Public Document Pack

To: Councillor Radley, Convener; Councillor McRae, Vice-Convener; and Councillors Bonsell, Brooks, Copland, Cross, Delaney, the Depute Provost, Graham, Greig, McLellan, Nicoll, Mrs Stewart and Thomson.

Town House,
ABERDEEN 10 May 2023

# COMMUNITIES, HOUSING AND PUBLIC PROTECTION COMMITTEE

The Members of the **COMMUNITIES, HOUSING AND PUBLIC PROTECTION COMMITTEE** are requested to meet in **Council Chamber - Town House on TUESDAY, 16 MAY 2023 at 10.00 am. This is a hybrid meeting and Members may also attend remotely.**

**The meeting will be webcast and a live stream can be viewed on the Council's website. https://aberdeen.public-i.tv/core/portal/home**

JENNI LAWSON
INTERIM CHIEF OFFICER – GOVERNANCE (LEGAL)

## B U S I N E S S

### DETERMINATION OF URGENT BUSINESS

1. There are no items of urgent business at this time.

### DETERMINATION OF EXEMPT BUSINESS

2. Determination of Exempt Business

### DECLARATIONS OF INTEREST

3. Members are requested to intimate any declarations of interest

### REQUESTS FOR DEPUTATION

4. There are no requests for deputation at this time

## MINUTE OF PREVIOUS MEETING

5. Minute of the Previous Meeting of 14 March 2023 (Pages 5 - 8)

## COMMITTEE PLANNER

6. Committee Business Planner (Pages 9 - 14)

## NOTICES OF MOTION

7. Notice of Motion by Councillor Tissera - referred from Council meeting of 26 April 2023.

- Notes the decision taken by the Administration to deny the public a voice at the last Council meeting.
- Notes the Administration have agreed to shut 6 well-loved libraries in our city, 2 of which are in the ward of Councillor Hazel Cameron.
- Notes that libraries are community facilities with many uses, including helping teach children to read and notes Aberdeen City Council's active support for libraries on their website specifically saying children are never too young to join the library.
- Notes the words used by Councillor Hazel Cameron when defending library closures "that buildings will not teach your children to read" and strongly disagrees with this position.
- Affirms the benefits of libraries in helping children learn to read.

## REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

8. There are no reports under this heading

## GENERAL BUSINESS

## PUBLIC PROTECTION

9.1. Scottish Fire and Rescue - Thematic Report: SFRS Rescue and Specialist Support - SFR/23/152 (Pages 15 - 26)

9.2. Police Scotland - verbal update

## FINANCE, PERFORMANCE, RISK AND SERVICE WIDE ISSUES

10.1. Performance Report - COM/23/114 (Pages 27 - 60)

## COMMUNITIES AND HOUSING

11.1. Participatory Budgeting - CUS/23/134 (Pages 61 - 68)

11.2. Housing Strategy Report - COM/23/127 (Pages 69 - 74)

11.3. Piper Alpha Memorial - RES/23/151 (Pages 75 - 78)

11.4. Parks & Open Areas Management Rules 2024 - RES/23/143 - to follow

11.5. City Centre Multi Storey Blocks - Progress on Full Options Appraisal - RES/23/149 (Pages 79 - 88)

11.6. Food Standards Scotland Audit of Local Authority implementation of interventions Food Law Code of Practice (Scotland) - RES/23/133 (Pages 89 - 152)

11.7. Housing Improvement Group - Capital Works Improvements - RES/23/158 (Pages 153 - 164)

## CONFIDENTIAL AND EXEMPT BUSINESS

12.1. Cremation Aberdeen Crematorium - RES/23/147 (Pages 165 - 170)

12.2. City Centre Multi Storey Blocks - Progress on Full Options Appraisal - exempt appendices (Pages 171 - 602)

EHRIAs related to reports on this agenda can be viewed here

To access the Service Updates for this Committee please click here

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain, lymcbain@aberdeencity.gov.uk or 01224 522123

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# Communities, Housing and Public Protection Committee

ABERDEEN, 14 March 2023. Minute of Meeting of the COMMUNITIES, HOUSING AND PUBLIC PROTECTION COMMITTEE. Present:- Councillor Radley, Convener; Councillor McRae, Vice-Convener; Councillor Delaney, the Depute Provost; and Councillors Bonsell, Brooks, Copland, Graham, Greig, Houghton (as substitute for Councillor Cross), McLellan, Nicoll, Mrs Stewart and Thomson.

**The agenda and reports associated with this minute 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.**

## MINUTE OF THE PREVIOUS MEETING OF 17 JANUARY 2023

**1.** The Committee had before it the minute of the previous meeting of 17 January 2023, for approval.

**The Committee resolved:-**

(i) to request that officers provide a response to members in relation to item 9 resolution (i) whereby officers were to review the situation in regards to the vacant shop units at Logie Place and to send the information by way of email to members, as well as the local members for Northfield/Mastrick; and

(ii) to otherwise approve the minute as a correct record.

## COMMITTEE BUSINESS PLANNER

**2.** The Committee had before it the committee business planner as prepared by the Interim Chief Officer – Governance.

**The Committee resolved:-**

(i) to request that in relation to item 6 on the planner, Protests and Processions, that officers provide further information to members by way of email with any further update and when this item could be expected to be reported to Committee;

(ii) to note the reason for the delay for item 9 (Capital Programme of Works); and

(iii) to otherwise note the information contained in the business planner.

## SCOTTISH FIRE AND RESCUE - VERBAL OPERATIONAL UPDATE

**3.** The Committee heard from Mr Andy Buchan, Scottish Fire and Rescue, who provided a verbal update on the service provided by Scottish Fire and Rescue.

Members asked a number of questions of Mr Buchan, relating namely to water safety, fire raising in the city, partnership working and contamination.

Mr Buchan provided details on an initiative that had been established from Scottish Fire and Rescue, a Fire Skills Course, which was an initiative working with local schools to identify school pupils who would benefit from the course. Mr Buchan explained that eight pupils could attend the course at once and was a four day event, where the attendees would receive a certificate on completion, which could be used for future employment, CV's etc.

**The Committee resolved:-**
to note the verbal update provided by Scottish Fire and Rescue.

## POLICE SCOTLAND 6 MONTHLY PERFORMANCE REPORT - POL/23/106

**4.** The Committee had before it a report by Police Scotland, which presented the Police Scotland Performance Report covering April to September 2022 for Committee scrutiny.

**The report recommended:-**
that the Committee discuss, comment on, and endorse the report.

Chief Superintendent Mackie spoke in furtherance of the report and answered various questions from members.

**The Committee resolved:-**
(i) following a question from Councillor Graham in relation to dog crimes, to request that members contact Police Scotland with any instances or situations where they feel a constituent's query or complaint had not been dealt with properly for further investigation;
(ii) to note that Police Scotland would facilitate an officer to attend a future committee from Professional Standards, who dealt with complaints against Police Officers;
(iii) to note that Police Scotland would bring forward a thematic report on mental health, to a future committee meeting; and
(iv) to otherwise endorse the report.

## POLICE SCOTLAND - LOCAL POLICE PLAN 2023-36

**5.** The Committee had before it a report by Police Scotland, which presented the Aberdeen City Local Police Plan for 2023-26.

The Local Police Plan and performance monitoring provided an opportunity for elected members to maintain scrutiny of significant police activities, in order to achieve good outcomes for the residents of Aberdeen.

**The report recommended**:-

that the Committee approve the Aberdeen City Local Police Plan 2023-26.

**The Committee resolved:-**
to approve the recommendation.

## PERFORMANCE REPORT - CUS/23/060

**6.** The Committee had before it a report by the Chief Officer - Data and Insights, which presented the status of appropriate key performance measures relating to certain Operations and Customer services.

**The report recommended:-**
that the Committee note the report and provide comments and observations on the performance information contained in the report Appendix.

**The Committee resolved:-**
to note the report.

## CLUSTER RISK REGISTERS - CUS/23/066

**7.** The Committee had before it a report by the Director of Customer Services, which presented the Cluster Risk Registers and Assurance Maps in accordance with Communities, Housing and Public Protection Committee Terms of Reference to provide assurance that risks were being managed effectively within each Cluster.

**The report recommended:-**
that the Committee note the Cluster Risk Registers and Assurance Maps set out in Appendices A and B of the report.

**The Committee resolved:-**
to note the report.

## CHOICE BASED LETTINGS - AMENDMENT TO THE HOUSING ALLOCATIONS POLICY CUS/23/065

**8.** The Committee had before it a report by the Chief Officer – Early Intervention and Community Empowerment, which sought approval of the proposed revisal to the Housing Allocations Policy. The revised policy reworded the existing policy and took account of the adoption of a Choice Based Lettings (CBL) approach to the letting of council housing, which would replace the current system.

**The report recommended:-**
that the Committee –

(a) approve the revised Housing Allocations Policy as detailed in Appendix 1; and
(b) instruct the Chief Officer – Early Intervention and Community Empowerment to implement the revised Housing Allocations Policy.

**The Committee resolved:-**
(i) to request that a Service Update be issued to members six months after the implementation of the new policy, providing an analysis on how the new policy has been working; and
(ii) to otherwise approve the recommendations.

## VALEDICTORY

**9.** At this juncture, the Convener advised that Derek McGowan, Chief Officer – Early Intervention and Community Empowerment would be leaving the Council and this would be his last meeting of the Committee. The Convener thanked Mr McGowan for all of his efforts and help during her time as Convener.

- **Councillor Miranda Radley, Convener**

| | A | B | C | D | E | F | G | H | I |
|---|---|---|---|---|---|---|---|---|---|
| 1 | **COMMUNITIES HOUSING AND PUBLIC PROTECTION COMMITTEE BUSINESS PLANNER**<br>The Business Planner details the reports which have been instructed 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** | **Director** | **Terms of Reference** | **Delayed or Recommended for removal or transfer, enter either D, R, or T** | **Explanation if delayed, removed or transferred** |
| 3 | **16th May 2023** | | | | | | | | |
| 4 | Performance Report | The purpose of this report is to present Committee with the status of key performance measures relating to the Operations Directorate (non-Education). | On agenda | Louise Fox | Data and Insight | Customer | 1.1.3 | | |
| 5 | Parks & Open Areas Management Rules 2024 | The report seeks approval to make new Management Rules for Parks and Outdoor Areas within the remit of Aberdeen City Council as the existing Management Rules will expire at the end of 2023 | On agenda | Steven Shaw | Operations and Protective Services | Resources | 1.4.2 | | |
| 6 | Food Standards Scotland Audit of Local Authority implementation of interventions Food Law Code of Practice (Scotland) | To advise Committee of audit report findings and approval of action plan | On agenda | Andrea Carson | Operations and Protective Services | Resources | 2.3 | | |
| 7 | Protests and Processions | To agree the Council's position on the public protection aspects of protests and processions where there are traffic management implications arising from applications | | Vikki Cuthbert | Governance | Commissioning | 2.12 | R | A service update has been issued with necessary information. No decision required. Recommended for removal. |
| 8 | SFRS - Thematic Report: SFRS Rescue and Specialist Support | To provide a thematic report on the SFRS Rescue and Specialist Support | On agenda | Chay Ewing | Scottish Fire and Rescue Service | Scottish Fire and Rescue Service | 2.20 | | |
| 9 | Capital Programme of Works to Properties | At the meeting on 17 January 2023, it was agreed to instruct the Chief Officer – Corporate Landlord to report to the next meeting of this Committee on the capital programme of works to properties, following consideration of the current approach to tenants refusing improvement | On agenda | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |
| 10 | Aberdeen Water Safety | To inform committee on Aberdeen City Council's involvement in the Aberdeen Water Safety Group and provide and update on this group's and Environmental Services' current initiatives. | | Steven Shaw | Operations and Protective Services | Resources | 1.1.1 | **R** | This will now be a service update. |
| 11 | Trusted Trader Scheme in Aberdeen City | To seek elected member approval for the proposed Trusted Trader Scheme | | Graeme Paton | Operations and Protective Services | Resources | 1.1.2 and 1.1.5 | **D** | The proposed scheme is being revised and will be reported in due course if appropriate. |

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| 12 | Participatory Budgeting in Aberdeen | At the budget meeting on 7 March 2022, it was agreed to note the Council's approach towards meeting the target of 1% of revenue funding being available for Participatory Budgeting, paragraph 3.83 of the report, and instruct the Chief Officer - Early Intervention and Community Empowerment to report to a future meeting of the Operational Delivery Committee on the impact of Participatory Budgeting in Aberdeen. | On agenda | Paul Tytler | Early Intervention and Community Empowerment | Customer | 1.1.1, 1.4.2 | | Transferred from Operational Delivery Committee business planner. |
| 13 | Piper Alpha Memorial Report | ODC 31/08/22 - to instruct the Chief Officer Operations and Protective Services to liaise with interested parties as to their preferred options for the future of the Piper Alpha Memorial and to include in those options presented to those parties, the option of the replanting of roses including any cost implications; and to instruct the Chief Officer Operations and Protective Services to report the outcome of the meeting(s) with interested parties to the next appropriate Committee meeting and seek a decision; and to instruct the Chief Officer Operations and Protective Services to provide an update to a Council meeting when appropriate. | On agenda | Mark Reilly | Operations and Protective Services | Operations | 1.1.1 | | |
| 14 | Local Housing Strategy Update | To provide committee with an update on Housing Strategy | On agenda | Mel Booth | Strategic Place Planning | Commissioning | 1.1.1 | | |
| 15 | Police Scotland | To provide a verbal operational update to committee. | On agenda | Graeme Mackie | Police Scotland | Police Scotland | | | |
| 16 | City Centre Multi Storey Blocks - Progress on Full Options Appraisal | Council on 10/03/21 agreed (1) to approve £250,000 from the Housing Capital Programme to undertake a full option appraisal on the city centre multi storey blocks to consider future development and investment opportunities; and (2) to instruct the Chief Officer - Corporate Landlord to report back the outcome from the option appraisal of (1) above to the City Growth and Resources Committee no later than March 2022<br><br>The CG&R Committee on 3/2/22 agreed to defer this whilst further consideration of the outcome of the Council's appeal regarding the listing of these blocks is undertaken. The report will be submitted (likely June 2022) once a way forward has been established. | This was transferred from the Finance and Resources Committee on 29/3/23 due to the Terms of Reference. - **ON AGENDA** | Bill Watson | Corporate Landlord | Resources | 1.1.1 | | |
| 17 | **6th July 2023** | | | | | | | | |

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| 18 | Performance Report | The purpose of this report is to present Committee with the status of key performance measures relating to the Operations Directorate (non-Education). | | Louise Fox | Data and Insight | Customer | 1.1.3 | | |
| 19 | Housing Improvement Group | At the meeting on 17 January 2023, it was agreed that (i) to note the work of the Housing Improvement Group in identifying improvements and efficiencies around the management and maintenance of the housing stock and instruct the Chief Officer – Corporate Landlord to bring forward regular reports (bi-annual) on the work of the Group to this Committee, the first such report to go to the Committee meeting in July 2023; and (ii) to note that, as part of the transformation programme, there is an ongoing review of the structure of the organisation around housing repairs and maintenance and instruct the Chief Officer – Corporate Landlord to report any changes to this Committee on 6 July 2023; | | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |
| 20 | Housing Revenue Account Portfolio | At the meeting on 17 January 2023, it was agreed to instruct the Chief Officer – Corporate Landlord to review, as part of the transformation programme, key planned maintenance activities required across the Housing Revenue Account (HRA) portfolio and report back to this committee in July 2023) on a programme approach to delivering these works. | | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |
| 21 | Library Provision | At the budget meeting on 1 March 2023, it was agreed to instruct the Chief Officer - Early Intervention and Community Empowerment to bring a report to the Communities, Housing and Public Protection Committee, during financial year 2023/24, outlining options for, the design of a 21st library provision that can then be shared for consultation. | | Margaret Stewart | Early Intervention and Community Empowerment | Customer | 1.1.1 | | |
| 22 | Slavery | At the Council meeting on 26 April 2023, a Notice of Motion from Cllr Ai was submitted and it was agreed to instruct the Chief Executive to report to the Communities, Housing and Public Protection Committee on the current status of the Modern Slavery Act including any proposed legislative changes and a review of what other local authorities, across the UK, and other major public institutions (e.g. universities, charities, devolved/national governments etc.) have in place and the impact thereof. | | Deirdre Nicolson | Governance | Commissioning | | | |
| 23 | SFRS - 2022/23 Annual Scrutiny Report | To provide details on the Scottish Fire and Rescue Scrutiny Report for 2022/23 | | Chay Ewing | Scottish Fire and Rescue Service | Scottish Fire and Rescue Service | 2.20 | | |
| 24 | **5th September 2023** | | | | | | | | |

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| 25 | Empty Homes Update report | At the Operational Delivery Committee on 16 September 2021, it was agreed that an annual report be brought back in relation to Empty Homes. | | Mel Booth | Strategic Place Planning | Commissioning | 1.1.1 | | Transferred from Operational Delivery Committee business planner. |
| 26 | City Centre Policing | At the meeting on 17 January 2023, it was agreed that a report be brought in 6 months on City Centre Policing and to include information on partnership working | | Graeme Mackie/ Andy McDonald | Customer Services | Customer | 1.1.1 | | |
| 27 | Performance Report | The purpose of this report is to present Committee with the status of key performance measures relating to the Operations Directorate (non-Education). | | Louise Fox | Data and Insight | Customer | 1.1.3 | | |
| 28 | Annual Committee Effectiveness Report | To report on the annual effectiveness of the committee | | Lynsey McBain | Governance | Commissioning | TBC | | |
| 29 | Police Scotland - Performance Report | To present Police Scotland Performance Report | | Graeme Mackie | Police Scotland | Police Scotland | 2.20 | | |
| 30 | Annual Assurance Statement | Annual submission required to the Scottish Government. October/November 2023 | | Jacqui McKenzie | Early Intervention and Community Empowerment | Customer | 1.1.1 | | |
| 31 | SFRS: Thematic Report | Theme to be agreed. | | Chay Ewing | Scottish Fire and Rescue Service | Scottish Fire and Rescue Service | 2.20 | | |
| 32 | **14th November 2023** | | | | | | | | |
| 33 | Performance Report | The purpose of this report is to present Committee with the status of key performance measures relating to the Operations Directorate (non-Education). | | Louise Fox | Data and Insight | Customer | 1.1.3 | | |
| 34 | Review of the Non Traditional Housing Stock | At the meeting on 17 January 2023, it was agreed to instruct the Chief Officer – Corporate Landlord to review the HRA's non traditional housing stock to identify properties that will be unable to meet future environmental or other standards, identify a budget to | | Stephen Booth | Corporate Landlord | Resources | | | |
| 35 | Aberdeen City's Affordable Housing Delivery Programme | To provide an update on the Aberdeen City affordable housing delivery programme. | | Mel Booth | Early Intervention and Community Empowerment | Customer | 1.1.1 | | |

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| 36 | Aberdeen City's Strategic Housing Investment Plan 2023/24 – 2027/2028 | To seek approval of the Strategic Housing Investment Plan (SHIP) | | Mel Booth | Early Intervention and Community Empowerment | Customer | 1.1.1 | | |
| 37 | Building Standards Activity Report | At the meeting on 17 January 2023, it was agreed that a further report be brought on Building Standards Activity Report | | Grant Tierney | David Dunne | Commissioning | 2.7 | | |
| 38 | SFRS - 6 month Performance Report | To provide details on the 6 month performance report from Scottish Fire and Rescue. | | Chay Ewing | Scottish Fire and Rescue Service | Scottish Fire and Rescue Service | 2.20 | | |
| 39 | **Beyond 2023 or no date confirmed.** | | | | | | | | |
| 40 | Asset Management Strategies for the HRA Estate | At the meeting on 17 January 2023, it was agreed to instruct the Chief Officer – Corporate Landlord to consolidate and refresh all asset management strategies for the HRA estate and report back to this Committee on this matter by late 2024. | | Stephen Booth | Corporate Landlord | Resources | | | |
| 41 | Housing | At the budget meeting on 1 March 2023, it was agreed instruct the Chief Officer - Strategic Place Planning to include a tiered analysis of resource requirements in the refreshed Local Housing Strategy to be presented for approval to the Communities, Housing and Public Protection Committee noting the significance of housing as one of the key determinants of population health. | | David Dunne | Strategic Place Planning | Commissioning | | | |
| 42 | Public Engagement | At the budget meeting on 1 March 2023, it was agreed to instruct the Communications Manager to bring back a report to the Communities, Housing and Public Protection Committee outlining a scheme of public engagement, ahead of the 2024/25 budget setting process. | | David Ewen | Customer Experience | Customer | 1.1.1 | | |

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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection Committee |
| **DATE** | |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Scottish Fire and Rescue Service Thematic Report – Rescue and Specialist Support |
| **REPORT NUMBER** | SFR/23/152 |
| **DIRECTOR** | Chay Ewing, Local Senior Officer, SFRS |
| **CHIEF OFFICER** | Andy Buchan, Group Commander, SFRS |
| **REPORT AUTHOR** | Andy Buchan Group Commander, SFRS |
| **TERMS OF REFERENCE** | 2.20 |

## 1. PURPOSE OF REPORT

1.1 To present the Scottish Fire and Rescue Service Thematic Report – Rescue and Specialist Support

## 2. RECOMMENDATION(S)

2.1 That the Committee consider and note the information provided in this report. **Appendix A** Thematic Report – Rescue and Specialist Support (Aberdeen City)

2.2 Note that the Local Senior Officer will make arrangements with the clerk to facilitate a visit(s) to SFRS facilities in Aberdeen.

## 3. BACKGROUND

3.1 This report invites you to review the rescue and Specialist support available in the Aberdeen City area for use throughout Scotland if required.

3.2 This update shows the progress being made by the SFRS to ensure specialist rescue appliances, equipment and skills are available throughout the country and in this case the Aberdeen City area.

3.3 It is the intention of the Local Senior Officer to make arrangements for members of the Communities, Housing and Public Protection Committee to visit SFRS facilities in Aberdeen in 2023. This will allow an opportunity for members of the committee to learn more about the operations of the SFRS. The Local Senior Officer will take this forward with the clerk to the committee.

## 4. FINANCIAL IMPLICATIONS

4.1 There are no significant financial implications for Aberdeen City Council

## 5. LEGAL IMPLICATIONS

5.1 There are no significant legal implications for Aberdeen City 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 contributes to specialist rescue capabilities which will assist with achieving a safer place to live, work and visit. |
| **People** | Whilst not specific to any Stretch Outcome, the paper contributes to specialist rescue capabilities which will assist with achieving a safer place to live, work and visit. |
| **Place** | Whilst not specific to any Stretch Outcome, the paper contributes to specialist rescue capabilities which will assist with achieving 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** – Scottish Fire and Rescue Service Thematic Report- Rescue and Specialist Support

## 11. REPORT AUTHOR CONTACT DETAILS

Andy Buchan – Group Commander – Service Delivery
Scottish Fire and Rescue Service – Andy.Buchan@firescotland.gov.uk

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**ABERDEEN CITY LOCAL SENIOR OFFICER AREA**

**SCOTTISH FIRE AND RESCUE SERVICE THEMATIC REPORT**

**Rescue and Specialist Support – Aberdeen City / ACAM**

**Report Ref SFR/23/152**

# 1 INTRODUCTION

The Scottish Fire and Rescue Service operationally within Aberdeen City consists of 3 Wholetime Fire Stations (Altens / Central / North Anderson Drive) and 1 On-Call Fire Station (Dyce), with a staffing profile of 166 frontline personnel. These stations and their teams while providing the core operational cover are also trained in a number of specialist skills varying from Urban Search and Rescue (USAR) to Technical Rope Rescue (TRR).

This report will detail the location of these skills across the city of Aberdeen, the training in place to maintain competence in these skills, the current competency levels within our specialist teams and a summary of Operational Incidents / Turnouts these specialist resources have attended in the last 3 years.

The resources that will be detailed below while located within Aberdeen City are National resources.

# 2 SFRS Specialist Skills within Aberdeen City

## 2.1 North Anderson Drive Community Fire Station

- Urban Search and Rescue / Heavy Rescue (USAR):

  Our USAR personnel are trained in advance rescue techniques to safely resolve incidents such as; collapsed structures, trench collapse, mines rescue etc. Our heavy rescue element may also be deployed to major incidents involving HGVs, aircraft and rail infrastructure within an urban environment.

- Detection / Identification / Monitoring (DIM):

  Our DIM vehicles are used as a form of mobile laboratory at serious chemical, biological radiological and nuclear (CBRN) instances, supporting a wide range of incidents including flooding, HAZMAT, USAR and Mass Decontamination. The vehicles are capable of identifying substances at incidents where the material of

concern has not yet been identified. This vehicle while maintained and transported to incidents by the crews at NAD is operated by specialist Senior Commanders on scene.

- Specialist Operations Response Unit (SORU):

  Our SORU vehicle are used to provided communications and specialist equipment to resolve specialist operations such Marauding Terrorist Attacks (MTA), Police Operations and Major Incidents. This vehicle while maintained and transported to incidents by the crews at NAD is operated by specialist National Interagency Liaison Officers (NILOs).

- Safe Working at Heights Level 2 (SWAH 2):

  While all SFRS personnel are trained to a safe working at height (SWAH) standard, personnel located at NAD Fire Station are also trained to level 2 operators. This additional capability allows personnel to ascend/descend structures to assist with USAR operations. It should be noted that SWAH 2 does not allow for the rescue of persons from height.

2.2 Central Community Fire Station

- Swiftwater Rescue:

  Our Swiftwater Rescue Technicians (SRT) are trained to provide an emergency response to both the rescue of a person/s within water (inland) and complex flooding incidents. Our teams are supported by our dedicated SRT van, associated equipment and boat.

- Mass Decontamination (MD):

  Mass Decontamination is the removal of harmful contaminants from large amounts of people in the case of chemical, biological, radiological, nuclear (CBRN) incidents and/or industrial accidents. Our specialist decontamination structures and associated equipment provides the capability to decontaminate 250 persons per hour. Our crews are trained in use of specialist chemical protective clothing - Powered Respirator Protective Suit (PRPS). The use of this specialist protective clothing allows for personnel to remain within a hazardous area for an extended time period.

- Aerial Ladder Platform (ALP):

  Our ALP is designed to disperse water onto buildings from above. This is normally for use at incidents where it may be inaccessible to do so from the ground. These vehicles are also used to assist in rescues from tall structures and provide observation platforms.

2.3 Altens Community Fire Station

- Technical Rope Rescue:

  Rope rescue is a type of technical rescue involving the use of ropes, harness, anchoring and hauling devices to assist rescues at height or below ground level at urban and structural locations. While all crews are trained to a safe working at height

(SWAH) standard, line rescue crews are trained to a more advanced capacity to deal with more complex technical rescues at the likes of open structures, utilising horizontal and vertical stretcher lowering and raising.

- Command Support Unit (CSU):

  Our CSUs provides incident commanders with enhanced logistic support in forms of communications equipment, ICT support, mapping, loggist facilities, command support team.

- Wildfire Unit including Kubota All-Terrain Vehicle:

  Our wildfire units provide additional support to crew attending large scale wildfires. Units provides 4x4 capability for the transfers of equipment/resources and a high-pressure fogging suppression system.

- Environmental Protection Unit (EPU):

  Our environmental protection unit provides additional specialist equipment to support HAZMAT/CBRN incidents. Equipment contained within the unit allows for crews to stem/stop leaks from various containers and the containment of escaped contaminants. Equipment can also be utilised to secure drainage systems and protect water courses.

- Foam Unit:

  Our foam unit are designed to provided crews with additional foam making equipment and bulk storage of foam to deal with large flammable liquid fires and chemical spills. The unit hold 1000L of Aqua Film Forming Foam (AFFF) and 300L of High Expansion Foam (HIEX).

2.4 Dyce Community Fire Station

- Incident Support Vehicle (ISV):

  Our ISVs equipped with arrange of additional equipment to support crews at large scale incidents. The unit provides an additional 50 compressed air cylinder to support Breathing Apparatus (BA) operations, Firefighter decontamination structures, Gas tight Suits, logistic support and additional drinking water to ensure adequate firefighter re-hydration.

## 3 Training / Maintenance of skills

3.1 Our training centre located at Portlethen is a National Training Centre which has recently received significant investment to provide SFRS personnel with state of art realistic training facilities. This modern training centre provides the required facilities to ensure that our core and specialist competencies' can be maintained, these include skills such as; Breathing Apparatus, Road Traffic Collision, Heavy Rescue, USAR, MTA, SWAH 1/2, Rope Rescue and Trauma Care.

3.2 SFRS National Training team schedules all required maintenance of skills training linked to core and specialist skills. This may involve members of our teams attending courses at National Training Centres out with the area in Perth / Glasgow / Edinburgh.

