- Assessing and Planning
- Effective Chronologies
- Risk, Analysis and Thresholds in Safeguarding
- Managing, Recording and Sharing Information
- Online Safety and Awareness
- Child Sexual Exploitation and Child Trafficking
- Emotional Abuse in Children and Young People
- Domestic Abuse and Child Protection
- Neglect
- Female Genital Mutilation
- Parental Substance Misuse

They have reached 1,275 multi agency professionals. The challenges of the coronavirus pandemic only interrupted delivery initially to enable all courses to be revised for delivery electronically rather than face to face. This actually improved attendance and accessibility and will be incorporated into our range of styles of delivery as we move forward.

The Social Work service learning & development programme is delivered through a mix of corporate modules, commissioned courses and through the utilisation in-house expertise.

Particular emphasis has been made in this period to ensure that the needs and registration requirements of newly qualified and SWIT's are met. A vacancy in this area of service and subsequent difficulties in recruitment has been challenging this year, particularly in relation to the needs of more experienced professional staff. This is expected to be addressed in the year ahead.

Adult & Justice Social Work Services

Our workforce development focus in the past year has been on the promotion and maintenance of staff wellbeing and facilitating greater involvement in service changes and redesigns. In response to the HSCP's Everyone Matters survey, focus groups were held to promote staff wellbeing and other supports have been put in place for those colleagues who have been shielding with 'check-ins' being initiated as and when these individuals returned to work. A significant amount of informal support and engagement has been initiated by colleagues across different services involving everything from regular huddles, check-ins and virtual social meets.

Engagement with our colleagues during the transformation of our services has been wide and varied. A checklist has been developed to ensure all project plans consider how best to promote and facilitate staff engagement. This has led to initiatives such as a virtual support network for the new care at home arrangements as well as face to face sessions with colleagues across the Frailty Pathway. As teams begin to embrace the changes and adapt to hybrid working practices there has been a growing level of engagement around the building of new team structures. It is anticipated that this will continue to develop over the coming months with our different services/teams recognising themselves what is needed/wanted and facilitating this.

5. COVID 19

Early indications of impact on workforce and services

The impact of the pandemic on services delivered throughout the year is threaded throughout the paragraphs above. We have gleaned significant learning from this experience and intend to take forward many aspects of it:

Relational Practice

Fit Like Hubs

The ~~vulnerable~~ Valuable Learners Hubs, established at pace to ensure the safety of those most at risk of harm, have been further developed to form our Fit Like Hubs. For the non-Doric reader, "Fit Like" means "How Are You?" In that vein, these hubs focus on the safety, health and wellbeing of those children and their families identified by professionals as ones who would benefit from this model of support and intervention. Children and families have the capacity to self-refer to the hubs, enabling them to access the variety of supports on offer.

Digital Engagement

Our digital engagement and development increased exponentially during the pandemic. Use of Microsoft Teams has become second nature. Meetings have been adapted to be conducted digitally where possible and appropriate although a return to face-to-face meetings will be welcome in some circumstances. Feedback from children, young people and families on the use

of digital resources has, in the main, been positive with young people in particular often preferring this style. We are developing an entirely new case management system Dynamics 365 which will replace and better our Care First system and the crisis has not delayed the development of this ambitious, first-of-its-kind project.

Use of Data

At the outset of the pandemic the Council and HSCP established “Aberdeen Together” – ensuring data was central understanding the impact of the pandemic on individuals and groups adversely affected by the pandemic and associated restrictions. This enabled a more holistic understanding of risk and vulnerability across multiple services – social work and non-social work. It contributed to the delivery of an agile and flexible response. It also ensured leaders the COG was cited on emerging vulnerability. A continuing focus on developing our use of data to enhance planning at an individual, service and Council wide basis will remain a major focus.

Creative Engagement

Families have commented positively on the diligence and kindness of our staff in maintaining contact and concern for them throughout this period. Creative ways have been found to do so. Staff donned PPE and in uncertain circumstances put care for those in need above personal concern. A genuine recognition of the need to maintain person health and wellbeing and to support others to do so has emerged. It is of significant note and value and we look to maintain this.

Feedback from service users and staff during the past year has reinforced the importance of delivering a social work service that is relational and trauma informed. Focusing on core needs and vulnerability as well responding to the impact of poverty was central to our COVID response. In many instances there is a sense that relationships have been strengthened with service users reporting that staff demonstrated a respectful and genuine empathy. Staff are keen to retain such a focus building nurturing relationships that enable change and growth in those we support.

Challenge the Silos

The immediate impact of the pandemic focused minds, energised our multi-agency, multi-sector discussions and reduced to some extent historic barriers and red tape. We have much to learn from this and intend to do so by continuing our efforts to foster multi-agency and multi-service collaborations and solutions. There has been an evident, shared purpose across the range of partnership services and providers in terms of ensuring the safety and wellbeing of clients, as well as staff. There has been a real sense of togetherness in this joint approach that in turn, has led to improved communication across services.

Supporting our Care Homes

Care home providers report to the HSCP on a daily basis against a list of requirements set out by the Scottish Government. This enables the care home to escalate any concerns to us and for us then to respond in an appropriate and supportive manner. There has been high engagement and compliance from providers with regard to this process, and it now incorporates wider data sets, such as visitor testing and visiting arrangements. This data and intelligence is utilised to continually ensure the determination and management of risk. A weekly residential provider

huddle is an opportunity for care home managers to meet with HSCP and public health representatives to discuss current and emerging issues, as well as to invite speakers from different disciplines to provide an overview of input into care home support. It has been very helpful in identifying areas of concern and agreeing solutions.

Service review and planning

The pandemic has highlighted the health and socio-economic inequalities that exist in our localities and the negative impact of these on individual and community wellbeing. A new Health Inequality Impact Assessment will ensure there is a more robust and focussed evaluation of the impact of proposed strategies, plans and operational delivery changes. Our review recognises the need to invest in early intervention and prevention services and also maintain the improved relationships and effective collaborations that have been forged in the face of this global pandemic. A key element of this review will be the alignment of our services to the HSCP and community planning 3-locality model. This review will also bring together a group of services under a city-wide umbrella including the merging of our Adult Protection Unit and social work Duty teams so that there is a more co-ordinated early response to instances of harm and those in crisis.

The range of strategic plans relating to children and adults in the City, the delivery of The Promise the implementation of the UNCRC into Scots Law, publication of the Feeley Report and the Scottish Government's intention to establish a National Care Service within the lifetime of the current Scottish Parliament will all give an added impetus to the importance of the social work function and the difference that it makes to the lives of individuals and families in our local communities.

Conclusion

2020/21 was a year which highlighted the value of having a strong and effective social work service. The COVID pandemic and associated lockdown shone a bright light on existing inequalities. It also resulted in many individuals and families, previously not considered as vulnerable, being so for the first time. Responding to those in need of care, support and protection has been hugely challenging but social work staff in Aberdeen City can be proud of all they have achieved.

Social work staff responded with compassion and sensitivity to the needs of individuals, children, young people, and families who required social work intervention. This despite having to contend with their own feelings of insecurity.

The full impact of the COVID pandemic on social work services will not be fully known for many months/years. However, many of the adaptations and service changes have been embraced by staff and welcomed by service users and will become part of our new "business as usual".

The publication of the IRASC as well as the anticipated first three-year plan to deliver The Promise highlight that the world of social work will be one that will continue to evolve and change to deliver improved outcomes for individuals and families. Focusing on prevention and early intervention is critical but we also need to ensure those with acute and enduring needs have the

support they require to remain safe and protected. The recognition within the IRASC, that there has been a sustained under investment of social work/social care is welcomed.

Having a strong social work vision and effective leadership is equally as important to ensuring that our approach meets the COVID/post COVID challenges and that services continue to utilise an evidence-based approach, drawing on research to deliver improved outcomes. Social work cannot achieve this on its own and must continue to work with partners to build services that are trauma informed and which adopt a whole family approach to service delivery.

Graeme Simpson
CSWO – Aberdeen City
30 September 2021

ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	27 October 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Implementation of the Age of Criminal Responsibility (Scotland) Act 2019 in Aberdeen City
REPORT NUMBER	OPE/21/233
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Alison McAlpine
TERMS OF REFERENCE	1.1, 1.1.4

1. PURPOSE OF REPORT

- 1.1 To provide assurance to committee of the planning in place within Aberdeen City on the implementation of changes to practice required in line with the imminent commencement of the Age of Criminal Responsibility (Scotland) Act 2019.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 notes the positive implications for all children under 12 years of age whose behaviour may currently see them participate in an adult justice system, largely designed for adults;
- 2.2 notes that on 16 September 2021, ministerial agreement was given to delay the commencement of Part 1 of Age of Criminal Responsibility (Scotland) Act 2019. A confirmed date for full implementation has not been identified; and
- 2.2 notes the localised plans in place, referred to in section (3.2) below are meeting the needs of the vulnerable children that the Act seeks to protect

3. BACKGROUND

3.1 Key Changes brought about by full implementation of Age of Criminal Responsibility (Scotland) Act 2019

- 3.1.1 Work has been ongoing nationally for several years to review and amend the policy and legislation in relation to protecting and promoting the rights and interests of children and young people. This has included a focus on preventing and addressing offending behaviour by young people. It is recognised that Scotland has one of the youngest ages of criminal responsibilities in Europe (14yrs - Germany, 15 years – Norway and Sweden, 16 years - Portugal.) The

Age of Criminal Responsibility (Scotland) Act 2019 will raise the age of criminal responsibility in Scotland from 8 years to 12 years when Section 1 of the Act is implemented.

