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To: Councillor Radley, Convener; Councillor Henrickson, Vice-Convener; and Councillors Bonsell, Brooks, Copland, Cross, Davidson, Delaney, Graham, Greig, McLellan, Mrs Stewart and Thomson.

Town House,
ABERDEEN 29 August 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, 5 SEPTEMBER 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 6 July 2023 (Pages 5 - 14)

COMMITTEE PLANNER

6. Committee Business Planner (Pages 15 - 24)

NOTICES OF MOTION

7. There are no reports under this heading

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

8. There are no reports under this heading

GENERAL BUSINESS

PUBLIC PROTECTION

- 8.1. Police Scotland - Performance Report - POL/23/298 (Pages 25 - 50)
- 8.2. Police Scotland - Mental Health Thematic Report - POL/23/299 (Pages 51 - 66)
- 8.3. Police Scotland - Antisocial Behaviour - Aberdeen City Centre - POL/23/280 (Pages 67 - 88)

FINANCE, PERFORMANCE, RISK AND SERVICE WIDE ISSUES

- 9.1. Performance Report - COM/23/246 (Pages 89 - 122)

COMMUNITIES AND HOUSING

- 10.1. Aberdeen City Empty Homes Update Report - COM/23/256 (Pages 123 - 130)

- 10.2. Food Standards Scotland Audit of Local Authority implementation of interventions Food Law Code of Practice (Scotland) Action Plan Update - RES/23/248 (Pages 131 - 168)
- 10.3. Protective Services Food Regulatory Service Plan 2023/2024 - RES/23/225 (Pages 169 - 204)
- 10.4. Installation of Physical Exercise Bars (Callisthenic Station) in Parks - RES/23/264 (Pages 205 - 212)
- 10.5. Establishing a Trusted Trader Scheme in Aberdeen City - RES/23/272 (Pages 213 - 222)
- 10.6. The Aberdeen City Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products - RES/23/258 (Pages 223 - 234)
- 10.7. Remembering Together Public Art Work - RES/23/265 (Pages 235 - 260)
- 10.8. Annual Assurance Statement - CUS/23/262 (Pages 261 - 276)
- 10.9. Armed Forces Covenant Duty - CUS/23/247 (Pages 277 - 292)
- 10.10 Community Resilience - COM/23/291 (Pages 293 - 300)
- .
- 10.11 New Housing Cloverhill Gold Standard - RES/23/286 (Pages 301 - 312)
- .
- 10.12 Planned Maintenance Pilot Project 2023 - RES/23/294 (Pages 313 - 328)
- .

EHRAs 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 067344

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Communities, Housing and Public Protection Committee

ABERDEEN, 6 July 2023. Minute of Meeting of the COMMUNITIES, HOUSING AND PUBLIC PROTECTION COMMITTEE. Present:- Councillor Radley, Convener; Councillor Henrickson, Vice-Convener; and Councillors Bonsell, Bouse (as substitute for Councillor Delaney), Brooks, Copland, Davidson, Farquhar (as substitute for Councillor Cross), Graham, Greig, McLellan 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.

PIPER ALPHA

1. The Committee noted that it was the 35th year anniversary of the Piper Alpha disaster, and observed a minute of silence in memory of all those who were lost.

EXEMPT BUSINESS

2. The Convener proposed that the Committee consider item 12.1 (Cost Neutral Environmental Enforcement) with the press and public excluded from the meeting.

The Committee resolved:-

in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the above item so as to avoid disclosure of information of the classes described in the following paragraphs of Schedule 7(A) to the Act:- article 13 (paragraphs 6 and 9)

DECLARATIONS OF INTEREST OR CONNECTIONS.

3. No declarations of interest or connections were intimated.

DEPUTATION REQUESTS

4. The Committee received two deputations from Ms Laurie Mackay and Ms Karen Barrett.

Ms Mackay in her presentation, outlined that libraries were about people and the way people had access to local libraries across Aberdeen had changed due to multiple changes in opening hours and a reduction in access to community branches across the city. Ms Mackay advised that whilst more people were using and seeking digital

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resources, there was still digital poverty in the city meaning these resources could not be accessed from every home either due to a lack of education, a lack of IT equipment, affordable internet, language barriers or disability. Libraries were also not all about accessing information and books, but also about learning, getting support to access information, and connecting with communities.

Ms Mackay presented a table ahead of the deputation and explained that it showed how library visits fell and then had been gradually increasing. Ms Mackay outlined that the total library visits did not reflect this within the context of the number of branches open, the total hours they were open for compared to how they once were before the COVID-19 pandemic closures. She advised that they also did not reflect the need in some areas, particularly where schools did not have a library and school librarian. Ms Mackay intimated that an empty classroom with books on display was not the same as a staffed school library service and noted that a school library had very limited access for communities, and that not all families educate their children through the schools. There were many families in Aberdeen who use libraries as part of their child's home learning instead of registering them at school.

Ms Mackay also stated that she hoped that as housing developments were approved in areas around the city, amenities such as community centres and libraries that were accessible to people of all ages were within a safe walking distance from their homes, noting that Stirling Council had been increasing its branches, opening up new staffed community libraries.

Ms Mackay explained that consideration needed to be taken with location. She indicated that many people in Garthdee were unaware of their local library service due to it being based in Kaimhill School as well as it being closed for 2 years during the pandemic. She advised that often libraries within school buildings proved to be a barrier to people in the community who did not have children who attended that particular school.

Ms Mackay said that lower library footfall or lack of engagement in the consultation in neighbourhoods where there was the greatest need to improve mental health, educational attainment, and child literacy levels should not be used as a reason to reduce or close a community library service, but as an indicator that more needed to be done to help people to feel safe and welcome to access the services that could benefit them.

Ms Mackay advised that an important factor was to do consultation with communities who had lost their libraries. She indicated that she felt the closure of the Linkfield Library was still felt by people in Linkfield and Seaton, and many library users in Rosehill & Stockethill, Woodside, Hilton, Garthdee, Ferryhill & Broomhill, Northfield & Heathryfold and Cults had felt the loss of access and now total closure of their libraries. While some had been able to drive to other libraries that were open later and had car parking, others who do not drive had lost that same access they once had. Ms Mackay also hoped that the consultation was undertaken by someone independent of the Council and that the Council spoke with experts such as those at Scottish Library and Information Council, CILIP Scotland, Scottish Book Trust, Society of Children's Book Writers and Illustrators

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British Isles Scotland branch, care and residential homes, the VSA, community frontline NHS staff, disability charities, Community Councils, teachers, librarians, and the Save Aberdeen Libraries campaign group.

Ms Mackay also asked that the timeline be changed as many groups and communities would not be meeting over the summer, and to allow community programmes to settle back in so they did not miss the opportunity to take part in the consultation.

In terms of the action to be taken, Ms Mackay asked that the average hourly footfall (calculated by taking into consideration the weekly opening hours of each library) be calculated for all library branches that were open before and after the pandemic and changes to hours/access level should be noted so Councillors could see the impact of this on users. She also asked that officers look at PC usage in libraries in context of their opening hours as an indicator to digital access needed in those communities that could not be found at home.

Members then asked a number of questions based on Ms Mackay's deputation.

The Committee then heard the deputation from Ms Karen Barrett. In her deputation Ms Barrett explained that she campaigned to keep Ferryhill library. Ms Barrett felt that it was a very hasty decision to close libraries as they were alleviating loneliness in so many residents. Ms Barrett indicated that the review should have been done before the closures and asked that the six closed libraries be included in the proposed review.

Ms Barrett outlined her concerns with the timing of the review, noting that students used the library services but would not be in Aberdeen during the summer months in order to participate in the review. She asked that focus groups and interviews be held in September and asked not to consult then ignore the feedback received. Ms Barrett also asked that an independent consultant be used to undertake the review.

Ms Barrett highlighted that many of the closed libraries were used as warm spaces for residents, and also highlighted the 20 minutes neighbourhood that was being adopted in many new housing developments in Scotland.

Members also asked Ms Barrett a number of questions based on her deputation.

Having heard both deputations, the Convener, on behalf of the Committee, expressed her thanks for their comments and input.

The Committee resolved:-

to note the information provided during the deputations and to thank Ms Mackay and Ms Barrett for the information they presented.

MINUTE OF THE PREVIOUS MEETING OF 16 MAY 2023

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5. The Committee had before it the minute of the previous meeting of 16 May 2023, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

6. The Committee had before it the planner of committee business, as prepared by the Interim Chief Officer – Governance (Legal).

The Committee resolved:-

- (i) to note the reason for the delay for item 5 – Housing improvement Group; and
- (ii) to otherwise note the committee business planner.

SCOTTISH FIRE AND RESCUE - THEMATIC REPORT: 2022/23 - ANNUAL SCRUTINY REPORT

7. The Committee had before it a report by Scottish Fire and Rescue (SFRS), which presented the performance of SFRS against the objectives contained within the Aberdeen City Local Fire and Rescue Plan.

Mr Chay Ewing, Area Commander, Scottish Fire and Rescue Service, provided an overview of the report and answered various questions from Members.

The report recommended:-

that the Committee note the performance data provided in Appendix A in relation to the SFRS 2022/23 Performance Report.

The Committee resolved:-

- (i) to approve the recommendation; and
- (ii) to wish Chay Ewing all the best in his retirement and to thank him for all of his hard work.

POLICE SCOTLAND - VERBAL UPDATE

8. The Committee heard from Chief Superintendent Graeme Mackie, who provided a verbal update to Members on various subjects.

Chief Superintendent Mackie explained that Aberdeen had once again been awarded the Purple Flag status for the tenth year, which recognised both the safety and vibrancy of the city centre at night. He explained that in relation to the city centre, there were still some challenges but these would continue to be worked on.

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Chief Superintendent Mackie also provided information on Naloxone, noting that 525 officers from the division had been trained to carry and use the single use intra-nasal spray.

Chief Superintendent Mackie also spoke about recent pressures on Police Scotland workload.

Members asked a number of questions of Chief Superintendent Mackie.

The Committee resolved:-

to note the verbal update provided by Police Scotland.

POLICE SCOTLAND - PROFESSIONAL STANDARDS OFFICER

9. The Committee heard from Superintendent Kate Stephen, Professional Standards Department, Police Scotland, who provided a detailed overview of Professional Standards and what the department dealt with.

Superintendent Stephen indicated that there were five strands to the Professional Standards department and noted that there were 17 more complaints than last year with 315 recorded. These were mainly around service delivery and perceived lack of action from Police Scotland.

Superintendent Stephen explained that following the conviction of Wayne Couzens who had been a serving Police Officer at the time he committed murder, an investigation was carried out from Police Scotland which reviewed all complaints that were sexual complaints, and advised that the review was positive. 206 cases were reviewed and five were determined requiring further investigation.

The Committee resolved:-

- (i) to request that a Service Update be issued to Members providing details on what was presented by the Professional Standards Officer; and
- (ii) to request that the Professional Standards Officer provide information to Councillor Greig via the clerk in relation to the breakdown of data recording, and whether data was recorded divisionally or city based.

PERFORMANCE REPORT - COM/23/176

10. The Committee had before it a report by the Chief Officer – Data and Insights, which presented Members with the status of appropriate key performance measures relating to certain Operations, Customer and Commissioning services.

The report recommended:-

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

The Committee resolved:-

- (i) to request that a Service Update be issued to Members on Choice Based Lettings, providing details on any feedback received from users, as well as retention levels; and
- (ii) to otherwise note the performance report.

MODERN SLAVERY - COM/23/211

11. The Committee had before it a report by the Interim Chief Officer – Governance (Legal), which updated the Committee on the current status of the Modern Slavery Act 2015 and related matters.

The report explained that following a Notice of Motion submitted by Councillor Ali to the Council meeting of 26 April 2023, the Council noted that modern slavery affected millions of people globally. The Council also noted that only parts of the Modern Slavery Act 2015 applied to Scotland, but that, as a public body, it should uphold the highest possible ethical standards.

The report recommended:-

that the Committee note the current status of the Modern Slavery Act 2015, proposed legislative changes and the review of what other major public institutions have in place.

The Committee resolved:-

- (i) to note the current status of the Modern Slavery Act 2015, proposed legislative changes and the review of what other major public institutions have in place;
- (ii) to instruct the Chief Executive to develop an Anti Modern Slavery statement that would be included as part of the normal policy review cycle, in areas such as:
 - a. Human Resources including:
 - i. Recruitment
 - ii. Use of temporary / casual / fixed-term staff
 - b. Partner organisations
 - c. Supply chain / Procurement, including:
 - i. IT procurement
 - ii. Use of consultants, contractors, suppliers, vendors
 - d. Capital Projects
 - i. Use of consultants, contractors, suppliers, vendors
 - ii. Materials
 - e. Whistleblowing
 - f. Training and development
 - g. Monitoring & enforcement; and
- (iii) to report the statement back to this committee at the next appropriate time.

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ABERDEEN'S FUTURE LIBRARY AND INFORMATION SERVICE - CUS/23/216

12. The Committee had before it a report by the Chief Officer – Early Intervention and Community Empowerment, which sought permission to consult with library stakeholders to ensure the design of future city library provision was sustainable and responsive to the evolving needs of the communities ahead of submitting a plan for Aberdeen's Future Library and Information Service later in 2023/24.

The report recommended:-

that the Committee –

- (a) instructs the Chief Officer - Early Intervention and Community Empowerment to carry out engagement and consultation with stakeholders to understand current and future demand and how available resources can be maximised to ensure continued access to library and information services that are sustainable and responsive to local need;
- (b) instructs the Chief Officer - Early Intervention and Community Empowerment to work with stakeholders to co-design a strategic vision and plan for the Library and Information Service in the context of the Community Planning Aberdeen Partnership;
- (c) approves the timeline for consultation, communication, analysis and design of Aberdeen's Future Libraries and Information Service vision and plan, as set out in 3.8 of the report;
- (d) instructs the Chief Officer - Early Intervention and Community Empowerment to report back to the Communities, Housing and Public Protection Committee on the Future Libraries and Information Service vision and plan at the first Committee meeting of 2024.

The Convener, seconded by the Vice Convener moved:-

that the Committee approve the recommendations contained in the report, but extend the consultation period in recommendation (c) to October 2023.

Councillor Graham, seconded by Councillor Bonsell, moved as an amendment:-

that the Committee

- (1) agrees to include the potential re-opening of libraries in Ferryhill, Cults, Cornhill, Kaimhill, Northfield and Woodside in the consultation process;
- (2) agrees that Aberdeen City Council's Library and Information Service plays an essential service for citizens who live, work, study and play in Aberdeen apart from the areas of Ferryhill, Cults, Cornhill, Kaimhill, Northfield and Woodside;
- (3) agrees that the continued closure of 6 Aberdeen Libraries, disadvantages children living in Ferryhill, Cults, Cornhill, Kaimhill, Northfield and Woodside, and conflicts with the recommendations given in The Promise;
- (4) agrees that no matter what the findings of the consultation are it will do nothing to repair the damage to children's future prospects caused by the closure of the six Libraries;

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- (5) agrees that without the inclusion of the potential re-opening of libraries in Ferryhill, Cults, Cornhill, Kaimhill, Northfield and Woodside in the consultation process, the consultation proposals will contradict statements made in Aberdeen City Council's Policy Statement;
- (6) agrees that without the inclusion of the potential re-opening of libraries in Ferryhill, Cults, Cornhill, Kaimhill, Northfield and Woodside in the consultation process, the consultation proposals will contradict statements made in the Aberdeen Local Outcome improvement Plan;
- (7) agrees that without the inclusion of the potential re-opening of libraries in Ferryhill, Cults, Cornhill, Kaimhill, Northfield and Woodside any further consultation is meaningless;
- (8) instructs the Chief Officer - Early Intervention and Community Empowerment to carry out engagement and consultation with stakeholders to understand current and future demand and how available resources can be maximised to ensure continued access to library and information services that are sustainable and responsive to local need;
- (9) instructs the Chief Officer - Early Intervention and Community Empowerment to work with stakeholders to co-design a strategic vision and plan for the Library and Information Service in the context of the Community Planning Aberdeen Partnership;
- (10) approves the timeline for consultation, communication, analysis and design of Aberdeen's Future Libraries and Information Service vision and plan, as set out in 3.8 of the report; and
- (11) instructs the Chief Officer - Early Intervention and Community Empowerment to report back to the Communities, Housing and Public Protection Committee on the Future Libraries and Information Service vision and plan at the first Committee meeting of 2024.

On a division, there voted:- for the motion (7) – the Convener, the Vice Convener, and Councillors Bouse, Copland, Davidson, Greig and McLellan – for the amendment (4) – Councillors Bonsell, Brooks, Graham and Thomson – absent from the division (1) – Councillor Farquhar.

The Committee resolved:-

- (i) to request that officers look at areas with low feedback received during the consultation and target these areas in order to aim for better response rates in these areas; and
- (ii) to adopt the motion.

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

COST NEUTRAL ENVIRONMENTAL ENFORCEMENT - CUS/23/219

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13. The Committee had before it a report by the Chief Officer – Early Intervention and Community Empowerment, which provided an update on the feasibility of a cost-neutral environmental enforcement initiative and sought approval to proceed with a 12-month pilot programme with the identified supplier.

The report recommended:-

that the Committee –

- (i) agree the implementation of a 12-month pilot programme with the selected supplier for the enforcement of Littering, Dog Fouling and Fly Tipping legislation; and
- (ii) instruct the Chief Officer - Early Intervention and Community Empowerment to monitor and evaluate the pilot and prepare a report for this Committee on conclusion of the pilot in 2024.

The Committee resolved:-

to approve the recommendations.

- **Councillor Miranda Radley, Convener**

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| | A | B | C | D | E | F | G | H | I |
|---|--|--|---------------|-------------------------|--|-----------------|---------------------------|--|---|
| 1 | COMMUNITIES HOUSING AND PUBLIC PROTECTION COMMITTEE BUSINESS PLANNER 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 | 5th September 2023 | | | | | | | | |
| 4 | 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. | On agenda | Mel Booth | Strategic Place Planning | Commissioning | 1.1.1 | | |
| 5 | 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. | O agenda | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |
| 6 | Trusted Trader Scheme in Aberdeen City | To seek approval for the proposed Trusted Trader Scheme | On agenda | Graeme Paton | Operations and Protective Services | Resources | 1.1.2 and 1.1.5 | | |
| 7 | Installation of Physical Exercise Bars (Callisthenic Station) in Duthie Park | At the Finance and Resources Committee on 5 July 2023, a petition was heard and it was resolved to agree to instruct the Chief Officer – Operations and Protective Services to prepare a report on the feasibility, options and associated costs of installing public exercise equipment at all public parks, including but not limited to Duthie Park, and report back to the Communities, Housing and Public Protection Committee on 5 September 2023. | On agenda | Mark Reilly/Steven Shaw | Operations and Protective Services | Resources | 1.1.1 | | |
| 8 | Armed Forces Covenant | The Armed Forces Act 2021 amended the Armed Forces Act 2006 to create legal obligations on specified bodies in all four home nations of the UK. | On agenda | Jacqui McKenzie | Early Intervention and Community Empowerment | Customer | 1.1.1 | | |

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| 2 | | | | | | | | | |
| 9 | Community Resilience | To provide an update on arrangements which have been put in place with communities across the city to support them in local emergency response during disruptive weather events and power outages. | On agenda | Fiona Mann | Governance | Commissioning | 2.12 | | |
| 10 | 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 | On agenda | Graeme Mackie/ Andy McDonald | Customer Services | Customer | 1.1.1, 2.20 and 2.21 | | |
| 11 | 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 | | |
| 12 | Police Scotland - Mental Health Thematic Report | To provide a thematic report on Mental Health. | On agenda | Graeme Mackie | Police Scotland | Police Scotland | TOR 2.20 and 2.21 | | |
| 13 | Police Scotland - Performance Report | To provide Police Scotland Performance Report | On agenda | Graeme Mackie | Police Scotland | Police Scotland | TOR 2.20 | | |
| 14 | Protective Services Food Regulatory Service Plan 2023/2024. | At the meeting on 16 May 2023, it was agreed to instruct the Chief Officer – Operations and Protective Services to provide the Committee with a progress update of the audit “Action Plan” and also instructs the Chief Officer – Operations and Protective Services to report back with the “Annual Service Plan” report that details future service delivery, for Food law interventions, considering the Food Standards Scotland Audit findings | On agenda | Hazel Stevenson | Operations and Protective Services | Resources | 1.12 and 1.15 | | |

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| 2 | | | | | | | | | |
| 15 | Food Regulatory Service Action Plan progress following the Food Standards Scotland Audit of Local Authority implementation of Interventions Food Law Code of Practice (Scotland). | To present an update on the Action Plan that resulted from findings of the 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 undertaken on 6th and 7th December 2022. The outcome of the Audit was initially presented to this Committee on 16th May 2023 and this report provides a further update on progress as instructed at that Committee. | On agenda | Nick Glover | Operations and Protective Services | Resources | TOR 2.3 | | |
| 16 | Annual Assurance Statement | Annual submission required to the Scottish Government. October/November 2023 | On agenda | Jacqui McKenzie | Early Intervention and Community Empowerment | Customer | 1.1.1 | | |
| 17 | The Aberdeen City Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products | Intelligence and complaints received by Aberdeen City Council Trading Standards Service (TS) leads officers to believe that there is a growing issue in the city, particularly on Union Street, of "proxy purchasing" of tobacco and Nicotine Vaping Products (NVP), particularly Single-Use NVP ("vapes"). This is the practice where adults buy these age-restricted products on behalf of young people who are too young to buy them for themselves. Proxy Purchasing is a criminal offence enforced by TS, but it is very difficult to detect and prove. This Retailers' Charter is an attempt to work with retailers to solve this problem using the Five Principles set out in Appendix 1 whilst maintaining focus on existing legal responsibilities in respect of age restricted products. | On agenda | Graeme Paton | Operations and Protective Services | Resources | TOR 2.5 | | |
| 18 | New Housing Cloverhill Gold Standard | To highlight the delivery of the first phase of Council Led Gold Standard new housing at Cloverhill and the expected benefits which are anticipated to be provided. | On agenda | John Wilson | Capital | Resources | 1.1.1 | | |
| 19 | Remembering Together Public Art Work | To provide a background to the national Remembering Together initiative being managed by Station House Media Unit on behalf of Culture Aberdeen and Aberdeen City Council. The report also provides details on the proposed new public artwork and recommends a preferred location to site this artwork. | On agenda | Steven Shaw | Operations and Protective Services | Resources | 1.1.1 | | |
| 20 | 14th November 2023 | | | | | | | | |
| 21 | 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 | | |

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| 2 | | | | | | | | | |
| 22 | Protective Services Occupational Health and Safety Intervention Plan 2023/24 | To outline the Protective Services' proposals for delivering the occupational safety and health regulatory service for 2023/2024 | | Andrew Gilchrist | Operations and Protective Services | Resources | TOR 2.3 | | |
| 23 | Martyn's Law (CONTEST) | To update the Committee on preparations for the introduction of "Martyn's Law" as part of the Council's counter-terrorism duties | | Vikki Cuthbert | Governance | Commissioning | TBC | | |
| 24 | Annual Committee Effectiveness Report | To report on the annual effectiveness of the committee | This is an annual report which is presented after a full year of committee - therefore request deferral to 14 November 2023 in order to report on data for the complete 12 months. | Lynsey McBain | Governance | Commissioning | GD 8.5 | | |
| 25 | Police Scotland - verbal update on cyber crime and Disclosure Scheme for Domestic Abuse Scotland | To provide information to Members on cyber crime and Disclosure Scheme for Domestic Abuse Scotland | | Graeme Mackie | Police Scotland | Police Scotland | 2.20 | | |
| 26 | Housing Improvement Group - Capital Works | At the meeting on 16 May 2023, it was agreed to instruct the Chief Officer - Corporate Landlord to report back to this Committee on progress towards introducing those outcomes referred to in the report. | | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |

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| 2 | | | | | | | | | |
| 27 | 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 undertake these inspections within the 2023/24 budget and report back to this Committee on progress in November 2023. | | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |
| 28 | 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 | | |
| 29 | 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 | | |
| 30 | 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 | | |
| 31 | Police Scotland - Disclosure Scheme for Domestic Abuse - verbal update | To provide members with information on the Disclosure Scheme for Domestic Abuse | | Graeme Mackie | Police Scotland | Police Scotland | TOR 2.20 | | |
| 32 | 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 | | |
| 33 | Beyond 2023 or no date confirmed. | | | | | | | | |
| 34 | 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 | 1.1.1 | | |

| | A | B | C | D | E | F | G | H | I |
|----|---------------------------------|--|--------|---------------|------------------------------------|---------------|--------------------|---|--|
| | 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 |
| 2 | | | | | | | | | |
| 35 | 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 | 1.1.1 | | |
| 36 | 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 | | |
| 37 | Park and Open Spaces | At the meeting on 16 May 2023, it was agreed to instruct the Chief Officer - Operations and Protective Services to report back to committee if significant objections or comments, which have not been withdrawn, addressed or resolved, are received during the public consultation with: (a) the results of the public consultation; and (b) a recommendation as to the form the Management Rules should take following the public consultation. Report only if objections. | | Steven Shaw | Operations and Protective Services | Resources | 1.1.1 | | |
| 38 | City Centre Multi Storey Blocks | At the meeting on 16 May 2023, it was agreed to instruct the Chief Officer Corporate Landlord to report the findings of the extensive consultation exercise in the summer of 2024, with recommendations as to potential decisions that may then be made. | | Stephen Booth | Corporate Landlord | Resources | 1.1.1 | | |
| 39 | Housing Strategy Report | At the meeting of 16 May 2023, it was agreed to 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 | | Mel Booth | Strategic Place Planning | Commissioning | 1.1.1 | | |

| | A | B | C | D | E | F | G | H | I |
|----|---------------------|--|--------|-----------------|--|----------|--------------------|---|--|
| | 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 |
| 2 | | | | | | | | | |
| 47 | Choice Base Letting | At the meeting on 6 July 2023, it was agreed to request that a Service Update be issued to Members on Choice Based Lettings, providing details on any feedback received from users, as well as retention levels. | | Jacqui McKenzie | Early Intervention and Community Empowerment | | | | |

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|---|
| COMMITTEE | Communities, Housing and Public Protection |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Police Scotland Performance Report April 2022 - March 2023 (Appendix A) |
| REPORT NUMBER | POL/23/298 |
| DIRECTOR | |
| CHIEF OFFICER | |
| REPORT AUTHOR | Chief Superintendent Graeme Mackie, North East Division, Police Scotland |
| TERMS OF REFERENCE | |

1. PURPOSE OF REPORT

- 1.1 To present the Police Scotland Performance Report covering April 2022 - March 2023 for Committee scrutiny.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Discuss, comment on, and endorse the report.

3. CURRENT SITUATION

- 3.1 The report, attached as **Appendix A** provides a detailed account of Police Performance in Aberdeen City in support of agreed priorities, both local and national for April 2022 - March 2023.
- 3.2 Much of the content of the report reflects on the collaborative methods in which Police Scotland operate across the City. The report demonstrates how communities can benefit when Community Planning Partners work within both the Local Outcome Improvement Plan and Locality Plans.
- 3.3 The report covers a wide range of police activity including corporate governance; recorded crime; detection rates; and operations. The report provides both 5 year and year on year comparisons to allow the Committee to evaluate trends in performance.

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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 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) *taking into account controls/control actions | *Does Target Risk Level Match Appetite Set? |
|------------------------------|----------------------|---|---|---|
| Strategic Risk | No significant risks | | | |
| Compliance | No significant risks | | | |
| Operational | No significant risks | | | |
| Financial | No significant risks | | | |
| Reputational | No significant risks | | | |
| Environment / Climate | No significant risks | | | |

8. OUTCOMES

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

9. IMPACT ASSESSMENTS

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

10. BACKGROUND PAPERS

10.1 Not applicable

11. APPENDICES

11.1 Not applicable

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|---|
| Name | Graeme Mackie |
| Title | Chief Superintendent, North East Division, Police Scotland |
| Email Address | |
| Tel | |



POLICE
SCOTLAND
Keeping people safe

Public Protection Committee

North East Division
Aberdeen City

April 2022 – March 2023

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Contents

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

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Introduction

I am pleased to present the latest Public Protection Committee report on behalf of Police Scotland, North East Division.

This report details performance in Aberdeen City aligned to the agreed priorities at local and national level from the period of 1 April 2022 to 31 March 2023.

This has been an extremely challenging period for policing across Scotland as the impacts of post-COVID recovery on society become ever more apparent. As is evident throughout this report, demand on policing is increasing, not only in the crimes recorded but also in the demands placed upon our Officers to respond to vulnerabilities in our communities and assist those in need.

This increase in demand comes at a time when policing budgets are dropping to a level where the number of police Officers across Scotland has reduced from 17,234 to 16,600. The impact on North East Division has been the loss of 39 posts, which will have a significant impact on our policing activities across all local authority areas.

We are working hard to realign and redesign functions to ensure we maximise the skills and experience of our Officers, while still maintaining our ability to meet core demand placed upon us by the communities we serve.

I am therefore extremely proud of the efforts of Officers in Aberdeen City, supported by divisional and national specialist teams, to deliver upon response policing while still introducing innovation and initiatives to prevent harm and support the vulnerable.

Our preventative initiatives in conjunction with key partners, highlight the dedication of Officers to try to do the right thing in the face of competing demands: the partnership work we deliver in schools and the pilot of the Daniel Spargo-Mabbs Foundation drug education programme could deliver positive outcomes for years to come; the Driver Engagement North initiative will prevent deaths on our roads; Operation Protector will enable vulnerable people to get the help and support they need and our work with Violence Against Women Partnerships will promote equality between genders and prevent harm to women and girls.

There are however challenges ahead and the report highlights a reduction in detection rates across a number of areas. There are a number of reasons for this but the impact of policing 'cyber space' and online criminality cannot be underestimated. This has had a direct impact in Group 1 crime where Threats and Extortion crimes have increased, in Group 2 crime where the prevalence of online activity in furtherance of sexualised crimes is increasingly prevalent, and in Group 3 and 5 crime where Organised Crime Groups maximise the criminal benefits of operating online, out with the sight of the public.

Finally, I wish to make comment upon the Chief Constable's statement regarding Police Scotland being institutionally discriminatory. His comments have been reported, debated and speculated on in the media and in wider society, both in Scotland and the rest of the UK. In order to make the improvements necessary, North East Division is fully committed to the Police Scotland Policing Together Strategy which will drive improvements to how policing in Scotland reflects, represents and serves all our communities and ultimately improve the experiences of our communities, including our Officers and staff.

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Racism, homophobia, sexism and misogyny and discrimination of any kind is utterly deplorable and unacceptable. It has no place in society and no place in policing.

Regards

Graeme Mackie
Chief Superintendent



Staffing

| | Authorised Establishment | March 2022 | Difference |
|------------------------------|--------------------------|-------------|------------|
| Police Officers ¹ | 1072 FTE | 1022.47 FTE | -49.53 FTE |
| | March 2021 | March 2022 | Difference |
| Police Staff ¹ | 119.46 FTE | 117.31 FTE | -2.15 FTE |

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

In the previous report covering April to September 2022, the Authorised Establishment for Police Officers in North East Division was **1092**. This has **reduced by 20 Officers to 1072**, during this review period due to a realignment of our Divisional Intelligence Officers who are now managed by the Specialist Crime Division. These 20 Officers are still dedicated to policing the North East and now merely line managed differently, and therefore there was no impact as a result of this restructure.

However, as has been well publicised, budgetary restraints upon Police Scotland do not allow us to maintain our workforce at the levels of previous years. While the figure of 1072 above was accurate on 31 March 2023, our establishment has since been **reduced by 39 posts** and for future reports will be documented as **1033**.

These posts have been lost from different areas across the Division in order to minimise the impact but this significant reduction in resource will undoubtedly impact policing in the North East, including Aberdeen City. The effect of these reductions are felt not only in North East Division but across Police Scotland in both national teams and local divisions.

The impact of a change in pension regulations mean that many more experienced colleagues across Police Scotland are choosing to retire earlier than previously anticipated.

This continues to have a significant impact across Police Scotland in both national teams and local policing divisions, including North East Division. Recruitment was initially boosted to replace retiring Officers but shortfalls are still evident across the country.

An additional **39** Probationary Officers have been recruited during the reporting period. There are currently **65** Probationary Officers at various operational stations across Aberdeen City and a further **9** Officers at the Scottish Police College who will transfer to Aberdeen City in September 2023

24 Special Constables routinely work alongside full time regular Officers in Community and Specialist Policing teams in Aberdeen City. These Officers volunteer considerable personal time in service to our communities and the value of their support cannot be overstated.



Complaints about the Police

| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 2022 | % Change 2023 v 2022 |
|--|----------------|---------------------|---------------------|------------------------|----------------------|
| Overall Satisfaction of How Police Dealt With Your incident ² | N/A | 67.2% | 67.1% | | +0.1% |
| Complaints Received About The Police | N/A | 315 | 298 | +17 | +5.7% |
| Number of Complaints Per 10,000 Police Incidents | N/A | 46.6 | 45.1 | +1.5 | +3.3% |
| On Duty Allegations Raised | N/A | 342 | 429 | -87 | -20.3% |
| Off Duty Allegations Raised | N/A | 2 | 1 | +1 | - |
| Quality of Service Allegations | N/A | 226 | 149 | +77 | +51.7% |
| Total Allegations | N/A | 570 | 579 | -9 | -0.2% |

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

Levels of overall satisfaction remain consistent at 67.2% which is in line with the national average.

An **additional 17** Complaints About the Police have been recorded during this reporting period equating to a **5.7% increase** however it is encouraging to note an overall **decrease of 20.3%** in respect of On Duty allegations.

A number of complaints stem from lack of understanding of Police powers and procedures. These allegations are categorised as ‘Quality of Service’ which have seen an overall increase of 77 allegations equating to a **51.7% rise**. Allegations stemming from ‘service delivery’ and ‘service outcome’ also feature which incorporates the type of Police response which the public receive. Call demand and the requirement for Police attendance is ultimately dictated by a national call handling assessment process based on the level of threat, vulnerability and risk of immediate harm. This can lead to frustration over perceived lack of action or ‘face to face’ contact however ensures that resources are directed to those most in need of assistance.

While any increase in Complaints About the Police is disappointing, our front line resolution process, which affords the complainer an opportunity to ask questions and receive an explanation regard Police action, or perceived lack thereof, remains the primary means by which complaints are resolved. Where complaints are not resolved in this manner, they are subject of a robust investigation by the Professional Standards Department with opportunity, if further dissatisfied, to request a review of the handling of the complaint by the Police Investigations and Review Commissioner (PIRC).

North East Division continues to promote the use of Body Worn Video (BWV) within operational policing which delivers significant benefits in terms of public trust and confidence. There is also a clear indication that BWV utilisation may lead to a reduction in complaints against Officers. This is due mainly to its ability to support an investigation by offering a credible, concise and somewhat irrefutable recording of an

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incident as it happens. This further reduces the amount of police time required to deal with such complaints therefore providing additional benefits.

Monthly overview of 'User Experience Data' is now embedded in North East Division with public feedback scrutinised at senior management level to ensure appropriate sharing of learning amongst staff and positive action, where required, to proactively reduce Complaints about the Police.



Antisocial Behaviour, Violence and Disorder

| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 5 Year Av | % Change 2023 v 5 Year Av |
|---|----------------|---------------------|---------------------|-----------------------------|---------------------------|
| Common Assault - Recorded | 2,837.4 | 2,951 | 3,145 | +113.6 | +4.0% |
| Common Assault - Detection Rate | 70.2% | 70.4% | 69.9% | | +0.2% |
| Robbery - Recorded | 108.8 | 114 | 128 | +5.2 | +4.8% |
| Robbery - Detection Rate | 85.5% | 92.1% | 87.5% | | +6.6% |
| Serious Assault - Recorded | 165.2 | 196 | 168 | +30.8 | +18.6% |
| Serious Assault - Detection Rate | 93.1% | 92.3% | 92.3% | | -0.8% |
| Vandalism - Recorded | 1,787.6 | 1,736 | 1,944 | -51.6 | -2.9% |
| Vandalism - Detection Rate | 26.5% | 27.2% | 27.4% | | +0.7% |
| Fire Raising - Recorded | 114.8 | 128 | 119 | +13.2 | +11.5% |
| Reports of Street Drinking | 73.6 | 83 | 50 | +9.4 | +12.8% |
| Drunkenness and Disorderly Conduct | 146.2 | 134 | 103 | -12.2 | -8.3% |
| Racially Aggravated Harassment / Conduct | 93.0 | 78 | 113 | -15.0 | -16.1% |
| Racially Aggravated Harassment / Conduct - Detection Rate | 89.7% | 93.6% | 87.6% | | +3.9% |
| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 2022 | % Change 2023 v 2022 |
| Group 1 Crimes - Recorded ³ | N/A | 622 | 600 | +22 | +3.7% |
| Group 1 Crimes - Detection Rate | N/A | 73.0% | 73.5% | | -0.5% |

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

Group 1 Crime is a term used to encapsulate all forms of serious non-sexual Violent Crime and incorporates a range of diverse offences. During the reporting period there has been an **increase of 22** recorded Group 1 crimes accompanied by a marginal **decrease** in the detection rate by **0.5%**. Recorded Robbery (which is also a Group 1 crime) has risen by **4.8%** and is comparable with the 5 Year Average. We remain in a strong position in terms of detection across the division which is evidenced in Aberdeen City where a strong detection rate of **92.1%** represents an **increase of 6.6%** on the 5 Year Average. This is a reflection of the robust and professional standard of investigation, and the focused efforts of our teams to protect communities.

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Serious Assaults (also a Group 1 crime) have risen by **28** when compared to the previous year and **30** against the 5 Year Average. Detection rates remain strong at **92.3%**. Recognising the impact these crimes have on victims we continue to ensure those intent on committing acts of violence are held accountable.

Common Assaults have decreased against the last reporting period with a slight rise in comparison to the 5 Year Average. The detection rate of **70.4%** is above both last year and the 5 Year Average. Preventative and proactive measures have been implemented across our communities, developed through the Divisional Violence Prevention Board to effectively understand, manage and direct our resources to where there is an identified need.

Through the Violence Prevention Board, the 'No Knives Better Lives' campaign, launched in 2009 by the Scottish Government with the aid of the Scottish Violence Reduction Unit, has been offered and widely accepted across all secondary school settings and is currently being delivered throughout the North East, including Aberdeen City. This preventative strategy will be further developed to include a reintroduction of knife amnesty bins assisted by a media campaign supported by our Partnerships, Preventions and Interventions business area.

Vandalism has decreased against both last year and 5 Year Average figures. This is much welcomed by communities and can be attributed to the efforts of our Community Policing Teams who delivered a number of local initiatives over the review period to tackle these issues.

We are very aware that communities in Aberdeen City experience quality of life issues and we work hard with partners across the area in an effort to design bespoke initiatives with an appropriate balance of enforcement, education and diversion.

This approach is seen in action through our continued commitment to Locality Plans throughout the City where this partnership approach aims to provide positive outcomes in communities experiencing acute challenges.



Acquisitive Crime

| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 5 Year Av | % Change 2023 v 5 Year Av |
|---|----------------|---------------------|---------------------|-----------------------------|---------------------------|
| Crimes of Dishonesty - Recorded | 5,282.8 | 5,449 | 5,429 | +166.2 | +3.1% |
| Crimes of Dishonesty - Detection Rate | 43.2% | 35.6% | 36.1% | | -7.6% |
| Housebreakings - Recorded | 462.8 | 347 | 376 | -115.8 | -25.0% |
| Motor Vehicle Crime - Recorded ⁴ | 549.2 | 479 | 476 | -70.2 | -12.8% |
| Motor Vehicle Crime - Detection Rate | 31.9% | 36.3% | 33.6% | | +4.4% |
| Theft of Motor Vehicle - Recorded | 201.6 | 226 | 184 | +24.4 | +12.1% |
| Common Theft - Recorded | 1,250.6 | 1,405 | 1,212 | +154.4 | +12.3% |
| Common Theft - Detection Rate | 29.7% | 26.0% | 25.1% | | -3.7% |
| Theft by Shoplifting - Recorded | 1,788.6 | 1,786 | 1,671 | -2.6 | -0.1% |
| Theft by Shoplifting - Detection Rate | 68.1% | 52.7% | 59.1% | | -15.4% |

⁴ Theft from secure motor vehicle; Theft from insecure motor vehicle; Theft of a motor vehicle; Attempted Theft of a Motor Vehicle.

| Theft by housebreaking (including attempts) - Detection Rates | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | % Change 2023 v 5 Year Av. |
|---|----------------|---------------------|---------------------|----------------------------|
| Overall | 32.2% | 40.6% | 39.9% | +8.4% |
| Dwelling House | 42.0% | 42.3% | 40.5% | +0.3% |
| Non-Dwelling (e.g. Sheds) | 22.3% | 32.0% | 39.1% | +9.7% |
| Other Premises (e.g. Commercial) | 34.5% | 46.8% | 40.0% | +12.3% |

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

Overall Crimes of Dishonesty have increased slightly over the reporting period in comparison with the 5 Year Average **(+3.1%)**, indicative of a cost of living crisis where we have seen rises in Common Thefts. Despite a reduction in Motor Vehicle crime, there has been a slight increase in Motor Vehicle thefts **(+12.1%)**.

With our Proactive CID teams supporting local policing in the investigations into Housebreakings, vehicle crime and other linked Acquisitive Crime, we are able to ensure a thorough and consistent approach to investigations. Similarly we monitor national crime trends and work closely with other divisions and forces across the UK to ensure we are fully aware and involved in the investigation of any Thefts committed by individuals from out with the area. Examples of this being a local process led by our teams in response to high value Housebreakings and reports of Thefts of cooking oil from business premises across the area.

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These were identified early as generally tying into larger Organised Crime Groups (OCGs), who are operating nationally. The work of these teams in conjunction with national partners ensures all investigative opportunities, crossovers between incidents and links to OCGs are explored.

Increased use of technology has resulted in anticipated rises in reported 'Non-Contact' Frauds and in particular, Cyber Enabled Frauds. The Divisional Cyber-Enabled Crime Team (DCECT), within the Criminal Investigation Department (CID), have responsibility for all investigative and preventative strategies in this area of criminality.

Prevention work undertaken by DCECT over the reporting period has included representation at the Grampian Adult Protection Group's Adults at 'Risk of Financial Harm' sub group. As part of this group, DCECT entered into an agreement with Aberdeen City and Aberdeenshire Trading Standards to identify victims of crime who would benefit from government funded call screening technology. Vulnerable individuals who have been victims of telephone scams have been approached and a number of devices will be delivered near future.

DCECT have delivered 'Cyber Security' advice to secondary school pupils across the Division in line with the roll out of a new 'Student Online Safety Guide'. These have been well received by pupils and parents and are tailored to different age groups. With the success of the sessions, separate engagements took place for parents.



Road Safety and Road Crime

| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 2022 | % Change 2023 v 2022 |
|--|----------------|---------------------|---------------------|-----------------------------|---------------------------|
| People Killed/Seriously Injured | N/A | 30 | 25 | +5 | +20.0% |
| Children Killed/Seriously Injured | N/A | 4 | 2 | +2 | - |
| People Killed | N/A | 2 | 2 | - | - |
| Children Killed ⁵ | N/A | 0 | 0 | - | - |
| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 5 Year Av | % Change 2023 v 5 Year Av |
| Mobile Phone Offences | 147.8 | 103 | 62 | -44.8 | -30.3% |
| Speeding Offences | 1,418.2 | 376 | 947 | -1,042.2 | -73.5% |
| Drink/ Drug Driving Offences | 320.8 | 343 | 461 | +22.2 | +6.9% |
| Dangerous Driving | 96.4 | 80 | 122 | -16.4 | -17.0% |
| Disqualified Driving | 84.8 | 52 | 71 | -32.8 | -38.7% |
| Detected Offences Relating to Motor Vehicles | 5,918.4 | 3,645 | 4,885 | -2,273.4 | -38.4% |

⁵ Child is under 16 years of age.

Tragically, **2** individuals lost their lives on the roads in Aberdeen City during the review period. While this is equal to the previous year, the loss of any life on our roads is tragic and that is why we are committed to influencing driver behaviours to improve Road Safety as a priority for policing. Analysis of the collision data in respect of persons who have been killed or seriously injured provides that older drivers are disproportionately affected.

We have invested resource towards a number of wider partnership initiatives which aim to have a long term impact in reducing the number of people killed or seriously injured on our road networks. For example, Police Scotland chair the Older Road User Group which is a partner led group which has the intention of working in collaboration to reduce the number of older road users killed or seriously injured in line with the targets set out in Scotland’s Road Safety Framework to 2030. The group monitors trends to identify current and emerging opportunities to improve Road Safety for older road users with the current key focus being on ensuring fitness to drive. Part of the work delivered by this group is ‘Driver Engagement North’, a simulator based approach to assist older road users and their families make informed choices about their fitness to drive safely. This simulator allows the driver to assess their hazard awareness in a safe virtual setting.

Police Scotland have secured funding from the Transport Scotland to support and promote the roll out of Fitness to Drive Assessments in conjunction with Driving Mobility and DriveAbility Scotland who offer these

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assessments on a self-referral or agency basis. This work is in the initial stages and further engagement will take place in due course.

Local Road Safety initiatives remained a constant focus of the Community Policing Teams across Aberdeen City under Operation CEDaR (Challenge, Educate, Detect and Reduce). Part of the focus this year has been on targeting drivers under the influence of drink/drugs as can be seen by the **6.9% increase** in detections in this area.

Officers have responded to road safety concerns with targeted activity, positively influencing driver behaviour through education and enforcement. This has been supported by Officers from the North East Road Policing Unit (NERPU) with targeted activity aligned to national road safety campaigns and patrolling key routes. While the number of detected speeding offences has **decreased by 73.5%**, we recognise that speeding is an issue in our communities and we remain committed to deploying Officers and the Safety Camera Unit on an intelligence led basis.

During the reporting period the joint working initiative 'Operation Close Pass' was launched again in the City in order to focus on the safety of cyclists. Cyclists are regarded as vulnerable road users and with cycling increasing in popularity across Scotland this area has become a key area for focus.

The Police Scotland 'New Drivers Scheme' continues to be delivered, targeting people learning to drive, people who have recently acquired a full licence and employers of new drivers by providing key safety messaging, reinforced through a hard-hitting case study featuring real life footage.



Protecting People at Risk of Harm

| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 5 Year Av | % Change 2023 v 5 Year Av |
|--|----------------|---------------------|---------------------|-----------------------------|---------------------------|
| Group 2 Crimes – Recorded ⁶ | 697.4 | 731 | 818 | +33.6 | +4.8% |
| Group 2 Crimes - Detection Rate | 58.0% | 54.0% | 47.9% | | -4.0% |
| Rape - Recorded | 92.2 | 95 | 93 | +2.8 | +3.0% |
| Rape - Detection Rate | 53.1% | 61.1% | 46.2% | | +8.0% |
| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 2022 | % Change 2023 v 2022 |
| Domestic Abuse Incidents Reported | N/A | 2,489 | 2,451 | +38 | +1.6% |
| Domestic Abuse Crimes - Detection Rate | N/A | 67.3% | 70.3% | | -3.0% |
| Hate Crime - Recorded | N/A | 287 | 363 | -76 | -20.9% |
| Hate Crime - Detection Rate | N/A | 67.9% | 70.8% | | -2.9% |

⁶ Group 2 Crimes of Indecency include Rape, Assault with intent to Rape, Indecent Assault, Sexual Assault, and Prostitution related crime and others with an indecent element.

Public Protection remains a priority for Policing in the North East where we continue to work effectively with partners to protect individuals identified as being at risk of harm.

During the reporting year, North East Division saw a further increase in the number of Group 2 crimes reported. Despite this, the number of crimes reported in Aberdeen City **decreased by 87** in comparison with 2021-22, while **increasing by 4.8%** against the 5 Year Average.

At the conclusion of the reporting period, the detection rate for Group 2 stood at **54%**, an **increase of 6%** against the previous year, and only slightly below the 5 Year Average. This is representative of the challenges encountered when dealing with complex and challenging enquiries, often historic in nature or involving offending on-line or via electronic communications. Our local divisional Officers and public protection specialists continue to review all crimes for investigative opportunities through governance processes while ensuring a victim based approach is adopted in all cases.

In relation to recorded Rape, **2 more** crimes were reported compared with the previous year representing a **3% increase** against the 5 Year Average. Positively, the detection rate rose by **15%** to **61.1%**, which is **8% above** the 5 Year Average. It should be noted that of the 95 crimes reported, approximately 58% had occurred over a year prior to reporting and 17% over 5 years prior. There are significant challenges faced when investigating crimes of a non-recent nature, where forensic opportunities, as well as investigative lines of enquiry, are either significantly diminished or often non-existent. Of the 95 Rapes recorded only

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24 of the crimes were reported within timescales allowing forensic evidence to be obtained in relation to the victim or perpetrator.

With respect to Domestic Abuse incidents reported to Police, this year remained consistent with the previous and while there was a slight reduction in the detection rate to **67.3%** this remains above the Force average.

All domestic incidents reported to Police Scotland are subject of intense scrutiny and robust investigation. A new toolkit has been developed in the North East for all frontline supervisors, to assist them in ensuring enquiries are progressed fully and timeously and all available evidence gathered. With the support of the Partnership and Coordination and Public Protection Units, a divisional oversight process continues to ensure those most at risk are supported and action is taken against those posing the most risk. Locally we are linked into the National Domestic Abuse Working Group, ensuring that good practice and revised guidance is quickly adopted in our working practices.

Our efforts are further supported by the Domestic Abuse Multi Agency Tasking & Co-ordination (MATAC) process which targets domestic abuse perpetrators who present the greatest risk of offending. While governed by a National Framework, activity is managed at a local level providing an environment where partners are encouraged to utilise their collective available resources; including individual's skills, knowledge and experience; to target perpetrators and keep victims and their families safe.