3.3 The ongoing assessment of SFRS specialist training needs within Aberdeen City / ACAM is in the form of an annual Training Needs Analysis (TNA) / Training Skills Analysis (TSA) carried out by the Training Senior Commander within the ACAM LSO Command Team. This TNA / TSA ensures that the requirements of the specialist teams within Aberdeen City / ACAM is known and projected deficiencies can be planned for and negated by a maintenance training program for existing specialist trained team members or by upskilling new team members.

## 4 Specialist Terms Capability / Competency

4.1

| Abbreviation | Definition |
|---|---|
| ALP | Aerial Ladder Platform |
| DIM | Detection, Identification and Monitoring |
| HazMAT | Hazardous Materials |
| MD | Mass Decontamination |
| PRPS | Powered Respirator Protective Suit |
| MTA | Marauding Terrorist Attack |
| PM | Prime Mover |
| SRT | Swift Water Rescue Technician |
| TRR | Technical Rope Rescue |
| SWAH | Safe Working at Heights |
| USAR | Urban Search and Rescue |

4.2

| | Specialist Skill | Amber Watch | Blue Watch | Green Watch | Red Watch | White Watch |
|---|---|---|---|---|---|---|
| Altens | CSU | 9 | 10 | 10 | 9 | 8 |
| | ATV Driver | 3 | 2 | 4 | 4 | 3 |
| | TRR | 6 | 9 | 7 | 10 | 10 |
| | EPU | 9 | 10 | 10 | 10 | 9 |
| | Foam | 9 | 10 | 10 | 10 | 9 |
| Central | ALP | 7 | 7 | 6 | 4 | 7 |
| | PRPS | 12 | 9 | 9 | 10 | 9 |
| | MD | 12 | 9 | 9 | 10 | 9 |
| | SRT | 12 | 11 | 11 | 12 | 11 |
| | Boat OP | 4 | 4 | 3 | 4 | 4 |
| NAD | USAR | 7 | 7 | 8 | 5 | 8 |
| | SWAH Lv2 | 8 | 9 | 9 | 6 | 9 |
| | DIM Support | 9 | 7 | 7 | 5 | 8 |
| Dyce | ISV | On-call | 8 | | | |

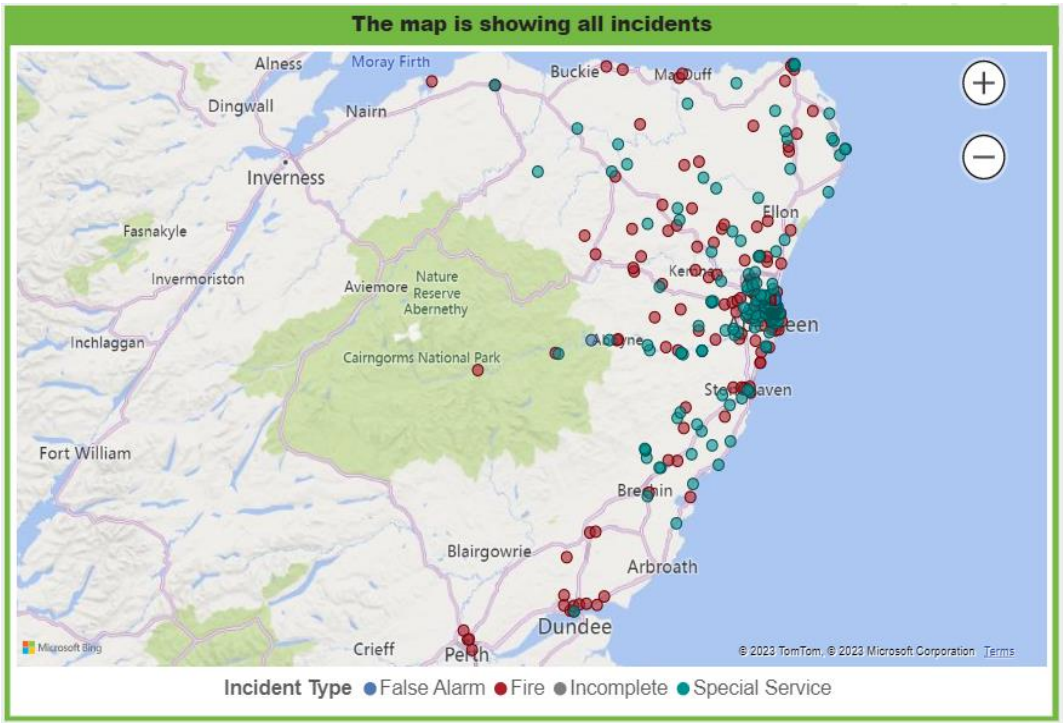
4

## 5 Specialist Resources – Operational Activity 2020/21 – Year to Date

### 5.1 Operational Activity

| Aberdeen City Specialist Vehicle Turnouts 3 Years + YTD | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Station** | **Type** | **Callsign** | **2020-21** | **2021-22** | **2022-23** | **2023-YTD** | **Grand Total** |
| NAD | DIM | Q01H1 | 8 | 6 | 8 | 0 | 22 |
| | USAR | Q01U1 | 17 | 25 | 14 | 0 | 56 |
| | SORU | Q01Y1 | 0 | 1 | 0 | 0 | 1 |
| Central | ALP | Q02A1 | 257 | 292 | 340 | 21 | 210 |
| | Water Rescue | Q02S1 | 21 | 12 | 22 | 0 | 55 |
| | MD | Q02T1 | 0 | 0 | 0 | 0 | 0 |
| Altens | CSU | Q03C1 | 9 | 10 | 8 | 0 | 27 |
| | Wildfire / Kubota | Q03G1 | 6 | 7 | 11 | 0 | 24 |
| | Rope Rescue | Q03L1 | 6 | 7 | 8 | 0 | 21 |
| | Foam POD | Q03S1 | 0 | 2 | 1 | 0 | 3 |
| | EPU POD | Q03S2 | 0 | 2 | 1 | 0 | 3 |
| Dyce | ISV | Q20S1 | 15 | 17 | 11 | 0 | 43 |

### 5.2 Incident locations



## 6 Incident Case Study

6.1 The following incident information is provided to give board members an understanding of how SFRS specialist resources are critical to supporting incident commanders to safely resolve complex incidents.

6.2 Incident Overview: Dundee Operations Control (DOC) received call reporting a 1 vehicle Road Traffic Collison involving 1 HGV tanker on its side, fire within cab, 1 driver within.

This image cannot currently be displayed.

Date: 15/02/2023

Time: 08:09

Location: King Edward, Banff

SFRS Resources assigned:

- Fire Appliances
- DIM Unit and Support Appliance
- Heavy Rescue and Support Appliance
- EPU Unit and Support Pump
- Foam Unit
- 1st Call Officer (Station Commander)

- 2nd Call Officer (Group Commander)
- HAZMAT Officer (Group Commander)

6.3: DIM / HAZMAT: Specialist knowledge of officer allowed for quick identification of substance and development of specific risk assessment. This information was vital for the incident commander to develop a suitable and sufficient tactical plan to extinguish fire, reduce risk of explosion, evacuation of surrounding properties, containment of substance and suitable level of Personal Protective Equipment (PPE) of crews.

6.4: EPU: Specialist clay putty utilised to stem leak of substance from ruptured tanker. Boom systems and chemical absorption mats/socks used to contain substance from entering drains and open water source.

6.5: Incident Summary / Outcome: 1 male casualty snatched rescued by first attending crew, transferred to hospital and later released with minor injuries. Mitigated the requirement for heavy rescue operations to release casualty. Substance identified as 32,000 Litres of new-make spirit at 70% ABV. No requirement for foam blanket, dilution with water recommend to reduce explosive risk. Crews worked well to stem leak of substance which was estimated as approx. 3 litres per minute. Escaped spirits

contained to protect exposure to surrounding environment. This included farm land, rain water drainage and open water source. SFRS assisted specialist recovery teams with safely decanting substance and righting vehicle for removal. This specialist advice and support ensured that the risk of further escape of substance, including explosive risk remained low.

## 7 FUTURE WORK

7.1 LSO Ewing continues to support the Training, Safety and Assurance (TSA) teams nationally and locally by providing suitably skilled Service Delivery / Operational personnel to strengthen their teams (including specialist training teams). The Resource Based Crewing model within Service Delivery will determine the level of support available through AC Ewing to TSA but this support and the importance of training within the Operational program is a primary driver of LSO Ewing.

7.2 LSO Ewing and the Aberdeen City command team continue to review our delivery model and competency levels ensuring that we meet the needs of our local communities. As we continue to transition post COVID 19, we are leading on multi-agency exercising on a quarterly basis. This is vital to strengthen interoperability between Category 1 responders and 3rd sector partners. To date, we have exercised responses to incidents involving a train derailment and CBRN. In May 2023, we will exercise our response to a large-scale high-rise fire followed by a Marine incident within Aberdeen Harbour in June 2023.

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection Committee |
| **DATE** | 16 May 2023 |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Communities, Housing and Public Protection Performance Report |
| **REPORT NUMBER** | COM/23/114 |
| **DIRECTOR** | Gale Beattie |
| **CHIEF OFFICER** | Martin Murchie |
| **REPORT AUTHOR** | Louise Fox |
| **TERMS OF REFERENCE** | 1.1.3 |

## 1. PURPOSE OF REPORT

1.1 To present Committee with the status of appropriate key performance measures relating to certain Operations, Customer and Commissioning services.

## 2. RECOMMENDATION(S)

2.1 That the Committee note the report and provide comments and observations on the performance information contained in the report Appendix.

## 3. CURRENT SITUATION

### Report Purpose

3.1 This report is to provide members with appropriate key performance measures in relation to certain Operations, Customer and Commissioning services as expressed within the 2022/23 Council Delivery Plan.

### Report Structure and Content

3.2 Performance Management Framework Reporting against in-house delivery directly contributing to, or enabling delivery against, the city's Local Outcome Improvement Plan, (LOIP) has informed development of successive Council Delivery Plans, including the 2022/23 Council Delivery Plan that was agreed by

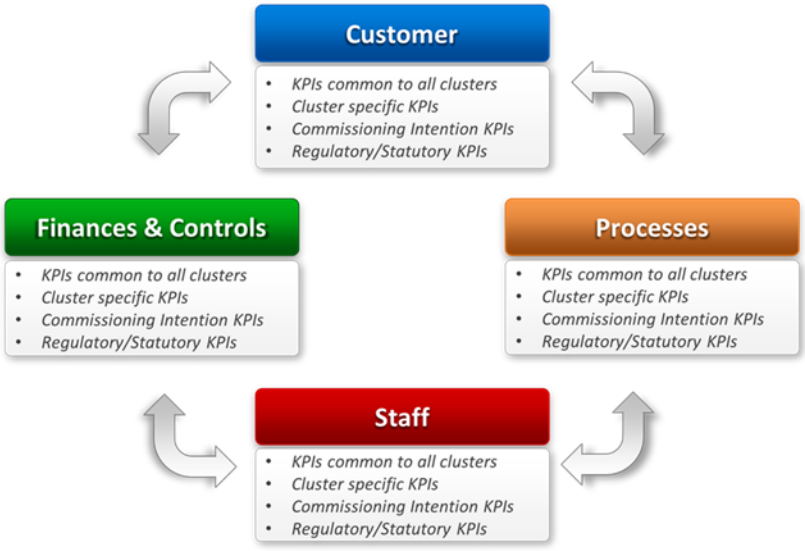
Council on the 7th March 2022 and also the 2023/24 Council Delivery Plan agreed on 1st March 2023.

3.3 The Council's Performance Management Framework, supporting and enabling scrutiny against progress of the Council Delivery Plan and its key measures, establishes a robust performance management and reporting system which encompasses single and multi-service inputs, outputs and outcomes.

3.4 Service standards against each function/cluster, associated with Council delivery planning, offer continuous insight into the effectiveness, and accessibility of core service provision to the Council's stakeholders and city communities.

3.5 Where appropriate, data capture against these standards is now directly incorporated within the suite of metrics contained within Appendix A and will be reported against on either a monthly, quarterly or annual basis. These will be updated for future cycles to include any new or amended standards for 2023/24.

3.6 The Performance Management Framework provides for a consistent approach within which performance will be reported to Committees. This presents performance data and analysis within four core perspectives, as shown below, which provides for uniformity of performance reporting across Committees.




3.7 This report, as far as possible, details performance up to the end of March 2023 or Quarter 4 2022/23, as appropriate.

3.8 Appendix A provides an overview of performance across certain Operations, Customer and Commissioning services, with reference to recent trends and performance against target. It also includes, at appropriate points in the Appendix, further analysis of several performance measures which have been identified as of potential interest in terms of either performance implications, data trends or changes in these metrics. These are listed below:

- Abandonment Rate (%) - IT Helpdesk
- YTD % of Unintentional homeless decisions reached within 21 Days
- The year to date average number of days taken to re-let all properties
- Rent loss due to voids - Citywide - YTD average

3.9 Within the summary dashboard the following symbols are also used:

**Performance Measures**

**Traffic Light Icon**

On target or within 5% of target

Within 5% and 20% of target and being monitored

Below 20% of target and being actively pursued

Data only – target not appropriate

Where narrative analysis of progress against service standards is provided and has been attributed with a RAG status by the relevant Service Manager, these are defined as follows:

**RAG Status**

- **GREEN** – Actions are on track with no delays/issues emerging
- **AMBER** – Actions are experiencing minor delays/issues emerging and are being closely monitored
- **RED** - Actions are experiencing significant delays/issues with improvement measures being put in place

**Children's Rights**

3.10 This report contains no recommendations or content that require for the direct accounting of impact on children's rights.

## 4. FINANCIAL IMPLICATIONS

There are no direct financial implications arising out of this report.

## 5. LEGAL IMPLICATIONS

There are no direct legal implications arising out of this report.

## 6. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising out of this report

## 7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|---|---|---|---|---|
| **Strategic** | None | NA | NA | NA |
| **Compliance** | No significant legal risks. | Publication of service performance information in the public domain ensures that the Council is meeting its legal obligations in the context of Best value reporting. | L | Yes |
| **Operational** | No significant operational risks. | Oversight by Elected Members of core employee health and safety/attendance data supports the Council's obligations as an employer | L | Yes |
| **Financial** | No significant financial risks. | Overview data on specific limited aspects of the cluster's financial performance is provided within this report | L | Yes |
| **Reputational** | No significant reputational risks. | Reporting of service performance to Members and in the public domain serves to enhance the Council's reputation for transparency and accountability. | L | Yes |
| **Environment / Climate** | None | NA | NA | NA |

## 8. OUTCOMES

| COUNCIL DELIVERY PLAN | |
|---|---|
| | **Impact of Report** |
| **Aberdeen City Council Policy Statement** | **None** |
| | |
| **Aberdeen City Local Outcome Improvement Plan** | |
| Prosperous Economy Stretch Outcomes | The Council aims to support improvement in the local economy to ensure a high quality of life for all people in Aberdeen. This report monitors indicators which reflect current economic activity within the City and actions taken by the Council to support such activity. |
| Prosperous People Stretch Outcomes | The Council is committed to improving the key life outcomes of all people in Aberdeen. This report monitors key indicators impacting on the lives of all citizens of Aberdeen. Thus, Committee will be enabled to assess the effectiveness of measures already implemented, as well as allowing an evaluation of future actions which may be required to ensure an improvement in such outcomes. |
| Prosperous Place Stretch Outcomes | The Council is committed to ensuring that Aberdeen is a welcoming place to invest, live and visit, operating to the highest environmental standards. This report provides essential information in relation to environmental issues allowing the Committee to measure the impact of any current action. |
| | |
| **Regional and City Strategies** | None |

## 9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|---|---|
| **Impact Assessment** | The recommendations arising from this report do not require that a full Impact Assessment is completed |
| **Data Protection Impact Assessment** | Not required |

## 10. BACKGROUND PAPERS

Council Delivery Plan 2022/23 – CUS/22/059
Council Delivery Plan 2023/24 – COM/23/074
Local Outcome Improvement Plan 2016-2026 (July 2021 Refresh)

## 11. APPENDICES

Appendix A – Performance Summary Dashboard

## 12. REPORT AUTHOR CONTACT DETAILS

Louise Fox
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# Communities, Housing and Public Protection Committee Performance Report Appendix A

## Operations and Protective Services

Building Services

### 1. Customer – Building Services

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2022 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| The year to date percentage of repairs appointments kept | 99.15% | | 99.14% | | 99.16% | | 90% |
| Percentage of tenants who have had repairs or maintenance carried out in the last 12 months satisfied with the repairs and maintenance service (year to date). | 81.54% | | 81.54% | | Data unavailable | | 80% |

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received (stage 1 and 2) - Building Services | 64 | | 117 | | 67 | | |
| % of complaints resolved within timescale stage 1 and 2) - Building Services | 50% | | 70.1% | | 74.6% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Building Services | 37.5% | | 35% | | 25.4% | | |
| *Total No. of lessons learnt identified (stage 1 and 2) - Building Services | 0 | | 0 | | 0 | | |

***Lessons learnt referred to throughout this Appendix are lasting actions taken/changes made to resolve an issue and to prevent future re-occurrence for ex4mple amending an existing procedure or revising training processes. When a complaint has been upheld, action would be taken in the form of an apology or staff discussion/advice, but these actions are not classified as lessons learnt.**

## 2. Processes – Building Services

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| The year to date average length of time taken to complete emergency repairs (hrs) | 3.72 | ✓ | 3.81 | ✓ | Data unavailable | | 4.1 |
| The year to date average length of time taken to complete non-emergency repairs (days) | 7.71 | ✓ | 7.89 | ✓ | | | 8.3 |
| The year to date percentage of reactive repairs carried out in the last year completed right first time | 91.76% | ✓ | 91.86% | ✓ | 92.03% | ✓ | 90% |
| The percentage of Repairs Inspections completed within 20 working day target (year to date) | 94.3% | ⚠ | 92.3% | ⚠ | Data unavailable | | 100% |

## 3. Staff – Building Services

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter - Building Services) | 0 | | 3 | | 1 | | |
| Accidents - Non-Reportable - Employees (No in Quarter - Building Services) | 2 | | 3 | | 4 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence - Average Number of Days Lost - Building Services | 4 | ✓ | 4.2 | ✓ | 4.4 | ✓ | 10 |
| Establishment actual FTE | 406.76 | | 404.89 | | 405.2 | | |

## 4. Finance & Controls – Building Services

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 70.9% | ✓ | 78.5% | ✓ | 86.4% | ✓ | 100% |

Facilities Management

## 1. Customer – Facilities Management

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received (stage 1 and 2) - Facilities | 2 | | 5 | | 2 | | |
| % of complaints resolved within timescale (stage 1 and 2) - Facilities | 100% | ✓ | 80% | ✓ | 100% | ✓ | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Facilities | 100% | | 60% | | 50% | | |
| Total No. of lessons learnt identified (stage 1 and 2) - Facilities | 0 | | 1 | | 0 | | |

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| *Number of school lunches served in the year - Primary (YTD) | 635,403 | ✓ | 1,045,191 | ✓ | 1,526,088 | ✓ | 1,200,000 |

***The expansion of free school meal provision and increasing pupil rolls at schools across the city have combined to see more school meals being served in our Primary schools. The service will continue to monitor pupil rolls and meal uptakes as we work through the year and will revise targets appropriately.**

| Performance Indicator | Current Status | 2022/23 Target |
|---|---|---|
| **All meals served to children and young people in our schools will meet the Nutritional requirements for Food and Drink in Schools (Scotland) Regulations** | ✓ | 100% |
| The Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations 2020 came into effect from April 2021. Our School Catering service aims for 100% compliance with the regulations to ensure that whilst in school, our children and young people are receiving the nutrition they require to be effective learners. We have set this as a service standard particular to Aberdeen City Council's school catering service and there is no comparative benchmarking information which we can use to comp are performance with other local authorities. Performance is not reported as a metric, but the intention of the measure is to highlight to Committee any reports received on nutritional non-compliance from Education Scotland's school inspection visits. | | |

## 2. Processes – Facilities Management

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| % Fly tipping alerts at housing multi-storey blocks responded to within 48 hours | 97% | ✓ | 94.1% | ✓ | 92.3% | ✓ | 80% |
| % Response cleaning alerts responded to within priority timescales | 100% | ✓ | 100% | ✓ | 83.3% | ✓ | 80% |
| % Void cleaning alerts responded to within priority timescales | 100% | ✓ | 100% | ✓ | 95.7% | ✓ | 80% |

| Performance Indicator | Current Status | 2022/23 Target |
|---|---|---|
| **We will deliver 39 weeks contracted school cleaning** | ✓ | 95% |
| Cleaning service is delivered by the in-house team at all non-3Rs schools in the city, for the 38 weeks of school term plus the five annual in-service days. We will use this measure to highlight any instances where a school has been unable to open due to our inability to provide a satisfactory cleaning service. No issues identified. | | |

## 3. Staff – Facilities Management

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter) | 0 | | 2 | | 0 | | |
| Accidents - Non-Reportable - Employees (No Quarter) | 2 | | 6 | | 4 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| *Sickness Absence - Average Number of Days Lost - Facilities | 13.6 | | 14.1 | | 14.8 | | 10 |
| Establishment actual FTE | 522.43 | | 521.45 | | 529.85 | | |
| Establishment actual FTE (Catering) | 167.04 | | 166.07 | | 170.52 | | |
| Establishment actual FTE (Cleaning) | 237.91 | | 237.96 | | 241.07 | | |
| Establishment actual FTE (Janitorial) | 64.18 | | 63.96 | | 64.59 | | |
| Establishment actual FTE (Office & Building Management) | 15.89 | | 15.89 | | 15.89 | | |
| Establishment actual FTE (Passenger Transport Unit) | 34.03 | | 34.19 | | 34.18 | | |

*** We are aware that the above reported performance of the 12-month rolling average for working days lost due to sickness absence per FTE, is not fully accurate due to current system constraints relating to the calculation of FTE and variable working patterns for some staff. In some cases the actual absence rate is lower than the reported figure. This does not impact on attendance management for staff and their respective managers. Officers are working with the vendor to resolve this anomaly.**

## 4. Finance & Controls - Facilities Management

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Inspection - Number of overdue corrective actions requests as at month end | 0 | | 0 | | 0 | | 0 |
| Staff Costs - % Spend to Date (FYB) | 85% | | 93.5% | | 100.1% | | 100% |

Protective Services

## 1. Customer – Protective Services

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received - Protective Services | 3 | | 2 | | 9 | | |
| % of complaints resolved within timescale - Protective Services | 100% | | 100% | | 66.7% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Protective Services | 0% | | 0% | | 11.1% | | |
| Total No. of lessons learnt identified (stage 1 and 2) - Protective Services | 0 | | 0 | | 2 | | |

## 2. Processes - Protective Services

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Non-Domestic Noise % responded to within 2 days | 100% | | 97.4% | | 97.9% | | 100% |
| High Priority Pest Control % responded to within 2 days | 100% | | 100% | | 98.8% | | 100% |
| High Priority Public Health % responded to within 2 days | 97.2% | | 96% | | 98.6% | | 100% |
| Dog Fouling - % responded to within 2 days | 92.3% | | 100% | | 98.2% | | 100% |

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| % of Samples reported within specified turnaround times (Aberdeen Scientific Services Laboratory) | 74.5% | | 67.9% | | Data unavailable | | 80% |
| *% of registered tobacco retailers visited to give Business Advice on compliance with tobacco legislation - Year to Date | 13.5% | | 18.6% | | 22.8% | | 20% |
| *% of registered tobacco retailers subjected to Test Purchasing for retailer compliance with age restrictions - Year to Date | 2.5% | | 11% | | 11% | | 10% |
| *% of registered Nicotine Vapour Products retailers visited to give Business Advice on compliance with legislation - Year to Date | 35.3% | | 44.4% | | 53.6% | | 20% |
| *% of registered Nicotine Vapour Products retailers subjected to Test Purchasing for retailer compliance with age restrictions - Year to Date | 17.6% | | 29.4% | | 28.1% | | 10% |

***The Scottish Government (SG) has set targets for all local authority Trading Standards Services to carry out test purchasing from retail premises to test for compliance with the age restriction on the supply of tobacco and nicotine vaping products (e-cigarettes) set out in the Tobacco and Primary Medical Services (Scotland) Act 2010. The requirement is that 10% of registered tobacco and e-cigarettes retailers in each jurisdiction should be tested on an annual basis. Accordingly, at the beginning of each financial year Aberdeen City Council Trading Standards service plans this work so that these targets are achieved (along with the related PI of visiting 20% of each to provide Business Advice). This work is dependent upon the availability of 16 year old volunteers to work alongside officers. That notwithstanding, this service regularly achieves these targets, which are reported to the SG via the Society of Chief Officers of Trading Standards in Scotland (SCOTSS).**

**Since the beginning of April 2020, an exemption from the Food Law Code of Practice (Scotland) has been granted in relation to routine food inspections . Work is ongoing in relation to the restart process and how this will be achieved. As part of this work, Protective Services will aim to identify the most appropriate PIs to capture food hygiene data**

based on the new risk rating system which came into force on 01/07/2019. This system now rates premises across 3 types of business based on the type of operations undertaken and 5 compliance categories, giving 15 separate ratings. Recovery cycle is still on going and the highest risk inspections are being prioritised.

## 3. Staff - Protective Services

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No. In Quarter - Protective Services) | 0 | | 0 | | 0 | | |
| Accidents - Non-Reportable - Employees (No. In Quarter - Protective Services) | 0 | | 1 | | 0 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence - Average Number of Days Lost - Protective Services | 0.7 | | 0.7 | | 0.9 | | 10 |
| Establishment actual FTE | 62.77 | | 63 | | 63.87 | | |

## 4.Finance & Controls - Protective Services

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| % of External Quality Assurance reported results that were satisfactory (Aberdeen Scientific Services Laboratory) | 96.6% | | 100% | | 83.1% | | 95% |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 83.1% | | 91.4% | | 99.6% | | 100% |

| Performance Indicator | 2019/20 | | 2020/21 | | 2021/22 | | 2021/22 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| *Cost of environmental health per 1,000 population | £16,307 | | £15,040 |  | £16,550 | | £15,032 |
| *Cost of trading standards and environmental health per 1,000 of population | £21,411 | | £19,999 | | £21,387 | | £20,964 |

***Target and status based on Scottish national average**

## Commissioning

Data & Insights

### 1. Customer – Data and Insights

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Data and Insights | 0 | | 0 | | 0 | | |
| % of complaints resolved within timescale – Data and Insights | No complaints Q2/Q3/Q4 | | | | | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) – Data and Insights | | | | | | | |
| Total No. of lessons learnt identified (stage 1 and 2) – Data and Insights | | | | | | | |

## 2. Processes – Data and Insights

| Performance Indicator | Q2 2021/22 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| % Reported Data Protection incidents receiving an initial response within 24 business hours | 100% | | 100% | | 100% | | 95% |

## 3. Staff – Data and Insights

| Performance Indicator | Q2 2021/22 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Month Quarter – Data and Insights) | 0 | | 0 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter – Data and Insights) | 0 | | 0 | | 0 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost – Data and Insights | 0.7 | | 0.8 | | 1 | | 5 |
| Establishment actual FTE | 33.49 | | 34.81 | | 34.81 | | |

## 4. Finance & Controls – Data and Insights

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 81.4% | | 95.8% | | 97.6% | | 100% |

## Customer

Customer Experience

### 1. Customer – Customer Experience

| Performance Indicator – Service | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Customer Experience | 82 | | 70 | | 66 | | |
| % of complaints resolved within timescale – Customer Experience | 92.7% | | 85.7% | | 92.4% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) – Customer Experience | 29.3% | | 31.4% | | 45.5% | | |
| Total No. of lessons learnt identified (stage 1 and 2) – Customer Experience | 6 | | 4 | | 5 | | |

### 2. Processes – Customer Experience

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Average time taken in calendar days to process all new claims and change events in Housing Benefit (monthly) | 14.26 | | 13.74 | | 12.06 | | 12 |
| Correct amount of Housing Benefit paid to customer (monthly) | 96.71% | | 96.8% | | Data unavailable | | 95% |
| % Customer Contact Centre calls answered within 60 seconds | 70.94% | | 72.69% | | 71.1% | | 70% |
| Percentage of invoices sampled and paid within 30 days | 70.39% | | 88.45% | | 93.28% | | 90% |

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| % Crisis Grant applications processed within 2 working days | 89.6% | | 96.19% | | Data unavailable | | 90% |

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| % Community Care Grant applications processed within 15 working days | 50.1% | ✓ | 90.37% | ✓ | Data unavailable | | 50% |

## 3. Staff – Customer Experience

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter – Customer Experience) | 0 | | 0 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter – Customer Experience) | 0 | | 0 | | 1 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost – Customer Experience | 5.5 | ▲ | 5.8 | ▲ | 6 | ● | 5 |
| Establishment actual FTE | 343.58 | | 325.74 | | 345.33 | | |

## 4. Finance & Controls – Customer Experience

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Council Tax Cash Collected (In Year) - monthly | £124.4m | ✓ | £127.1m | ✓ | £128.8m | ✓ | £128.3m |
| Staff Costs - % Spend to Date (FYB) | 82.7% | ✓ | 91.2% | ✓ | 99.62% | ✓ | 100% |

| Performance Indicator | 2019/20 | | 2020/21 | | 2021/22 | | 2021/22 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| *Cost of collecting council tax per dwelling | £7.28 | ▲ | £7.19 | ▲ | £7.25 | ▲ | £6.60 |

***Target and status based on Scottish national average**

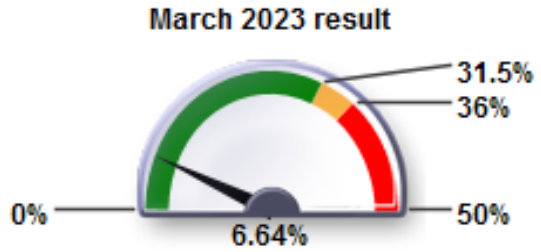
Digital and Technology

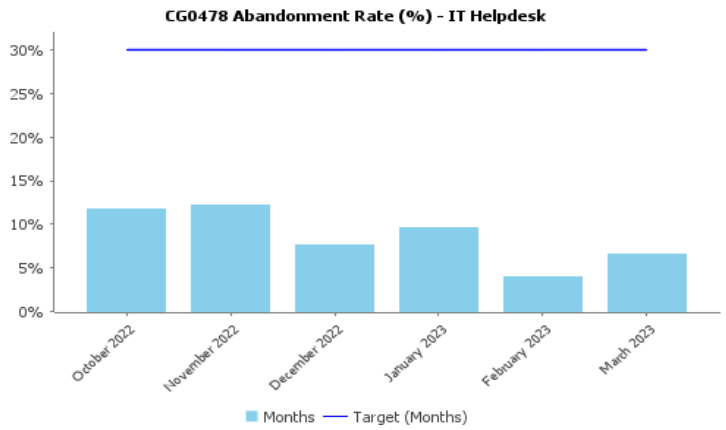
## 1. Customer – Digital and Technology

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q3 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Digital and Technology | 1 | | 0 | | 4 | | |
| % of complaints resolved within timescale – Digital and Technology | 100% | | No complaints Q3 | | 50% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) – Digital and Technology | 100% | | | | 75% | | |
| Total No. of lessons learnt identified (stage 1 and 2) – Digital and Technology | 1 | | | | 1 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Average Call Wait Time (IT Helpdesk) | 207 secs | | 29 secs | | 112 secs | | 150 sec. |
| Abandonment Rate % (IT Helpdesk) | 9.63% | | 3.91% | | 6.64% | | 30% |

**Abandonment Rate (%) - IT Helpdesk**




**Why is this important?**

This indicator shows the monthly average call abandonment rate over the 6-month period to end March 2023 and demonstrates whether the service has met these targets.