- 3.1.2 The Act provides the police with specific powers to investigate incidents of serious harmful behaviour which took place when a child was under 12 in a manner which ensures that the child's well-being is always treated as a primary consideration. This means that at all stages of an investigation social workers and police officers will be alert to the child's individual needs and will take a trauma-informed approach in their interactions with the child. It is significant to note that children under 12 whose behaviour causes significant harm will often have experienced trauma and neglect and recognising and responding to their needs is at the core of this legislation. A new role of Child Interview Rights Practitioner (ChIRP) has been established to act in accordance with this approach, which is reflected in the competencies and standards of conduct required for registration.
- 3.1.3 The questioning of a child in relation to serious harmful behaviour which takes place when a child is under 12, is by way of an investigative interview. Other than in urgent cases, an investigative interview must be jointly planned by social work and police. Planning will take place in an Age of Criminal Responsibility (ACR) Interagency Referral Discussion (IRD).
- 3.1.4 Within a context of falling numbers of youth offending, and scrutiny of localised data on how many under 12's are currently involved in behaviour that would otherwise be seen as offending behaviour, it is noted that the number of children meeting the threshold for use of specific Police powers such as Investigative Interviews, will be very low. That said, the changes brought about by this key piece of legislation will require careful adapting and enhancing of knowledge and expertise of social work professionals to ensure compliance with the changes.
- 3.1.5 Involvement of a prospective ChIRP at the stage of the development of the interview plan is recognised to be beneficial so they are aware of the child's needs and preferences and any adaptations which are needed for the interview with the child. ChIRPs are to be legally qualified and to have undertaken specific training for this role and work on this is currently taking place at a national level.
- 3.1.6 A child who is taking part in an investigative interview is not a suspect. The approach taken by professionals involved in the process must reflect the non-criminal nature of the interview. The investigative interview is not an interrogation and will be carried out in an age-appropriate setting, with every effort being made by the professionals to ensure the child feels safe and comfortable to speak. The ChIRP will have a role to help the child communicate their own needs, wishes and concerns in relation to the conduct of the interview. The intention behind the interview is to understand what happened, and to enable the right supports to be put in place for the child, so it will be important to hear the child's own perspectives about the incident of concern.

3.1.7 Statutory guidance relating to police powers in the Age of Criminal Responsibility (Scotland) Act 2019 was published on 2 September 2021 – See Appendices. Operational Guidance is in final draft but has yet to be circulated.

3.2 Aberdeen City's Implementation Planning

3.2.1 All 32 Local Authorities were invited to respond to a survey on the new legislation, with consideration given to the anticipated impact of further raising the age of criminal responsibility from 12 to 14 or 16 years in the future. This anticipated progression will align Scotland further with the UN Convention on the Rights of the Child (UNCRC) and adherence to The Promise.

3.2.2 It is recognised that any increase from 12, to 14, or 16 years in the future would have considerable impact on the numbers of children who would require support under this Act. Increased training opportunities will then be vital to ensure sufficient social work staff are trained and competent to undertake the investigative interviews that would be required.

3.2.2 An implementation working group has been established in Aberdeen City, involving social work professionals currently involved with children and young people whose behaviour is causing significant concern. As well as social work staff, membership involves 3rd sector partners as well as the city's out of hours service. Meetings are scheduled monthly, allowing close collaboration and planning. This group will continue post implementation, to support and monitor the new arrangements.

3.2.3 As noted, the role of the IRD has been recognised as pivotal to ensure the correct interpretation and planning of intervention linked to ACR legislation. The Joint Inspection of Children's Services 2019 recognised that our response to children who may be at risk of significant harm is a practice evidenced considerable strength. The role of the IRD within this element of child protection procedures has been crucial. Our IRD process has seen robust review, scrutiny and quality assurance over the past few years. Following some adaptations initiated initially as a response to Covid 19 restrictions, our process has been further streamlined and sees Aberdeen City aligning closely to the new National Guidance for Child Protection in Scotland 2021.

3.2.4 Whilst there has been some indications of the different considerations in both IRDs relating to ACR duties, and those IRDs relating to child protection concerns, the approach and principles will be the same.

3.2.5 The work of the local implementation group is inextricably linked to other areas of development, notably the preparation for the new Scottish Child Investigation Model (SCIM). This will see an overhaul of the training and ethos of our interviewing of children who have suffered or witnessed significant harm. There are also clear links to Scottish Governments' commitment and vision for a 'Bairns' Hoose' in Scotland by 2025, with the aim that *'All children in Scotland who have been victims or witnesses to abuse or violence, as well as children under the age of criminal responsibility whose behaviour has*

caused significant harm or abuse will have access to trauma informed recovery, support and justice' and that such will be under one roof and be as streamlined as it can be.

- 3.2.6 A workplan for implementation has been established with training being a key element of focus, given the imminent implementation date of all aspects of this legislation. An experienced social worker with extensive knowledge of ACR and who is already involved in the interviewing of children, will join social work, police and ChIRP colleagues for a half day training on the specifics relating to ACR procedures, at the end of September 2021. Thereafter, wider training will be disseminated across the workforce.
- 3.2.7 It is noted that the introduction of this new legislation does not bring any additional funding, with any impact on resourcing having to be met by individual local authorities.
- 3.2.8 Close collaboration with colleagues from Police Scotland has taken place on the local implementation of ACR. This is particularly so in relation to the more contentious areas of the new provisions, notably the statutory duty for a list of Places of Safety. Whilst the Act gives a constable the power to remove a child to a place of safety, local authorities are best placed to identify potential places that will best meet the needs of the child, taking into account the current circumstances. The police must notify the local authority of the need for a place of safety in circumstances where the child's home is not appropriate. Agreement should be sought as to the most suitable and available resource as quickly as possible.
- 3.2.9 It is vital to recognise that children who require provisions under the Act due to concerns of their involvement in serious harmful behaviour, will in most cases, be best placed to be cared for by their families or their usual care setting. Child protection procedures will of course prevail, where there are concerns that a child is at risk of significant harm. Where children cannot be cared for in their usual home setting a range of settings have been identified recognising such decisions need to be considered on a child-by-child basis. What is vital however, is that there is a joint understanding in place between Police Scotland and Children's Social Work as to how to reach the most appropriate decision for each child, especially in an emergency or out with office hours.

3.3 Implementation Commencement Date

- 3.3.1 October 2021 had been set as the date for commencement of the final sections of this Act to be implemented. On 16th September 2021, the Programme Board met to consider the submission to Minister about commencement day. Whilst no specific date on commencement has been confirmed, the Minister has agreed that commencement will not be in October 2021, due to significant issues in relation to the development of Court Rules and, out of hours provision.

3.4 Future Considerations

3.4.1 A further advisory group is now in place to consider whether the age of criminal responsibility in Scotland should be raised further, in line with its review of the operation of this Act. Work to scrutinise current data on any further increase and other implications is being progressed in line with national queries on same.

4. FINANCIAL IMPLICATIONS

4.1 No specific funding has been provided to support the implementation of the ACR legislation. While the legislation will place some additional duties on social work staff these reflect best practice and are intended to deliver improved outcomes for children.

- Training and developing social workers awareness of the legislation and guidance will demand resource which will be met from within existing resources.
- The established Implementation group will monitor the embedding of the ACR into practice and is well placed to flag any unanticipated resource demands.

5. LEGAL IMPLICATIONS

5.1 Aberdeen City Children’s Social Work staff will have statutory duty to comply with the Age of Criminal Responsibility (Scotland) Act 2019, ensuring the care and protection of children who fall within the parameters of this legislative change.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic	That the partnership are insufficiently prepared for the changes brought about by the implementation of this new piece of legislation, through practice guidance, training or through lack of confidence and understanding.	L	Close collaboration, supported through the Child Protection Committee in Aberdeen City, as we prepare and plan for implementation, with key operational leads from all agencies involved in working group.

Compliance	The Council has responsibility to comply with its statutory responsibilities.	L	Whilst this sees some changes in practice, the processes in place will be absorbed in line with current practice hence minimal risk.
Operational	Adjustment of systems to ensure embedding of this new legislation at National and local level and for awareness of this across the city, for all key staff members	L	Awareness raising across the partnership is underway to ensure knowledge for all key staff members and targeted training for those who will be specifically involved in decision making and in interviewing of children within scope of the legislation.
Financial	Officer time will not be dedicated to the necessary level of support for the under 12 year olds who require support and intervention via this new Act.	L	No specific funding has been provided to accommodate the changes to practice brought about by this legislation. However, this legislation currently relates to a relatively small number of children at this stage and it is proposed that changes can be absorbed within business as usual, with robust and comprehensive partnership collaboration.
Legal	Aberdeen City Council has statutory responsibilities to children, young people and their families which if we failed to adhere to would render us in breach of these.	L	The changes brought about by this new legislation will be subject to formalised scrutiny by the Care Inspectorate in their evaluation of services for children and young people in Aberdeen.
Employee	Officer time is not afforded to retain current standards of practice and to progress areas for development.	L	The multi-agency nature of work to support children, young people and their families already relies on a collaborative approach where continual improvement and learning has been embedded. This

			work is shaped via the Chief Officer's Group, the Child Protection Committee and via the strategic plans in place, in line with stretch aims contained in the Local Outcome Improvement Plan (LOIP)
Customer	Required improvements and areas for development in practice are not actioned.	L	Children, young people and their families in Aberdeen can be assured that services in Aberdeen City are subject to continual quality assurance, in line with the Child Protection Improvement Programme, the Corporate Parenting Strategy, in line with this years' refreshed LOIP.
Environment	In the spirit of ethos of this legislative change, it is not anticipated that these changes will bring about any specific changes to the care settings of this age group of child.	L	The culture and ethos across our partnership supports children to be supported wherever safe, to remain in their usual care setting. This legislation will ensure that children whose behaviour has caused significant harm are first and foremost treated as children and that they are supported and not criminalised for actions that they may have taken. This will ensure that alternatives are sought, where children cannot remain in their parental home/usual care setting, and that holding in Police cells is by rare exception only.
Technology	If we do not continue to progress our use of advances in technology we will fail to sustain and build on current	L	We are collaborating across the partnership is taking place, as well as using Microsoft cloud to mitigate against this risk.

	improvements in data collation in this area.		
Reputational	Children who find themselves involved in behaviour which has caused or is likely to cause significant harm, can bring about considerable media interest and scrutiny of services delivered them can surround this.	M	The public can be assured by the fact that focus will continue to allow Police colleagues to work to minimise the likelihood of continued risk to public, and children's social work will work to ensure the intervention and support is in place to offer the required safety mechanisms here. Further, the Care Inspectorate will have a role in formally scrutinising this area in future strategic inspections.