Perpetrator Management Plans (PMPs) are another tool utilised by Police to proactively target perpetrators of domestic abuse. The ethos of this process being to disrupt, deter or detect the subject by focusing on other areas of offending.

With the majority of Domestic and Group 2 offences recorded having female victims, we are committed to supporting the Aberdeen Violence Against Women Partnership with Officers participating in and delivering a number of events, training sessions and briefings. We strongly support the 'Equally Safe' strategy and are proud of our role in actively delivering upon its aim to eradicate violence against women and girls to, "achieve a Scotland in which women and girls are safe to thrive, fulfilling their potential free from violence and abuse". This is further strengthened by the newly publicised Police Scotland Violence Against Women & Girls Strategy, the content of which represents significant and unprecedented levels of engagement with women and girls as well as a wide range of partners and stakeholders.

Lead by Police Scotland, the Violence Against Women & Girls Partnerships across the North East collaborate to produce a quantitative based report across a number of key areas, including Domestic Abuse, Sexual Harm and Honour Based Abuse. The information contained in the report is used to inform local partner agencies and to facilitate review of multi-agency practices and procedures, broadening local knowledge and understanding for organisations and decision makers. Thus helping them make effective and efficient collaborative decisions leading to improved outcomes for those using these services.

The national '16 Days of Activism' campaign was also fully supported during the reporting period and specifically, enforcement days were carried out by Divisional Officers from local policing and specialist units. Media messaging also continued to be driven forward in support of local and national campaigns, most notably the award winning 'That Guy' campaign, challenging men's attitudes and behaviour towards women.

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We continue to support victims of Domestic Abuse using tools such as MARAC. This is our Multiagency Risk Assessment Conference, through which, we can effectively plan and support victims who are most at risk. Additionally, we have seen a significant positive increase in the use of the DSDAS process, which allows Police Scotland to disclose, in certain circumstances, details of an offenders past that may help protect a new partner from becoming a victim. The increase is attributed to better understanding by other professionals through awareness raising inputs provided by Police Scotland and by members of the public through increased promotion during campaigns like the 16 Days of Activism.

The Division continues to be fully represented at other local, multi-agency and national Police Scotland forums focusing on this priority area. This includes other areas of Public Protection such as the Adult and Child Protection Committees and their various work streams and sub-committees.

With specific regards to Child Protection, the review period saw the successful implementation of the Scottish Child Interview Model (SCIM) within the Division. Supported by a single 'Interagency Referral Discussion' process, the model is resilient and fit for purpose in terms of supporting the Scottish Government's 'Bairns Hoose' model implementation programme.

With respect to Hate crime **76 fewer** crimes were reported compared with the same period last year. While we welcome any reduction in victims, we must guard against any threats to community confidence to report crime. We have made it our priority to set up Third Party Reporting Centres (TPRC). TPRC are already operational in Aberdeen City and are a means through which victims can be supported to approach the Police to report crime. In conjunction with the Grampian Regional Equality Council (GREC), we continue to roll out training to organisations across the North East, including Aberdeen City Council, community groups and third sector organisations. Additionally, we are working with NHS Grampian to co-produce an online training package for NHS staff.

Our detection rate relating to Hate Crime in Aberdeen is **67.9%**. We continue to apply robust investigative strategies in support of victims and while the detection rate is slightly below that of the previous year we perform well in comparison to the national average. Our consistently high detection rate also gives confidence to our communities which is vital as we continue to grow existing and form new, relationships.

Our Teams have been visible across Aberdeen City, engaging with our diverse communities and taking time to understand the issues faced by our minority groups. We have supported events such as the Pride festivals, as well as smaller community focused gatherings, all to provide confidence to the public.



Serious Organised Crime

| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 5 Year Av | % Change 2023 v 5 Year Av |
|---|----------------|---------------------|---------------------|-----------------------------|---------------------------|
| Proceeds of Crime Act Seizures ⁷ | £265,655 | £89,633 | £154,559 | -£176,022 | -66.3% |
| Drug Possession Offences | 1,566.6 | 1,380 | 1,417 | -186.6 | -11.9% |
| Drug Supply Offences | 253.6 | 267 | 269 | +13.4 | +5.3% |
| Indicator | 5 Year Average | Apr 2022 - Mar 2023 | Apr 2021 - Mar 2022 | Difference 2023 v 2022 | % Change 2023 v 2022 |
| Drug Deaths ¹⁰ | N/A | 43 | 54 | -11 | -20.4% |

⁷ A Division (Aberdeenshire, Moray & City) reported seizures (reported figures only, this may mean that the money might finally be returned to the defender, forfeit at court or seized and remitted to Crown office Procurator Fiscal Service).

¹⁰ The data provided cannot be considered official Police Scotland Statistics; The data provided includes 'suspected' drug related deaths, which will not be confirmed, or otherwise, until the post mortem and toxicology procedures are completed - the data may therefore be subject to significant change, following a professional medical assessment as to the cause of death of an individual; comparison with 'confirmed' drug related deaths statistics (e.g. from previous YTD period or similar) will provide an unreliable assessment and should be avoided or heavily caveated; The official figures for Drug Related Deaths for Scotland are compiled and held by National Records of Scotland (NRS), who publish the data annually.

Although the monetary value of assets seized across the North East during the quarter has reduced compared to this period last year, it is noticeable that almost £90,000 in cash has been seized by Community Policing and CID teams during the course of enquiries into Serious and Organised Crime (SOC). This will be processed through the courts and may be seized permanently under Civil Recovery laws for long term benefits to local communities. With our CID teams progressing a number of SOC 'County Line' operations focussing on OCG's based in England and supplying Class A controlled drugs to the North East, a significant number of drug detections and monetary seizures can be attributed to this.

Our proactivity in this area is reflected in the number of Drug Supply Offences (**267**) which has increased against the 5 Year Average and is just below the 2021-22 figure.

Drug Deaths have decreased compared to the previous year. We continue to work closely with partners and support services to better understand the causes of drug deaths and to signpost vulnerable individuals to referral pathways thus supporting them through addiction and dependency at the earliest possible point of intervention. SOC Interventions have been developing links into rehabilitation and addiction peer groups and intervention support will ensure Intervention and Diversion can be in place for those at a vulnerable stage in their recovery.

North East Division continues to lead strongly in our approach to SOC. Through our focused monitoring of emerging trends we are able to tackle the widespread and evermore sophisticated nature of this area effectively. By using the '4D' (DETECT-DISRUPT-DETER-DIVERT) methodology, some very positive successes have been seen when reflecting on enforcement results and our work with key partners to support and signpost those linked to SOC assessed as being in need of intervention.

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Following the initial success of 'Operation Protector', it has continued during this reporting period. This multi-agency approach proactively addresses the effects of SOC and substance dependency on our communities. 'Days of Action' under Operation Protector involve joint teams of Police, third sector, Community Safety and Local Authority staff conducting drug harm outreach visits to identify and support vulnerable people. Simultaneously, drug search warrants were executed to target and remove those causing the greatest harm in our communities.

The Division have been proactive in teaming up with Substance Dependence specialists and Housing workers to carry out further Cuckooing or drug related harm visits.

Recognising the importance of further 'upstream' prevention and intervention, Police Scotland and representatives from all three Local Authorities have been working with the Daniel Spargo-Mabbs (DSM) Foundation (drug and alcohol education charity) to improve the way that drugs education is delivered in schools across the North East. There was overwhelming support for a 12 month pilot of drug/peer pressure based resources into 9 schools across North East Division and work is ongoing to secure funding for the pilot which will focus on providing drug and peer pressure based education (which will include resources relating to exploitation) to all secondary pupils. The pilot will also focus on upskilling professionals (social work, teachers, support workers, school nurses and police) and partners/carers in how to spot early signs of drug use/exploitation and how to report same. It is hoped that this will support the aim of identifying those at risk of County Lines based exploitation at an earlier stage which will allow for effective intervention. The pilot is due to start in August 2023.

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Counter Terrorism and Domestic Extremism

The North East CONTEST Multi-Agency Board and associated sub-groups continue to deliver the UK National CONTEST strategy across the North East of Scotland.

The Prevent, Pursue, Protect and Prepare (4P's) principles of CONTEST are the continued focus of the strategy which aims to reduce the risks from terrorism.

The role of all partners within the North East Division CONTEST Multi-Agency Board is to ensure all strands of the CONTEST '4P' framework are proactively and proportionately delivered in a local context, aligned to the UK National Threat Level as determined by the Joint Terrorism Analysis Centre (JTAC).

The 'Protect' strand within the CONTEST strategy has been an area of sustained activity and focus during this reporting period, due to the intended introduction of new UK legislation which is linked to learning and recommendations from the Manchester Arena Bombing in 2017 and subsequent enquiry.

At recent scrutiny boards it has been highlighted that CONTEST delivery groups had been updated by respective Governments on the recent 'Protect' Duty Consultation. This contains details of the foundational Government policy elements aimed at protecting Publicly Accessible Locations (PAL's) which will form the basis of the upcoming Protect Duty Bill known as 'Martyn's Law'.

In response North East Division's Multi-Agency CONTEST board will establish a 'Protect and Prepare' sub group chaired by Local Authorities. This will ensure all Publicly Accessible Locations within Aberdeen City are prepared for the legislative requirement that will follow the introduction of the legislation this year.

Counter Terrorism Planning (CT Planning) continue to carry out established prepare and protect exercises which sees regular testing by Police Scotland and Ministry of Defence Police to prepare and protect critical infrastructure within the North East.

This reporting period saw North East Counter Terrorism resources facilitate an ACT Corporate event at Robert Gordon University in Aberdeen. This saw over 100 people from a large number of companies and organisations including the Military and Emergency Services from across the North of Scotland. This event provided key Aberdeen City partners with inputs on the current threat level and the National and Regional approach to terror threats.



Miscellaneous

Stop and Search

| Indicator | Apr 2022 - Mar 2023 | Apr 2022 - Mar 2023 (positive) |
|--|---------------------|--------------------------------|
| Consensual | 0 | - |
| Legislative | 1094 | 348 |
| Number of Consensual Stop and Searches Refused | - | - |

*Further Stop and Search data can be accessed at the following location: [Data Publication - Police Scotland](#)

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing & Public Protection |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Mental Health in the Community – Impact on Policing |
| REPORT NUMBER | POL/23/299 |
| DIRECTOR | |
| CHIEF OFFICER | |
| REPORT AUTHOR | Chief Inspector Darren Bruce, North East Division, Police Scotland |
| TERMS OF REFERENCE | 2.20 and 2.21 |

1. PURPOSE OF REPORT

- 1.1 To update members regarding the nature and extent of mental health challenges in the community and their impacts on policing.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Discuss, comment on, and endorse the report.

3. CURRENT SITUATION

Mental Health Related Demand Impacts On Policing

- 3.1 It is recognised within policing nationally that mental health calls are creating an increasing demand on front line resources and that a multi-agency, partnership based approach represents an effective strategy for addressing and reducing the impact on Police resources while seeking to ensure those in mental health crisis are provided with access to suitable support and resources in a timely and efficient manner.
- 3.2 The need for access to appropriate mental health support is illustrated by the increasing demand, seen across North East Division in the number of STORM calls responded to where a mental health concern is identified (i.e. those STORM calls written off with a mental health related Disposal Code). This has risen from **998** in 2017 to a peak **2176** in 2022 representing an increase of approximately 120% over that time frame. The rise has been largely linear with the exception of 2020 where demand was reduced. Despite efficiencies in policing being released through innovation such the introduction digital technologies, we know that impacts include less time for our Operational Officers to focus on the investigation of crimes reported to the Police.

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- 3.3 Across the same period the total number of STORM calls has also increased from 111,135 in 2017 to 120,868 in 2022. That represents an **increase of less than 10%** between those years and clearly indicates the increasing and disproportionate demand placed on policing by mental health related calls. While these figures relate to the Division as a whole it is not unreasonable to expect they reflect the situation seen within individual Local Command Areas.
- 3.4 Within that review period the year with peak overall demand as measured by the number of STORM calls was 2018. That year there were 138,093 recorded incidents in North East Division which is greater than the total demand faced in 2022. That same year, 2018, there were 1701 mental health related calls, which is lower than the figure seen in 2022. This supports the position that the frequency of mental health related calls is increasing almost independently of the general demand on Police resources.
- 3.5 During the period 2019 to 2020, COVID impacted on policing practices leading to a reduced number of persons coming into Kittybrewster Custody Suite. Additionally, in 2021, practices were permanently altered driven by the Criminal Justice Act 2016, which meant there was a greater 'presumption of liberty' afforded to suspects and accused persons, in turn, reducing numbers being presented at Kittybrewster Custody Suite. Therefore, a fair comparison is only achievable using data from 2021 onwards. Since 2021 the proportion of individuals presenting at Kittybrewster Custody Suite with self-identified mental health issues has increased slightly from 40% to 42%. For clarity, these are not people who are in mental health crisis but are people who have identified previous or ongoing mental health issues when questioned as part of their welfare screening. This robust welfare screening process informs custody welfare provision by trained Custody Officers and on site NHS Nurses. Provision escalates in line with the assessed risks including self-harm or suicide. Welfare support can be significant and can include a 'Constant Supervision' which requires an Officer to oversee that person at all times.
- 3.6 A further indication of the impact mental health calls have on Police resources can be found in the comparative number of incidents attended which result in the recording of a crime. In general terms between 16-18% of all STORM calls responded to by Police in A Division will result in a crime report being created. It is undeniable that communities all benefit from policing resource to prevent and detect crime, as well as playing a key role in building community cohesion. However, this support and proactivity has become more challenging as a consequence of mental health demand increases.
- 3.7 Over the period 2017 to 2022, between 2.1 and 3.2% of mental health calls resulted in a person being charged with an offence. Figures from 2022 show 2.4% of calls with a mental health element result in a crime being recorded. This is positive in demonstrating that Police Officers in A Division are not unnecessarily criminalising those who are in crisis but it also illustrates the volume of incidents attended where the support and involvement of other agencies, more suited to addressing mental health crises may be more appropriate.

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4. Reducing Mental Health Related Demand On Policing

- 4.1 The 'Community Mental Health and Wellbeing Project' was proposed by the Action 15 Group to address the Scottish Governments Action 15 aim. Within the July 2019 Business Case proposals were set out for a 'Direct Access' contact and pathway into mental health services in Aberdeen City, available during periods of peak demand informed by Police data, with some additional out of hours support to Police Custody Facilities. The project was identified as the 'WELL Service' and the contract awarded to Penumbra.
- 4.2 A key aim of that project was to provide an alternative to arrest to convey to a 'Place of Safety' for those individuals who were experiencing mental health distress and who had come to the adverse attention of Police Scotland in the community and subsequently at the Custody Suite, Kittybrewster.
- 4.3 Individuals who enter custody and either present with or self-report mental health concerns are now afforded immediate support from either embedded custody nurses (NHS Staff) or at weekends from Penumbra staff operating in the custody facility as part of the WELL Service.
- 4.4 The WELL Service as a group are experienced in dealing with people in mental health crisis and they have direct access to a network of relevant support agencies which they can bring to bear in the interest of alleviating distress and securing support. They operate both in the custody facility and the community.
- 4.5 The immediate benefit to policing from the WELL Service is their ability to provide immediate assistance and support in cases where mental health issues are in evidence. This can yield immediate benefit in that it can reduce the time Police resources have to dedicate to these types of incident. Further benefit is likely to be derived in terms of a reduction in the frequency with which individuals come to Police attention. The percentage of Police attended incidents where mental health is a concern that actually result in a crime being recorded is very small.
- 4.6 A rudimentary metric for the effectiveness of the WELL Service is the measure of the number of interactions with Police (as measured via submission of a Vulnerable Persons Database entry) pre and post introduction to the Service. This analysis is still at an early stage but there are already signs of the effectiveness of this Service. As examples one individual who had been the subject of 8 previous concern reports was introduced to the Service in May 2022. Since then there has been only one further concern call. Another individual who was referred to the Service in December 2022 saw their interactions reduce from 10 (pre-service) to zero during the first half of 2023, while another saw theirs go from 50 (pre-service involvement) to 6 in the first half of this year.

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- 4.7 Proper assessment of the effectiveness of the WELL Service is to be evaluated in conjunction with Penumbra. Recognising that WELL does not operate on a 24/7 basis (as per its specification and contract), temporal analysis provided by Police Scotland has informed their hours of operation to meet times of peak demand.
- 4.8 In addition to the WELL Service, Penumbra also deliver Distress Brief Intervention (DBI) in Aberdeen City which is another means of providing support to people in distress. DBI was piloted in Aberdeen between 2016 and 2021 and since then has been adopted on a longer term basis. DBI is a two level approach.
- 4.9 DBI Level 1 partners are front line workers in agencies including Police Scotland, Primary Care, Mental Health Pathways (MHP), the Scottish Ambulance Service and the Emergency Department, including Psychiatric Liaison. The Level 1 partners are provided with specific training to provide a compassionate response to distress, signposting and the offer of a referral to DBI Level 2.
- 4.10 A referral to Level 2 will trigger a 14 day supportive intervention, focusing on self-management of distress, community based problem solving, developing distress management tools and signposting to community, non-Police, assets and relevant agencies. Having armed an individual with the tools to manage distress it becomes more likely they will implement these skills, this in turn is likely to see a reduction in demand on Police resources.
- 4.11 From the data available, within Aberdeen City, there were 141 and 138 DBI referrals for 2021 and 2022 respectively. So far in 2023, there have been 54 referrals. At this time, the number of 'Level 1' trained workers is proportionate to the number of 'Level 2' trained practitioners within Penumbra, in order to manage predicted demand on Penumbra. Police Scotland is one of a number of partners and would welcome opportunities to increase the proportion of trained Police Officers.

5. Suicide

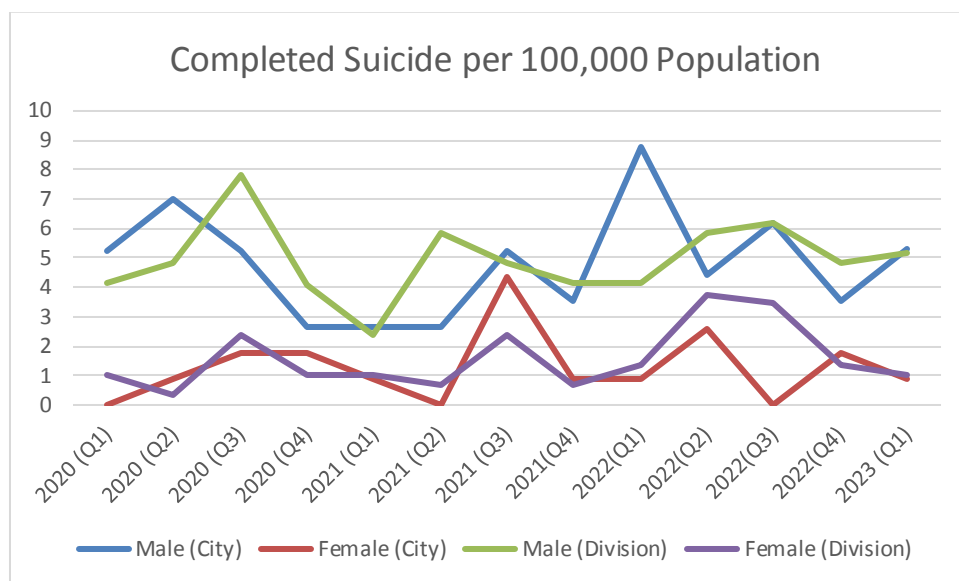
- 5.1 Suicide rates vary across the division but it is clear, irrespective of geography that mental health is a significant factor. In many, but by no means all, of the recorded completed suicides that is the case. In addition, those instances where there is no recorded mental health diagnosis there are often lifestyle factors or adverse life events in evidence which could be reasonably presumed to precipitate an emotional collapse leading to a degree of acute mental health crisis.
- 5.2 In the Aberdeen City Command Areas there have been completed suicides recorded in respect of 11 males and 1 female since the start of the year (1 January 2023 to 31 May 2023). Additionally there have been 98 recorded attempted suicides. When looking at attempted suicide the number of females affected exceeds the number of males (51/47). A caveat to these

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figures is that it does not differentiate between discrete suicide attempts or multiple such attempts by a given individual.

5.3 Data collated since 2020 shows the frequency of death by suicides across the City and the Division remain variable. In general terms (with the exception of the pronounced peak at Q3 of 2021) females in Aberdeen City are less likely to attempt or complete suicide than their counterparts in the wider North East Division area. A similar observation can be drawn for the male population of the City who are, save for a pronounced peak in Q1 of 2022, less likely to complete suicide than those who reside elsewhere in the Division.

5.4 What is clear from the data is that since the two peak periods referenced (Q3 2021 for females and Q1 2022 for males) the general trend indicates that rates for death by suicide are reducing.



While this declining trend is positive there is a caveat that between Q4 of 2022 and Q1 of 2023 there has been an indication of another increase in male suicides in Aberdeen City, compared with the overall division where the trajectory of change is much flatter. This reinforces the need for a continued and effective multi-agency suicide prevention strategy.

6. Suicide Prevention

6.1 In terms of action to reduce the frequency of suicide both in the City and across the legacy Grampian area, Police Scotland are working closely with partners in the Local Authorities, NHSG, Public Health Scotland, SFRS and SAMH, all of whom are key members of the Suicide Prevention Strategic Group.

6.2 Until 2022, the regional response to Suicide Prevention was guided by the North East Suicide Prevention Lead Group (NESPLG). The work of this group

helped identify and inform key strategic priorities now being progressed leadership of the new Strategic Group.

- 6.3 Police Scotland led the City's Suicide Prevention Project operating within Community Planning Aberdeen structures. This group developed data, from a range of sources, indicative of 'at risk' demographics. The multi-agency Project Team developed and delivered several 'Tests of Change'. This included provision of localised educational and training material, designed to highlight the factors which might lead to suicide and strategies to address them, and delivering these towards at risk demographics.
- 6.4 There are a number of factors which have been identified as contributing to suicide/attempted suicide. Some, like addiction, which has a strong relationship with poor mental health, are of a type which is likely to see an individual come to adverse Police attention prior to a suicide attempt.
- 6.5 In those cases it is important that Police Officers are aware of the resources available to them and the person in crisis. All such cases who come to Police attention will be brought to the attention of partner agencies via Vulnerable Persons Database entry referrals. This represents an established route by which to instigate the provision of support to those in our community who may be at risk of suicide.
- 6.6 Other recognised contributory factors are less likely to directly involve Police interaction. Several such societal factors like financial hardship, relationship difficulties, bereavement, unemployment and homelessness are such that direct Police intervention is less likely. The work of the NESPLG has been a driver to ensure some of the 'touchpoints' relating to these factors, are informed and upskilled to intervene.

7. Missing Persons

- 7.1 Missing persons create a substantial demand on divisional resources. Information provided by Police Scotland's DPU indicates that the average resource commitment to a Medium Risk missing person enquiry is 182 hours where there is a mental health element involved. The data set used to determine the average resource commitment is limited and relates to another policing Division with a largely urban environment and without rural specific challenges such as increased travelling times.
- 7.2 In year 2021/2022 North East Division dealt with 874 missing person reports of which approximately 25% had a significant mental health element. There were 154 missing person reports created in Aberdeen City where mental health was cited as a factor and of those, 118 had gone missing from psychiatric care at Royal Cornhill Hospital (RCH). The figure for year 2022/2023 is similar at 115. These figures makes no differentiation over where the patients involved would usually reside and as such will include individuals who are normally resident in all of the local command areas and by extension all of the local authorities which constitute the Division as a whole. The 2021/22 figure was a noticeable increase over the 71 missing people reported missing the previous year (2020/2021). It is notable that of the 118 Missing Person reports generated as a result of absconding from RCH that

year, 75 of them (63.5%) related to only 24 individual nominals. This clearly identifies a need to address interventions towards a relatively small population of subjects which, were they to be successful, could yield significant benefit in terms of reducing demand on policing resources. The fact the numbers from 2022/23 are so similar suggest this remains an avenue which, if explored, may yield benefit in reducing demand on resources

- 7.3 Within the first five months of 2023 there have been 40 missing person reports generated involving individuals who have absconded from RCH, approximately 2 per week. Of those individuals who have gone missing (where a missing person report was created) from RCH in year 2022/23, 47% of them (54) were found to have absconded during periods where they had been permitted leave from the ward by staff. This includes for things such as smoking breaks or managed time 'off ward' as part of their treatment plan. Given the staff interaction already in evidence prior to leave from the wards being granted there may be an opportunity to pre-empt any absconding behaviour or minimise the impact of same. Simple approaches such as ensuring patients are in possession of mobile phones, asking them directly about their intentions or even accommodating longer periods off ward (where it is in the judgement of Health professionals clinically safe to do so) might be effective in securing reciprocal cooperation from the patients involved and reducing the frequency of incidents where missing person reports are necessary.
- 7.4 The joint work undertaken by Police Scotland and RCH during 2022/2023 focussed on reducing the demand on local policing assets while servicing the requirement to assist the hospital. In time it is anticipated that ongoing identification of individuals who are frequently reported missing with subsequent discussion and management strategies being developed will yield benefits both to Police and partners.

8. Preventing Missing Persons

- 8.1 The Scottish Government's National Missing Persons Framework (NMPF) for Scotland sets out the following four objectives:
- To introduce preventative measures to reduce the number of episodes of people going missing
 - To respond consistently and appropriately to missing person episodes
 - To provide the best possible support to missing people and their families
 - To protect vulnerable people to reduce the risk of harm
- 8.2 Achieving these objectives will by extension, reduce demand on operational policing resources. North East Division (and Police Scotland more broadly) have been working on a multi-agency basis towards achieving these objectives across Aberdeen City and the Division as a whole. This includes

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working with NHS, Social Work and residential homes, looking for ways to improve and enhance their internal practices.

- 8.3 In 2022, Police worked in partnership with NHS Grampian on refreshing their 'Responding to Missing People Policy' which focused on reducing the risk of people going missing and mitigating the risk to the people who have gone missing. It set out the roles, responsibilities and actions to be taken by staff in respect of missing persons. It also ensured a collective response delivered on the achievement of the objectives contained within the NMPF. New, clear appendices were included which featured: a flowchart for frontline workers; risk assessment matrix and frameworks and return home welfare discussions to formulate plans to reduce future episodes.
- 8.4 This new policy is still being embedded but once established, it should reduce missing episodes, time spent missing and services time on information gathering and whole episodes. This will bring benefit in terms of reduced resource demand to frontline policing.
- 8.5 Due to the particular nature of their patient population RCH do not use the new NHS Grampian Policy but we continue to work in partnership with RCH to bolster the existing policy and to include some aforementioned appendices which serve to make Missing Person enquiries more efficient. This work is ongoing. It was agreed that quicker reporting may also reduce episodes so RCH staff have agreed, when they are taking a patient out of the hospital, especially if there is a flight risk, they will carry a mobile phone so any incident can be reported quickly.

9. Risk Mitigation and the Vulnerable Persons Database (VPD)

- 9.1 Police Scotland has a duty to, and do, ensure following a mental health related call, that people (including Missing Persons) are no longer at immediate risk and short term measures are in place. Tactical options include but are not limited to, taking advice from services, such as the WELL service, conveying an individual to RCH or leaving an individual with a relative.
- 9.2 A VPD entry is completed and ultimately shared with organisations in order that the appropriate follow up is instigated. We know that the sharing process is not instantaneous and we know that in some cases, although persons may not be in an acute need of care, in order to help stabilise their situation, care and support is needed to avoid a further incident. Therefore there can be a requirement to notify partners in advance of a VPD report reaching its intended recipient. In order that support plans for individuals can be considered at an earlier stage. Often, the most suitable forum to take forward these more immediate joint discussions can be within a multi-agency meeting.
- 9.3 Experience frequently shows us that finding the right person or professionals across the range of partners can be challenging. On occasion these meetings can include several representatives from the same organisation with little previous connectivity even between those same organisations. We know that

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the requirement to gather data and attend meetings can be challenging for some organisations including Police Scotland.

10. Conclusion

- 10.1 This report has identified those sources of demand on Police resources where mental health is likely to be a factor/consideration. It has also illustrated the partnership arrangements, both established and developing which are deployable to support vulnerable individuals who may present in mental health crisis and which in turn may yield a benefit to local policing in terms of reducing the demand on them.
- 10.2 There is a recognised need for effective data gathering, sharing, analysis and interpretation. These remain under ongoing review and development with appropriate approaches to extracting maximum value from the data being explored. In turn this will enable wider and more informed scrutiny across partners and open up opportunities to identify and implement earlier, meaningful interventions.
- 10.3 Even at this early stage it appears that projects such as the WELL Service are having a positive effect on reducing the frequency at which individuals are coming to the attention of Police, which should translate into a resource benefit for local policing in Aberdeen City.
- 10.4 Risk and vulnerability is being managed by Police Scotland and partners but finding access points to seek assistance can be challenging given the range of organisations and professionals that can work with a person. Given the presumed increasing demand faced by all services, the 'as and when' approach to arranging multi-agency meetings can place variable extra pressures on services when meetings are required. A solution may be to agree a process, through which, partner agencies can quickly navigate towards the right informed 'decision makers'.
- 10.5 Agencies already collaborate within groups to examine systems to reduce demand, however, a starting point may be to look at specific individuals and explore the formation or creation of a new group to examine the individuals and reduce mental health demand created by a small few across multiple services.
- 10.6 This is further supported by analysis of the missing person figures that suggest that a relatively small number of individuals are creating a disproportionate level of demand when they repeatedly abscond from RCH. Having identified this, we are already engaging further with partners at RCH with a view to enhancing their procedures further and bringing those more in line with those adopted by the wider NHSG estate.

11. FINANCIAL IMPLICATIONS

11.1 Increasing mental health demand across services is already likely to have had a significant financial impact. In order to have the right service or partnership better support those coming to Police attention, as a result of non-criminal demand, financial implications are likely.

12. LEGAL IMPLICATIONS

12.1 There are no direct legal implications arising from the recommendations of this report. However, we know that there can be a direct impact on the Human Rights of those in our community as a result of risk taking activity by some we all seek to support. There is a body of evidence that indicates the disruption to wider community life caused by some in mental health crisis. There may also be the unintended risk of criminalisation of persons coming to Police attention through mental health crisis.

13. ENVIRONMENTAL IMPLICATIONS

13.1 There are no direct environmental implications arising from the recommendations of this report. However, to give clarity, there are clear implications in terms of community disruption as drawn out above.

14. 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 | No significant risks | | | |
| Compliance | No significant risks | | | |
| Operational | No significant risks | | | |
| Financial | No significant risks | | | |
| Reputational | No significant risks | | | |

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

15. OUTCOMES

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

16. IMPACT ASSESSMENTS

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

17. BACKGROUND PAPERS

17.1 Not applicable

18. APPENDICES

18.1 Case Study attached at Appendix A.

19. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|---|
| Name | Darren Bruce |
| Title | Chief Inspector, North East Division, Police Scotland |
| Email Address | |
| Tel | |

APPENDIX A

Aberdeen Resident - Subject A

Subject A is a young adult has an Emotionally Unstable Personality Disorder and Learning Difficulties. They have a long history of Trauma having been removed from their mother's care when only a few weeks old and being the subject of blame from the extended family whom they were placed in care with.

There have been 133 iVPD's, each representing an individual Police interaction with the Subject, between October 2017 and August 2023. Most of these are from 2021 onwards with an escalation in frequency and significance of incidents in the lead up to, and following, Subject A's transition from Child to Adult services.

These vulnerabilities recorded and shared with partners relate to Mental Health, Suicidal ideology and suicide attempts (attending on bridges / high buildings / entering the sea / walking in front of traffic / overdose / use of ligatures etc.), self-harm (including using sharp items to inflict injury, overdose etc.) to the point self-harm became a coping mechanism.

Although support was in place and they were taken into 24/7 supported living they found it difficult to engage and would often run away, being reported as a missing person, and placing herself in positions of significant risk of dying, whether by completing suicide or by Misadventure.

This inevitably had a significant impact on Police resources, as well as those of other emergency responders. Subject A had become obsessed with services, particularly Police and Ambulance, and increased the scale of their actions in order to get the response they craved and felt they required. That this fascination with emergency services became a driver for potentially self-destructive actions represents a significant concern and one which by definition Police and Blue light partners are not in a position to address without significant partner support.

Their actions have at times, caused significant disruption and risk to members of the public and emergency service staff, who may have come to harm / died by attempting to safeguard her. It also caused extensive and unsustainable cost in time and resources to already stretched services which are then not available to the public.

Police would regularly detain Subject A under the Mental Health Act and take them to a Place of Safety where it was generally identified that they were not suitable to be detained further and were fit to be returned to care of their support team. Even increasing it to a 2:1 ratio of supported living, Subject A's care package was found to be ineffective.

It was identified that they were an Adult at Risk and, due to the continued escalating situations where they put themselves and others at risk, it was agreed that a period of assessment at Royal Cornhill Hospital was appropriate. This allowed time for an alternative care provider to be identified and commence work with Subject A ahead

of them returning to their supported living flat in the community. This has been a long process and there continue to be incidents.

Aberdeen Resident – Subject B

Subject B is a young gender neutral adult who has previously been diagnosed with an Autistic Spectrum Disorder, Borderline Personality Disorder, Depression and Anxiety.

There have been 226 iVPD's created and numerous other calls to Police regarding Subject B from August 2017 to date. A substantial number of these were preceding and post their transition from Child to Adult services. Subject B has come to the attention of Police and partners in numerous areas of Scotland with the concerns and vulnerabilities being shared with relevant partners. Frequent multiagency meetings continue to take place in order to find a solution.

Concerns for Subject B relate to Mental Health, Self-harm, Suicidal ideology and attempts (overdoses / consuming dangerous items / attending on high locations / going onto railway track / standing on the edge of bridges etc.), being a Missing Person, Drug and alcohol consumption, learning disabilities and several other factors. During these incidents Subject B has become fascinated / obsessed with all emergency services, appeared to enjoy the attention, while placing themselves and others in positions of immediate risk. Even if the intent was not to commit suicide they could die, or cause the death of others, due to misadventure.

These actions have resulted in stretching the limited services available to an unsustainable point and have also caused significant disruption to the wider community. A recent example of this is a major road and rail artery in A Division being closed for several hours due to Subject B standing on a bridge parapet advising an intent to jump. This required 10 Police units, including negotiators, for the incident itself, BTP / rail intervention, Road traffic units being involved in rerouting traffic on a 20 mile detour, Ambulance services, NHS ARI and Mental Health services. Due to the incident, and rerouting of traffic, members of the public and local economy were significantly disrupted

Others incidents have involved significantly more resources and extensive disruption to services and the community throughout Scotland. This has included closure of major arterial road links and rail networks with impact to Police / BTP / SAS / Coastguard / Medical services / Social Work / Justice Social Work / Community Mental Health teams etc.

This has resulted in Subject B being charged on several occasions regarding various crimes and offences including - being in possession of knives and other offensive weapons, Culpable and Reckless Conduct, Breach of the Peace, Threatening or Abusive behaviour, Trespass on a Railway. These are not the actions that Police Scotland wish to take but Officers are left with no other alternative means of reducing escalating incidents and keeping Subject B and the public safe.

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Subject B has been the subject of Bail & Undertaking. While these conditions appeared to have had some effect they often found ways to comply but continue to undertake similar actions. Where a condition would prevent actions in a specific location or area, Subject B would move into another area to conduct similar actions. The result of this was that Subject B has been remanded and also detained under the Mental Health Act to allow for further assessment. Shortly after release they continued their previous actions.

Subject B is continuing to place themselves at risk of death by misadventure while causing significant disruption to the community.

Aberdeen Resident – Subject C

Subject C is an adult who has been open to partners for several years in relation to Mental Health, Alcohol consumption, Self-harm, Attempted Suicide / Suicidal ideology, Isolation and have been diagnosed with Korsakoff syndrome. They appear on 148 iVPD's and have had numerous other contacts with Police in their criminality which includes - Threatening or Abusive behaviour, Breach of the Peace, Assault, Police Assault, Obstruction of emergency workers, Culpable & Reckless Conduct, Vandalism, Drinking in a public place, being Drunk and Incapable, Crimes of dishonesty including Theft by Shoplifting as well as other offending behaviour resulting in excess of 300 charges.

This subject has been the focus of several Multi-agency / Professionals meetings where options on how to best provide support have been considered with varying levels of success. As this subject doesn't engage in a meaningful way with partners, often causing significant disruption to the community and placing themselves in dangerous / life threatening situations the usual result is they continue to be dealt with by Police, be reported and incarcerated.

On release the cycle begins again with Subject C often only being in the community for a short period of time. This causes a significant strain on a finite Police resource and is not sustainable. The challenges presented by Subject C's lack of engagement with the assistance offered is not lost on anyone but clearly there is an argument for more creative or audacious thinking as a means of designing strategies to which the Subject might be amenable and which in turn will reduce the risk they face themselves and the disproportionate demand the place on Police resources.

Aberdeen Resident – Subject D

Subject D is well known to Police and partners in relation to Mental Health, Self-harm, Suicidal ideology including attempted suicides, drug consumption and Isolation. Some of these relate to partners requesting conduct safe and well checks when they have refused to engage / sent messages or images raising concerns for their safety. Subject D has been diagnosed with a Borderline Personality Disorder and appears on 41 iVPD's, which have been shared with relevant partners.

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Further to this, due to their threatening and offending behaviour, as well as making allegations, becoming fixated on services and sending images to partners, they have been the focus of Case Conferences and Professionals meetings.

Their actions are continuing to affect Police and partners with little in the way of engagement from Subject D to allow meaningful progression. This impacts the resources of all services and perhaps highlights the need for more creative solutions to be considered.

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing & Public Protection |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Antisocial Behaviour – Aberdeen City Centre |
| REPORT NUMBER | CUS/23/299 |
| DIRECTOR | |
| CHIEF OFFICER | CUS/23/299 |
| REPORT AUTHOR | Mark Wilson, Community Safety and City Warden Manager, Aberdeen City Council Chief Inspector Darren Bruce, Partnerships, Preventions, Interventions and Events, Police Scotland Inspector John Lumsden, City Centre and Rosemount Community Policing Team, Police Scotland |
| TERMS OF REFERENCE | 1.1.1, 2.20 and 2.21 |

1. PURPOSE OF REPORT

- 1.1 To update members regarding the nature and extent of Antisocial Behaviour within Aberdeen City Centre and measures being taken to address these.

2 RECOMMENDATION(S)

That the Committee:-

- 2.1 Discuss, comment on, and endorse the report.

3 BACKGROUND

- 3.1 City Centre Antisocial Behaviour has been highlighted by members of this committee and has featured in previous reports.
- 3.2 A report has been provided in ‘Appendix A – City Centre Antisocial Behaviour’ providing an overview of our robust joint response to tackle City Centre Antisocial Behaviour, by the Community Safety Partnership.
- 3.3 It should be highlighted at the outset that since January 2023, there has been a significant decrease in youth related Antisocial Behaviour in Aberdeen City Centre (See Appendix D). This in itself, providing evidence that our partnership approach is both robust and committed to reducing Antisocial Behaviour in our City Centre.

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4. CONCLUSION

- 4.1 While progress is positive, our evidence has shown that we must continue to work collaboratively to target and provide support to a small minority who choose to travel to Aberdeen City Centre and become involved in ASB.
- 4.2 Business engagement is key to aid their understanding that a City Centre Intervention must be considered. Their support thereafter is necessary to explore opportunities for mentoring, employment and other means, helping our young people reach positive destinations. This work will be sustained through the Community Safety Partnership links to businesses through its partnership with Aberdeen Inspired.
- 4.3 Recognising that Aberdeen City Centre remains an attractive place for young people to socialise, we must consider a sustainable model for interventions there, which maximises funding opportunities and support available to us, recognising the landscape of resourcing and funding challenges within Scotland's public services. Work is already underway to explore and develop the hub concept.
- 4.4 Issues are far more complex than being ASB alone. We know that underneath most instances of ASB, is a perpetrator of same with complex multiple needs. Often a solution to these complex needs is required before ASB can be eradicated. For example those with alcohol addiction or indeed young people with little support in a family setting. The Community Safety partnership continues to make connections towards services to support these individuals through its work alongside other agencies and within the Youth Justice Improvement Group.
- 4.5 We must also continue to engage and communicate with our public. Providing a positive narrative about the majority of young people who are our citizens of the future is vital to reduce a harmful prejudice and also support our young people.

5. 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 | No significant risks | | | |

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| | | | | |
|------------------------------|---|--|---|-----|
| Compliance | No significant risks | | | |
| Operational | No significant risks | | | |
| Financial | No significant risks | | | |
| Reputational | Risk of Increasing ASB, Impact of ASB and Public Perception of ASB and management of ASB. | Continued Co-ordination of partner activity through the Community Safety Partnership. Co-ordination of Aberdeen Inspired members and Levee Payers via ACCSG | L | Yes |
| Environment / Climate | No significant risks | | | |

6. FINANCIAL IMPLICATIONS

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

7. LEGAL IMPLICATIONS

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

8. ENVIRONMENTAL IMPLICATIONS

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

9. OUTCOMES

| <u>Aberdeen City Local Outcome Improvement Plan</u> | |
|--|--|
| Prosperous People Stretch Outcomes | The Community Safety Partnership contribute to the shared vision for 2026 that ‘ <i>Aberdeen is a place where all people can prosper</i> ’ and towards the achievement of the LOIP theme which aims to make people more resilient and protect them from harm; where every child, irrespective of their circumstances, is supported to grow, develop and reach their full potential; and where all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm, supported when necessary and fully included in the life of the city. |
| Prosperous Place Stretch Outcomes | The Community Safety Partnership contribute to the shared vision for 2026 that ‘ <i>Aberdeen is a place where all people can prosper</i> ’ and towards the achievement of the LOIP theme which aims to support individuals and communities to live in healthy, sustainable ways. |

10. IMPACT ASSESSMENTS

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

11. BACKGROUND PAPERS

11.1 Not applicable

12. APPENDICES

- 12.1 Appendix A – City Centre Antisocial Behaviour
 Appendix B – Antisocial Behaviour End Report
 Appendix C – City Centre Antisocial Behaviour Data - 2021 to 2022
 Appendix D – City Centre Antisocial Behaviour Data - 2022 to 2023

13. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|--|
| Name | Mark Wilson, Community Safety and City Warden Manager, Aberdeen City Council Chief Inspector Darren Bruce, Partnerships, Preventions, Interventions and Events, Police Scotland Inspector John Lumsden, City Centre and Rosemount Community Policing Team, Police Scotland |
| Title | Antisocial Behaviour – Aberdeen City Centre |
| Email Address | MarkWilson@aberdeencity.gov.uk |
| Tel | |

Appendix A



ABERDEEN
COMMUNITY
SAFETY
PARTNERSHIP

ANTISOCIAL BEHAVIOUR ABERDEEN CITY CENTRE

Background - Community Safety Partnership

Community Safety Partnership has been operating successfully for a number of years, itself being recognised nationally as an exemplar and continually evolving to meet the needs of changing community safety interests. Partners within being, Aberdeen City Council, Police and SFRS, meet daily responding to existing or emerging harms. The partnership is supported by Tactical and Strategic oversight with a prevention focussed approach to tackling underlying causes of community harms that ensures safer, stronger and cohesive communities.

The partnership is supported by the wider functions of each of the key organisations. Additionally, the aims of the partnership are often shared by other governance arrangements including Community Planning Aberdeen. Linkage into Outcome Improvement Groups and innovative projects means that many of the issues that lie beneath Antisocial Behaviour (ASB), benefit from Community Safety Partnership insights to ASB.

The work of the Youth justice Improvement group is a key example where members of the Community Safety Partnership have helped shape improvement projects including those to reduce offending by young people: a project to prevent Looked After Children going missing and a bespoke project to reduce City-Wide Antisocial Behaviour by testing new means to engage with young people in settings they have designed.

This project, which was recently closed by the Community Planning Board, saw a reduction in ASB across the City as a whole (See Appendix B – Antisocial Behaviour End Report) the project itself led a number of successful ‘Tests of Change’ being undertaken. This included the formation of the ‘Tesco Hub’ which saw high levels of Antisocial Behaviour reduced significantly within its area of operation. Using the Hub as a base, young people in the area quickly gravitated towards the facilities available there, allowing for adult led interventions and mentorship at that location.

Other ‘Tests of Change’ under this project saw the Streetsport project more closely align to the partnership and strong co-ordination to work within areas of high ASB.

However, ASB within Aberdeen City Centre saw an increase post-Covid pandemic demonstrated below, reaching pre-pandemic levels. Understanding this rise, in the context of ASB reducing in most parts of Aberdeen, has been a focus of recent work.

Understanding City Centre ASB

Data analysed by the Community Safety Partnership includes data from Police Scotland, Aberdeen City Council and the Scottish Fire and Rescue Service. This wide data gather is key in determining ‘Hot Spots’, co-ordinating partnership activity and predicting areas of demanding and resourcing requirements across the partnership.

Data from 2021 to 2022, is shown with Appendix C

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This shows that Youth ASB calls reduced by 3% across the whole city in 2022 compared to 2021, however the contacts in the City Centre over that same period increased by 55%, 389 complaints in 2021 to 605 complaints in 2022.

Despite a positive decline of ASB elsewhere in Aberdeen, Aberdeen City Centre communities, including businesses, were reporting increasing levels of ASB.

Decreased tolerance to young people, post-Covid pandemic was evidenced during the Antisocial Behaviour Project, decreased commercial footfall in the City Centre made the appearance of groups of young people stand out, further aggravated by a prejudice towards all young people by some. Additionally, from our data, we know that the majority of ASB is perpetrated by a small few.

Youth Work

Engagement with young people in Aberdeen City Centre is key to understanding the situation with evidence indicative of young people travelling from elsewhere in Aberdeen and the North East.

Complementing the work of the Community Safety Partnership, Aberdeen City Council's Youth Workers, alongside Police Scotland's Intervention Officer, have been operating within Aberdeen City Centre to understand youth ASB. Their engagement data clearly evidences issues perpetrated by a minority and the vast majority of young people attend Aberdeen's City Centre to socialise with others. In addition to data gathering, youth work creates an opportunity for rapport building and intervention with those involved in ASB.

An 8 week program, taking place from August 2023, will also see engagement sessions being run with a range of 3rd Sector and youth focussed partners to help support and co-ordinate effective planning and intervention delivery.

Experience has shown that interventions and activities placed within the communities that young people live in is vital, such work having taken place during the Antisocial Behaviour Project. However, despite this, we know from our data that young people who are not engaged in ASB and those that are, continue to travel to Aberdeen City Centre despite strong activity provision in their areas.

We understand that to effectively intervene, approaches such as the Tesco Hub or the successful approach of Street Sports, should be looked at. In August 2023 front line staff across, Aberdeen City Council Youth Work, Police Scotland and Union Square will visit 'Hot Chocolate' in Dundee. The group operate within Dundee City Centre offering support, guidance and interventions that encourage good citizenship while helping link vulnerable young people towards greater support. Hot Chocolate Trust is a youth organisation, open to all young people of secondary school age to 21. The group from Aberdeen will meet young people and staff involved at Hot Chocolate to understand the approaches used and what learning and reflection from the visit can be utilised in Aberdeen.

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Offers of financial support for such an approach have been made by some City Centre businesses. Additionally there has been interest from a charity who operate several projects across the United Kingdom and have offered peer support to help design and implements Aberdeen's own approach.

Police Scotland - Safer City Unit

In response to the rise in ASB, during 2022, 'Operation Galaxite' was implemented by the Aberdeen City Centre & Rosemount Local Policing Team (LPT) in co-ordination with Aberdeen City Council City Wardens. With a particular focus on ASB involving young persons, additional resource provided high visibility and robust approach to ASB challenges, carrying out 'High Visibility' patrols in the City Centre, proactively targeting issues identified by the local community and statistical data.

This approach was evolved to form the 'full time' Safer City Unit located at Marischal College, Aberdeen.

Identified offenders are dealt with robustly, either using direct measures (fixed penalties and recorded warnings) or by reporting cases to the Crown Office and Procurator Fiscal's Service and/or the Scottish Children's Reporter.

An approach being taken is notifying parents or guardians by writing to them, with Antisocial Behaviour Letters being sent when a young person is identified as being involved in ASB or present. Feedback and new data indicates this approach is having a powerful impact on young people with supportive parents or guardians.

Many incidents of ASB are not directly witnessed by Police, however Officers use their investigative experience and a range of techniques during their enquiries, with support from City Centre partners and businesses, to detect reported criminality. A partnership approach was taken tackle instances of ASB within the St Nicholas Graveyard. Initially communicated to Police that issues related to both young people and adults, Police found that issues related mainly to the consumption of alcohol within. A range of measures were introduced including the use of enforcement measures such as Anti-Social Behaviour Orders (ASBOs) and the deployment of City Wardens and Police Officers to the graveyard with City Wardens supporting Aberdeen City grounds team with the closure of the graveyard at night.

Data from July 2023, is indicative that those previously consuming alcohol within the St Nicholas Graveyard have relocated to St Nicholas Street, Aberdeen. Police Scotland's Safer City Unit continue to focus on this area and enforce the bye law relating to open alcohol containers in addition to taking robust action to tackle criminality. Recognising that multiple complex needs or addiction are present for a number of people choosing to socialise there, our partnership is focused on tackling their needs thorough referral and engagement with 3rd Sector.

In support of local businesses, an Environmental Survey was carried out by Police Scotland and Aberdeen City Council. The survey identified that measures were already in place and enhanced measures were potentially cost prohibitive such as reducing the seating from double seating to single seats.

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Through the Community Safety Partnership, the activities of our City Wardens, Police and joint CCTV team are being co-ordinated. Whilst a robust approach is being taken against those who are perpetrating ASB, 3rd sector and Health partners are being asked to contribute to a proactive 'street based' approach to offering support to individuals.