**Benchmark Information:**

This measure is not currently benchmarked.

**Target:**

The 2022/23 target for call abandonment rate was 30%. This has been retained at the same level for 2023/24.

**This is what the data is saying:**

Reporting of this measure showed an abandonment rate of 11.77% in October 2022, fluctuating between 12.15% and 3.91% over the 6 months to March, with March performance sitting at 6.64%, well below the target set throughout the period. The call abandonment rate is closely linked to the average call wait time, which has also been below or at the target level of 120 seconds across the 6 months from October to March 2023.

**This is the trend:**

Performance for both Abandonment Rate and Average Call Waiting times have significantly improved across 2022/23, compared with 2021/22. During 2021/22 the Abandonment Rate was 27.46%. This more than halved to 13.18% during 2022/23. Average Call Waiting times dropped from 156 to 112 seconds during the same period. Several factors have contributed to these improvements.

**This is the impact:**

A change to Microsoft Teams for telephony (with the Anywhere365 call management platform) in Sep-2022 has given analysts better visibility of incoming calls - and has allowed staff to respond to sudden peaks in demand quickly and more effectively.
More effort is made to communicate news of major incidents or service disruptions swiftly across multiple channels (Microsoft Teams , Yammer/Viva Engage, Intranet and ServiceNow) and users are kept informed without having to phone for updates.
Users are gently encouraged to try the Self-Service tools provided - more users now reset their own passwords and log incidents and requests online via the IT Service Portal. Consequently, while the overall number of incidents reported rose, there was a 5% reduction in the number of telephone calls.

**These are the next steps we are taking for improvement:**

The aim of the ICT Service Desk remains to fix users' problems "first time" whether they phone or report online, and to do so as quickly as possible with the minimum of disruption. The intention is always to deliver the greatest value to the organisation by working to enable users' access to the digital tools, information and services they need to deliver the best outcomes to the citizens they serve. We shall strive to improve the service through improvements to automation to speed delivery of requests, through a device refresh that will improve security and reliability for users working in any location, and through smarter integration of knowledge articles, diagnostic tools and interactive Self Service.

| **Responsible officer:** | **Last Updated:** |
|---|---|
| Alastair Beaton | March 2023 |

## 2. Processes – Digital and Technology

| **Performance Indicator** | **Jan 2023** | | **Feb 2023** | | **Mar 2023** | | **2022/23 Target** |
|---|---|---|---|---|---|---|---|
| | **Value** | **Status** | **Value** | **Status** | **Value** | **Status** | |
| Percentage of Critical system availability - average (monthly) | 99.5% | ✅ | 99.5% | ✅ | 99.5% | ✅ | 99.5% |
| % Incidents logged by IT Helpdesk (including Self-Serve) resolved right first time | 84.2% | ✅ | 85.8% | ✅ | 83.1% | ✅ | 65% |
| % Priority 1 and 2 incidents closed in timescale | 75% | 🛑 | 96.8% | ✅ | 50% | 🛑 | 99.5% |
| % Priority 3 – 5 incidents closed in timescale | 81.6% | ⚠ | 82.3% | ⚠ | 82% | ⚠ | 95% |

## 3. Staff – Digital and Technology

| Performance Indicator | Q2 2021/22 | | Q3 2022/23 | | Q3 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter – Digital and Technology) | 0 | | 0 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter – Digital and Technology) | 0 | | 0 | | 2 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost – Digital and Technology | 0.5 | | 0.5 | | 0.4 | | 5 |
| Establishment actual FTE | 93.15 | | 93.65 | | 93.96 | | |

## 4. Finance & Controls – Digital and Technology

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 83.2% | | 91.6% | | 99.4% | | 100% |

Early Intervention and Community Empowerment

## 1. Customer – Early Intervention and Community Empowerment

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q3 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Early Intervention and Community Empowerment | 75 | | 59 | | 76 | | |
| % of complaints resolved within timescale - Early Intervention and Community Empowerment | 73.3% | | 61% | | 72.4% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Early Intervention and Community Empowerment | 41.3% | | 16.9% | | 25% | | |

| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q3 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Total No. of lessons learnt identified (stage 1 and 2) - Early Intervention and Community Empowerment | 7 | | 5 | | 5 | | |

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Percentage of tenants satisfied with the standard of their home when moving in YTD | 72.2% | | 75.2% | | 75.2% | | 75% |
| Satisfaction of new tenants with the overall service received (Year To Date) | 79.1% | | 81.6% | | 81.6% | | 85% |
| Financial Inclusion - No of open cases per month | 142 | | 211 | | 196 | | |
| Financial Inclusion - No of enquiries per month | 182 | | 186 | | 232 | | |
| Number of visits to libraries - person | 36,574 | | 39,803 | | 47,097 | | |
| Number of visits to libraries - virtual | 102,550 | | 87,082 | | 114,096 | | |
| % Libraries open during agreed opening hours | 98.1% | | 100% | | 100% | | 98% |

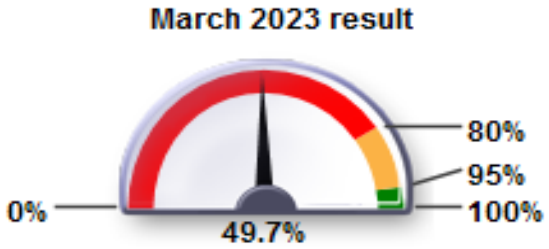
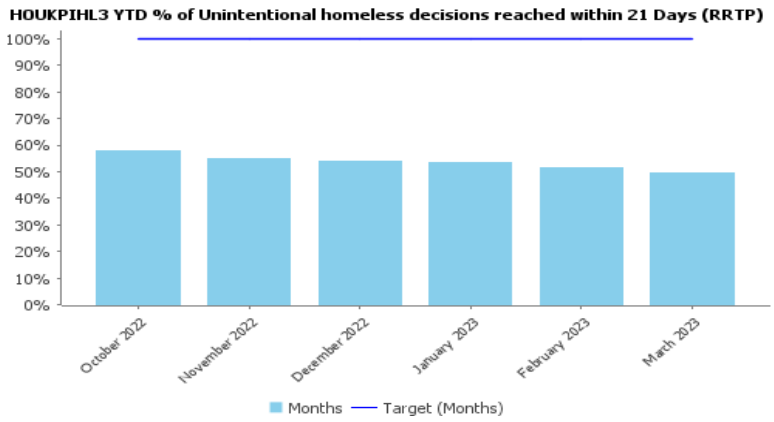
| Performance Indicator | 2016/19 | | 2017/20 | | 2018/21 | | 2021/22 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| *% Adults satisfied with libraries (three year rolling average) | 73.07% | | 72.73% | | 72.40% | | 74.37% |

***Target and status based on Scottish national average**

**Care must be taken when comparing satisfaction data covering the period 2020/21 to that relating to earlier years. The results of the Scottish Household Survey, which provides the primary data source for this measure, are not directly comparable to SHS results for previous years. This is due to a reduced sample size and a change in methodology due to the COVID-19 pandemic.**

## 2. Processes – Early Intervention and Community Empowerment

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| YTD % of cases reassessed as being homeless or potentially homeless within 12 months of a previous case being closed. (Data Provided by Scottish Government on a Quarterly Basis) | 3.9% | | 3.9% | | 3.9% | | 4.0% |
| YTD % of Unintentional homeless decisions reached within 21 Days | 53.2% | | 51.5% | | 49.7% | | 100% |
| YTD Average length of journey in days for applicants assessed as unintentionally homeless | 112.9 | | 112.1 | | 112.1 | | 100 |
| YTD Percentage of anti-social behaviour cases reported which were resolved | 91.5% | | 92.2% | | 98.7% | | 100% |
| YTD % of calls attended to by the ASBIT Team within 1 hour | 95.8% | | 95.4% | | 95.3% | | 100% |
| Number of Statutory Homeless Households Residing in Temporary Accommodation at Month End | 384 | | 383 | | 418 | | |
| The YTD number of Legal repossessions following decree (Arrears) - Citywide | 8 | | 8 | | 8 | | |
| Applications processed 28 days YTD % | 99.79% | | 99.81% | | 99.83% | | 100% |
| Statutory Customer Service Actions - Decisions/Outcomes within statutory timescale | 91% | | 91.4% | | 91.8% | | 100% |
| New Tenants Visits YTD – Outcomes completed within locally agreed timescales (Citywide) | 58.8% | | 58.91% | | 54.06% | | 93.5% |
| The YTD Average time taken to re-let all properties (Citywide - days) | 169.1 | | 171.1 | | 178.7 | | 125 |
| Voids Available for Offer Month Number - Citywide | 1,462 | | 1,581 | | 1,531 | | |
| Welfare Rights - % of Successful Appeals | 50% | | 55.6% | | 71.4% | | |
| HMO License Applications Pending | 159 | | 160 | | 135 | | |
| HMO Licenses in force | 991 | | 983 | | 1,006 | | |
| % Library item requests satisfied within 21 days | 71.6% | | 71.5% | | 78.3% | | 85% |

| YTD % of Unintentional homeless decisions reached within 21 Days (RRTP) | |
|---|---|
|  |  |

**Why is this important?**

The Scottish Social Housing Charter was introduced bythe Housing (Scotland) Act 2010, which requires Ministers to set standa rds and outcomes that social landlords should be achieving for tenants and customers through their housing activities.

Charter outcome **12** – Homeless People - stipulates that Local councils perform their duties to homelessness people so that;
*Homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.*

This indicator, along with others, monitors whether we are achieving our desired outcomes and are committed to 'Sustain/improve performance in respect of the SSHC outcomes' and that people at risk of losing their homes get advice on preventing homelessness.

**Benchmark Information:**

**2021-22**

- The YTD **%** of Unintentional homeless decisions reached within 21 Days was **94%**. This is a local measure, and no benchmarking is available.

**Target:**

**2022-23**

- The YTD % of Unintentional homeless decisions reached within 21 Days is set at **100%**

**This is what the data is saying:**

There were 1234 homeless households assessed as unintentionally homeless in 2022/23. Of these 49.7% (613) were assessed within the 21 days local target. The average days to reach decision was 21.5 days.

79.2% of applications were assessed within the SG statutory recommended timescale of 28 days, down from 100% the previous year.

Homeless demand increased by 26% in 2022/23 with 368 more applications received compared with the same period the previous year.

**This is the trend:**

Homeless applications are at their highest levels since changing to a housing options delivery model in 2011/12.

The increase in applications has been driven by a 34% increase in applicants becoming homeless from secure accommodation with the largest rise from private rented tenancies, where there has been a 37% increase.

The number of decisions reached within 21 days fell by 44% in 2022/23 when compared with the from 94% achieved in 2021/22. The average time taken to reach decision increased by 10 days from 12 in 2021/22 to 22 in 2022/13.

The increase in decision times is now beginning to impact upon the average rapid rehousing homeless journey time which has risen from 104 days in 2021/22 to 114 days in 2022/23. The 10-day growth in the homeless journey was largely attributable to a slowdown in decision-making where the average time between application to decision rose by 8 days in 2022/23. Case closures for this group fell by 13% this year and as more outcomes are secured there is a risk that the homeless journey will be impacted further by the performance over time.

During 2022/23 119 more decisions were made when compared with the previous year.

**This is the impact:**

- Risk of failing to deliver on the key strategic outcomes set within the Local Outcome Improvement Plan and Rapid Rehousing Transition Plan.
- People experiencing homelessness spend longer periods in transition which prolongs the homeless journey.
- People experiencing homelessness spend longer periods of time in temporary accommodation which can exacerbate existing demands and associated costs.
- The Council are now breaching our duties in accordance with the Unsuitable Accommodation Order, by having households in unsuitable accommodation for longer than 7 days.
- Increase costs to the Council in providing temporary accommodation for more households and for longer periods of time.

**These are the next steps we are taking for improvement:**

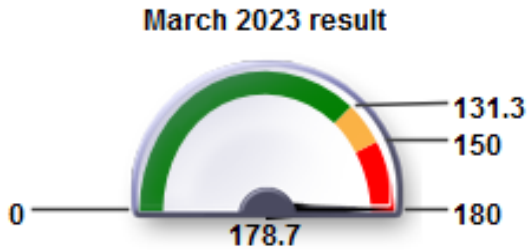
We are continuing to recruit to Allocation and Placement Officers role which will assist with processing housing applications and generating offers. This will accelerate in preparation for Choice Based Letting.

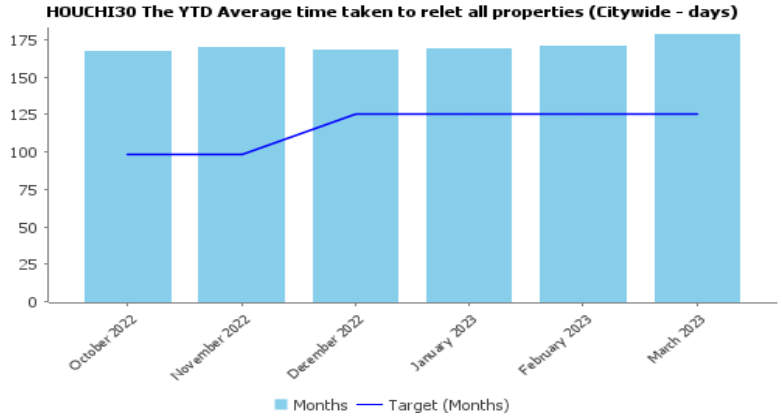
Our new Housing Options Officers are started are now supporting people experiencing homelessness. Caseloads will continue to be high due to the presentation rates. A new Community Planning Aberdeen Partnership Group has been set up to support co-ordination of prevention of homelessness.

We are also recruiting a new Senior Allocation Officer to support our greater use of Temporary Accommodation and support quicker move on from unsuitable accommodation.

| Responsible officer: | Last Updated: |
|---|---|
| Graeme Gardner | March 2023 |

**The year to date average number of days taken to re-let all properties**




**Why is this important?**

The Scottish Social Housing Charter (SSHC) was introduced by the Housing (Scotland) Act 2010, which requires Ministers to set standards and outcomes that social landlords should be achieving for tenants and customers through their housing activities.

Charter Outcome 4 – Quality of Housing stipulates that Social Landlords ensure that:
'tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESSH) by December 2020.

Charter Outcome 10 – Access to Housing – stipulates that Social Landlords ensure that:
*People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.*

Charter outcome 13 – Value for Money - stipulates that Social Landlords manager their business so that: *Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay*

**Benchmark Information:**

**2021/22**

- Average relet times was 113.9 days. The Scottish Average was 51.57 days.

**Target:**

**2022/23**

- Average number of days to relet all properties is set at 125 days.

**This is what the data is saying:**

For the reporting year 2022/23 the average relet time YTD is 178.7 days, an increase on the 167.9 days last reported to Committee.

**This is the trend:**

Average relet times for the last 3 years show 113.9 days in 2020-21; 106.7 days in 2021-22 and 178.7 days in 2022-23 The number of properties relet as of 31st March 2023 is 1,848 a decrease when compared to the same period last year where 1,945 properties had been relet with an average of 106.7 days. The relet times show that of the 1,848 properties let 744 (40.3%) had been void for over 200 days with the longest being void for 792 days. 360 (19.5%) properties were relet within the Scottish Authority average for 2021/22 of 51.57 days.

**This is the impact:**

Some of the consequences of this performance are:

- Loss of rental income to the Council.
- New tenants are experiencing lengthy periods of time to wait from when being made an offer of accommodation to the time they can move in resulting in overall poorer satisfaction levels.
- Homeless people are spending long periods of time in temporary accommodation.

**These are the next steps we are taking for improvement:**

Addressing voids performance continues to be a priority for services. In response to this we have developed a new corporate improvement project led at Chief Officer level with oversight being provided through a Housing Improvement Group which is chaired by the Director of Customer.

Our Improvement Plan is now led at Chief Officer level and has an extensive range of actions intended to transform performance. Actions include;

- Assigning additional resources for voids repairs. Building Services continue to prioritise deployment of its workforce to void repair work which is also contributing to the anticipated performance transformation.
- We're procuring additional contractors to focus on clearing the backlog of work in progress properties and to focus on the properties identified for the Ukrainian project.
- A concentration on letting the new build developments at Summerhill which will positively impact on average relet times.
- Increasing allocations resource to improve offers and letting stages.
- Implementing a final day inspection at the time of outgoing tenant termination. This same day exercise will involve the Team Leader scheduling the necessary remedial works to enable the properties to meet our letting standard.

- Use of digital technologies to support more efficient processes.

- Increasing inspection regimes. Additional and more robust inspections of properties to minimise properties returned in poor condition at termination.
- Continuing our approach with the new Housing and Support service, creating and delivering an enhanced approach to tenancy sustainment and letting processes.

| Responsible officer: | Last Updated: |
|---|---|
| Martin Smith/Graham Williamson | March 2023 |

| Performance Indicator | 2019/20 | | 2020/21 | | 2021/22 | | 2021/22 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| * % Council dwellings meeting Scottish Housing Standards | 88.14% | | 88.26% | | 73.31% | | 69.7% |
| *% Council dwellings that are energy efficient | 92.87% | | 93.3% | | 92.6% | | 91.7% |

***Target and status based on Scottish national average**

## 3. Staff – Early Intervention and Community Empowerment

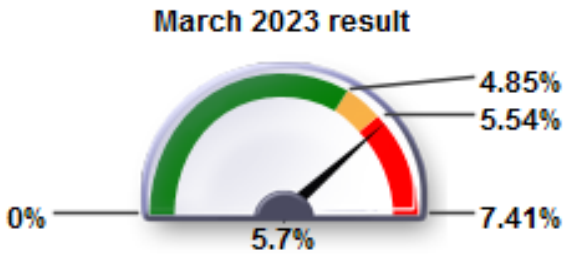
| Performance Indicator | Q2 2022/23 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter - EICE) | 0 | | 1 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter – EICE) | 0 | | 2 | | 3 | | |

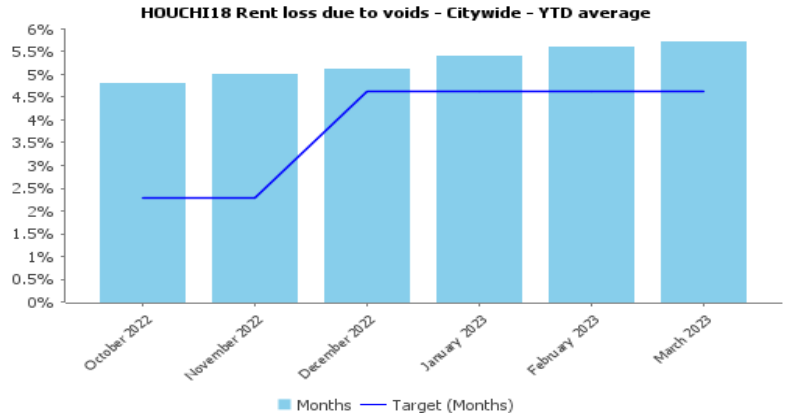
| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost - EICE | 6.7 | | 6.8 | | 6.8 | | 8 |
| Establishment actual FTE | 409.11 | | 432.67 | | 400.63 | | |

## 4. Finance & Controls – Early Intervention and Community Empowerment

| Performance Indicator | Jan 2023 | | Feb 2023 | | Mar 2023 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 76.4% | | 86.1% | | 94.8% | | 100% |
| Financial Inclusion - Total Financial Gains Achieved per month | £337,639 | | £498,826 | | £472,380 | | |
| Gross rent Arrears as a percentage of Rent due | 17.3% | | 17.5% | | 17.41% | | 19.2% |
| Rent loss due to voids - Citywide - YTD average | 5.39% | | 5.59% | | 5.7% | | 4.62% |

**Rent loss due to voids - Citywide - YTD average**




**Why is this important?**

The Scottish Social Housing Charter (SSHC) was introduced by the Housing (Scotland) Act 2010, which requires Ministers to set standards and outcomes that social landlords should be achieving for tenants and customers through their housing activities.

Charter Outcome **4** – Quality of Housing stipulates that Social Landlords ensure that:

'tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESSH) by December 2020.

Charter Outcome **10** – Access to Housing – stipulates that Social Landlords ensure that:
*People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.*

Charter outcome **13** – Value for Money - stipulates that Social Landlords manager their business so that: *Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.*

**Benchmark Information:**

**2021/22**

- Void Rent Loss was 3.66%. The Scottish Average was 1.43%.

**Target:**

2022/23

- Rent Loss due to Voids was reviewed and is now set at 4.62% (£4,256,657).

**This is what the data is saying:**

The YTD Void Rent Loss figure for 2022/23 is £5,271,632 this equates to 5.70% of the gross debit (rent due) significantly higher than the reviewed year-end target of 4.62% (£4,256,657). As at the 31st March 2023 the number of lettable void properties available to re-let was 1,531.

**This is the trend:**

Void Rent Loss has steadily increased year on year from 2.53% (£2,306,569) in 2020-21, 3.66% (£3,355,121) in 2021/22 and 5.70% (£5,271,632) in 2022/23.

The high number of void properties and the lengthy relet times, currently sitting at 178.7 days, has a direct impact on the substantial increase in the void rent loss.

Termination of tenancies has a direct impact on void rent loss and over the last 3 years far exceeded the number of relets, and although for the first few months of the financial year our relets were slightly higher than our terminations, YTD April – March 23 shows the average weekly relets is lower (33.9) when compared with the termination figure (39.9).

**This is the impact:**

Some of the consequences of this performance are:

- Loss of rental income to the Council
- New tenants are experiencing lengthy periods of time to wait from when being made an offer of accommodation to the time they can move in resulting in overall poorer satisfaction levels
- Homeless people are spending long periods of time in temporary accommodation

**These are the next steps we are taking for improvement:**

Addressing voids performance continues to be a priority for services. In response to this we have developed a new corporate improvement project led at Chief Officer level with oversight being provided through a Housing Improvement Group which is chaired by the Director of Customer.

Our Improvement Plan is now led at Chief Officer level and has an extensive range of actions intended to transform performance. Actions include;

- Assigning additional resources for voids repairs. Building Services continue to prioritise deployment of its workforce to void repair work which is also contributing to the anticipated performance transformation.
- We're procuring additional contractors to focus on clearing the backlog of work in progress properties and to focus on the properties identified for the Ukrainian project.
- A concentration on letting the new build developments at Summerhill which will positively impact on average relet times.
- Increasing allocations resource to improve offers and letting stages.
- Implementing a final day inspection at the time of outgoing tenant termination. This same day exercise will involve the Team Leader scheduling the necessary remedial works to enable the properties to meet our letting standard.
- Use of digital technologies to support more efficient processes.
- Increasing inspection regimes. Additional and more robust inspections of properties to minimise properties returned in poor condition at termination.
- Continuing our approach with the new Housing and Support service, creating and delivering an enhanced approach to tenancy sustainment and letting processes.

| **Responsible officer:** | **Last Updated:** |
|---|---|
| Martin Smith/Graham Williamson | March 2023 |

| **Performance Indicator** | **2019/20** | | **2020/21** | | **2021/22** | | **2021/22 Target** |
|---|---|---|---|---|---|---|---|
| | **Value** | **Status** | **Value** | **Status** | **Value** | **Status** | |
| *Cost per library visit | £2.17 | | £10.74 |  | £2.45 |  | £2.90 |

***Target and status based on Scottish national average**

## Corporate

### 1. Customer – Corporate

| Performance Indicator – Corporate | Q2 2021/22 | | Q3 2022/23 | | Q4 2022/23 | | 2022/23 Target |
|---|---|---|---|---|---|---|---|
| | Value | Status | Value | Status | Value | Status | |
| No. of Non-complex Subject Access Requests received | 55 | | 79 | | 60 | | |
| % Non-complex Subject Access Requests responded to within 1 month | 80% | | 72.2% | | 70% | | 80% |
| No. of Complex Subject Access Requests received | 13 | | 9 | | 6 | | |
| % Complex Subject Access Requests responded to within 3 months | 46.2% | | 44.4% | | 33.3% | | 70% |
| No. of Environmental Information Regulation requests received | 61 | | 61 | | 82 | | |
| % of Environmental Info Requests replied to within 20 working days - Corporate | 82% | | 77% | | 90.2% | | 85% |
| No. of Freedom of Information requests received | 307 | | 329 | | 412 | | |
| % of Freedom of Information requests replied to within 20 working days - Corporate | 83.7% | | 80.5% | | 85.7% | | 85% |
| No. of Access to School Records requests received | 3 | | 4 | | 0 | | |
| % Access to School Records requests responded to within 15 school days | 100% | | 100% | | No requests Q4 | | 100% |
| No. of Data Protection Right requests received | 8 | | 4 | | 2 | | |
| % Data Protection Right requests responded to within 1 month | 100% | | 100% | | 100% | | 100% |

**Traffic Light Icons Used**

| | |
|---|---|
| | On target or within 5% of target |
| | Within 5% and 20% of target and being monitored |
| | Below 20% of target and being actively pursued |
| | Data only – target not appropriate |

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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection |
| **DATE** | 16 May 2023 |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Participatory Budgeting |
| **REPORT NUMBER** | CUS/23/134 |
| **DIRECTOR** | Andy MacDonald |
| **CHIEF OFFICER** | Jacqui McKenzie |
| **REPORT AUTHOR** | Paul Tytler |
| **TERMS OF REFERENCE** | 1.1, 1.4.2 |

## 1. PURPOSE OF REPORT

1.1 This is a report on the impact of Participatory Budgeting in Aberdeen.

## 2. RECOMMENDATION(S)

That the Committee :-

2.1 Notes the progress on implementing Participatory Budgeting.

## 3. CURRENT SITUATION

3.1 Participatory Budgeting (PB) is an innovative process which enables residents to have direct decision making powers (rather than a more traditional consultation mechanism) over the allocation of resources in their communities. It is a powerful means of community engagement, often bringing large numbers of new people into community engagement processes, as well as improving levels of understanding of budgetary processes, and demonstrating increased levels of trust between residents, elected members and officers.