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	The proposals in this report have no direct impact on the Council Delivery Plan.
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	No significant impact.
Prosperous People Stretch Outcomes	<p>This Report acknowledges the role that children's social work undertake alongside Police Scotland, to intervene when children may have been involved in behaviour that could result in significant harm. This is carried out with close collaboration with multi agency partners, overseen by the Chief Officers Group and the Child Protection Committee. This ensures delivery on the outcomes of the LOIP – Prosperous People – Children are our Future and that they have the 'best start in life,' they are 'safe and responsible' and that they are 'protected from harm.'</p> <p>Children who are protected from threats to their health, safety and economic wellbeing are more likely to prosper than those who are not.</p>

	<p>LOIP Stretch Outcomes:</p> <p>4. 90% of children and young people will report that they feel mentally well by 2026.</p> <p>5. 95% of care experienced children and young people will have the same levels of attainment in education, emotional wellbeing, and positive destinations as their peers by 2026.</p> <p>6. 95% of children living in our priority localities will sustain a positive destination upon leaving school by 2026.</p> <p>7. Child Friendly City which supports all children to prosper and engage actively with their communities by 2026.</p>
Prosperous Place Stretch Outcomes	Recognition has been given to the benefits to maximising scope for children to remain within their own communities and changes proposed from this new legislation will further embrace this.
Regional and City Strategies	<p>Aberdeen Economic Policy Panel Annual Report</p> <p>The report particularly helps the Council to tackle inequalities amongst our most vulnerable children and families which as the report states “is not just an important objective in its own right, but that doing so is crucial for promoting sustainable economic growth. This is in recognition of the fact that we know that children identified as being amongst our most vulnerable are disproportionately involved in behaviour which can cause harm.</p>
<p>UK and Scottish Legislative and Policy Programmes</p> <p>Children (Scotland) Act 1995, s22, s25, s23, s86.</p> <p>Children and Young People (Scotland) Act 2014 S56</p>	<p>Duties within this legislation place responsibilities on ACC to offer support to children in need, or those who may be in need of compulsory measures of supervision, may be at risk of significant harm or who may otherwise require multi agency support and intervention to reach their potential.</p> <p>The duties in Part 9 of the Children and Young People (Scotland) Act 2014 legally embed the concept of corporate parenting and collectively are <i>‘designed to ensure that the attention and resources of various publicly funded organisations are explicitly focused on the task of safeguarding and promoting the wellbeing of looked after children and care leavers’</i>. (CELCIS, Corporate Parenting Implementation Notes, 2016).</p>

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

N/A

10. APPENDICES

Age of Criminal Responsibility (Scotland) Act 2019 - part 4 – Police Investigatory and Other Powers: statutory guidance on the use of a place of safety

Age of Criminal Responsibility (Scotland) Act 2019 - part 4 – Police Investigatory and Other Powers: statutory guidance on investigative interview

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Age of Criminal Responsibility (Scotland) Act 2019

Part 4 – Police Investigatory and Other Powers

Statutory Guidance on the use of a Place of Safety

Content

Ministerial Foreword	1
1. Introduction and Background	2
• Introduction	2
• Policy Context	2
2. Responsibilities and Procedures	4
• Criteria for use of a place of safety	4
• Identifying an appropriate place of safety	5
• Use of a police station as a place of safety	6
• Maximum period of use of a place of safety	7
3. Monitoring, evaluation and reporting on the use of places of safety	7
• Information Sharing Agreement	8
• Preparing/Publishing report	8
4. List of places of safety	8
Annex A – List of Places of Safety	9
• Key Messages	9
• General Principles	9
• Identifying local places of safety	10

Ministerial Foreword

The Age of Criminal Responsibility (Scotland) Act 2019 increases the age of criminal responsibility in Scotland to 12 years of age. This means that primary school-aged children will no longer be dealt with as criminal suspects.

We know that harmful behaviour is often a symptom of deeper welfare concerns and trauma in a child's life. Increasing the age of criminal responsibility seeks to bring about a positive cultural shift in how harmful behaviour by young children, and the issues that lead to it, is seen and understood in Scotland.

It is crucial for all of us to act in a way that protects children, cares for their needs and upholds the principles which underpin children's rights. Protecting children from the harmful effects of criminalisation, whilst ensuring that they and their family receive the right support, will improve their life chances and well-being.

The Act sets out a number of measures that enable action to be taken by the police and other statutory agencies when children under 12 are involved in serious incidents. These measures will ensure that the harmful behaviour of children under 12 can continue to be investigated, and that authorities respect and respond to the needs of victims.

This guidance sets out the responsibilities and procedures to be followed by police, in collaboration with local authorities in relation to the power to taking a child under the age of 12 to a place of safety in certain limited situations.

We would like to thank Police Scotland, Social Work Scotland and all partners who have been instrumental in developing this guidance.



KEITH BROWN MSP
Cabinet Secretary for
Justice and Veterans



CLARE HAUGHEY MSP
Minister for Children and
Young People

1. Introduction and Background

Introduction

1.1 This statutory guidance is published by the Scottish Ministers in accordance with section 31 of the Age of Criminal Responsibility (Scotland) Act 2019 (“the Act”). It contains information for the Police Service of Scotland and local authorities in relation to the use of the power conferred by section 28 of the Act, which provides a constable with the power to take a child under the age of 12 to a place of safety.

1.2 This power can be used if the constable has “reasonable grounds” to suspect that the child is behaving, or is likely to behave, in a way that is causing, or risks causing, significant harm to another person. The power can only be exercised if this is necessary to protect another person from an immediate risk of significant harm (or further significant harm, if they have already been harmed).

1.3 Where there is a need to safeguard and protect a child who may be at risk of harm, child protection procedures should be followed as set out in the [National Guidance for Child Protection in Scotland](#).

1.4 The need to safeguard and promote the wellbeing of the child as a primary consideration¹ applies to the powers set out in this guidance.

1.5 Section 31 of the Act sets out that the chief constable and each local authority must have regard to the guidance.

1.6 Link to the Age of Criminal Responsibility (Scotland) Act 2019:
<https://www.legislation.gov.uk/asp/2019/7/contents/enacted>

Policy Context

1.7 The policy intention of the Act is to protect children from the harmful effects of early criminalisation, whilst ensuring that the child and their family receive the right support. Where the behaviour of a child under the age of 12 has caused significant harm and requires investigation, their rights must be properly recognised, upheld and protected in line with UNCRC.

1.8 The Scottish Government’s vision of Scotland as the Best Place to Grow Up is one that extends to all children. A holistic approach to understanding and responding to the needs of children, including those involved in harmful behaviour, helps improve life chances, promotes more positive outcomes and makes Getting It Right For Every Child (GIRFEC) a reality.

1.9 A child under the age of 12 years cannot be treated as having committed an offence. To ensure a GIRFEC child-centred approach - whilst continuing to support the police service in their statutory obligation to investigate crime - the police and local authorities must work together to consider the wider influences on a child’s developmental needs when thinking about their wellbeing. This is particularly

¹ Section 72(2) of the Act.

pertinent during an emergency situation where consideration of a place of safety may be required.

1.10 The term “place of safety” is not unique to this legislation. Section 56 of the Children’s Hearings (Scotland) Act 2011 makes provision for a constable to remove a child to a place of safety when there is a risk of significant harm to a child.

1.11 The criteria for taking a child to a place of safety sets a high bar test for use of the powers (set out in Section 2 of this guidance). They do not diminish the wider duties of a constable to respond to an incident or the needs of a child involved. When a constable’s view is that a child should not be left unsupervised, it is essential that they leave the child in the care of a responsible adult. This is entirely consistent with UNCRC, the duties under sections 20 and 32 of the Police and Fire Reform (Scotland) Act 2012, and the wider legal context within which constables carry out their duties.

1.12 Where there is a concern that a child is at risk of significant harm or further such harm, child protection processes must be followed as set out in the [National Guidance for Child Protection in Scotland](#).

1.13 Section 28 of the Act addresses the need to ensure police officers can intervene effectively to protect individuals and communities. It provides constables with the ability to take a child to a place of safety to ensure the safety of others who may be at immediate risk of significant harm or further such harm from the child.

1.14 Regardless of the legislation used, and the harm caused, it is important to keep a keen focus on the immediate needs of the child.

1.15 The removal of a child raises issues in relation to the child’s right to liberty (Article 37(b) UNCRC and Article 5 ECHR). Accordingly, removal to a place of safety must only be used as a measure of last resort, in relation to the protection of any other person from an immediate risk of significant harm (or further such harm). The child can only be kept in a place of safety for so long as is necessary to put in place arrangements for the care and protection of the child or for an order under section 63 of the Act, authorising the taking of intimate samples from the child, to be obtained. In either case, the child must not be kept in the place of safety for longer than 24 hours. If these safeguards are not adhered to, then the child’s right to liberty will be infringed.

1.16 Due to the unintended consequences and additional trauma removing a child to a place of safety can have on a child, constables should use their professional judgement to establish whether the use of section 28 powers is necessary and proportionate. The ability to invoke section 28 is to be balanced against the requirement, necessity and justification of doing so.

1.17 Remaining within the family home should always be the priority where appropriate. It is anticipated that in most situations a constable comes across and where the child consents, the constable will return a child to their home and a place of safety will not be required. Where there is doubt as to the suitability of the person to whom the child is being returned, then consultation with local authority should be carried out.

1.18 Where the child does not consent to being taken home, their normal place of residence can be used as a place of safety where the test for exercise of the section 28 power is met. There may be considerations around whether this is a suitable place, but it is for police to determine, in consultation with the local authority, whether this is suitable in the individual case.

1.19 Where another place of safety is required, in many situations it will be safe and in the child's best interests to be placed within the wider family. However, the optimal place of safety will depend on the needs of each child and contextual factors. Due consideration must be given to the capacity and commitments of potential carers and care settings; and to the needs of and risks relating to other children in a potential placement. This is why consultation with the local authority is key.

1.20 Police officers and social workers (and any other professionals involved) will be alert to the child's individual needs and should follow trauma-informed principles² in any interactions with the child.