Operations Control Centre (CCTV)

The joint Aberdeen City Council and Police CCTV Operations Control Centre (OCC) allows for effective CCTV monitoring of our 'hotspots'. Their work is informed using the shared data and their representation within the Community Safety Partnership. System operators also monitor City Centre footfall 24/7 and proactively identified opportunities for ASB, directing resources into the area in order to prevent any criminality.

Data informs camera deployment with cameras recently being installed in Union Terrace Gardens following its refurbishment. Recently purchased re-deployable cameras have been tested during joint operations between City Wardens and Police Scotland to tackle anti-social driving. These proved to be a valuable resource and directly supported the identification and apprehension of offenders. These cameras will now be deployed based on partnership data to support the prevention and detection of crime across the City.

SaferAberdeen Scheme

The launch of a new SaferAberdeen website will provide an online presence for existing and prospective businesses. The website will include information on the systems, instructions on how to join them and a link to login to the secure information sharing platform. There will also be links to partnership websites and to training resources for existing members.

ShopSafe are also providing a mobile app called 'Alert!' free of charge to businesses within the City Centre. This application provides a new secure way for members to share crime information between themselves, including incident data, offender information and instant messaging for discussion.

The app will be strictly for the participating businesses and will be monitored by the scheme administrators in partnership with ShopSafe. The app will help to identify and prevent prolific offenders within the City Centre as well as act as a local forum for general discussions around the Safer Aberdeen initiatives. Data gathered from the app will also assist our Community Safety Partnership further its understating of issues and trends on the ground that may not always require reports to be logged with the Police.

ShopSafe has carried out a further investment on the radio system provided to retailers and night time venues which has recently seen its third iteration of devices. The introduction of this technology provides a host of benefits including enhanced

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audio, coverage and remote management. The technology also produces powerful analytics on user engagement and device health.

The radio system will be branded as ShopSafe for all daytime businesses and the introduction of the NightSafe branding for the evening economy will help promote the system to the night time economy.

A quarterly SaferAberdeen meeting has been planned with the first event due to take place in August. All day and evening members have been invited to attend. This will be chaired initially by ShopSafe with the plan being to install a new board of local business representatives to support this. The meetings will be offered as a hybrid format, allowing in-person or remote attendance to maximise engagement.

Taxi Marshals

Taxi Marshals were redeployed in the City Centre in 2022 following the pandemic and the increase in the night time economy. The main aim of the Taxi Marshal Service is to provide a highly visible presence that minimises incidents of Anti-Social Behaviour, helps ensure the safety of the public and aids the efficient operation of Taxi Ranks. On an average weekend the service sees around 1500 people safely dispatched in taxis.

Local Businesses

As a result of the 'City Centre Summit' in November 2022, Aberdeen Inspired committed to a range of actions including efforts to tackle City Centre ASB in support of businesses who cited this as a concern.

The Community Safety Partnership, Aberdeen Inspired and businesses operating in the City Centre are working together to help reduce City Centre ASB. The lived experience and voice of businesses, has also helped the Community Safety Partnership and Safer City Unit shape their responses to existing or emerging harms.

Data Analysis Development

Remaining agile to developing threats, data analysis has developed to understand ASB (see Appendix D). With the recent development of the 'Data Dashboard' to identify repeat offenders, the Community Safety Partnership are in the process of developing a partnership structure to discuss high intensity nominals and identify opportunity for individual intervention.

The approaches and measures being taken is indicative of a decline in ASB over recent months. See Appendix D.

Our data shows that less 'Antisocial Letters' were sent to young people. From our engagement data, we know that young people previously on the periphery of ASB

and therefore previous recipients of a letter, are now choosing not to associate with other young people who may be involved in ASB.

The data in Appendix D shows there has been a 42% decrease in youth Anti-Social complaints since May 2023. There have been no warning letters issued to youths since February, however since the beginning of March there have been 91 youths named on crime reports showing a more robust approach is being taken towards the behaviour of youths within the City Centre.

The age group of youths involved ranges from 11-20 years, with 14-16 year olds making up the majority of complaints. Of the youths identified only 2% live within the City Centre with 18% living out with Aberdeen City.

It is recognised that alongside this robust approach, means of supporting young people involved in ASB must be a priority. Each young person warned or charged by Police is referred to partner agencies, by means of the IVPD system, for support to address underlying causes of ASB. These referrals gives access to support such as 'Fit-Like' hubs, family based support or helps shape the support already in place.

Community Safety Partnership Structures

The strength of partnership has continued to provide an agile working relationship between partners. The partnership has recognised the need to undertake a review of its operational structures to ensure its ongoing effectiveness against evolving landscapes. Understanding the drivers behind demands placed on services has become paramount, with a need to allow our partnership to focus on data driven decision making and early interventions. We anticipate this new design will allow us to identify problems before they arise and cultivate a more resilient and responsive approach.

Stretch Outcome 8 - Antisocial Behaviour Project

A new ASB project has been agreed to operate under Stretch Outcome 8 of Aberdeen's Local Outcome Improvement Plan. Being managed by the Community Safety Partnership, the aim is to reduce ASB across the City. This project will benefit from the Community Safety Partnership's expertise in ASB. This project reports into the Youth Justice Improvement Group, who have a focus on tackling vulnerability that can lead to people being in conflict with the law. This linkage is creating clear pathways into other support mechanisms for this ASB project.

Appendix B



Community Planning Aberdeen

| | |
|-------------------------|---|
| Progress Report | Project End Report: 9.4 Reduce instances of public space youth anti-social behaviour as a result of appropriate and effective interventions in targeted areas by 10% by 2022. |
| Lead Officer | Eleanor Sheppard – Chair of Children’s Services Board |
| Report Author | Jordan Walker – Police Sergeant |
| Date of Report | 01/02/2023 |
| Governance Group | CPA Management Group – 22/03/2023 |

Purpose of the Report

This report presents the results of the LOIP Improvement Project Aim 9.4 which sought to reduce instances of public space youth anti-social behaviour as a result of appropriate and effective interventions in targeted areas by 10% by 2022, and seeks approval to end project.

Summary of Key Information

1 BACKGROUND

- 1.1 Antisocial behaviour is defined as 'behaviour by a person which causes, or is likely to cause, harassment, alarm or distress to persons not of the same household as the person' and is a wide-ranging issue which encompasses many aspects of criminal and non-criminal behaviour. The types of behaviour frequently listed range from vandalism and littering to noise and youth disorder. These are the type of behaviours that cause distress in communities and make them feel unsafe. By carrying out effective interventions and diversions we aim to reduce community harm without criminalising young people.
- 1.2 Strategies to tackle antisocial behaviour are underpinned by the principles of prevention and early intervention to provide solutions, reduce the likelihood and opportunity for offending and optimise outcomes for individuals who may otherwise involve themselves in this type of activity.
- 1.3 Any reduction in antisocial behaviour will improve the quality of life for people within that area, increase public confidence and enhance a positive sense of community for residents. This will also increase the collective will and ability of a community to tackle problems itself by increasing community resilience.

- 1.4 In February 2019, a test of change was instigated in the Northfield area of Aberdeen with the aim of reducing antisocial behaviour following an identified increase in this type of conduct in this area.
- 1.5 This created foundations for an effective strategy to tackle antisocial behaviour. The learning and outcomes from that project were used to inform this project to build on what had already been achieved and work towards a longer term outcome, for a significantly larger area.

2 IMPROVEMENT PROJECT AIM

- 2.1 Against this background, the CPA Board approved the project charter for the initiation of an improvement project which aimed to reduce instances of public space youth anti-social behaviour as a result of appropriate and effective interventions in targeted areas by 10% by 2022.
- 2.2 This change was selected due to impact antisocial behaviour has on our communities. The Covid-19 pandemic as this has a significant impact on the number of calls received due to national measures implemented.

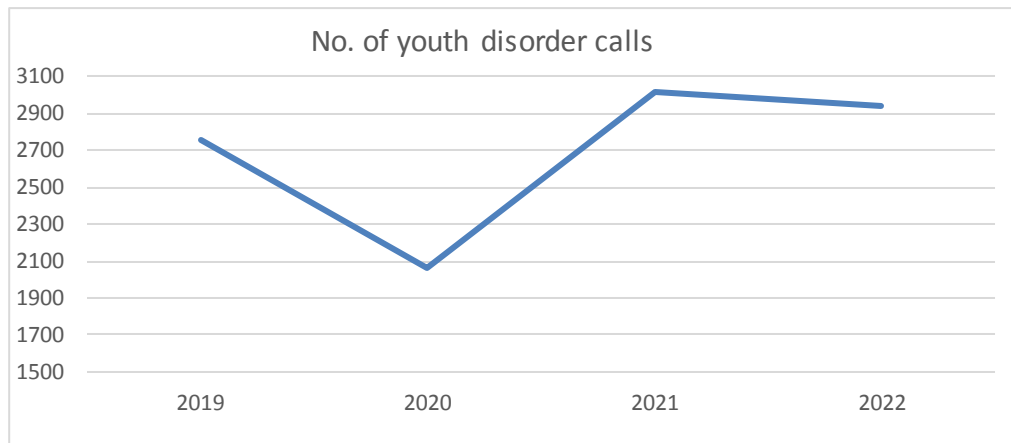
3 WHAT CHANGES DID WE MAKE?

- 3.1 The project have tested a number of changes, namely:
- Formulation of a new Community Safety Partnership (CSP) process to address vulnerabilities quicker and one which can track repeated issues. Design and implementation of the Tesco Hub was a joint approach to address a spike in youth disorder in the local area. The Hub remains open and is now a permanent feature in the community, where youths are given the space and support to be creative. The Hub is a permanent change and is seen as the template for implementing similar projects in the City.
 - Close partnership between Police and diversion providers through the Denis Law legacy Trust (DLLT) (Street Sport)
 - Flagging system introduced to report incidents/hotspots and a mechanism for information sharing was introduced
 - ASB letters are sent to youths identified as being involved in disorder.
 - Operation Galaxite was trialled within the City Centre in response to escalating youth disorder within the area.
- 3.2 As well as the above the following changes are being developed at present:
- Formulation of a new CSP Tactical process where place based concerns are identified in a more specific way and both the issue and underlying causes are to be addressed. This process has been developed, but not yet been implemented. Although not in place, Police have made relationships so that the efficient sharing of data can take place, with Intervention Providers, to take action in the right place.
 - Design of the Northfield Hub is progressing with partners. This will be a permanent structure in the Northfield area for youths to engage in activities to divert them from disorder.
- 3.3 Approval of the recommendation that the project continue with a revised aim will enable the above two changes to be tested and the impact reported on. Further

changes, including ways to increase availability of and engagement with youth activity, will also be explored.

4 HAVE OUR CHANGES RESULTED IN IMPROVEMENT?

4.1 Whilst the aim has not been achieved, there has been a 2.6% reduction in calls since 2021 and positive outcomes from improvement activity that are reported on. Following the pandemic, and the return to normal life, there was a reduction in youth disorder calls from 2021 to 2022 of 79. The yearly figure totals for Aberdeen City were:



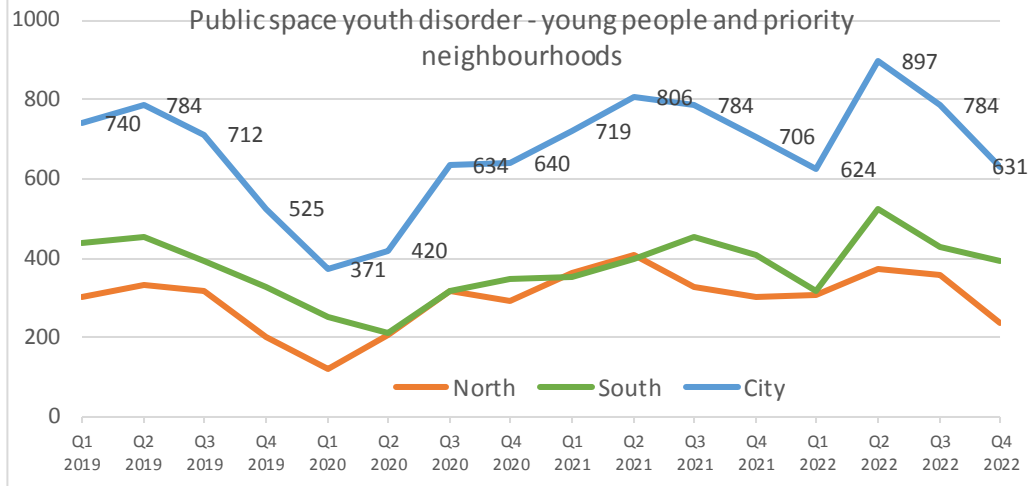
4.2 Following the impact the pandemic had on figures, it was decided to use the 2021 figures as base line data. Although there was a drop in calls between 2021 and 2022, this was not required 10%. There are a number of factors identified that may be linked to the rise in youth disorder since 2019:

1. Tolerance levels were reduced during Covid, with large numbers of regulation breaches being reported. This reduction in tolerance has continued and the public are more likely to report instances of youths gathering, despite them not committing any offences. This is evident through the increase in repeat callers to Police which is assessed to be due to nervousness.
2. Free public transport for youths in Scotland has made it easier for them to travel to different areas of the city. This has been evidenced through work to identify where youths in the City Centre originated from.
3. Following the pandemic, there were less diversionary activities available to youths, such as youth clubs and other clubs etc.

3.3 The changes tested have had positive impacts:

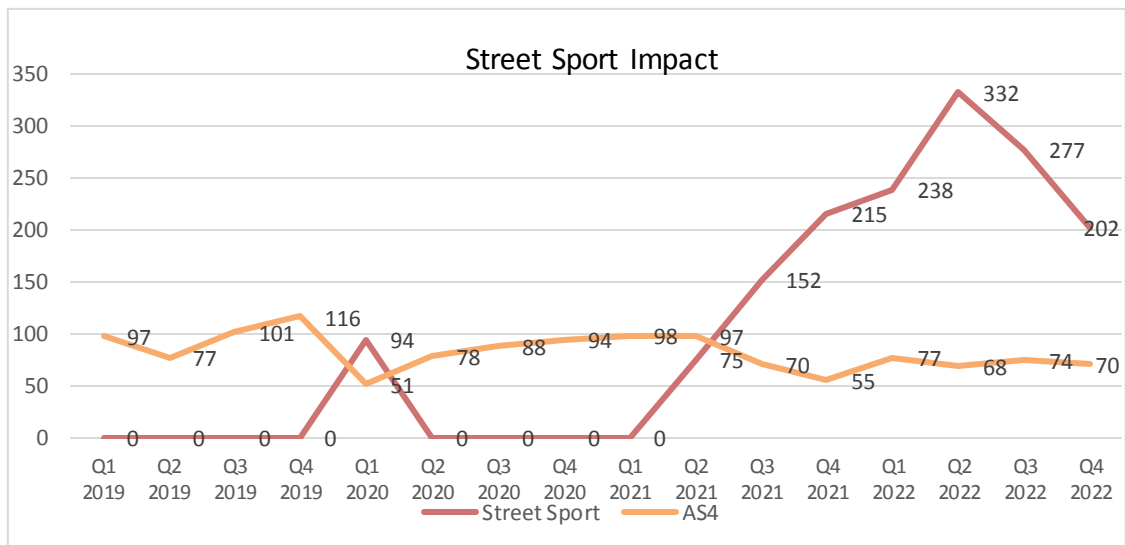
Formulation of a new Community Safety Partnership (CSP) process to address vulnerabilities quicker and one which can track repeated issues.

3.4 This enabled action to be taken to address emerging issues/trends. This will be implemented permanently and will be frequently reviewed and improved where suitable. The chart below shows the number of youth calls received on a quarterly basis from 2019 to 2022. The North/South splits also demonstrate that generally they follow the same trend.



Close partnership between Police and diversion providers through the DLLT (Street Sport)

3.5 This resulted in positive change in response to youth disorder in areas. Data showed that generally when attendance was high at Street Sport sessions, the youth disorder calls in that area reduced. Information sharing has been key in order for Street Sport to deploy to areas where youth disorder calls were rising. This is a permanent change and work will remain ongoing to support DLLT. The chart below shows the number of youth calls in the AS4 (Sheddocksley) area compared to the Street Sport attendance figures for the same time. The chart generally indicates that the higher the attendance, the lower the calls.



Flagging system introduced to report incidents/hotspots and a mechanism for information sharing was introduced.

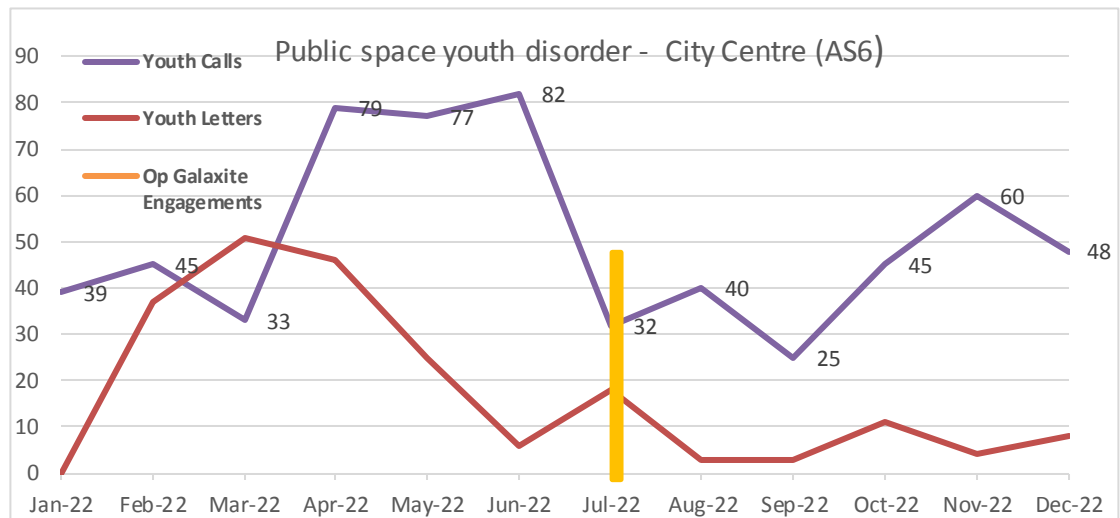
3.6 All youth calls are reviewed by Police and recorded in order for the data to be analysed. Trends are identified and information is shared with Community Policing Teams and Partners in order for action to be taken at the relevant time and place. This is now a permanent practice.

ASB letters are sent to youths identified as being involved in disorder

3.7 These youths are identified via the above flagging system and data is recorded to monitor the involvement each youth has in incidents and which area these incidents occurred. There is an accompanying escalation process should the same youth be involved in multiple incidents. Data showed that generally one letter was enough to halt the youth's involvement in disorder.

Operation Galaxite

3.8 Operation Galaxite was trialled within the City Centre in response to escalating youth disorder within the area. The Operation ran for the month of July in 2022 and 48 positive engagements with youths were recorded and the youth disorder calls for the City Centre was 32. For reference, the month prior to Operation Galaxite, the youth disorder calls were 82. Learning points were taken from this Operation and work is ongoing to implement a long term adaptation of this. The chart below is a snapshot from 2021 to demonstrate the impact Operation Galaxite was found to have in the City Centre area (AS6). Included in the chart are the number of youth ASB letters that were issued during that time which generally shows that the months in which letters were sent out, there was a drop in youth calls.



5 HOW WILL WE SUSTAIN THESE IMPROVEMENTS?

5.1 New CSP processes form part of daily and monthly working practices. These processes are subject of reviews and will be altered if improvements are identified.

5.2 The flagging system and ASB letters are a result of call monitoring on a daily basis, which is part of core roles of relevant staff. Proactive work is done to identify youths involved in disorder.

5.3 The work done at the Tesco Hub is recognised as best practice and the introduction of the Northfield Hub is expected to have a positive result on disorder. Through partnership working, it is a shared priority to ensure the longevity of these, and any future Hubs.

5.4 The DLLT is recognised for the difference made with youths. Support will continue to be provided to the DLLT by partners, which include representatives

of Police Scotland and the Scottish Fire and Rescue Service being members of the Management Group.

- 5.5 Plans are ongoing to introduce a long term and sustainable version of Operation Galaxite within Aberdeen City Centre. If there is continued success, this template could be implemented in other areas of the City.

6 HOW WILL WE MONITOR THESE IMPROVEMENTS?

- 6.1 The data relating to this charter will continue to be monitored as standard working practice within Partnerships, Preventions & Interventions. Trends will be monitored monthly to identify problem areas and highlight these to the relevant CPTs for plans to be put in place.
- 6.2 Should the recommendations be approved, the data recorded will continue to be monitored and reported to the Children's Services Board, as well as added to the Outcomes Framework/Improvement programme Dashboard to ensure that performance continues.

7 OPPORTUNITIES FOR SCALE UP AND SPREAD

- 7.1 The practices implemented throughout the charter are suitable for tailoring to other areas of business. The core function is ensuring we are aware of call patterns/trends in order to ensure an accurate understanding is held. Thereafter, action can be taken to address issues. This could be letters, highlighting issues to partners via the CSP, or initiating an Operation to directly address the problem.
- 7.2 The impact of youth community activities is evident as described above. Youth community activities such as StreetSport could be spread to other areas of the city and should the aim be revised, this will be actively taken forward through the volunteer led model described in the project end report for aim "Increase by 50% the number of 10 to 16 year olds in target areas of the city who access youth community activity by 2023."

Recommendations for Action

It is recommended that the CPA Management Group:

- i) Acknowledge the positive outcomes achieved to date as a result of the improvement activity and to agree to recommend to the CPA Board on 19 April 2023 that youth anti-social behaviour remained a priority and that the project continue with a revised aim of "Reduce by 15% the number of instances of youth anti-social behaviour calls to Police Scotland by 2025." as proposed within the draft revised Children's Services Plan 2023-26;
- ii) Note that the improvement activity described at 3.2 which has not yet been tested will be taken forward and reported under the revised aim should the proposal be approved; and
- iii) Note the opportunities for scaling up and spread to other areas of the improvements tested to date.

Opportunities and Risks

Opportunities

- To build a network of volunteers across the city who take responsibility for running community-based youth activities that leads to increased youth participation and reduction in anti-social behaviour
- To adapt SFRS ‘fire setters’ intervention and re-education scheme for different organisations to educate and work towards reducing anti-social behaviour.
- For children and young people to support the development of new and existing youth activities.
- To learn from the successful changes of this project and apply to other offences
- To build an early intervention model of youth work provision that focuses on areas with highest need.

Risks

- Not having the capacity to offer support across the city to volunteers.
- Media reporting stigmatising youths – engagement with communities and opportunities for youths to tell their stories (EG using SHMU FM)
- Resources to successfully implement projects
- Finance to improve environmental matters

Consultation

Stretch Outcome 9 Sub Group
Children’s Services Board

Background Papers

The following papers were used in the preparation of this report.

- LOIP 2026-26
- 9.2 Project Charter

Contact details:

Jordan Walker
Police Sergeant
Partnerships, Preventions & Interventions
Jordan.walker@scotland.police.uk

Appendix C

Youth ASB Calls Aberdeen City

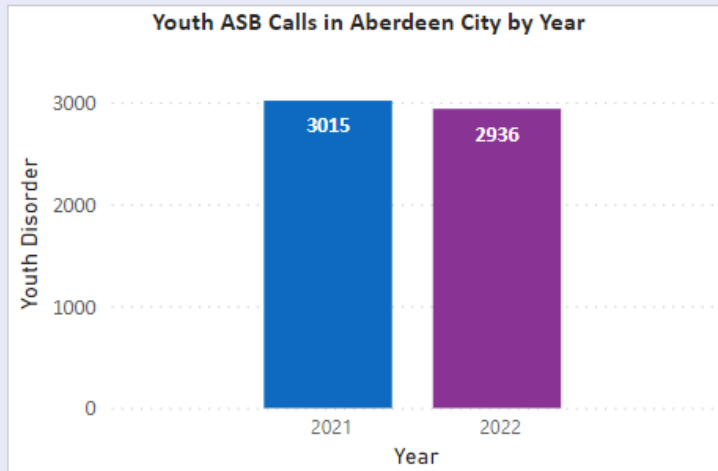
Youth ASB for Aberdeen City all Areas

| | |
|--------------|------------------------|
| 2021 Year | 3015 Youth Disorder |
| 2022 Year | 2936 Youth Disorder |

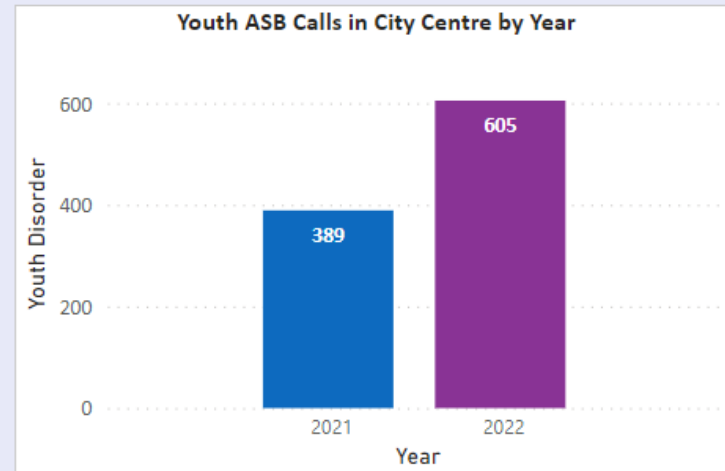
Youth ASB for City Centre

| | |
|--------------|-----------------------|
| 2021 Year | 389 Youth Disorder |
| 2022 Year | 605 Youth Disorder |

Youth ASB Calls in Aberdeen City by Year



Youth ASB Calls in City Centre by Year



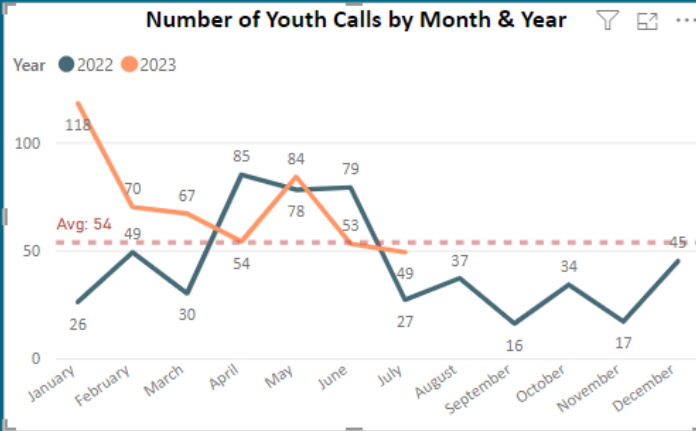
Source: Police Scotland

Appendix D

Youth ASB - City Centre

Source: Police Scotland

The graph above provides an overview of the call demand across 2022 and 2023 so far. Calls spiked significantly in January 2023 then gradually decreased to April before spiking again in May. Calls have however decreased significantly over last 2 months with a 35% reduction in youth ASB contacts since May 2023.



22 individuals (16%) have been involved/present or loitering on 2 or more occasions of which 5 youths (3.6%) have been involved in 3 incidents. No further letters have been issued in relation to city centre incidents since February.

Warning Letters Issued

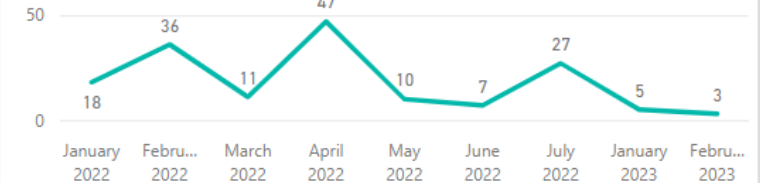
Date of Incident

01/01/2022 30/06/2023

Number of Youths Issued Warning Letters

139

Letters Issued by Month

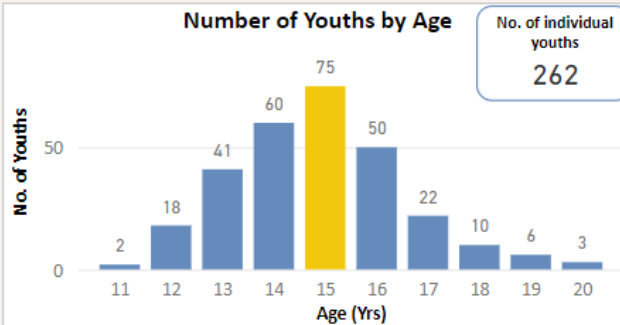


Number/% of Youths by Home Address Neighbourhood

| Beat Area | No. of Youths | % of youths |
|------------------|---------------|-------------|
| Outwith Aberdeen | 47 | 18% |
| Nigg | 39 | 15% |
| Northfield | 29 | 11% |
| Torry | 25 | 10% |
| Mastrick | 22 | 8% |
| Bucksburn | 19 | 7% |
| Bridge of Don | 17 | 6% |
| Tillydrone | 15 | 6% |
| Hazlehead | 12 | 5% |
| 10 | 4% | |
| Seaton | 10 | 4% |
| West End | 9 | 3% |
| Kittybrewster | 7 | 3% |
| City Centre | 4 | 2% |
| Rosemount | 3 | 1% |
| Total | 262 | 100% |

This is an overview of the youth nominals who have come to police attention based on incidents within city centre from 01/01/2023 - 30/06/2023.

During this period there have been 139 youths who have come to Police attention of those 18% live outwith Aberdeen City. The graph below shows a distribution of the youths by age group highlighting 15 year old's as the most common age.



From 1st March 2023, there have been 91 youth names noted on crime reports of these 17 individuals have been noted on more than 1 crime report.

Crime Reports

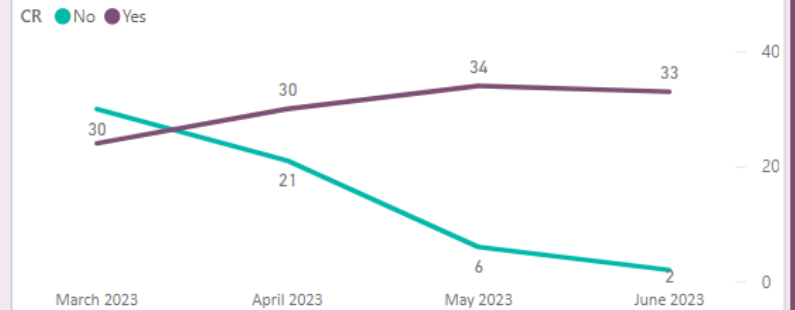
Date of Incident

01/03/2023 30/06/2023

No. of Crime Reports

80

No. of youths by month and if named on crime report (CR)



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| | |
|---------------------------|---|
| COMMITTEE | Communities, Housing and Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Communities, Housing and Public Protection Performance Report |
| REPORT NUMBER | COM/23/246 |
| 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 and Customer 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 and Customer services as expressed within the 2023/24 Council Delivery Plan.

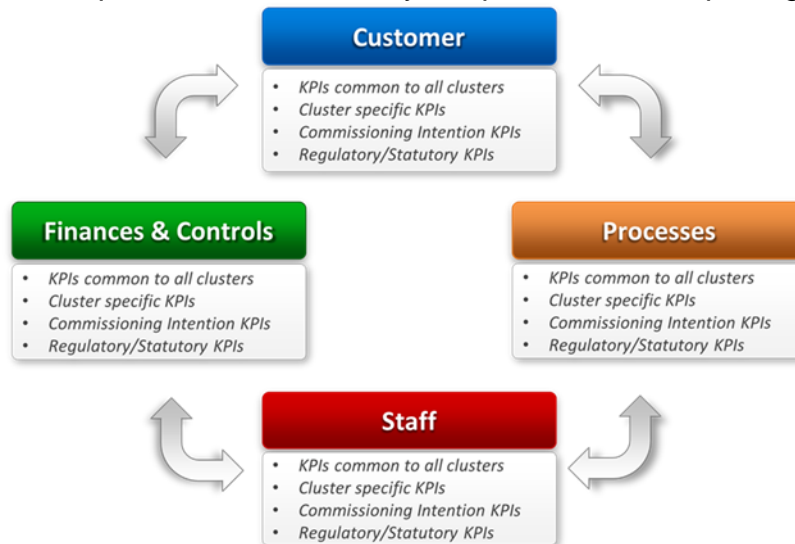
Report Structure and Content

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 2023/24 Council Delivery Plan that was agreed by Council 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 The refreshed Performance Management Framework for 2023/24 was approved at the meeting of Council on the 14th of June 2023

- 3.5 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.
- 3.6 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.
- 3.7 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.



- 3.8 This report, as far as possible, details performance up to the end of June 2023 or Quarter 1 2023/24, as appropriate.
- 3.9 Appendix A provides an overview of performance across certain Operations and Customer 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:
- Repairs pre-inspections - % completed within 20 working day target
 - Sickness Absence - Average Number of Days Lost – Customer Experience
 - The YTD Average time taken to relet all properties (Citywide - days)
 - YTD Average length of journey in days for applicants assessed as unintentionally homeless (RRTP)
 - Rent loss due to voids - Citywide - YTD average

- 3.10 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

3.11 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) <small>*taking into account</small> | *Does Target Risk Level Match |
|----------|-------|---|---|-------------------------------|
|----------|-------|---|---|-------------------------------|

| | | | controls/control actions | 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

| <u>COUNCIL DELIVERY PLAN</u> | |
|---|--|
| 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 |
|--|--|
| Integrated Impact Assessment | It is confirmed by Chief Officer Martin Murchie that no Integrated Impact Assessment is required |
| Data Protection Impact Assessment | Not required |
| Other | None |

10. BACKGROUND PAPERS

Council Delivery Plan 2023/24 – COM/23/074
[Local Outcome Improvement Plan 2016-2026](#) (July 2021 Refresh)
 Performance Management Framework – COM/23/168

11. APPENDICES

Appendix A – Performance Summary Dashboard

12. REPORT AUTHOR CONTACT DETAILS

Louise Fox
 Strategic Performance and Improvement Officer
lfox@aberdeencity.gov.uk




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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 | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|---|----------|---|----------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| The year to date percentage of repairs appointments kept | 99.54% |  | 99% |  | 98.91% |  | 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). | No data | | | | | | 80% |

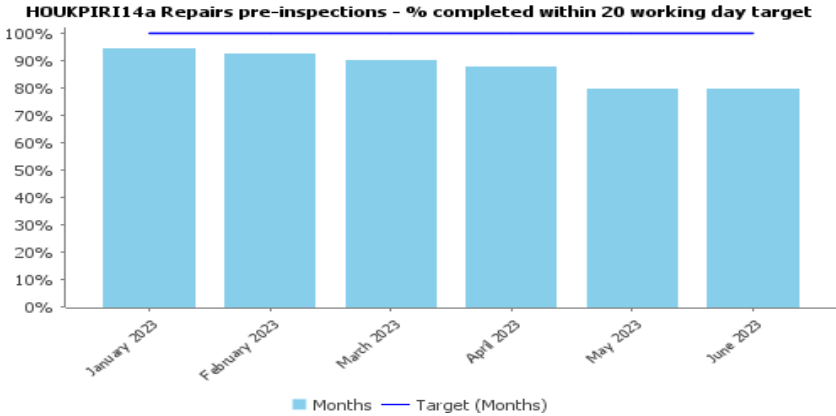
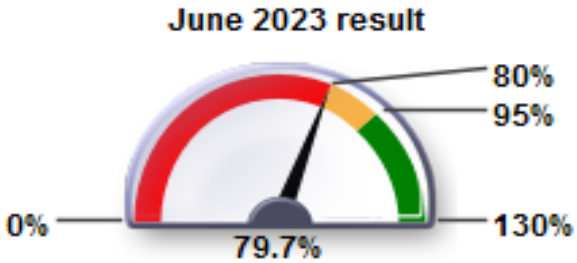
| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2022/23 | | 2023/24 Target |
|--|------------|---|------------|---|------------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received (stage 1 and 2) - Building Services | 117 |  | 67 |  | 75 |  | |
| % of complaints resolved within timescale stage 1 and 2) - Building Services | 70.1% |  | 74.6% |  | 85.3% |  | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Building Services | 35% |  | 25.4% |  | 38.7% |  | |
| *Total No. of lessons learnt identified (stage 1 and 2) - Building Services | 0 |  | 0 |  | 1 |  | |

*Lessons learnt referred to throughout this Appendix are lasting actions taken/changes made to resolve an issue and to prevent future re-occurrence for example 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 | Apr 2023 | | May 2023 | | June 2023 | | 2023/24 Target |
|---|----------|--------|----------|--------|-----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| The year to date average length of time taken to complete emergency repairs (hrs) | 3.36 | ✔ | 3.38 | ✔ | 3.96 | ✔ | 4.1 |
| The year to date average length of time taken to complete non-emergency repairs (days) | 5.91 | ✔ | 6.06 | ✔ | 5.98 | ✔ | 8.3 |
| The year to date percentage of reactive repairs carried out in the last year completed right first time | 92.79% | ✔ | 90.8% | ✔ | 90.81% | ✔ | 90% |
| The percentage of Repairs Inspections completed within 20 working day target (year to date) | 87.4% | ⚠ | 79.4% | ❌ | 79.7% | ❌ | 100% |

Repairs pre-inspections - % completed within 20 working day target



Why is this important?

Carrying out timeous inspections is crucial in ensuring the repair needs of our tenants within our housing stock are met.

Appendix A

Benchmark Information:

This is a local measure and is not currently benchmarked.

Target:

The target for this measure for 2023/24 has been set at 100%.

This is what the data is saying:

The percentage of repairs pre-inspections completed within 20 working days currently shows performance to be below target by over 20%.

This is the trend:

Since the start of the calendar year, the outcome for this measure has fallen month on month, remaining around 79% for both May and June. During the previous calendar year, performance had fluctuated between 99% and 94% , most commonly sitting around 97%.

This is the impact

The impact of this drop in performance may lead to dissatisfaction from our tenants. However, having reviewed the inspection performance we have taken steps to identify the reasons behind this drop. Initial investigation has identified that a number of inspections have been raised with an agreed attendance appointment that is out with the 20 day target. These have been at the request of the tenants in question. As such, the potential impact is likely to be low given that these inspections have taken place on the dates requested by tenants involved.

These are the next steps we are taking for improvement:

Whilst the inspections with dates requested out with the 20 working day target have been successfully undertaken on the date asked for by tenants, these are resulting in a negative impact on overall performance due to being out with the 20 day target set. We are currently reviewing this process with a view to implementing a new procedure that would accommodate this type of request for an appointment out with the 20 day target, but avoid the adverse effect on outcomes.

Responsible officer:

Graham Williamson

Last Updated:

June 2023

3. Staff – Building Services

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|--|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter - Building Services) | 3 | | 1 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter - Building Services) | 3 | | 4 | | 7 | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost - Building Services | 4.5 | | 4.5 | | 4.5 | | 10 |
| Establishment actual FTE | 405.21 | | 405.16 | | 404.31 | | |

4. Finance & Controls – Building Services

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|-------------------------------------|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 8.2% | | 16.2% | | 25.3% | | 100% |

Facilities Management

1. Customer – Facilities Management










| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received (stage 1 and 2) - Facilities | 5 | | 2 | | 3 | | |
| % of complaints resolved within timescale (stage 1 and 2) - Facilities | 80% | | 100% | | 100% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Facilities | 60% | | 50% | | 33.3% | | |
| Total No. of lessons learnt identified (stage 1 and 2) - Facilities | 1 | | 0 | | 0 | | |


| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Q1 Target |
|--|------------|--------|------------|--------|------------|--------|-------------------|
| | Value | Status | Value | Status | Value | Status | |
| *Number of school lunches served in the year - Primary (YTD) | 1,045,191 | | 1,526,088 | | 531,031 | | 495,000 |


*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 | 2023/24 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 compare 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 | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|---|----------|---|----------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| % Fly tipping alerts at housing multi-storey blocks responded to within 48 hours | 91.7% |  | 0% |  | 66.7% |  | 80% |
| % Response cleaning alerts responded to within priority timescales | 100% |  | 100% |  | 100% |  | 80% |
| % Void cleaning alerts responded to within priority timescales | 94.4% |  | 96.6% |  | 98.6% |  | 80% |






















| Performance Indicator | Current Status | 2023/24 Target |
|--|---|----------------|
| We will deliver 39 weeks contracted school cleaning to the standards set in our generic specification and within the budget allocated. |  | 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. | | |

| Performance Indicator | Current Status | 2023/24 Target |
|--|---|----------------|
| We will deliver cleaning services within all (non-school) operational properties to the standards set in our generic specification and within the budget allocated. |  | 95% |
| Cleaning service is delivered by the in-house team throughout the year at all other operational properties across the city, on all weekdays minus public holidays (a limited number of properties also receive service over weekends). We will use this measure to highlight any instances where a property has been unable to open due to our inability to provide a satisfactory cleaning service. | | |

3. Staff – Facilities Management







| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------|---|------------|---|------------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter) | 2 |  | 0 |  | 0 |  | |
| Accidents - Non-Reportable - Employees (No Quarter) | 6 |  | 4 |  | 12 |  | |

Appendix A

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|---|----------|---|----------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| *Sickness Absence – Average Number of Days Lost - Facilities | 15.5 |  | 16.3 |  | 16.9 |  | 10 |
| Establishment actual FTE | 527.47 |  | 525.13 |  | 526.98 |  | |
| Establishment actual FTE (Catering) | 169.88 |  | 170.95 |  | 173.01 |  | |
| Establishment actual FTE (Cleaning) | 237.49 |  | 234.28 |  | 235.44 |  | |
| Establishment actual FTE (Janitorial) | 65.97 |  | 64.14 |  | 64.16 |  | |
| Establishment actual FTE (Office & Building Management) | 16.59 |  | 16.89 |  | 16.89 |  | |
| Establishment actual FTE (Passenger Transport Unit) | 34.18 |  | 34.18 |  | 34.19 |  | |

* 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 | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 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) | 9.4% |  | 18.3% |  | 27.5% |  | 100% |

Protective Services

1. Customer – Protective Services

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|--|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received - Protective Services | 2 | | 9 | | 4 | | |
| % of complaints resolved within timescale - Protective Services | 100% | | 66.7% | | 75% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Protective Services | 0% | | 11.1% | | 0% | | |
| Total No. of lessons learnt identified (stage 1 and 2) - Protective Services | 0 | | 2 | | 0 | | |

2. Processes - Protective Services

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Non-Domestic Noise % responded to within 2 days | 98.2% | | 100% | | 95.8% | | 100% |
| High Priority Pest Control % responded to within 2 days | 97% | | 100% | | 100% | | 100% |
| High Priority Public Health % responded to within 2 days | 98% | | 98.4% | | 96.9% | | 100% |
| Dog Fouling - % responded to within 2 days | 100% | | 96.9% | | 100% | | 100% |

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2022/23 | | 2023/24 Target |
|--|------------|--------|------------|--------|------------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| % of Samples reported within specified turnaround times (Aberdeen Scientific Services Laboratory) | 67.9% | | 67.7% | | Data unavailable | | 80% |
| *% of registered tobacco retailers visited to give Business Advice on compliance with tobacco legislation - Year to Date | 18.6% | | 22.8% | | 18.2% | | |
| *% of registered tobacco retailers subjected to Test Purchasing for retailer compliance with age restrictions - Year to Date | 11% | | 11% | | 10.1% | | |

Appendix A

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2022/23 | | 2023/24 Target |
|---|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| *% of registered Nicotine Vapour Products retailers visited to give Business Advice on compliance with legislation - Year to Date | 44.4% | | 53.6% | | 19.8% | | |
| *% of registered Nicotine Vapour Products retailers subjected to Test Purchasing for retailer compliance with age restrictions - Year to Date | 29.4% | | 28.1% | | 9.9% | | |

*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 | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 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) | 1 | | 0 | | 0 | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost - Protective Services | 1.1 | | 1.4 | | 1.7 | | 10 |
| Establishment actual FTE | 62.86 | | 63.93 | | 63.82 | | |

4. Finance & Controls - Protective Services




| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------|---|------------|---|------------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| % of External Quality Assurance reported results that were satisfactory (Aberdeen Scientific Services Laboratory) | 100% |  | 83.1% |  | 83.7% |  | 95% |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|-------------------------------------|----------|---|----------|---|----------|---|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 6.8% |  | 18.3% |  | 27.5% |  | 100% |

Commissioning

Data & Insights

1. Customer – Data and Insights

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 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 Q3/Q4/Q1 | | | | | | 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 | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 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 | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 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 | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence - Average Number of Days Lost – Data and Insights | 1.4 | | 1.4 | | 1.7 | | 5 |
| Establishment actual FTE | 33.77 | | 33 | | 63.82 | | |

4. Finance & Controls – Data and Insights

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|-------------------------------------|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 8.4% | | 17.8%% | | 27.5% | | 100% |

Customer

Customer Experience

1. Customer – Customer Experience

| Performance Indicator – Service | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|--|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Customer Experience | 70 | | 66 | | 65 | | |
| % of complaints resolved within timescale – Customer Experience | 85.7% | | 92.4% | | 93.8% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) – Customer Experience | 31.4% | | 45.5% | | 38.5% | | |
| Total No. of lessons learnt identified (stage 1 and 2) – Customer Experience | 4 | | 5 | | 1 | | |

2. Processes – Customer Experience

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 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) | 8.11 | | 11.28 | | 12.58 | | 12 |
| Correct amount of Housing Benefit paid to customer (monthly) | 96.7% | | 96.43% | | 97.33% | | 95% |
| % Customer Contact Centre calls answered within 60 seconds | 72.82 | | 73.91% | | 78.47% | | 70% |

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------|--------|------------|--------|--------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| *% Crisis Grant applications processed within 2 working days | 96.19% | | 86.9% | | Data awaited | | 90% |
| *% Community Care Grant applications processed within 15 working days | 90.37% | | 70% | | Data awaited | | 50% |

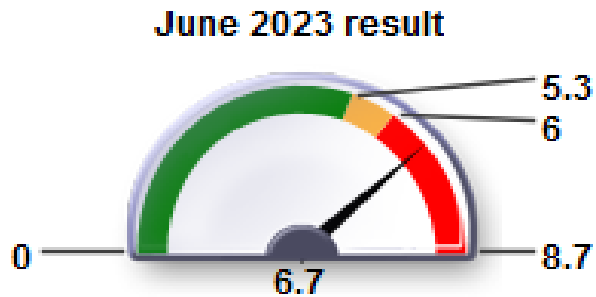
*Data shown for Q4 represents annual performance for 2022/23

3. Staff – Customer Experience

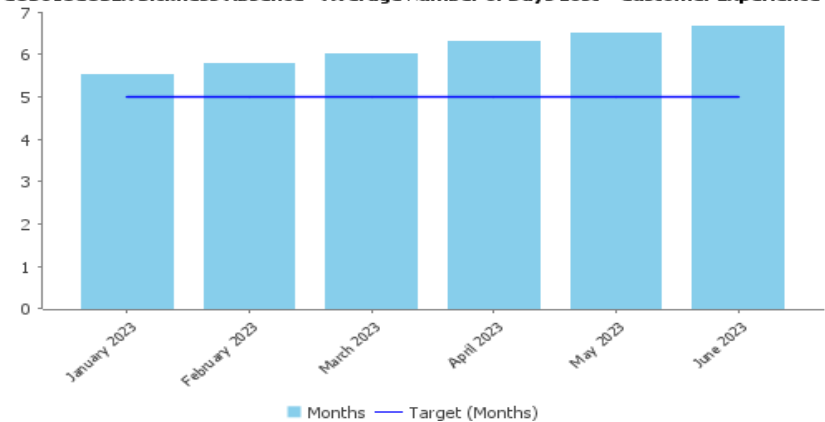
| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|--|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter – Customer Experience) | 0 | | 0 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter – Customer Experience) | 0 | | 1 | | 0 | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost – Customer Experience | 6.3 | | 6.5 | | 6.7 | | 5 |
| Establishment actual FTE | 355 | | 352.17 | | 339.39 | | |

Sickness Absence - Average Number of Days Lost – Customer Experience



CUS013CUSEX Sickness Absence - Average Number of Days Lost – Customer Experience



Why is this important?

The Council recognises its staff as its most important asset and staffing costs account for the single biggest element of the Council's budget. It is therefore imperative that the health and wellbeing of our staff is paramount and that we effectively manage staff absences.

Benchmark Information:

The particular calculation of absence used here is a local measure and not benchmarked nationally.

Target:

The target for the Average Number of Days lost per FTE is currently 5 days per annum for Customer Experience staff.

This is what the data is saying:

For Customer Experience, the days lost as of the end of June stood at 6.7 days, an increase of 1.2 days from the 5.5 as of the start of 2023.

This is the trend:

We can see from the data in Appendix A that this service shows an upward month on month trend since the start of the calendar year. This upward trend has been ongoing since November 2021 but has only recently pushed the average number of days lost above the target range of 5 days. This is a trend that is being seen across other services and functions across the Council such as Facilities Management, Waste and Early Intervention and Community Empowerment which are seeing the same upturn in the average total numbers of days lost due to sickness per FTE employee (12 month rolling average).

This is the impact

The impact of an increase in absence is that service delivery is affected with longer wait times, which can lead to a poor customer experience. There is also risk of a negative impact on staff experience and potentially the health and wellbeing of others due to less resource to deal with demand coming into the teams where absences occur.

These are the next steps we are taking for improvement:

We are proactively monitoring and managing absences across the cluster, with ongoing support from People and Organisation colleagues around individual cases, ensuring that staff are supported.

The steps we are taking include:-

- Occupational Health referrals where appropriate to ensure appropriate support in place for individuals
- Regular review of absence data to ensure accurate reporting
- Review of absence trends to identify and address any patterns
- Ongoing engagement with staff around absences, support needs and implications

There is evidence that sickness absence is reducing within the cluster which should be reflected in the data going forwards.