3.2 In Aberdeen, several PB processes have been carried out since 2015 by Community Learning and Development, the Fairer Aberdeen Board, Localities and Housing, under the branding UDecide. Most have been specific sums of money allocated for PB and have operated through a grant making process for voluntary and community groups, with residents voting either online or at a public event. Some mainstream housing budgets for environmental improvements have been allocated through engagement with tenants. In addition, Aberdeen Council of Voluntary Organisations (ACVO) ran a PB process last year.

3.3 In 2017, COSLA and the Scottish Government agreed a framework with an aspirational aim that 1% of local authority budgets should subject to PB. The position for the last four years is in the table below. It should be noted that the Hardship Funding in 20/21 and 21/22 was additional funding in respect of Covid and that the expenditure for 2022/23 is unaudited at this time:

| | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
|---|---|---|---|---|
| Finance (ex C/Tax) | 361,233,000 | 361,233,000 | 371,766,000 | 409,782,000 |
| 1% | 3,612,230 | 3,612,230 | 3,717,660 | 4,097,820 |
| Exp subject to PB | | | | |
| Environmental Improvements | 533,926.97 | 361,000 | 819,000 | 722,652.74 |
| Fairer Aberdeen | 1,532,146.12 | 1,607,000 | 1,525,000 | 1,519,368.40 |
| Hardship Funding | - | 286,000 | 305,000 | - |
| Total | 2,066,073.19 | 2,254,000 | 2,649,000 | 2,242,021.40 |

3.4 The annual City Voice survey includes a question 'Do you feel able to participate in decisions and change things for the better?' which for the last three surveys has related to people's neighbourhoods (prior to that the question related to the City Centre). The results over the last three years have been fairly static in response, the detail can be seen here. The question is used as an indicator for the Community Empowerment Group (CEG) Stretch Outcome 16, so the data is available on the CEG website Community Empowerment Group - Community Planning Aberdeen.

3.5 Examples of recent PB exercises include the following:

Climate and Natural Environment Policy Service

3.5.1 The Climate and Natural Environment Policy Service worked in partnership with the Fairer Aberdeen Team and Fairer Aberdeen board to make positive environmental changes in Aberdeen by providing a £25k community environmental fund through U-Decide Participatory Budgeting to aid communities in the fight against climate change and biodiversity loss. Criteria for environmental projects was developed to benefit or improve the physical environment in a way that will improve people's lives, benefit wildlife or improve the natural environment.

3.5.2 11 Environmental Projects were funded in 2021/22 with a total value £33k (£8k was allocated from Fairer Aberdeen Funding for relevant projects) with innovative ideas to improve the natural environment and encourage young people to engage with outdoor spaces. These included community gardens, food growing, coastal learning activities, outdoor cooking facilities, event shelters, litter clean ups and native tree planting along the banks of the Rivers Dee and Don.

3.5.3 The projects supported by participatory budgeting will contribute towards achieving the People and Place stretch outcomes in Community Planning Aberdeen's Local Outcome Improvement Plan whilst also supporting the aims of the Aberdeen Adapts Climate Adaptation Framework.

Fairer Aberdeen Participatory Budgeting (PB) 2021-2022

3.5.4 During 2021-22 the Fairer Aberdeen Board allocated £75,000 to undertake a PB small grants process. A steering group of Board members, including ACVO, the Health and Social Care Partnership, and community representatives, developed and ran the PB. The steering group decided to focus on young people, with a recognition of the impact Covid 19 restrictions had had on young people. They also decided to focus the funding on the priority areas of Cummings Park, Heathryfold, Mastrick, Middlefield, Northfield, Seaton, Tillydrone, Woodside, Torry, Kincorth, Ashgrove, Stockethill and George Street. The group asked for projects that would involve young people aged 12-18 years old, promote better health and wellbeing for young people, and support young people to build skills and relationships. Groups could apply for up to £3000.

3.5.5 As the steering group was working on developing the PB, they were approached by colleagues in the Council's Climate and Natural Environment Policy Service who had £25k of funding available for community use. They felt that PB could be a good way to enable the community to use this money to make environmental improvements and deliver projects that benefit people, wildlife and the environment. A member of the team joined the Fairer Aberdeen PB steering group and the criteria for applicants was widened to include tackling climate change and improving the natural environment.

3.5.6 Due to ongoing Covid-19 pandemic the steering group decided not to hold a public event to decide on funding but to have some online process for this. In the event, there were fewer applications received than expected, totalling just over £25,000. This may have been due to restrictions preventing activities taking place and venues being closed. There was also a variety of funding available at the time, much of it additional due to the pandemic. The group was aware that funding was also being distributed by ACVO's Community Mental Health and Wellbeing Fund, and Aberdeen Health and Social Care Partnership's Health Improvement Fund. The Community Mental Health and Wellbeing Fund supported projects for adults only and the Health Improvement Fund was oversubscribed. As a result the steering group worked in partnership with ACVO and AHSCP to allocate funding to organisations that had applied to those funds but fitted better with the FA PB criteria. 26 projects received funding and the process highlighted the benefits of partnership working to support organisations seeking funding. This has led to the development of a LOIP Outcome Improvement Project looking at community funding and how to increase the number of community led organisations feeling supported by partners to access funding for community led initiatives.

3.5.7 The process of involving another team within the Council provided an opportunity to share learning and experience that the Fairer Aberdeen Board has built up over a number of years of delivering small grant PB events and taking a deliberative PB approach to allocating the Fairer Aberdeen Fund as a whole.

Press Release for more information:
https://www.aberdeencity.gov.uk/news/community-projects-across-city-awarded-funding

Aberdeen Council for Voluntary Organisations

3.5.8 In 2022, Aberdeen Council of Voluntary Organisations (ACVO), with support from North East Scotland Climate Action Network (NESCAN), managed and delivered the PB distribution of £333,333 from the Scottish Government's Just Transition Capital Fund to support Scotland's North East economy in its just transition to net zero.

3.5.9 There were 22 bids from projects to the fund, totalling £665K against the available budget of £333k. The online voting process was widely promoted, with 4541 votes cast (a small number were discounted for not complying with the procedure). Thirteen projects were supported – 12 with a full allocation of their funding bid, and the last with a partial allocation of the remaining funds. All were offered access to further funding advice. Full details about the projects with a breakdown of votes can be found here.

Next steps 2023/24

3.6 Key areas for development during 2023/24 are:

- A PB toolkit has been developed to support services with the implementation of PB across the Council and work will be undertaken to develop the use of PB across services;
- The Fairer Aberdeen Board will undertake another PB exercise;
- PB will be developed to support the actions arising from Community Walkabouts;
- We will identify in 2023/24 particular areas of spend for which decision making can be made in the relevant communities for the 2024/25 budget

## 4. FINANCIAL IMPLICATIONS

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

## 5. LEGAL IMPLICATIONS

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

## 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from this report.

## 7. RISK

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|---|---|---|---|---|
| **Strategic Risk** | Risk of not meeting the 1% target | Further work across Council services to implement PB promoting the new toolkit. | L | Yes |
| **Compliance** | Risk of not meeting the 1% target | Further work across Council services to implement PB promoting the new toolkit. | L | Yes |
| **Operational** | No significant risks | | L | Yes |
| **Financial** | No significant risk | | L | Yes |
| **Reputational** | No significant risks | | L | Yes |
| **Environment / Climate** | No significant risks | | L | Yes |

## 8. OUTCOMES

| COUNCIL DELIVERY PLAN 2022-2023 | |
|---|---|
| | **Impact of Report** |
| **Aberdeen City Council Policy Statement**<br><br>**Working in Partnership for Aberdeen** | **Participatory budgeting** supports the delivery of the following aspects of the policy statement:-<br><br>• Aim to devolve at least 1% of the council's annual budget to communities, allowing them to decide their spending priorities through participative budgeting. |

| | |
|---|---|
| | • Work with communities to review the management of council-managed open spaces to create more sustainable and safer green areas and open spaces and develop a Community Environmental Improvement Fund, for communities to access, to implement their own small-scale local environmental improvements. |
| | |
| Aberdeen City Local Outcome Improvement Plan 2016-26 | |
| Prosperous Economy Stretch Outcomes | n/a |
| Prosperous People Stretch Outcomes | n/a |
| Prosperous Place Stretch Outcomes | The development of Participatory budgeting will support:<br>Stretch outcome 16: 100% increase in the proportion of citizens who feel able to participate in decisions that help change things for the better by 2026 |
| | |
| **Regional and City Strategies** | n/a |

## 9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|---|---|
| **Integrated Impact Assessment** | Full impact assessment not required |
| **Data Protection Impact Assessment** | not required |
| **Other** | n/a |

## 10. BACKGROUND PAPERS

None

## 12. REPORT AUTHOR CONTACT DETAILS

| | |
|---|---|
| **Name** | Paul Tytler |
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| **Email Address** | ptytler@aberdeencity.gov.uk |
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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection |
| **DATE** | 16 May 2023 |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Housing Strategy Update |
| **REPORT NUMBER** | COM/23/127 |
| **DIRECTOR** | Andy MacDonald / Gale Beattie |
| **CHIEF OFFICER** | David Dunne |
| **REPORT AUTHOR** | Mel Booth |
| **TERMS OF REFERENCE** | 1.1.1 |

## 1. PURPOSE OF REPORT

1.1 To provide an update on the work being undertaken by the Housing Strategy Team in Strategic Place Planning and the next steps in relation to the review of the Local Housing Strategy.

## 2. RECOMMENDATION(S)

That the Committee:

2.1 Note the progress made in relation to the joint Aberdeen City and Aberdeenshire Housing Need and Demand Assessment (HNDA) 3;

2.2 Instruct the Chief Officer - Strategic Place Planning to report back to this Committee with a timeline for the review of Aberdeen City's Local Housing Strategy within six months of receiving confirmation from the Centre for Housing Market Analysis (CHMA) that the HNDA is "robust and credible"; and

2.3 Note the progress made in relation to accommodation for individuals with complex care needs.

## 3. CURRENT SITUATION

### Housing Need and Demand Assessment

3.1. The Housing (Scotland) Act 2001 places a responsibility on local authorities to prepare a Local Housing Strategy supported by an assessment of existing and future housing requirements including housing and related services. The Town and Country Planning (Scotland) Act 1997 (as amended), requires local authorities or groups of local authorities to plan for land use in their area,

including the allocation of land for housing. The Housing Need and Demand Assessment (HNDA) evidence base supports both these processes.

3.2. The HNDA estimates the number of additional housing units to meet existing and future housing need and demand. It also captures information on the operation of the housing system to assist local authorities to develop policies on new housing supply, management of existing stock and the provision of housing related services.

3.3. The HNDA must provide a robust, shared and agreed evidence-base for housing policy and land use planning and to ensure that both the Local Housing Strategy and Local Development Plan are based upon a common understanding of existing and future housing requirements.

3.4. A "robust and credible" HNDA will inform policy development, decision-making and the use of resources by:

- Enabling local authorities to develop long-term strategic views of housing need and demand to inform the Local Housing Strategy and Local Development Plan;
- Supporting local authorities develop a strategic approach to housing need and demand for all housing tenures;
- Enabling local authorities to reflect on any geographic implications of housing need and demand;
- Providing robust evidence to support decisions about new housing supply, wider investment, and housing-related service;
- Providing evidence to inform policies about the proportion of affordable housing required, including the need for different types and sizes of provision; and,
- Providing evidence to inform policies related to the provision of specialist housing and housing-related services.

3.5. Work is well underway on the production of HNDA 3 which is completed jointly between Aberdeen City and Aberdeenshire Council. Once completed, the draft HNDA will be submitted to the Scottish Government's Centre for Housing Market Analysis (CHMA) to determine if it is "robust and credible". The period for CHMA review is not prescribed, and officers will work with the CHMA to assist with their review wherever possible.

**Local Housing Strategy**

3.6. The Housing (Scotland) Act 2001 places a statutory requirement on local authorities to produce a Local Housing Strategy (LHS) that sets out its strategy, priorities and plans for the delivery of housing and related services. The 2001 Act states that the LHS must be supported by an assessment of housing provision including the need and demand for housing and related services, that it must be submitted to Scottish Ministers, and that local authorities must keep their LHS under review.

3.7. The Scottish Government requires all local authorities to develop and implement a local housing strategy which covers all tenures. The strategy should include priorities and actions on housing supply, homelessness, housing support and fuel poverty. The Aberdeen City Local Housing Strategy 2018 – 2023 is the council's key strategic document for housing and sets out the strategic outcomes which the council, together with its partners, will work towards over the duration of the strategy.

3.8. The strategic outcomes provide detail on the main issues and priorities to be addressed. They also identify actions to deliver these outcomes and indicators to measure performance and success.

3.9. The strategy is an important element in delivering the Local Outcome Improvement Plan (LOIP). The overarching vision within Aberdeen City's Local Housing Strategy is that: "*People in Aberdeen City live in good quality sustainable homes, which they can afford and that meet their needs*."

3.10. The current LHS is due to be updated and, due to the need for an updated evidence base, the timeline for this review is linked to the CHMA consideration of the HNDA, as described in paragraph 3.5 above. Subject to report recommendation 2.2 being agreed, the Chief Officer - Strategic Place Planning will report back to Committee with a detailed timeline for the delivery of the next Local Housing Strategy within six months of the HNDA being completed.

**Complex Care Accommodation**

3.11. Draft work on HNDA 3 and the Aberdeen City Health & Social Care Partnership Mental Health and Learning Disability Residential and Supported Living Accommodation Market Position Statement have highlighted there is a shortage of accommodation for individuals with complex care needs.

3.12. In order to address this, a number of opportunities are being developed, including a site at Stoneywood in Dyce which is owned by Aberdeen City Council. An Outline Business Case has been developed which Finance and Resources Committee approved on 29 March 2023, with a subsequent instruction to develop a Full Business Case for the provision of 8 new units.

3.13. A project at the former Banks O' Dee care home is also currently being developed to provide 24 specialist provision homes, including 8 homes suitable for clients with complex care needs and 4 wheelchair accessible homes. This is being developed in partnership with Hillcrest Housing Association and will be delivered, subject to contract between the owner and Hillcrest, through the Strategic Housing Investment Plan and affordable housing supply programme.

3.14. There are also two further opportunities that are being explored in partnership with Hillcrest Housing Association at Loirston House and View Terrace which would provide specialist provision accommodation with an element of complex care provision, subject to ongoing negotiations with the owners and the appropriate planning permissions being in place.

## 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. ENVIRONMENTAL IMPLICATIONS

6.1 All new affordable homes must meet the Energy Efficiency Standard for Social Housing (EESSH) which was introduced in 2014. As a result, homes in the social rented sector are now some of the most energy efficient in Scotland which has a positive impact on the environment.

## 7. RISK

7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

| Category | Risk | Low (L) Medium (M) High (H) | Mitigation |
|---|---|---|---|
| **Strategic Risk** | Failure to deliver affordable housing. | L | The council has an ambitious new build programme and RSL partners work with us to deliver affordable housing across the city. |
| **Compliance** | Provision of affordable housing ensures compliance with the council's duty to house homeless households. Failure to deliver may result in there being insufficient housing to meet the demand. | H | Approval of the recommendations would ensure there is a robust and up to date homelessness strategy as part of the LHS and affordable housing is delivered strategically. |
| **Operational** | Failure to deliver new housing may result in housing need and demand | H | Approval of the recommendations would ensure there is a robust strategy for the delivery of affordable housing across the city. |

| | | | |
|---|---|---|---|
| | levels not being met. | | |
| **Financial** | No risk identified | | |
| **Reputational** | No risk identified | | |
| **Environment / Climate** | Failure to provide affordable housing which is built to current building regulations and has a reduced carbon footprint may result in increased carbon emissions from housing. | L | Delivery of new build affordable homes would prevent this from occurring. |

## 8. OUTCOMES

| **COUNCIL DELIVERY PLAN** | |
|---|---|
| | **Impact of Report** |
| **Aberdeen City Council Policy Statement** | The proposals within this report support the delivery of the Policy Statement (Place 6) – Build 2,000 new council homes and work with partners to provide more affordable homes ensuring future developments address the needs of a changing population. |
| | |
| **Aberdeen City Local Outcome Improvement Plan** | |
| **Prosperous Economy Stretch Outcomes** | The proposal within this report supports the delivery of LOIP Stretch Outcome 1 – 10% increase in employment across priority and volume growth sectors by 2026. Delivery of affordable housing helps to deliver the LOIP Improvement Project Aim 'to increase the number of people employed in growth sectors by 5% by 2021. The affordable housing programme represents significant investment in the city which contributes to a prosperous economy and relates to 1.1 of the LOIP. |
| **Prosperous People Stretch Outcomes** | The proposal within this report supports the delivery Stretch Outcomes 11 - Healthy life expectancy (time lived in good health) is five years longer by 2026.<br>Delivery of affordable housing will help achieve the LOIP Improvement Project Aim "Supporting vulnerable and disadvantaged people, families, and groups." |
| **Prosperous Place Stretch Outcomes** | The proposals within this report support the delivery of LOIP Stretch Outcome 14 – Addressing climate |

| | |
|---|---|
| | change by reducing Aberdeen's carbon emissions by 42.5% by 2026 and adapting to the impacts of our changing climate. Delivery of new build affordable housing is energy efficient with Aberdeen City Council's housing meeting the "gold standard." |
| **Regional and City Strategies** | The developments detailed in this report support the City Region Deal, Aberdeen City Local Housing Strategy, and the Local Development Plan through the delivery of affordable housing. |
| **UK and Scottish Legislative and Policy Programmes** | The report sets detail in relation to affordable housing which fulfils the requirements placed upon the Council by the Housing (Scotland) Act 1987. |

## 9. IMPACT ASSESSMENTS

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

## 10. BACKGROUND PAPERS

10.1 Complex Care Outline Business Case – Report to Finance and Resources Committee 29 March 2023.

## 11. REPORT AUTHOR CONTACT DETAILS


| | |
|---|---|
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| **Title** | Senior Housing Strategy Officer |
| **Email Address** | mebooth@aberdeencity.gov.uk |
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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection Committee |
| **DATE** | 16 May 2023 |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Piper Alpha Memorial |
| **REPORT NUMBER** | RES/23/151 |
| **DIRECTOR** | Steve Whyte |
| **CHIEF OFFICER** | Mark Reilly |
| **REPORT AUTHOR** | Steven Shaw |
| **TERMS OF REFERENCE** | 1.1.1 |

## 1. PURPOSE OF REPORT

1.1 To provide an update on the current situation regarding the Piper Alpha Memorial and the North Sea Memorial Rose Gardens at Hazlehead Park.

## 2. RECOMMENDATION(S)

That the Committee: -

2.1 Note the contents of the report.

## 3. CURRENT SITUATION

3.1 In August 2022, Council instructed the Chief Officer, Operations and Protective Services to report back to the relevant committee in the next committee cycle with an update on the Piper Alpha Memorial and the North Sea Memorial Rose Gardens at Hazlehead Park.

3.2 Environmental Services have continued to contact all relevant parties connected to the Piper Alpha Memorial and the North Sea Memorial Rose Gardens. Discussion is ongoing as to next steps and agreeing a way forward for the gardens.

3.3. The Pound for Piper Memorial Trust continues to be in regular contact with Environmental Services and the Trust has allocated funding towards the gardens for 2023. This funding is very welcome and will allow for the park's team to undertake additional maintenance work and make improvements to the memorial and the gardens in time for the 35-anniversary service on the 6th of July 2023. The work includes the replacement of roses, work to the garden hedges and flower beds, improvements to the garden's entrance area, and general repairs and cleaning to the memorial and garden infrastructure.

3.4 Historic Environment Scotland's work on the designation of the Piper Alpha Memorial and the North Sea Memorial Rose Gardens continues. Regular communication has been held with Environmental Services as their work continues. Environmental Services has met with the Historic Environment Scotland team and shared information relating to the memorial and gardens. Historic Environment Scotland decision on the designation is expected during 2023.

3.5 Following Historic Environment Scotland's decision on the designation of the memorial and the gardens a wider, public consultation event will be undertaken to look at the options for the future and long-term sustainability of the memorial and gardens.

3.6 In due course a full report will be brought to a Council Committee to discuss the future of the gardens. As part of the formal process any proposed changes to the gardens will be subject to consultation and all relevant planning approvals. The final decision on the future of the memorial and the gardens will be made by Council.

## 4. FINANCIAL IMPLICATIONS

4.1 There are no 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. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

## 7. RISK

7.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|---|---|---|---|---|
| **Strategic Risk** | No significant risks. | NA | NA | NA |

| | | | | |
|---|---|---|---|---|
| **Compliance** | No significant risks. | NA | NA | NA |
| **Operational** | No significant risks. | NA | NA | NA |
| **Financial** | No significant risks. | NA | NA | NA |
| **Reputational** | Communication and consultation does not included everyone with a connection to the garden. | Communication with all groups and decision-making being led by the council in all aspects of the project. | M | Yes |
| **Environment / Climate** | No significant risks. | NA | NA | NA |

## 8. OUTCOMES

| **COUNCIL DELIVERY PLAN** | |
|---|---|
| | **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 Economy Stretch Outcomes | The project would have had minimal impact on the stretch outcomes and the recommendations will have no negative impact. |
| Prosperous People Stretch Outcomes | The project would have had minimal impact on the stretch outcomes and the recommendations will have no negative impact. |
| Prosperous Place Stretch Outcomes | The project would have had minimal impact on the stretch outcomes and the recommendations will have no negative impact. |
| | |
| **Regional and City Strategies** | No impact identified |
| | |
| **UK and Scottish Legislative and Policy Programmes** | No impact identified |

## 9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|---|---|
| **Integrated Impact Assessment** | Not required. |
| **Data Protection Impact Assessment** | Not required. |
| **Other** | None |

## 10. BACKGROUND PAPERS

NA

## 11. APPENDICES

NA

## 12. REPORT AUTHOR CONTACT DETAILS

| | |
|---|---|
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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection |
| **DATE** | 16th May 2023 |
| **EXEMPT** | The report is public, but all Appendices are exempt under:<br><br>LOCAL GOVERNMENT (SCOTLAND) ACT 1973 Schedule 7A, Part 1 para 8: ESTIMATED EXPENDITURE ON CONTRACTS |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | City Centre Multi Storey Blocks - Progress on Full Options Appraisal |
| **REPORT NUMBER** | RES/23/149 |
| **DIRECTOR** | Steve Whyte |
| **CHIEF OFFICER** | Stephen Booth |
| **REPORT AUTHOR** | Ian Perry/Bill Watson |
| **TERMS OF REFERENCE** | 1.1.1 oversee and make decisions relating to service delivery. |

## 1. PURPOSE OF REPORT

1.1 To update the committee on progress toward the production of a full option appraisal of the city centre multi storey blocks as instructed by Council at its budget meeting on 10th March 2021.

## 2. RECOMMENDATION(S)

That the Committee :-

2.1 Notes the contents of the attached Appendices 11 A, B, C and D - Building Survey Reports; and Appendix 11 E - Life Cycle Options report;

2.2 Instructs the Chief Officer Corporate Landlord to undertake an extensive consultation exercise with tenants, owners and other stakeholders, and instructs the Chief Officer Corporate Landlord to report these findings to this Committee in the summer of 2024, with recommendations as to potential decisions that may then be made.

## 3. CURRENT SITUATION

3.1 At its meeting on 17 January 2023 this committee considered the ‘’Housing Improvement Group – Update Report’’.

The instructions from this committee included a requirement that the Chief Officer – Corporate Landlord review the Housing Revenue Account’s (HRA’s) non-traditional housing stock to identify properties that will be unable to meet

future environmental or other standards and report back to the Communities, Housing and Public Protection committee on progress in November 2023.

It is noted that each of the multi-storey blocks, within the city, are of non-traditional construction. It is further noted that it is anticipated that there may be a range of particular and acute challenges in delivering future environmental and other standards, in relation to the city centre multi-storey blocks.

3.2 At its meeting on 10th March 2021 Council instructed that a full option appraisal of the city centre multi storey blocks be undertaken so as to consider future development and investment opportunities.

3.3 In implementing this instruction a range of detailed technical appraisals and surveys have been undertaken including an assessment of the life cycle costings, buildings surveys, energy assessments and modelling, mechanical and electrical installation surveys, external structural surveys and new build replacement analysis. This information has informed the report.

Property Summary:

| Block name | No. of storeys | Date designed and built | Age (Years) | No. of flats | No. Privately owned flats |
|---|---|---|---|---|---|
| Gilcomstoun Land | 11 | 1959 to 1963 | 58+ | 75 | 34 |
| Marischal Court | 19 | 1959 to 1966 | 55+ | 108 | 8 |
| Virginia Court | 9 | 1959 to 1966 | 55+ | 48 | 12 |
| Seamount Court | 19 | 1959 to 1966 | 55+ | 126 | 38 |
| Porthill Court | 9 | 1959 to 1966 | 55+ | 72 | 13 |
| Thistle Court | 16 | 1971 to 1975 | 46+ | 126 | 47 |
| Greig Court | 19 | 1973 to 1978 | 43+ | 144 | 26 |
| Hutcheon Court | 15 | 1973 to 1978 | 43+ | 140 | 28 |

3.4 These blocks were built to the thermal and fire standards of their time of design.

3.5 These blocks were built of reinforced concrete. Reinforced concrete has a finite life of, typically, between 50 and 100 years. Regular maintenance will allow an extended economic life to be achieved. Pollution and marine environment will, however, shorten the economic life that can be achieved. As part of the maintenance of these buildings regular external structural surveys are undertaken to manage this risk. Recent surveys have demonstrated deterioration of the reinforced concrete, with some repair works having been undertaken. This is most pronounced to the five oldest blocks.

3.6 The properties are now around 60 years old and like other properties of this age and type have increasing maintenance challenges. This includes communal drainage systems, communal electrical systems, lift replacement programmes, ventilation and other servicing requirements, the safe management of asbestos and the operation of bin stores, chutes and common areas.

3.7 Standard (SHQS), March 2011, defined the minimum standard that properties owned by local authorities were expected to achieve by April 2015. In certain respects, it has proved impractical to fully meet these standards to these blocks and, therefore, exemptions have been claimed based on technical, disproportionate cost and legal reasons.

3.8 Energy efficiency in social housing

- The Energy Efficiency Standard for Social Housing (EESSH) aims to improve the energy efficiency of social housing in Scotland. EESSH was introduced in March 2014 and set a first milestone for social landlords to meet for social rented homes by 31 December 2020.
- A second milestone (EESSH2) was confirmed in June 2019, for social rented houses to meet by December 2032: all social housing must meet Energy Performance Certificate (EPC) band B (Energy Efficiency rating), or is as energy efficient as practically possible, by the end of December 2032 and within the limits of cost, technology and necessary consent; and
- The Scottish Government has advised that ''no social housing below EPC band D should be re-let from December 2025, subject to temporary specified exemptions''.
- The flats within the eight blocks currently have various energy rating, depending on their locations within these blocks. While some flats have an energy performance (EPC) of D, some flats within exposed locations have energy performance poorer than this.

3.9 Historic Environment Scotland informed the Council on 19th January 2021, that these eight city centre blocks had been listed under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Buildings of Special Architectural or Historic Interest.

- Gilcomstoun Land (LB52522);
- Porthill and Seamount Courts (LB52524);
- Virginia and Marischal Courts (LB52523);
- Thistle Court (LB52531);
- Greig and Hutcheon Court (LB52525).

3.10 Following an appeal by the Council, the Scottish Government delisted the following blocks, on 22nd Feb 2022: Thistle Court (LB52531); and Greig and Hutcheon Court (LB52525)

3.11 The internal areas of the individual residences within Porthill, Seamount, Virginia and Marischal Courts and Gilcomstoun Land have been excluded from their listing.

3.12 There is a heightened awareness around all aspects of fire safety within multi-storey buildings by all stakeholders who continue to monitor government guidance, lesson learned and other improvements that can be made to such properties.

3.13 City Centre Masterplan
Marischal and Virginia Courts are within the area of the City Centre Masterplan Boundary. The other six blocks are outside this Boundary, but immediately adjacent.

3.14 The City Centre Masterplan envisages making city centre living a more attractive proposition and responding to the strong demand for housing.

3.15 High Rise Condition Survey Reports (Appendices 11 A, B, C and D) advise that:
- These blocks need significant investment to return them to a satisfactory, status-quo standard (i.e. prior to consideration of the investment required to future environmental and other standards).
- The external fabric of each of these blocks was observed to be in a generally poor condition.
- Some roof coverings were observed to be in a poor condition.
- Internal finishes were observed to be in a poor condition.
- The mechanical, plumbing and electrical services were of a condition commensurate with age, i.e. requiring planned investment.

3.16 Life Cycle Cost Options Report (Appendix 11 E)
As noted in 3.5, reinforced concrete buildings have a finite life. This report describes the costs associated with a number of options for extending the life of these blocks for up to another 30 years: when it is anticipated that there may be a requirement to review the viability of these blocks again (due to the further aging of these blocks).