1.21 Care experienced children may be particularly vulnerable due to traumatic experiences and the likelihood of their disproportionate contact with formal systems and the police. Part 9 of the Children and Young People (Scotland) Act 2014 requires Corporate Parents to be alert to matters which adversely impact on looked after children and to promote their interests.

2. Responsibilities and Procedures

Criteria for use of a place of safety

2.1 The criteria for taking a child under the age of 12 to a place of safety are set out in sections 28(1) and 28(2).

2.2 The power is designed as an emergency response to situations where a child under the age of 12 poses an immediate risk of significant harm or further such harm to another person.

2.3 Harmful behaviour can be physical, psychological or sexual in nature. Behaviour is harmful when it results in or is likely to result in unnecessary suffering and/or physical or psychological damage and/or impairment to health and development.

2.4 The extent to which harm is 'significant' relates to the severity or likely severity of suffering and/or physical or psychological damage and/or impairment to health and development.

2.5 It is a matter for professional judgement, based on the gathered evidence and context, as to whether the degree of harm to which the victim is believed to have been subjected, is suspected of having been subjected, or is likely to be subjected, is 'significant'.

²As set out in Pages 30-36 of the [nationaltraumatrainningframework.pdf \(transformingpsychologicaltrauma.scot\)](#)

2.6 It is essential that constables are able to articulate the impact that resulted in their use of powers and must cover the essential elements, namely:

- It is necessary to do so to **protect any other person**; and
- There is an **immediate risk of significant harm or further such harm**.

Identifying an appropriate place of safety

2.7 The need to safeguard and promote the wellbeing of the child being cared for in a place of safety is treated as a primary consideration in accordance with section 72(2) of the Act. At any time there may be a need to consider measures to protect the child, and child protection procedures must be followed.

2.8 Whilst the Act gives a constable the power to remove a child to a place of safety, local authorities are best placed to identify potential places that will best meet the needs of the child, taking into account the current circumstances. The police must notify the local authority of the need for a place of safety in circumstances where the child's home is not appropriate. Agreement should be sought as to the most suitable and available resource as quickly as possible.

2.9 Section 28 of the Act lists the categories of establishment which can be used as a place of safety. Provision within each local authority will vary but examples include:

Category	Example
<p>a residential or other establishment provided by a local authority</p> <p>a community home within the meaning of section 53 of the Children Act 1989 (c.41)</p>	<ul style="list-style-type: none"> • multi-agency child protection unit • children's house • care home • residential unit • school/community campus • nurseries • family support centres • library • sports centre/clubs • community centre • social work office • outreach/cluster flat • private let accommodation
<p>a hospital or surgery, the person or body of persons responsible for the management of which is willing temporarily to receive the child</p>	<ul style="list-style-type: none"> • hospital • child health clinics • specialist health resources • CAMHS services • medical centres • therapeutic support services
<p>the dwelling-house of a suitable person who is so willing</p>	<ul style="list-style-type: none"> • child's home • person within the family network • family friend • foster carer • childminder

any other suitable place the occupier of which is so willing	<ul style="list-style-type: none"> • third sector support services • places of worship • church halls
a police station	

2.10 Annex A includes the core principles to meet the standards for a place of safety and lists the components required to help identify local premises.

2.11 Following the use of this power, an inter-agency referral discussion (IRD) may be necessary to ensure a co-ordinated approach to next steps in collaborative safeguarding and protection of the child’s wellbeing, depending on the situation. Inter-agency referral discussions (IRDs) are established mechanisms that allow a multi-agency approach for children and their needs.

2.12 At all stages, the parent³ or carer of the child must be involved and informed, unless doing so would place the child or someone else at immediate risk. This includes informing a parent or carer of the child that they have been taken to a place of safety and where that place is.

Use of a police station as a place of safety

2.13 Where there is an urgent need to remove a child under 12 and an appropriate place of safety cannot be identified immediately following consultation with social work, the Act permits a child to be taken to a police station.

2.14 Whilst a police station is included in the definition of a place of safety, it must only be used in exceptional circumstances. **All other options must first be considered.** The following conditions apply:

- A child may be kept in a place of safety that is a police station only if a constable of the rank of Inspector or above considers that it is not reasonably practicable to keep the child in a place of safety that is not a police station.
- A child must not be kept in a cell within a police station unless a constable of the rank of Inspector or above considers that it is not reasonably practicable for the child to be kept elsewhere within the police station. In making such decisions, the safety and wellbeing of the child remains a primary consideration alongside the safety of other persons.
- A child must not be in a cell for any longer than is considered necessary. If this is essential to prevent immediate harm, then alternatives must be sought and utilised as soon as possible. A child must never be left unsupervised in a cell.

Maximum period of use of a place of safety

2.15 The removal of a child to a place of safety raises issues in relation to the child’s right to liberty (Article 37(b) UNCRC and Article 5 ECHR) and this power must

³ parent” includes guardian and any person who has care of the relevant child, (except where provided otherwise: see section 40(7) <https://www.legislation.gov.uk/asp/2019/7/section/40/enacted>)

only be used as a measure of last resort, in relation to an immediate risk of significant harm.

2.16 The child may only be kept in a place of safety for so long as is necessary to put in place arrangements for the care and protection of the child or for an order for the taking of intimate samples under section 63 of the Act to be obtained. In either case, the child must not be kept in the place of safety for longer than 24 hours. There is no power to keep the child in a place of safety after that time.

2.17 Child protection processes including an assessment of the context of the harm may need to be considered in managing the risks posed to and from the child, as focus solely on the family rather than wider relationships may not suffice in managing presenting behaviours.

2.18 The child must be returned home within 24 hours or earlier if safe to do so for the child and any potential victim. The provisions will cease to have effect from the point at which the child is left in the care of their parent or carer.

2.19 If a return home would be inappropriate or unsafe, alternative arrangements must be made for the care or protection of the child in line with child protection procedures, and as soon as possible within the 24 hour period.

3. Monitoring, Evaluation and Reporting on the Use of Places of Safety

3.1 Section 32 of the Act requires the Scottish Ministers to present the Scottish Parliament with a report setting out information on the exercise of section 28 powers on an annual basis.

3.2 Monitoring and reporting on use of the power will ensure that provisions are being limited to those circumstances where “it is necessary to do so to protect any other person from an immediate risk of significant harm or further such harm to others”.

3.3 To support the development of the annual report on the exercise of section 28 powers, Police Scotland must ensure processes are in place to gather the following information:

- Reason for seeking place of safety – to include the following details:
 - nature and circumstances of the incident;
 - evidence of child’s behaviour causing risk of significant harm to others;
 - evidence that exercising the section 28 power was necessary to protect others from an immediate risk of significant harm;
- Type and location of place of safety;
- Length of time at place of safety;
- Whether the child was kept in police station and, if so, reasons why;
- Whether the child was kept in a cell within police station and, if so, why, for how long and who was with them.

Information Sharing Agreement

3.4 An information sharing agreement will be set up between Scottish Government officials and Police Scotland regarding the most appropriate mechanism to share and collect relevant data.

Preparing/Publishing Report

3.5 Scottish Ministers are required to prepare a report in relation to the information recorded by Police Scotland. The first report must be laid before the Scottish Parliament after the first year of section 28 being in force and then annually after that. The frequency of the reporting period may be amended by regulations (subject to affirmative procedure).

4. List of Places of Safety

4.1 Section 29 of the [Age of Criminal Responsibility \(Scotland\) Act 2019](#) requires the Scottish Ministers to compile, maintain and publish a list of places of safety across Scotland which may be used by a Police Constable where a child under the age of 12 meets the relevant criteria.

4.2 Links to the published list will be circulated separately.

4.3 Where a place of safety is required, Police Scotland should contact the local social work team who will determine availability at that point.

Age of Criminal Responsibility (Scotland) Act 2019

List of Places of Safety

Key messages

A child who has behaved in a manner that has potentially caused serious harm to another person is likely to have experienced childhood adversity and difficulties such as significant loss, abuse, neglect, trauma and a disrupted home and school life. Negative early life experiences can leave some children extremely vulnerable to environmental pressures and this can, in turn, contribute to the emergence of violence and/or other forms of harmful behaviours in childhood.

Police and statutory services will take action to protect the safety of those involved in the situation and attend to the needs of all including victims. All investigative and planning activity triggered by a child's harmful behaviour must have regard for the child's wellbeing as a primary consideration. Interventions must aim to protect children, reduce stigma and ensure better future life chances.

The GIRFEC principles and approach must be followed, ensuring that the child is treated with respect and dignity and that their rights are upheld in line with UNCRC. Children have a right to be cared for valued, be heard, be safe and be respected as well as receiving the right help and support for the wellbeing and development.

At any stage where there are concerns identified for the safety and wellbeing of a child, child protection processes must be followed. The National Guidance for Child Protection and local child protection procedures must be followed in this situation.

Where a Place of Safety is required under Age of Criminal Responsibility (Scotland) Act 2019, arrangements should be put in place that ensures the child's best interests remain at the forefront throughout and prevent traumatisation of the child, while police undertake their duties.

General principles

- The rights of the child must be properly respected, recognised and upheld in line with UNCRC at all times.
- Trauma informed practice and principles must be adhered to no matter the circumstances or behaviour.
- There must be a child-centred, welfare focussed approach towards a child's harmful behaviour.
- Intervention must be informed by an understanding of child development, including issues relating to an awareness of the chronological and developmental age of a child, communication issues, disability and vulnerability.
- The child's needs and best interests must be at the centre of both decision making processes and any interventions.
- Ensure clear communication and co-ordination with those who care for and have responsibilities towards the child and other children closely affected.

- Children most at risk of being involved in harmful behaviour may also be at risk, or have experienced harm themselves.
- The child must be supported to enhance their ability to fully participate in processes in an informed way.
- Care experienced children may be particularly vulnerable to further trauma and all agencies must be mindful of their corporate parenting duties to looked after children.
- Early adverse contact with agencies is in itself a factor likely to heighten the risk of further offending behaviour involving children and young people.
- A child's must not be considered as an "offender" or "criminal".
- Serious incidents must be met with a compassionate, sensitive, proportionate and effective response, addressing the needs of children, families, victims and the wider community.
- Children must be listened to and meaningfully and appropriately involved in decision-making about their care, with all those involved properly listening and responding to what they want and need.
- There must be compassionate and caring decision-making.
- Active listening and engagement is fundamental to making the right decisions and provides support for children and families.