We will also review the current target for alignment with other frontline services across the organisation to ensure consistency in reporting, as given the nature of the majority of the roles within front line service areas, the likelihood of absence when an individual feels unwell is greater than in other non-frontline services.

Responsible officer:

Last Updated:

Lucy McKenzie

June 2023

4. Finance & Controls – Customer Experience

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Council Tax Cash Collected (In Year) - monthly | £16.3m | | £29m | | £41.3m | | £42.2m |
| Staff Costs - % Spend to Date (FYB) | 9% | | 16.9% | | 25.2% | | 100% |

Digital and Technology

1. Customer – Digital and Technology

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------------|--------|------------|--------|------------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Digital and Technology | 0 | | 4 | | 0 | | |
| % of complaints resolved within timescale – Digital and Technology | No complaints Q3 | | 50% | | No complaints Q1 | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) – Digital and Technology | | | 75% | | | | |
| Total No. of lessons learnt identified (stage 1 and 2) – Digital and Technology | | | 1 | | | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|---------------------------------------|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| *Average Call Wait Time (IT Helpdesk) | 44 secs | | 122 secs | | 76 secs | | 150 sec. |
| Abandonment Rate % (IT Helpdesk) | 3.06% | | 9.76% | | 6.44% | | 30% |

*An incident occurred on 9th May when a new digital security certificate was not recognised by all corporate devices, causing some users to experience difficulties when trying to log in remotely via the Citrix gateway. Although a number of steps were taken both to address the fault and mitigate its impact on users, the incident did generate a considerable increase in calls to the ICT Service Desk and remote support requests.

2. Processes – Digital and Technology

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 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 | 86% | | 80.4% | | 83.2% | | 65% |
| % Priority 1 and 2 incidents closed in timescale | 85.7% | | 87.5% | | 87.5% | | 99.5% |
| % Priority 3 – 5 incidents closed in timescale | 79.3% | | 81.5% | | 77.2% | | 95% |

3. Staff – Digital and Technology

| Performance Indicator | Q3 2021/22 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 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 | | 2 | | 0 | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|---|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost – Digital and Technology | 0.4 | | 0.5 | | 0.7 | | 5 |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--------------------------|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Establishment actual FTE | 93.38 | | 93.38 | | 94.92 | | |

4. Finance & Controls – Digital and Technology

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|-------------------------------------|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 8% | | 16.3% | | 25.1% | | 100% |

Early Intervention and Community Empowerment

1. Customer – Early Intervention and Community Empowerment

| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Total No. complaints received – Early Intervention and Community Empowerment | 59 | | 76 | | 60 | | |
| % of complaints resolved within timescale - Early Intervention and Community Empowerment | 61% | | 72.4% | | 76.7% | | 75% |
| % of complaints with at least one point upheld (stage 1 and 2) - Early Intervention and Community Empowerment | 16.9% | | 25% | | 13.3% | | |
| Total No. of lessons learnt identified (stage 1 and 2) - Early Intervention and Community Empowerment | 5 | | 5 | | 2 | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Percentage of tenants satisfied with the standard of their home when moving in YTD | 62.5% | | 71% | | 70% | | 75% |
| Satisfaction of new tenants with the overall service received (Year To Date) | 83.3% | | 87.1% | | 85% | | 85% |
| Financial Inclusion - No of open cases per month | 175 | | 211 | | 163 | | |

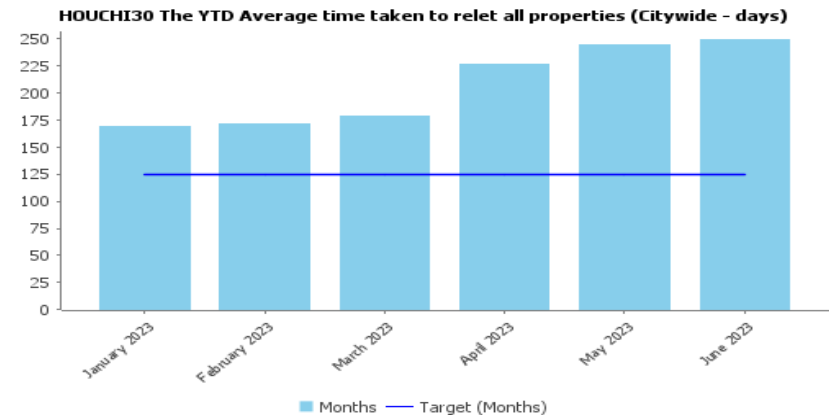
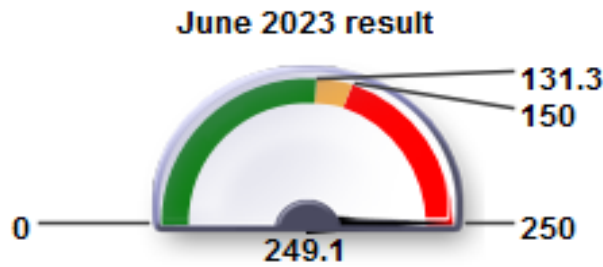
| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|---|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Financial Inclusion - No of enquiries per month | 183 | | 188 | | 179 | | |
| Number of visits to libraries - person | 40,757 | | 38,736 | | 37,319 | | |
| Number of visits to libraries - virtual | 101,095 | | 102,127 | | 102,764 | | |
| % Libraries open during agreed opening hours | 100% | | 100% | | 100% | | 95% |

2. Processes – Early Intervention and Community Empowerment

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 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 | 28% | | 30% | | 29.9% | | 100% |
| YTD Average length of journey in days for applicants assessed as unintentionally homeless | 110.8 | | 129.2 | | 132.8 | | 100 |
| YTD Percentage of anti-social behaviour cases reported which were resolved | 88.2% | | 90.2% | | 92.8% | | 100% |
| YTD % of calls attended to by the ASBIT Team within 1 hour | 97.7% | | 94.3% | | 93.5% | | 95% |
| Number of Statutory Homeless Households Residing in Temporary Accommodation at Month End | 412 | | 406 | | 426 | | |
| The YTD number of Legal repossessions following decree (Arrears) - Citywide | 0 | | 0 | | 0 | | |
| Housing Applications processed 28 days YTD % | 100% | | 100% | | 100% | | 100% |
| Statutory Customer Service Actions - Decisions/Outcomes within statutory timescale | 91.2% | | 89% | | 89% | | 100% |
| The YTD Average time taken to re-let all properties (Citywide - days) | 226 | | 243.8 | | 249.1 | | 125 |
| Voids Available for Offer Month Number - Citywide | 1,575 | | 1,600 | | 1,634 | | |
| Welfare Rights - % of Successful Appeals | 50% | | 100% | | 66.67% | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| HMO License Applications Pending | 111 | | 110 | | 121 | | |
| HMO Licenses in force | 1,027 | | 1,030 | | 1,023 | | |
| % Library item requests satisfied within 21 days | 82.1% | | 79% | | 74% | | 85% |

YTD Average time taken to relet all properties (Citywide - days)



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 (ESSH) 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 manage 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:

2022-23

- Average relet times was **178.7** days. The Scottish Average is not currently available.

Target:

2023/24

- The target for the average number of days to relet all properties for 2021/22 was set at **125** days, the 2023/24 target is currently under review.

This is what the data is saying:

For the reporting year 2023/24 the average relet time YTD is **249.1** days, a **52.5%** increase when compared with the same period last year where the figure stood at **163.3** days.

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 30th June 2023 is **486** a decrease when compared to the same period last year where **508** properties had been relet.

The relet times show that of the **486** properties let **298 (61.3%)** had been void for over **200** days with the longest being void for **1,166** days which significantly impacts on the overall average days figure. **35 (7.2%)** properties were relet within the Scottish Local Authority average for 2021/22 of **55.3** days

This is the impact:

Some of the consequences of this performance are:

- Loss of rental income to the Council.
- People experiencing homelessness are spending longer 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. The Chair of the Performance Board has commissioned a strategic performance review of void property management. The aim of the project is to provide a holistic view of the Council's current voids management system and document the complexities, risks and issues.

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

- Commissioning of a Strategic Voids Review – 3-month short piece of work examining ways to drive up performance.
- 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 procured additional contractors to focus on the properties identified for the Ukrainian project (500 properties).
- The same approach is now being used to develop voids framework and return up to 1k void properties using external contractors to help clear void backlog
- A continued concentration on letting the new build development at Summerhill and Cloverhill which will positively impact on average let times.
- Increasing allocations resource to improve offers and letting stages.
- Use of digital technologies to support more efficient processes.
- Continuing our approach with the new Housing and Support service, creating and delivering an enhanced approach to tenancy sustainment and letting processes.
- Introduction of final day inspections from 26 June 2023. Additional and more robust inspection of properties to minimise properties returned in poor condition at termination. Earlier scheduling and programming of work, creating further efficiency within the overall process.
- Implementation of Choice Based Letting on 27 June 2023 which will enhance the customer experience with a further aim of reducing refusal rates.

Responsible officer:

Last Updated:

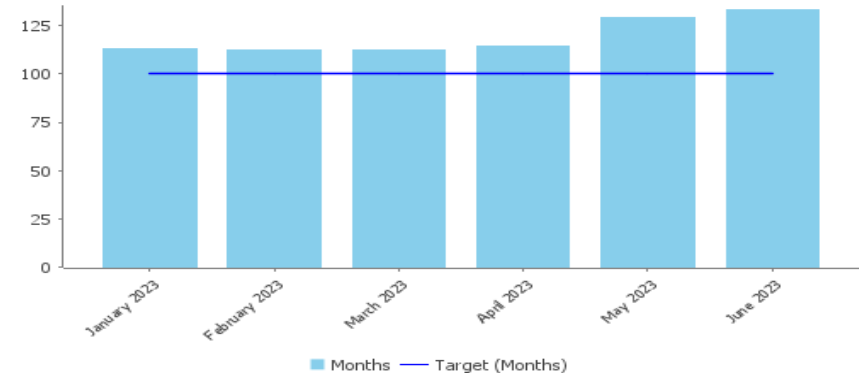
Martin Smith/Graham Williamson

June 2023

YTD Average length of journey in days for applicants assessed as unintentionally homeless (RRTP)



HOUKPIHL11(i) YTD Average length of journey in days for applicants assessed as unintentionally homeless (RRTP)



Why is this important?

The Scottish Social Housing Charter 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 **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.*

National Policy – Transitioning towards a rapid rehousing approach is part of Scotland's strategy to end homelessness where one of the four key priorities is that 'homeless households are provided a settled, mainstream housing outcome as quickly as possible'.

This indicator, along with others, monitors whether we are achieving our desired outcomes and are committed to 'Sustain/improve performance in respect of the key priorities set out above.

Benchmark Information:

2022-23

The average homeless journey (from date of application – outcome) during the financial year 2022/23 was **112 days**. Benchmarking information for this period is not available yet however the national average recorded for the preceding year - 2021/22 was **275 days**.

Target:

2023-24

The average homeless journey target is **100 days** for this financial year.

This is what the data is saying:

- The average homeless journey is currently operating at **132.8 days**.
- Year to date there has been **207** cases closed where the applicant had a permanent rehouse duty. Of these **96 (46%)** met the 100 days target set.
- There has been an increase in both key stages of the homeless journey this year.
 - The average time taken from application to decision is **25.8 days** and is higher than the **21 days** average target timescale for this stage, this is within the 28 days set out in Scottish Government guidance.
 - The average time taken from decision to outcome is **107 days**
- Current case closure rates are **31%** lower than levels of new homeless demand, where **271** applicants have been assessed with a rehouse duty this year.
- This has led to an increase in open homeless cases where there are currently **408** households waiting to be permanently rehoused.

This is the trend:

- Up until last year the homeless journey had been accelerating, falling from an average of **200 days** in 2015/16 to **104 days** in 2021/22. However, in 2022/23 the journey time increased by **8 days** to an average of **112 days**, whereupon this trend has continued into 2023/24 where the average time to date has increased by **20.8 days** to **132.8**.
- Since 2020/21 the number of cases closed within 100 days has been declining. To date only **46%** of cases closed in 2023/24 have recorded a homeless journey of less than 100 days. This is down **19%** on levels achieved in 2022/23 (**65%**) and **23%** on 2021/22 (**69%**).

- The increase in homeless journey time has led to a slowdown in throughput this year. When compared with the same period the previous year records reveal a **21%** decline in rehousing outcomes among households assessed with a rehouse duty this year.
- A fundamental shift in the homeless landscape occurred in 2022/23 where a **26%** increase in homeless applications was recorded, leading to an **11%** increase in statutory homelessness. Due to this upturn, levels of new rehousing demand outstripped case closure rates by **12%** in 2022/23, the first-time this has happened since 2015/16. Again, this trend has continued into the current year where new levels of rehousing demand currently outstrip case closure rates by **31%**.
- Aberdeen City Council is the primary supplier of housing to homeless households in the city. Despite the increase in demand in 2022/23, **67 (-9%)** fewer households experiencing homelessness were allocated a general need property than in 2021/22. To date Aberdeen City Council has let **147** general need properties to homeless households in 2023/24, **20** fewer than the same period the previous year, an even greater downturn of **12%**. Homeless general need allocation rates are currently operating at **36.3%**, down **3.1%** on the same period the previous year.
- Due to the slowdown in throughput this year a **31%** fall in temp flat turn-over, and a **15%** fall in hostel turnover was recorded during Q1. This has placed even greater pressures on supply, with increased use of hotel rooms being commissioned to meet demands this year. The average length of time a household is placed in hotel accommodation has risen significantly, from **9** days in 2022/23 to **31** days this year. On average **74%** of all households placed in temporary accommodation this year have resided for longer than 7 days and breached the Unsuitable Accommodation Order.

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:

- Assigning additional resources for voids repairs. The procurement of a contract to bring additional capacity to building services will increase the number of properties we have available to let to households experiencing homelessness.
- Working with Registered Social Landlords (RSLs) to increase the number of properties let to households experiencing homelessness.
- Undertaking prevention activity to reduce homelessness, this includes a new post to support people fleeing Domestic Abuse stay at home, a Private Landlord Support Officer and our Housing & Support model to help tenants sustain their tenancy.
- Increasing the number of Temporary Furnished Flats available from Aberdeen City Council stock and exploring bringing further suitable temporary accommodation into use to reduce use of Hotel and breaches on Unsuitable Accommodation Order.

Responsible officer:

Graeme Gardner

Last Updated:

June 2023

3. Staff – Early Intervention and Community Empowerment

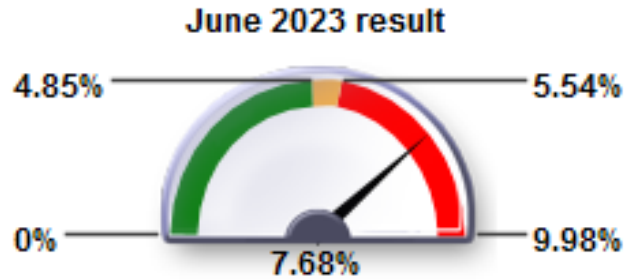
| Performance Indicator | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|---|------------|--------|------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Accidents - Reportable - Employees (No in Quarter - EICE) | 1 | | 0 | | 0 | | |
| Accidents - Non-Reportable - Employees (No in Quarter – EICE) | 2 | | 3 | | 1 | | |

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|---|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Sickness Absence – Average Number of Days Lost - EICE | 7.1 | | 7.4 | | 7.8 | | 8 |
| Establishment actual FTE | 432.68 | | 430.31 | | 442.52 | | |

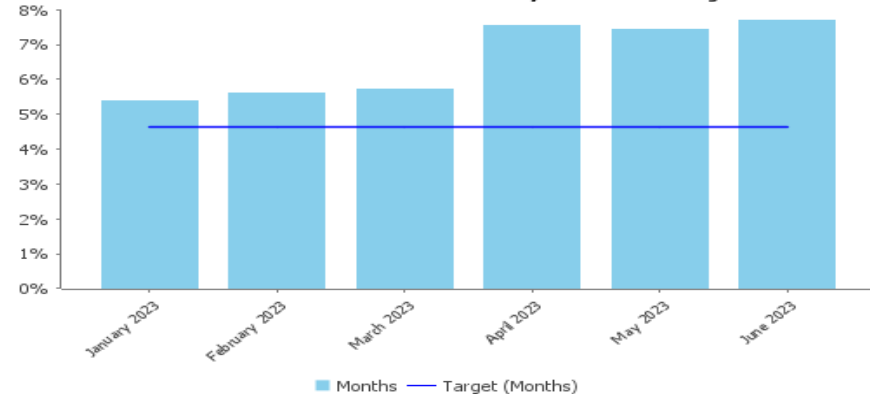
4. Finance & Controls – Early Intervention and Community Empowerment

| Performance Indicator | Apr 2023 | | May 2023 | | Jun 2023 | | 2023/24 Target |
|--|----------|--------|----------|--------|----------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| Staff Costs - % Spend to Date (FYB) | 8.3% | | 18.1% | | 26.4% | | 100% |
| Financial Inclusion - Total Financial Gains Achieved per month | £370,372 | | £701,295 | | £641,492 | | |
| Gross rent Arrears as a percentage of Rent due | 17.05% | | 17.1% | | 16.74% | | 18.2% |
| Rent loss due to voids - Citywide - YTD average | 7.56% | | 7.43% | | 7.68% | | 4.62% |

Rent loss due to voids - Citywide - YTD average



HOUCHI18 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.

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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:

2022/23

- Void Rent Loss was **5.70%**. The Scottish Average is not currently available.

Target:

2022/23

- Rent Loss due to Voids was set at **4.62% (£4,256,657)**. The 2023/24 target is currently under review.

This is what the data is saying:

The YTD Void Rent Loss figure for 2023/24 is **£1,859,314** this equates to **7.68%** of the gross debit (rent due) a significant increase when compared with the same period last year where the figure stood at **£1,077,237 (4.68%)**.

The number of properties available for relet as at the 30th June 2023 was **1,634** with an average of **197** days void. When compared to the same period last year this is a **51.2%** increase, where the number of void properties available for relet was **1,081** with an averaged days void of **145** days.

This is the trend:

Void Rent Loss has steadily increased year on year from **2.53% (£2,306,569)** in 2020-21 and **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 **249.1** 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. Year to date as at 30th June 2023 this trend has continued where there has been **512** terminations and **486** relets.

This is the impact:

Some of the consequences of this performance are:

- Loss of rental income to the Council
- People experiencing Homelessness are spending longer 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. The Chair of the Performance Board has commissioned a strategic performance review of void property management. The aim of the project is to provide a holistic view of the Council's current voids management system and document the complexities, risks and issues.

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

- Commissioning of a Strategic Voids Review – 3-month short piece of work examining ways to drive up performance.
- 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 procured additional contractors to focus on the properties identified for the Ukrainian project (500 properties).
- The same approach is now being used to develop voids framework and return up to 1k void properties using external contractors to help clear void backlog
- A continued concentration on letting the new build development at Summerhill and Cloverhill which will positively impact on average relet times.
- Increasing allocations resource to improve offers and letting stages.

- Use of digital technologies to support more efficient processes.
- Continuing our approach with the new Housing and Support service, creating and delivering an enhanced approach to tenancy sustainment and letting processes.
- Introduction of final day inspections from 26 June 2023. Additional and more robust inspection of properties to minimise properties returned in poor condition at termination. Earlier scheduling and programming of work, creating further efficiency within the overall process.
- Implementation of Choice Based Letting on 27 June 2023 which will enhance the customer experience with a further aim of reducing refusal rates.

Responsible officer:

Last Updated:

Martin Smith/Graham Williamson





June 2023

Corporate

1. Customer – Corporate

| Performance Indicator – Corporate | Q3 2022/23 | | Q4 2022/23 | | Q1 2023/24 | | 2023/24 Target |
|--|------------|--------|----------------|--------|------------|--------|----------------|
| | Value | Status | Value | Status | Value | Status | |
| No. of Non-complex Subject Access Requests received | 79 | | 50 | | 76 | | |
| % Non-complex Subject Access Requests responded to within 1 month | 72.2% | | 76% | | 71.1% | | 80% |
| No. of Complex Subject Access Requests received | 9 | | 9 | | 7 | | |
| % Complex Subject Access Requests responded to within 3 months | 44.4% | | 0% | | 28.6% | | 70% |
| No. of Environmental Information Regulation requests received | 61 | | 82 | | 75 | | |
| % of Environmental Info Requests replied to within 20 working days - Corporate | 77% | | 90.2% | | 85.3% | | 85% |
| No. of Freedom of Information requests received | 329 | | 412 | | 324 | | |
| % of Freedom of Information requests replied to within 20 working days - Corporate | 80.5% | | 85.7% | | 89.5% | | 85% |
| No. of Access to School Records requests received | 4 | | 0 | | 5 | | |
| % Access to School Records requests responded to within 15 school days | 100% | | No requests Q4 | | 100% | | 100% |
| No. of Data Protection Right requests received | 4 | | 2 | | 17 | | |
| % Data Protection Right requests responded to within 1 month | 100% | | 100% | | 88.2% | | 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 |

ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing & Public Protection Committee |
| DATE | 05 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Aberdeen City Empty Homes Update Report |
| REPORT NUMBER | COM/23/256 |
| DIRECTOR | Gail Beattie/Andy MacDonald |
| CHIEF OFFICER | David Dunne/Jacqui McKenzie |
| REPORT AUTHOR | Mel Booth |
| TERMS OF REFERENCE | 1.1.1 |

1. PURPOSE OF REPORT

- 1.1 To provide an update on progress in relation to the service the Council provides in relation to empty homes.

2. RECOMMENDATION

That the Committee:

- 2.1 Note the progress made in relation to the service the Council provides in relation to empty homes, including how they are brought back into use.

3. CURRENT SITUATION

- 3.1 In October 2020, Committee agreed to fund the Empty Homes Officer post on a permanent basis and in October 2022, Committee agreed to fund a second Empty Homes Officer post using Council Tax funds. Both Empty Homes Officers work with owners of empty residential properties to bring them back into use. Since the service was created, 683 empty properties have been brought back into use.

- 3.2 Some of the highlights of the work carried out by the Empty Homes Service over the last 12 months include:

- Continued success working with landlords and letting agents across the city to “match” people from Council housing waiting lists with

owners/letting agents of empty private rented sector properties through the Council’s Matchmake to Rent Scheme. Aberdeen City Council is the only local authority in Scotland to utilise a matchmaker scheme in this way.

- National recognition when the service won the “Best Use of Data to Inform Empty Homes Practice” award in March 2023. This builds upon the success from previous years which includes Best Empty Homes Service in 2021 and the Empty Homes Officer being a finalist for the “outstanding individual award” in 2022.
- Working with Aberdeen Foyer to bring empty homes back into use for young people who may otherwise have been homeless, by developing a project that is currently pursuing funding to renovate empty properties to provide low-cost accommodation for young people.
- Working with Police Scotland and Scottish Fire & Rescue Service to tackle long-term empty and derelict properties and attend partnership meetings to deal with long-term empty properties that are causing a blight on the community.
- Ongoing work with genealogists to identify owners of residential properties which has now been extended to include non-residential long term empty properties as part of the partnership working with Police Scotland and Scottish Fire & Rescue Service.
- Being approached by others including local authorities, Scottish Empty Homes Partnership, Scottish Housing Network as a best practice example, and this is evidenced by the team’s regular invitations to external events and conferences to speak about the work in Aberdeen.

3.3 Table 1 below shows the number of properties brought back into use since the service was introduced. The target in 2022/23 was for 150 properties to be brought back into use, which has been exceeded.

Table 1: Number of Empty Homes Brought Back into Use 2018/19 – 2022/23

| Year | Number of Properties brought back into use |
|--------------|---|
| 2018/19 | 7 |
| 2019/20 | 50 |
| 2020/21 | 139 |
| 2021/22 | 262 |
| 2022/23 | 225 |
| Total | 683 |

- 3.4 The empty homes brought back into use are across all parts of the city. Table 2 below shows the numbers brought back into use by postcode in 2022/23.

Table 2: Location of Empty Homes Brought Back into Use 2022/23 by Postcode

| Postcode | Number of Properties brought back into use |
|--------------|--|
| AB10 | 55 |
| AB11 | 43 |
| AB12 | 2 |
| AB14 | 5 |
| AB15 | 9 |
| AB16 | 12 |
| AB21 | 7 |
| AB22 | 7 |
| AB23 | 2 |
| AB24 | 48 |
| AB25 | 32 |
| Total | 225 |

- 3.5 One of the tools available to encourage owners to bring their empty property back into use is the additional 100% Council Tax levy. An additional Council Tax levy may be charged to properties that have been empty for one year or more without being actively marketed for sale or rent and two years or more if being actively marketed. Analysis of the data in relation to the Empty Homes Officers' caseload shows that in 2022/23, the Council Tax levy was applied and backdated to long term empty properties to the sum of more than £47,500. There is an additional 100% Council Tax levy applied to each long-term empty property on an ongoing basis until the property is brought back into use.
- 3.6 In addition, the total value of long-term empty properties brought back into use through direct engagement with the service in 2022/23 was more than £362,250. Since the service was created, the income generated by bringing long-term empty properties back into use is over £820,000.

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 Bringing empty homes back into use has a positive impact on carbon reduction. Creating homes from empty properties saves substantial amounts of material compared to building new homes. It also minimises the amount of land used for development and avoids wasting embedded carbon. Where the home is retrofitted to improve energy performance, it can also help to drive down the cost of heating and reduce the operational carbon emitted.

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 | The number of empty homes affects the supply of housing. | L | The Empty Homes Officers work with owners of long-term empty properties to bring them back into use. |
| Compliance | Not applicable | | |
| Operational | Provision of housing is a priority for residents of Aberdeen City. Failure to ensure there is an adequate supply may result in more people seeking to be housed by the council. | H | The Empty Homes Officers work with owners of long-term empty properties to bring them back into use. |

| | | | |
|------------------------------|--|---|---|
| Financial | Not applicable | | |
| Reputational | Failure to work with owners to bring empty homes back into use may harm the Council's reputation when the property causes housing blight. | H | A cross service group to deal with long standing empty homes has been established and is operational. |
| Environment / Climate | Bringing existing homes back into use has a positive impact on carbon reduction. Failure to effectively bring empty homes back into use may result in additional homes being built that are not necessary. | L | The Empty Homes Officers work with owners of long-term empty properties to bring them back into use. |

8. OUTCOMES

| <u>COUNCIL DELIVERY PLAN</u> | |
|---|--|
| | Impact of Report |
| Aberdeen City Council Policy Statement | The proposals within this report contribute to the Partnership's aim to seek to transform our city, making it a better place for people to live, work, raise a family and visit. |
| 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. |

| | |
|-------------------------------------|---|
| | Carrying out repairs and maintenance to homes contributes to the local economy by keeping people in work. |
| Prosperous People Stretch Outcomes | The proposal within this report supports the delivery of LOIP Stretch Outcome 11 - Healthy life expectancy (time lived in good health) is five years longer by 2026. Living in good quality housing contributes to improved health and wellbeing outcomes. |
| 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. It takes more than 50 tonnes of CO2 to build an average UK house, therefore bringing empty homes back into use also contributes to carbon reduction through making better use of existing housing stock. |
| | |
| Regional and City Strategies | The proposals within this report support the Aberdeen City Local Housing Strategy by increasing the supply of housing. |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|--|---|
| Impact Assessment | Full impact assessment completed for Empty Homes Policy. Integrated Impact Assessment - Empty Homes.docx |
| Data Protection Impact Assessment | DPIA completed for Empty Homes Service. |

10. BACKGROUND PAPERS

- 10.1 Aberdeen City Empty Homes Policy, Operational Delivery Committee 16 September 2021. [Empty Homes Policy - report.pdf \(aberdeencity.gov.uk\)](#)
- 10.2 Aberdeen City Empty Homes Update Report, Operational Delivery Committee 31 August 2022. [\(Public Pack\)Agenda Document for Operational Delivery Committee, 31/08/2022 10:00](#)

11. APPENDICES

- 11.1 None

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|---------------------------------|
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| Email Address | mebooth@aberdeencity.gov.uk |
| Tel | 01224 523252 |

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Food Standards Scotland Audit of Local Authority implementation of interventions Food Law Code of Practice (Scotland) Action Plan Update |
| REPORT NUMBER | RES/23/248 |
| 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 an update on the Action Plan that resulted from findings of the 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 undertaken on 6th and 7th December 2022. The outcome of the Audit was initially presented to this Committee on 16th May 2023 and this report provides a further update on progress as instructed at that Committee.

2. RECOMMENDATION(S)

That the Committee: -

- 2.1 Notes the update on current progress with the Audit Action Plan contained in Appendix B

3. CURRENT SITUATION

Food Standards Scotland Audits

- 3.1 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.

- 3.2 Local Authorities are chosen at random for audit and are only given a few weeks' notice. The Environmental Health Commercial Team in Protective Services was advised on the 8th November 2022 that the audit would take place on the 6th and 7th December 2022.
- 3.3 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.

Outcome of Audit

- 3.4 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."
- 3.5 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.
- 3.6 Eleven recommended points of action were highlighted. An update on progress with these can be found in Appendix B. The two main areas of concern were that staffing levels to meet the required number of inspections were not adequate, and therefore, the required number of inspections were 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".
- 3.7 The Compliance Officer has commenced work addressing the 3A low risk premises detailed in point three of the Audit Action Plan leaving the only outstanding matters relating to data transfer and management. These are covered by points four and nine of the Audit Action Plan and work is continuing to rectify the issues; progress has been made and there are still significant issues being addressed.
- 3.8 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.

Staffing Challenges

- 3.9 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. The Service followed the guidance and prioritised planned inspections. However, “the guidance” did not take into account individual local authorities’ staffing resources.
- 3.10 During the pandemic several Environmental Health Officers left the authority, and the Service has been unable to recruit 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.
- 3.11 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 5th October 2022.

Addressing Staffing Issues

- 3.12 There is ongoing work both locally and nationally to address the staffing shortfall.
- 3.13 Recommendations one and two of the Audit Report Action Plan 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 Service’s intention to continue with this strategy.
- 3.14 A Compliance Officer was appointed and commenced work on 3rd of April 2023. This officer will focus on low-risk premises allowing the fully qualified officers to focus on higher risk premises.
- 3.15 Recruitment in January 2023 for a Trainee Authorised Officer was unsuccessful. However two trainee Authorised Officer preferred candidates have been selected following a second recruitment drive in May 2023. They will commence employment in early September 2023; with the intention they will sit their professional exams in September 2024. Other recruitment strategies are also currently being explored; 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. This will assist in recruiting appropriate individuals who can undertake inspections. An Environmental Officer vacancy

was also advertised in July 2023 however no qualified applicants applied for the position.

Service Challenges

- 3.16 The issues facing the Service are challenging and inspections will continue to be prioritised on a risk basis. The way in which the Service will be delivered in 2023-24 is set out in the annual Food Regulatory Service Plan which is presented to this Committee in report RES/23/225 and has been drafted to address Recommendation two of the Audit Action Plan .

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).
- 5.3 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) <small>*taking into account controls/control actions</small> | *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). 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 |

| | | | | |
|--------------------|---|--|---|------------|
| | Due to resource shortages it is not possible to fulfil all the requirements of the Code of Practice | Interventions are planned in accordance with available staffing resource. Those higher priority/risk groups will be addressed first, along with those where valid complaints have been received by the Service | | |
| 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 | <p>Failure to produce and deliver a service plan could contribute to default powers being exercised and the associated costs.</p> <p>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</p> | Action plan to address audit recommendations | M | Yes |

| | | | | |
|------------------------------|--|--|---|------------|
| | defaulting local authority. | | | |
| 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

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

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

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 \(foodstandards.gov.scot\)](https://www.foodstandards.gov.scot/Interventions_Food_Law_Code_of_Practice_(Scotland)_2019_1.pdf)
- 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 \(foodstandards.gov.scot\)](https://www.foodstandards.gov.scot/FSS-ENF-20-011_-_LA_Recovery_Process_Guidance.pdf)
- 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.

12. REPORT AUTHOR CONTACT DETAILS

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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



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.

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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 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 | <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p> |

| | |
|-------|--|
| | <p>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.</p> <p>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)</p> |
| 3.1.6 | <p>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.</p> <p>The Authority has not managed to maintain their intervention programme in line with the priorities set out in the Local Authority Recovery Project guidance.</p> <p>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.</p> <p>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.</p> <p>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)</p> |
| 2.3.1 | <p>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.</p> |

| | |
|-----------|---|
| | 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. 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. |

| | |
|--|--|
| | 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 1 st 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 | <p>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.</p> <p>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.</p> <p>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)</p> <p>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)</p> |
| 3.7.1.1 | <p>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)</p> |
| 4.7.5 (D) (Food Law Code of Practice) | <p>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)</p> |

Recommendation

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.

| |
|--|
| 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 | <p>The Authority has a documented Food Law Interventions procedure in place which details the actions required to be taken following an intervention.</p> <p>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.</p> |
| 6.1.2 | <p>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.</p> |
| 6.1 | <p>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)</p> |

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) | <p>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.</p> |
| | <p>The Service has established a Quality Monitoring System for intervention activity, which is designed to ensure:</p> <ul style="list-style-type: none"> a) Properly planned and resourced risk-based food hygiene interventions are undertaken; b) Officers with the appropriate levels of experience and training are selected to carry out interventions; c) The consistent application of the Council's Food Enforcement Policy; d) That the intervention itself is viewed as more than a specific visit; e) Appropriate training, guidance and coaching is provided to enforcement officers in the furtherance of the objective of continuous professional development; f) Consistency of enforcement approach between enforcement officers. |
| | <p>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.</p> <p>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)</p> |
| | <p>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</p> |

| | |
|--|---|
| | 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) |
|---|--|--|------------------------|
| <p>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.</p> | <p>Compliance Officer preferred candidate selected.</p> | <p>30 April 2023</p> | <p>Lead Officer</p> |
| | <p>Trainee Authorised Officer preferred candidate selected.</p> | <p>Training to commence August 2023 Officer will be unable to conduct full range of duties until Sep 24 following completion of exams.</p> | <p>Lead Officer</p> |
| | <p>EHO currently undergoing structured re-introduction to food related duties.</p> | <p>April 2023</p> | <p>Lead Officer</p> |
| | <p>Second Trainee Authorised Officer post to be advertised May 2023.</p> | <p>July 2023</p> | <p>Lead Officer</p> |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Responsible Officer(s) |
|--|--|---|--|
| | <p>Plans to advertise EHO vacancies in August 23 ahead of the next diet of Professional exams.</p> <p>Attendance at Robert Gordon University's recruitment Fair.</p> | <p>October 23</p> <p>Feb 23</p> | <p>Lead Officer</p> <p>Lead Officer</p> |
| <p>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.</p> | <p>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.</p> | <p>December 2023</p> | <p>Lead Officer</p> |
| <p>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</p> | <p>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.</p> | <p>December 2023</p> <p>December 2023</p> | <p>Lead Officer / Compliance Officer</p> <p>Lead Officer</p> |

| 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. | 31 st 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. | 30 th 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. | 1 st 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. | 1 st 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. | 1 st 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 | 1 st 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

Administration: Neil Douglas

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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Appendix B

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 |
|---|---|----------------------------|---|
| <p>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.</p> | <p>Compliance officer preferred candidate selected.</p> | <p>30 April 2023</p> | <p>Complete. Compliance Officer in post from 3 April 23.</p> |
| | <p>Trainee Authorised Officer preferred candidate selected.</p> | | <p>Candidate withdrew post acceptance in May 2023</p> |
| | <p>Environmental Health Officer (EHO) currently undergoing structured re-introduction to food related duties.</p> | <p>April 2023</p> | <p>Complete EHO now undertaking Food Law Inspections.</p> |
| | <p>Second Trainee Authorised Officer post advertised May 2023.</p> | <p>July 2023</p> | <p>Complete Interviews conducted end of June 2023. As first trainee had</p> |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|--|---|---------------------------------|---|
| | <p>Plans to advertise EHO vacancies in August 23 ahead of the next diet of Professional exams.</p> <p>Attendance at Robert Gordon University's recruitment Fair</p> | <p>October 23</p> <p>Feb 23</p> | <p>withdrawn acceptance of post as detailed above two preferred candidates were chosen. To commence employment September 2023</p> <p>Complete EHO vacancies advertised July 2023. No qualified applicants applied.</p> <p>Complete. Officers attended the Fair and discussed careers in Environmental Health and potential job opportunities with several students.</p> |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|---|---|-----------------------------|--|
| 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 | Complete- pending approval of The Food Regulatory Service Plan 23/24, detailing how resources will be allocated at the September 2023 Communities, Housing and Public Protection Committee |
| 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 | On target Compliance Officer has commenced work on this task. |
| 4. Review the Groups allocated for | Work is currently underway to review the Groups. However, several businesses in this category showing on Scottish National | 31 st March 2023 | Complete Groups allocated for Manufacturers and |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|--|--|----------------------------|--|
| Manufacturers and Packers | 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. | | packers have been reviewed. Work ongoing to rectify SND issues. |
| 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. | 30 th June 2023 | Complete |
| 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. | 1 st April 2023 | Complete Aide Memoire updated and currently in use. |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|--|---|---------------------------------|--|
| 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. | 1 st April 2023 | Complete As above |
| 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. | 1 st April 2023 | Complete As above |
| 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. | 30 th September 2023 | Work ongoing to rectify SND issues. Progress has been made and there are still significant issues being addressed. |
| 10. Ensure that a Food Law Inspection documentation is completed for each Food Law Intervention and | Enhanced monitoring of officers' work. | Immediately | Complete. Continued monitoring of officers work ongoing. |

| Aberdeen City Council Recommended Point for Action | Planned Actions | Target Date for Completion | Progress to Date |
|--|---|----------------------------|---|
| maintained in the premises file. | | | |
| 11. All records relating to official control interventions including officers' contemporaneous notes should be reviewed as part of the Authority's Internal Monitoring Procedures. | 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. | 1 st April 2023 | Complete As above Aide Memoire updated and currently in use. |

ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Protective Services Food Regulatory Service Plan 2023/2024 |
| REPORT NUMBER | RES/23/225 |
| DIRECTOR | Steven Whyte |
| CHIEF OFFICER | Mark Reilly |
| REPORT AUTHOR | Andrea Carson |
| TERMS OF REFERENCE | 1.1.2 and 1.1.5 |

1. PURPOSE OF REPORT

- 1.1 The Food Law Code of Practice (Scotland) 2019 requires Local Authorities to prepare an annual Service Plan which details the intended activity of the Service based on the resources allocated; this plan must be approved by Committee.

2. RECOMMENDATION(S)

That the Committee: -

- 2.1 Approves the Protective Services Food Regulatory Service Plan 2023/2024 as detailed in Appendix A.
- 2.2 Notes the review of performance against the Protective Services Food Regulatory Service Plan 2022/2023 contained within Appendix 2 of the Service Plan 2023/2024.

3. CURRENT SITUATION

- 3.1 Food enforcement services provided by Aberdeen City Council are located in Protective Services, a city-wide service within Operations. The majority of food enforcement work takes place within the Commercial Section of this Service; enforcement officers are also involved in the enforcement of health and safety, port health, licensing and animal health & welfare.
- 3.2 There has been significant disruption to service delivery since the start of the Covid 19 Pandemic in March 2020. In April 2020 a Ministerial agreement was secured to allow relaxation of the Food Law Intervention (Inspection) Program, during which routine inspections were suspended to allow resources to be dedicated to Covid 19 related work.

- 3.3 The Service was audited by Food Standards Scotland (FSS) in December 2022 which resulted in the production of an Action Plan. Of the eleven actions requiring attention seven are complete and work is continuing to address the other four. An update on progress with the Action Plan is contained in committee report Food Standards Scotland Audit Action Plan Update RES 23/248 which will be presented at the Communities, Housing and Public Protection Committee on 5 September 2023.
- 3.4 The Service is still in a recovery phase and there is a significant backlog of interventions which is being exacerbated by a national shortage of suitably qualified officers to carry out this work. Interventions will continue to be planned in accordance with the available staff resource. Those interventions in higher priority/risk groups will be addressed first, along with those where valid complaints have been received by the Service.
- 3.5 Local authorities are required by the 'Food Law Code of Practice' to prepare a Service Plan and review their performance against it on an annual basis.
- 3.6 Food Standards Scotland sees the Service Plan as an important part of the process to ensure national priorities and standards of food enforcement are addressed and delivered locally. Service plans also:
- a. Focus debates on key delivery issues.
 - b. Provide an essential link with financial planning.
 - c. Set objectives for the future, and identify major issues that cross service boundaries; and
 - d. Provide a means of managing performance and making performance comparisons.
- 3.7 FSS suggests a common format for Food Regulatory Service Plans which should assist local authorities in performance reviews under the Best Value regime.
- 3.8 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.
- 3.9 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.
- 4. FINANCIAL IMPLICATIONS**
- 4.1 Currently the service as proposed within the Regulatory Service Plan can be provided within the existing budget.

5. LEGAL IMPLICATIONS

- 5.1 The ongoing implications of the UK leaving the EU in relation to the Regulatory Service Plan are still uncertain and impact on future delivery could be significant. This is particularly the case in relation to the import of food. Until there is more clarity on the planned arrangements, it is not possible to quantify the impact on the Service. There is the potential for resource to be diverted away from service delivery to enable appropriate systems and controls to be implemented.

6. ENVIRONMENTAL IMPLICATIONS

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

7. RISK

The assessment of risk contained in the table below is considered to be consistent with the Councils 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 | Unable to deliver service due to acute disruptive events | Business continuity plans in place to continue key service provision | L | Yes |
| Compliance | ACC is bound by statute to deliver a food law enforcement service, including the provision of a service plan. FSS may, after consulting with Scottish Ministers, | Deliver a food law enforcement service, including the provision of a Service Plan. | L | Yes |

| | | | | |
|--------------------|--|---|---|-----|
| | <p>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)</p> <p>Due to resource shortages it is not possible to fulfil all the requirements of the Code of Practice</p> | <p>Interventions are planned in accordance with available staffing resource. Those higher priority/risk groups will be addressed first, along with those where valid complaints have been received by the Service</p> | | |
| Operational | <p>Qualified officers not available to carry out interventions</p> | <p>Only qualified officers undertake regulatory duties. Risk prioritisation of interventions when insufficient offices available. Appropriate training, needs identified through CR+D ,121 discussions, effective management of staff workloads, achievable targets within the Service Plan</p> | M | Yes |
| Financial | <p>Failure to produce and deliver a service plan</p> | <p>Produce and deliver against the Service Plan.</p> | L | Yes |

| | | | | |
|---------------------|---|--|---|-----|
| | <p>could contribute to default powers being exercised and the associated costs.</p> <p>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.</p> | | | |
| Reputational | <p>Failure to produce and deliver a Service Plan could contribute to default powers</p> | <p>Produce and deliver against the Service Plan.</p> | L | Yes |

| | | | | |
|------------------------------|---|--|--|--|
| | being exercised and the associated reputational damage. | | | |
| Environment / Climate | No significant risks identified | | | |

8. OUTCOMES

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

| Aberdeen City Local Outcome Improvement Plan | |
|---|--|
| | Impact of Report |
| Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u> | <p>The proposals within this report support the delivery of the following aspects of the policy statement:</p> <p>A Prosperous City, delivering a interventions programme that assists stimulate sustainable economic development in the food business sector</p> |
| Prosperous Economy Stretch Outcomes | <p>The proposals in this report support the delivery of LOIP Stretch Outcome 2 – 400 unemployed Aberdeen City residents supported into Fair work by 2026.</p> <p>Conducting an interventions programme and providing advice and support to people starting up new food related businesses will assist them to comply with the relevant legislation. This reduces the risk to them as individuals of criminal proceedings and/or litigation and secures public protection. New business start-ups are beneficial to the economy as a whole.</p> |

| | |
|-------------------------------------|---|
| 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. Assistance is also provided by the Service in the form of certification to ensure that businesses can trade globally. |
|-------------------------------------|---|

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 Food Law Code of Practice (Scotland) 2019

11. APPENDICES

11.1 **Appendix A:** Protective Services Food Regulatory Service Plan 2023/2024

12. REPORT AUTHOR CONTACT DETAILS

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Title Principal Environmental Health Officer
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ABERDEEN CITY COUNCIL

PROTECTIVE SERVICES
FOOD REGULATORY SERVICE PLAN

2023/2024

Introduction

Definition of the Statutory Food Regulatory Function

In January 2006 European Legislation came into force which applied directly to food businesses in the UK and The Food Hygiene (Scotland) Regulations 2006 provided the framework for the EU legislation to be enforced in Scotland.

The United Kingdom (UK) left the European Union on 31 January 2020 and in accordance with the Withdrawal Agreement, the UK is now officially a third country to the EU. EU Food Law has become part of the legal framework and is referred to as Retained EU Law.

The principal objective of the general and specific hygiene rules is to ensure a high level of consumer protection with regard to food safety.

An integrated approach is necessary to ensure food safety from the place of primary production up to and including placing the items on the market.

The legislation falls into two broad areas of 'Food Standards' and 'Food Safety'.

Food Standards relates to issues of description, labelling and composition of food. This legislation is aimed at ensuring that consumers are not misled and can make informed choices founded on basic information contained in labelling or advertisements about the type and composition of food for sale.

Food Safety relates to the safety of food supplied for human consumption at all points after harvesting/slaughter. The term applies both to the condition of the food itself and to the conditions under which it is handled prior to consumption. Local Authorities have a statutory role in the enforcement of legislation that is intended to ensure the hygienic handling of food and the safety of the final product in terms of its wholesomeness and fitness for consumption.

Food safety and food standards are addressed by means of a single Food Law Intervention, introduced in July 2019.

The term 'enforcement' is not restricted to the use of legal sanctions to achieve the aims of the legislation. 'Enforcement' is also taken to include:

1. The provision of advice about the application and interpretation of legislation.
2. The provision of advice about best practice.
3. Encouragement of food businesses to achieve compliance and adopt good practice through awareness raising promotion, education and provision of feedback.
4. Raising the awareness of consumers about safe food handling practices and about how to interpret labelling and descriptions of food in order to make informed choices.
5. Partnership arrangements with the business and voluntary sectors and other agencies.

Formal enforcement options include:

1. The use of enforcement notice procedures to require improvements to safety controls or prohibit or limit any dangerous operations.
2. The power to seize or detain unfit food.
3. In certain cases, the regulation of activities through a system of prior approval.
4. Reporting matters to the Procurator Fiscal with a view to instigating prosecution.

The circumstances under which these options are judged appropriate are set out in the Food Safety Enforcement Policy.

The actions associated with enforcement are concerned with the monitoring of food law performance through the following:

1. Intervention and audit of food handling and manufacturing operations and processes.
2. Investigation of consumer complaints.
3. Sampling of food.
4. Investigation of issues passed on by other food authorities or Food Standards Scotland (FSS).
5. Investigation of cases of food-borne disease.
6. Review of guidance issued to businesses in the light of technical or legislative developments.

The term *food business* used in this report includes food provided by the voluntary sector, public sector and non-profit making organisations.

The Council also offers a service providing export certification for food manufactured or processed in the City in appropriate cases.

Key Partnership Agencies

Food Standards Scotland (FSS) oversee the enforcement process relating to food law in order to ensure that good practice is promoted and employed consistently between authorities. FSS also has powers to direct food authorities in the conduct of enforcement activities and to implement ministerial directives. One major area of joint involvement with food authorities is in the co-ordination and dissemination of 'Alerts' and similar notices. These are divided into four categories:

1. Food Alerts For Action (FAFAs)
2. Product Withdrawal Information Notices (PWINs)
3. Product Recall Information Notices (PRINs)
4. Allergy Alerts

FSS issues a 'Product Withdrawal Information Notice' or a 'Product Recall Information Notice' to let local authorities and consumers know about problems associated with food and are issued where a solution to the problem has been put in place – e.g., the product has been, or is being, withdrawn from sale or recalled from consumers.

Allergy Alerts are issued when an issue is identified that poses a risk to consumers with a specific allergy or intolerance.

'Food Alerts for Action' provide local authorities with details of specific action to be taken on behalf of consumers and are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor.

These warnings are issued to Food Authorities via e-mail.

FSS is responsible for the enforcement of food safety regulations at approved abattoirs, meat cutting establishments and catering butchers. Local authorities are generally responsible for all other aspects of food law enforcement in Scotland. NHS Grampian and the Local Authorities within Grampian have a responsibility for the prevention and control of infectious disease including food borne disease. A local Infectious Disease Incident Plan has been produced and outlines in detail the roles and responsibilities shared by the various organisations included within the plan; this is reviewed periodically. NHS Grampian provides a designated medical officer (Consultant in Public Health Medicine (Communicable Disease/Environmental Health)) to the Local Authority and has powers to exclude individuals, who present a public health risk, from work or school.

1. Service Aims and Objectives

1.1 Aims and Objectives

The aim of the Food Service is to protect public health, consumer interests and consumer confidence with respect to the safety, composition, description and labelling of food. This aim is pursued through a mix of interventions that include:

- a) Intervention, partial intervention, audit; both programmed preventative visits and visits in response to complaints and enquires.
- b) Verification, to ensure specified requirements have been fulfilled at establishments
- c) Education, which includes advice given during interventions as well as the provision of education, training and the general promotion of food safety and food standards issues.
- d) Intelligence, which includes the gathering of information through food sampling, monitoring technological/legislative changes and inter-authority/ agency communication.

The main objectives of these enforcement approaches are:

- Improvement in hygiene practices and standards within food business establishments.
- The prevention of the causes and spread of food-borne disease.
- The removal of unsafe food from the food chain.
- The prevention of illegal and unfair trading practices.

A set of written procedures is in place detailing the way in which the Service is provided. These procedures are reviewed and updated as necessary.

The last three years have been particularly challenging due to the Covid 19 pandemic and the Service has been working continuously to ensure that public health is protected., The Service has seen a significant increase in the number

of new businesses registering during this time in particular during the last 12 months and have been assisting them and ensuring they have the necessary information to allow them to trade safely.