3.17 In order to evaluate this information, the following strategic options have been considered:

**Option 1** – (maintaining the current, status-quo arrangements) to include:
- Backlog repairs
- Capital works in line with life cycle requirements

**Option 2** - (medium level of investment) to include:
- Backlog repairs
- Capital works in line with life cycle requirements
- Provision of communal (district) heating
- Works anticipated to target a minimum of EPC D to each flat (such as thermal upgrading of under-crofts and roof)
- Revised letting Standard audit and upgrading works, as required

**Option 3** - (high level of investment) to include:
- Backlog repairs
- Capital works in line with life cycle requirements
- Provision of communal (district) heating
- Works anticipated to target a minimum of EPC C to each flat (such as thermal upgrading of under-crofts, roof, upgrade infill panels to balconies, and internal wall insulation to residual external wall and concrete frame areas)
- Fire safety upgrading measures

- Revised letting Standard audit and upgrading works, as required

**Option 4** - (very high level of investment) to include:
- Backlog repairs
- Capital works in line with life cycle requirements
- Provision of communal (district) heating
- Works anticipated to target an EPC B to each flat (such as thermal upgrading by over-cladding)
- Fire safety upgrading measures
- Revised letting Standard audit and upgrading works, as required
- Decant of tenants during works

**Option 5** - (Demolition / Replacement) to include:
- Repairs and capital works reduced to urgent only
- Progressive decanting and buy-back
- Demolition
- Replacement with new build to an EPC A "Gold Standard" Accommodation

3.18 The Life Cycle Cost Options Report (Appendix 11 E) advises that, over the next 30 years, each of the identified strategic options will result in a number of different expenditure requirements, with the following provisional magnitude totals (net of VAT and other noted exclusions):

**Option 1 – cost per flat – £270k to £350k**
**Option 2 – cost per flat – £300k to £380k**
**Option 3 – cost per flat – £330k to £430k**
**Option 4 – cost per flat – £380k to £480k**
**Option 5 – cost per flat – £420k to £450k**

3.19 In order to progress to a full options appraisal, it is now proposed that consultations be undertaken with the stakeholders, including our tenants, the private owners and other stakeholders.

3.20 Officers propose engaging experienced and skilled consultants to undertake these consultations, which are intended to ensure that the views of these stakeholders are reported to the Council. It is anticipated that will include providing the offer of support and assistance to stakeholders, so as to ensure their effective engagement.

3.21 The consultation processes would seek stakeholders' views on both the investment required to sustain the buildings, options around how this funding could be met, along with assessing the quality of homes available, quality of living experience and the full the range of non-financial benefits and dis-benefits associated with the options.

3.22 Officers propose engaging with other local authorities, tenants and owners' representative groups to establish best practise.

3.23 It is proposed that the findings of the recommended stakeholder consultation be reported to this Committee in the summer of 2024, along with recommendations as to potential decisions that may then be made.

## 4. FINANCIAL IMPLICATIONS

4.1 The proposals within this report will require the employment of a number of specialist consultants. A budget for this expenditure is allowed for within existing budgets.

## 5. LEGAL IMPLICATIONS

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

5.2 The proposed full options appraisal will consider and report on the Legal implications of each of the Strategic Options.

## 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

6.2 The proposed full options appraisal will consider and report on the environmental implications of each of the Strategic Options.

## 7. RISK

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|---|---|---|---|---|
| **Strategic Risk** | NA | | | **Yes** |
| **Compliance** | This report, and any subsequent works that arise from it, may give rise to compliance issues | The consequence of each option against compliance criteria will have a significant bearing on how each | M | **Yes** |

| | | | | |
|---|---|---|---|---|
| | see, in particular, items 3.7, 3.8 and 3.9 | Strategic Option is considered. | | |
| **Operational** | This report, and any subsequent works that arise from it, may give rise to customer care issues see, in particular, items 3.7 and 3.8. | The consequence of each option against customer service criteria will have a significant bearing on how each Strategic Option is considered. | M | **Yes** |
| **Financial** | It is understood, however, that previous and current levels of re-investment have not kept pace with<br>- the requirements of the age of these properties; and<br>- the maintenance of modern standards of accommodation. | It is envisaged that the Council will conduct this appraisal in an open and transparent manner and offer the Council and the private owners a range of financial options from which to base the final scheme decision, for each block separately. | M | **Yes** |
| **Reputational** | This report, and any subsequent works that arise from it, will result in very significant reputational risks amongst stakeholders, including:<br>- Tenants<br>- Private owners<br>- Historic Environment Scotland | It is envisaged that the Council will conduct this appraisal in an open and transparent manner.<br><br>It is also envisaged that the Council will arrange for the tenants and private owners, from these blocks, to be supported and assisted so that they may engage effectively during the proposed consultation process. | H | **Yes** |
| **Environment / Climate** | This report has no direct environmental implications<br><br>Once an action plan for these blocks has been decided upon, the subsequent works | If Strategic Options 1, 2, 3 or 4 are, in due course, selected, measures will be undertaken to avoid the asbestos containing materials giving rise to a risk to | M | **Yes** |

| | | | | |
|---|---|---|---|---|
| | may result in environmental risks. These risks will, however, not be outwith what is normal for this type of project. | health (to residents, visitors and work persons).<br><br>If Strategic Options 1, 2, 3 or 4 are, in due course, selected, measures will be proposed to reduce the carbon emissions from these blocks through normal living activities.<br><br>If Strategic Option 5 is, in due course, selected measures will be undertaken to reduce the carbon emissions through the activities of demolition and replacement.<br><br>If Strategic Option 5 is, in due course, selected the activities of demolition and replacement will generate waste, which is to be reduced and re-cycled, as much as is practical. | | |

## 8. OUTCOMES

| COUNCIL DELIVERY PLAN 2022-2023 | |
|---|---|
| | **Impact of Report** |
| **Aberdeen City Council Policy Statement**<br><br>**Working in Partnership for Aberdeen** | The proposals within this report support the delivery of the following aspects of this policy statement:-<br><br>• transforming our city, making it a better place for people to live, work, raise a family and visit. |

| | |
|---|---|
| | • helping people hit by the cost of living crisis, alleviating poverty and improving the quality of life for our citizens<br>• striving to achieve Net-Zero, while seeking to ensure a Just Transition which is fair, both economically and socially, for the citizens of Aberdeen<br>• ensuring that the current housing stock is fit for the future and brought up to the highest standards where possible |
| | |
| Aberdeen City Local Outcome Improvement Plan 2016-26 | |
| Prosperous Economy Stretch Outcomes | The proposals within this report support the City Centre Masterplan, by setting out steps towards making city centre living a more attractive proposition which, in turn, is expected to support a number of employment sectors. |
| Prosperous People Stretch Outcomes | The proposals within this report support improved healthy life expectancy by setting out steps towards achieving reductions in fuel poverty and housing that is affordable. |
| Prosperous Place Stretch Outcomes | The proposals within this report support reducing Aberdeen's carbon emissions by setting out steps towards achieving more energy efficient housing. |
| | |
| **Regional and City Strategies** | The proposals within this report support the following Policy Programmes:<br>- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019<br>- Energy Efficiency Standard for Social Housing |

## 9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|---|---|
| **Integrated Impact Assessment** | Not required, but will be required as part of the presentation of the proposed full options appraisal |

| | |
|---|---|
| **Data Protection Impact Assessment** | Not required, but may be required as part of the presentation of the proposed full options appraisal |
| **Other** | Not applicable |

## 10. BACKGROUND PAPERS

10.1 A Tenant's Guide to the Scottish Housing Quality Standard, Scottish Government, March 2011

10.2 New Tenancy - letting standard, Aberdeen City Council

10.3 The Energy Efficiency Standard for Social Housing post 2020 (EESSH2), Scottish Government Guidance for Social Landlords

## 11. APPENDICES

(A) High Rise Condition Survey Report, Thistle Court, February 2023, Faithful and Gould

(B) High Rise Condition Survey Report, Hutcheon Court, February 2023, Faithful and Gould

(C) High Rise Condition Survey Report, Porthill Court, February 2023, Faithful and Gould

(D) High Rise Condition Survey Report, Marischal Court, February 2023, Faithful and Gould

(E) High Rise Residential Accommodation, Life Cycle Cost Options Report, 3rd March 2023, Faithful and Gould

## 12. REPORT AUTHOR CONTACT DETAILS


| | | |
|---|---|---|
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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection Committee |
| **DATE** | 16 May 2023 |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Food Standards Scotland Audit of Local Authority implementation of interventions Food Law Code of Practice (Scotland) |
| **REPORT NUMBER** | RES/23/133 |
| **DIRECTOR** | Steven Whyte |
| **CHIEF OFFICER** | Mark Reilly |
| **REPORT AUTHOR** | Andrea Carson |
| **TERMS OF REFERENCE** | 2.3 |

## 1. PURPOSE OF REPORT

1.1 This report presents the findings of the recent Food Standards Scotland's Audit, at Aberdeen City Council (ACC), of the Local Authority implementation of Interventions Food Law Code of Practice (Scotland) Food Law Enforcement Services and details the actions for Protective Services to address through their audit recommendations.

## 2. RECOMMENDATION(S)

That the Committee: -

2.1 Note the Audit report findings and the associated Action Plan as set out in Appendix A

2.2 Note the update on current progress following the Audit report findings detailed in Appendix B

2.3 Instructs the Chief Officer – Operations and Protective Services to provide the Committee with a progress update of the audit "Action Plan" on 5 September 2023 detailed in Appendix B.

2.4 Instructs the Chief Officer – Operations and Protective Services to report back to the Committee with the "Annual Service Plan" report that details future service delivery, for Food law interventions, considering the Food Standards Scotland Audit findings.

## 3. CURRENT SITUATION

### 3.1 Food Standards Scotland Audits

Audits of Local Authorities food law enforcement services are part of Food Standards Scotland's (FSS) arrangements to maintain and improve consumer protection and confidence in relation to food by ensuring that Local Authorities are providing an effective food law enforcement service. Provision of this service is a statutory duty. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, and labelling, is largely the responsibility of Local Authorities. These Local Authority regulatory functions are principally delivered through the Environmental Health Commercial Team in Protective Services.

3.1.1 Local Authorities are chosen at random for audit and are only given a few weeks' notice. The Service was advised on the 8th November 2022 that the audit would take place on the 6th and 7th December 2022.

The purpose of the audit was to verify and validate the implementation by ACC of the following planned arrangement "The Interventions – Food Law Code of Practice (Scotland) 2019" (hereafter referred to as the Interventions Code 2019). The resulting Audit Report is contained in Appendix A. The Audit scheme also provides the opportunity to identify and disseminate good practice and provide information, between Local Authorities and Food Standards Scotland and to inform Food Standards Scotland policy on food safety, standards and feeding stuffs.

3.1.2 Specifically, this audit aimed to:

- Verify that "the Interventions Code 2019" had been implemented and all applicable food establishments had been transferred to a food law risk rating.
- Verify the application and adherence to the "Interventions Code 2019".
- Identify and disseminate good practice applied by Local Authorities.
- Identify information, evidence, and potential recommendations to aid future Food Standards Scotland's policy and operational development.

3.1.3 **Outcome of Audit**

The overall outcome of the Audit determined that there was "Insufficient Assurance and that there are significant weaknesses in the current risk, governance, and control procedures to the extent that the delivery of objectives is at risk. Exposure to the weaknesses is sizeable and requires urgent mitigating action."

3.1.4 This means that the Audit determined service delivery levels were not as should be expected. An inadequate number of inspections are being undertaken, meaning that assurance cannot be provided that a robust control of food safety law is in place.

3.1.5 Eleven recommended points of action were highlighted. The two main areas of concern were that staffing levels to meet the required number of inspections are not adequate, and therefore, the required number of inspections are not being allocated and completed in line with the "Local Authority Recovery Project" (refer to section 3.2) and within the frequencies outlined in "the Interventions Code 2019".

3.1.6 Positive points raised at audit included the standard of inspection letters which auditors found to be well formatted and very easy for food businesses to follow and understand. In addition, two reality check visits were carried out during the audit where officers from the Service were accompanied by FSS Auditors. It was determined that these verification checks were carried out professionally and in accordance with the Interventions Code 2019 and Food Law Code of Practice (Scotland) 2019.

3.2 **Staffing Challenges**

Following Covid, during which inspections were paused, the "Local Authority Recovery Process Guidance" ("the guidance") was issued by FSS to assist authorities to restart their food premises inspection programmes. This detailed the risk priorities for scheduling inspections and subsequently "the guidance" increased the number of high priority inspections required to be undertaken. ACC followed the guidance and prioritised planned inspections. However, "the guidance" did not take into account individual local authorities' staffing resources.

During the pandemic several Environmental Health Officers had left the authority, and the Service has been unable to recruit qualified staff due to the national shortage of qualified staff. Due to these reduced staffing levels it was and is not possible to allocate and undertake the number of inspections that are required by "the guidance" each month.

There is presently a national shortage of qualified enforcement staff who can be authorised to carry out food related work. This has been raised at a FSS Board Meeting in June 2022 and was also highlighted to the Public Protection Committee (OPE/ 22/154) when the Protective Services Food Law Service Plan was presented on 5 October 2022.

3.2.1 There are currently 7.6 full time equivalent (FTE) field officers in post who spend approximately 75 % of their time involved with food related activities. The full establishment number of field officer (FTE) posts for the service is 14.5. The resource calculation (contained in "the guidance") indicated that there was a staffing resource FTE deficit of 4.78 for food related work. This indicates that full establishment is currently required by the service to deliver its statutory duties.

Due to these reasons the service is unable to allocate all the food law interventions that are expected to be carried out every month. "The guidance" states that 89 inspections should be allocated and carried out on average each month by ACC. However, the current resource levels are only averaging 22 inspections per month.

3.2.2 In addition the team which carries out food inspections (which includes all Environmental Health Officers and Authorised Officers) carry out other statutory functions. These include:

a) Accident investigations in SME's , on behalf of the Health and Safety Executive; these can be minor to serious or fatal accidents often resulting in enforcement action or reports to the Crown Office and Procurator Fiscal Service.

b) Port health work which includes , ship sanitation inspections and, food export health certificates. These generate revenue and support the local economy

c) Licensing, and animal health activities.

Not carrying out these other statutory functions would increase risks for the council. Therefore the service prioritises work on a risk assessed basis.

Setting aside this work to allow current staff resources to focus on food inspections could have a significant impact on public health and the wellbeing of the City's population with respect. to work place health and safety; public health; animal welfare and general licensing enforcement.

3.3 **Addressing Staffing Issues**

There is ongoing work both locally and nationally to address the staffing shortfall.

3.3.1 Recommendations 1 and 2 of the Audit Report detail ongoing work towards addressing the current staff resource deficit. In the short to medium term this will not completely resolve the issue and there will continue to be more inspections required than resources available. The action points associated with these recommendations are actions that the Service had commenced prior to the audit, and it's the services intention to continue with this strategy.

3.3.2 A compliance officer was appointed and commenced in post on 3rd of April 2023. This officer will focus of low-risk premises allowing the fully qualified officers to focus on higher risk premises.

A trainee authorised officer has also been engaged and will join the team in August 2023. Other recruitment strategies and exploring entry to the profession. This will assist in recruiting appropriate individuals who can undertake inspections.

3.3.3 The Royal Environmental Health Institute of Scotland acknowledges the lack of availability of qualified staff and recruitment issues across the sector in Scotland and have recently introduced updated access routes to the profession. Historically there was a set of pre-requisite qualifications that allowed applicants to register with the Institute and undertake the required additional qualifications to allow them to become an Authorised Officer that could undertake Food Law inspections and related work.

Applicants are now being assessed on a case-by-case basis where consideration is being given to previous experience. Any academic knowledge

gaps are then identified, and the applicant is provided with suggestions of how these can be addressed. Once the knowledge gaps have been addressed the applicant will then register with the Institute to sit the necessary the qualifications. (The Trainee Authorised Officer post has been created due to these changes). Additionally, links have been established with a variety of tertiary education providers to promote opportunities in Environmental Health careers.

3.3.4 The FSS also recognises the shortage of qualified officers and are currently consulting with all local authorities on implementing a new approach to food law delivery (Scottish Authority Food Enforcement Re-Build- SAFER). Officers have already attended two working groups regarding the SAFER programme. Information about the SAFER programme has also been shared with The Society of Local Authority Chief Executives and Senior Managers (SOLACE). The SAFER project is presently in the scoping phase and the intention is that it will reduce the current inspection burden on local authorities. More information on the project can be found in Appendix C.

3.3.5 The service has also completed a time management study following a request by FSS to all Local Authorities. The intention is to identify what resources are required to deliver the required inspections of food premises to meet the requirements of the Food Law Code of Practice Scotland. The preliminary work that has been done has shown that there is approximately a 50% short fall of qualified officers nationally.

3.4 **Audit Action Plan**

The recommendations in the Service's Audit Action Plan will be addressed in line with the target dates set. An update of current progress is contained in Appendix B. As the SAFER programme develops any recommendations will be integrated into the services service delivery plan.

3.5 **Service Challenges**

The issues facing the Service are challenging and inspections will continue to be prioritised on a risk basis. During the COVID 19 pandemic all food law inspections were suspended by FSS. Following the recovery from lockdown and subsequent business restrictions the service re-programmed inspections commencing in September 2021.

Whilst the level of compliance is relatively good some businesses are requiring greater attention to allow them to progress compliance with the regulations.

Additionally, there are new food businesses which opened and registered with the service while food law inspections were paused. These inspections were prioritised and are currently being carried out. There has been an increase in new food businesses registering with the service since 2021 from what was historically experienced.

Food business pre-Covid were subject to programmed inspections, and these were prioritised in accordance with high-risk activities and to those with poor compliance.

Consequently, although some statutory enforcement action has been necessary at times this has been relatively low in relation to the number of food businesses visited since September 2021, the Food Hygiene Information Scheme is available online for the public to view and details whether a food business has received a pass or improvement required rating.

3.5.1 Businesses that are high risk are prioritised and where there is improvement identified officers will work with the business to improve the levels of compliance. Prioritisation is based on the business's activities i.e., those which process food; food business serving both raw and ready to eat foods; or those which have a history of poor compliance.

Due to the number of businesses awaiting first inspection or those that did not receive a visit or inspection during the pause the service has altered how these visits and inspection are prioritised, it is therefore assumed that they will all fall into the higher risk category and inspections prioritised accordingly.

This prioritisation is in line with FSS guidance for the recovery plan. For those businesses that are deemed to be low risk by their activities i.e., corner shops with prepacked foods or those that have a satisfactory level of compliance, an alternative enforcement strategy is being developed. This will be the use of non-qualified food enforcement officers to carry out initial visits. Appropriately qualified officers will then visit the premise should enforcement action be deemed to be required.

3.5.2 First inspections will continue to be programmed for newly registered food businesses in order that an assessment of their compliance with food law can be established. These are treated as a priority and in doing so these premises are captured and added to the Food law Inspection programme. Those premises identified as high risk or which have shown to historically having lower compliance are treated as priority in the food law inspection programme.

3.5.3 The service continues to investigate complaints relating to food premises and takes action where necessary. Where a complaint relates to a newly registered premises that has not yet been inspected or one that is awaiting inspection due to the COVID 19 pause a full inspection will be carried out at the same time, this will again ensure that additional premises are being visited and appropriately risk rated as per the food law rating scheme.

3.5.4 Whilst there is a national shortage of suitably qualified officers, the Service is taking steps locally to encourage recruitment into the profession. This includes attending career events and giving information talks to various university courses regarding a career in Environmental Health. Strong links have also been formed with Robert Gordon University Food Nutrition and Health course to further promote the profession.

## 4. FINANCIAL IMPLICATIONS

4.1 The proposed action plan can be achieved within the existing service budget.

## 5. LEGAL IMPLICATIONS

5.1 The power to set standards, monitor and audit the performance of enforcement authorities was conferred on FSS by Sections 3 and 25 of the Food (Scotland) Act 2015 and Regulation 7 of the Official Feed and Food Controls (Scotland) Regulations 2009. FSS has established external audit arrangements intended to ensure competent authorities are providing an effective and consistent service for the delivery of official controls and are meeting the general criteria laid out in retained EU Regulation (EC) 2017/625.

5.2 Food Authorities are required to have regard to the Codes of Practice when discharging duties and comply with any direction which is given and to take any specified steps in order to comply with such a code. (Food Safety Act 1990, s. 40 (2) (a) and (b)).

5.2.1 FSS has powers, following consultation with Ministers, to issue a Direction to a local authority requiring it to take specified steps to comply with the Code of Practice issued. Directions are enforceable through Court of Session Orders. Although there is the potential for FSS to issue a Direction, and this is the ultimate sanction, this power has never been used and it would be unlikely to be applied. It is however an important legal implication. If a Direction were issued requiring the Service to employ more qualified staff to ensure inspection targets could be met this would currently be impossible to fulfil – of which colleagues in FSS are acutely aware.

## 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

## 7. RISK

7.1 The assessment of risk contained in the table below is considered to be consistent with the Councils Risk Appetite Statement for Place

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|---|---|---|---|---|
| **Strategic Risk** | Unable to achieve intervention programme (recommendation 1 & 2 of audit report) due to FTE deficit | Reduce FTE deficit through recruitment strategies. (ref: planned action, Recommendations 1&2) | M | **Yes** |
| **Compliance** | ACC is bound by statute to deliver a food law enforcement service FSS may, after consulting with Scottish Ministers, direct a Food Authority requiring it to take any specified steps to comply with the requirements of food law or Food Law Code of Practice (Scotland).<br><br>Reduced confidence in public health regulatory controls related to enforcement and assurance of business operations meeting food safety standards. | Action plan to address audit recommendations | M | **Yes** |

| | | | | |
|---|---|---|---|---|
| **Operational** | Qualified officers not available to carry out interventions. | Only qualified officers undertake regulatory duties. Risk prioritisation of interventions when insufficient offices available. | M | **Yes** |
| **Financial** | Failure to produce and deliver a service plan could contribute to default powers being exercised and the associated costs.<br><br>FSS may, after consulting with Scottish Ministers, direct a Food Authority requiring it to take any specified steps to comply with the requirements of food law or Food Law Code of Practice (Scotland). FSS may recover any reasonable expenses incurred by them from the defaulting local authority. | Action plan to address audit recommendations | | **Yes** |
| **Reputational** | Failure to address audit report recommendations and continued assignment of insufficient assurance audit level | Action plan to address audit recommendations | M | **Yes** |

| | | | | |
|---|---|---|---|---|
| **Environment / Climate** | No significant risks identified | | | |

## 8. OUTCOMES

The proposals in this report have a positive impact on the Council's Delivery Plan.

| COUNCIL DELIVERY PLAN 2022-2023 | |
|---|---|
| | **Impact of Report** |
| **Aberdeen City Council Policy Statement**<br><br>**Working in Partnership for Aberdeen** | *The proposals within this report support the delivery of the following aspects of the policy statement:-*<br><br>A Prosperous City, delivering a interventions programme that assists stimulate sustainable economic development in the food business sector |
| | |
| Aberdeen City Local Outcome Improvement Plan 2016-26 | |
| Prosperous Economy Stretch Outcomes | The proposals in this report support the delivery of LOIP Stretch Outcome 2 – 400 unemployed Aberdeen City residents supported into Fair work by 2026.<br><br>Conducting an interventions programme that reduces the risk to food business and individuals to criminal proceedings and/or litigation and secures public protection. |
| **Regional and City Strategies** | The proposals within this report support the Regional Economic Strategy by assisting local businesses to thrive and prosper by providing advice to ensure compliance with relevant legislation. |

## 9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|---|---|
| **Integrated Impact Assessment** | Full impact assessment not required |
| **Data Protection Impact Assessment** | Not required |
| **Other** | None |

## 10. BACKGROUND PAPERS

10.1 Interventions_Food_Law_Code_of_Practice_(Scotland)_2019_1.pdf (foodstandards.gov.scot)

10.2 Protective Services Food Regulatory Service Plan 2022/2023 presented to Committee October 2022
(Public Pack)Agenda Document for Public Protection Committee, 05/10/2022 10:00 (aberdeencity.gov.uk)

10.3 Local Authority Recovery Process Guidance
FSS-ENF-20-011_-_LA_Recovery_Process_Guidance.pdf (foodstandards.gov.scot)

10.4 FSS Board Paper 15 June 2022: Local Authority Delivery Current Situation
09_-_Board_Meeting_-_2022_June_15_-_Local_Authority_Delivery_Paper_-_220609.pdf (foodstandards.gov.scot)

## 11. APPENDICES

11.1 Appendix A- Food Standards Scotland Audit of Local Authority Implementation of Interventions Food Law Code of Practice (Scotland) – Aberdeen City Council

11.2 Appendix B- Update on current progress with Action Plan.

11.3 Appendix C- Information on the SAFER Programme

## 12. REPORT AUTHOR CONTACT DETAILS


| | |
|---|---|
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| **Title** | Principal Environmental Health Officer |
| **Email Address** | acarson@aberdeencity.gov.uk |
| **Tel** | 01224 522741 |

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# 4.0 Annex A – Action Plan

**Action Plan for Aberdeen City Council's Audit of Local Authority Implementation of Interventions Food Law Code of Practice (Scotland).**

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|---|---|
| 1. Continue working towards addressing the current resource deficit identified via the original resource calculation, required to deliver the Interventions Code 2019 and Food Law Code of Practice (Scotland) 2019. | Compliance officer preferred candidate selected. | 30 April 2023 | Complete. Compliance Officer in post from 3 April 23- currently being trained. |
| | Trainee Authorised Officer preferred candidate selected. | Training to commence August 2023 Officer will be unable to conduct full range of duties until Sep 24 following completion of exams. | Recruitment process almost complete; HR drawing up contract. Candidate has agreed to August 23 start date. |
| | Environmental Health Officer (EHO) currently undergoing structured re-introduction to food related duties. | April 2023 | EHO to undertake Food Law Inspections April 23. |
| | Second Trainee Authorised Officer post to be advertised May 2023. | July 2023 | |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|---|---|
| | Plans to advertise EHO vacancies in August 23 ahead of the next diet of Professional exams.<br><br>Attendance at Robert Gordon University's recruitment Fair | October 23<br><br>Feb 23 | Complete.<br>Officers attended the Fair and discussed careers in Environmental Health and potential job opportunities with several students. |
| 2. Ensure that all due interventions are allocated and completed in line with the Local Authority Recovery Project and within the frequencies outlined in the Interventions Code 2019. | Interventions will continue to be planned in accordance with the available staff resource. Those in higher priority/risk groups will be addressed first, along with those where valid complaints have been received by the Service. | December 2023 | Ongoing |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|---|---|
| 3. Review the list of Group 3 A rated establishments to ensure they are rated in the appropriate category. It is also recommended that the Authority make use of an alternative enforcement strategy as outlined in the Interventions Code 2019 for risk rated 3 A establishments to ease the burden on the intervention programme. | The Group 3A premises will be reviewed. It is the intention that the newly appointed compliance officer will be able to do some alternative enforcement work. | December 2023 | Once the initial training period is complete the Compliance Officer will be commencing work on this task. |
| 4. Review the Groups allocated for Manufacturers and Packers | Work is currently underway to review the Groups. However, several businesses in this category showing on Scottish National Database (SND) have ceased trading which is indicated on the Management Information System (MIS). The issue with ceased trading businesses not being accurately "pulled" through to SND has already been discussed with colleagues at FSS. | 31st March 2023 | Complete<br>Groups allocated for Manufacturers and packers have been reviewed.<br><br>Work ongoing to rectify SND issues. |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|---|---|
| | | | |
| 5. Ensure the Service Plan details how new food businesses will be incorporated into the Intervention Programme. | This will be incorporated in the 2023/2024 Service Plan. | 30th June 2023 | |
| 6. The evidence identified and or examined by officers to demonstrate both compliance and non-compliance with Food Law and to justify the FLRS risk rating should be adequately documented in officers' notebooks. | The procedure of using mainly notebooks to record actions will be abandoned and we will revert to the use of Aide Memoires. | 1st April 2023 | Complete<br>Aid Memoire updated and currently in use. |
| 7. Consider storing officers' notes on the MIS premises file so as to ensure they are readily accessible for the next inspecting officer and for internal monitoring purposes. | This will be addressed as per point 6 above. | 1st April 2023 | Complete<br>As above |
| 8. Ensure food standards is assessed in full during | This will be addressed as per point 6 above. | 1st April 2023 | Complete<br>As above |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|---|---|
| each programmed food law intervention as per the Annex 3 of the Interventions Code 2019. | | | |
| 9. Ensure adequate arrangements are put in place to ensure the weekly transfer of Food Law enforcement activities to the Scottish National Database (SND). | Discussions have been ongoing for some months with FSS regarding the transfer of data between the MIS and SND. It has just recently been discovered that this problem dates back a number of years and potentially requires development work by our MIS provider. | 30th September 2023 | Work ongoing to rectify SND issues. |
| 10. Ensure that a Food Law Inspection documentation is completed for each Food Law Intervention and maintained in the premises file. | Enhanced monitoring of officers' work. | Immediately | Continued monitoring of officers work ongoing. |
| 11. All records relating to official control interventions including officers' contemporaneous notes should be reviewed as part of the Authority's | This will be addressed as per point 6 above. Aide Memoires containing all relevant information will be filed in the premises file and be available for assessment as part of the Internal Monitoring procedure. | 1st April 2023 | Complete<br>As above Aid Memoire updated and currently in use. |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|---|---|
| Internal Monitoring Procedures. | | | |