These principles will support the future quality of any information gathered about an incident as well as supporting recovery and longer term health and wellbeing for the child and reduce the possibility of future harmful behaviour.

If it appears that behaviours observed or reported fall short of risking or causing 'serious harm', the local processes for proportionate, co-ordinated 'Early and Effective Intervention' will apply within the Whole System Approach adopted in most areas. GIRFEC and Early and Effective Intervention aim to prevent children entering into formal systems if compulsory measures are not needed.

Identifying local places of safety

Local areas can identify local premises that can be used as a Place of Safety. Most will be places where a child can be accommodated such as foster carers and in some cases residential care. Social work will undertake an assessment of suitability and local availability of resource at the time it is required.

However if a child requires time out and support for a short period, an alternative local resource could be used, if it meets the required criteria/ standards.

The aim is to support the wellbeing of the child at a time of crisis therefore this must be child friendly and supportive environment that does not traumatise a child.

In circumstances where a child will need to be taken to a Place of Safety, the following key components will assist in identifying suitable locations:

- High quality child friendly environment where a child feels safe and secure, reduces distress and provides comfort and nurture.
- Local – reduce the need to travel and remain in a familiar community.

- Available at suitable time in an emergency - access may be required any time of the day or night including weekends therefore clear out of office arrangements are needed.
- Some premises may only be available at particular times and consideration must be given to current use and compatibility with place of safety requirements in an emergency situation.
- Swift local agreement in real time are required to ensure timely response and planning - practical processes need to be in place locally to gain access at the time required.
- Good coordination and cooperation required at local level so police can easily identify space at the time needed – for example single point of contact to access premises / identified local contacts.
- Swift decision making and supportive responses to ensure wellbeing of the child is central.
- The premises must be a child friendly environment suitable for children under 12 years old, this will reduce anxiety and prevent traumatisation.
- The premises must support feelings of safety, security and wellbeing (for example with the availability of soft furnishings/toys etc).
- The premises must provide a private, confidential space to minimise stigma
- Internal and external look and feel of the premises should minimise children's anxiety and put them at ease.
- Guidance on taking forensic samples from children is being developed by the Police Care Network.
- Premises should have minimal noise, interruptions and distractions.
- Access to refreshments/ toilets etc.



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Age of Criminal Responsibility (Scotland) Act 2019

Part 4 – Police Investigatory and Other Powers

Statutory Guidance on Investigative Interviews

Content

Ministerial Foreword	1
1. Introduction and Background	2
• Introduction	2
• Policy Context	2
• Criteria for Holding Investigative Interview	3
2. Planning - inter-agency referral discussions	5
• Considering interview at an inter-agency referral discussion	5
3. Obtaining and withdrawal of agreement	7
• Seeking agreement	7
• Withdrawal of agreement	9
4. Applications for Child Interview Orders	10
5. Questioning in urgent cases	11

Ministerial Foreword

The Age of Criminal Responsibility (Scotland) Act 2019 increases the age of criminal responsibility in Scotland to 12 years of age. This means that primary school-aged children will no longer be dealt with as criminal suspects which requires a meaningful departure from criminal investigative techniques and experiences.

Whilst the policy intention of the Act is to protect younger children from the harmful effects of criminalisation, incidents of harmful behaviour need to be effectively investigated and responded to appropriately. Serious incidents must be met with a compassionate, sensitive, proportionate and effective response, addressing the needs of children, families, victims and the wider community.

The Act provides powers for the police to investigate incidents of serious harm. In this, the Act requires that all involved in such an investigation treat the need to promote and safeguard the child's wellbeing as a primary consideration. In addition, children whose behaviour is being investigated will have access to independent advice, support and assistance. They will receive information in age-appropriate ways and have a right to appeal. There will also be safeguards in place to prevent forensic samples and prints taken from these children from being kept unnecessarily.

This guidance aims to support police, local authorities and others with functions related to investigative interviews under the Act, ensuring that these are carried out in a child-centred way in keeping with the ethos of removing young children from criminal justice processes.

We would like to thank Police Scotland, Social Work Scotland and all partners who have been instrumental in developing this guidance.



KEITH BROWN MSP

Cabinet Secretary for
Justice and Veterans



CLARE HAUGHEY MSP

Minister for Children and
Young People

1. INTRODUCTION AND BACKGROUND

Introduction

1.1 This statutory guidance is published by Scottish Ministers in accordance with section 57 of the Age of Criminal Responsibility (Scotland) Act 2019 (“the Act”). It contains information to support the police and local authorities and others with functions related to investigative interviews involving children under the age of 12.

1.2 This guidance covers:

- When an investigative interview can be undertaken;
- planning for interviews (section 2);
- obtaining and withdrawing of agreement to interviewing (section 3);
- applications for child interview orders (section 4);
- the questioning of children in cases where urgent interview is required (section 5).

1.3 In constructing this guidance, the chief constable and each local authority has been consulted and has contributed to its content.

1.4 This guidance is subject to regular review as the procedure is implemented.

1.5 Persons exercising functions to which this guidance relates must, in doing so, have regard to this guidance¹.

Policy Context

1.6 The policy intention of the Act is to protect children from the harmful effects of early criminalisation, whilst ensuring that the child and their family receive the right support. Where the behaviour of a child under the age of 12 has caused serious harm and requires investigation, their rights must be properly recognised, upheld and protected in line with UNCRC².

1.7 The Scottish Government’s vision of Scotland as the Best Place to Grow Up is one that extends to all children. A holistic approach to understanding and responding to the needs of children, helps improve life chances, promotes more positive outcomes and makes Getting It Right For Every Child (GIRFEC) a reality.

1.8 The Act raised the age of criminal responsibility to 12 years. This means that a child under the age of 12 cannot be charged or arrested with an offence, and police will no longer have recourse to their criminal justice powers.

1.9 Children who require to be interviewed in terms of this Act, must be considered as persons who cannot be held criminally responsible for their actions

¹ Further details on roles, responsibilities and procedures to be followed can be found in operational guidance.

² The UN Committee on the Rights of the Child provides further detail on upholding children’s human rights in justice settings in [General Comment 24](#), including during police interviews. Additional guidance is provided in the [Council of Europe Guidelines on Child-Friendly Justice](#).

when under 12. The need to support, promote and safeguard the wellbeing of the child must be a primary consideration.

1.10 To ensure a GIRFEC child-centred approach – whilst continuing to support the police service in their statutory obligation to investigate crime - the police and local authorities must work together to consider the wider influences on a child’s developmental needs when thinking about their wellbeing. The child’s needs must be addressed through multi-agency assessment, planning and support.

1.11 The Police have lead responsibility for the investigation into behaviour that has caused significant harm, and criminal investigations relating to child abuse and neglect; and share responsibilities to keep the child safe. Social Work Services have lead responsibility for enquiries relating to children who are experiencing or are likely to experience significant harm and assessments of children in need.

1.12 The Act defines “investigative interview” as a meeting or a series of meetings planned by a constable in collaboration with a local authority,³ conducted by a constable or an officer of a local authority, or jointly by a constable and an officer of the local authority, for the purpose of seeking information from a child in relation to an incident which is the subject of a police investigation⁴.

1.13 Investigative interviews under the Act are only for the most serious cases involving concerns about the behaviour of a child whilst under the age of 12 and, only when it is considered necessary, in order to properly investigate the child’s behaviour and the circumstances surrounding it. Where an investigative interview is required, the Act provides a distinct process for this to occur.

1.14 A child who is under 16 years of age (or who is 16 or 17 years of age and subject to a compulsory supervision order) may also be interviewed as long as the behaviour being investigated relates to when the child was under 12 years of age.

1.15 The Act provides for a child who is involved in an investigative interview to be supported by a child interview rights practitioner (ChIRP), who will provide advice, support and assistance to a child in relation to their involvement in such interviews⁵. The ChIRP must be a solicitor registered with the Children’s Legal Assistance Scheme, thereby offering the skills and knowledge of a solicitor required to be registered with that Scheme.

Criteria for Holding Investigative Interview

1.16 The Act limits the power of the police to question a child under 12 years of age to circumstances where a constable has reasonable grounds to suspect that the child:

³ The authority in whose area the child predominantly resides or, if there is no area of predominant residence, the authority with whose area the child has the closest connection.

⁴ Section 39(3)

⁵ Section 51 – Right to have a child interview rights practitioner present.

- by behaving in a violent or dangerous way, has caused or risked causing serious physical harm to another person, OR
- by behaving in a sexually violent or sexually coercive way, has caused or risked causing harm (whether physical or not) to another person.

1.17 The extent to which harm might be considered serious has been defined as harmful behaviour of a violent or sexual nature which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible.

1.18 It is a matter of professional judgement, based on the gathered evidence and context, as to whether the degree of harm to which the victim is suspected of having been subjected, or is likely to be subjected, is 'serious'.

1.19 Police can continue to speak with child witnesses of such behaviour and with children suspected of less harmful behaviour, in an age appropriate way, without applying provisions in the Act. Constables should use professional judgement to establish whether using formal investigative powers within this legislation may be necessary and proportionate.

1.20 The child may only be questioned by a constable⁶ or participate in an investigative interview, in relation to the incident involving the behaviour, if authorised by:

- agreement of the child and parent, or
- a child interview order granted by a sheriff on application by the police, or
- in urgent cases where there is risk of loss of life (section 5).

1.21 The purpose of the interview is to seek information from a child in relation to an incident which is the subject of a police investigation. The interview must be necessary in order to properly investigate the child's behaviour and the circumstances surrounding it. The intention is to find out what has happened, and identify needs in order to plan support.

1.22 Any exercise of the functions authorised by this Act must treat the need to safeguard and promote the wellbeing of the child as a primary consideration.