The full scope of the service provided is set out in Section 2.3.

1.2 Linkage to Corporate Aims and Objectives

The Service has a flexible, skilled and motivated workforce who make best use of the financial resources available, delivering improvement in the specific service priorities in the most cost-effective manner. The flexibility of the workforce was demonstrated during the pandemic with staff quickly adapting to homeworking and continuing to deliver the service despite disruption. This has resulted in a hybrid model of working between home and office and a refresh of both related documentation and approach to conducting interventions.

1.3 Links to Community Planning Aberdeen– Local Outcome Improvement Plan 2016-26

This Food Regulatory Service Plan contributes to helping all people, families, businesses and communities to do well, succeed and flourish. In addition, it supports internationalisation by assisting businesses that export food from the City allowing them to benefit from international trade and investment opportunities. Throughout the pandemic resources were concentrated on businesses that were exporting products to allow them to continue to trade.

Furthermore, the Plan helps to ensure that Aberdeen is a place where everyone feels safe by regulating businesses that produce food.

People who are adequately protected from threats to their health, safety, mental and economic wellbeing are more likely to prosper than those who are not.

2. Background

2.1 Profile of the Local Authority

Aberdeen City Council is an urban port authority with a population of approximately 227,500. The City is the main port for the oil industry within Europe and retains a significant, if diminishing, fishing industry.

A moderate fish processing business sector exists, however the authority is no longer served by a fish auction market. There is also a meat products factory within the City. Additionally, the City has a diverse catering sector producing a wide range of traditional and ethnic meals, the majority of which are contained within the city centre area. The City also has a thriving airport and seaport. The new South Harbour is now operational and several large cruise ships are expected throughout the year.

2.2 Organisational Structure

The Food Regulatory Service

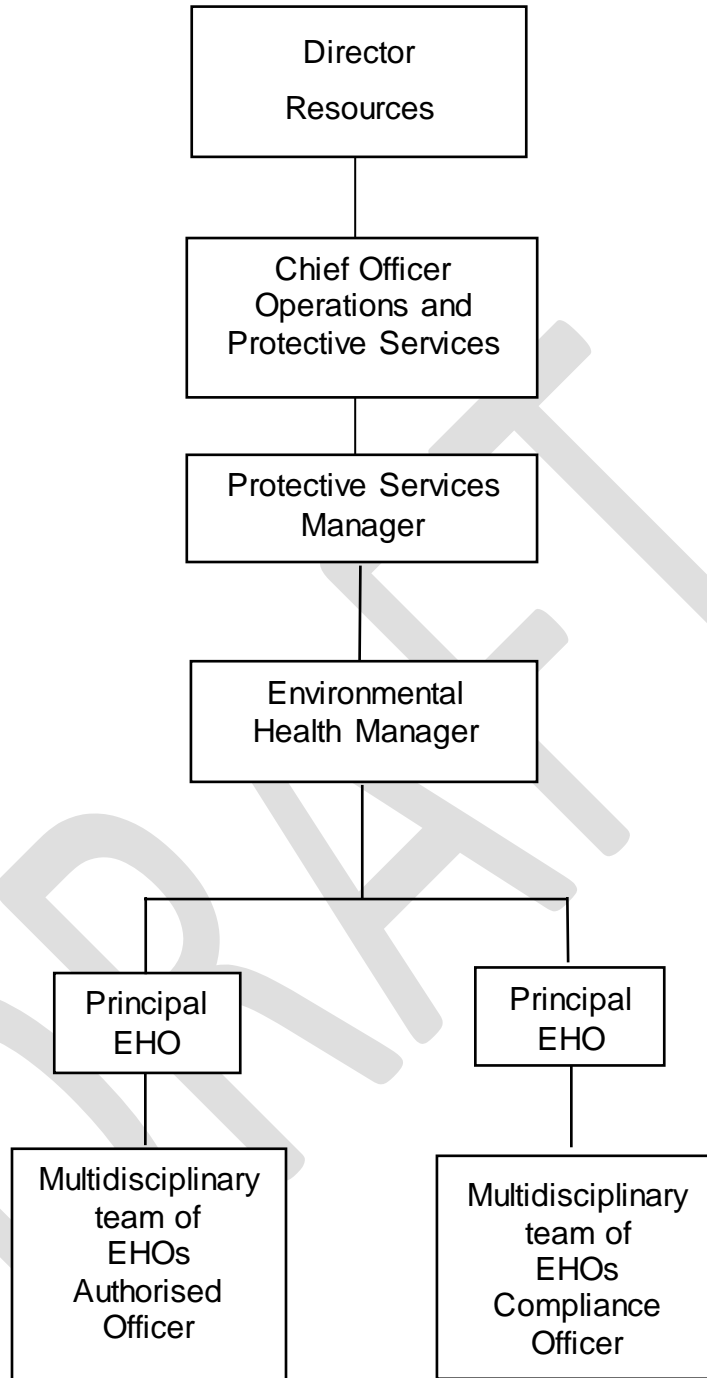
The food regulatory service is provided from within the Environmental Health Commercial Section of Protective Services within Operations and Protective Services by a mix of employees that includes Environmental Health Officers, an Authorised Officer and a Compliance Officer.

The Service recently established the permanent post of Compliance Officer, to assist the team in service delivery of statutory duties that do not necessitate the need for an Environmental Health Officer (EHO)/Authorised Officer (AO).

Officers are also involved in the enforcement of health and safety, port health and animal health & welfare. The section also has responsibility for liaison with the Licensing Board and Licensing Committee and for liaison over building warrant applications with a view to providing advice on environmental health issues.

DRAFT

The Service structure is detailed below:



2.3 Committee Structure

Food related matters are currently reported to the following Committees:

Communities Housing and Public Protection
Audit, Risk and Scrutiny

2.4 Scope of the Food Service

The authority has a responsibility for the provision of food law enforcement protection services covering approximately 2750 food businesses. Table 1 illustrates the number and type of food businesses within Aberdeen City.

It is not possible to predict accurately the number of food businesses that will be operating within the City during 2023/2024 however considering the figures for the last few years it can be assumed that there will be a slight increase in the number of caterers during the year.

Table 1: Number and Type of Food Businesses within Aberdeen City

| Food business Type | Establishments |
|---------------------------|----------------|
| | 1 April 2023 |
| Primary Producers | 7 |
| Manufacturers & Packers | 44 |
| Importers/Exporters | 2 |
| Distributors/Transporters | 39 |
| Retailers | 623 |
| Restaurant & Caterers | 2018 |
| Fishing Vessels | 7 |
| Total | 2740 |

The principal responsibility is the intervention and audit of these establishments, however there is also responsibility to investigate food complaints relating to the safety or standards of food sold from these establishments. This includes a responsibility to investigate, where appropriate, on behalf of other enforcement agencies under the Home Authority Principle.

Service delivery has been modified since March 2020 due to the restrictions associated with the pandemic. Food Standards Scotland permitted local authorities to temporarily deviate from the Interventions Code 2019 and the Food Law Code of Practice (Scotland) 2019 to direct resources to address Covid 19 related matters.

Officers in the Service are multifunctional and deal with matters relating to Food, Health and Safety, Licensing, Port Health and Animal Health and Welfare. The food law intervention programme was placed on hold during the pandemic and resumed in September 2021.

The Authority also has responsibility for co-ordinating a monitoring and surveillance programme for foods produced in the area and the Council's Aberdeen Scientific Services, based at the Hutton Institute, provide Public Analyst services related to food analysis and examination.

2.4 Demands on the Food Service

2.4.1 General

In 2021 Food Standards Scotland recognised the disruption of the COVID pandemic to normal service provision and agreed that measures to address the situation should be considered and that a recovery process be designed and implemented in order to enable all local authorities to rectify the position in a consistent manner. Subsequently [Recovery Guidance](#) was produced by a working group convened by the Scottish Food Enforcement Liaison Committee which advised how the intervention programme should be reset.

2.4.2 Food Establishment Profile

The number of approved fish processing establishments is a particular feature of demand in the area. In addition, requests for export certificates for fishery products are a complementary aspect of the overall international trade in fish and fish products. The City also contains a high concentration of large 'superstore' retail outlets which serve a significant number of consumers beyond the Aberdeen City boundary.

The City has a comparatively small number of major manufacturers outside the fish processing sector.

All local authorities have responsibility for imported food controls to ensure that imported food is safe and complies with EU and UK requirements. Significant amounts of food of non-animal origin will not have been physically checked at ports of entry and products of animal origin may be illegally imported. Additional import controls are to be introduced later this year; the detail of which has yet to be finalised. Resources will continue to be allocated to this area during routine interventions.

2.4.3 Approved Establishments

Establishments producing products of animal origin must adhere to specific health rules and require approval under specialist legislation.

Currently there are 29 approved establishments in the City. These are categorised as follows:

| | | |
|------------------|----|----------------|
| Fishery products | 24 | establishments |
| Meat products | 2 | establishments |

Cold Stores 3 establishments

The Service will continue to implement Official Control Verification(OCV) undertaking an enhanced approach to the inspection and auditing of approved establishments and other manufacturers. This enhanced approach provides greater scrutiny and therefore an increased level of assurance in establishments to produce safe food. This has been identified as a crucial piece of work to support businesses retaining access to export markets especially those in the EU. This approach will continue in the year 2023/2024 and will require resource to be redirected from lower risk activities.

2.4.4 Export Health Certificates

An Export Health Certificate (EHC) is required for all consignments of Products of Animal Origin, (for Aberdeen based businesses, primarily fish and fishery products) being exported from the UK, except for direct landings of product from UK registered fishing vessels to EU ports.

EHCs provide assurances regarding the health and hygiene standards of products for export and were previously only required for UK exports to third countries. There is no statutory requirement to provide these certificates however businesses are unable to trade without them. Certificates can only be signed by suitably qualified enforcement officers, or appropriately authorised veterinarians.

Demand for EHCs fluctuates, approximately 75 are issued per annum and includes certificates for products being exported to EU and non-EU Countries. Depending on the number of requests resources may have to be directed from elsewhere.

2.4.5 Primary Production

Retained Regulation EC 852/2004 on the Hygiene of Foodstuffs applies to primary producers of food and is executed and enforced in Scotland by the Food Hygiene (Scotland) Regulations 2006. Primary production is the rearing or growing of primary products including harvesting, fishing, milking and farmed animal production prior to slaughter.

The frequency of primary production food hygiene inspections undertaken is determined by risk assessment as described in Annex 10 of The Food Law Code of Practice (Scotland). Membership of a recognised farm assured scheme is factored into the risk assessment as it may help the business to comply with hygiene requirements.

The primary production enforcement regime applies only to land based agricultural activities; arable, horticulture and livestock including farmed game. It does not include dairy, egg, fish or shellfish production. Due to the small number of these establishments in the Aberdeen area very few require to be inspected annually.

2.4.6 Service delivery points

Officers continue to work to a hybrid model using both home and the office as bases. Businesses and the public can make contact via email or telephone and these are the most favoured routes rather than direct face to face contact in the Council Offices. The general philosophy is that the service is taken to the client in relation to intervention of businesses or public contact.

The Service can be accessed between the hours of 8:30am and 5:00pm Monday to Friday. Telephone calls made outside these hours 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). The Service can also be reached at any time via e-mail, although e-mails will only normally be accessed, by officers, during office working hours.

2.4.7 Enforcement Policy

The Food Safety Enforcement Policy was last reviewed in 2013 to take account of legislative changes.

3. Service Delivery

3.1 Food Establishment Interventions

The requirement to conduct periodic inspections of food business establishments using a risk-based approach is derived from EC Regulations, Retained EU 2017/625 and the Food Law Code of Practice in respect of legislation relating to Scotland.

Standards of food hygiene and safety for businesses in the European Community are set out in the Retained EC Regulation 852/2004 on the Hygiene of Foodstuffs. These contain both structural and operational requirements that apply to all food businesses. Additional requirements for food businesses that must obtain approval in relation to the production of products of animal origin are contained in Retained EC Regulation 853/2004, and microbiological requirements for foods are contained in Retained EC Regulation 2073/2004.

A Code of Practice issued under Section 40 of the Food Safety Act 1990, Regulation 24 of the Food Hygiene (Scotland) Regulations 2006 and Regulation 6 of the Official Feed and Food Controls (Scotland) Regulations 2009, together with associated practice guidance and industry guides assist enforcement authorities in performing their duties. The Food Law Code of Practice (Scotland) was revised in 2019.

Interventions

Interventions are defined within the Code of Practice as activities that are designed to monitor, support and increase food law compliance within a food

establishment. They include, but are not restricted to official controls, which are defined at Article 2(1) of Retained EU Regulation 2017/625

Methods for carrying out tasks described as official controls are specified in Article 14 of Retained Regulation 2017/625.

These include: -

- Monitoring,
- Surveillance,
- Verification
- Audit,
- Inspection
- Sampling and Analyses

Non-official controls are: -

- Education, advice and coaching
- Information and intelligence gathering

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.

3.1.1 Frequency of Interventions

The Recovery Guidance allows for deviation from the Code of Practice, within defined boundaries, to accommodate the volume of work due. It also facilitates the scheduling of higher risk businesses as a priority.

The Food Law Rating Scheme has inspection frequencies ranging from one month to three years; depending on levels of compliance and business type. Resources will continue to be focused and prioritised on dealing with high-risk businesses.

Interventions will take place at a minimum frequency determined by an interventions risk rating assigned at the last inspection/intervention or through the desktop exercise as detailed in the Recovery Plan Guidance. This date can be brought forward if a problem has been identified (e.g. through a complaint investigation, notification of an issue from another authority, poor sampling result etc.) Where increased risk is identified. the intervention rating may be reconsidered along with the appropriateness of the next planned intervention

Interventions are planned so that they are carried out by the due date.

The number of inspections is currently anticipated to be as per table 2 below. This figure will be subject to in year changes as a result of inspections being due more than once in a year; new businesses starting operations and other businesses ceasing operations. It is anticipated that a significant number of premises, estimated around 20 %, will require one or more revisits following the initial intervention under the current rating scheme.

Table 2: Predicted Number of Inspections 1st April 23- 31st March 2024

| Food Business Group | Number of Premises per Group | Multiplier to account for Inspections due more than once per year | Anticipated number of Inspections due |
|----------------------------|-------------------------------------|--|--|
| Group 1 B | 11 | none | 11 |
| Group 1 C | 4 | Due every 6 months (x2) | 8 |
| Group 2D | 23 | Due every 3 months (x4) | 92 |
| Group 2E | 3 | Due every 1 month (x12) | 36 |
| Totals | 41 | | 147 |

The Service aims to prioritise interventions in high risk establishments. This will include all new Group1, current Group 1, Group 2E, Group 2D and Group 3D (there are currently no 3D inspections in the programme however they would be inspected should they arise during the year). In addition to this a proportion of unrated Group 2 establishments (new businesses) will also be inspected when resources allow. Details about the businesses that fall into each category are contained in Appendix 1. These are classed as Priority 1 and Priority 2 as defined in the [Local Authority Recovery Guidance](#). However staff may be diverted to deal with issues of greater public health significance as required.

Lower risk food law interventions in Groups 2 and 3 (see Appendix 1) will be carried out when competing service demands allow. Businesses in this category are regarded as demonstrating broad compliance with food law and have therefore not been included in the programme for this year. A proportion of Group 3A establishments will be assessed by alternative means where there is minimal inherent risk and will not be inspected unless intelligence or a justified complaint is received which suggests that the nature of the activities may have changed.

3.1.2 New Businesses

On receipt of a Food Business Registration Form a new record will be created for the business and the business will be allocated a business Group. Each month the list of unrated Group 2 businesses will be assessed, and a proportion of those will be added to the monthly inspection programme, dependant on risk,

where capacity allows. Those businesses deemed higher risk will be added to the programme first irrespective of when they registered.

3.1.3 EU Exit Inspection of Fishing Vessels

In addition to the routine food law inspections and OCV visits that require to be undertaken all fishing vessels that are registered with the Authority also must be regularly inspected to allow them to continue to supply fish that is exported to the EU. As a City Authority we have fewer than 10 vessels registered, and an arrangement was made with colleagues in Aberdeenshire to undertake this work on our behalf.

3.1.4 Inspection of Approved Premises

The inspection regime for approved premises sits outwith the Food Law Rating Scheme and these businesses are covered by Official Control Verification (OCV) Guidance.

The objective of the guidance is to provide a framework to ensure a methodical and consistent approach that meets the legislative requirements and secures a high level of public health protection and protects the reputation of Scottish food businesses.

This method differs from traditional inspections, where a suite of visits looking at different aspects of the operation comprises the inspection, rather than an individual inspection. OCV is an elevated level of intervention requiring an increase in officer hours and dedicated resources throughout the year. The OCV process provides assurance to other countries receiving exported Scottish products that there has been a high level of scrutiny and that products are compliant with all relevant food law. It also allows officers to issue Export Health Certificates (EHCs) and Support Attestations with confidence. Support Attestations provide the necessary sanitary assurances to other Authorities who are completing EHCs for product not produced in their area.

3.2 Food Complaints/Service Requests (Including complaints about hygiene of premises)

The trend over recent years has been for a decrease in the number of food related complaints received. Recently more complaints have been reported concerning businesses trading through online platforms and it can be challenging to ascertain if these businesses are based within the City. This issue had been raised both nationally and with Food Standards Scotland. Based on previous years it is anticipated that there will be in the region of 280 complaints about food or hygiene of premises in the next 12 months.

Food complaints/service requests are evaluated on receipt by a Duty Officer. The decision-making process for action on a given complaint is informed by the documented food complaints procedure of the Commercial Section and the Service's Food Safety Enforcement Policy. Handling food complaints is a resource intensive process and action in relation to individual complaints will be proportionate to risk. Complainants are informed of the proposed course of

action and of the progress and outcome of their complaint. Procedures for dealing with service requests have been reviewed to ensure that resources are directed to those requests of significant public health concern.

3.3 Home Authority Principle and Primary Authority Scheme

The Service procedures fully acknowledge the Home Authority Principle and Primary Authority Scheme. In cases where a designated home authority exists, they will be contacted prior to taking formal enforcement action to assess best enforcement practice in relation to the issue at hand.

From April 2009, Food Authorities in England had the choice to become the Primary Authority for a food business operator that has establishments in more than one Local Authority area. The current Primary Authority scheme does not apply to Scotland and Scottish Authorities have been advised to treat Primary Authorities as if they were the “Home Authority”. The Regulatory Reform (Scotland) Act 2014 created a framework for a separate primary authority scheme in Scotland, but this has not been implemented.

Home Authorities are also informed of food complaints both as an aid to Aberdeen City’s enforcement assessment and to ensure that the relevant home authorities are able to gain the fullest picture of the food safety/standards performance of their partner businesses.

The Service procedures also acknowledge the duty of Aberdeen City Council to respond to requests for an originating authority report from any food authority whose investigations have led to a point where a manufacturer or supplier within Aberdeen requires to be included in the overall investigation.

Aberdeen City Council is not formally registered as a home authority for any of the businesses producing food within in its area. However, the City Council acts as originating authority for any such businesses. The current policy is to investigate all Home/Originating Authority referrals thoroughly to fully meet the requirements of the referring authority. On average this authority receives fewer than 5 such referrals per year and so this is not particularly demanding of resources. This level of service will be maintained.

3.4 Advice to Businesses

The Service provides advice to both consumers and potential business start-ups as well as guidance when significant refurbishment is being considered. There continues to be a year on year increase in the number of new businesses trading in the City. Support, information, and advice is offered to these new traders in relation to food safety controls and it is expected that this demand will continue. A small fee for this service is payable where a site visit is requested to assess an establishment prior to operation or extensive research is required before responding to queries.

Over the past few years, the number of enquiries from businesses and the public relating to food safety matters has fluctuated. The service can expect to receive approximately 100 enquiries in the forthcoming year.

However, the bulk of additional advisory work is conducted during interventions and visits.

3.5 Food Intervention and Sampling

This Service actively participates in a food sampling programme which is coordinated by Aberdeen Scientific Services. This involves taking routine surveillance samples as well as participating in both national and regional surveys. The number of samples planned this year has been significantly reduced due to limited staffing resources it is estimated the number taken will be in the region of 150. Capacity for sampling will be reviewed on a monthly basis and will be programmed accordingly depending on available resources.

Programmed sampling does not include formal sampling, which is required where formal enforcement action is anticipated, and is usually in response to prior intelligence – e.g., from investigation of a complaint, or failure of an informal sample taken by an enforcement officer. It is estimated that there will be less than 10 samples which fall into this category during the year

To deliver increased efficiencies, assistance with sample procurement is being provided by the Compliance Officer. This frees up enforcement officers and affords them time to concentrate on other areas of work.

The Council provides food analytical services and microbiological examination services through Aberdeen Scientific Services, which is accredited to all the necessary standards. Aberdeen Scientific Services also acts as the Council's Appointed Food Examiner and Public Analyst. This Service has a Service Level Agreement with this organisation to perform analysis of the bulk of food samples. From time to time, other appropriately accredited laboratories may conduct specific analyses.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The food regulatory service has a number of officers appropriately trained to deal with potential or actual cases or outbreaks of food poisoning and food borne disease. The Service has adopted the Health Board's Infectious Disease Incident Plan. Where issues of public health dictate, officers will be diverted from proactive intervention and sampling work and from lower priority response work.

The current Joint Health Protection Plan details the arrangements for dealing with future pandemics or other similar incidents. It is difficult to predict in advance how much resource would be required; that would be assessed on a case-by-case basis.

The Service has out-of-hours arrangements via a 'duty officer' stand-by system. The Service also holds a list of out of hours contact details for its food enforcement officers, which can be used in situations where there is a serious threat to public health requiring an immediate response.

The food regulatory service currently conducts field investigations of food related infectious disease in all cases where it is judged by officers from Environmental Health or the Health Board's designated Consultant in Public Health Medicine that a particular food establishment is implicated. In addition, approximately 80 alleged cases of food poisoning are reported to the Service every year by consumers, but not all warrant detailed investigation.

The Service has previously investigated sporadic cases confirmed as suffering from a food borne diseases such as salmonella and dysentery where no particular food establishments are implicated. This work has been undertaken over the last couple of years by the Health Protection Officers at Grampian Health Board but may revert to the Service in future.

3.7 Food Law Incidents

The Food Regulatory Service is advised of Food Alerts For Action (FAFAs), Allergy Alerts, Product Withdrawal and Product Recall Information Notices via e mail; out-of-hours contact arrangements are registered with Food Standards Scotland (FSS).

All service procedures for dealing with food hazards occurring within the authority are in line with the guidance contained in The Food Law Code of Practice (Scotland) and the associated Practice Guidance- which sets out the protocols for advising FSS and other authorities as circumstances dictate. Availability of officers in emergency situations is as described in section 3.6 above.

3.8 Liaison with Other Bodies

The principal vehicle for inter-authority liaison is the North of Scotland Food Liaison Group on which the authority is represented by the Principal EHO (Food Safety) who is the chairperson. The Principal EHO (Food Safety) also represents the North of Scotland on the Scottish Food Enforcement Liaison Committee (SFELC) which meets quarterly.

The authority is represented by the Principal EHO (Food) at the monthly meeting of the multi-disciplinary Joint Health Protection Co-ordination Group of NHS Grampian.

These liaison arrangements demand approximately 12 days of Principal EHO time per year.

Other working groups may be established throughout the year which may require officer representation. Attendance at these will be considered if appropriate and where resources allow.

It is intended that existing liaison arrangements will be continued, as they not only assist the authority in ensuring a consistent enforcement approach with other Scottish Local Authorities but also enable efficiencies through partnership initiatives, particularly for officer training and promotional activities.

The Service also has internal liaison arrangements with the Building and Planning Control Services for prospective refurbishment of food business establishments, and with the Licensing Committee for licensed food establishments and Street Traders.

There is also an agreement between Local Authorities that mutual aid will be provided to deal with any emergencies. This facility was used by this Service at the height of the pandemic, and we would reciprocate should another authority require help. Assistance would also be provided to the Local Health Board to deal with public health associated emergencies.

3.9 Food Law Promotional Work

From time to time, where resources allow, the authority participates in promotional activities with external agencies such as neighbouring local authorities and NHS Grampian and Food Standards Scotland.

3.10 The Service may undertake some project work this year, resources allowing, in addition to other statutory duties. The intention is that this will be beneficial to the protection of public health and will complement the existing intervention process along with enhancing compliance with food law.

3.11 Eat Safe Project

This Service intends to continue with the Eat Safe project this year. Food Standards Scotland's Eat Safe award scheme is designed to promote excellence in food hygiene and food safety management and improve public confidence and consumer choice in catering establishments across the country.

The Eat Safe award scheme provides an incentive to caterers to strive for standards beyond those required by law, and helps consumers make informed choices about where to eat out in Scotland by providing a recognisable and well publicised sign of excellence in standards of food hygiene. Those establishments who meet the standards are entitled to display the Eat Safe logo which is a readily recognisable symbol of high food hygiene standards across Scotland.

Eligible establishments are assessed for the Eat Safe award as part of scheduled food hygiene interventions. In Scotland there have been over 1000 Eat Safe awards issued. Aberdeen City currently has 8 Eat Safe award holders.

This Service reviews Eat Safe award status at every planned food hygiene intervention.

3.12 Food Hygiene Information Scheme

The Food Hygiene Information Scheme was launched in Scotland in 2006. It provides consumers with an insight into the hygiene standards found at food hygiene inspections. The scheme was developed to increase consumer confidence and help people make informed choices about where they eat or buy their food.

The results can be viewed on the FSS website. The scheme applies to all food outlets that supply food directly to consumers. Each business is asked to display a certificate/sticker on the door or window of their establishment, confirming that they have passed their most recent food hygiene inspection. The inspection outcome applies to a business trading at a particular address, so that a change of business operator at a given address will require a fresh assessment. The outcomes of the assessments are divided into four categories as detailed below:

Pass

A 'Pass' indicates that the business broadly met the legal requirements. These requirements include the hygiene conditions found during the inspection and the management procedures in place for providing safe food.

Improvement Required

Where a business has failed to meet these requirements, it will not be issued with a "Pass" certificate. This outcome will appear as an "Improvement Required" on the website.

Exempt Establishments

A very small number of establishments may be registered as food businesses in circumstances where it is unlikely that customers will view them as food premises. The assessment for such establishments will have concluded that the food safety risk is negligible.

In such cases (and only with the agreement of the business), a certificate will not be issued and the information on the local authority website will indicate that the business is currently exempt from the food hygiene information scheme.

Awaiting Inspection

Where a business has not yet been inspected, it will be issued with a temporary certificate advising consumers of that fact. This will appear as 'Awaiting Inspection' on the website. Establishments will also require to be re-inspected where they have changed ownership.

FSS is currently in the early stages of reviewing the Scheme.

3.13 Food Fraud/Crime

Food fraud is committed when food is deliberately placed on the market, for financial gain, with the intention of deceiving the consumer. Following the pandemic EU Exit and fuel price rises there may be an upsurge in food crime;

officers will be vigilant during visits and will address any issues identified. Although there are many kinds of food fraud the two main types are:

i) the sale of food which is unfit and potentially harmful, such as:

- recycling of animal by-products back into the food chain
- packing and selling of beef and poultry with an unknown origin
- knowingly selling goods which are past their 'use by' date

ii) the deliberate mis-description of food, such as:

- products substituted with a cheaper alternative, for example, farmed salmon sold as wild, and Basmati rice adulterated with cheaper varieties
- making false statements about the source of ingredients, i.e., their geographic, plant or animal origin

Food fraud may also involve the sale of meat from animals that have been stolen and/or illegally slaughtered, as well as wild game animals like deer that may have been poached.

Resources will be invested in tackling food fraud in the City, including training for officers. The Service will work in partnership with colleagues in other agencies including Food Standards Scotland, Police Scotland, HMRC, the Home Office Immigration Intelligence Unit and other local authorities

4. Resources

4.1 Financial Allocation

The financial allocation for the food regulatory service is set out in Table 4 below.

Table 4: Financial allocation for the food service¹ 2023/2024

| Expenditure | | Food Total £ |
|--------------------|--------------------------|---------------------|
| | Staffing | 552,706 |
| | Training | Centralised funding |
| | Sampling | 300,000 |
| | Travel and subsistence | 4,537 |
| | Legal | 0 |
| | Total Expenditure | 857,243 |
| Income | | |
| | Total Income | 10,000 |
| Net Cost | | 847,243 |

4.2 Staffing Allocation

¹ Estimate based on number of full-time equivalent employees working in support of the food enforcement service

The current allocation of full-time equivalent officers to the Food Regulatory Service is detailed in Table 5 below. There is a national project underway, SAFER to help Local Authorities determine the resources required to provide food law related activities in future.

Food Standards Scotland are also currently collating information to produce national data which will assist local authorities with annual resource calculations. Once this information is available it will be used to determine the resources required.

Table 5: Allocation of full-time equivalent staff to the Food Service

| Full Time Equivalent Officers | Establishment | In Post |
|---|---------------|-------------|
| | | |
| <u>Section Management</u> | | |
| Protective Services Manager | 0.2 | 0.2 |
| Environmental Health Manager | 0.4 | 0.4 |
| Principal Environmental Health Officers | 1.2 | 1.2 |
| | | |
| Environmental Health Officers | 8.95 | 5.29 |
| Authorised Officers | 2.25 | 0.75 |
| Compliance Officer | 0.8 | 0.8 |
| Admin Support | 0.1 | 0.1 |
| | | |
| | | |
| Total | 13.9 | 8.74 |

4.3 Officer Development Plan

The service ensures that:

- a) All officers involved in food safety interventions are qualified Environmental Health Officers or hold the SFSORB Higher Certificates in Food Establishment Inspection and Food Standards Inspection or Food Practice.
- b) All officers involved in the seizure or assessment of foods are Environmental Health Officers or Authorised Officers with specialist qualifications in food inspection.
- c) All officers involved in the assessment of Approved Premises have had suitable specialist training.

The Service is committed to taking advantage of all opportunities to enhance the skills and competence of officers.

It is also intended to send a proportion of officers on the REHIS sponsored Food Update Course each year subject to budget availability, course content and the availability of places.

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. These meetings promote consistency of enforcement approach between enforcement officers.

5. Quality Assessment

The Service has established a Quality Monitoring System for intervention activity, which is designed to ensure:

- a) Properly planned and resourced risk-based food hygiene interventions are undertaken;
- b) Officers with the appropriate levels of experience and training are selected to carry out interventions;
- b) The consistent application of the Councils' Food Enforcement Policy;
- c) That the intervention itself is viewed as more than a specific visit;
- d) Appropriate training, guidance and coaching is provided to enforcement officers in the furtherance of the objective of continuous professional development;
- e) Consistency of enforcement approach between enforcement officers.

6. Review

6.1 Review Against the Service Plan

The Service Plan will be reviewed on an annual basis. The review of the 22-23 can be found in Appendix 2.

6.2 Identification of any Variation from the Service Plan

Review of the plan will include assessment of performance against the plan, identify areas for improvement and forecast the demands on the service and the appropriate service mix required to meet those demands. The Service Plan will be revised as appropriate.

6.3 Areas for Improvement

- a) Review and update of Policy and Procedures as required.
- b) Continue to establish partnership agreements for promotional and educational initiatives where possible.
- c) Implementation of hybrid working for food inspections including where possible digital generation and sharing of inspection outcomes.
- d) Continued involvement in the food sampling programme where resources allow.
- e) Continued application and support of Food Hygiene Information Scheme.
- f) Continued involvement in the Eat Safe Project.
- g) Promote careers as Environmental Health Officers/Food Safety Officers at school careers fairs where resources allow whilst reinforcing the message and importance of food safety.
- h) Dedicate resources to food fraud investigation

Appendix 1

5. Food Law Rating System

5.1 The Ladder

| Group 1 Business | Performance Levels | Band | Intervention Frequency |
|---|---|------|---|
| <ul style="list-style-type: none"> Manufacturer of High Risk Foods. Manufacturer, Caterer, Processor or Retailer that undertakes a specific method of processing that has the potential to increase the risk to public health beyond that of normal preparation, storage or cooking. Manufacturers of Foods for Specific Groups. All Exporters. Manufacturers, Processors, Importers, Wholesaler, Distributor, Food Broker, Packers of Food at enhanced risk of food fraud, substitution, adulteration or contamination. | Sustained Compliance | 1A | 18 Months |
| | Compliant and confident in compliance going forward | 1B | 12 Months |
| | Minor Non-compliance and/or gaps in confidence in compliance going forward | 1C | 6 Months |
| | Significant Non-Compliance and/or no confidence in compliance going forward | 1D | 3 Months |
| | Sustained non-compliance and/or Issues of Public Health Significance or Fraudulent Activity | 1E | Intensive Intervention. 1 Month. |
| Group 2 Business | Performance Levels | Band | Intervention Frequency |
| <ul style="list-style-type: none"> All other Manufacturers, Processors, and Caterers. Importers, packers, wholesalers and distributors of high-risk foods not in Group 1. Head Office Business that undertakes a regional/national decision making function. Retailers handling open high-risk foods. | Sustained Compliance | 2A | 24 Months |
| | Compliant and confident in compliance going forward | 2B | 18 Months |
| | Minor Non-compliance and/or gaps in confidence in compliance going forward | 2C | 12 Months |
| | Significant Non-Compliance and/or no confidence in compliance going forward | 2D | 3 Months |
| | Sustained non-compliance and/or Issues of Public Health Significance or Fraudulent Activity | 2E | Intensive Intervention. 1 Month. |
| Group 3 Business | Performance Levels | Band | Intervention Frequency |
| <ul style="list-style-type: none"> All other retailers, Food Brokers, Importers, packers, wholesalers and distributors. Public Houses and similar Licenced Business not providing catering. Business providing limited refreshments (e.g. tea, coffee, soft drinks) as an adjunct to main activity. Child minders. Supported Living Business. Business producing low risk food based from a domestic dwelling. Bed & Breakfasts. | Sustained Compliance or Businesses where information available at point of registration, indicates there is minimal inherent risk | 3A | No proactive Intervention or 60 months. |
| | Compliant and confident in compliance going forward | 3B | 36 Months |
| | Minor Non-Compliance and/or gaps in confidence in compliance going forward | 3C | 24 Months |
| | Significant Non-Compliance and/or no confidence in compliance going forward | 3D | 3 Months. |
| | Sustained Non-Compliance and/or Issues of Public Health Significance or Fraudulent Activity | 3E | Intensive Intervention. 1 month. |

Appendix 2

Food Regulatory Service Plan Review

2022/2023

1. Food Law Interventions

The number of food law interventions achieved in high risk premises between 1 April 2022 and 31 March 2023 within the target time were as follows:

| Risk Category | 2022/23 | |
|---------------|-----------------|----------------------|
| | Inspections Due | Inspections Achieved |
| Group 1A | 0 | 0 |
| Group 1B | 5 | 5 |
| Group 1C | 5 | 5 |
| Group 1D | 0 | 0 |
| Group 1E | 0 | 0 |
| Group 2E | 5 | 5 |
| Group 2D | 43 | 40 |
| Total | 58 | 55 |

The figures indicate that the performance achievement in respect of high risk premises was 94.8 %. Three premises were not inspected on time due to increased service demand at the time the interventions were due. These have since been inspected.

In addition to the premises included in the table above 115 planned interventions were also performed in the year. A further 132 interventions that were not scheduled were also undertaken; a number of these premises were brought to the attention of the Service as complaints had been received relating to the businesses.

2. Official Controls Verification

22 Approved premises were visited in the 2022-2023 year. An intervention at these premises consists of a series of visits and interactions rather than an individual inspection.

3. Formal Enforcement Action

60 Hygiene Improvement Notices were served under Regulation 6 of the Food Hygiene (Scotland) Regulations 2006 in respect of 16 food premises.

The number of notices fluctuates year on year depending on the inspections that are due during that period.

A breakdown of the non-compliances contained within the Notices is as follows:

| | |
|---------------------------------|----|
| Facilities and equipment | 14 |
| Food Safety Management System | 16 |
| Structural repair & Cleanliness | 26 |
| Personal Protective Equipment | 1 |
| Training | 2 |
| Pest control | 1 |

It is proposed to continue the practice of serving formal action Notices on food business operators at the first revisit stage following the notification of a contravention of the Regulations including an appropriate time scale for improvement.

4. Food Complaints

A total of 276 food complaints in respect of food and food premises were received in 2022/2023. These were dealt with according to the Services' food complaints procedure and Enforcement Policy. It should be noted that on average complaints form only a proportion of the total number of requests for service. In addition to the figures detailed below there were 104 requests for advice which includes those relating to information sought when setting up a new food business. There were also 6 requests from businesses asking for their Food Hygiene Information Scheme (FHIS) rating to be reviewed

A breakdown of food service requests received is as follows:

| | |
|--------------------------|-----|
| Alleged food poisoning | 81 |
| Food Law | 17 |
| Food Hygiene Complaint | 16 |
| Hygiene of Food Premises | 94 |
| Food Standards Complaint | 68 |
| FHIS Revisit Request | 6 |
| Total | 282 |

5. Food Sampling

There is no statutory target in respect of obtaining and submitting food samples.

Aberdeen Scientific Services Laboratory operates a unit charging scheme and a fixed number of units is allocated, on an annual basis, in respect of food microbiological examination and food chemistry analysis.

Samples are taken for general monitoring and both national and local surveillance surveys. In addition re-active samples, as a result of consumer complaints or as part of investigations of food poisoning outbreaks, may also be taken from time to time.

The actual samples submitted for laboratory analysis or examination during 2022/2023 totalled 119 chemical with 30 sample failures and 48 microbiological samples with just one failure.

Of the 119 chemical samples, 15 were taken as part of a Food Standards Scotland Survey, 3 of which failed.

24 of the samples taken for general monitoring purposes failed along with a further 3 food complaint samples.

In relation to the microbiological samples 43 were taken as part of a Food Standards Scotland Survey with no fails. 5 additional samples were also taken; the one failure related to a food complaint.

Sample failures were followed up and the results provided to the food businesses or product manufacturer.

6. Notification, Control and Investigation of Outbreaks of Foodborne Disease

Notifications received from NHS Grampian in respect of confirmed foodborne disease totalled 3.

A breakdown of specific diseases is as follows:

| | |
|---------------|---|
| Salmonella | 0 |
| E.Coli | 1 |
| Hepatitis E | 0 |
| Dysentery | 0 |
| Campylobacter | 2 |
| Total | 3 |

In addition 18 suspected cases of food borne disease originating in schools, nurseries, nursing homes and a hotel were also reported to the Service via the Health Board.

All were investigated without the necessity of any formal action.

No major foodborne disease outbreaks occurred during the year.

7. Food Hazard Warnings

The food alerts received from the Food Standards Agency during 2022/2023 are detailed below.

| Category of Alert | 2022/2023 |
|---------------------------------------|-----------|
| Food Alert For Action | 0 |
| Product Recall Information Notice | 56 |
| Product Withdrawal Information Notice | 0 |
| Allergy Alert | 74 |
| TOTAL | 130 |

Officers are made aware of the withdrawal, recall and allergy alerts and accordingly check for products on sale when they are carrying out routine inspections and premises visits. In the case of the Alerts for Action the premises known to stock the items in question are specifically targeted at the time the Alert is issued to ensure that there is no product on site.

8. Export Health Certificates

The Service issued 67 Export Health Certificates for fishery products during 2022/2023. This is a significant reduction from pre EU Exit levels.

9. Ship Sanitation Exemption Certificates

The Service issued 172 Ship Sanitation Exemption Certificates and 10 Ship Sanitation Exemption Extension Certificates in the year.

Performance on Areas for Improvement 2022/2023

| Areas for Improvement | Action |
|--|---|
| Review and update of Policy and Procedures as required | Target met |
| Establish Partnership Agreements for promotional and educational initiatives where possible | Officers attended Robert Gordon University (RGU) Recruitment Fair in February 2023. Two talks delivered to students at RGU. Talk delivered to Aberdeen College students |
| Implementation of hybrid working for food inspections including where possible digital generation and sharing of inspection outcomes | Target met. Officers working between home and office base. Majority of letters and inspection paperwork issued via e mail. |
| Continued involvement in the food sampling programme | Target met |
| Continued application and support of Food Hygiene Information Scheme | Ongoing |
| Continued involvement in the EatSafe Project | One Eatsafe award issued this year |
| Promote careers as Environmental Health Officers/Food Safety Officers at school careers fairs whilst reinforcing the message and importance of food safety | Ongoing when opportunities arise |
| Dedicate resources to food fraud investigation | Ongoing |

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Installation of Physical Exercise Bars (Callisthenic Station) in Parks |
| REPORT NUMBER | RES/23/264 |
| DIRECTOR | Steve Whyte |
| CHIEF OFFICER | Mark Reilly |
| REPORT AUTHOR | Steven Shaw |
| TERMS OF REFERENCE | 1.1.1 |

1. PURPOSE OF REPORT

- 1.1 This report provides a background to a petition presented to the Finance and Resources Committee on Wednesday 5 July 2023 and provides the information asked for by the committee. This includes the estimated cost of the Installation of callisthenic stations in four Aberdeen parks.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Notes the full estimated, capital and revenue costs for the Installation of callisthenic stations in four Aberdeen parks.
- 2.2 Instruct the Chief Officer – Finance to refer this report to the Council’s budget setting process for 2024/25.

3. CURRENT SITUATION

- 3.1 A petition was presented to the Finance and Resources Committee on Wednesday 5 July 2023 (Item 4,1).
- 3.2 The ask of the petition is to install some Physical Exercise Bars (Callisthenic Station) e.g., Dip Bars, Pull-ups bars, Monkey Bars, Wall Bars, Pummel Horse. in Duthie Park in order to help to look after the community physical & mental health as well as their budget during this cost-of-living crisis by promoting healthy lifestyle initiatives within the park without incurring on expensive fitness centre memberships. Having a callisthenic station in Duthie Park would facilitate and encourage regular physical activity. It would promote a healthy lifestyle and would be a venue for families to be active together as well as encouraging new friendships and community engagement.

The full petition information is included within Appendix A.

3.3 The Committee resolved:

1. Note the petition and thanks the petitioners for bringing the matter before the Finance & Resources Committee; and
2. Agree to instruct the Chief Officer – Operations and Protective Services to prepare a report on the feasibility, options, and associated costs of installing public exercise equipment at all public parks, including but not limited to Duthie Park, and report back to the Communities, Housing and Public Protection Committee on 5 September 2023.

3.4 Environmental Services consider four parks to have the suitable space to accommodate a callisthenic station. Duthie Park, Hazlehead Park, Seaton Park and Westburn Park.

3.5 In relation to current outdoor fitness equipment in the city, the service advises that it is generally underused and very expensive, although certainly something that should be considered in terms of public health etc.

3.6 Environmental Services has no capital funding available to purchase and install callisthenic equipment and has no revenue funding or staff resources to properly inspect and maintain this new equipment within our parks. Significant capital and revenue funding would need to be allocated to Environmental Services to see the project become a reality.

3.7 The estimated capital cost, per park to install a callisthenic station is £100,000. This includes for the necessary, premium, safety surfacing. This cost is based on information supplied by the market leader and is a good indicative cost for an outdoor gym covering an area of approximately 400M2.

3.8 The revenue cost, per park to maintain a callisthenic station is hard to gauge but is estimated at £5,000 per annum. This estimate is based on the in-house team's recommendations. This does not include staff costs for inspection and safety checks. These checks could be undertaken by the existing play area team, but as the team are currently at full capacity, adding new equipment and parks for them to inspect would mean that current safety checks and inspections of play areas would have to reduce. Any reduction increases the risk with our existing play areas.

3.9 Aberdeen's parks are regularly used by individuals and fitness classes who make very good use of the available green spaces without the use of equipment.

3.10 If new equipment was approved this year, the timeline for design and installation would be 18 to 24 months. This is dependent on officer resources available to take on the project.

3.11 Sport Aberdeen are investigating the possibility of installing outdoor gym equipment at two of their current sites. There is no current funding secured for this, but funding will be investigated for 24/25. Any equipment installed will be free to use by the public.

4. FINANCIAL IMPLICATIONS

- 4.1 The estimated total capital project cost is £400,000 to £500,000. This cost is based on the installation of a good-sized callisthenic station in four parks. This includes the necessary, premium, safety surfacing. This cost is based on information supplied by the market leader and is a good indicative cost for an outdoor gym covering an area of approximately 400M2.
- 4.2 The estimated total revenue funding required is £20,000 per annum. This covers four parks but does not include staff costs for safety checks and inspection.

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 identified. | NA | L | Yes |
| Compliance | No significant risks identified. | NA | L | Yes |
| Operational | Environmental Services does not have the staff and resources to look after | Resources allocated to other service tasks such as play area inspection / maintenance will have to be reduced. This will | H | Yes |

| | | | | |
|------------------------------|---|---|---|-----|
| | additional exercise equipment in our parks. | be detrimental to existing facilities. | | |
| Financial | Environmental Services does not have the capital or revenue budget to install or look after additional exercise equipment in our parks. | Budget allocated to other service tasks such as play area refurbishment, inspection and maintenance will have to be reduced. This will be detrimental to existing facilities. | H | Yes |
| Reputational | No significant risks identified. | NA | L | Yes |
| Environment / Climate | No significant risks identified. | NA | L | Yes |

8. OUTCOMES

| <u>COUNCIL DELIVERY PLAN</u> | |
|---|--|
| | Impact of Report |
| Aberdeen City Council Policy Statement | Supports the delivery of Aberdeen City Council Policy through the Council's commissioning intentions, aligned to the LOIP key drivers, and stretch outcomes. |
| Aberdeen City Local Outcome Improvement Plan | |
| Prosperous Economy Stretch Outcomes | The Installation of Physical Exercise Bars (Callisthenic Station) in Parks will contribute to the city as a visitor destination linked to heritage tourism, specifically supporting the following areas of the Local Outcome Improvement Plan 2016-26, "We will seek to develop a City of Learning approach that empowers people and communities to put |

| | |
|--|---|
| | <p>lifelong learning at the heart of their civic and cultural identities.”</p> <p>Key Driver 1.1 “Diversification of the economy into other growth sectors including wider energy related sectors; tourism; food and drink; life sciences; health and social care and construction.”</p> |
| 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 | <p>The Installation of Physical Exercise Bars (Callisthenic Station) in Parks supports the delivery of stretch outcome -</p> <p>13. Addressing climate change by reducing Aberdeen's carbon emissions by at least 61% by 2026 and adapting to the impacts of our changing climate.</p> |
| Regional and City Strategies | Contributes to the targets and objectives in a range of regional and city strategies including Regional and Local Transport Strategies, Strategic and Local Development Plans, Local Outcome Improvement Plan, Aberdeen Adapts, Local Housing Strategy and Net Zero Route map for the city. |
| UK and Scottish Legislative and Policy Programmes | No impact identified. |

9. IMPACT ASSESSMENTS

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

| | |
|--|--|
| | |
|--|--|

10. BACKGROUND PAPERS

NA

11. APPENDICES

11.1 Appendix A. Petition - Installation of Physical Exercise Bars (Callisthenic Station) in Duthie Park

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|--|
| Name | Steven Shaw |
| Title | Environmental Manager |
| Email Address | stevens@aberdeencity.gov.uk |
| Tel | Tel: 07786976381 |

Appendix A

Title: Installation of Physical Exercise Bars (Callisthenic Station) in Duthie Park

Statement: To install some Physical Exercise Bars (Callisthenic Station) e.g., Dip Bars, Pull-ups bars, Monkey Bars, Wall Bars, Pummel Horse. in Duthie Park in order to help to look after the community physical & mental health as well as their budget during this cost-of-living crisis by promoting healthy lifestyle initiatives within the park without incurring on expensive fitness centre memberships. Having a callisthenic station in Duthie Park would facilitate and encourage regular physical activity. It would promote a healthy lifestyle and would be a venue for families to be active together as well as encouraging new friendships and community engagement.

Justification: During COVID-19 when gyms and leisure facilities were closed, parks became the only place where individuals could keep active. Even though there are no longer COVID 19 restrictions in place, and gyms have reopened, many individuals are still attending Duthie Park to do regular physical activity. Some choosing not to return to indoor fitness facilities, recognising the mental health benefits of being outdoors and enjoying nature.

Local government can help communities to look after their physical & mental health as well as their budget during this cost-of-living crisis by promoting healthy lifestyle initiatives within their parks. Not everyone can afford expensive fitness centre memberships. One such initiative, is to provide/install callisthenic station equipment in Duthie park (push up bars, parallettes, etc). These fitness stations can benefit both physical and mental health. They can reduce high blood pressure, help manage weight, reduce the risk of heart disease, stroke, as well as, improving bone and muscle strength, increases balance, flexibility and fitness.

Having a callisthenic station in Duthie Park would facilitate and encourage regular physical activity. It would promote a healthy lifestyle and would be a venue for families to be active together as well as encouraging new friendships and community engagement. It is recognised that regular exercise improves mental health, promoting good mental health well-being - reducing the risk of depression, cognitive decline and delays the onset of dementia. It is also a way to encourage teenagers and youngsters to avoid sedentary behaviour and low levels of physical activity that can have negative effects on their health, well-being, and quality of life. Calisthenics exercise is not only for youngsters starting calisthenics at age 40 or 50 can help you to stay in shape and improve your overall level of fitness. Most importantly of all, this initiative is inclusive, it is for everyone.

Callisthenic stations in parks offer effective cross-generational open space development with low investment compared to complex sports facilities. They are extremely sturdy and hard-wearing with low maintenance/repairs. They are an easy to install free infrastructure e.g., Dip Bars, Pull-ups bars, Monkey Bars, Wall Bars, Pummel Horse. Callisthenics offers effective training using body weight alone rather than conventional gym equipment, using the practice of repetitions of movement to help build muscle whilst burning calories and improving fitness. Calisthenics can be a

warm-up or cool-down for another fitness routine or sport, or it can be a workout in its own right.