Food Standards Scotland

For safe food and healthy eating

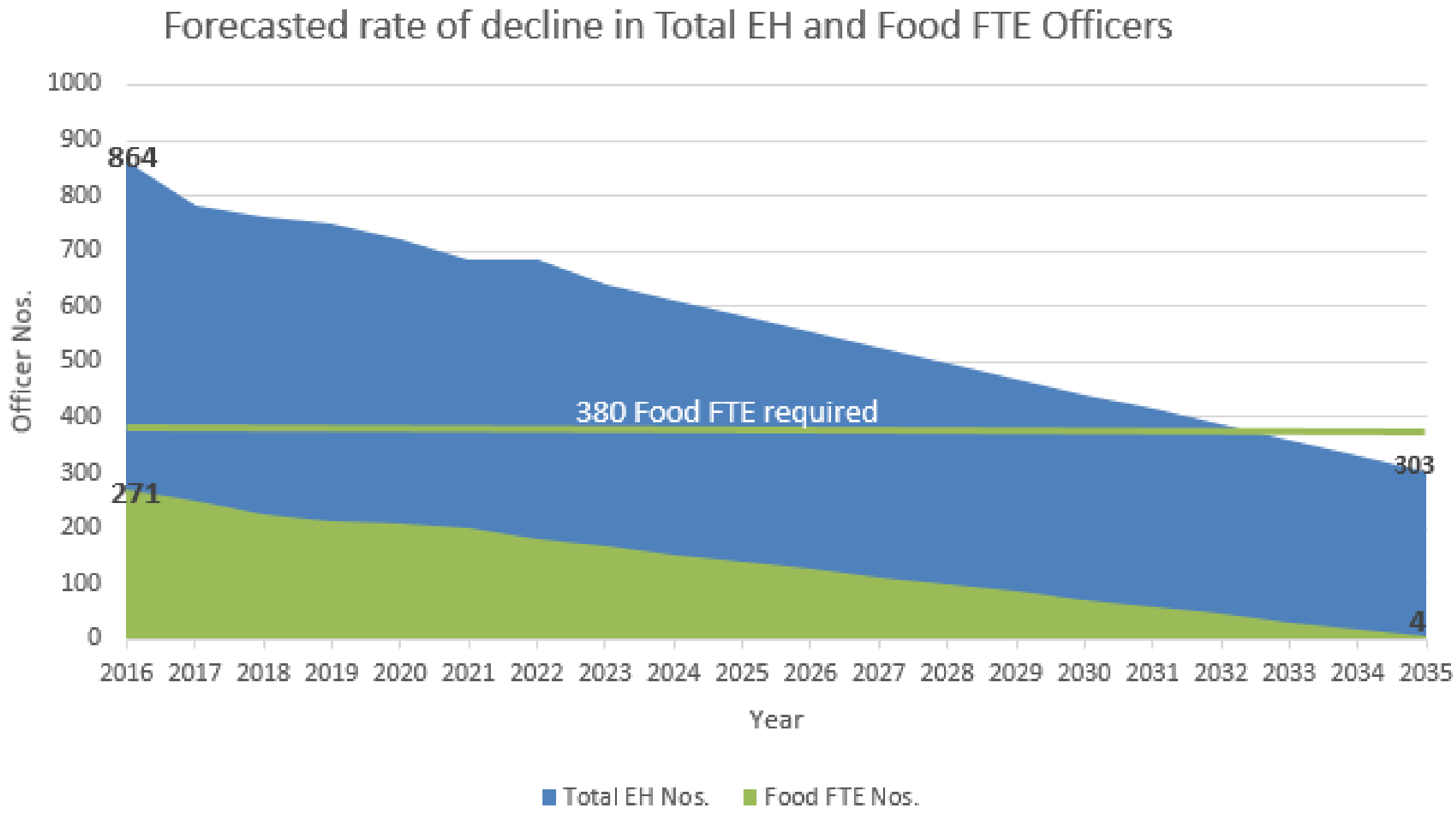


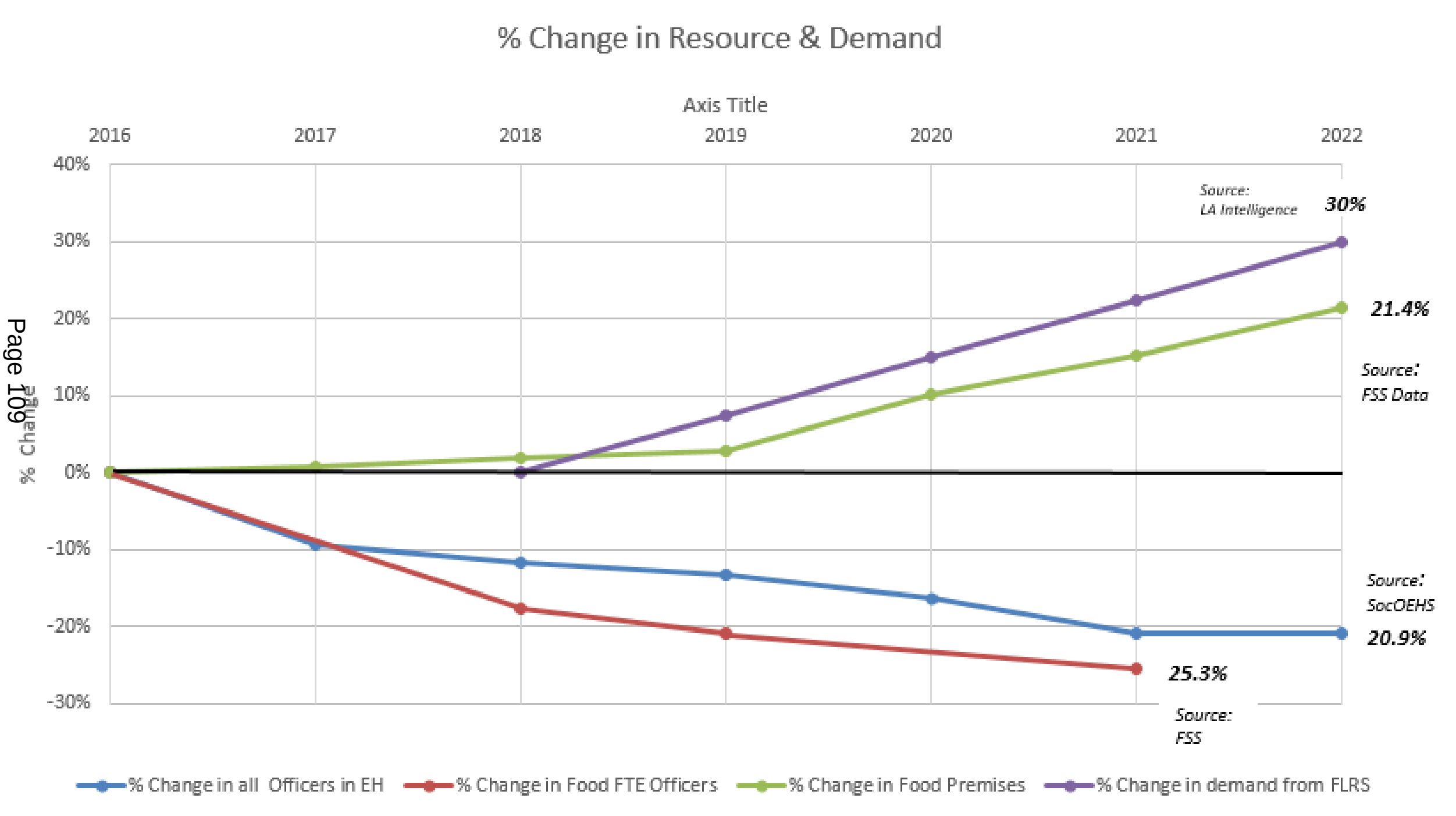
# Scottish Authorities Food Enforcement Rebuild (SAFER) – A Collaborative Approach

25 November 2022

Geoff Ogle, Chief Executive

# Key Statistics




% Change in Resource & Demand
Axis Title
2016
2017
2018
2019
2020
2021
2022
40%
30%
20%
10%
0%
-10%
-20%
-30%
% Change
Source:
LA Intelligence
30%
21.4%
Source:
FSS Data
Source:
SocOEHS
20.9%
25.3%
Source:
FSS
% Change in all Officers in EH
% Change in Food FTE Officers
% Change in Food Premises
% Change in demand from FLRS

# Risk of No Action

- **FSS** – Failure to fulfil our statutory, decreased consumer confidence, reputational damage, undermining of FSS purpose

- **LA's** – Failure to fulfil their statutory function or provide adequate assurance for safe food. LA staff welfare will become an increasing risk, which in turn will contribute to difficulty sustaining the professional workforce

- **Public Health** - decreasing levels of public health protection and assurance, probability of increased incidents, risk of food borne disease outbreaks and opportunity for food crime. Limited consumer ability to make informed choices

- **Scotland**- Repercussions of deteriorating standards within food businesses with National and International implications

# Purpose

**Scottish Authority Food Enforcement Re-Build (SAFER)** will implement a new approach to Food Law delivery in Scotland which will deliver;

- Public health protection & assurance
- Sufficient, sustainable and dynamic resource
- Alternative qualification pathways
- A Food Law delivery model focused on risk and non-compliance
- Vital training and practical guidance.
- Technological and digital solutions.

Homes for Ukraine
licensing_short_term_lets
Health & Safety
contaminated land
animal_health_and_welfare
infectious disease
mortuary provisions
Caravan Site Licensing
private sector housing
quarry blasting
hmo licensing
port_health
private water supplies
bathing water quality
statutory nuisance
radiation monitoring
FOOD LAW
single use plastic
dog control
drainage
planning consultation
vehicle emmission monitoring
health_education
minimum pricing
air quality
deposit return scheme
Smoking on Hospital Grounds
private landlord registration
pest control
single use cup
public_health
pollution
carrier bag charge
mandatory calorie
labelling
noise
civic govt licensing
Covid
licensing standard

# Key Statistics

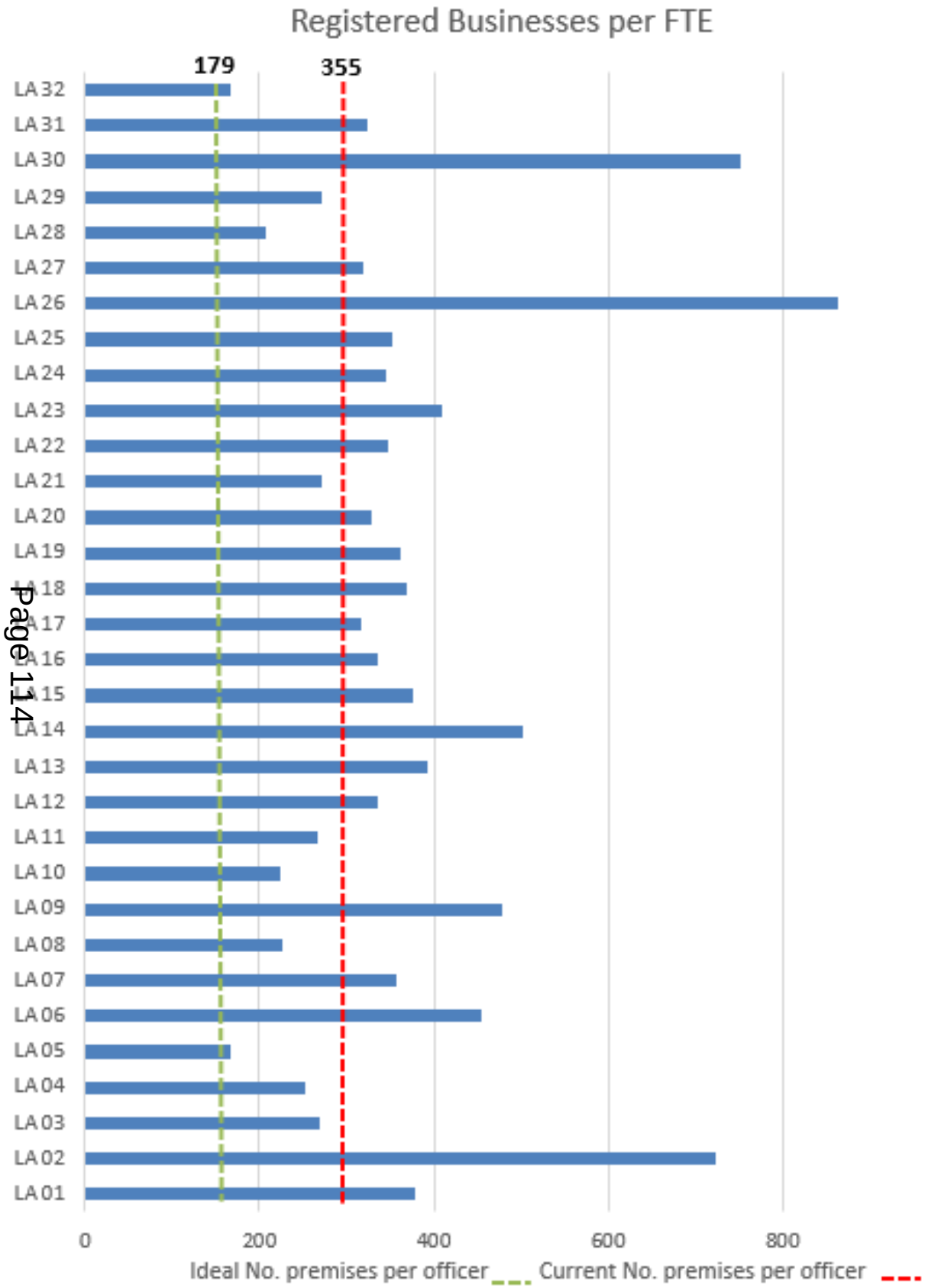
## Each FTE Officer is responsible for **355** Food Premises

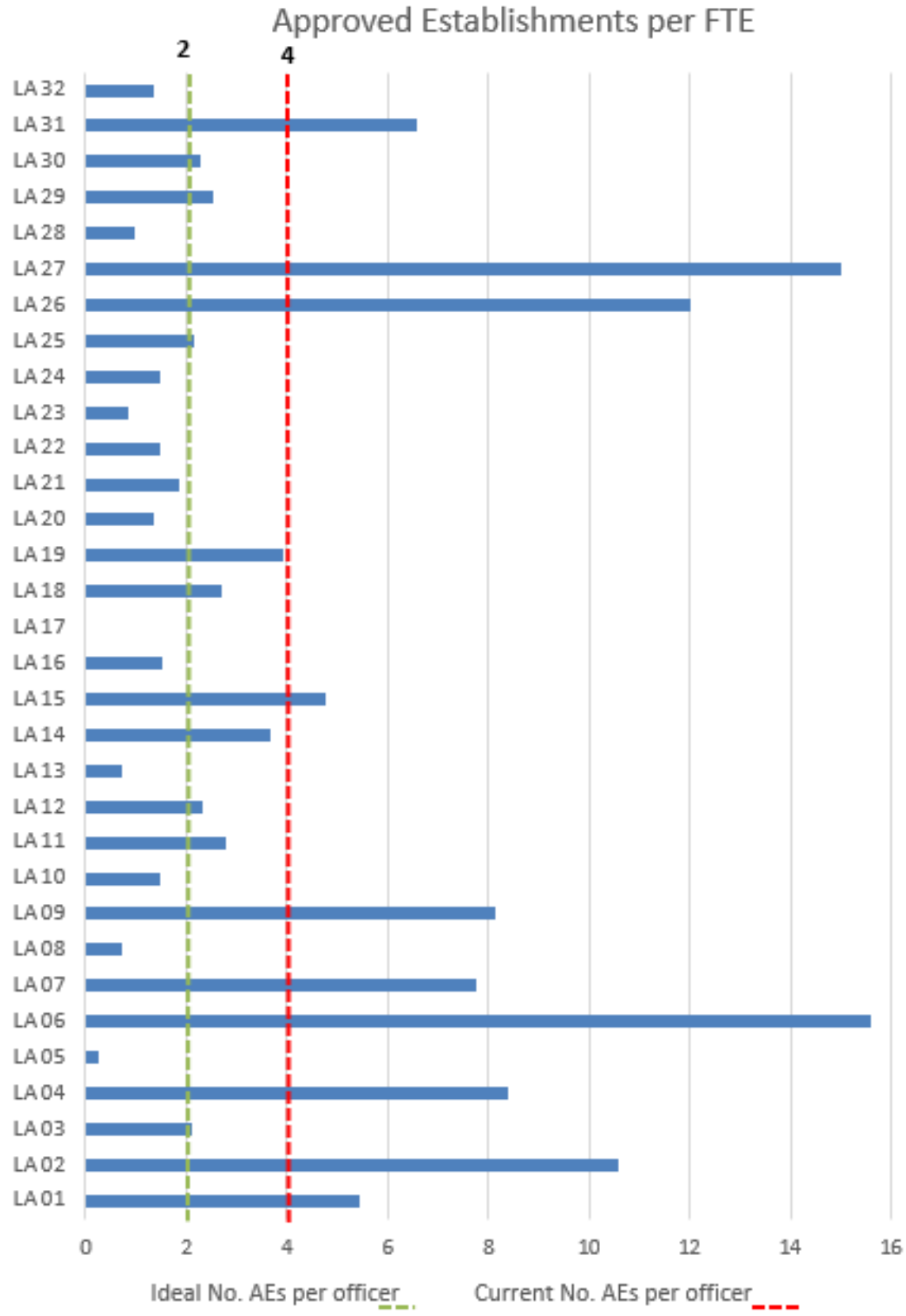
| Premises per Officer by FLRS Rating | | | | | | |
|---|---|---|---|---|---|---|
| Group 1 | A | B | C | D | E | UNRATED |
| | 2 | 5 | 2 | 0 | 0 | 3 |
| Group 2 | A | B | C | D | E | UNRATED |
| | 11 | 101 | 39 | 4 | 1 | 36 |
| Group 3 | A | B | C | D | E | UNRATED |
| | 50 | 65 | 14 | 1 | 0 | 20 |

| Premises per Officer by Type | |
|---|---|
| Catering (Restaurants, Cafes, Takeaways, Hotels, Canteens, Pubs Etc | 178 |
| Retailers & Supermarkets | 64 |
| Caring Establishments (Hospitals, Care Homes, Nurseries Etc) | 32 |
| Manufacturers/Packers | 21 |
| Primary Production (Fishing Vessels, Dairy Farms Etc) | 18 |
| Schools & Colleges | 16 |
| Mobile Food Units | 13 |
| Distributer / Transporter | 6 |
| Approved Establishments | 4 |
| Other | 2 |
| Importer / Exporter | 1 |

| | |
|---|---|
| Inspections per Officer per Year | **244 Inspections of Registered Premises (+ any subsequent visits from the unrated)**<br>**4 Approved Establishments for OCV = 92 Hours** |