1.23 The approach taken by professionals involved must reflect the non-criminal, non-stigmatising nature of the interview. Language that implies commission of a crime by a child under 12 should not be used.

1.24 At all stages of an investigation in terms of the Act, police officers and social workers (and any others involved) will be alert to the needs and rights of all children and should follow GIRFEC and trauma-informed principles⁷ in any interactions.

⁶ The Act allows for the constable to cause a child to be questioned by another person.

⁷ <https://www.nes.scot.nhs.uk/our-work/trauma-national-trauma-training-programme/>

1.25 The reasons for decisions about holding interviews and the reasons for decisions arising from interviews must both be clearly recorded. Interviews must be recorded and retained for transparency and audit purposes.

1.26 With the exception of questioning under urgent cases (Section 5), planning and conduct of an interview must be collaborative.

1.27 The rights of the child and the parent should be respected and fulfilled.

2. PLANNING - INTER-AGENCY REFERRAL DISCUSSIONS

2.1 Planning has different elements: planning for the wider needs of the child as a result of the behaviour, planning for consideration of the need for an investigative interview, and planning for the interview itself. Planning for interviews should be included as part of organisations' wider planning for the needs of the child where possible.

2.2 The Act places specific responsibilities on the police and local authority in relation to a multi-agency approach to investigative interviews. This approach includes all stages in planning and action, including consideration of the need for an interview; and consideration of any interim safety planning needed to protect the child from significant harm.

2.3 Inter-agency referral discussions (IRDs) are established mechanisms that allow a multi-agency approach for children and their needs. They should inform the consideration of an investigative interview. Guidance on holding an IRD for ACR purposes is aligned with the principles and approach for child protection IRDs and are outlined in the operational guidance for investigative interviews.

Considering interview at an inter-agency referral discussion

2.4 The IRD should take place prior to any investigative interview. This does not preclude the police from continuing with the investigation and securing evidence from other sources. The exception to this would be where police need to question the child immediately⁸. Under these conditions, a retrospective IRD will take place on the next working day.

2.5 An IRD is the start of the formal process of information sharing, assessment, analysis and decision-making following the reported concern about the child's behaviour that has or may have caused serious harm. The police have a duty to conduct a thorough investigation of the incident (whether or not the child needs to be interviewed) and must liaise with social work to conduct this assessment of risk, needs and protective measures for the child. Police will share information relating to the incident under investigation, including the evidence gathered thus far and the facts that have been established.

⁸ An interview under 'urgent circumstances' is covered in section 54 of the Act.

2.6 This initial discussion will form the basis of a strategy (subject to review, based on new information or changing circumstances) that will be adopted by all participating agencies. Practitioners in police, social work and health must participate in the IRD. Notwithstanding, information gathering should involve education and other services working together to ensure safety and wellbeing of the child, as appropriate.

2.7 The discussion will take cognisance of ongoing police investigation into the incident, including the need to complete routine enquiries.

2.8 To determine whether an investigative interview with the child is necessary, the discussion should try to ascertain:

- the suitability of conducting an interview with the child in question;
- if this would be in the child's best interests; and
- the necessity of an interview in relation to the police investigation.

2.9 Agencies can share relevant background/chronological information relating to child and family in relation to strengths, risks and needs in context. They must work in partnership with parents⁹ and consult with health, education and other professionals who know the child well and hold key relevant information, as appropriate in each situation.

2.10 Where the victim is a child, then consideration should be given to preparations being made for a joint investigative interview of that child, as any disclosures made and other relevant information may influence the direction of the discussion and the determination of subsequent outcomes. This information will also impact on the requirement for an investigative interview for the child whose behaviour is the subject of interview.

2.11 The information gathered should inform any existing, or the development of a new child's plan, and the response strategy (all actions must be legitimate, proportionate and justified) to be adopted by all agencies. This will be subject to review as and when new information becomes available that might require a revision of the initial approach.

2.12 In gathering relevant information, it is important to remember that the children's reporter can only refer the child to a children's hearing on non-offence grounds. In relation to these grounds the standard of proof is the balance of probabilities and the civil rules of evidence apply (with the principal ones being that no corroboration is required and hearsay evidence is permissible). However, it might be that information comes to light during the course of the interview which could form the basis of offence grounds for another child.

2.13 All evidence and information gathered at that stage must be reviewed and where there is insufficient detail around the child's behaviour and the circumstances

⁹ "parent" includes guardian and any person who has care of the relevant child, (except where provided otherwise: see section 40(7) and (8))

<https://www.legislation.gov.uk/asp/2019/7/section/40/enacted>

surrounding it, then an investigative interview in terms of this Act should be considered.

2.14 At any stage during the IRD, the police may relay any intentions to make an application for a search or forensics order¹⁰ from the sheriff and provide the rationale for such an action.¹¹

2.15 Prior to any investigative interview of the child, a decision must be reached as to what information will be provided to the child in relation to a possible outcome. It is important to balance the need to keep the child informed, against making sure the child is fully supported and is not exposed to additional stressors.

2.16 Police will make the final decision in respect of whether an investigative interview is required and justifiable, and whether this can be authorised by agreement or by an application for a child interview order.

2.17 A record must be retained of all IRD discussions, including where there is disagreement between agencies. The rationale for any outcomes must also be accurately recorded and documented in line with operational requirements to ensure they are auditable.

2.18 Operational details for planning and conducting an investigative interview are provided in operational guidance.

3. OBTAINING AND WITHDRAWAL OF AGREEMENT

Seeking agreement

3.1 The wellbeing of the child is a primary consideration and it is preferable to hold an interview by agreement where possible. This is likely to reduce the time-lag between the incident taking place and the child being afforded the opportunity to speak about the circumstances surrounding it.

3.2 Agreement by the child and parent authorises an investigative interview of the child about the behaviour to which the investigation relates.

3.3 Prior to seeking agreement to conduct an interview (or to making an application to a sheriff for a child interview order), an IRD should have taken place.

3.4 Before seeking agreement, it should be clear:

- Who needs to agree;
- Who can agree (both in terms of fitting the criteria of parent¹² and the ability to agree);

¹⁰ Chapter 4 of Part 4 of the Act covers this.

¹¹ Where forensics have been obtained through an emergency authorisation, a retrospective application will be required.

¹² The Act defines 'parent' and what constitutes being 'related' to the child at section 40(7) and (8)

- Any issues of suitability for agreement that would mean an order needs to be considered;
- What information can and needs to be provided to inform the child and parent's decision and in what format the information needs to be presented;
- What supports may be required to allow understanding;
- What the potential outcomes from the interview are;
- Who will ask for the agreement;
- How the agreement will be sought;
- How understanding will be verified;
- Who can be present when the child is asked for their agreement
- How any potential scenarios will be responded to (for example, requests to consult someone, time to consider).

3.5 In determining the ability and suitability of a parent to agree to an interview, the police and local authority should review all available information, including that held by themselves and other agencies. This is particularly important when the parent/s have retained parental rights and responsibilities but the child resides outwith their care and they have no active relationship or contact with the child. This should be discussed during the IRD process.

3.6 It is essential that the police and the local authority fully understand the criteria applied to those who qualify to give agreement to the interview¹³. Should a child interview order be necessary, this information will be central to the application for the order.

3.7 It is important that all efforts are made in the circumstances to ensure that there is understanding of what is being asked to be agreed to and, the implications of that agreement. Where there is any doubt as to understanding of that agreement, further consideration should be given to whether authorisation needs to be made by way of a child interview order.

3.8 Once agreement has been provided, notice in writing must be provided by the police to the child and parent advising them of their rights and what will happen next as a result of their agreement¹⁴. The information in the notice should also be explained. Explanation to the child must be in simple terms that are appropriate to the child's age and maturity. Consideration should be given as to who (whether police, social work or other person) is most suitable to explain this information to the child¹⁵.

3.9 The written notice should be given to the child as soon as reasonably practicable and in any case, prior to the commencement of the interview.

¹³ Section 40(7) and (8)

¹⁴ Section 41 of the Act covers what is required to be notified.

¹⁵ Section 41 places the duty on a constable to provide a notice in writing explaining the information. Another professional communicating information to the child would be following authorisation of a constable.

3.10 Considerations around the agreement process, decisions made (whether there is agreement or not) and rationale for any delays experienced in delivering the notice should be fully documented and retained.

3.11 The child's interview rights practitioner, once identified, should also be given a copy of the notice.

Withdrawal of agreement

3.12 An investigative interview authorised by agreement in terms of the Act is no longer authorised if a person withdraws their agreement.

3.13 In agreeing to the interview, the child and parent must be clear that they have the right to withdraw their agreement at any time and how they can exercise this right. They should also be told how police may proceed should agreement be withdrawn.

3.14 See paras 4.12 and 4.13 regarding rights of appeal against a child interview order.

3.15 A child should be clear that in exercising their right to not answer questions (some or all) in the interview, this will not be taken as them withdrawing their agreement to the interview.

3.16 Where interviews are continued over different meetings, the child should be reminded, at each meeting, of their right to withdraw agreement should they wish to do so.

3.17 Those conducting the interview should be satisfied at all times during the interview that the child is in agreement with the interview continuing. Where there is any doubt, they should check that the child is content to continue.

3.18 Where agreement to the interview is withdrawn, the interview must stop. This must be explained to the child and parent and they should be informed that further considerations will be made as to the need for the interview to continue on a future occasion and if so, how this can happen.

3.19 A child or parent who withdraws their agreement to interview can subsequently agree to an interview continuing. This agreement must be freely made.

3.20 Where agreement is withdrawn, the IRD process should consider:

- the need to safeguard and promote the child's wellbeing;
- the need to interview the child further (based on the criteria and justification for the need to interview the child at all and their best interests);
- whether the person withdrawing agreement is likely to change their mind;
- whether an application for a child interview order is necessary and justified.

4. APPLICATIONS FOR CHILD INTERVIEW ORDERS

4.1 A child interview order authorises an investigative interview of the child to whose behaviour the application relates.

4.2 In any consideration of the need for an order and in making an application for the order, there are specific responsibilities on the police to apply for an order and to consult the relevant local authority, so that a multi-agency approach is taken.