There are many examples of good global government initiatives in communities where calisthenics stations have been developed within parks on this website.

For instance, a good example can be seen in London, Steel Warriors Finsbury Park (13 Endymion Road, Harringay, London, N4 1EE, United Kingdom)
<https://calisthenics-parks.com/spots/15357-en-calisthenics-gym-london-steel-warriors-finsbury-park>

The website below it is an excellent example of an Irish company that supply the different equipment and design layout needed for a Callisthenic Station.
<https://www.outfit.ie/calisthenics>

Started by: Eduardo GalvisGarcia
Received 105 signatures.

ABERDEEN CITY COUNCIL

| | |
|---------------------------|---|
| COMMITTEE | Communities, Housing, and Public Protection Committee |
| DATE | 5th September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Establishing a Trusted Trader Scheme in Aberdeen City. |
| REPORT NUMBER | RES/23/272 |
| DIRECTOR | Steven Whyte – Director Resources |
| CHIEF OFFICER | Mark Reilly, Chief Officer – Operations and Protective Services |
| REPORT AUTHOR | Graeme Paton |
| TERMS OF REFERENCE | 1.1.2 and 1.1.5 |

1. PURPOSE OF REPORT

1.1 The Committee is asked to approve the creation and operation of an Aberdeen City Council Trusted Trader Scheme (ACCTTS) overseen and controlled by Aberdeen City Council Trading Standards Service (TS), with back-office and administrative functions provided by Trader Directory Services (TDS).

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Approves the creation and the operation of ACCTTS.
- 2.2 Approves that the scheme is funded by members' annual subscription fees of £200, which would be split between TS and TDS to cover their respective costs, as set out in paragraph 3.10 below.
- 2.3 Approves the creation of an incentive scheme to encourage membership whereby the first 10 businesses to apply and be granted membership will be offered a discounted rate of £130+VAT for the first year by Aberdeen City Council waiving our £70 portion of the full membership fee.
- 2.4 Instruct the Chief Officer – Operations and Protective Services to report back to the Committee in 12 months on the effectiveness of the ACCTTS against the aims of the scheme.

3. CURRENT SITUATION

- 3.1 The Home maintenance and improvements market is one of the most difficult consumers must navigate and it can be difficult to separate out the reliable, professional businesses from the rogue traders. The fact that this market consistently generates high levels of complaints to TS demonstrates this is an ongoing issue for consumers.
- 3.2 Currently, if a householder wants to find a business to carry out often expensive work at their property, they rely on an array of methods to find a business to contract with. These range from the very often reliable sources of their own previous experiences, the recommendations of family and friends to the hit and miss of adverts in the Yellow Pages, Social Media posts, online reviews, or simple flyers through the letterbox. The lack of useful information often leads to either bad choices or a reluctance on the part of consumers to enter the market, which is bad news for good businesses.
- 3.3 With the aim of redressing this situation for the benefit of consumers and businesses, it is proposed that a Trusted Trader Scheme is set up within Aberdeen City. This will provide consumers with a list of local businesses who have applied to join the scheme and agree to be vetted by Trading Standards to confirm that they are aware of their rights and responsibilities – and those of the consumer. The intention is that this will lead to increased consumer confidence through access to trusted traders, with the benefit to those traders of an increase in market size and business opportunities.
- 3.4 The ACCTTS will initially encompass the home improvement market only. If it is successful, it may expand to include other market sectors.
- 3.5 Although this would be a non-statutory function, there are benefits for those involved. These include:
- Consumers – they will have a go-to list of traders that have a proven track record and have been vetted by Trading Standards.
 - Businesses – will know that they are fully compliant with relevant Trading Standards legislation, and they will also have a customer base open to them that they would not have had previously.
 - Trading Standards – we will have a dialogue/ relationship with local businesses, who we would not necessarily had before, we can monitor businesses that have been unsuccessful in their application and so have a greater knowledge of small local business than before.
 - Reduced burden on TS as TDS will deal with complaints/enquiries about member businesses.
 - There are also economic benefits of consumers using local business.
- 3.6 Each year TS receives approximately 190 complaints from residents relating to services such as:

- Building works
- Glazing
- Roofing
- Heating installation and repairs
- Fitted kitchens and bathrooms
- Gardening and Driveways services

3.7 Providing advice and conducting investigations into these complaints requires a significant amount of time and resources from TS. This scheme has the potential to prevent these complaints so reducing the workload on the team.

3.8 **Aberdeen City Council Trusted Trader Scheme**

The reasons for setting up ACCTTS are:

- Increase engagement between Trading Standards and local businesses operating in this problematic market, leading to improved levels of compliance with trading standards and consumer protection law amongst participants
- Increase consumer confidence in the home improvements market leading to more opportunities for businesses listed as a Trusted Trader to attract customers and increase turnover
- Allow businesses to reference their membership of ACCTTS in their business advertising
- To protect consumers from bogus callers, potential detriment, and general doorstep crime.

3.9 **Costs**

As stated above, TS will work in partnership with Trusted Directory Services (TDS) to deliver the ACCTTS. There is already in place an agreement between ACC and TDS whereby TDS will carry out all back-office, administrative, and membership monitoring functions of the scheme, freeing up TS staff to concentrate on the vetting of member businesses. Full details on how the scheme operates, how businesses sign up, how a consumer submits a review, the other local authorities who operate these schemes through TDS, etc, can be found at <https://www.trustedtrader.scot/>

3.10 Costs will be recovered by the annual membership fee of £200+VAT, which is split between TDS and TS, with TDS receiving £130 of this fee and TS getting £70.

3.11 **Applying for Membership**

TDS will be the first point of contact for traders wishing to join the scheme. City businesses will submit their application for membership through the to-be-created ACCTTS website, which will be maintained by TDS as part of their back-office service, or through the SCOTSS (Society of Chief Officers of Trading Standards in Scotland) website at <https://approvedtrader.scot/>, including the payment of their membership fee. Their application is processed by TDS and passed to TS to begin the vetting process. Police Scotland will also have a role in vetting prospective members and the mechanics of how that is done is currently under discussion.

3.12 **Vetting and ongoing monitoring of members**

Applicants will have to meet predetermined criteria for joining the ACCTTS and follow a Code of Practice, which will be provided to them before they apply. This includes agreeing to be vetted by TS staff. Once this vetting process has been completed, and with any remedial steps having been taken by the business, they will be added to the list and be able to use this status in their business advertising.

- 3.13 As part of the ongoing monitoring process, customers are asked to provide reviews of the work carried out by a scheme member. A minimum number of two reviews must be submitted each year by customers in relation to each member to retain their membership. If this limit is not reached the member in question will be contacted and advised accordingly.
- 3.14 Once contracted work has been completed, the customer will be given the opportunity to leave their review on the quality of the work and their interactions with the member, which is submitted to and studied by TDS. Each review will be published on the Trusted Trader website which prospective customers can read, helping them make an informed decision on who to contract with. All reviews are subject to moderation before they are published on the website. Negative reviews are thoroughly investigated. A member can also leave a single statement at the end of the review. Although this is a web-based platform, there is a dedicated call line to assist more vulnerable residents or those without internet access.
- 3.15 The final decision on whether to admit an applicant to the ACCTTS lies with TS.
- 3.16 **Resolving Complaints/Disputes**
TDS provide civil advice should they receive a query or a complaint from a consumer about a ACCTTS member. TS will be notified by TDS of all such communications from consumers. Where complaints arise, TDS can intervene to resolve the matter with or without the help of TS. Where no resolution can be agreed, [Kent County Council Alternative Dispute Resolution Scheme \(ADR\)](#) will be available as an independent arbiter who can, with the agreement of both parties, provide a final adjudication on the complaint. This is an alternative to the costlier option of raising civil court proceedings.
- 3.17 This has the additional benefit of removing this advice and intervention requirement from TS, unless there is a criminal element that falls within the TS statutory duty to investigate.

3.18 Marketing and Promotion

The initial launch of ACCTTS will be co-ordinated through the Aberdeen City Council Media Team. The scheme will also be promoted by TDS, colleagues in City Growth using their business contacts, through social media, and by SCOTSS through their general promotion of Trusted Trader Schemes operating throughout Scotland. If the advice is that we need a targeted media campaign to launch the scheme, there is £2000 in the TS Advertising budget that can be used for this purpose.

- 3.19 Ongoing marketing will be done through TDS, SCOTSS, and ACC Media. Discussions have also taken place with colleagues in City Growth who will add ACCTTS to their communications with the business community.

3.20 Trusted Trader Across Scotland

More than half of Scotland's local authorities operate approved trader schemes through their Trading Standards Service, with Moray Council now in the process of joining. The members of these schemes can be found on the directory of members at <https://approvedtrader.scot/>

4. FINANCIAL IMPLICATIONS

- 4.1 The main cost for TS is in terms of officer time. The most labour-intensive part of the process is the vetting of each application. TS staff will meet the trader face-to-face, and check paperwork/websites etc. for compliance. It is anticipated that this will take 4 hours per applicant.
- 4.2 In the longer term this preventative scheme would reduce burden on TS as traders with poor reputations would need to improve their performance/customer relations to attract business. This would result in fewer un reputable traders in the marketplace and fewer complaints for TS to deal with.
- 4.3 Cost to consumer is zero. Trader membership is £200 + VAT per year, as explained above in paras 3.4 & 3.5.
- 4.4 If the incentive to join the ACCTTS is adopted, TS will waive our proportion of the membership fee for the first 10 applicants who are subsequently granted membership. That would mean foregoing £700 in potential income.
- 4.5 Access to the Kent ADR Scheme will attract no cost to TS or the consumer but will cost a modest sum of £30 to the trader.

5. LEGAL IMPLICATIONS

A contract has been agreed with TDS to provide the platform and back-office administration of the ACCTTS.

6. ENVIRONMENTAL IMPLICATIONS

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

7. RISK

The assessment of risk contained within the table below is consistent with the Councils 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 identified | | L | Yes |
| Compliance | No significant risks identified | | L | Yes |
| Operational | The risk is the scheme creates a demand for TS officer time. | This is to be expected in the short term. The set-up of the scheme will involve officers vetting potential members, and it is anticipated that the majority of this vetting work will be when the scheme first opens for members. This initial short-term demand will pass as businesses join. | L | Yes |
| Financial | The risk is the scheme does not become self-sustaining. | There is no commitment to support the scheme going forward over and above the need to promote the launch. The TS budget has £2000 allocated for advertising which will be used for this purpose. | L | Yes |
| Reputational | The risk of the scheme not being used by either | Officers will work with colleagues from City Growth and the Media Team, as well as SCOTSS and TDS to | L | Yes |

| | | | | |
|------------------------------|---|---|-----|-----|
| | traders or residents, and the scheme fails. | ensure the scheme is widely publicised. No such scheme has failed in Scotland, as far as we are aware. | | |
| Environment / Climate | No significant risks identified | | N/A | Yes |

8. OUTCOMES

8.1 The aims and outcomes of the scheme are:

- Increase consumer confidence.
- Promote legal compliance and good practice within local businesses.
- Help to protect residents from doorstep crime.
- Provide an official list of traders, helping consumers find honest and reliable traders
- Reduce the demand on TS in dealing with complaints about member businesses.

| <u>COUNCIL DELIVERY PLAN 2022-2023</u> | |
|--|---|
| | Impact of Report |
| <p>Aberdeen City Council Policy Statement</p> <p><u>Working in Partnership for Aberdeen</u></p> | <p>The proposals within this report support the delivery of the following aspects of the policy statement:-</p> <p>Seek to make Aberdeen Safer City</p> <ul style="list-style-type: none"> • Promoting confidence in the householder when they are choosing a tradesman to work in their home. |
| <u>Aberdeen City Local Outcome Improvement Plan 2016-26</u> | |

| | |
|--|--|
| <p>Prosperous Economy Stretch Outcomes</p> | <p>The impact of this Trusted Trader Scheme meets the overarching ends of the Prosperous Economy section of the LOIP because it is primarily aimed at increasing consumer confidence in a problematic sector of the economy. If this is successful, it should increase market demand and increase business opportunities for reputable businesses, particularly those who are members of the scheme.</p> <p>The scheme empowers consumers to make informed decisions when contracting with traders within the home improvements sector by providing access to a list of local businesses who have been vetted by TS. This vetting process promotes regulatory compliance so that member businesses are fully aware of their rights and responsibilities when contracting with customers.</p> <p>With higher levels of consumer confidence comes increased demand and more business opportunities for scheme members.</p> <p>These consumer informed choices will also reduce the risk of having to carry out equally expensive remedial action where a job goes wrong. And if it does, contracting with a scheme member means that the consumer has a dispute resolution mechanism to fall back on.</p> <p>With better information on reliable, compliant businesses, consumers will be more confident in entering a market they may previously have been wary of.</p> |
| <p>Prosperous People Stretch Outcomes</p> | <p>Not applicable</p> |
| <p>Prosperous Place Stretch Outcomes</p> | <p>Not applicable</p> |

| | |
|--|---|
| <p>Regional and City Strategies</p> | <p>Trusted Trade Schemes were promoted as a scam prevention tool in the Scottish Government’s 2021 Scams prevention, awareness, and enforcement strategy.</p> <p>https://www.gov.scot/publications/scams-prevention-awareness-enforcement-strategy-2021-2024/</p> <p>Developing our own ACCTTS adds to the network of such schemes in Scotland and the aims of the SG’s strategy on scam prevention.</p> |
|--|---|

9. IMPACT ASSESSMENTS

| | |
|---|--|
| | |
| <p>Integrated Impact Assessment</p> | <p>Stage 1 Completed. Stage 2 Not Required</p> |
| <p>Data Protection Impact Assessment</p> | <p>DPIA assessment completed.</p> |
| <p>Other</p> | <p>None</p> |

10. BACKGROUND PAPERS

None

11. APPENDICES

None

12. REPORT AUTHOR CONTACT DETAILS

| | |
|-----------------------------|-----------------------------------|
| <p>Name</p> | <p>Graeme Paton</p> |
| <p>Title</p> | <p>Trading Standards Manager</p> |
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| <p>Tel</p> | <p>01224 053307</p> |

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing, and Public Protection Committee |
| DATE | 5 th September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | The Aberdeen City Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products |
| REPORT NUMBER | RES/23/258 |
| DIRECTOR | Steven Whyte |
| CHIEF OFFICER | Mark Reilly |
| REPORT AUTHOR | Graeme Paton |
| TERMS OF REFERENCE | 2.5 |

1. PURPOSE OF REPORT

- 1.1 Intelligence and complaints received by Aberdeen City Council Trading Standards Service (TS) leads officers to believe that there is a growing issue in the city, particularly on Union Street, of “proxy purchasing” of tobacco and Nicotine Vaping Products (NVP), particularly Single-Use NVP (“vapes”). This is the practice where adults buy these age-restricted products on behalf of young people who are too young to buy them for themselves. Proxy Purchasing is a criminal offence enforced by TS, but it is very difficult to detect and prove. This Retailers' Charter is an attempt to work with retailers to solve this problem using the Five Principles set out in Appendix 1 whilst maintaining focus on existing legal responsibilities in respect of age restricted products.

2. RECOMMENDATIONS

That the Committee:

- 2.1 Notes the contents of the report and the Five Principles set out in the Retailers' Charter detailed in Appendix 1;
- 2.2 Approve the adoption of the Retailers' Charter and instruct officers of the Trading Standards Service to implement the Charter in Aberdeen City, with initial focus on Union Steet retailers;
- 2.3 Instructs the Chief Officer Operations and Protective Services to report back to the Committee in 12 months on the effectiveness of the Charter.

3. CURRENT SITUATION

- 3.1 There is public concern around the ongoing issue of young people getting access to tobacco and NVP and becoming addicted to nicotine. Those

concerns have increased recently as the market for NVP has grown considerably over the past 18/24 months with the introduction of colourful, multi-flavoured vapes, with increasing concerns as to their impact on the long-term health of young people and that these innovations have made the devices child appealingⁱ.

- 3.2 In addition to complaints from the public, tobacco and vape retailers in the city have approached TS to report instances of their refusal to sell these products to young people who are then loitering outside the shop and asking passing adults to buy them on their behalf, a practice called “proxy purchasing”. Retailers have been made aware by TS of the legal age restrictions on tobacco and vapes and are keen to comply. However, this relatively new phenomenon makes it difficult for them to tell who the legitimate customers are from those proxy purchasing.
- 3.3 The Tobacco and Primary Medical Services (Scotland) Act 2010, as amended,ⁱⁱ introduced controls limiting the age of customers to whom businesses could sell tobacco and NVP to those aged 18 years or over. This Act also introduced a criminal offence for proxy purchasing whereby the adult buying the tobacco or NVP product on behalf of a person under the age of 18 could face criminal liability.
- 3.4 The enforcement duty for the 2010 Act was placed on Scottish local authorities. In Aberdeen City, this duty is discharged by the Trading Standards Service (TS). These new duties came with additional resources and Performance Indicators (PIs) set by the SG (Scottish Government), which are also reported to the CHPP Committee every quarter.
- 3.5 To deliver on this duty and meeting the PIs, officers visit 20% of all retailers selling cigarettes and/or vaping products each year and provide them with Business Advice on their legal responsibilities. Officers also covertly check compliance by carrying out test purchases at 10% of these retailers using 16-year-old volunteers. It is undoubtedly due to the success of this targeted advice and enforcement work that has seen a steady decline in the number of test purchase failures where the retailer sold tobacco or a vape to a 16-year-old volunteer. However, since the introduction of disposable vapes onto the market in 2021 and the drop in enforcement work during the Covid pandemic, the failure rates have increased to 1 in 5 test purchase attempts.
- 3.6 These findings have led to an increase in the number and intensity of Business Advice visits carried out by TS staff to retailers, with particular attention paid to areas of the city where test purchasing, complaints, and intelligence indicate there is an issue. This engagement has informed the development of this Charter.
- 3.7 Enforcement of proxy purchasing offences presents a specific difficulty for officers because necessary elements of the offence are very difficult to evidence. Ordinarily, this involves a young person approaching an adult and asking them to buy tobacco or a vape on their behalf. For example, in one recent report, the young person gave an adult £10 cash and the adult entered the shop and bought the vape. The adult left the shop handing over the

product to the young person but kept the change for themselves. Officers are required to prove each element of this transaction to prove the adult involved has committed an offence. Without extensive covert surveillance this would be virtually impossible. Indeed, there has only been one enforcement action for a proxy purchase in the whole of Scotland in the last 13 years.

3.8 This new Charter has been conceived by officers from TS with the intention of providing retailers with the tools they need to deal with proxy purchasing as well as young people attempting to buy these products themselves. Where a retailer agrees to participate, they agree to abide by the Five Principles of the Charter set out in Appendix 1.

3.9 The first of these five principles is that participating retailers voluntarily agree to accept payment for tobacco and vapes by electronic means only. In each reported case, the young person has given an adult cash to buy the tobacco or vape for them. The presumption is that if a retailer will not accept a cash transaction for tobacco or a vape, the transaction will not take place because a young person will not be willing to hand over a bank card to an adult they do not know because they will have no control over how much that adult will spend in the shop.

3.10 The issue of proxy purchasing is an ongoing issue for every TS authority across Scotland, if not the UK as a whole. If it is a success in Aberdeen City the hope is that it can be rolled out across the country. This is why the Society of Chief Trading Standards Officers in Scotland (SCOTSS) has agreed to provide funding for project materials in the hope it has the anticipated positive outcomes preventing proxy purchasing.

3.11 Iain Fraser, Police Sergeant, Safer City Unit, Police Scotland, provided the following response to the consultation:

'North East Division recognises that there is a documented increase in concerns regarding the sale of Vapes to underage youths in the area and would welcome any positive action in relation to this matter. Whilst we understand that enforcement does not fall within Police Scotland remit, the proposal set out in this Charter is supported as a positive response to the concerns raised.'

3.12 Chris Littlejohn Consultant in Public Health, NHS Grampian also replied to the consultation.

'Thanks again for the opportunity to see and comment on this proposal. My public health colleagues and myself are very supportive of the proposal. It appears well thought through given the challenges of enforcement that the document outlines.'

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications for the Trading Standards Service.

4.2 The project has secured funding from SCOTSS to cover the cost of resources required by retailers to take part in the Charter.

5. LEGAL IMPLICATIONS

5.1 In devising and promoting this Charter, Aberdeen City Council could face challenge from consumers who wish to be able to pay for such goods in cash. However businesses are entitled to set their own terms of business and what they will and will not accept in terms of payment. ⁱⁱⁱ It should be noted also that business participation would be entirely voluntary and that the 'no cash payments' approach under the Charter would apply to all customers and would be limited to tobacco and vaping products only.

6. ENVIRONMENTAL IMPLICATIONS

6.1 If there is a reduction in the purchase and use of vapes, this will reduce demand and, therefore, the number consumed and requiring disposal.

6.2 Also, the issues associated with vapes containing lithium-ion batteries and their unstable, flammable, nature when those batteries are damaged are well known, so a reduction in consumption would be welcome.

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 | No significant risks identified | | | Yes |
| Compliance | Risk of challenge from consumers who wish to be able to pay for such goods in cash. | Charter takes a proportionate approach. | M | Yes |
| Operational | No significant risks identified | Officers can deliver this Charter as part of the ongoing | | Yes |

| | | | | |
|------------------------------|---|--|---|------------|
| | | Scottish Government programme | | |
| Financial | No significant risks identified | External funding for materials has been obtained. | | Yes |
| Reputational | The statutory duty to enforce the proxy purchase prohibitions in sections 6 and 6A of the 2010 Act lies with ACC. Failure to meet this duty or consider alternative strategies for doing so is a reputational risk. | Primary enforcement methods are time and resource intensive with no guarantee of success. They may also require the participation of Police Scotland. This Charter demonstrates we are looking at alternative methods to deliver a solution. If this Charter produces the outcomes intended, it will prevent proxy purchasing taking place. Further, there is a positive reputational outcome for ACC being seen as the source of an effective strategy, which could be implemented by other Scottish local authorities. | L | Yes |
| Environment / Climate | No significant risks identified | | | Yes |

8. OUTCOMES

Participation in the Charter should lead to the following positive outcomes;

- Increase engagement with retailers highlighting the issues around proxy purchasing, and age restricted products in general, leading to increased compliance with the 2010 Act;
- A reduction in complaints about Proxy Purchases;
- Decrease the number of test purchase failures of tobacco and vapes;

COUNCIL DELIVERY PLAN 2023-2024

| | Impact of Report |
|---|---|
| <u>Aberdeen City Local Outcome Improvement Plan 2016-26</u> | |
| Prosperous Economy Stretch Outcomes | <p>The overarching purpose here is to encourage businesses to open and establish themselves in the city: <i>'Aberdeen Prospers is committed to improvement activity around providing the correct support for those wishing to start or expand their own business.'</i></p> <p>Retail businesses are predominantly small and medium sized enterprises (SMEs) who require practical advice on how to comply with their legal obligations and avoid breaching the criminal law. This proposed Charter seeks to provide detailed compliance advice in respect of tobacco and vaping products and increase business confidence in this area of law. It also seeks to improve links between ACC and the business community, so ACC is seen as an adviser and a partner rather than an enforcer.</p> |
| Prosperous People (Adults) Stretch Outcomes | <p>The intention of this proposal is to impact upon stretch outcome 11. <i>Healthy life expectancy (time lived in good health) is five years longer by 2026, encourage the adoption of healthier lifestyles, and Reduce tobacco smoking by 5% overall by 2023.</i> This proposal is directed at limiting the availability of tobacco and vaping products to those too young to buy and consume them. The obvious extension from that is the prevention of nicotine addiction moving into adulthood.</p> |
| Prosperous People (Children and Young People) | <p><i>'Our stretch outcomes reflect the importance of supporting equity of access to education, supporting families to provide the best care they can for their children and the need to invest in the health, including mental health, of our children and young people. Critically we want our children to be safe and protected from harm.'</i></p> <p>As well as assisting businesses, this proposal protects our young people by stopping them from accessing tobacco and vaping products. Preventing them from the harm of addiction to tobacco and nicotine and the potential detrimental long-term impacts that can have on their health.</p> |
| Regional and City Strategies | <p>The proposals in this report have no impact on Regional or City Strategies.</p> |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|-----------------------------------|--|
| Integrated Impact Assessment | Stage 1 IIA completed. Full impact assessment not required |
| Data Protection Impact Assessment | Not required |
| Other | N/A |

10. BACKGROUND PAPERS

- 10.1 [*Open Letter to the First Minister calling for immediate measures to protect Scotland's children from harms caused by use of e-cigarettes*](#), June 2023.
- 10.2 UK Government Response to a Petition entitled 'Make it unlawful for shops to refuse cash payments' <https://petition.parliament.uk/petitions/605030> 25 April 2022

11. APPENDICES

Appendix 1: The Five Principles of the Retailers' Charter

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|--|
| Name | Graeme Paton |
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| Tel | 01224 053307 |

ⁱ <https://www.ashscotland.org.uk/news-and-events/news/2023/06/scottish-paediatricians-join-call-for-a-ban-on-disposable-vapes/>

ⁱⁱ <https://www.legislation.gov.uk/asp/2010/3/contents>

ⁱⁱⁱ <https://petition.parliament.uk/petitions/605030>

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The Aberdeen Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products

Responsible Retailer Charter – Project Proposal; August 2023

Background

Aberdeen City Council Trading Standards Service is charged with the responsibility for enforcing the Tobacco and Primary Medical Services (Scotland) Act 2010. This legislation introduced controls that limited the age at which consumers can be sold tobacco and Nicotine Vaping Products (NVP) to those over 18.

The trading standards visit 20% of all retailers selling cigarettes and/or vaping products each year and provide them with advice and information regarding the sale of these products. They also check for compliance with the law at 10% of all retailers of these products using 16-year-old volunteers to attempt to make a test purchase. Until recently we were seeing a steady decline of the number of occasions retailers in Aberdeen were willing to sell to our volunteers. Since the introduction of disposable vapes onto the market in 2021, the failure rates have increased. We now are seeing more than 1 in 5 retailers in the city are willing to make a sale during our test purchasing operations and break the law.

Through this business engagement and investigatory work, the emerging threat of “proxy purchasing” has been identified. Despite this legislation, young people in Aberdeen and throughout the UK who are under the age of 18 are obtaining and using cigarettes and NVPs, predominantly disposable vapes, through this process.

A proxy purchase is where an adult buys an age restricted product on behalf of a young person who would not legally be able to purchase it themselves. Some will wait around outside shops and ask passing adults to go into the shop and buy the products for them.

Purpose of this Project

Enforcement of proxy purchases is very difficult. There has only been one enforcement action in the whole of Scotland in the last 13 years. The money transaction for the tobacco or vapes between the adult and the under 18-year-old must be witnessed. The transaction in the shop must be proved.

This new initiative, the introduction of a Retailers' Charter, will provide retailers with the tools they need to comply with laws regarding age restricted products. The project will try to tackle the increasing problem of proxy purchases in the city using an innovative approach. Most proxy purchasing transactions are cash. This project seeks to address this problem by restricting purchases of tobacco and vaping products to card sales only.

Observations from Intelligence & Complaints

Currently there are problems with proxy purchases of disposable vapes on Union Street where some adults are willing to purchase disposable vapes for young people. The trading standards are receiving regular reports of this.

The popularity of disposable vapes has also led to many retailers now stocking them who are not the traditional outlets for tobacco, cigarettes, and vaping products. Officers now discover disposable vapes being sold in mobile phone repair shops and hairdressers.

Reasoning

Retailers, who sign up to the Retailers' Charter will pledge to abide by the Charter's five principles (Appendix 1) and they will be given a Charter toolkit to help them. The toolkit will provide advice and



The Aberdeen Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products

promotional material. The retailer can display the supplied stickers and notices. These will explain to customers that the store has implemented the new policy and will help dissipate any dispute.

As proxy purchases are almost always conducted using cash; the first condition of the Charter is that for purchases of cigarettes, tobacco and nicotine vapour products including disposable vapes, the retailer will only accept card payments. The aim is to be a deterrent to those who are currently disregarding the law.

Voluntarily agreeing to refuse cash transactions on the part of a participating retailer will assist in addressing this issue because an under-age person will be less willing to hand over a bank card or telephone to someone they do not know instead of a £10 note.

The remaining conditions on the Charter relate to steps the retailer will follow to avoid direct sales to those under 18. It includes measures to ensure that all staff are fully trained.

Outcomes

For as long as single-use, colourful, sweet-flavoured vapes are permitted to be sold, they will continue to appeal to those too young to buy them legally. It is hoped this Charter will -

- Lead to a reduction in complaints about Proxy Purchases.
- Decrease the number of under 18s using single use vapes.
- Increase engagement with the business community leading to increased compliance.
- Decrease the number of test purchase failures of vaping products.

Funding

The project has funding from SCOTSS - the Society of Chief Trading Standards Officers in Scotland provided through grants from the Scottish Government. The grant is up to a value of £1500.

If the project is initially successful on Union Street and throughout the rest of the City, it is hoped it could be rolled out to all the Local Authorities in Scotland.

Estimate of required resources

| | |
|---|-----------|
| Charter Toolkit Pack Wrapper | £150 |
| Retailer Information Guide | £300 |
| Charter Principles | £50 |
| Certificates | £50 |
| Door Stickers | £100 |
| Till and Counter stickers – Customer View | £100 |
| Till and Counter stickers – Staff View | £100 |
| Proxy Sales Posters | £100 |
| Think 25 posters | £100 |
| Refusal Recording Books | £300 |
| Publicity Materials | £150 |
| Total | £1500 Max |

Branding

The project will have the name – The Aberdeen Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products.

The project will have its own logo which will appear on all Charter documents alongside the Aberdeen City Council Logo. We will also seek permission to use the Police Scotland logo on our documents.



The Aberdeen Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products

Delivering the Project

We have asked for help from the Council's external communications team regarding all the graphic design and publicity relating to the project. The Charter could be launched by the end of September 2023.



The Aberdeen Retailers' Charter for the Responsible Sale of Tobacco and Vaping Products

Appendix 1 - Charter Principles

1. The retailer will only accept card payments for purchases of cigarettes, tobacco and nicotine vapour products including disposable vapes.
2. The retailer will operate an Age Verification Policy (AVP) that ensures that any customer seeking to buy cigarettes or nicotine vapour products, who appears to be under the age of 25, will be asked to provide proof of their age. The retailer and staff will only accept photographic proof of age cards with a 'PASS' hologram, a passport, or a driving licence.
3. The retailer will train all staff regarding their AVP before they are permitted to serve customers with any age restricted products. Regular reminders will be given to staff. The retailer will maintain records of all staff training and produce these to trading standards staff on request. The retailer will display appropriate customer and staff information and use the Charter Kit materials to reinforce the messages in their AVP.
4. The retailer and staff will maintain a refusal recording system and they will monitor the entries to ensure all staff are adhering to the AVP. They will act, where it may be necessary to re-train individual members of staff.
5. The retailer acknowledges that checks may be made by trading standards officers. They will use underage volunteers to attempt to purchase age restricted products. Membership of the Charter could be cancelled if non-compliances are found.

ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Remembering Together Public Art Work |
| REPORT NUMBER | RES/23/265 |
| 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 a background to the national Remembering Together initiative being managed by Station House Media Unit on behalf of Culture Aberdeen and Aberdeen City Council. The report also provides details on the proposed new public artwork and recommends a preferred location to site this artwork.

2. RECOMMENDATIONS

That the Committee:

- 2.1 Approves the preferred location for the Remembering Together Public Artwork as Bon Accord Gardens; and
- 2.2 Notes that the full costs of designing, fabricating, and installing the statue will be met by the Remembering Together project being managed by Greenspace Scotland on behalf of the Scottish Government, and at no cost to the council.

3. CURRENT SITUATION

- 3.1 Scotland's Covid Community Memorial Programme, Remembering Together, is being delivered by Greenspace Scotland at the request of the Scottish Government, as announced by the First Minister in March 2021. The programme involves commissioned artists working with partners, communities, faith groups and those most affected by Covid in all 32 local authority areas to co-create Covid memorial projects.
- 3.2 Every project is being carried out in 2 phases. Phase 1 supported artists/creative practitioners, with a budget of £20k (commission and delivery/access costs), to co-create with communities to shape ideas that reflect local people's experiences of the pandemic. For Aberdeen's Remembering Together project, they commissioned an artistic cooperative Roos Marie Dijkhuizen, Maja Zeco, and Caitlyn Main, all locally based and very experienced in this type of co-design creative consultation. The project steering group that

oversaw the process was made up of representatives from Third Sector organisations, ACVO, Culture Aberdeen and Aberdeen City Council.

- 3.3 The report of phase 1 process and recommendations is contained at Appendix A.
- 3.4 The main recommendations for the Public Art commission, from consultation include:
- Placed in an outdoor and green space.
 - Accessible (this was important to people of all generations).
 - A space where people can gather and be together because public benches are often far away from each other.
 - The space ideally will allow interaction and enable people to leave a trace, or mark, that contributes to the space over time, such as flower beds.
 - Circular, oval shape feature or seating. A circle was mentioned a lot in relation to support, gathering, continuity, grief, life, etc.
 - Motivation for people to engage.
 - Nourish creativity ('creativity saved the day').
 - Giving space for healing.
 - Site – Bon Accord Gardens – good proximity to the city centre, but still has opportunities for quiet reflection and encourage local community involvement.
- 3.5 For phase 2, funding of circa £100k will be available to each local authority area to realise these projects. Greenspace Scotland will continue to support the programme through delivery, learning, connecting, reflecting, and ensuring legacy for all involved.
- 3.6 The funding for phase 2 has been secured and is being managed by Station House Media Unit (as in phase 1).
- 3.7 The proposed 2nd phase commission document has been seen and advised upon by the newly formed Aberdeen City Council Public Art panel. (Appendix B)
- 3.8 A meeting has been held with Ferryhill Community Centre in preparation of holding a public meeting there once permission has been given to promote Bon Accord Gardens as our preferred site. The location is supported by ACC's Environmental Services.
- 3.9 Meetings have been held with Mental Health Aberdeen regarding their involvement in the longer-term promotion and development of the gardens as a centre for wellbeing, through a new charitable group.
- 3.10 The commissioning process for phase 2 will be undertaken in 2 parts. The first part, once we have permission to promote our preferred site at Bon Accord Gardens, will be an open call for proposals. From these proposals three artists will be shortlisted and requested to deliver a more in-depth proposal including visuals and modelling. From the result of this process, we will be able to make a detailed application to the planning department (Appendix C).

- 3.11 The North East Culture Collective team will undertake the managing of the project. The commissioned artist will take responsibility for the designing, permissions, fabricating, and installing of the public art piece. Once completed the project team will transfer the statue and ownership to Aberdeen City Council.
- 3.12 Once in position the art piece will require very little maintenance. The piece will be very durable and will require no more than a yearly clean. Any landscaping involved will be supported by ACC's Environmental Services.
- 3.11 If approved, the timeline for the unveiling of the new public art piece will be at a public ceremony in the summer of 2024.

4. FINANCIAL IMPLICATIONS

- 4.1 The estimated total project cost is £100,000.
- 4.2 The full cost of managing, designing, fabricating, and installing the public artwork will be met through the grant received from the remembering together project.
- 4.3 Though on-going maintenance costs are minimal, an agreed amount of the budget will be set aside to cover additional expenses in the initial stages for the existing parks team. Otherwise, the regular maintenance will be covered within existing ACC's Environmental Services budgets.

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 identified. | NA | L | Yes |
| Compliance | No significant risks identified. | Alternative sites identified | L | Yes |
| Operational | No significant risks identified. | NA | L | Yes |
| Financial | No significant risks identified. | NA | L | Yes |
| Reputational | No significant risks identified. | NA | L | Yes |
| Environment / Climate | No significant risks identified. | NA | L | Yes |

8. OUTCOMES

| | |
|---|--|
| <u>COUNCIL DELIVERY PLAN</u> | |
| | Impact of Report |
| Aberdeen City Council Policy Statement | Supports the delivery of Aberdeen City Council Policy through the Council's commissioning intentions, aligned to the LOIP key drivers, and stretch outcomes. |
| Aberdeen City Local Outcome Improvement Plan | |
| Prosperous Economy Stretch Outcomes | The Remembering Together Artwork will contribute to the city as a visitor destination linked to heritage tourism, specifically supporting the following areas of the Local Outcome Improvement Plan 2016-26, "We will seek to develop a City of Learning approach that empowers people and communities to put lifelong learning at the heart of their civic and cultural identities." |

| | |
|-------------------------------------|---|
| | Key Driver 1.1 “Diversification of the economy into other growth sectors including wider energy related sectors; tourism; food and drink; life sciences; health and social care and construction.” |
| 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 | Remembering Together Artwork supports the delivery of stretch outcome - 13. Addressing climate change by reducing Aberdeen's carbon emissions by at least 61% by 2026 and adapting to the impacts of our changing climate. 15. Addressing the nature crisis by protecting/managing 26% of Aberdeen's area for nature by 2026. |
| Regional and City Strategies | Contributes to the targets and objectives in a range of regional and city strategies including Regional and Local Transport Strategies, Strategic and Local Development Plans, Local Outcome Improvement Plan, Aberdeen Adapts, Local Housing Strategy and Net Zero Route map for the city. |

9. IMPACT ASSESSMENTS

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

10. BACKGROUND PAPERS

NA

11. APPENDICES

11.1 Appendix A - Report from phase 1 of the remembering together Aberdeen process.

11.2 Appendix B – Public Art Panel Aberdeen Recommendations

11.3 Appendix C – Artists Callout.

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|--|
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Appendix A

Remembering Together: Co-creating Covid Community Memorials

Final Report for Aberdeen City Artists: Maja Zeco, Caitlyn Main, Roos Dijkhuizen

Lead Partner: Stewart Aitken, North East Culture Collective and Station House Media Unit

Summary of Partners

Station House Media Unit: our lead partner organisation for the project and a leading example of Community Media Development in Scotland. They work to support people across seven of Aberdeen's regeneration areas and they have an active programme for youth in radio and media which we connected to. .

Duthie Park: a central park and recreation ground with glasshouses, cafe, playing fields and a summer programme. We approached the caretaker as we saw the park is organising public engagements throughout the year.

MELA Festival: Celebrating cultural diversity across the North East of Scotland. Through MELA we wanted to reach a diversity of people who live in Aberdeen city.

NESCAN: who we met at Duthie Park and MELA - a regional community climate action support hub, involved with Aberdeen Climate Action and who supports many local grassroots initiatives in the city.

Newton Dee: a Camphill community of villagers with special needs and care workers living in a mutually supportive environment. We wanted to work with carers and this organisation has a dynamic creative approach to personal development and community living.

Citymoves: An organisation supporting positive impacts through dance in the North East and member of our project steering committee. They were very enthusiastic about our approaches to creative activity, and this formed a fast connection.

Grampian Hospital Arts Trust/GHAT: a charity that exists to enhance the wellbeing of all who spend time in the NHS (Grampian) or associated Health and Social Care facilities. Linked to carer roles, we felt it was important to include perspectives of front-line workers (nurses) as well as hear from people who use healthcare services, which led us to visit Art Room at Bonnymuir Green.

Summary of Activity and Reach

18 - 20 Sessions delivered (brief overview and numbers attended)

Duthie Park - Environment Event July 31st. Maja and Roos attended an outdoor family event organised by Duthie Park rangers. Stalls were invested in a spectrum of horticulture, educational and vocational.

connections to nature and growing. We provided handouts of creative writing prompts and seed ball making.

Session: met with around 40 people, a mix of adults and children. Attending the event introduced us to NESCAN who are keen to share the project within their networks and support it by providing spaces in the city to meet with groups.

Aberdeen MELA Westburn Park Sunday 21st August. Caitlyn, Maja and Roos attended the MELA multicultural festival in Aberdeen and set up a stall with the aim of meeting many of Aberdeen's residents. We made a handout inviting feedback, sketches, notes etc on what the memorial could be, and had other arts activities like drawing and collage.

Session: approximately 60 people at the festival spoken to, 14 memorial forms completed and 10 'deeper' connections (for example, email addresses taken, participants expressed an interest in being involved further with the project like being interviewed, groups like the Green Party agreeing to share information about Remembering Together with their followers).

SHMU Youth Media Groups

Sessions: Wednesday 17th August 10am-1pm. One young person and two adults who work at SHMU
Saturday 20th August 10am-1pm 9 young people and 2 adults who work at SHMU.
Saturday 8th of October 10am-1 pm 9 young people and 2 adult who work at SHMU.

Our work with SHMU is very invested in giving the young people autonomy to record their own interviews and interests. We had a really valuable discussion around consent forms. Ideas for memorial were about creating a more interesting/relaxing outdoor play area, something accessible to all with good cycle paths and hammocks. Quote from badge making about covid experience *'a mix of colours and patterns equals a mix of feelings.'*

The last session was extremely valuable as young people worked on visualising the memorial. We recorded them speaking about their ideas.

Creative practitioners Session Friday 26th August 10.30am -3.30pm

Five participants were facilitated by Roos and Caitlyn. Majority of these practitioners are also connected to the project's partners. Incredibly generative, extremely generous contributions. Three artistic activities were planned, but participants were extremely engaged and attentive so less activities were done on the day, lots of time spent discussing loss, support, and grief.

Newton Dee - Sessions with house coordinators.

The sessions are held on site in the art room with support workers / carers who live in the community alongside additional needs residents.

Sessions:

Monday 8th August, 3.30pm-5pm. Six participants (coworkers), Yvette and Caitlyn facilitating.

Monday 22nd August, 3.30-5pm. Two participants (coworkers), Yvette and Caitlyn facilitating.

Monday 29 August, 3.30-5pm. Five participants (coworkers), Yvette and Caitlyn facilitating

Monday 5th Sept, 3.30-5pm. Four participants (coworkers), Yvette and Caitlyn facilitating

Monday 12th, 3.30- 5pm. Two participants (coworkers), Yvette and Caitlyn facilitating.

Session with Villagers. Thursday 8th of September 9.30am-12pm, Yvette and Caitlyn facilitating. Two coworkers, six villagers

The sessions held with coworkers were varied - Caitlyn and Yvette provided a range of materials, such as clay, paper, paints, pens, pencils and collage materials, which were used whilst conversations occurred. Discussions were held around support, care, community, and the pandemic. The coworkers all were from creative backgrounds and had extensive knowledge in co-creation. The session held with Newton Dee villagers happened within their creative workshop, and participants chatted whilst producing expressive paper based work.

Further connections

CityMoves: Connection made with citymoves - Caitlyn attended four classes, spoke and recorded conversations with participants of 'Silver' group. Caitlyn spoke and wrote down conversations with support workers who were supporting participants at another group. Many attendants were from outside of Aberdeen / people weren't comfortable participating in the project. Reflections / conversations from the 'Silver' group were fairly rudimentary. Most participants had positive experiences of covid - spoke about being retired, spending time relaxing in the garden or drinking wine with friends on zoom etc.

Instant Neighbour (food bank) Connection made with the charity, Caitlyn attended as a volunteer to speak to other volunteers in the food bank. Keen to interview / speak with Evan (Community Connector) further; Maja and Roos met with Evan on zoom and shared his experience working at IN and the challenges of people who use it. Issue addressed - feeling uncomfortable about the ethics of interviewing/recording conversation with volunteers at the food bank potentially - vulnerable group of people.

ARI Nurses Roos reached out to 2 nursing staff connections at the Aberdeen Royal Infirmary. We kept in touch through WhatsApp and met up for coffee at Duthie Park. One contact gathered a group of five interested colleagues together during her shifts. Unfortunately, we missed our opportunity to meet as a bigger group. Most of these nurses are working in the Infectious Diseases Unit (Ward 111) currently and during the pandemic, which has resulted in a very tight bond between them. Bound together by 'Trust, duty and love'. Experiences shared were extremely personal, difficult, and insightful. It was said on a few occasions how talking it all through was very needed.

We think it is important to consider how and when to record and archive accounts and stories by nurses for pandemic and oral history.

ArtRoom at Bonnymuir (Grampian Hospital Arts Trust)

A weekly art studio in the setting of a community garden and cafe, organised by Healthy Minds and GHAT. Art Room was extended to Bonnymuir Green amid the pandemic as it wasn't possible to access the hospital as usual and online sessions became isolating. Since then, they have continued sessions here. Roos spent time with around 5 members. Conversations about pandemic experience felt unfair to bring up at times, as this is people's moment to be creative for their own needs and liberties, very beautiful drawing and colour use. A member shared a bounty of memorial/sculpture ideas for Aberdeen. Overall, their project and garden setting felt inspiring examples for co-creation and memorial intentions.

Elphinstone Institute

A valuable connection has been made with the Elphinstone Institute, a centre for the study of Ethnology, Folklore, and Ethnomusicology at the University of Aberdeen. The archive at Aberdeen University has its own collection of interviews that record the public's experience of the pandemic.

Posters

Posters with a link to an online notepad were used as a way to reach anyone interested who would like to contribute further. Locations; Grey Hope Bay, Station House Media Unit, social media.

Notes from sessions

- Interesting conversations with Newton Dee house coordinators about co-creation in first session. They had lots of questions about the project at our first meeting and expressed their desire to challenge themselves creatively.
- Second session with Newton Dee - 'improvisation is a key skill in care' / 'support is a creative act' / 'people think community is this thing, everything is great, and everyone is helping each other and getting on really well, but isn't that at all? It's being in proximity, crossing paths, all the stickiness, the complexity, it takes lots of different types of people to make the world go round' / 'creativity saved the day'.
- *'I've been thinking how time has been made so strange with Covid – everyone kept saying they wanted to 'move on' or move past covid. But what about the people who couldn't? Who didn't make it? Who wanted to have time to stand still, just to have a bit longer together?'* - quote from conversation with member at Citymoves.
- At the MELA there were many conversations about greenspaces around Aberdeen, and in the city centre - in particular above St Nicholas was mentioned. Conversations around accessibility, benches, places for young people to go. People talked about having wifi, somewhere to visit, a place to sit. 'Put beauty and history before greed' / 'a space we can visit that's free and green' / 'something interactive' / 'a place to visit in town (on union street) that isn't a cafe or shop' / 'a new arts centre in an unused building' / 'a new place to swim' / 'a fountain with names of those

who have passed away engraved' / 'a light on top of every building down Union Street' / ' a space we can come together at, with programmed activities to do with various ages and interests' / 'renovate the victorian tea room and reopen it as an event space'

- A couple quotes from Mela reflecting on pandemic "covid broke barriers between people and communication and made us ask our neighbours - do you need help?" "A reflection on what else we have lost : time, opportunities, education, mental health support" - "a celebration of togetherness and connection."
- People are disappointed and frustrated with current city planning and want to feel more like public spaces are for them and they can interact with them.
- Creative Practitioner session; lots of references to water - *a place where lost things go, tides coming in and washing away, sitting in a collective pool of water, currents, minerals and resilience forming layers, swimming into the deep end* and circles - cycles, rings, pearls, sitting in a circle. (Ideas of a wishing well, mineral water feature, salt layers building up on rock)
- Young people at Shmu and their experience of pandemic - missing milestones and celebrations, stressed about missing school, sense of feeling behind with learning, technical difficulty online learning, parents becoming their teachers, loneliness and self isolation.
- Shmu Youth Group; discussion about there not being places for young people to go and feel comfortable in the city raising concerns about ageist / anti-social architectures i.e. high pitched sirens in public spaces only teenagers can hear.
- Duthie Park Environment Day; Conversations were mainly light and about seed ball making and gardens. There were some useful surprising encounters such as speaking with someone who lost their Dad to the vaccine and is against vaccines, believes covid was set up by the government.
- Creative Practitioner session: discussion about memorial sustainability - whatever gets made or organised to be looked after and considering its longevity. If it was something within a park setting, would it be maintained? Discussing how community gardens become spaces people want to look after; there's a cycle to the care as the garden gives you something in return.
- Ongoing conversations with nurse staff about working through the pandemic. 'Covid restrictions go against human nature at the time of losing someone..' 'We needed to get through' 'We were last to speak with people' 'It did feel like war' 'We held together, we were strong, we were a tribe' 'Sheer tragedy and loss are too much to comprehend' 'We should have been better prepared' 'I have to dig deep to remember specifics of the last 2 years because I fear the trauma of it all has made me forget.'

Sharing Event at Aberdeen Art Centre 30th November

We invited participants and partners to come together for an evening where we presented the project's findings (through a loop of images, presentation and video collage) and discussed together (nurses, park ranger, council coordinators, academics, artists, art organisations) how to take the research forward for the next phase.

Summary of the first phase

Throughout the project, we documented interactions with people carefully through audio and video recordings, photographs, and drawings. We also continuously took notes of what was being said. Some of these materials are available in the Appendix.

We also created an audio-video collage that brought some materials together creatively to reveal the depth, joy and playfulness that was unleashed by creative engagement with numerous people across the city.

By reflecting on collected materials at the interim stage of the project, we recognised three broad areas of concern emerging from the conversations. These are concerns and ideas about the memorial, co-creation, and community. The interaction of these areas makes this project challenging and deeply meaningful.



Further analysis and reflection revealed the overlapping of themes and ideas that we brought together in the sections on what, how, location, the specific ideas of individuals, and notes on care and support. These sections will be discussed next.

Considerations on support

All the groups and numerous individuals that we have been in contact with touched on notions of care, community and support. Most explicitly, the group of nurses, villagers and co-workers of Newton Dee discussed the support structures. One of the health workers we spoke with highlighted support as intelligence ‘understand that I understand, approach someone with intelligence to receive intelligence’.

There is a need to recognise that community and support are not easy and simple and that society needs to recognise the value of informal and formal support structures. For instance, saying thanks, ‘you are doing well’ by helping, and taking time to understand the job’s experiences would be supportive. There are always bumps on the road, and support is never simple, although it has to be strong (the visualisation of hexagonal shapes and jagged points is in the appendix). Support as a ‘human gesture’ is messy, ‘it isn’t clean, because it is hands-on, hands-on heart’.