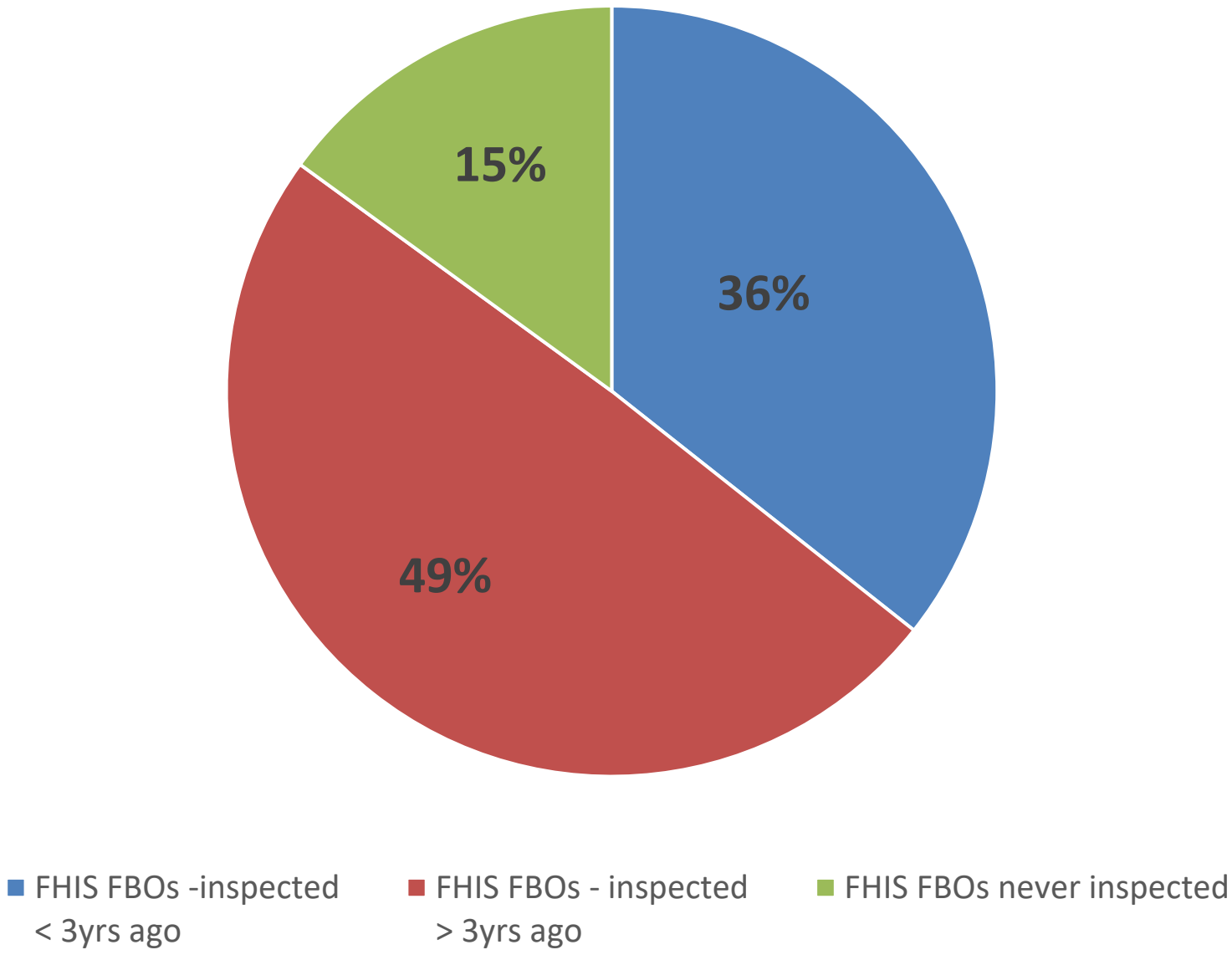
# Resource Pressure



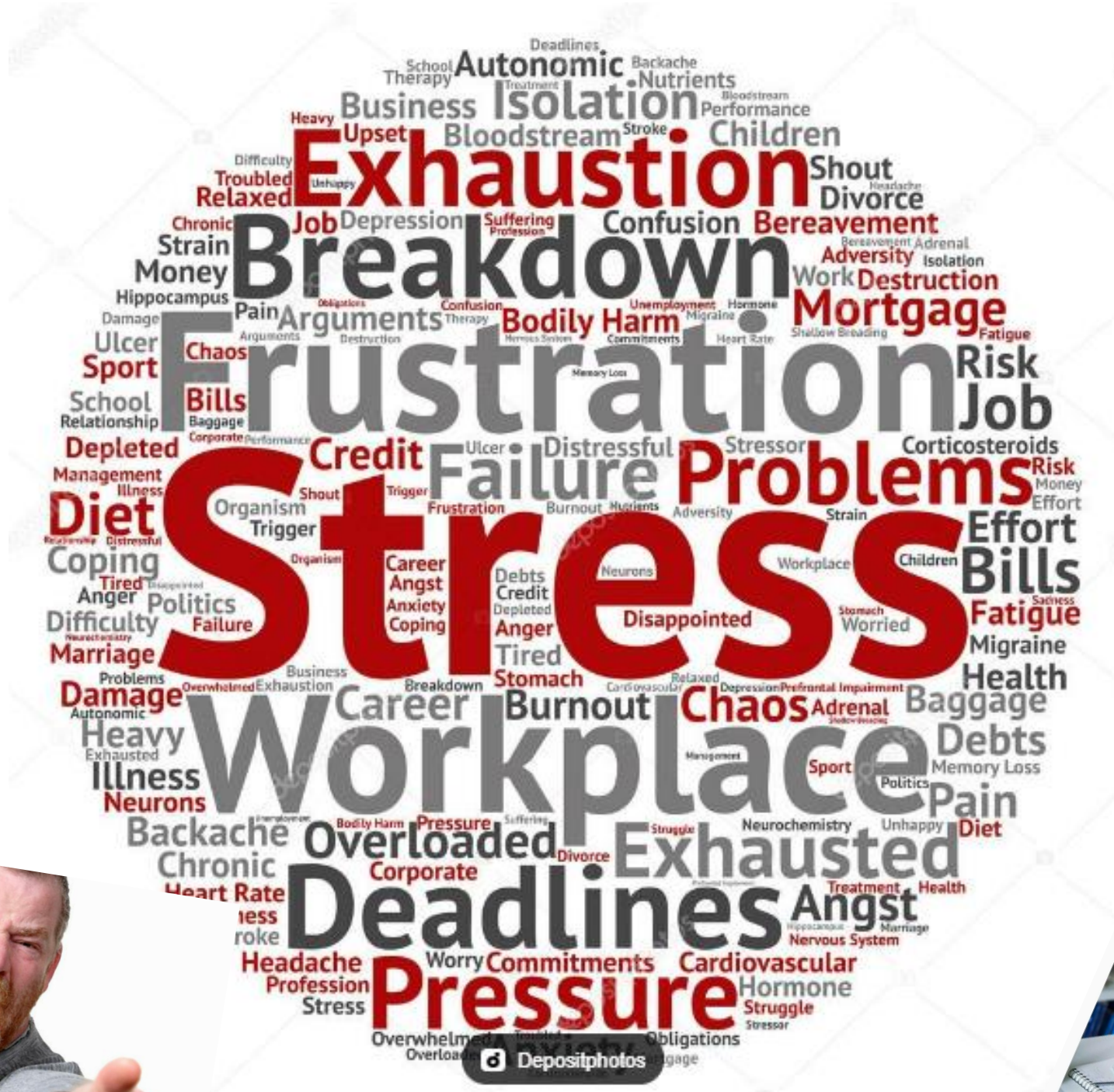

*Source: FSS*

## FHIS Inspections as of August 2022




*Source: FSS*

# Wellbeing




Add Change challenge profile/diagram

# Scottish Authority Food Enforcement Rebuild (SAFER)

**Food Law Delivery**

**Resourcing**

Competency Framework

Alternate Qualification Pathway

New Routes to Qualifications

Financial including Charging

**Digitalisation**

End to End Digital Solutions

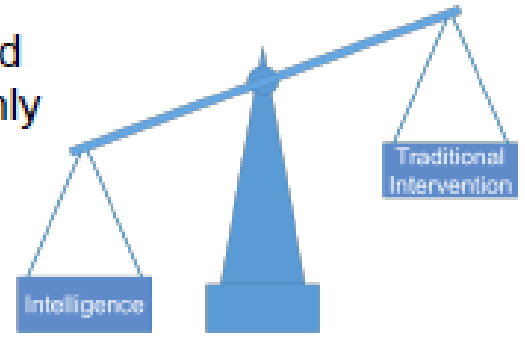
Live Interventions Data

Centralised Database

Artificial Intelligence

**Low Risk**

Intelligence led intervention only



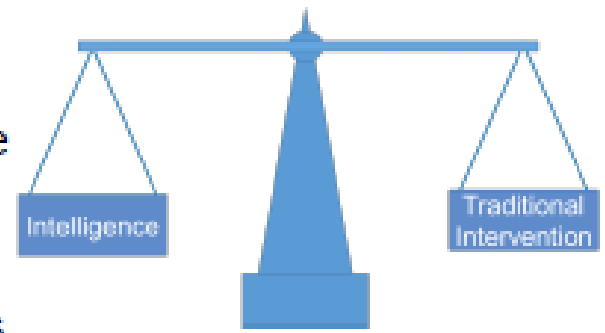

No Charges Applied

**Medium Risk**

Triage

Intelligence Informed

Novel OCs

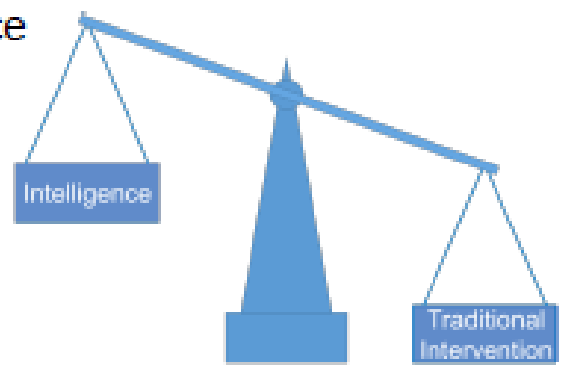



Charging for Non Compliance

**High Risk**

Face to Face

Full OCs

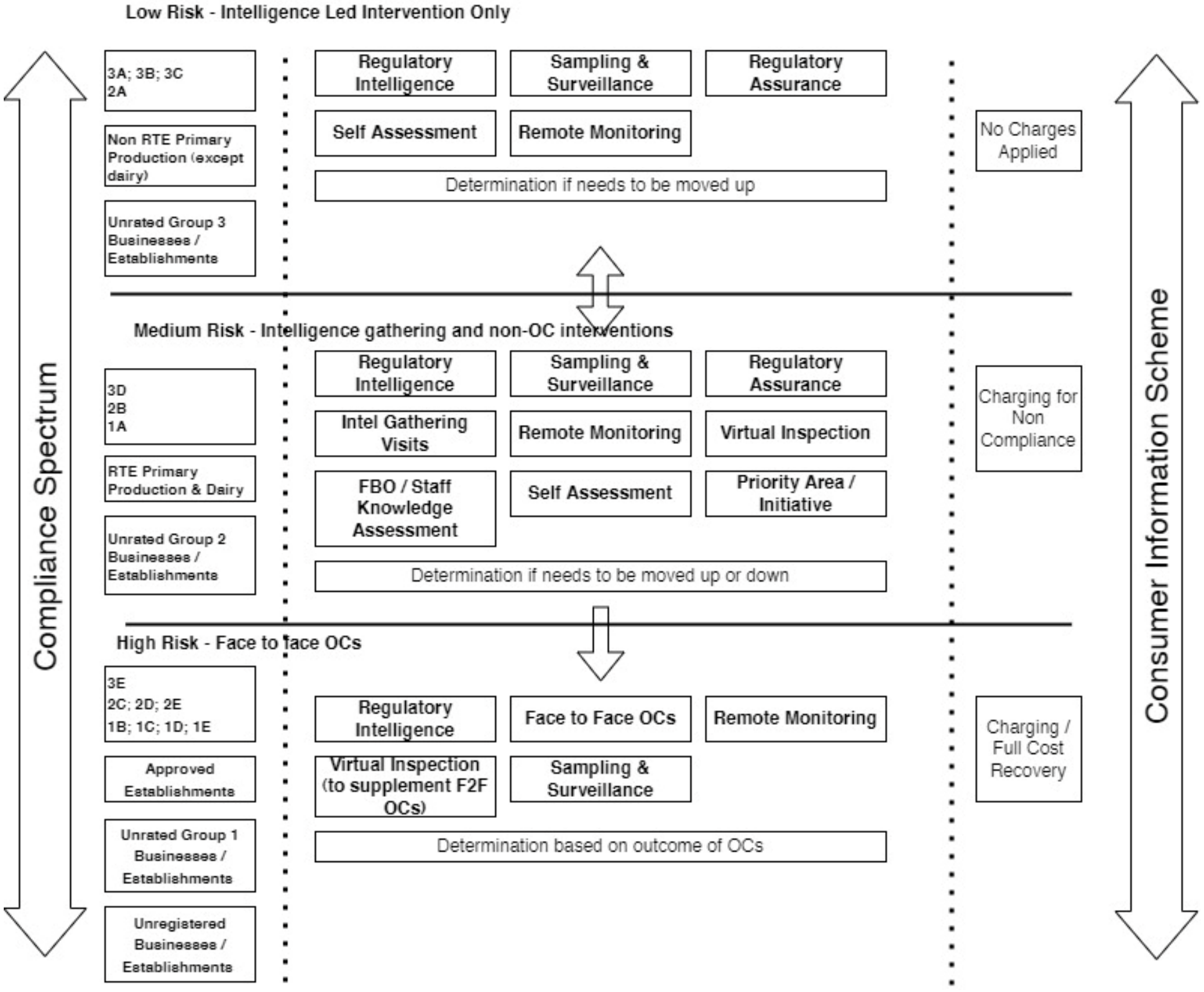



Charging / Full Cost Recovery

Compliance Spectrum

Consumer Information Scheme

# Scottish Authority Food Enforcement Rebuild (SAFER)



# SAFER Themes & Workstreams

Resourcing

Digitalisation

Food Law Delivery

THEME

WS1 Qualifications & Competency

WS2 Centralised Database

WS3 Dynamic Delivery

WS 4 Interventions

WS 5 Charging

WS 6 Governance & Project Management

WORKSTREAM

SAFER
WS 1
Qualification & Competency
Code of Practice
Develop Food Course for other professions
Map other profession skills
Deliver Training Programme
Gap Analysis LFO Competene
Promote REHIS Higher Certs
WS 2
Centralised Database
Review of Users Data needs
Develop System Specification
DPAI / Data Sharing Agreements
LA Process Digitalisation
Future AI / Reg. Intelligence
Consider Impact on current SND
SND Development
Code of Practice
WS 3
Dynamic Delivery
Food Law Portal - Phase 1 Outgoing to LAs
Food Law Portal - Phase 2 To/From LAs
Food Law Portal - Phase 3 LA/FBO/FLBP
Consumer Information Scheme
Map Interactions with centralised database
Registration reform (ATO)
LA Delivery Digital solutions
Code of Practice
FLCOP digital solution
WS 4
Interventions
Use of Alternative workforce
Review FLRS scope & frequencies
Map Food Law requirements
Food Crime in FLRS ?
Interim 'mini-code'
Implement 'Low risk – No proactive'
Ethical Regulation
Compliance Notices
Fixed Penalty Notices
Reg Assurance
Code of Practice
WS 5
Charging
Code of Practice
Phased Implementation
Charging Review
Assess current appetite & scope
Design L/M/H charging model
WS 6
Governance & Project Mgt
PACE & Progress
Governance Board & Reporting
PID & PM
Build SAFER Team

# Key support & skill sets

Governance Board

Head of Local Authority Delivery Division

Head of Regulatory Strategy

Head of Enforcement Delivery

Head of Audit Assurance

Head of Digital Transformation

SRO

Local Authority Food Expertise/ Resource

Project leads

Workstream Managers

Project Support

Admin Support

Legal

Risk Assessment

IT

Data Scientists

Comms

Economists

HR

# SAFER Collaboration

**Safer Governance**

- FSS
- Scottish Government
- SoCOEHS
- COSLA

**SAFER Programme Team**

LA
FSS
SG
Resource

Workstreams → Workstreams → Workstreams → Workstreams → Workstreams → Workstreams

# SAFER

## Immediate

PHASE 1:  Sept 22 – Mar 23

- Stakeholder Engagement
- SFELC
- Board Meeting
- SoCOEHS Congress
- SOLACE
- Lead Food Officer Workshop
- ‘Pressure release’
- Reduce Frequency of low risk inspections
- Reduce requirements for  low risk Approved ?

PAUSE  - Establish SAFER Team and Planning phase

## Short

PHASE 2: Pause + 2 yrs

## Med

PHASE 3 : Pause + 4 yrs

## Long

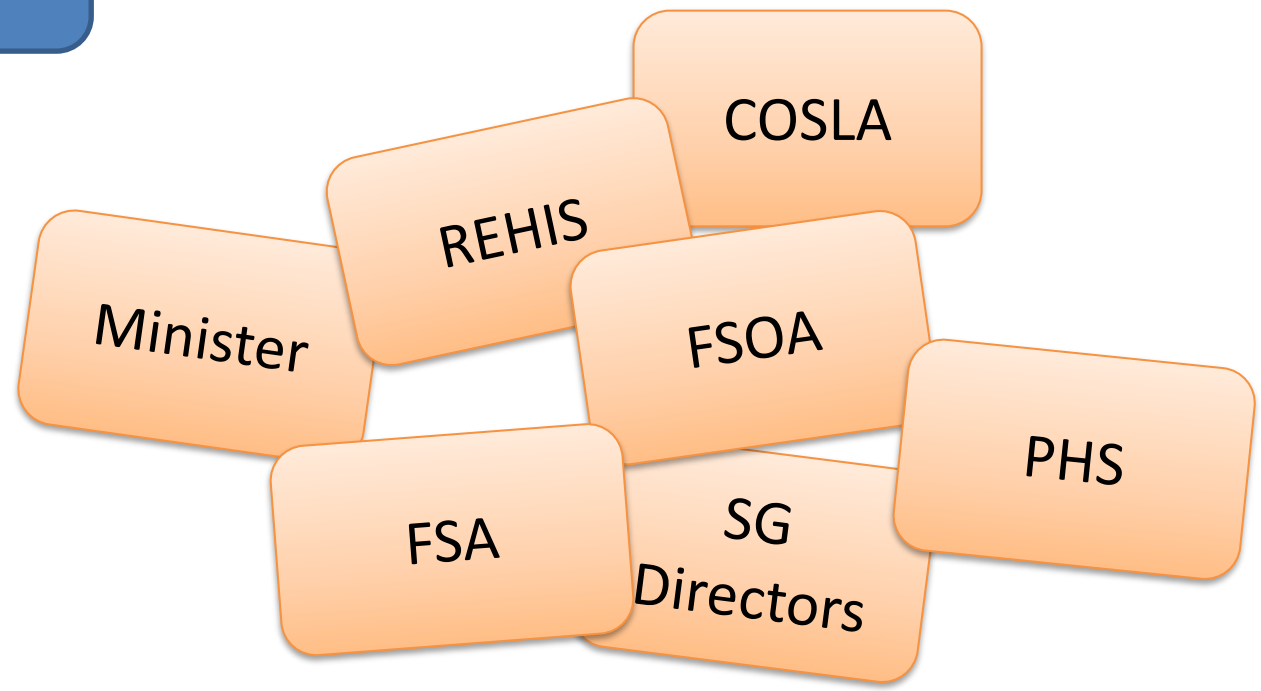
PHASE 4: Pause + ?

# COMMUNICATIONS/ STAKEHOLDER ENGAGEMENT

**PHASE 1: Sept 22 – Mar 23**

| OCT | NOV | DEC | JAN | FEB | MAR |
|---|---|---|---|---|---|
| SFELC Exec 6 Oct | SOLACE 25 Nov | SFELC Exec 1 Dec | Food/ Nutrition Conference 26 Jan | LA Event TBC Feb/Mar | |
| SFELC Main 7 Oct | LA LFO Workshop 29 Nov | SFELC Main 2 Dec | | | |
| SoCOEHS Congress 28 Oct | | | | | |

EXTERNAL




FSS

| | | | | | |
|---|---|---|---|---|---|
| FSS Board 25 Oct | DGG 23 Nov | Workshop 14 Dec | | FSS Board 25 Oct | |
| FSS Board 26 Oct | ELT 2 Nov | ELT 6 Dec | ELT 12 Jan | ELT 2 Feb | ELT 7 Mar |

Deputy Chief Executive Weekly Updates & Internal Communications

# Future State

## Resourcing

A sufficient, dynamic and adaptable workforce that can deliver all aspects of the Food Law delivery model supported by qualification pathways that support a continued sustained and competent workforce.



## Digitalisation and Data

An accessible centralised database which provides a consistent high standard of data for all aspects of Food Law and drives better use of technology and more efficient use of resources.

## Food Law Delivery

A rigorous, dynamic and flexible Food Law model that delivers a high degree of public health protection supported by adequate guidance and resources for both LAs and Food Businesses.

# Key Deliverables

## Resourcing

- Officer competency framework, supporting a variety of professional skill sets
- Multiple pathways that deliver trained Food Law professionals

## Digitalisation and Data

- Centralised database with attainable data standards, delivering accurate and consistent data
- Food Law Portal for LAs and Food Businesses supporting efficient delivery and information exchange

## Food Law Delivery

- A modern and flexible Code of Practice
- Effective and applicable guidance and enforcement tools.
- FSS team responsible for the ongoing support and success of the new Food Law Model.

Food Standards Scotland

For safe food and healthy eating

# Thank you

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Food Standards Scotland

For safe food and healthy eating

# Aberdeen City Council – Audit of Local Authority implementation of Interventions Food Law Code of Practice (Scotland)

## Food Law Enforcement Services

## November - December 2022

**Final Report issued March 2023**

foodstandards.gov.scot

# Foreword

Audits of Local Authorities food law enforcement services are part of Food Standards Scotland's arrangements to improve consumer protection and confidence in relation to food and feed. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of Local Authorities. These Local Authority regulatory functions are principally delivered through Environmental Health and Trading Standards Services.

The audit scope is detailed in the audit brief and plan issued to all Local Authorities under reference FSS/ENF/22/011 on 22 July 2022. The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that Local Authorities are providing an effective food law enforcement service. This audit was developed to verify and validate the implementation by Local Authorities of the following planned arrangement: the Interventions – Food Law Code of Practice (Scotland) 2019 (hereafter referred to as the Interventions Code 2019).

The Audit scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Food Standards Scotland policy on food safety, standards and feeding stuffs.

Specifically, this audit aimed to;

- Verify that Local Authorities have implemented the Interventions Code 2019 and fully transferred all applicable food establishments to a food law risk rating.
- Verify Local Authorities' application and adherence to the Interventions Code 2019.
- Identify and disseminate good practice applied by Local Authorities.
- Identify information, evidence and potential recommendations to aid future Food Standards Scotland's policy and operational development.

Food Standards Scotland audits assess Local Authorities' conformance against retained Regulation (EU) 2017/625 and the Food Law Code of Practice (Scotland) 2019 and the Interventions Food Law Code of Practice (Scotland) 2019

It should be acknowledged that there will be considerable diversity in the way and manner in which Local Authorities may provide their food enforcement services reflecting local needs and priorities.

Following the audit, it is expected that for any recommended points for action the

Local Authority will prepare and implement an action plan, which will incorporate a root cause analysis of any non-compliance.

Root cause analysis is a technique that senior management should use to identify the root causes of non-conformities identified at the audit have been effectively addressed. An important aspect is that there is a need to ensure that the non-conformity does not recur. This should be achieved by the accurate identification of the cause(s) of the non – conformity (i.e. the root cause) and the introduction of effective preventative action.

# Contents


1.0 Introduction .....5

2.0 Executive Summary .....7

3.0 Audit Findings .....8

3.2 **Section 2. Registration of Food Business Establishments** .....9

3.3 **Section 3. Interventions** .....9

3.4 **Section 4. Food Law Rating System** .....12

3.5 **Section 5. Action Following an Intervention: Minimum Standards of report writing and record keeping** .....14

3.6 **Section 6. Internal Monitoring** .....15

3.7 **Section 7. Items to take back to Food Standards Scotland** .....16

4.0 Annex A – Action Plan .....17

5.0 Acknowledgements .....22

# 1.0 Introduction

1.1 The primary objective of this audit was to verify and validate the implementation by Local Authorities of the following planned arrangement: the Interventions – Food Law Code of Practice (Scotland) 2019 (hereafter referred to as the Interventions Code 2019).

1.2 The Interventions Code 2019 was issued under Section 40 of the Food Safety Act 1990 ("the Act"), Regulation 24 of the Food Hygiene (Scotland) Regulations 2006 and Regulation 6 of the Official Feed and Food Controls (Scotland) Regulations 2009, which empowers Scottish Ministers to issue Codes of Practice concerning the execution and enforcement of Food Law by Food Authorities.

1.3 The Interventions Code 2019 sets out instructions, processes and criteria to which Food Authorities are required to have regard to when they carry out Official Controls relating to all Registered Food Businesses. The Interventions Code 2019 does not apply to establishments at the level of Primary Production or Approval.

1.4 Implementation of the Interventions Code 2019 represents Phase 2 of a wider project by Food Standards Scotland to review and overhaul the Food Law Code of Practice (Scotland) 2019.

1.5 The Interventions Code 2019 introduced the Food Law Rating System (FLRS). The FLRS combines the rating systems for Food Hygiene and Food Standards into one Food Law Intervention scheme based upon a new Food Business Performance Model that targets resources on high to medium risk and non-compliant businesses. The initial agreed implementation date was 1st July 2019 with ratings to be assigned as Inspection Programmes progressed. Further detail is provided within FSS-ENF-19-007.

1.6 During the Covid-19 epidemic Inspection Programmes were halted but as part of the Covid-19: Local Authority Recovery project, four deadlines were set by which Local Authorities were required to undertake specific tasks. Two of these deadlines related specifically to implementation of the Code with a target completion date of 1st July 2021:

1. Desktop Transfer (of Registered Businesses to FLRS)
2. Creation of an Intervention Programme (as required by the Interventions Code)

1.7 The audit aim will primarily cover the following points:

· Verification that official controls are being carried out in compliance with

planned arrangements.

- Verification that planned arrangements are applied effectively.

1.8 The final report will be made available on the Food Standards Scotland website at:www.foodstandards.gov.scot/food-safety-standards/regulation-and-enforcement-food-laws-scotland/audit-and-monitoring#la

## Reason for the Audit

1.9 The provisions for exercising the audit function are provided for in Article 3 of the Food (Scotland) Act 2015. Under that Article, the general functions of Food Standards Scotland include a requirement to monitor the performance of, and promote best practice by, enforcement authorities in enforcing food legislation. Similar powers are also contained within Regulation 7 of the Official Feed and Food Controls (Scotland) Regulations 2007.

1.10 Retained Regulation (EU) 2017/625 on official controls performed to ensure the verification of compliance with feed or food law also includes a requirement for competent authorities to carry out internal audits or to have external audits carried out.

1.11 To fulfil this requirement Food Standards Scotland, has established external audit arrangements in respect of competent authorities. These arrangements are intended to ensure competent authorities are providing an effective and consistent service for the delivery of official controls and are meeting the general criteria laid out in retained Regulation (EU) 2017/625.

1.12 The previous Audit of Aberdeen City Council's Food Service was undertaken by Food Standards Scotland in July 2015. The food related audit prior to that was a Food Standards Desktop Audit completed in 2013.

## Scope of the Audit

1.13 The audit scope covered:

- Verification that Local Authorities have implemented the Interventions Code 2019
- The verification of application and adherence to, the Interventions Code 2019
- An assist in the identification and dissemination of good practice with regards to the Interventions Code 2019
- The provision of information, evidence and potential recommendations to aid future FSS policy and operational development.

1.14 The audit examined Aberdeen City Council's arrangements for official controls in relation to Retained Regulation (EU) 2017/625, the Interventions Food Law Code of Practice (Scotland) 2019 and the Food Law Code of Practice (Scotland) 2019 on the verification of compliance with feed and food law.

1.15 The audit took place on-site over the course of two days.

## 2.0 Executive Summary

2.1 The Authority has a current 2022/2023 Food Regulatory Service Plan which was approved by the Authority's Public Protection Committee on the 5 October 2022.

2.2 The current intervention programme submitted by the Authority is not adequately resourced. The Authority is currently operating with a Full Time Equivalent (FTE) deficit of 4.78 as per a resource calculation completed by the Authority as part of the Local Authority Recovery project.

2.3 The Authority is actively trying to increase capacity and has successfully submitted a business case to employ a trainee Authorised Officer who they will put through the Higher Certificate in Food Practice. They are also in the process of employing a Compliance Officer who can carry out a proportion of food law work easing the burden on existing Officers.

2.4 The Authority has completed 16% of its current Food Law Intervention Programme to date (April - December 2022). Based on the figures provided for the first 8 months of the current Intervention Programme, an average of 22 inspections per month are being completed which is falling far short of its monthly programmed target. This is due to the competing demands on the staff resource which is diverted as necessary to deal with high risk activities which are not always food related. This has meant that the Authority has not managed to maintain their intervention programme in line with the priorities set out in the Local Authority Recovery Project Guidance.

2.5 There are a number of unrated Group 2 establishments which have not been completed as per priority 2 of the recovery programme. 369 un-banded Group 2 establishments were identified on the full database spreadsheet, however only 232 were programmed into the current intervention programme. Group 2 unrated establishments were expected to be completed within 12 months of restart.

2.6 The Authority does not use any Alternative Enforcement Strategy, as all businesses are included in the intervention process, but lower risk premises (3 As) are currently not being inspected. There are 575 rated Group 3 A establishments which equates to 20% of the overall number of establishments within Aberdeen City.

2.7 Whilst reviewing the Authority's database, it was found that four high risk Group 2 D rated inspections were missed. In addition, no paperwork was provided to support a Group 2 D inspection completed in October 2022.

2.8 Some food law inspections lacked documentary evidence of a full assessment of food standards. In the majority of files reviewed only allergens were picked up under food standards. It is expected that as the Food Law Rating System (FLRS) has introduced a combined Food Hygiene and Food Standards inspection that food standards is assessed in full during all interventions.

2.9 It was identified, during a check on the Scottish National Database (SND) as part of the audit that no data is coming through for Food Law Contravention and Advice letters. It is acknowledged that the Authority was aware of this issue prior to being audited and has provided evidence that they are trying to resolve these issues.

2.10 The Food Service has an internal monitoring system in place, however, the Intervention Paperwork Audits are not assessing Officers' contemporaneous notes.

2.11 Verification checks were carried out professionally and in accordance with the Interventions Code 2019 and Food Law Code of Practice (Scotland) 2019.

**Level of Assurance**

2.12 As detailed in the Audit Charter Document of March 2020 (reference FSS/ENF/18/001) the audit has been assigned as below:

| | |
|---|---|
| **Insufficient Assurance**<br>Controls are not acceptable and have notable weaknesses | There are significant weaknesses in the current risk, governance and/or control procedures, to the extent that the delivery of objectives is at risk. Exposure to the weaknesses identified is sizeable and requires urgent mitigating action. |

# 3.0 Audit Findings

3.1 The findings reported below detail both corrective and preventive actions which are not confined to addressing specific technical requirements, but also include system-wide measures. Conclusions address the compliance with the planned arrangements, the effectiveness of their implementation and the suitability of the planned arrangements to achieve the stated objectives as appropriate.

## 3.2 Section 2. Registration of Food Business Establishments

| Section | **Audit Findings – Food Business Registration** |
|---|---|
| 2 | As required by the Interventions Code 2019, the Authority has a Food Business Registration procedure provided for Food Business Operators (FBOs) to follow when applying for the registration of their establishments. This is documented on the Authority's website along with an online Food Business registration form which can be submitted electronically or downloaded and posted. |
| 2 | An up to date list of registered food establishments within the Local Authority area is available upon request and can easily be extracted from the Authority's Management Information System (MIS). |
| **Recommendation** | |
| There are no recommendations for this section. | |

## 3.3 Section 3. Interventions

| Sub section | **Audit Findings – Service Planning, Interventions Programme** |
|---|---|
| 3.1.5 | The Authority has a current 2022/2023 Food Regulatory Service Plan which was approved by the Authority's Public Protection Committee on the 5 October 2022. |
| 3.8.2 | The current portion of full-time equivalent (FTE) staff to the Food Service is 6.59 out of a required 11.37 as per the Authority's Recovery Resource Calculation. This equates to a deficit of 4.78 FTE.<br><br>The team is multidisciplinary and covers a range of other Environmental Health functions such as licensing, health and safety, port health and animal health and welfare. This added responsibility and workload of Officers, the Authority say is impacting on the number of inspections being completed.<br><br>It is recognised that there is a national shortage of suitably qualified enforcement staff. The Authority is actively trying to increase capacity and has successfully submitted a business case to employ a trainee Authorised Officer who they will put through the Higher Certificate in Food Practice. The Authority is also in the process of recruiting a Compliance Officer who can carry out low risk work, intelligence/information gathering and assist with MIS maintenance which will reduce the burden on current Enforcement Officers and free additional time for further inspections.<br><br>Furthermore, an Environmental Health Officer (EHO) who hasn't carried out food related work for a number of years is currently undergoing a structured reintroduction to allow them to undertake food law inspections |

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| | and other food related duties. Two other EHOs who do not work in the Commercial Team are also helping out with port health work and sampling duties.<br><br>Given the deficit in FTE, the current intervention programme is not adequately resourced. The Authority should continue working towards addressing the resource deficit required to deliver the requirements of the Interventions Code 2019 and Food Law Code of Practice (Scotland) 2019. *(Recommendation 1)* |
| 3.1.6 | It is evident from the information provided that the Authority is not meeting its current intervention programme. From the 1st of April 2022 to present, the Authority has completed 16% of its current FLRS intervention programme. On average 22 food law inspections are being achieved per month out of the programmed average of 89 per month. These are being prioritised to include Group 1 establishments and Group 2, E, D & C establishments. However, four Group 2 band D inspections were found to be missed on closer examination of the Authority's database.<br><br>The Authority has not managed to maintain their intervention programme in line with the priorities set out in the Local Authority Recovery Project guidance.<br><br>There are a number of unrated Group 2 establishments which have not been completed as per priority 2 of the recovery programme. There are 233 un-banded Group 2 establishments in the current intervention programme. However, 369 un-banded Group 2 establishments were identified on the full database spreadsheet provided during the audit. Group 2 unrated establishments were expected to be completed within 12 months of restart.<br><br>70/260 programmed Group 2 C inspections have been completed to date. Group 2 C establishments are due within 18 months of recovery equating to March 2023. This leaves 190 Group 2 C establishments due before the end of March 2023.<br><br>The Authority is not allocating and completing enough inspections per month to achieve their current inspection programme. If the Authority continues on the current trajectory of 22 inspections per month, it is clear the intervention programme will not be achieved. This will also have an effect on subsequent years' programmes. *(Recommendation 2)* |
| 2.3.1 | The Authority does not use any Alternative Enforcement Strategy, as all businesses are included in the intervention process, but lower risk premises (3 As) are not all inspected. The Authority currently has 575 Group 3 band A establishments which have been placed on a 60 month intervention frequency and the Authority has chosen not to undertake a proactive inspection. If no inspection is carried out, the business must be notified accordingly. |

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| | The Authority should consider the requirements of Section 2.3.1 of the Interventions Code for establishments that are rated Group 3 Band A. It is also recommended that all 3 A risk rated establishments are reviewed to ensure they are rated in the appropriate category. *(Recommendation 3)* |
| 3.5.3 & 5 | The Scope of the Food Service documented in the Authority's Service Plan identifies 95 Manufacturing and Packing establishments, however, on inspection of the Authority's full establishment database, there are only 14 Group 1 establishments which the auditors feel is low for the number of manufacturers and packers registered. It is recommended that the Groups allocated for manufacturing and packing premises are reviewed to ensure that the allocated Group is correct. *(Recommendation 4)* |
| 3.11 | The Authority's approach to interventions out-of-hours is documented in its Food Regulatory Service Plan. Telephone calls outside working hours (8.30 am to 5 pm Monday to Friday) are dealt with by the Contact Centre. At weekends and evenings an Environmental Health Duty Officer is on standby for emergencies . There is also provision for some 'charged for' non-emergency visits to be conducted out of hours (Export Certification and Ship Sanitation Certificates). |
| 3.3 | The Food Regulatory Service Plan states that the majority of official controls are undertaken unannounced. However, in some circumstances an appointment may be necessary. For example, if the business is a domestic establishment or successive attempts to gain access have been unsuccessful. |
| 3.8.2 | The Service Plan did not contain details of new Food Business establishments and how these are to be included in the intervention programme. As per the Interventions Code 2019, the Authority's Service Plan must contain details on how new Food Business establishments are to be included in the Authority's planned Intervention Programme. *(Recommendation 5)* |
| 3.1.6 | The Authority estimated around 20% of premises will require a revisit following a food hygiene intervention under the current rating scheme this year (2022 – 2023) post pandemic. |
| 3.7 | Two unannounced verification checks were carried out during the audit. The first was to a programmed inspection of a butchers who was manufacturing their own products including mince, sausages and baked pies. Conditions were found to be poor onsite, and the Officer had to deal with a number of food law contraventions arising throughout the inspection.<br><br>The second verification visit was a programmed inspection of a Group 2 Café. During the inspection, the café was found to be producing a large number of sandwiches to local offices with the City Centre. Following the intervention, the Authority may need to consider the allocated Group of this establishment given the change in production operations. |

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| | Both Officers conducted the inspections appropriately and in line with Section 4 of the Interventions Code 2019. |
| | In line with the Local Authority Recovery Project process, the Authority has started to implement Official Control Verification (OCV) inspection cycles for approved establishments. 19/30 approved establishments have received a visit since the restart of interventions on the 1st September 2021. Approved establishments are allocated equally amongst Officers. |

| Recommendation |
|---|
| 1. Continue working towards addressing the current resource deficit identified via the original resource calculation, required to deliver the Interventions Code 2019 and Food Law Code of Practice (Scotland) 2019. |
| 2. Ensure that all due interventions are allocated and completed in line with the Local Authority Recovery Project and within the frequencies outlined in the Interventions Code 2019. |
| 3. Review the list of Group 3 A rated establishments to ensure they are rated in the appropriate category. It is also recommended that the Authority make use of an alternative enforcement strategy as outlined in the Interventions Code 2019 for risk rated 3 A establishments to ease the burden on the intervention programme. |
| 4. Review the Groups allocated for Manufacturers and Packers. |
| 5. Ensure the Service Plan details how new food businesses will be incorporated into the Intervention Programme. |