4.3 A child interview order may be required:

where a decision has been made that an interview is required and meets the criteria, and

- agreement is not provided (due to actively not agreeing or being unable to agree through a lack of capacity or understanding); or
- agreement provided is subsequently withdrawn; or
- where a child has been questioned under urgent circumstances¹⁶ and a retrospective order is required (see Section 5); or
- where in the particular circumstances of the matter, the police believe it is justifiable to apply for an order without seeking agreement first, eg where there is no 'parent' and therefore no possibility of seeking agreement or where the local authority has parental responsibilities.

4.4 The police have the power to apply for a child interview order at any time during the investigation. This power is not dependent on withdrawal of an agreement.

4.5 An order can:

- require a person, in a position to do so, to produce the child to a specified person, to ensure the child's attendance at the interview;
- authorise the person above or another person to transport the child to and from the interview;
- authorise any other action required in connection with the interview (including to safeguard and promote the child's wellbeing).

4.6 Police in consultation with the local authority (and others if relevant) can identify if these measures are required in advance of the application and in their considerations have regard to the need to safeguard and promote the child's wellbeing in any measures applied for.

4.7 Police, in consultation with the local authority, can identify if there is a need to ask for directions to be included in the order and specify this in their application¹⁷. In their considerations they should have regard to the need to safeguard and promote the child's wellbeing in any directions requested.

¹⁶ [Section 54](#) applies where there is a risk of loss of life if the child is not questioned immediately.

¹⁷ Section 44 of the Act which covers this.

4.8 An order specifies the period of time within which the interview can be conducted up to a maximum of 7 days. The time for any period given begins on the day after the day that the order is made, or a later date if specified in the order. Provisional planning should reflect the impact of this potentially narrow timing for interview.

4.9 It is the responsibility of the police to notify the local authority, as soon as reasonably practicable upon receipt of notification that an order has been made or an intention to appeal against any decision on the order. The police and local authority have a duty to comply with any directions in the order.

4.10 Once an order has been made, the child and parent must be provided with a copy of the order as soon as reasonably practicable and have the order explained to them, ensuring that the child's explanation is appropriate to their age and maturity¹⁸. The police should do this in collaboration with the local authority.

4.11 Intimation of the granting of the order and other matters connected to application for orders will be contained in court rules.

4.12 The child (or another person acting on the child's behalf) can, within the time-limits specified, apply to the sheriff for permission to appeal. The decision of the Sheriff Appeal Court is final. The making of an appeal suspends the effect of any child interview order originally made by the sheriff.

4.13 A child who wishes to appeal an order is entitled to legal representation and children's legal aid to help them to do this. This will be dependent on their capacity to instruct a solicitor and their wish to do so. Where the child has a child interview rights practitioner, this person may be able to advise and represent the child as a solicitor in relation to an appeal.

4.14 Further detail on applying to the sheriff for an order is outlined in operational guidance.

5. QUESTIONING IN URGENT CASES

5.1 The Act provides for questioning of a child where a constable has reasonable grounds to suspect that a child under 12 years of age by behaving in a violent or dangerous way:

- has caused or risked causing serious physical harm to another person, and
- there is a risk of loss of life if the child is not questioned immediately.

5.2 Sexual, emotional and psychological harm are not included for the purposes of this section.

¹⁸ This is to ensure understanding of the information and their rights in relation to the order, in particular their right to seek the court's permission to appeal.

5.3 Only a senior officer of the rank of superintendent or above can authorise the interview and if so, as soon as is reasonably practicable after authorisation is granted, the police must apply for a child interview order authorising the interview.

5.4 The senior officer must be satisfied that there are reasonable grounds to suspect that the child, while under 12 years of age by behaving in a violent or dangerous way, has caused or risked causing serious physical harm to another person. In addition, the relevant senior officer must deem it necessary that:

- the child must be questioned to properly investigate their behaviour and the surrounding circumstances (including whether someone else has committed an offence); and
- it is not practicable to apply for a child interview order due to a risk of loss of life if the child is not questioned immediately.

5.5 In making a determination, the relevant senior officer must have regard to the:

- nature and seriousness of the child's behaviour, and
- whether the questioning of the child is appropriate given their circumstances (including age and matters related to the child's behaviour).

5.6 In exercising this function, the relevant senior officer must treat the need to safeguard and promote the child's wellbeing as a primary consideration.

5.7 In questioning the child as authorised by the senior officer, the person conducting the interview and any other person involved in the interview should comply with the requirements and the core principles for the conduct of investigative interviews.

5.8 Where questioning occurs on an urgent basis, the child retains their right not to answer any questions and this is to be confirmed when the authorisation for the interview is being provided and explained to the child.

5.9 A parent of the child must, if practicable, be informed that authorisation for questioning has been granted (although this need not be complied with if informing the parent would exacerbate the risk of loss of life. Decisions regarding this and the rationale, should be recorded for audit purposes.

5.10 An application for a child interview order must be made as soon as practicable after the authorisation for emergency questioning is granted and a child interview rights practitioner must also be informed.

5.11 A retrospective IRD should take place on the next working day.

5.12 Where a Child Interview Order is not granted, information gathered during urgent questioning cannot be used and must be destroyed.



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CHIEF OFFICER	Mark Reilly
REPORT AUTHOR	Steven Shaw
TERMS OF REFERENCE	2.1

1. PURPOSE OF REPORT

- 1.1 The report provides an overview of Aberdeen City Council’s involvement in the Aberdeen Water Safety Group and gives an update on this group and Environmental Services’ current initiatives.

2. RECOMMENDATION(S)

That the Committee: -

- 2.1 Notes and endorses the information contained within this report.

3. BACKGROUND

3.1 Aberdeen Water Safety Group

- 3.1.1 In 2016, there was a high-profile incident which involved the tragic deaths of a mother and her young son at Aberdeen’s seafront. Following this incident and as part of a series of measures to look at water safety in Aberdeen, the Aberdeen Water Safety Group was set up. Aberdeen City Council was invited to be part of this group. The group has representatives from the emergency services, Sport Aberdeen, Water Safety Scotland, and other national charities.
- 3.1.2 The Aberdeen Water Safety Group was fully established in 2017 with the aim to develop a collective and consistent approach to water safety in Aberdeen. The main purpose of the group is to save lives through the education and promotion on water safety. Then group is currently chaired by Graham Dutton, The Royal Life Saving Society UK (RLSS) / Sport Aberdeen. The group is not statutory.
- 3.1.3 The group’s membership is wide ranging, with experts from many fields relating to public safety and partnership working. The group includes representatives from Aberdeen City Council, The Royal Life Saving Society UK (RLSS), Aberdeen Sports Village, Royal National Lifeboat Institution Aberdeen (RNLI),

Aberdeen Surf Lifesaving Club, Surf Live Saving GB (SLSGB), Police Scotland, Sport Aberdeen, Her Majesty's Coastguard (HMCG), SEPA, Water Safety Scotland, Scottish Fire and Rescue Service, Aberdeen Harbour, Scottish Association for Mental Health, and other national charities. The group is also supported by three Aberdeen City Councillors, Councillor Michael Hutchison, Councillor Ciaran McRae and Councillor Dell Henrickson.

3.1.4 Key outcomes from the Aberdeen Water Safety Group to date include:

- Creation of a local water safety group who are members of Water Safety Scotland.
- Support for and development of the risk assessment of Aberdeen's beach front.
- Primary and secondary signage with a unique code location.
- Safety awareness messaging and initiatives in local schools through partners.

3.1.5 The group meets regularly to consider progress against the collective plans, and to update and discuss insights from the jointly held incident plans. These inform the risk profile, education campaigns and search and rescue resources. The group is also working towards developing a Water Safety Policy for Aberdeen.

3.2 **Aberdeen Beach Risk Assessment**

3.2.1 A full beach risk assessment of Aberdeen beach is undertaken every 3 years by the RNLI and Aberdeen City Council. The assessment is due at the end of 2021.

3.2.2 The risk assessment is comprehensive and provides an action plan based on the observations reported in this assessment. It is the responsibility of Aberdeen City Council to manage and complete the plan.

3.2.3 The risk assessment and plan are communicated to and discussed with the Aberdeen Water Safety group. This gives assurance to ACC and provides for a wider discussion on Aberdeen's beach safety. It also ensures any recommendations resulting from the assessment are talked through fully by the group prior to being implemented.

3.3 **Public Rescue Equipment**

3.3.1 Environmental Services has currently 84 pieces of public rescue equipment (life belts) in place on ACC land and has the responsibility for maintaining them. The Service maintains location maps showing all sites (beach, rivers, and ponds) with lifebelts, and undertakes a physical inspection of the equipment including relevant signage, to ensure equipment is accessible and useable. Inspection is undertaken a minimum of once per week (the beach front is inspected daily in the summer and twice a week in the winter). All inspections are recorded and logged. They are reported to the Operational Delivery Committee through the performance report. An inspection target of 100% is set.

3.3.2 Signage has been added to the equipment which gives details of who to contact should the life belt be missing or vandalised. A new, full process and procedure has been adopted by the team.

3.3.3 Public rescue equipment was included as part of an internal health and safety audit during the summer of 2021.

3.4 Audit Risk & Scrutiny Committee 29 September 2021, Health and Safety Report.

3.4.1 The Audit Risk & Scrutiny Committee included a report on Operations and Protective Services Health and Safety. Water safety and ACC maintained public rescue equipment was included as part of the wider Operations health and safety report. The report was well received by elected members.

3.4.2 There were recommendations made in the audit which were all completed prior to committee. These recommendations included, service-specific procedures, version control and review data, risk assessments, staff training, checklist forms, inspection recording and lifebelt signage / instruction.

3.4.3 The report was endorsed and agreed by Committee. The full audit report is included as a background paper to this report.

3.5 Aberdeen Beach Signage

3.5.1 One of the key early priorities agreed by the Aberdeen Water Safety Group was to put in place new signage along the beach front. This work has been completed.