We found this quote particularly poignant:

‘people think community is this thing, everything is great and everyone is helping each other and getting on really well, but isn't that at all? It's being in proximity, crossing paths, all the stickiness, the complexity, it takes lots of different types of people to make the world go round’.

Participant of the workshop at Newton Dee

Further, it would be helpful to recognise support structures as a network consisting of organisations, families, volunteers, and national bodies:

I think it's really important, the systems that support, rather than placing pressure on the individual – we should change the question. It shouldn't be ‘WHO supports those who support’ but ‘WHAT supports’.

Participant of the workshop at Newton Dee

While this section of our report can seem abstract, we ask our readers and future partners to recognise and value support structures they are directly part of. Moreover, any future work on the memorial has to consider the above notions, remember that working with people is not simple and easy, and take time to reflect and consider their actions in the context of a wider community.

What

Distilled ideas for memorial

- Outdoor space
- Green space
- Accessible (this was important to people of all generations)
- The space where people can gather and be together because public benches are often far away from each other
- places for young people to go and feel comfortable
- The space needs to allow interaction, and people to leave a trace or a mark to contribute it over time (mosaic, community flower bed, wishing well)
- circular, oval shape feature or a seating. A circle is mentioned a lot in relation to support, gathering, continuity, grief, life, etc.
- Include elements of water (due to it's symbolism), minerals (in relation to longevity)

How

- Consider longevity, sustainability and maintenance (if possible with communities)
- Motivation for people to engage ('community gardens become spaces people want to look after')
- Nourish creativity ('creativity saved the day')
- Keep awareness of support structures and co-creation

Location

Central Aberdeen

- Giving space for healing (its presence shouldn't be too direct so you can choose to spend time with it or not)

Currently, there are ongoing consultations regarding the location:

- Bon Accord Terrace Gardens is appealing due to its proximity to Union Street, while due to low footfall could offer a place for contemplation and healing. However, this park might have limited accessibility and parking.
- Westburn Park is interesting for its central location and availability of parking. It is accessible and within walking distance of the hospital, which resonates with the project's theme.

Specific ideas of individuals

- places to cycle
- renovate the Victorian tea room and reopen it as an event space
- 'a space we can come together at, with programmed activities to do with various ages and interests'
- 'a light on top of every building down Union Street
- 'a fountain with names of those who have passed away engraved'
- 'benches with names of those who have passed away engraved'
- 'a new place to swim'
- 'a new arts centre in an unused building'
- 'a place to visit in town (on union street) that isn't a cafe or shop'
- ideas of a wishing well, mineral water feature, salt layers building up on rock
- Wooden hands (Ian held out his hands pinky to pinky palms facing up) 'for example this could be hands catching something or opening up to reveal something'.
- creating 'active sculptures' using the sea as a channel. Sound of rocks being taken by the tide can be soothing, to connect to ourselves.
- Buskers Festival
- spontaneous offerings to a tree
- creating rainbows with light and water. Around it you would have meeting places.
- Benches both socially distanced and close together
- Subtle, not everyone wants to remember but it can still be a nice place for everyone
- People can come and see each other and care for each other and care for the trees - there is space for planting trees
- No concrete or the only concrete is pavement

Who delivers Phase 2?

Although we have varied expertise, designing public green spaces is somewhat out-with our experience. We can continue supporting community consultations throughout phase two or ensure a smooth transition between phases 1 and 2.

For future consultancy or advisory roles, primary contact would be Roos Dijkhuizen. Maja will be available for any additional support, while Caitlyn Main could offer some of her time to engage with particularly vulnerable groups and individuals that she developed relationships with during phase 1 as required.

Considering the inputs from participants and the factors for a future memorial (allowing interaction, site specifics) we think a suited practitioner for the project would be someone in landscape architecture or an artist who also works with functional structures outdoors.

Continuing consultations

The groups that were most keen to continue their engagement with the project were the group of creative practitioners and youth group at Shmu. At the present stage it is difficult to envisage when the consultations will be needed during phase 2. However we would suggest that phase 2 creative practitioners respect the time and energy of group participants.

Some other groups we engaged with (Newton Dee, Art Room) have vulnerable participants and any further consultations should proceed with care.

Your Ref: EW/PAPA/2023

Our Ref:

Contact: Elspeth Winram

Email:

ewinram@aberdeencity.gov.uk

Wednesday 24 May 2023

Stewart Aiken

SHMU on behalf of Culture Aberdeen
Station House
Woodside, Aberdeen Scotland
AB24 2WB

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Dear Stewart Aiken

Public Art Application: Remembering Together

Thank you for presenting the proposal giving the background to the Remembering Together project Phase 1, 15 K and an introduction to Phase 2 of the project 100K which is funded by the Scottish Government via Greenspace Scotland. All 32 local Authorities were offered this opportunity and it is a Scotland wide project.

The Panel felt the Phase 1 report demonstrated excellent public consultation and found the recommendations from the report comprehensive and that the location of Bon Accord Gardens fitted the description and brief for the development of the next part of the project.

The Panel discussed the previously arranged site visit that had happened between your project, Environmental Services and Mental Health Aberdeen in which they had discussed the long-term development of Bon Accord Gardens having a theme of Mental Health and Wellbeing. This development would link very well with the Phase 2 proposal as Covid affected different groups mental health and the use of green outdoor space became a focus of that time. As mentioned in the meeting these partnerships can lead to drawing in additional funding such as core paths to improve the walkways within the gardens. The location is accessible by car with car parking on Willowbank Road and has public transport that stops near Langstane Place on Union Street so does require pedestrians to walk 3 minutes or 7 minutes from bus stops.

In the meeting the Panel highlighted that the proposal would require planning consent and that the location is in the centre of a conservation area and that a planning application for Phase 2 would need to be made which can take up to 2

months. This led to a discussion about the timeline for the proposal and the need for it to show flexibility.

They also discussed any accessibility from the road area or the car park to install the future public art proposal. During the site visit it was noted that there were two locations that are accessible for a lorry with a crane or a forklift to access. The Panel would highlight that known access would be from Willowbank Road, with the artwork being moved along the existing paths, and the costs for the install and access to site would need to be mentioned in the artist brief as it could lead to an additional cost.

Recommendations

The Panel felt that they could recommend the Remembering Together Phase 2 proposal to be located in Bon Accord Gardens as long as the Committee are in support and an application for planning consent is sought once the design is known.

The Panel asked for a copy of the phase 2 Artist Brief which they have received, reviewed and commented on. This is because they will be recommending the process of appointing an artist to design the proposal rather than the design itself and as mentioned decisions, a timeline and processes for this proposal will require careful managing.

The next step is for Environmental Services to lead a Committee Report to go to the Communities, Housing and Public Protection Committee. This report should include the information that the ownership of the artwork will transfer to ACC once installed and that a member of Environmental Services will sit on the Phase 2 interview Panel, to ensure that the design is one that is suitable for the site. There is a maintenance budget within the overall budget which is welcomed. It is difficult to ascertain at this point what the overall maintenance will be of the proposal going forward until the final design has been decided upon.

The Panel agreed with the applicant that continued community consultation will be important going into Phase 2 of the Remembering Together Project to ensure that the project is well received in the area, which will in turn support any planning application.

The applicant should seek pre application advice re the planning application as soon as the design and detailing of the project is known. A duty planning officer can be contacted on pi@aberdeencity.gov.uk or call 01224 523470 Mon-Fri 10-4pm to discuss general principles. Pre application advice provides a further level of detail which is tailored to the project.

Information on the pre-application advice service can be found on our website: <https://www.aberdeencity.gov.uk/services/planning-and-building/planning-applications/apply-planning-permission/pre-application-advice>

It was noted the site is located within the Bon Accord and Crown Street Conservation Area – an assessment will be made based on the impact the proposal has to the character and appearance of the conservation area. There is also a Category B listed 3 tiered garden terrace located within the garden, and listed buildings on Bon Accord Terrace and the Hardgate – the implication of the proposal on the setting of listed buildings will possibly be used in assessing the application. Further information on

the Bon Accord and Crown Street Conservation Area can be found within the Conservation Area Character Appraisal https://www.aberdeencity.gov.uk/sites/default/files/2013_Con_Appraisal_4_BonAccord.pdf. The impact on trees will also be assessed to ensure the proposal does not harm or result in loss of trees.

A Planning Application can be made once there is a decision on the preferred artist and design. This will require 2 months.

The Planning Authority will determine whether to consent the planning application. Planning have delegated powers and so the decision about planning consent may not have to go to committee.

Within this process, the Panel would highlight there is the risk that planning consent will not be given. If this were to be the case recommendations by planning could be followed or another site could be considered. This highlights the need to make sure that the selected artist design is suitable for the site.

Yours sincerely



Elspeth Winram
Cultural Planning Officer

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Appendix C

Remembering Together: Co-creating Covid Community Memorials

Collective acts of reflection, remembrance, hope and healing, with communities across Scotland

PHASE 2: BRIEF FOR CREATIVE PRACTITIONERS

[Culture Aberdeen](#) (led by Station House Media Unit - [SHMU](#)), in consultation with Aberdeen City Council, in partnership with [greenspace scotland](#), are seeking to commission an **artist(s)/creative practitioner(s), craftsperson(s), landscape architect(s), organisation or collective** to develop, create and install a design for the Aberdeen City Covid Memorial, which will reflect the ideas generated through community consultation and co-design activity during phase one of this project, as part of the national collective memorial project *Remembering Together*.

Throughout the rest of the document we will use the term **Creative Practitioner(s) to cover the range of people or groups that this commission is open to and referred to in the list **artist(s)/creative practitioner(s), craftsperson(s), landscape architect(s), organisation or collective** above.*

1. About the programme

Remembering Together is being delivered by greenspace scotland at the request of the Scottish Government. The programme has involved commissioned artists working with local partners and communities in all 32 local authority areas to co-create covid community memorials.

The project involves two phases:

In **phase one** (completed in January 2023), creative practitioners worked with local communities in Aberdeen to explore and shape ideas for a creative output that reflected local people's experiences of the pandemic. At the end of phase one the creative practitioners delivered a report, with a project record, evaluation and recommendations to inform phase two. The (Final Report 30th January) document is included in the commissioning call out documents.

For **phase two**, additional funding has been made available, in each local authority area, to realise the final memorial. The final commissioned creative output and "memorial" will be informed by the phase one creative practitioners' co-creation and collaboration activity with community groups and individuals outlined in their final report.

A maximum budget of £70,000.00 is available for the commission including creative practitioner fees at SAU rates, any external fees such as engineering drawings, materials, plus the installation which includes the preparation of site, transportation any additional freelance staff required and VAT.

The phase two creative practitioner will be appointed by **(month) 2023** and will have approximately 10 months to complete phase two of the project once a contract is signed. The project will continue to take an inclusive, learning and sustainable approach and be founded on the following four values: **relevant, welcoming, aware, honest**.

2. About the Commission

Culture Aberdeen (led by SHMU), in consultation with Aberdeen City Council, in partnership with greenspace scotland, are seeking creative practitioner(s), with the ability to reflect, in either 2D or 3D, the discussions and recommendations outlined in the phase one report. These included the following comments:

- The memorial should be in the form of a piece/s of Public Art and should be in an accessible green space near the centre of the city as accessibility was important to participants of all generations.
- It should create a space and potentially seating where people can gather, sit and be together in a circle or oval shape as often public benches are far away from each other. The circle was mentioned many times by different groups in relation to support, gathering, continuity, community, grief, life and healing.
- It should have a place or space where someone could stop in a private moment of reflection.
- The space could, if possible, allow interaction, with people able to leave a trace or a mark and contribute to it over time. A list is suggested, but is not exhaustive, ideas included a community mosaic, community flower bed or drawings.
- The space should encourage motivation for people to actively engage with it ('community gardens become spaces people want to look after').
- And should nourish creativity ('creativity saved the day').
- And should include landscaping which would be important to the site, working with a landscape artist to enable this.
- It should include public information about the project integrated into the design.
- As the final piece of Public Art will be placed in a public park, we would ask that, where possible the structure will require a low level of maintenance and will be easy to transport to the site.

There are also a number of other suggestions, themes, and ideas, outlined in the final report which can be taken into consideration.

The project partners are open to considering a variety of art forms, welcoming both traditional and contemporary approaches to the subject matter. The work should endeavour to combine the various elements expressed in the phase one report in order to create a coherent, reflective artwork which both informs and provides an opportunity for contemplation and connection.

This is a two-stage recruitment process and as part of the first stage if applicants would like any additional information please contact stewart.aitken@shmu.org.uk with questions or to arrange a time to meet.

The creative practitioner/s must:

- Have a strong proven track record in their art form.
- Have experience of working in the public realm.
- Have experience of working with multi-disciplinary teams.
- Be able to work and deliver to timetables and be an excellent project manager.
- Be willing to engage with stakeholders during concept development, final artwork development, and installation.

The successful practitioner will be required to liaise with staff within Aberdeen City Council to assist in determining the method of installation, and to take this into consideration when formulating the design.

The choice of materials that can be used in the memorial will be the choice of the creative practitioner, however any design must consider the need for the final piece to be durable, conform to health and safety regulations, and where appropriate, be vandal resistant.

The commissioned creative practitioner(s) will be supported by SHMU, Aberdeen City Council teams and by greenspace scotland. SHMU will report to the local Project Steering Group and Culture Aberdeen. Key partners on the Project Steering Group include representatives from Aberdeen City Council Environmental Services and Cultural Services teams, Culture Aberdeen, SHMU, the first phase Freelance Artist, Aberdeen Council of Voluntary Organisations (ACVO), and individual voluntary & third sector groups including Mental Health Aberdeen. Support and advice will also be available from the phase one creative team and a community Focus Group once we move into phase two of the recruitment process and during the commission period.

3. Location

The preferred site for the final Public Art memorial is in the Aberdeen City Council public park, Bon Accord Terrace Gardens, near the centre of Aberdeen City, Bon Accord Terrace Gardens - Hidden Scotland. Photographs of the site are included with the brief.

4. Budget

A maximum of £70,000.00 is available for the commission including creative practitioner fees at SAU rates, any external fees such as engineering drawings, materials, installation and VAT. This will be paid in three instalments to the successful applicant. Costs of external support, transportation and installation should also be considered within the budget proposed, which we would expect to be around £9,000 to £10,000.

5. Timescales

The commission will commence when the creative team select the preferred creative practitioner and submit the design for planning permission it will be expected to be completed in 10 months.

6. Commissioned Creative Practitioner(s) Responsibilities

- Design, build and manage the installation of the agreed Aberdeen Remembering Together Covid Memorial, informed by the conversations, ideas and recommendations developed during phase one of the project.
- Attend project meetings as required, in person and online, and provide regular project updates against agreed timescales.
- Maintain open communication and positive relationships with key partners and participants including the project steering group, community focus group, phase one creative practitioners and other interested stakeholders, for example ACC Environmental Services department.
- Provide written, photographic and/or film documentation of the process and participate in the project's monitoring and evaluation process.
- Participate, where able and appropriate, in the wider Remembering Together national programme and Culture Aberdeen learning events

7. Selection procedure

The commissioning process will consist of two stages. Stage one is an open call (application criteria outlined below) from which a panel, comprising of project partners, will shortlist three applicants.

Stage One: To apply for the commission:-

Submissions should include:

- Response to the brief
- An initial concept or proposed approach: A written proposal (max 2 sides of A4) or a video/voice recording (max 5 minutes) detailing the approach to be taken if awarded the commission.
- Examples of previous work, that highlights working in the public realm creating and installing 2D and 3D artwork in a public space.
- Including any previous co-design/created projects and projects that required innovative thinking, inclusive and sensitive approaches with strong community involvement.
- An outline of timescale for the commission development & final installation.
- Evidence of time management and organisational skills.
- Ability to provide evaluation, reflection, and feedback.
- Creative practitioner(s) should also confirm they are available to undertake the work which is provisionally scheduled for completion and installation by **(date)**.
- Budget for final commission.
- Curriculum vitae of all creative practitioner(s)/businesses/organisations that are part of the application.

The deadline for submissions is midnight **(date) 2023**. The submissions will be assessed by **(date)**.

Stage Two

8. Fees

Three applicants will be shortlisted and awarded £1000 to develop their designs to working drawings/scale designs or maquettes, this will include any travel costs and will be paid in two stages 90% and 10%. The shortlisted creative practitioners will also be given the opportunity to visit the site and meet with the phase one creative team and community focus group, before the deadline for the stage two submission and interview.

The development presentation/interview will include:

- A design with proposed materials, scale etc
- A model/design or visualisation of the proposed artwork
- A costing for the completion of the finished piece, including installation. As mentioned, the final commission total budget will not exceed £70,000.00 to include all associated costs, materials, installation, and expenses.
- An implementation plan and timescale for the finished piece.

From the shortlisted creative practitioners, one will be selected to produce, install, and complete the commission. Once the final design is selected this will be submitted for planning consent by the creative team, this can take up to 2 months.

8. Stage 1 Submissions, deadline and assessment process

Submission should be sent electronically to stewart.aitken@shmu.org.uk with “Remembering Together, phase 2 Aberdeen”, in the subject line.

9. Decision making process

| | |
|-------------------|--|
| Dates to be added | <i>Call for Stage one submissions</i> |
| | <i>Stage 1 submissions close</i> |
| | <i>Review and short-listing</i> |
| | <i>Shortlisted applicants contacted to submit a proposal</i> |
| | <i>Deadline for proposals from short-listed artists</i> |
| | <i>Interviews with short-listed/selected artists</i> |
| | <i>Artists selected</i> |

If you would like further information and to talk to someone about the Artist Brief, please email.

stewart.aitken@shmu.org.uk – North East Culture Collective Coordinator

or Carla.almeida@greenspacescotland.org.uk – greenspace scotland LEAD OFFICER.

FAQs by Greenspace Scotland. [FAQs — Remembering Together | Co-creating Covid Community Memorials.](#)

Further Information

About Aberdeen City

Like all areas of Scotland, Covid severely impacted on all the local communities of Aberdeen City, to some degree. Across the population of approx. 212,000, we know that there has been an increase in people looking for counselling/mental health/wellbeing services, young people experiencing anxiety about their prospects and there have been many instances of people feeling more marginalised and isolated due to the pandemic. In Aberdeen there was increasing and exacerbating levels of poverty and need, challenges for newcomers trying to make their lives in the city, and increased pressures on services in education, health, and social care and many more.

Aberdeen remains a relatively affluent city with a third of the city in the least deprived 20% in Scotland. However, 10% of the population live in the 20% most deprived areas of Scotland. It is estimated that 21.5% of children in Aberdeen City were living in poverty even before the full impacts of Covid have been felt on accommodation and food, arts, retail, entertainment, and recreation. Many of the lowest paid employees, particularly young people, work in these sectors and are therefore most likely to feel the effects.

Throughout the pandemic, many public and third sector services and organisations have increased their capacity and output, especially food banks and associated services. Community Planning Partners and the Third Sector have worked in partnership with communities, providing essential, practical support to those in need within a highly adaptable support network. Many of these people and organisations will have stories to tell and life changing experiences to share. We will look to tap into this wealth of amazing people in our communities and use this project to support their continued efforts in helping the city recover from the pandemic.

Aberdeen City is renowned for its many green spaces which have been well used and, for many, rediscovered over the past few years, along with an increased awareness of the relationship we have with the planet. The city is committed to develop how we travel, shop, heat our buildings, and our relationship with our place of work that will provide opportunities to promote healthy lifestyles and make communities more self-sustaining. Any economic and environmental success must be translated into social success – lifting people out of poverty, offering equal opportunities for everyone to prosper, giving them reason to believe in the future.

Through a multi-agency approach, we developed this project ensuring a broad range of people could contribute to the development of ideas. This created an important network for exchange and shared learning across the Steering Group and wider partners which has informed the brief for phase 2 of the project.

Co-creation is a co-operative process in which people with diverse experiences, skills and knowledge come together and work in non-hierarchical ways to address a common issue. This approach enables people and communities to be actively involved in shaping the things which impact their lives. It shifts power, resource, and ownership towards the people the work is intended to benefit, as opposed to the traditional ‘top down’ approach. It encourages every individual to activate their creative potential and realise their own ability to make change.

<https://www.rememberingtogether.scot/resources/what-is-co-creation>

SHMU, ACC and greenspace scotland are committed to promoting equal opportunities. We recognise the unique skills of artists working in communities and actively encourage proposals from creative practitioners with intersectional lived experiences of illness, isolation, income inequality or social exclusion of any kind. We particularly welcome proposals from sick and disabled artists, artists of the Global Ethnic Majority, older artists, LGBTQ+ artists and/or refugee/migrant artists.

Creative practitioner(s), with access requirements will be supported to apply for Access to Work (AtW). Each area will also be supported to address access barriers, with a focus on removing barriers for participating communities and artists who have requirements that do not qualify for AtW.

ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Annual Assurance Statement |
| REPORT NUMBER | CUS/23/262 |
| DIRECTOR | Andy MacDonald |
| CHIEF OFFICER | Jacqui McKenzie |
| REPORT AUTHOR | Martin Smith & Beth McEwen |
| TERMS OF REFERENCE | 1.1.1 |

1. PURPOSE OF REPORT

- 1.1. To seek approval for the Council's Annual Assurance Statement for the year 2023/24, which must be submitted to the Scottish Housing Regulator by 31 October 2023;
- 1.2. To highlight to Committee the improvement areas identified from this assurance review are services for people experiencing homelessness, void property management, rent management and customer satisfaction.

2. RECOMMENDATION

That the Committee:-

- 2.1. Approve the Annual Assurance Statement appended to this report for submission to the Scottish Housing Regulator by 31 October 2023.

3. CURRENT SITUATION

- 3.1. The Scottish Housing Regulator regulates to protect the interests of people who receive the services of social landlords. Since introduced in 2012/2013 the Council has submitted its Annual Return of the Charter which sets out the Council's performance against the Scottish Social Housing Charter standards and outcomes. From 2018, the Regulator introduced a further requirement for all social landlords to complete an Assurance Statement in which we are required to provide confirmation each year that the Council meet the relevant requirements of section 3 of the Regulatory Framework which is laid out in appendix B.
- 3.2. Having reached an objective and evidenced-based judgement on compliance, ensuring sufficient evidence and information the Council is required to submit a signed statement by our relevant Committee Convenor which confirms that we have appropriate assurance on compliance with:

- All relevant regulatory requirements set out in section 3 of the Regulatory Framework
 - All relevant standards and outcomes of the Scottish Social Housing Charter and all relevant legislative duties
- 3.3. For any areas where the Council do not materially comply, we must describe these and our plans to improve.
- 3.4. The Council's proposed Annual Assurance Statement for 2023/24 is appended to this report and has identified four areas for improvement which are services for people experiencing homelessness, void property management, rent management and customer satisfaction.
- 3.5. Our Assurance Statement for 2022/23 indicated that Aberdeen City Council was compliant with the regulatory requirements set out in section 3 of the Regulatory Framework, with the exception of compliance with minimum site standards and fire obligations for our Gypsy Traveller site. There were also performance areas which were prioritised for improvement with action plans in place regarding services for people experiencing homelessness, void property management, rent management and customer satisfaction.
- 3.6. Our Gypsy Travellers site has been closed for demolition, upgrade and rebuild since 10 October 2022 and is expected to reopen by the end of September 2023. The Council are committed to providing good quality, affordable accommodation that meets the Gypsy Traveller's needs. Once all works have been completed, the site will comply with fire regulations and minimum site standards.
- 3.7. There has been an increase of 26% in homeless applications during 2022/23 compared to the previous year, which has resulted in the Council using hotels to supplement its' temporary accommodation provision. The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 states that Local Authorities may provide unsuitable accommodation (as defined by Article 5 of the Order), such hotels, to people experiencing homelessness – but for no longer than 7 days. Aberdeen City Council breached that Order on 222 occasions during financial year 2022/23.
- 3.8. A Temporary Accommodation Strategy is being developed which will evaluate the relevant data collected by the Council in relation to this recent increase and what this means for the future of temporary accommodation provision in Aberdeen. It is anticipated that the development of this will be completed by the end of 2023.
- 3.9. The current levels of provision will be detailed as well as providing strategic objectives to ensure the Council can cope with the increased demand and continue to provide suitable temporary accommodation to those experiencing homelessness. A new procedure for allocation of hotel places is also being developed, taking into consideration the Temporary

Accommodation Standards Framework introduced by the Scottish Government in April 2023.

- 3.10 An additional Senior Allocation Officer post has been created, which has additional responsibilities for Temporary Accommodation, including the oversight of temporary accommodation allocation. Work with Registered Social Landlords is also ongoing to increase lets within those organisations and tender for additional capacity to tackle voids.
- 3.11. The following evidence and information, relevant to the requirements that we are required to provide assurance for, are set out using the Good Governance Standard for Public Service principles from Chartered Institute for Public Finance and Accountancy.

3.12. Managing risks and performance through robust internal control and strong public financial management.

The Council's system of governance provides assurance on our compliance with legal and statutory obligations at management level and also to elected members.

At elected member level, the following internal controls are in place:

- Communities, Housing and Public Protection Committee is responsible for scrutinising service delivery in this area.
- Audit, Risk and Scrutiny Committee to which Housing and Homelessness audits (internal and external) are reported.

At management level, the following are in place:

- Regular review of risks on the Corporate Risk Register by Housing and Support and Housing Access and Support Services.
- Performance management systems and operation of service improvement groups.
- The Risk Control Team in Building Services undertakes site visits to ensure compliance with all relevant Health and Safety requirements including compliance with the Health and Safety at Work etc. Act 1974, Control of Asbestos Regulations 2012 and Electricity at Work Regulations 1989.
- A contract log is in place which identifies responsibilities for differing elements of compliance along with contract manager and contractor details whether delivered in house or externally. Regular contract meetings are held to review compliance and for key risks such as asbestos and gas safety; external compliance portals are used. Corgi systems are used for gas compliance and MODUS – a software management company who specialise in asbestos data

management - is being implemented for asbestos management.

- Strategies, policies and procedures are reviewed on an on-going basis in line with a risk-based Corporate Policy Framework. These include the Local Housing Strategy and Allocations Policy.
- Corporate Management Team signs off on the Annual Governance Statement, including any significant issues (control failures) which have occurred over the year. Corporate Management Team also receives notifications of health and safety contraventions, and resulting improvement plans, which would include health and safety issues affecting housing and homelessness.

3.13. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

The Council's system of governance provides assurance on our compliance with legal and statutory obligations at management level and also to elected members.

A Programme of internal audits, which are risk-based, identify any control failures including legal compliance in various areas such as rent management, void properties, and complaints management.

In addition, the Council report quarterly to the Scottish Government on Homelessness presentations and outcomes for scrutiny.

The Council have a corporate system for reporting Health and Safety incidents and report relevant incidents to agencies such as the Health and Safety Executive if relevant.

The Council have a mechanism for reporting on hate crimes.

The Council's Health and Safety Team undertake Fire Risk Assessments in our sheltered housing complexes annually and in mainstream multi-storey buildings every three years. Our Health and Safety Team also undertake routine compliance checks of housing related services as part of its corporate programme.

The Housing Allocation Policy, approved by Committee on 14 March 2023 resulted in the implementation of Choice Based Letting on 27 June 2023. Choice Based Letting allows applicants to make an informed decision about where they would like to live by bidding (registering interest) on the Council's available properties. Properties are advertised on the Council's Housing Online platform each week (called a bidding cycle). It is anticipated at the implementation of Choice Based Letting will reduce the number of offer refusals during the forthcoming year.

The Housing and Support Service's Community Led Walkabouts procedure has been implemented and we will be undertaking an initial review, which is due to conclude by December 2023. Officers from Housing and Support, Roads, Environmental, Building Services, Community Safety, Communities, Housing Associations and partners, along with residents from the area, undertake a walkabout four times a year in each of the 13 Wards to identify safety and environmental issues in a specific community and improvements for implementation by Aberdeen City Council and others.

Officers are developing our Tenant Participation procedures and recording mechanisms, to expand on the work being carried out by Housing and Support Officers. This will include more thorough and accurate reporting of members of each Tenant and Resident Organisation and actions resulting from meetings.

The Council's Engagement Plan from the Scottish Housing Regulator is published on the Council's website.

The Council are appropriately registered with the Information Commissioner's Office.

3.14. Defining outcomes in terms of sustainable economic, social, and environmental benefits.

The Local Outcome Improvement Plan (LOIP) 2016-2026 has been refreshed and sets out to ensure that Aberdeen's continued economic, health and social recovery is the focus. The vision set out in the LOIP is that Aberdeen will be 'a place where all people can prosper' by 2026.

The Council's Delivery Plan 2023/2024 aligns all Council strategies and plans to the Local Outcome Improvement Plan, ensuring clear delivery plans for the Council's own set of strategies and priorities.

Following the implementation of the Housing and Support Service in 2022, we have continued to provide regular training and development opportunities to staff. This has included monthly information and awareness raising sessions for the whole service, with guest speakers attending from other Council services such as Building Services and third party organisations on topics relevant to the role. Third parties who have attended so far include Shelter Scotland and Hepatitis Scotland.

3.15. Determining the interventions necessary to optimise the achievement of the intended outcomes.

The Council deliver a highly acclaimed Tenant Participation Strategy. The Housing Service Review Group comprises tenants and residents and provides scrutiny of our service performance and the Housing Revenue Account. The group also undertake in-depth service reviews and have previously reviewed Housing Repairs, Housing Management and Customer Feedback and more recently, Housing Assets. At the conclusion of each review a report with recommendations is produced.

Monthly performance reports are provided for scrutiny, with appropriate improvement plans developed where necessary.

3.16. Ensuring openness and comprehensive stakeholder engagement.

Since 2013, each year the Council have submitted our Annual Return of the Charter in accordance with the published guidance.

The Housing Service Review Group participates in the preparation and scrutiny of performance information and is comprised of tenants and residents. The group meets monthly and receives routine reports on our performance against the Charter outcomes and standards. All reports are published on our website.

The Housing Service Review Group also participates in developing our annual report on performance. This includes reviewing performance trends, benchmarking with our peers and options for improvements where relevant. Practice recommended by this group has been embedded into the service, such as using a video in addition to a written report when making Housing Performance public. The annual report is also available in hard copy and is reported in our Newsbite publication.

The monthly and annual reports are available on a dedicated Housing Performance page on our website.

3.17. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

Information on our Complaints Handling Procedure, including how to make a complaint is published on our website and a complaints leaflet is available at all offices. A person can make a complaint by using our online form or in person at any council office. Alternatively, they may contact us in writing or by telephone.

The Council have published the Scottish Housing Regulator's 'Significant Performance Failure' leaflet on our website and the reporting form is also available.

The Council follow the Model Complaints Handling Procedure set out by the Scottish Public Services Ombudsman (SPSO).

Upon closure of every complaint, responding officers systematically identify any learning points. This is particularly important where complaints are upheld, but even a complaint which is not upheld can highlight the need for change. For example, complaints have highlighted where we need to improve communications and change some of our internal procedures.

The Council's performance is scrutinised at each Communities Housing and Public Protection Committee the papers for which are all available through our Council website.

Where appropriate, the Council collect and record data on protected characteristics for tenants, applicants, people experiencing homelessness and people who use our Gypsy Traveller site on our housing management system.

3.18. Developing the entity's capacity, including the capability of its leadership and the individuals within it.

Aberdeen City Council has agreed an Equalities Outcome Mainstreaming Plan to promote and embed equality in our services from 2021 to 2025.

The key piece of legislation which governs what we do is the Equality Act 2010. The General Duties within the Act require us to eliminate discrimination; advance equality of opportunity; and foster good relations between persons who share a protected characteristic and those who do not. The protected characteristics as defined by the Equality Act 2010 are: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

Our Equality Outcomes as a service provider are to ensure:

- EO 1 - All people with protected characteristics will access information, goods and services knowing that social and physical barriers are identified and removed, with a focus on Age, Gender reassignment and Disability.
- EO 2- Diverse communities in Aberdeen will have an increased sense of safety and belonging within their neighbourhood and City, with a focus on Race (including Gypsy/Travellers), Religion and Sexual Orientation.
- EO 3 – Representation in civic participation of people with protected characteristics will be improved by ensuring our leaders, staff and organisation champion the equality agenda in

the City, with a focus on Disability, Race and Sex.

In March 2023, we reported on our progress on how we are mainstreaming equality through our operations and the city. The full report can be accessed [here](#).

The Council also uses the Integrated Impact Assessment (IIA) as a toolkit to understand the impact on equality, human rights, children's rights and socio-economic disadvantage. The Integrated Impact Assessment (IIA) is undertaken to systematically consider relevant evidence to determine if there may be an unfair or unequal effect on different groups of people within the community or the workforce because of a policy or proposal and actions taken to mitigate any disadvantage identified.

To ensure compliance with the Equality Act 2010, the IIA will help to:

- Ensure that the proposal does not discriminate
- Consider how the proposal might better advance equality of opportunity
- Consider whether the proposal will affect relations between different groups.

Our Integrated Impact Assessments are published on our website with relevant committee papers.

In January 2023, the Housing and Support Service and Housing Access & Support Service implemented use of the Tenancy Intelligence Model, which allows officers to identify those who may require additional support to sustain their tenancy. A procedure for Housing and Support Officers has been implemented to ensure that notifications from the Tenancy Intelligence Model are followed up on in a reasonable timescale.

The Tenancy Regular Checks and Events Log procedure was implemented within the Housing and Support Service in September 2022 and expanded upon during early 2023. The aim of the procedure is to ensure that all tenants, whether in secure or temporary accommodation, are fully supported and have access to relevant information they require to successfully maintain their tenancy. All new tenants will receive an initial tenancy call and initial tenancy visit, where the Housing and Support Officer will ensure

that the tenant has a good understanding of what the expectations of them as a tenant, and the Council as a landlord, are. These contacts will also allow the Housing and Support Officer to ensure that the tenant is aware of what amenities are available within their local community and what support can be accessed, if required.

As part of the Tenancy Regular Checks and Events Log procedure, as of 2023 all Council tenants will receive an annual visit to ensure that regular contact is maintained, up-to-date information is recorded and any support requirements can be met at the earliest opportunity.

The Council's Customer Contact Centre was moved to new software in November 2022 and this allowed for a call-back feature to be implemented. Monday to Friday between 9am and 4pm, customers who have waited over 5 minutes in the queue can request a call-back. The customer will retain their position in the queue and, when at the front, they will receive a call-back from an officer.

4. FINANCIAL IMPLICATIONS

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

5. LEGAL IMPLICATIONS

5.1. The requirement for Annual Assurance Statements is set out in statutory guidance issued by the Scottish Housing Regulator under the Housing (Scotland) Act 2010. The recommendations of this report will enable the Council to comply with that requirement.

6. ENVIROMENTAL 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) | *Does Target Risk Level Match |
|-----------------|--------------|--|---------------------------------------|--------------------------------------|
|-----------------|--------------|--|---------------------------------------|--------------------------------------|

| | | | *taking into account controls/control actions | Appetite Set? |
|------------------------------|--|--|---|---------------|
| Strategic Risk | No significant risks identified | | | Yes |
| Compliance | If the Council does not submit the Annual Assurance Statement by 31st October 2023, the Council will not meet regulatory requirements. | Approval to submit the Annual Assurance Statement given by committee | L | Yes |
| Operational | There are no significant risks identified | | | Yes |
| Financial | There are no significant risks identified | | | Yes |
| Reputational | The Annual Assurance Statement identifies areas for Improvement. | The Council have identified improvement plans to be implemented. | L | Yes |
| Environment / Climate | There are no significant risks identified | | | Yes |

8. OUTCOMES

| <u>COUNCIL DELIVERY PLAN</u> | |
|-------------------------------------|-------------------------|
| | Impact of Report |

| | |
|--|---|
| Aberdeen City Council Policy Statement | This report has no impact on the policy statement. |
| Aberdeen City Local Outcome Improvement Plan | This report has no impact on the Local Outcome Improvement Plan. |
| Regional and City Strategies | This report has no impact on regional and city strategies. |
| UK and Scottish Legislative and Policy Programmes | This report ensures that we are compliant with the regulatory requirements set out by the Scottish Housing Regulator. |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|--|------------------------------|
| Impact Assessment | Stage 1 Assessment Completed |
| Data Protection Impact Assessment | Not required |
| Other | None |

10. BACKGROUND PAPERS

Scottish Housing Regulator – Regulation of Social Housing in Scotland
 Scottish Housing Regulator – Statutory Guidance
 Scottish Housing Regulator – Annual Assurance Statement
 Annual Return on the Charter – Aberdeen City Council 2022/2023

11. APPENDICES

A - Draft Annual Assurance Statement
 B - Scottish Housing Regulator Regulatory Requirements– Section 3

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|--|
| Name | Beth McEwen |
| Title | Development Officer – Early Intervention & Community Empowerment |
| Email Address | BMcEwen@aberdeencity.gov.uk |
| Tel | 01224 045420 |

Appendix A



Aberdeen City Council complies with the regulatory requirements set out in Chapter 3 of the Regulatory Framework, all relevant standards and outcomes in the Scottish Social Housing Charter and all relevant legislative duties.

The following performance areas are priorities for improvement with action plans in place:

- Services for people who are homeless – the Council has been successful in its bid to take part in The Royal Foundation’s Homewards Programme, a five-year locally led programme which will demonstrate that together it is possible to end homelessness - making it rare, brief, and unrepeated. Homewards will take a transformative approach to the issue of homelessness and put collaboration at its heart, giving Aberdeen new space, tools, and relationships to showcase what can be achieved through a collective effort focused on preventing homelessness in the city.
- The Council is also increasing its temporary accommodation stock to ensure we can meet the increasing demand for temporary accommodation and avoid prolonged stays in unsuitable accommodation as per the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014. The Council will continue to work with Registered Social Landlords in this regard.
- Void property management – key improvement actions include reducing the average relet time, supported by the implementation of Choice Based Letting which is expected to reduce the number of offers of accommodation that are refused; reducing the number of void properties, and reducing the rate of void rent loss.
- Rent Management – key improvement actions include reviewed Escalation Policies for debt recovery and new processes designed to help with early intervention and tenancy sustainment. The Council are continuing to bed in processes and procedures and engage with tenants at early stages.
- Customer Satisfaction – key improvement actions include continuing and improving use of Gov.Notify to provide regular updates to our tenants through email and expanding our Housing Online platform to include more options for digital contact.

I confirm Aberdeen City Council has seen and considered appropriate evidence in approving this Annual Assurance Statement at our Communities, Housing and Public Protection Committee on 5 September 2023.

Councillor Miranda Radley
Convener – Communities, Housing and Public Protection Committee
Aberdeen City Council

Appendix B – Scottish Housing Regulator Regulatory Requirements Section 3

Regulatory requirements

In this section we set out regulatory requirements for all social landlords and the standards of governance and financial management for RSLs.

3.2

All of these requirements are based in the powers given to us in the Housing (Scotland) Act 2010.

3.3

We do not replicate here the range of duties, obligations and responsibilities placed on landlords by legislation and through statutory guidance. These include achieving the standards and outcomes in the Scottish Social Housing Charter, duties to help people who are homeless, duties around the safety of tenants' homes, and promoting equality and human rights.

3.4

Landlords also have requirements placed on them by other regulatory bodies, including the Office of the Scottish Charities Regulator, the Equality and Human Rights Commission, the Care Inspectorate, Audit Scotland and the Scottish Public Services Ombudsman.

3.5

Landlords must ensure that they meet all of their legal duties and responsibilities and that they adhere to relevant guidance and the requirements of other regulators.

3.6

For local authorities, this includes ensuring that they meet their statutory duties to prevent and alleviate homelessness. Local authorities must confirm that they meet these duties in their Annual Assurance Statement, or set out how they are addressing any material non-compliance.

3.7

Landlords should adhere to our statutory guidance. In certain cases, where exceptional circumstances exist, it may be appropriate for a landlord to depart from our statutory guidance. Where a landlord is considering departing from statutory guidance, it should discuss with us why a departure from the guidance is necessary before acting. The landlord should keep a record of the reasons for the departure.

3.8

Landlords should take account of regulatory advice from us and from other regulators. Advisory guidance may include recommended practice and recommendations from thematic work. Landlords should consider applying any recommendations in advisory guidance, but are not required to follow advisory guidance. Landlords are not required to discuss a departure from advisory guidance with us before acting. A list of our advisory guidance is available on our website. Below we set out what landlords must do.

Regulatory requirements for local authorities and RSLs

Assurance and notification

- Prepare an Annual Assurance Statement in accordance with our published guidance, submit it to us between April and the end of October each year, and make it available to tenants and other service users.
- Notify us during the year of any material changes to the assurance in its Assurance Statement.
- Have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.
- Notify us of any tenant and resident safety matters which have been reported to, or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.
- Make its Engagement Plan easily available and accessible to its tenants and service users, including online.

Scottish Social Housing Charter Performance

Submit an Annual Return on the Charter to us each year in accordance with our published guidance.

Involve tenants, and where relevant other service users, in the preparation and scrutiny of performance information. It must:

- agree its approach with tenants
- ensure that it is effective and meaningful – that the chosen approach gives tenants a real and demonstrable say in the assessment of performance
- publicise the approach to tenants
- ensure that it can be verified and be able to show that the agreed approach to involving tenants has happened
- involve other service users in an appropriate way, having asked and had regard to their needs and wishes.
- Report its performance in achieving or progressing towards the Charter outcomes and standards to its tenants and other service users (no later than October each year). It must agree the format of performance reporting with tenants, ensuring that it is accessible for tenants and other service users, with plain and jargon- free language.

When reporting its performance to tenants and other service users it must:

- provide them with an assessment of performance in delivering each of the Charter outcomes and standards which are relevant to the landlord
- include relevant comparisons – these should include comparisons with previous years, with other landlords and with national performance set out how and when the landlord intends to address areas for improvement
- give tenants and other service users a way to feed back their views on the style and form of the reporting.

- Make our report on its performance easily available to its tenants, including online.

Tenant and service user redress

Make information on reporting significant performance failures, including our leaflet, available to its tenants.

Provide tenants and other service users with the information they need to exercise their right to complain and seek redress, and respond to tenants within the timescales outlined in its service standards, in accordance with guidance from the Scottish Public Services Ombudsman (SPSO).

Ensure it has effective arrangements to learn from complaints and from other tenant and service user feedback, in accordance with SPSO guidance.

Whistleblowing

Have effective arrangements and a policy for whistleblowing by staff and governing body/elected members which it makes easily available and which it promotes.

Equalities and human rights

Have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery.

To comply with these duties, landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. Local authorities must also collect data on protected characteristics for people who apply to them as homeless. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these service users.

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|---|
| COMMITTEE | Communities Housing & Public Protection Committee |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Armed Forces Covenant Duty |
| REPORT NUMBER | CUS/23/247 |
| DIRECTOR | Andy MacDonald |
| CHIEF OFFICER | Jacqui McKenzie |
| REPORT AUTHOR | Graeme Gardner |
| TERMS OF REFERENCE | 1.1.1 |

1. PURPOSE OF REPORT

- 1.1 The Armed Forces Act 2021 amended the Armed Forces Act 2006 to create legal obligations on specified bodies in all four home nations of the UK.
- 1.2 These legal obligations are referred to as The Armed Forces Covenant Duty and came into force on 22 November 2022. This report outlines how the Council's Housing service intend to discharge their duties under the Covenant.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 Note the statutory guidance available in Appendix A;
- 2.2 Instruct the Chief Officer - Early Intervention and Community Empowerment to monitor implementation of the proposed actions for housing and incorporate them into the next Local Housing Strategy; and update progress on actions through the Local Housing Strategy.

3. CURRENT SITUATION

- 3.1 The Armed Forces Act 2006 as amended determines that when a specified body exercises a relevant function, it must have due regard to:
 - the unique obligations of, and sacrifices made by, the Armed Forces;
 - the principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the Armed Forces, and
 - the principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces.

- 3.2 The people who benefit from the duty are “Service people” comprising:
- currently serving members of the UK regular and reserve forces;
 - currently serving members of British Overseas Territories’ Armed Forces who are subject to UK Service law;
 - former members of the UK regular and reserve forces and British Overseas Territory Forces, who are ordinarily resident in the UK (‘veterans’); and the ‘relevant family members’ of people in these groups.
- 3.3 The specified bodies who need to demonstrate due regard to the Covenant include:
- Local authorities and local authority landlords;
 - Integration authorities, Health Boards, Special Health Boards, and the Common Services Agency for the Scottish Health Service;
 - Persons or bodies whose help is requested under section 23 of the Education (Additional Support for Learning) (Scotland) Act 2004
- 3.4 The Duty must be complied with when a specified body develops, implements and/or reviews a relevant policy, or makes decisions on its delivery of relevant services. This would include housing services as veterans, Service personnel leaving Service, and Service families might lack knowledge about housing services, not have built up sufficient ‘local connection’, not be prioritised to receive social housing, experience a lack of available social housing, find it more difficult to communicate with housing bodies, be reluctant to seek early help, or require adaptations to be made to their home when they re-locate.
- 3.5 Relevant functions related to Housing in Scotland are:
- Allocations policy for social housing;
 - Homelessness;
 - Disabled Facilities Grants (referred to as Disabled Adaptation Grants in Scotland)
- 3.6 **Allocation Policy for Social Housing**
- Service People are currently identified through the housing application process whereby they are asked whether a member of their household serves in the armed forces.
- 3.7 During 2021/22 the Council received 18 applications from this group and 16 in 2022/23. As of 1 August 2023 there are 6 live applications with the Council who have identified that they are serving with the armed forces.
- 3.7 As of August 2023 a new question has been added to the Housing application to take into account the wider duties under the Armed Forces Covenant as highlighted at 3.2.
- 3.8 Aberdeen City Council has committed to 1% of all council new build houses to those leaving the armed forces. At least 0.5% of Council’s new build stock

would be available, on completion, for those injured in service or requiring accessible homes.

- 3.10 Applications from service personnel who are planning to leave the armed forces who wish to be housed in one of the Council's new social housing developments only, will be given priority status and placed on the Urgent List and awarded a medium priority 56 days before they are due to leave the forces.
- 3.11 The Council have achieved with the target of letting 1% of our new builds in both developments completed during 2022.
- 3.12 In Aberdeen City and across Scotland, armed forces personnel receive priority access to the Low-cost Initiative for First Time Buyers (LIFT) shared equity schemes and in the past 10 years, more than £6m has been made available through the affordable housing supply programme to provide more than 100 homes for the armed forces community.

3.13 Homelessness

In addition to the above information captured in Housing Applications, specific questions are also asked through the homeless assessment process. This captures information on service people who were in service with the last 5 years or more than 5 years ago.

| | In service 5 or More Years Ago | In Service Less than 5 Years Ago | Total Applications |
|---------|--------------------------------|----------------------------------|--------------------|
| 2022/23 | 9 | 34 | 1772 |
| 2021/22 | 2 | 26 | 1405 |
| 2020/21 | 5 | 28 | 1464 |

3.14 Disabled Adaptation Grant

There is currently no way to identify people who would be covered by the Armed Forces Covenant in the Council's Scheme of Assistance Grants for Disabled Adaptations. A proposal to resolve this is within the Action Plan for the Armed Forces Covenant.

- 3.15 The Council provide funding to Disabled Persons Housing Service (DPHS), whose Veterans Voice service provides a housing advisory service for disabled veterans of the armed forces, police, fire service and merchant navy. DPHS Aberdeen will assist with access to housing applications and provide housing options on social and private sectors.

3.16 Action Plan

An integrated Action Plan has been developed and is included in Appendix B.

- 3.17 It is proposed that the service proactively seek out other tenants and applicants who meet the definitions provided by the Armed Forces Covenant and amend existing processes in order to take account of the new legislative duties rather than await official review periods to ensure that we accelerate progress.
- 3.18 Proposed improvements will be included in action plans within the Local Housing Strategy 2018 to 2023 and will be fully incorporated within future Local Housing Strategies.
- 3.19 The Action Plan will also be reported to the Armed Forces Advisory Working Group which will be re-established and will monitor progress.

4. FINANCIAL IMPLICATIONS

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

5. LEGAL IMPLICATIONS

- 5.1 As per the Armed Forces Act 2006 as amended, the Council has a legal obligation to have due regard to:
- a. the unique obligations of, and sacrifices made by, the armed forces;
 - b. the principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the armed forces; and,
 - c. the principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the armed forces.

This report reflects the work done to date and proposed future work to fulfil that obligation.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 No negative environmental impacts have been identified.