### 3.4 Section 4. Food Law Rating System

| Sub Section | Audit Findings |
|---|---|
| 3.7.1 & 4 | All food establishments (with the exception of Approved establishments and primary producers) are now receiving a food law rated intervention as per the Interventions Code 2019. Aberdeen City Council was part of the Food Law Rating Scheme Pilot which launched in 2017. |
| 3.7.1 | Ten food business establishments were selected for review during the audit. The last intervention for each of the ten premises was assessed by means of its accompanying documentation and computer record. For all ten establishments, the last inspection record and risk rating was assessed for compliance against the standard of the Interventions Code of Practice 2019. All seven compliance categories as outlined in the Interventions Code are recorded after each intervention in the Business Information and Premises Profile sheet. |

| | |
|---|---|
| 3.4 | A Food Law Interventions procedure is in place which details the requirements and responsibilities involved in delivering programmed food law inspections in accordance with the Food Law Code of Practice (Scotland) 2019 and the Interventions Code 2019.<br><br>The Authority do not complete an inspection form for each food law intervention, instead contemporaneous notes are taken in a notebook with the use of an aide memoir.<br><br>On review of contemporaneous notes as part of the documentation review, a complete assessment of the evidence identified and examined during the inspection was missing. In particular, food standards and Hazard Analysis Critical Control Points (HACCP) assessments were not documented in Officers' notes. There were also areas marked as satisfactory in the food law inspection summary document that were not detailed in the notebooks. Records pertaining to official control interventions must include detailed notes and demonstrate the evidence identified and or examined to demonstrate both compliance and non-compliance with Food Law. *(Recommendation 6)*<br><br>In addition, Officers' notes were kept in the Officers' notebooks and were not available on the premises file or the MIS. It is recommended that inspection notes should be maintained on the premises file or the MIS record so as to be readily available for the next inspecting Officer and for internal monitoring purposes. *(Recommendation 7)* |
| 3.7.1.1 | Some food law inspections lacked documentary evidence of a full assessment of food standards. In the majority of files reviewed only allergens were picked up under food standards. As FLRS has introduced a combined Food Hygiene and Food Standards inspection it is required that food standards is assessed in full during all interventions. *(Recommendation 8)* |
| 4.7.5 (D) (Food Law Code of Practice) | It was identified, by the Authority several months ago that data (e.g. food law contravention and advice letters) is not being pulled from the MIS to SND. This is due to incorrect mapping settings which has recently been discovered and dates back several years. Discussions have been ongoing with FSS and the MIS provider regarding this issue which potentially requires development work by the provider to secure a resolution. *(Recommendation 9)* |

| Recommendation |
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| 6. The evidence identified and or examined by Officers to demonstrate both compliance and non-compliance with Food Law and to justify the FLRS risk rating should be adequately documented in Officers' notebooks. |

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|---|
| 7. Consider storing Officers' notes on the MIS premises file so as to ensure they are readily accessible for the next inspecting Officer and for internal monitoring purposes. |
| 8. Ensure food standards is assessed in full during each programmed food law intervention as per the Annex 3 of the Interventions Code 2019. |
| 9. Ensure adequate arrangements are put in place to ensure the weekly transfer of Food Law enforcement activities to the Scottish National Database. |

## 3.5 Section 5. Action Following an Intervention: Minimum Standards of report writing and record keeping

| Sub Section | Audit Findings |
|---|---|
| 6.1 | The Authority has a documented Food Law Interventions procedure in place which details the actions required to be taken following an intervention.<br><br>A written record (Food Law Visit Summary) of each programme inspection will either be left at the time of the visit or sent shortly afterwards via email or post. In addition to the Food Law Visit Summary, an inspection letter is issued if there are regulatory requirements and recommendations identified. |
| 6.1.2 | Inspection letters were found to be well formatted and very easy for food businesses to follow and understand, titled with "what was wrong, why it was wrong and what you need to do to comply?" Each letter also had a timescale for corrective actions. Inspection letters are also hyperlinked to further information on food safety requirements with regard to retained Regulation 852 kept on the Council's website. |
| 6.1 | No inspection documentation was provided to support a Group 2 D inspection completed in October 2022. The business in question was inspected 21/07/2022 and risk rated a Group 2 D. It was due for inspection again in October 2022, inspected 29/10/2022, but no paperwork was provided to support this programmed inspection. Ensure that the appropriate documentation is completed post inspection and maintained. *(Recommendation 10)* |

| **Recommendation** |
|---|
| 10. Ensure that a Food Law Inspection documentation is completed for each Food Law Intervention and maintained in the premises file. |

## 3.6 Section 6. Internal Monitoring

| Section | Audit Findings |
|---|---|
| 39 (Food Law Code of Practice) | Food Authorities must ensure that Interventions are carried out to a consistently high standard and that the planned Intervention programme is being maintained. Food Authorities must maintain documented procedures for monitoring progress of the planned intervention programme and the quality and consistency of interventions undertaken by their Authorised Officers or staff supplied under contract, to ensure, so far as practicable, that Interventions are carried out competently. |
| | The Service has established a Quality Monitoring System for intervention activity, which is designed to ensure:<br>a) Properly planned and resourced risk-based food hygiene interventions are undertaken;<br>b) Officers with the appropriate levels of experience and training are selected to carry out interventions;<br>c) The consistent application of the Council's Food Enforcement Policy;<br>d) That the intervention itself is viewed as more than a specific visit;<br>e) Appropriate training, guidance and coaching is provided to enforcement officers in the furtherance of the objective of continuous professional development;<br>f) Consistency of enforcement approach between enforcement officers. |
| | The Food Law Inspection Procedure states that a proportion of Intervention Reports issued by Officers will be monitored by a designated Officer as a form of evaluation of the quality system. The target monitoring level is 5% of reports, however this will vary depending upon the experience and performance of each Authorised Enforcement Officer. This level of monitoring may also vary depending on the findings of the review of the quality system.<br>It was identified during the audit, that Officers' contemporaneous notes are not reviewed as part of these Intervention Paperwork Audits. To ensure a comprehensive qualitative review is completed, all records relating to official control interventions including Officers' contemporaneous notes should be reviewed. *(Recommendation 11)* |
| | The Food Law Inspection Procedure also states that throughout the year a number of accompanied Validation Audits will take place. These audits will be carried out by the Principal Environmental Health Officer (Food Safety). The Monitoring Officer will complete an accompanied visit validation audit report form as soon as possible after the audit. The contents of the report should be discussed with the Inspecting Officer in advance of the report being produced and any concerns expressed by the |

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| | inspecting Officer considered before the report is complete. The completed form should be used as a basis for identifying training needs and linked to the Services' training procedure relating to food enforcement staff. |
| | The Food Regulatory Service Plan states that technical update meetings will continue to be held every month to disseminate information on policy, new legislation and new developments in food enforcement and the food industry in a structured way. Minutes of Food Safety Technical Meetings were provided as part of the audit. |

| Recommendation |
|---|
| 11. All records relating to official control interventions including Officers' contemporaneous notes should be reviewed as part of the Authority's Internal Monitoring Procedures. |

## 3.7 Section 7. Items to take back to Food Standards Scotland

| Section | Audit Findings |
|---|---|
| | The Food Law Rating Scheme is more resource intensive and is certainly not resource neutral. The Authority feel they are spending most of their time going back to the same businesses and not able to complete the full interventions' programme moving to bands B's & A's. |
| | The Authority raised the question – Is the increase in frequency needed? |
| | The majority of businesses are now receiving an improvement required food hygiene information scheme rating as standards have declined due to the absence of interventions during the pandemic. |
| | This drop in standards is mentally tiring on staff and having an impact on Officer welfare leading to the potential for burnout. The Lead Food Officer made the point that the quality of inspections is considered more important than quantity for the Authority. |

# 4.0 Annex A – Action Plan

**Action Plan for Aberdeen City Council's Audit of Local Authority Implementation of Interventions Food Law Code of Practice (Scotland).**

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Responsible Officer(s) |
|---|---|---|---|
| 1. Continue working towards addressing the current resource deficit identified via the original resource calculation, required to deliver the Interventions Code 2019 and Food Law Code of Practice (Scotland) 2019. | Compliance Officer preferred candidate selected. | 30 April 2023 | Lead Officer |
| | Trainee Authorised Officer preferred candidate selected. | Training to commence August 2023<br>Officer will be unable to conduct full range of duties until Sep 24 following completion of exams. | Lead Officer |
| | EHO currently undergoing structured re-introduction to food related duties. | April 2023 | Lead Officer |
| | Second Trainee Authorised Officer post to be advertised May 2023. | July 2023 | Lead Officer |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Responsible Officer(s) |
|---|---|---|---|
| | Plans to advertise EHO vacancies in August 23 ahead of the next diet of Professional exams.<br><br>Attendance at Robert Gordon University's recruitment Fair. | October 23<br><br>Feb 23 | Lead Officer<br><br>Lead Officer |
| 2. Ensure that all due interventions are allocated and completed in line with the Local Authority Recovery Project and within the frequencies outlined in the Interventions Code 2019. | Interventions will continue to be planned in accordance with the available staff resource. Those in higher priority/risk groups will be addressed first, along with those where valid complaints have been received by the Service. | December 2023 | Lead Officer |
| 3. Review the list of Group 3 A rated establishments to ensure they are rated in the appropriate category. It is also recommended that the Authority make use of an alternative enforcement strategy as outlined in the Interventions Code 2019 for risk rated 3 A establishments to ease the | The Group 3A premises will be reviewed. It is the intention that the newly appointed Compliance Officer will be able to do some alternative enforcement work. | December 2023<br><br>December 2023 | Lead Officer / Compliance Officer<br><br>Lead Officer |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Responsible Officer(s) |
|---|---|---|---|
| burden on the intervention programme. | | | |
| 4. Review the Groups allocated for Manufacturers and Packers. | Work is currently underway to review the Groups. However, several businesses in this category showing on SND have ceased trading which is indicated on the MIS. The issue with ceased trading businesses not being accurately "pulled" through to SND has already been discussed with colleagues at FSS. | 31st March 2023 | Lead Officer |
| 5. Ensure the Service Plan details how new food businesses will be incorporated into the Intervention Programme. | This will be incorporated in the 2023/2024 Service Plan. | 30th June 2023 | Lead Officer |
| 6. The evidence identified and or examined by Officers to demonstrate both compliance and non-compliance with Food Law and to justify the FLRS risk rating should be adequately documented in Officers' notebooks. | The procedure of using mainly notebooks to record actions will be abandoned and we will revert to the use of Aide Memoires. | 1st April 2023 | Lead Officer |
| 7. Consider storing Officers' notes on the MIS premises file so as to ensure | This will be addressed as per point 6 above. | 1st April 2023 | Lead Officer |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Responsible Officer(s) |
|---|---|---|---|
| they are readily accessible for the next Inspecting Officer and for internal monitoring purposes. | | | |
| 8. Ensure food standards is assessed in full during each programmed food law intervention as per the Annex 3 of the Interventions Code 2019. | This will be addressed as per point 6 above. | 1st April 2023 | Lead Officer |
| 9. Ensure adequate arrangements are put in place to ensure the weekly transfer of Food Law enforcement activities to the Scottish National Database. | Discussions have been ongoing for some months with FSS regarding the transfer of data between the MIS and SND. It has just recently been discovered that this problem dates back a number of years and potentially requires development work by our MIS provider. | 30th September 2023 | Lead Officer /MIS Provider |
| 10. Ensure that a Food Law Inspection documentation is completed for each Food Law Intervention and maintained in the premises file. | Enhanced monitoring of Officers' work. | Immediately | Lead Officer |
| 11. All records relating to official control interventions including Officers' contemporaneous notes | This will be addressed as per point 6 above. Aide Memoires containing all relevant information will be filed in the premises file and | 1st April 2023 | Lead Officer |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Responsible Officer(s) |
|---|---|---|---|
| should be reviewed as part of the Authority's Internal Monitoring Procedures. | be available for assessment as part of the Internal Monitoring procedure. | | |

# 5.0 Acknowledgements

The Audit Assurance Team would like to acknowledge the help and co-operation of all staff involved for their assistance while conducting this audit.

Auditors: Áine Phelan
Lindsay Matthew
Jose Martinez

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Food Standards Scotland
Audit Assurance Branch

March 2023

# Abbreviations

| | |
|---|---|
| **EHO** | Environmental Health Officer |
| **EU** | European Union |
| **FBO** | Food Business Operator |
| **FLRS** | Food Law Rating System |
| **FSS** | Food Standards Scotland |
| **FTE** | Full Time Equivalent |
| **HACCP** | Hazard Analysis Critical Control Points |
| **LA** | Local Authority |
| **MIS** | Management Information System |
| **OCV** | Official Control Verification |
| **SND** | Scottish National Database |

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**ABERDEEN CITY COUNCIL**

| | |
|---|---|
| **COMMITTEE** | Communities, Housing and Public Protection |
| **DATE** | 16 May 2023 |
| **EXEMPT** | No |
| **CONFIDENTIAL** | No |
| **REPORT TITLE** | Housing Improvement Group – Capital Works Improvements |
| **REPORT NUMBER** | RES/23/158 |
| **DIRECTOR** | Resources |
| **CHIEF OFFICER** | Corporate Landlord |
| **REPORT AUTHOR** | Stephen Booth |
| **TERMS OF REFERENCE** | 1.1.1 |

## 1. PURPOSE OF REPORT

1.1 To consider issues that arise from tenants refusing capital improvement works and options on how to better progress such works along with also considering the Council approach to communal repairs and replacement in properties in shared ownership.

## 2. RECOMMENDATION(S)

That the Committee**:**

2.1 Note that officers within Corporate Landlord, Early Intervention and Community Empowerment and Capital are working on improvements around provision of information and support to tenants impacted by planned capital works;

2.2 Instructs the Chief Officer - Corporate Landlord to report back to this Committee on progress towards introducing those outcomes referred to in 2.1 above

2.3 Notes the options set out in the report with regard to enforcement of capital works and instructs the Chief Officer - Corporate Landlord to investigate further the legal impact of the options and report their findings back to this Committee in due course.

## 3. CURRENT SITUATION

3.1 At the committee on 17 January 2023 it was agreed to instruct the Chief Officer – Corporate Landlord to report to the next meeting of this Committee on the capital programme of works to properties, following consideration of the current approach to tenants refusing improvement works, with options to change this approach and the case for changing to an approach which ensures all tenanted properties are upgraded and maintained to the same standard.

**Capital Work – Tenant Refusals**

3.2 In order to ensure that properties within the Housing Revenue Account are properly maintained and meet appropriate standards there is an agreed programme of capital improvements works to properties to benefit tenants and the asset. The types of works that form part of the capital works have historically included kitchen and bathroom replacement, heating and electrical upgrades (including fire systems), door and window replacement programmes, roof renewals etc. In the coming years there will also be enhanced workstreams around environmental measures (wall and roof insulation etc.)

3.3 Historically there has been relatively high refusal rates for such works. This is evidenced in the table below which shows the range of refusals for some work elements (excluding 20/ 21 when covid 19 had an impact)

| **Type of work** | **Tenant Refusal rate** |
|---|---|
| Kitchen replacement | 40 to 70% |
| Bathroom replacement | 10 to 25% |
| Re-wiring | 20 to 45% |
| Window replacement | 2 to 5% |
| Smoke detectors | 1000 or so still to be fitted of approx. 22,000 |

3.4 Tenants are generally encouraged to allow work to take place but when consent cannot be obtained works are generally not taken forward as this would require the Council to ultimately force access to the property. The exception to this is around critical Health and Safety works such as gas safety certification where there is an established process to gain entry (see appendix 1) and more recently the Council are seeking to gain entry for fire system upgrades. When works are refused, tenants are asked to sign a waiver that they have refused works to allow for any dispensation to be applied with the Housing Regulator for the Council not meeting standards such as Scottish Housing Quality Standard etc.

3.5 Tenants can give no reason for refusal of works, but often state a range of considerations, depending on the proposed improvements works. This may include:-

- Unwilling to put up with disruption.
- May have recently decorated
- May have installed own kitchen/ bathroom (with or without consent)
- May have installed own floor finished which may be disrupted
- Tenant may be elderly or infirm
- Health of tenant and negative impact of disruption.

3.6 The impact on these capital works not being undertaken can be noted as follows:-

- Additional staff time and resource to manage refusal process and engage with tenants
- Delays in being able to progress with works and meet spend ambitions.
- Loss of economy of scale in undertaking a range of works in the same location
- General reduction in quality of stock/ relaxations being required from housing regulator around SHQS etc.
- Extended void periods (capital works are generally caught up with during void periods)

3.7 Council houses are occupied under a Scottish Secure Tenancy Agreement. The version used by the Council is adopted from best practise in the sector. With the tenancy agreement the access for works is noted below:-

*We have the right to come into the house to inspect it and its fixtures and fittings or carry out repairs to it, or adjoining property, during reasonable times of the day. We will give you at least 24 hours' notice in writing except in an emergency. We have the right of access to the house in order to:*

- *lay wires, cables and pipes for the purposes of telecommunications, water, gas, and electricity,*
- *fit or replace or repair smoke detectors, or other safety-related appliances, or security-related appliances including door-entry systems.*
- *inspect or service any gas appliances,*
- *undertake any other servicing or maintenance work which we consider necessary, and*
- *carry out improvement works in accordance with the Scottish Quality Housing Standards (or such standards as may replace or supersede same) providing we give you reasonable notice in writing.*

*We have the right of access to the common parts at any reasonable time.*

*If you refuse us entry to the house or the common parts, we will have the right to make forcible entry provided we have given you every reasonable opportunity to let us in voluntarily. If we have to make forcible entry, in this situation, you are liable for the costs of any damage reasonably caused. In an emergency, we have the right to make forcible entry to the house without notice.*

In addition, the tenancy agreement also states that where a tenant initially provides written agreement to modernisation, such as, but not limited to kitchen and/or bathroom replacement work but then subsequently denies access for the work to proceed, the Council will be entitled to charge the tenant for any costs incurred. The tenant will be advised in writing of the amount that they will be held liable for.

There are, however, a number of styles of tenancy agreement which still apply to existing tenancies created over the years which do not contain the wording above. The terms of the tenancy agreement would have to be checked in every situation prior to a decision on the action, if any, which can be applied in each circumstance.

3.8 Through recent work with the Housing Service Review Group on the delivery of the Housing Capital programme a number of areas for improvement around consultation and communication with tenants were identified. These included issues such as:

- Improving access to information on planned works on the City Council's website
- Identification of a point of contact within the Council for each capital works contract, not just the contractor's liaison staff
- The tenant should be asked for feedback and should sign off on completed work
- Use of videos to demonstrate what is involved in capital works projects, especially kitchen replacement
- Provide assistance to tenants to prepare for works
- Provide Locality staff with access to information on planned works in their area so that they can assist with communication with tenants
- Improve the use of social media where appropriate to inform tenants of planned capital works in their home/area

It is intended that these improvements in the service can be introduced, where practicable, within the current year, or at the earliest opportunity thereafter as circumstances allow.

Whilst it is believed that the service improvements detailed above will in time lead to an improved take up in capital works by tenants, it is still likely that no access or refusal of works will occur. To improve the situation officers have provided a range of options for consideration by the Committee:

3.9 Option A – Maintain Status Quo

| **Description** | **Continue to allow tenant refusals for capital works other than for Health and safety purposes** |
|---|---|
| **Advantages** | Tenants have large degree of control over their home. |
| **Disbenefits** | Decreasing quality of council accommodation |
| **Unintended consequences** | none |
| **Risks** | Failure to meet SHQS/ EESSH2/ Health and Safety issues |

3.10 Option B – Extend the range of works where forced entry will be obtained

| **Description** | **Continue to allow tenant refusals for limited capital works other than for Health and safety purposes** |
|---|---|
| **Advantages** | Tenants retain a significant degree of control over their home but not to the extent of option A. |
| **Disbenefits** | Decreasing quality of council accommodation<br>Many types of capital work require access over a number of days, not always consecutively. Maintaining access in these circumstances would be difficult |
| **Unintended consequences** | none |
| **Risks** | Failure to meet SHQS/ EESSH2/ Health and Safety issues |

3.11 Option C – Insist on compliance with all works (enforce lease conditions)

| | |
|---|---|
| **Description** | **Move to a position where access is taken to tenants' homes where sufficient notice of work has been provided as laid out in existing lease conditions** |
| **Advantages** | Ensures all planned capital works are undertaken as and when required<br>Ensures properties meet SHQS/EESSH2/Health and Safety requirements |
| **Disbenefits** | Many types of capital work require access over a number of days, not always consecutively. Maintaining access in these circumstances would be difficult |
| **Unintended consequences** | none |
| **Risks** | Reputational risk – Council might be accused of a heavy handed approach to delivery of capital works |

3.12 It is proposed that the Chief Officer Corporate Landlord investigates the legal impact of these options further and reports findings back to this committee on completion of these investigations .

## 4. FINANCIAL IMPLICATIONS

4.1 No financial implications have been identified at this time although this will require to be addressed in follow up reports. Proposed studies will be met by current resource.

4.2 Any specialised or additional resource requirement will be identified within the HRA budget setting process.

## 5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report. The legal implications of any future recommendations will be addressed in future reports.

## 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

## 7. RISK

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H)<br>*taking into account | *Does Target Risk Level Match |
|---|---|---|---|---|

| | | | controls/control actions | Appetite Set? |
|---|---|---|---|---|
| **Strategic Risk** | Quality of housing may reduce without effective maintenance, repairs, and capital improvements | Implementation of recommendations in this report. | Low | **Yes** |
| **Compliance** | Provision of quality housing ensures compliance with Scottish Housing Regulator requirements | Implementation of recommendations in this report. | Low | **Yes** |
| **Operational** | Provision of housing is a priority for residents of Aberdeen City. Failure to ensure there is an adequate supply of good quality housing may result in people seeking to be housed elsewhere. | Implementation of recommendations in this report. | Low | **Yes** |
| **Financial** | None at this time | | | **Yes** |
| **Reputational** | Failure to improve the quality of Council homes may harm the Council's reputation if the properties need repairs. | Implementation of recommendations in this report. | Low | **Yes** |
| **Environment / Climate** | Improvements to homes have a positive impact on carbon reduction. Failure to effectively implement the proposals may result in increased carbon emissions. | Implementation of recommendations in this report. | Low | **Yes** |

## 8. OUTCOMES

| COUNCIL DELIVERY PLAN 2022-2023 |
|---|

| | Impact of Report |
|---|---|
| **Aberdeen City Council Policy Statement**<br><br>**Working in Partnership for Aberdeen** | The proposals within this report have no impact on the Council Delivery Plan. |
| | |
| Aberdeen City Local Outcome Improvement Plan 2016-26 | |
| Prosperous Economy Stretch Outcomes | The proposals within this report support the City Centre Masterplan, by setting out steps which are expected to support a number of employment sectors. |
| Prosperous People Stretch Outcomes | The proposals within this report support improved healthy life expectancy by setting out steps towards achieving reductions in fuel poverty and housing that is affordable. |
| Prosperous Place Stretch Outcomes | The proposals within this report support reducing Aberdeen's carbon emissions and improving the standard of housing by setting out steps towards achieving more energy efficient and better quality housing. |
| | |
| *Regional and City Strategies* | The proposals within this report support the Aberdeen City Local Housing Strategy through the delivery and provision of quality affordable housing.<br><br>The proposals within this report also support the following Legislative and Policy Programmes:<br><br>- Scottish Housing Quality Standard<br>- Energy Efficiency Standard for Social Housing 2. |

## 9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|---|---|
| **Integrated Impact Assessment** | Not required at this time. |

| | |
|---|---|
| **Data Protection Impact Assessment** | Not required at this time. |
| **Other** | None |

## 10. BACKGROUND PAPERS

10.1 None.

## 11. APPENDICES

11.1 Aberdeen City Council Gas Management Procedures – Arranged Access Procedure

## 12. REPORT AUTHOR CONTACT DETAILS

| | |
|---|---|
| **Name** | Stephen Booth |
| **Title** | Chief Officer |
| **Email Address** | stbooth@aberdeencity.gov.uk |
| **Tel** | 01224 522675 |

ACC must ensure that pipework, appliances and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions, if these are not available it is recommended that they are serviced annually unless advised otherwise by a Gas Safe Registered engineer.

ACC must also arrange an annual gas safety check on every appliance and flue by a registered Gas Safe engineer. ACC have made the decision to combine these two checks.

Landlords are legally responsible for the gas safety of their properties. The Gas Safety (Installation and Use Regulations) 1998 outlines what landlords must do to ensure gas appliances, fittings and flues provided for tenants are safe.

**All annual gas service/safety checks to be planned 9 months and 3 weeks from the previous service/safety check date. The Gas Contractor is to make 3 access attempts via lettered appointment before a property can be passed back to ACC for addition to the Arranged Access program. The property must be returned to ACC with a minimum of 4 weeks left on the current certificate.**

Process:

- Following 3 failed access attempts by the Gas Contractor via lettered appointment to complete the service/safety check properties are passed back to ACC on the Hard No Access (HNA) daily update to be added to the Arranged Access program. The update also includes removals of properties on the Arranged Access program that are now complete whether that be due to Arranged Access, appointment request from the tenant, void request or new installation.

- Following receipt of the HNA update each property received is checked for new installations (which the Gas Contractor may not have been made aware of yet) and the tenancy status of the property e.g. is it a new void/pending void/void for extensive period. Once these checks have been completed any properties identified as void/installs complete are highlighted to the Gas Contractor.

- When paperwork is being generated for a property being planned for Arranged Access the tenancy status and new installation status are rechecked in case any changes have taken place between receipt of the property and planning. Properties are planned in batches of a maximum of 15 properties a day Tuesday – Thursday, Monday and Fridays can be used if there is an extensive number of properties on the Arranged Access program to ensure certificate dates are not lost.

- When a property is planned for Arranged Access the tenant is notified with an Arranged Access Notice which is hand delivered by an ACC Inspector. The Arranged Access date is a minimum of 5 working days after delivery however we are only required to give 24 hours notice in writing as per Section 27 and Schedule 4, Para. 4 of the Housing (Scotland) Act 2001 to take entry.

- The Arranged Access Notice details the Gas Contractor has been attempting to gain access to complete the service/safety check, the planned Arranged Access date, contact information for Gas Contractor and an overview of what steps will be taken should there be no access via appointment prior to the Arranged Access date. Tenants have till 12pm the day before the Arranged Access date to get the service/safety check completed to avoid the Arranged Access being attended.

- Following confirmation from the Gas Contractor, the day before the Arranged Access date, that the service/safety check has not been completed a job number will be raised on the ACC system. The job raised is for the Arranged Access to take place with a tenant charge budget code against the job for an attended Arranged Access (charge of £120). Tenants are made aware of the charge for an Arranged Access being attended when canvased with the Arranged Access Notice and that it will stand whether they are there on the day to give access or not.

- Prior to the job number being generated the tenancy status and new installation status are rechecked.

- Order of properties and job numbers are provided to Gas Contractor after 12pm the day prior to the Arranged Access date for outstanding properties.

- On the day of the Arranged Access an ACC inspector attends the property with an engineer from Gas Contractor who is also trained to change locks if required.

- The tenant is given the opportunity to allow access on the day of Arranged Access, should there be no access and the gas meter is located internally the property lock is opened for access to complete the service/safety check. Should there be no gas/electric credit in the internal meter the gas meter will be capped and LGSR produced. The property is re-secured, and keys returned to ACC depot for collection by named tenant. Gas Contractor leaves contact card stating meter is capped along with Gas Contractor details to arranged appointment to uncap meter and complete service/safety check.

- Should there be no allowed access on the day of Arranged Access and the gas meter is located externally the gas meter will be capped and LGSR produced. Gas Contractor card posted through property door to make tenant aware the gas meter is capped along with Gas Contractor details to arrange appointment to uncap the gas meter and complete service/safety check.

- Completed paperwork for properties attended for Arranged Access is completed by ACC Inspector and returned to Work Planner for processing. ACC Arranged Access program is updated to remove the completed properties and completed paperwork sent to Housing for their records.

Note:

- Should there be refused access on the day or another obstruction of access e.g. dog in property and no access via tenant, property is to be re-planned and Housing contacted for assistance. Housing may then request assistance from the dog warden, the Police or contact the tenant/attend next Arranged Access as joint visit depending on issue highlighted/previous dealings with tenant.

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