3.5.2 The 40 secondary signs have been sited along the lower promenade. Each sign has a unique reference number printed on the front and back of the sign, linked to its location. The road-facing side of the signs feature information about water safety, while the reverse includes the code which can be quoted to emergency services to help them find the location. These location codes have been passed to all the emergency services. This helps pinpoint closely any incidents that may occur along the beach.

3.5.3 The Primary Entrance Signs have been sited at various points along the seafront, from the Donmouth to Footdee. The signage gives onlookers their exact location, safety advice, beach information and guidance around hazards in the area, together with highlighting the nearest safety equipment.

3.5.4 RNLI Spot the Danger signs aimed at children have also been put in place at the beach front and placed at the two play parks along Aberdeen Beach at Footdee and the Beach Ballroom.

3.6 Campaigns

3.6.1 The group includes all partners in the sharing of information and data and encourages all members to actively engage with each other's safety campaigns, both locally and nationally.

3.6.2 These campaigns have included, the National Marine Week Campaign, RNLI's Respect the Water campaign and Swim Safe program.

3.6.3 Aberdeen beach, A 'Ton of Water' display on the promenade has been in place for several years to help raise safety awareness in the area.

This display is simply a cube containing water and is used to successfully promote safety elsewhere in the UK. The RNLI have used the display as a focal point when promoting safety at the beach, setting up the gazebo nearby and issuing general safety information to passing members of the public.

3.6.4 The group also promote water safety in schools. This is done through information sharing and presentations.

3.7 Seaside Award

3.7.1 2021 saw Aberdeen retain its Seaside Award. This is the 14th year in a row that Aberdeen's beach has been recognised and awarded in this way. This is a fantastic achievement and recognises and celebrates all the hard work of our staff and the many volunteers who help care for the beach.

3.7.2 Awarded beaches demonstrate excellent beach management and environmental best practice ensuring the maintenance of high standards. The awards started on 1993 and are administered by Keep Scotland Beautiful.

3.7.3 The awards aim to celebrate all of Scotland's beaches and coastal communities whilst driving up the environmental standards around our coastline. Focusing on local environmental quality, the award is designed to complement the work currently undertaken by the Scottish Environment Protection Agency on bathing water quality and the RNLI on beach safety.

3.7.4 Awarded beaches demonstrate excellent beach management and environmental best practice ensuring the maintenance of high standards. The award recognises excellence across three key areas:

- Access, facilities, and safety – risk assessment, hazard warnings, rescue equipment, emergency plan.
- Local environmental quality – water quality information, pollution incident information litter, graffiti dog fouling etc.
- Community and heritage – community engagement, events and activities, interpretation panels and trails.

3.7.5 Aberdeen gained its first beach award in 2007 and has retained it every year since. The benefits of the award include,

- Independent accreditation showing the public that the beach area is well managed.
- Recognising and celebrating the efforts of all partners involved in offering an excellent beach experience.
- Well managed facilities offer recreational, educational and health and wellbeing benefits to the community.

- Economic benefits from high profile beach area which is attractive to tourists and increased revenue opportunities.

3.7.6 The Seaside Award is an important award that recognises all the hard work involved in keeping Aberdeen's beach front well maintained, accessible and safe.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	None for this report.	NA	
Compliance	Staff and partners not carrying out proper checks and risk assessments aligned to water safety in Aberdeen.	L	Regular scrutiny from Aberdeen Water Safety Group and Council Operational Delivery Committee (Performance Report).
Operational	Staff and partners not carrying out proper checks and risk assessments aligned to water safety in Aberdeen.	L	Regular scrutiny from Aberdeen Water Safety Group and Council Operational Delivery Committee (Performance Report).
Financial	None for this report.	NA	
Reputational	Staff and partners not carrying out proper checks and risk assessments aligned to water safety in Aberdeen would undermine public confidence in the Council and how it operates.	L	Regular scrutiny from Aberdeen Water Safety Group and Council Operational Delivery Committee (Performance Report).

Environment / Climate	Water safety will continue to be of concern as our weather and climate continues to change.	M	Continue to work with appropriate partners. Report challenges and successes through the Operational Delivery Committee (Performance Report).
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7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	Supports the delivery of Aberdeen City Council Policy through the Council's commissioning intentions, aligned to the LOIP key drivers, and stretch outcomes.
Aberdeen City Local Outcome Improvement Plan	
Prosperous Place Stretch Outcomes	Supports Outcome 14. Developing a bottom-up approach to community resilience to encourage greater ownership and independent action towards preventing and mitigating impact of climate change.
Regional and City Strategies	Aberdeen Adapts - the City's climate change adaption strategy to enable Aberdeen to become more resilient to the impacts of climate change such as extreme weather.
UK and Scottish Legislative and Policy Programmes	<p>Health and Safety at Work etc Act 1974 (HASW) HASW sets out the duties between employers and employees and, via the subordinate Management of Health and Safety at Work Regulations, the requirements to plan for, assess, and manage safety and health risks.</p> <p>Bathing Waters (Scotland) Regulations 2008 The regulations implement the European Bathing Waters Directive (2006/7/EC), which lays down provisions for the monitoring, classification and management of bathing water quality and the provision of information to the public on bathing water quality. The regulations outline the responsibilities of Scottish Ministers, local authorities, and the Scottish Environment Protection Agency, among others.</p>

8. IMPACT ASSESSMENTS

Assessment	Outcome
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Impact Assessment	Full impact assessment not required.
Data Protection Impact Assessment	Not required.

9. BACKGROUND PAPERS

<http://councilcommittees.acc.gov.uk/documents/s124939/210929%20AC2113%20Operations%20Health%20Safety.pdf>

10. APPENDICES

NA

11. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	27 th October 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Building Standards Activity Report
REPORT NUMBER	COM/21/238
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne (Interim)
REPORT AUTHOR	Gordon Spence
TERMS OF REFERENCE	4.2

1. PURPOSE OF REPORT

- 1.1 To provide assurance and an overview of Council responsibilities in relation to securing dangerous buildings and protecting public safety, as well as activity on unauthorised building work and unauthorised occupation of buildings.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Notes and endorses the contents of the report and appendix and
- 2.2 agrees to receive a further Building Standards Activity Report at the meeting of the Public Protection Committee on 28th June 2022

3. BACKGROUND

- 3.1 Aberdeen City Council act as verifier to administer the Building (Scotland) Act 2003 which is intended to secure the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings. In addition, the Building Standards team complete enforcement duties under the above Act with the objective of protecting the public from harm caused by buildings. This report provides an update to the committee following a report to this committee on 28th April 2021 which covered the reporting period of Aug 2020 to Feb 2021.
- 3.2 Details of formal and non-formal enforcement activity can be found in Appendix 1 relating to:
- Public Safety and dangerous buildings
 - Unauthorised building work; and

- Unauthorised occupation of buildings without a completion certificate

Where informal discussions with an owner do not result in a speedy resolution to remove a danger to the public, a Notice will be served to set a deadline for resolution for completion of any necessary work. Where the deadline is exceeded, the Local Authority can complete the necessary work and seek expenses from the owner.

During the last reporting period, there have been no major incidents requiring significant intervention by Building Standards. For example, evacuation of a tenement building or fatal accident inquiry. Only 2 notices were served relating to minor incidents which were quickly resolved.

- 3.3 It should be noted that these activities do not have targets or performance measures as each case is dealt with in accordance with the Regulators Code of Conduct supported by the Building Standards Enforcement Charter.

4. FINANCIAL IMPLICATIONS

- 4.1 The costs of verification and enforcement activities undertaken are included in the Building Standards revenue budget. There are no increased financial implications in relation to on-going activities.
- 4.2 Details of the Covid impact on the service are outlined in Appendix 1. No additional costs are being incurred from resuming inspections.

5. LEGAL IMPLICATIONS

- 5.1 Occasional legal input required to determine ownership / responsibility especially in relation to buildings with common ownership prior to serving enforcement action.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	None		
Compliance	Failing to meet statutory obligations in terms of public safety	M	Dangerous building processes and procedures established, 24 hour on call service established, regular staff training and lessons learned sessions
Operational	Sufficient qualified staff to provide the service	L	Seven members of staff operate the dangerous building call out

Financial	Potential increase in work completed by Building Standards	L	Legislation permits monies to be retrieved from owners of buildings
Reputational	Delay in processing building warrant applications	M	Management of resources system in place
Environment / Climate	None		

7. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

UK and Scottish Legislative and Policy Programmes	The report provides evidence which fulfils the requirements placed upon the Council by the Building (Scot) Act 2003, Section 29 – Dangerous Buildings.
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8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

None

10. APPENDICES

Appendix 1 – Building Standards Activity

11. REPORT AUTHOR CONTACT DETAILS

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Appendix 1 – Building Standards Activity

Period	Live Notices at start of period	Notices Served during period	Notices Closed during period	Live Notices at end of period
01/03/21 – 30/09/21				
Public Safety and Dangerous Buildings	20	2	13	9
Unauthorised Building Work	6	0	4	2
Unauthorised Occupation of Buildings	1	0	1	0

Number of visits resulting in formal or informal action	13 visits
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For information – a Notice is principally served in 2 instances:

1. When negotiations seeking a speedy resolution to removing a danger have failed e.g. informal action
2. When a building has suffered a substantial incident and requires a higher degree of control to maintain public safety e.g. fire damaged.

Once a Notice is served, there is a statutory period of 21 days to allow an owner to appeal the notice. Thereafter, there is an expiry date by which the terms of the Notice must be met.

During periods of Covid lockdown, Building Standards site inspections have been restricted except for the 24-hour emergency dangerous building call out which is deemed a critical service. Call outs are generated through the Regional Call Centre reacting to reports from members of the public or the emergency services of a potentially dangerous building. A suitably qualified officer responds by making a site visit and assessing any necessary action to secure public safety.

Also, during these periods, the availability for owners to access contractors has been difficult and therefore delayed the successful closure of some notices.

Since lockdown restrictions were lifted in April 2021, Building Standards staff have liaised with owners of buildings which are subject of a live notice. Through negotiations, 18 live notices have been closed after a permanent solution was implemented. This has brought live notices down from 27 notices to 11 live notices. Building Standards staff continue to monitor the live notices and maintain public safety.

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