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 complying with | Proactive consideration of the statutory guidance | L | Yes |

| | | | | |
|------------------------------|--|---|---|-----|
| | the Act 2006 as amended | and identification of next steps has kept this risk low. | | |
| Compliance | Risk of not complying the Armed Forces Act 2006 as amended | We will require to improve the data collection to help monitor the impact of our policies on those covered by the Covenant which will support our compliance. | L | Yes |
| Operational | Risk that Housing services are unaware of households covered by the duties | Improved data collection will reduce this risk | L | Yes |
| Financial | No risks identified | | | |
| Reputational | Risk that the Council isn't seen to prioritise those covered by the duty | Proactive planning and monitoring will help mitigate this risk | L | Yes |
| Environment / Climate | No risks identified | | | |

8. OUTCOMES

| <u>COUNCIL DELIVERY PLAN</u> | |
|---|---|
| | Impact of Report |
| <p>Aberdeen City Council Policy Statement</p> <ul style="list-style-type: none"> • Increase the number of new build properties that are adapted to meet particular needs (LHS) • Increase in % of adults who report they are in housing most suitable for their needs (JBSP) - Housing pathway • Support the adaptation of homes to accommodate people's changing needs, and to support the building of more homes that are future-proofed for accessibility (ACCPol) • Adopt a preventative approach that will ensure referrals for housing support are | <p>This report will help improve our understanding and monitoring of those people covered by the Armed Forces Covent and meet the objectives laid out in the Council delivery plan.</p> |

| | |
|---|---|
| <p>made at the appropriate time to avoid homelessness (LHS)</p> <ul style="list-style-type: none"> • Reduce repeated homelessness (LHS) • Ensure that homelessness services positively influence health inequalities and health outcomes (LHS) • Do everything in our power to end homelessness | |
| <p><u>Aberdeen City Local Outcome Improvement Plan</u></p> | |
| | <p>Improved monitoring of a range of processes and the progress of those covered by the Armed Forces Covenant will help identify areas for further improvement.</p> |
| <p>Regional and City Strategies</p> | |
| <p>Local Housing Strategy 2018 - 2023</p> <p>The Local Housing Strategy aims to deliver 6 overarching strategic outcomes:</p> <ol style="list-style-type: none"> 1. There is an adequate supply of housing across all tenures and homes are the right size, type and location that people want to live in with access to suitable services and facilities. 2. Homelessness is prevented and alleviated. 3. People are supported to live, as far as is reasonably practicable, independently at home or in a homely setting in their community. 4. Consumer knowledge, management standards and property condition is improved in the private rented sector. 5. Fuel poverty is reduced which contributes to meeting climate change targets. 6. The quality of housing of all tenures is improved across the city. | <p>The report and action plan will support the Council in meeting the 6 overarching strategic outcomes of the Local Housing Strategy.</p> |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|--|---|
| Integrated Impact Assessment | Stage 1 Completed |
| Data Protection Impact Assessment | DPIA's will be updated as the action plan is implemented and recording measures updated |
| Other | None |

10. BACKGROUND PAPERS

[COM/18/114 Refreshed Community Covenant and Covenant with Armed Forces](#)

[CUS/19/461 Progress Update on Armed Forces Covenant accreditation process](#)

[CUS/20/237 Armed Forces Covenant Gold Accreditation Award](#)

11. APPENDICES

[Appendix A – Statutory Guidance](#)

Appendix B – Armed Forces Action Plan (Attached)

12. REPORT AUTHOR CONTACT DETAILS

| | |
|----------------------|--|
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Armed Forces Covenant

The Armed Forces Act 2021 amended the Armed Forces Act 2006 to create the following legal obligation on specified bodies in all four home nations of the UK. The duties came into force on the 22nd of November 2022.

When a specified body exercises a relevant function, it must have due regard to:

- (a) the unique obligations of, and sacrifices made by, the Armed Forces;
- (b) the principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the Armed Forces, and
- (c) the principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces.

The Duty applies to members of the regular forces and the reserve forces; members of British overseas territory forces who are subject to Service law, former members of any of Her Majesty's forces who are ordinarily resident in the UK and relevant family members.

The specified bodies who need to demonstrate due regard to the Covenant includes:

- Local authorities and local authority landlords
- Integration authorities, Health Boards, Special Health Boards, and the Common Services Agency for the Scottish Health Service
- Persons or bodies whose help is requested under section 23 of the Education (Additional Support for Learning) (Scotland) Act 2004

The Duty must be complied with when a specified body develops, implements and/or reviews a relevant policy, or makes decisions on its delivery of relevant services. In real terms this means that we need to be able to demonstrate:

- Due regard to the unique obligations of, and sacrifices made by, the armed forces.
- Due regard to the principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the armed forces.
- Due regard to the principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the armed forces.

Appendix B

Specified bodies can demonstrate 'due regard' by having mechanisms are in place that prompt decision-makers to assess how their decision might on those who are currently or have previously served and maintaining records of this consideration.

| ABERDEEN HEALTH AND SOCIAL CARE PARTNERSHIP | | |
|---|--|--|
| Potential vulnerability to be addressed through the Covenant | Current state | Next steps |
| Understanding the healthcare needs of the local Armed Forces Community | | |
| Understanding local need in order to plan the provision of healthcare services | There are long standing good relationships between the NHSG and the Armed Forces in Grampian. | Meet with NHS Grampian to ensure full awareness and compliance with the Covenant, and that due recognition be given to the principle of special provision in some circumstances. |
| Identifying service users from the Armed Forces Community | Expected to be identified through existing relationships. | Ensure compliance via NHS Grampian. Any potentially identified persons or issues can be raised directly by Armed Forces to NHSG via ACHSCP. |
| Healthcare professionals' knowledge of healthcare issues relevant to the Armed Forces Community | Good awareness of mental and physical health issues that may be experienced by Armed Forces within NHSG. | Offer to meet bi annually with Armed Forces representative to resolve any outstanding issues. |
| Provision of services | | |
| Priority treatment | NHS Grampian working to comply with all Scottish Government treatment guarantees | Check Covenant compliance with NHS Grampian. |
| Waiting lists to start treatment | | Offer to meet bi annually with Armed Forces representative to resolve any outstanding issues. |

Appendix B

| | | |
|--|--|---|
| Waiting lists to resume treatment | | Offer to meet bi annually with Armed Forces representative to resolve any outstanding issues. |
| Reassessments | Current situation. Any reassessment of armed forces staff will be as per clinical requirements. | |
| Local variability in healthcare services | Current situation. Grampian aim would be to have little variability of service provision across Grampian and Armed Forces population. Any anomalies should be highlighted. | |
| Relationship with healthcare professionals | There are strong local relationships between NHS Grampian and the Armed Forces | |
| Provision of tailored services | | |
| Planning and funding | | |
| | | |
| Co-operation between bodies and professionals | | |
| | | |

| |
|------------------------------|
| ABERDEEN CITY COUNCIL |
| EDUCATION SERVICE |

| Potential vulnerability to be addressed through the Covenant | Current state | Next steps |
|---|---|--|
| Identifying Service Children | <p>Schools have an awareness of current service children, but less oversight of veterans unless parents have disclosed this.</p> <p>So far as the education of children and young people is concerned a requirement to have “due regard” already exists in Scotland through the provisions in the Education (Scotland) Act, 2016. Sections 3A and 3B of that Act imposes a duty of “due regard” on Scottish Ministers and education authorities to reduce inequalities of outcome for all pupils. This by default also includes those pupils from families with an armed forces background.</p> | <p>Amend yearly school data capture forms, to accurately identify those parents and carers who are impacted by the Covenant.</p> <p>To be completed by December 2023 (requested from Seemis)</p> |
| Admissions | <p>Schools have been briefed on the need for timely admission arrangements for those covered by the Covenant.</p> <p>Officers place siblings together in local schools wherever possible.</p> <p>The school application process does not currently identify service families. As a result, there currently isn't a mechanism to track the time taken from school application to school placement</p> | <p>Reflect the Covenant as Admissions guidance is amended.</p> <p>To be completed by October 2023 (requested from Digitalfirst)</p> <p>Amend the school admissions form and SEEMIS fields to enable live data collection and more comprehensive monitoring</p> <p>To be completed by October 2023 & December 2023 respectively – as above)</p> |
| Educational attainment and curriculum | <p>Secondary school staff have been briefed on the need to give due regard to the continuation of secondary courses wherever possible.</p> <p>School Improvement Plans already support a schools work to improve the outcomes of particular groups although there is no specific reference to armed forces families in Local Authority guidance.</p> | <p>Amend Local Authority guidance to reflect the need to consider this group where children impacted by the Covenant are in attendance.</p> <p>To be completed by October 2023</p> |
| Wellbeing | That children and young people of Armed Forces families receive the support they need to address barriers to participation, learning and achievement; promote positive | Strengthen arrangements further by offering those covered by the Covenant |

Appendix B

| | | |
|--|---|---|
| | <p>mental health and wellbeing; benefit from the development of high-quality education which is sustained; and achieve their full potential through established GIRFEC arrangements.</p> <p>Training has been delivered to Head Teachers.</p> | <p>a GIRFEC meeting on at least a yearly basis. To be completed by October 2023</p> <p>Develop a short professional learning film on the needs of those covered by the Covenant for dissemination to staff. To be completed by March 2024</p> |
| School transport considerations | <p>In Scotland, children and young people who are 5-21 years old, are eligible for a card giving free bus travel (from 31 January 2022). Children under 5 years old already travel for free on buses and don't need a card. Provided the child is living in Scotland and has proof of person (proving name and age), proof of residence and proof of photograph, all required to be verified as part of the application, they are eligible for the free bus travel. To apply for the cards, proof of residence in Scotland is needed. A letter from the child's school/college/university is one of the options and might be the most straight forward for an Armed Force's family.</p> | <p>Amend Local Authority guidance to reflect the need for school leaders to prioritise the writing of a letter to act as proof of residency.</p> <p>To be completed by October 2023</p> |
| Attendance | <p>Absence from school, whatever the cause, disrupts learning. It is important that parents encourage their children and young people to attend school and that parents arrange family holidays during the holiday period wherever possible. School leaders already have a mechanism to record family holidays outwith the school holiday period as authorised absence where absolutely necessary.</p> | <p>Monitor the attendance of those covered by the Covenant at school and Local Authority level.</p> <p>To be completed by termly monitoring in place by January 2024</p> |
| Additional needs support | <p>A range of services to support those with additional support needs is currently available. However, there is no way of tracking access to services for those covered by the Covenant.</p> | <p>Add an additional field into the Request for Assistance process.</p> <p>To be completed by October 2023</p> |
| Identified Education Lead for the Covenant | <p>An Education Authority lead is already in place.</p> <p>No specific information is available to families regarding the provision of education for Armed Forced families</p> | <p>Include next steps in the National Improvement Framework Plan for 2023/24. To be completed by Sept 2023 Develop information for Armed Forces Families and include it on the city Armed Forces pages.</p> |

| | | |
|---|--|--|
| | | To be completed by March 2024 |
| HOUSING SERVICES | | |
| Potential vulnerability to be addressed through the Covenant | Current state | Next steps |
| Identifying Service Users from the Armed Forces Community | This is currently identified at the Housing application stage as a question in the application. | Housing Application updated to include wider definition provided by Armed Forces Covenant – Completed 21 August 2023 Develop ways to identify current tenants who are covered by the Armed Forces Covenant alongside tenant survey planned for 2024 |
| Allocations policy for social housing | <p>Armed Forces Personnel leaving full time regular service will be classified as having urgent housing need as set out in our Allocation Policy.</p> <p>Armed Forces personnel</p> <p>We will ensure up to 1% of our Council new build houses are offered to those leaving the armed forces. With up to a further 0.5% being adapted for those injured in service. Applications from service personnel who are planning to leave the armed forces who wish to be housed in one of the Council's new social housing developments only, will be given priority status and placed on the Urgent List and awarded a medium priority 56 days before they are due to leave the forces.</p> <p>They will be made one reasonable offer of accommodation under this priority. Where a reasonable offer is made and subsequently refused, the priority will be removed. If applicants wish to add other housing choices such as house types and areas out with the new build properties, their housing application can also be placed on the waiting list, and</p> | Identify further actions when further people covered by the Armed Forces Covenant are identified. |

| | they will be awarded points in accordance with their housing needs as per the criteria in this policy. | | | | | | | | | | | | | |
|---|--|--|--------------------------------|----------------------------------|---------|---|----|---------|---|----|---------|---|----|---|
| Availability of suitable social housing | We have let over 1% of our new builds in housing completed during 2022. | Promote this commitment to households who are covered by the Armed Forces Covenant. | | | | | | | | | | | | |
| Homelessness | <p>This is recorded in homeless applications and is a relatively small number of applications.</p> <table border="1"> <thead> <tr> <th></th> <th>In service 5 or More Years Ago</th> <th>In Service Less than 5 Years Ago</th> </tr> </thead> <tbody> <tr> <td>2022/23</td> <td>9</td> <td>34</td> </tr> <tr> <td>2021/22</td> <td>2</td> <td>26</td> </tr> <tr> <td>2020/21</td> <td>5</td> <td>28</td> </tr> </tbody> </table> | | In service 5 or More Years Ago | In Service Less than 5 Years Ago | 2022/23 | 9 | 34 | 2021/22 | 2 | 26 | 2020/21 | 5 | 28 | Consider recommendations of Veterans' Homelessness Prevention Pathway by December 2023 with actions to be identified and updated within the Local Housing Strategy. |
| | In service 5 or More Years Ago | In Service Less than 5 Years Ago | | | | | | | | | | | | |
| 2022/23 | 9 | 34 | | | | | | | | | | | | |
| 2021/22 | 2 | 26 | | | | | | | | | | | | |
| 2020/21 | 5 | 28 | | | | | | | | | | | | |
| Disabled Adaptations Grants | This is not currently recorded specifically for people from the Armed Forces Community. | <p>System and application form to be updated to include whether the applicant would be covered by the Covenant by December 2023</p> <p>Further actions will be identified when this dates is understood and actions agreed through Local Housing Strategy.</p> | | | | | | | | | | | | |
| CORPORATE NEXT STEPS | | | | | | | | | | | | | | |
| <p>The Council has pledged to uphold the Armed Forces Covenant and has a devoted webpage. https://www.aberdeencity.gov.uk/services/people-and-communities/our-support-armed-forces. The Lord Provost is the Armed Forces and Veterans Champion. In order to strengthen our response, we will now:</p> <ul style="list-style-type: none"> • Continue to develop our webpages with content as this action plan is implemented. • Undertake a population needs assessment as part of our Local Outcome Improvement Planning cycle. • Reflect the need for due regard in the Council policy and strategy guidance. • Communicate the improvements we are making regularly through our social media channels. • Update our Integrated Impact Assessment to reflect the Covenant. | | | | | | | | | | | | | | |



ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection |
| DATE | 5 th September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Community Resilience |
| REPORT NUMBER | COM/23/291 |
| DIRECTOR | Gale Beattie |
| CHIEF OFFICER | Vikki Cuthbert |
| REPORT AUTHOR | Fiona Mann |
| TERMS OF REFERENCE | 2.12 |

1. PURPOSE OF REPORT

- 1.1 To provide an update on arrangements which have been put in place with communities across the city to support them in local emergency response during disruptive weather events and power outages.

2. RECOMMENDATION(S)

That the Committee -

- 2.1 note the interest from community groups in developing their own resilience arrangements;
- 2.2 note the measures taken by the Council to support communities in supporting themselves during disruptive weather events, including power outages; and
- 2.3 agree to support the establishment of further community resilience groups and that members have a role to play to facilitate their development.

3. CURRENT SITUATION

- 3.1 The city has faced a number of challenging winters in recent years, in line with the climate trends faced across the globe. Increased wet weather, storms and disruption relating to these has had an impact on our communities and citizens. This in turn places increased pressure on the Council services that are ordinarily involved in emergency response, e.g. Roads, Environmental Services, Regional Communications Centre, and others.
- 3.2 As part of the Council's duties as a Category 1 responder under the Civil Contingencies Act 2004, the emergency planning team has been developing resilience arrangements within communities so that they can support one another during events of this kind. This recognises that the responsibility can be shared out, albeit the Council retains the statutory duties as a Category 1 responder and facilitates communities to support this.

- 3.3 The Grampian Local Resilience Partnership (GLRP) debrief reports and lessons identified from Storm Arwen, Malik and Corrie incidents have underpinned the Council's work in community, business and individual resilience spaces. Guidance has come from Scottish Government on [Building Resilient Communities](#), encouraging communities and individuals to harness resources and expertise to help themselves prepare for, respond to and recover from emergencies, in a way that complements the work of the emergency responders.
- 3.4 [Preparing Scotland](#), Scottish Government Guidance on Resilience, states that all responders should support the development of community resilience and should apply and encourage an innovative approach. Building community resilience should not be seen as an add-on, but should be carried out as part of responders' day-to-day activities. The potential return on investment for responders in promoting community resilience is high, as they can unlock skills, knowledge and resources held by the entire community.
- 3.5 Following the high numbers of volunteers from our communities during the Covid 19 pandemic we have worked to harness that community spirit and encourage the creation of new community resilience groups.
- 3.6 Scotland has over 300 Community Resilience Volunteer Groups. Aberdeen City previously had two such Groups - Cults, Milltimber and Bielside and Culter. In December 2022, we supported a third group to establish itself in Bridge of Don and Danestone. Council officers worked with interested local people to find participants, create a plan and put in place activation arrangements. This group is made up of members of the Community Council, Rotary club, Mens' Shed and a Church in the area. Such groups offer anyone with any ability of any age to take part.
- 3.7 The challenge in increasing the number of community groups is that communities within urban city areas feel less vulnerable than those in rural areas and are therefore less inclined to consider the need to establish local groups. To try to prioritise our efforts and utilise our limited resource we have selected key areas that are known to have historic issues with flooding or be impacted upon when we have severe weather.
- Deeside
 - Bridge of Don and Denmore
 - The Green and Merchant Quarter
 - Riverside Drive and Holburn Street
- 3.8 Officers will be concentrating their efforts for 2023/24 on The Green and Merchant quarter plus Riverside Drive and Holburn Street communities. Support from members would be most welcome, particularly to champion the Community Resilience Volunteer Group concept and to make local connections into communities, particularly key local stakeholders; individuals, business leaders, existing groups.
- 3.9 In return, officers will:
- Offer advice, guidance and training

- Assist in compilation of a community plan
 - Support regarding grants and funding
 - Advise on insurance for community groups
- 3.10 In time for winter 2022/23, officers delivered emergency “grab boxes” around the city, including useful items such as hi vis vests, torches and wind up radios, first aid kits etc. These were delivered to every community centre, including our support centres, and they also include various leaflets on winter gritting routes, how to prepare in case of storms or floods and information on starting a group. For winter 2023/24 more leaflet drops will be made into our communities.
- 3.11 The Council was successful in an application to Scottish and Southern Electricity Networks (SSEN) for funding from their storm fund of 2021/22 and received £125,000. This award was made in recognition of the impact felt across the City from Storm Arwen and subsequent storms. During the storms of 2021/22 it was clear that community led resilience activity can play a critical role in emergency response. To secure the funding, officers created a comprehensive community led resilience programme outlining projects and initiatives that would most benefit from financial support.
- 3.12 There are a number of key priorities for the use of the £125,000:
1. **Delivery in advance of Winter 2023 of battery packs;** to support the most vulnerable individuals who need to use power reliant medical equipment within their own property during a power outage. Working with Aberdeen Health and Social Care Partnership (AHSCP) 20 vulnerable children and a number of adults have been identified who require a continuous power supply.
 2. **Delivery in advance of winter 2023 battery packs** to the 3 existing Community Resilience Groups. This will assist the overall ACC response to a power outage emergency.
 3. **Creation of and participation in Multi-agency Community Resilience Conference** for the Grampian Area. This is being held on October 2nd at the Beach Ballroom. The conference is aimed at community groups wishing to start or improve their resilience activities /arrangements. Objectives are:-
 - Promotion of the individual, household, family and community resilience
 - Increased understanding of roles and responsibilities of the Category 1 responders
 - Increased understanding of how community groups fit into emergency response
 - Demonstration of the types of resilience activities community groups
 - Encouraging networking between groups
- 3.13 National Power Outage (NPO) and electricity restoration planning is high on the agenda across Regional Resilience Partnerships, Local Resilience Partnerships (LRP), local authorities and the UK and Scottish Governments. This risk has existed for many decades but has come into sharp focus due to geopolitics; war in Ukraine, fuel insecurity and financial uncertainty.

- 3.14 Electricity restoration is the procedure to recover from the total or significant partial shutdown of the National Electricity Transmission System (NETS). For planning purposes, such an event will be known across the United Kingdom as a NPO which has caused an extensive loss of supply. The planning assumption is that full power restoration could take up to seven days. An NPO is likely to occur in less than 2 minutes without warning.
- 3.15 Aberdeen City Council is represented on the GLRP working group and has a draft NPO plan out for consultation internally. This is an ongoing piece of work and likely to take many months to complete. Good progress has been made in some of the fundamentals of what we do in this type of incident, including:
- Specialist emergency grab boxes with additional kit including battery back ups have been deployed to information hubs
 - Agreed information points for the public - Sports Village & Get Active Sports Aberdeen; Jesmond, Beacon Peterculter, Kincorth, Sheddocksley
 - Scoping exercises regarding resources staff and awareness raising underway
- 3.16 Aberdeen City Council recently participated in Exercise Mighty Oak which was a UK government run exercise to primarily stress-test government planning thus far and how that linked into the variable planning stages that exist in different parts of the UK. The debrief has just been received and it is evident that there is much work for the UK and Scottish Governments to do particularly in the area of communication between responders and with the public, also how food and water supplies will be delivered. However, GLRP have agreed we will all continue to plan using the same and current planning assumptions, along with experience and lessons learned from recent power outages over past few years, rather than wait for updated assumptions and direction. Grampians category 1 responders will work together ensuring cohesiveness across the region.
- 3.17 A draft NPO plan is being consulted upon and we will be working with partners to ensure plans complement each other. Council teams will then undertake appropriate exercising of the plan.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations in this report. As we have a £125,000 fund which we gained from SSEN that can support the Council's efforts in Community Resilience for the City.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations in this report. The Council has responsibilities under the Civil Contingencies Act 2004 to maintain arrangements to warn the public, and to provide information and advice to the public, if an emergency is likely to occur or has occurred. Community resilience arrangements are one way in which the local authority fulfils this duty.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations in this report. The activities described are partly in response to the global impact of the environmental changes caused by climate change.

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 | Failure to provide adequate support to communities | Support to Community Resilience Groups | L | Yes |
| Compliance | Failure to comply with Civil Contingencies Act 2004 | Emergency Planning Team to ensure compliance | L | Yes |
| Operational | Failure to manage the impacts of climate events on operational services | Providing communities with mechanisms for self-support will lessen the impact on operational services | L | Yes |
| Financial | Escalating costs for operational costs bearing the burden of emergency response. | Providing communities with mechanisms for self-support will lessen the impact on operational services | L | Yes |
| Reputational | Loss of trust in Council services to support communities during weather events | Provision of support mechanisms from the Council to maintain confidence | L | Yes |

| Category | Risks | Primary Controls/Control Actions to achieve Target Risk Level | *Target Risk Level (L, M or H) <small>*taking into account controls/control actions</small> | *Does Target Risk Level Match Appetite Set? |
|-----------------------|--|---|--|---|
| Environment / Climate | Inability to provide a consistent and sustainable response to climate events | Emergency planning structures | L | Yes |

8. OUTCOMES

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

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|-----------------------------------|--|
| Integrated Impact Assessment | Stage 1 Assessment has been completed. |
| Data Protection Impact Assessment | Not required |
| Other | None required. |

10. BACKGROUND PAPERS

Links are embedded in the report.

11. APPENDICES

1. [Elderly-Vulnerable 4pp.pdf](#)
2. [Gritting for around Aberdeen.pdf](#)
3. [How to prepare for bad weather.pdf](#)
4. [Setting up a resilience group.pdf](#)

12. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | New Housing Cloverhill Gold Standard |
| REPORT NUMBER | RES/23/286 |
| DIRECTOR | Steve Whyte |
| CHIEF OFFICER | John Wilson |
| REPORT AUTHOR | John Wilson |
| TERMS OF REFERENCE | 1.1.1 |

1. PURPOSE OF REPORT

- 1.1 To highlight the delivery of the first phase of Council Led Gold Standard new housing at Cloverhill and the expected benefits which are anticipated to be provided.

2. RECOMMENDATION(S)

That Committee:-

- 2.1 Note that a report is due to go before the Finance and Resources Committee on 13 September 2023: Capital Programme Delivery: Projects Update Report no RES/23/284, which outlines the delivery of the first phase of 36 Units built to the Gold Standard at Cloverhill;
- 2.2 Note further phases will continue to be delivered between now and 2026 when it is expected the full complement of 536 Units will be complete;
- 2.3 Note the expected benefits to be derived for the new Council tenants who will occupy this development, and
- 2.4 Note that the delivery of new technology will bring about the need to train staff to enable them to be able to maintain and service the new equipment as noted in paragraph 3.9.
- 2.5 Instruct the Chief Officer – Capital to report to this committee when other phases of all new housing developments are delivered charting any issues.

3. CURRENT SITUATION

Background

3.1 Cloverhill forms a key part of the Council's ambitious plans to deliver new high quality Council Housing for the residents of the city. The ambition is to create integrated communities, delivering affordable homes designed for life that supports the well-being and resilience of our tenants. To achieve this the Gold Standards for Social Housing design have been applied to this development. The aims of the Gold Standard are set out in paragraph 3.3 below.

3.2 Cloverhill is a Developer led scheme with construction being carried out by Bancon Homes Limited comprising of 536 units. Bancon started on site on the 7 February 2022 and the Practical Completion date for the Project is Autumn 2026. The Project will be delivered over phases as follows;

- Section 1 Build - Flats (36 units, 3 shops) - Summer 2023 (completed)
- Section 2 Build - Semi/terrace Mix (31 units) - Autumn 2023
- Section 3 Build - Flats & Semi/terrace mix (10 + 48 units) incl comm hall - Spring 2024
- Section 1A Build - Semi/terrace mix (43 units) – Winter 2023
- Section 7 Build - Semi/terrace mix (30 units) – Summer 2026
- Section 8 Build - Semi/terrace mix (23 units) – Autumn 2026
- Section 5A Build - Semi/terrace mix (34 units) & Sports Pitch – Summer 2026

- Section 4 Build - Semi/terrace mix (35 units) – Autumn 2024
- Section 2A Build - Semi/terrace mix (36 units) – Summer 2025
- Section 5 Build - Semi/terrace mix (58 units) – Summer 2025
- Section 6 Build - Semi/terrace mix (70 units) – Winter 2025
- Section 3A Build - Flats, Semi/terrace mix (24 +21 units) – Autumn 2024
- Section 4A Build - Semi/terrace mix (37 units) – Winter 2025

Refer to the map at Appendix B : Phased Delivery Plan.

Gold Standard

3.3 Gold standard homes aim for a significant reduction in carbon dioxide emissions which is achieved partly through using renewable energy to provide hot water demand. It incorporates other carbon saving measures including more effective insulation and air circulation techniques. Combining renewable technologies, including air source heat pumps and PV roof panels, with state-of-the-art energy efficiency has the potential to significantly reduce household running costs both for heating and overall electricity costs.

3.4 They also include better outdoor space, larger rooms, additional storage for bikes, prams or mobility scooters, including charging facilities. Home office spaces and excellent digital connectivity are also a key part of the equation.

3.5 The overall benefits are to improve people's quality of life and their wellbeing as well as looking to reduce the impact of fuel poverty through reducing utility bills and contributing to the Council's aim of moving to Net Zero by reducing the overall carbon footprint of each property.

Energy Usage and carbon emissions

- 3.6 These houses and flats are designed with high levels of insulation and energy efficient windows and doors, ensuring that the building fabric is highly energy efficient and reduces any heat loss.
- 3.7 It is anticipated that the space heating requirement will be reduced with the installation of mechanical ventilation with heat recovery and any further space and hot water heating requirement is met with the air source heat pumps, a renewable energy heating source.
- 3.8 Overall the energy usage and carbon emissions will be lower than the standard gas heating system and existing building fabric standard.
- 3.9 In terms of maintenance, there will be no requirement for annual gas maintenance servicing or gas safety checks. However it is noted that with the additional renewable equipment, training for maintenance and servicing will be required.
- 3.10 Feedback from tenants moving into these new properties and lessons learnt from the project will be collated to inform future phases of the development and other new housing projects.

4. FINANCIAL IMPLICATIONS

- 4.1 Expected financial benefits to tenants is cutting fuel poverty through the high levels of insulation and use of new technology that will assist in leading towards a reduction in their household bills.
- 4.2 Going forward data will be collated, such as but not limited to, energy usage, utility bills, tenant surveys, and maintenance costs to inform future strategies and specifications.

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 direct environmental benefits arising from the delivery of this project
- 6.2 Refer to sections 3.3 – 3.8 as set out above which reference benefits such as carbon footprint reduction, increased use of waste water and assist with the Council's aims to meet net zero through use of renewable technologies with the introduction of Electric Vehicle (EV) charging points on site for cars.

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 | Failure to manage Council finance and resources could lead to failure to achieve strategic objectives. | Regular financial reporting and monitoring activities, to incorporate financial resilience to address financial pressures arising in year is maintained and monitored. | M | Yes |
| Compliance | Failure to be able to comply with project requirements | Increase site visits and monitoring of the construction works. If required, review alternative options as soon as possible. | L | Yes |
| Operational | Balancing the pressures of finite resources both internal and external to the Council | Regular engagement between relevant Clusters within the Council along with ongoing engagement with Framework hosts, Suppliers, Procurement & Services re alternative products or delivery methods. | M | Yes |
| Financial | Escalation of costs Differing market conditions depending on commodity/service | Development of suitable price mechanisms. Use of Business Intelligence to predict market changes/trends. Price Increase Request Process. Market engagement/use of business intelligence to assist in predicting market changes and trends. | M M | Yes |
| Reputational | Programmes/projects being delayed or stopped | As above. | M | Yes |

| | | | | |
|------------------------------|---|---|---|-----|
| Environment / Climate | Failure to consider sustainable options due to costs. | Ensure all contracts consider environmental considerations, and early market engagement is conducted to seek market intelligence. | M | Yes |
|------------------------------|---|---|---|-----|

8. OUTCOMES

| <u>COUNCIL DELIVERY PLAN 2022-2023</u> | |
|---|--|
| | Impact of Report |
| Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u> | Reviewing the approved Capital Programme in light of the cost pressures resulting from external drivers, will enable the Council best to meet and prioritise the delivery of its capital funded programmes /projects. |
| <u>Aberdeen City Local Outcome Improvement Plan 2016-26</u> | |
| Prosperous Economy Stretch Outcomes | The recommendations outlined within this report have included consideration of the current stage of programme/project delivery. |
| Prosperous People Stretch Outcomes | The recommendations outlined within this report have included consideration of the current stage of programme/project delivery. |
| Prosperous Place Stretch Outcomes | The recommendations outlined within this report have included consideration of the current stage of programme/project delivery. |
| Regional and City Strategies | Reviewing the approved Capital Programme in light of the cost pressures resulting from external drivers, will enable the Council best to meet and prioritise the delivery of its capital funded programmes /projects to align with its regional and city strategies. |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|------------|---------|
|------------|---------|

| | |
|--|---|
| Integrated Impact Assessment | For the purpose of this report which is an update on the overall programme and delivery of key projects within it, it is confirmed by Chief Officer John Wilson that no Integrated Impact Assessment is required. |
| Data Protection Impact Assessment | Not required. |
| Other | Not required. |

10. BACKGROUND PAPERS

- 10.1 Finance and Resources Committee 6 February 2020: Aberdeen City Council - Housing Programme: report no RES/20/049.
- 10.2 Finance and Resources Committee 13 September 2023: Capital Programme Delivery : Projects Update : report no RES/23/284.

11. APPENDICES

- 11.1 Appendix A : Photographs
- 11.2 Appendix B Phased Delivery Plan

12. REPORT AUTHOR CONTACT DETAILS

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Appendix A: Photographs

External Project Images



Internal Project Images:



Typical Radiator Detail (Note: much smaller than conventional)



Typical Internal Boiler Detail



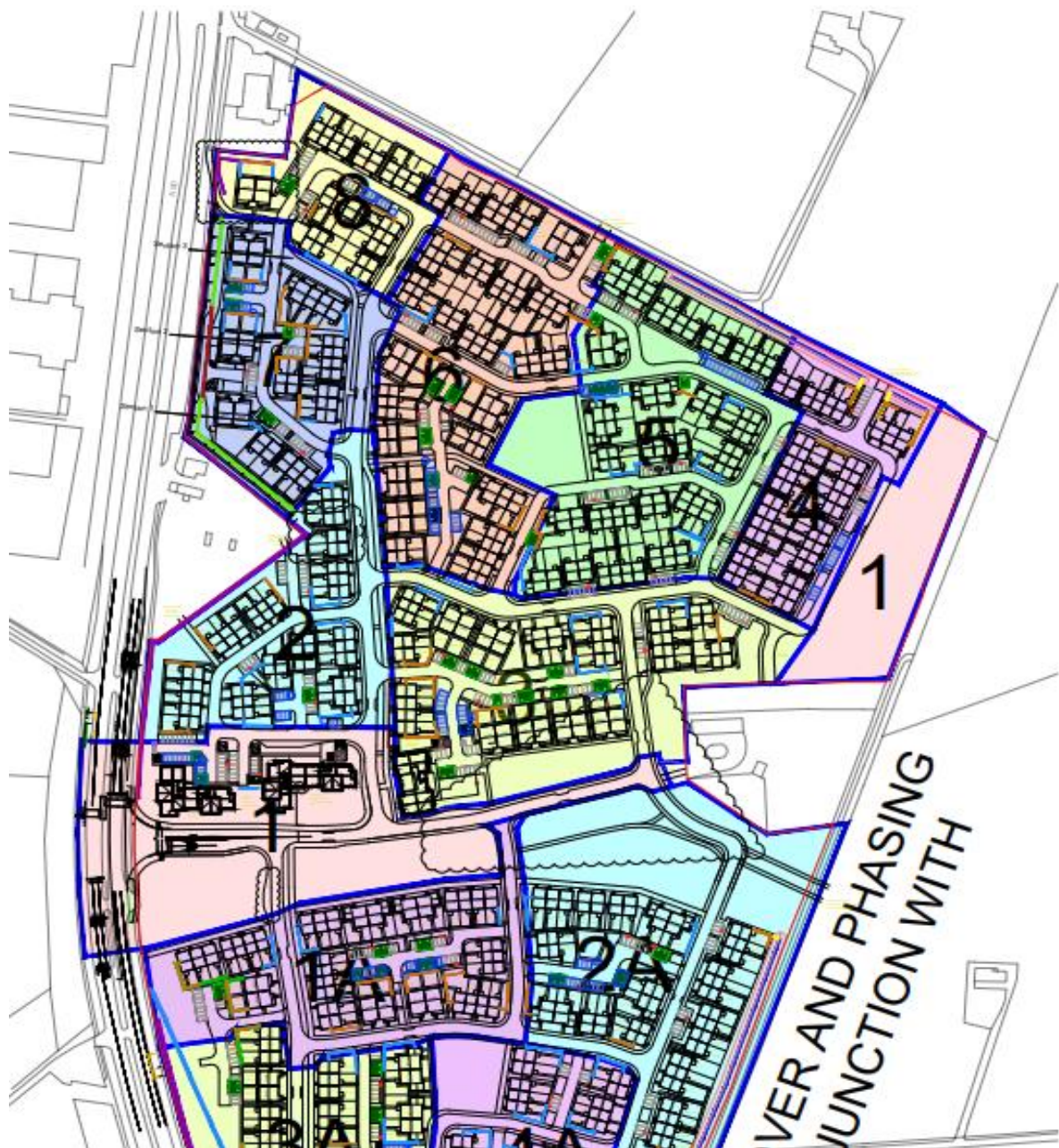
Typical Bathroom



Typical Kitchen

Appendix B: Phased Delivery Plan

(Site is located to the east of the A92 aside the section of dual carriageway located to the north of the Ellon Road/Parkway Junction).





ABERDEEN CITY COUNCIL

| | |
|---------------------------|--|
| COMMITTEE | Communities, Housing and Public Protection |
| DATE | 5 September 2023 |
| EXEMPT | No |
| CONFIDENTIAL | No |
| REPORT TITLE | Planned Maintenance Pilot Project 2023 |
| REPORT NUMBER | RES/23/294 |
| DIRECTOR | Resources |
| CHIEF OFFICER | Corporate Landlord |
| REPORT AUTHOR | Stephen Booth |
| TERMS OF REFERENCE | 1.1.1 |

1. PURPOSE OF REPORT

- 1.1 This report has been produced to consider the proposals for the re-introduction of a planned preventative maintenance programme for the Council's housing stock and to propose a pilot scheme for such a programme in the Lang Stracht area of the city.

2. RECOMMENDATION(S)

That the Committee :-

- 2.1 Instructs the Chief Officer Corporate Landlord to adopt the methodology (option 1) for planned maintenance as set out in appendix 1.
- 2.2 Notes the area identified in the pilot scheme as noted in the report and instruct the Chief Officer Corporate Landlord to report back on the scheme in Q1 2024/25; and
- 2.3 Instructs the Chief Officer Corporate Landlord to introduce the use of low maintenance, or maintenance free, materials to replace items such as gutters, downpipes, window frames etc when these items next require replacement.

3. CURRENT SITUATION

- 3.1 At the meeting on 17 January 2023 a report was presented to the committee highlighting a number of actions being considered by the Housing Improvement Group and highlighting some issues around the planned maintenance regime for the Council House stock. The Committee 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 on a programme approach to delivering these works.

3.2 Cyclical Planned Maintenance

A cyclical planned maintenance programme is required to ensure that our housing stock is maintained in good order and to ensure that associated building elements achieve their expected life cycle.

This pro-active approach to maintenance will achieve long term cost savings across both revenue and capital budgets. However, as this practise has been cut back significantly within the Council's housing stock for a significant period of time, re-establishing the process will have a significant short term resource and cost pressure on the Housing Revenue Account.

Appendix 1 of this report sets out a review of planned maintenance for the housing stock and sets out 3 options for delivery of a planned maintenance programme. The implications of this are being considered as part of the Building Repair and Maintenance Transformation programme. It is proposed to undertake a pilot programme to influence this work and further examine cost, resource and programming issues.

3.3 Pilot planned maintenance project for the Lang Stracht area of the City

The Housing Improvement Group considered an area of the city to trial a pilot planned maintenance project. A high level review was undertaken and it is proposed to undertake a trial of the area consisting of blocks of flats on the Lang Stracht, Eday Drive, Eday Square, Gairsay Drive, Gairsay Road and Gairsay Square. This area is adjacent to the new Summerhill development where the contrast between our existing and new stock is evident. The area has also been highlighted by inspectors as requiring a range of works which has also been reflected by a higher number of tenant, local member and external queries.

The area contains a higher proportion of units that are in sole council ownership which will allow early delivery of works, but also contains some blocks containing privately owned flats. This will require owner consultation to undertake works and will allow consideration to be given on a range of techniques to engage with owners to allow works and help influence future development of a more comprehensive programme of work.

The range of works proposed are:-

Internal:

- Replace existing communal lighting with LED lighting (underway);
- Replace existing floor tiles with vinyl flooring;
- Repair and paint ceilings, walls, communal doors and handrails.

External:

- Carry out survey of walls showing signs of cracking to establish if wall tie failure has occurred, repair or replace wall finish as required;
- Remove moss from roof tiles and treat with protective coating;
- Replace gutters and downpipes with low/no maintenance alternative where necessary. If this is not required then repair and paint existing;
- Replace soffits and fascias with low maintenance alternative where necessary. If this is not required then repair and paint existing;
- Replace existing communal entrance doors where necessary. If this is not required then repair and paint existing;
- Replace communal windows with low maintenance alternative where necessary. If this is not required then repair and paint existing;
- Repair existing fencing and repaint where required.

*The presence of owners in a number of these blocks will mean that consultation will be required prior to any work going forward.

Cross cluster teams within the Council are working on the delivery programme to consider current state, measurements of improvements, tenant engagement, environmental improvements and impact on tenants, voids and re-letting from the project.

It is the intention of officers to include tenants groups in further development of a programme. A well thought through list of recommendations and suggestions has already been provided to officers from the Housing Service Review Group (made up of tenants) which officers are endeavouring to implement across capital and revenue works.

3.4 Introduction of low maintenance or maintenance free materials

A move to low maintenance or maintenance free materials when upgrading external or communal parts of the Council's housing stock has the ability to reduce the levels of planned maintenance.

Many of the materials used historically, such as timber framed communal windows or cast-iron gutters and downpipes, require regular painting. As much of this is done at height these carry additional access costs. It is proposed that within the Lang Stracht pilot scheme that where the condition of communal elements requires them to be replaced, this is done using an alternative low maintenance product.

Where blocks contain private owners a consultation process will be required to achieve agreement on these proposals which will require the agreement of all owners, however, it is hoped that by demonstrating savings over the life-cycle of a low maintenance product owners will see the benefit of the proposed change.

4. FINANCIAL IMPLICATIONS

- 4.1 A sum of up to £3 million has been made available this financial year to carry out a pilot scheme of preventative planned maintenance in the Lang Stracht area. The planned maintenance works were considered in the 23/24 budget where the following instruction was given
- xiii) in response to the instruction of the Communities, Housing and Public Protection Committee of 17 January 2023, to (iv) instruct the Chief Officer - Corporate Landlord, as part of the 2023/24 budget setting process, to consider the balance between pro-active preventative maintenance and replacement works with a view to reporting a more robust planned maintenance programme as part of the HRA Capital and Revenue budgets, reflecting all other budget pressures; and to agree that 10% of the HRA repair and maintenance budget be ringfenced for planned maintenance works on the estate.*
- 4.2 Planned maintenance works are undertaken from the general repair and maintenance budget within the Housing Revenue Account. This pilot for a programme of preventative planned maintenance will allow further consideration to be made in setting the 2024/25 budget.
- 4.3 As there are privately owned flats within the blocks identified within the pilot scheme, it will be necessary to carry out a consultation exercise to gain owners' agreement to cover their proportion of the costs involved.

5. LEGAL IMPLICATIONS

- 5.1 The re-introduction of a wider planned maintenance programme within the Council housing stock will require significant levels of consultation with owners. The proposal within this project will be used as a pilot to look at a variety of ways to optimise engagement with owners."

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The implementation of an improved maintenance programme will enhance the life of buildings and their performance.

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 | Quality of housing may reduce without effective maintenance, repairs, and capital improvements | Implementation of recommendations in this report. | M | Yes |
| Compliance | Provision of quality housing ensures compliance with Scottish Housing Regulator requirements | Implementation of recommendations in this report. | M | 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. | M | Yes |
| Financial | None at this time | This pilot will be used to develop a more comprehensive programme. | L | Yes |
| Reputational | Failure to improve the quality of Council homes may harm the | Implementation of recommendations in this report. | M | Yes |

| | | | | |
|------------------------------|--|---|---|------------|
| | Council's reputation if the properties need repairs. | | | |
| 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. | L | Yes |

8. OUTCOMES

| <u>COUNCIL DELIVERY PLAN 2023-2024</u> | |
|---|--|
| Impact of Report | |
| Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u> | The proposals will have no impact on the council delivery plan. |
| <u>Aberdeen City Local Outcome Improvement Plan 2016-26</u> | |
| Prosperous People Stretch Outcomes | The proposals within this report support improved healthy life expectancy by setting out steps towards achieving improvements in the housing stock. |
| 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 better quality housing. |

9. IMPACT ASSESSMENTS

| Assessment | Outcome |
|--|--|
| Integrated Impact Assessment | A stage 1 IIA will be required to consider the implementation of the project. Whilst the outcome will be beneficial for all tenants consideration requires to be given to how best to engage with all tenants, taking account of those with protected characteristics. The outcome and solutions to this will be reported in the 24/25 report. |
| Data Protection Impact Assessment | Further consideration will be required in relation to the DPIA in the pilot project in so far as how information is collected and maintained, |
| Other | None |

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 Planned Maintenance Methodology

12. REPORT AUTHOR CONTACT DETAILS

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Appendix 1

Aberdeen City Council Cyclical Planned Preventative Maintenance (PPM) Review

DRAFT

01/06/2023

V.002

Contents

1.0 Introduction

1.1 What is a PPM

1.2 General Assumptions

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2.1.2 Indicative Essential PPMlist

2.1.3 Justification & Implications

2.2 Option 2

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2.2.2 Indicative Pro-Active PPMlist

2.2.3 Justification & Implications

2.3 Option 3

2.3.1 Operational Requirements

2.3.2 Indicative Exhaustive PPMlist

2.3.3 Justification & Implications

3.0 Roles & Responsibilities

1.0 Introduction

Maintenance is an essential to ensure that buildings and other built assets present a good appearance and operate at optimum efficiency. Apart from decay and degradation of the building itself, inadequate maintenance can reduce performance, affect health and threaten the safety of occupants and those in the vicinity. A PPM has the advantage of enabling more proactive approach to maintenance, and helps prevent small issues from becoming larger issues at a later date, with the knock-on negative impact on productivity. This also means that costs are distributed more evenly.

1.1 What is a PPM

“The planned and controlled programme of maintenance and inspection carried out at predetermined intervals (or corresponding to prescribed criteria) and intended to reduce the probability of failure or degradation of the functioning of an item. This includes inspections, adjustments, cleaning, lubrication and/or selective replacement of components (e.g. filters) and minor repairs, as well as performance testing and analysis intended to maximise the reliability, performance and life cycle of building

systems, equipment, etc. Preventive maintenance consists of many checkpoint activities on items that, if disabled, may interfere with an essential installation operation, endanger life or property, or involve high costs or long lead times for replacement.”

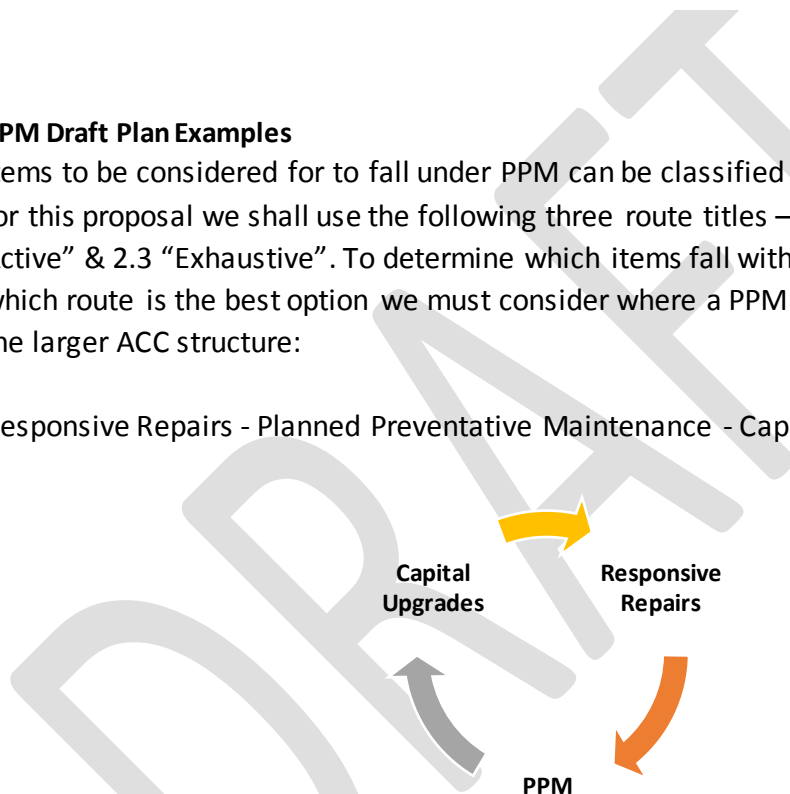
1.2 General Assumptions

Aberdeen City Council currently regularly maintain items, machinery and equipment in line with or exceeding statutory legislative requirements (i.e Lifts, Emergency Lighting), this proposal is for the reintroduction of regular maintenance to non-statutory items. For the purposes of this report I have evidenced additional options so to easier identify the best option to fulfil the goal of an “Essential PPM” plan.

2.0 PPM Draft Plan Examples

Items to be considered for to fall under PPM can be classified under different headings, for this proposal we shall use the following three route titles – 2.1 “Essential”, 2.2 “Pro-Active” & 2.3 “Exhaustive”. To determine which items fall within each category and which route is the best option we must consider where a PPM model would sit within the larger ACC structure:

Responsive Repairs - Planned Preventative Maintenance - Capital Investment/Upgrades



It is important to recognise that of the above stages are critical to the success of each other and should work closely to ensure the greatest efficiency and success. Responsive Repair trends can feed into the PPM and Capital Upgrades work requirements, PPM can reduce the regularity of Responsive Repairs and Capital Upgrades, and Capital Upgrade works can remove the problematic items that require such regular Responsive Repairs and PPM works. Any works and costs experienced within a PPM should achieve savings in excess of the total cost within the Responsive Repairs cycle and the Capital Upgrades cycle, as such PPM can be seen as cost neutral for this reason.

Fig.1 Example Painting Schedule (Costs still to be confirmed)

| STREET | Painting Area | Painting Year | Number Of Blocks | Estimated Total Cost |
|--------|---------------|---------------|------------------|----------------------|
| | | | | |

| | | | | |
|----------------------|---|---|----|-------|
| CHARLIE DEVINE COURT | 1 | 1 | 1 | 13300 |
| DENMORE COURT | 2 | 1 | 1 | 13300 |
| BALGOWNIE BRAE | 3 | 1 | 1 | 2000 |
| BALGOWNIE DRIVE | 3 | 1 | 2 | 4500 |
| BALGOWNIE PLACE | 3 | 1 | 2 | 3500 |
| BALGOWNIE WAY | 3 | 2 | 6 | 7000 |
| CAIRNFOLD ROAD | 3 | 2 | 4 | 4000 |
| CARDENS KNOWE | 3 | 2 | 3 | 3500 |
| CLASHIEKNOWE | 3 | 2 | 1 | 7000 |
| CLOVERHILL CRESCENT | 3 | 2 | 7 | 7000 |
| DENMORE GARDENS | 3 | 3 | 10 | 9500 |
| FOWLERSHILL GARDENS | 3 | 3 | 2 | 1500 |
| HAMEWITH | 3 | 3 | 1 | 15600 |
| HAREHILL ROAD | 3 | 3 | 5 | 4500 |
| OVERHILL GARDENS | 3 | 3 | 4 | 6500 |
| HUTCHEON GARDENS | 4 | 4 | 4 | 2500 |
| SEAVIEW ROAD | 4 | 4 | 7 | 8500 |
| SIMPSON ROAD | 4 | 4 | 3 | 12600 |
| ALEXANDER DRIVE | 5 | 4 | 4 | 7000 |
| ALEXANDER TERRACE | 5 | 4 | 20 | 27500 |
| AUCHINLECK ROAD | 5 | 5 | 1 | 6500 |
| BRADLEY TERRACE | 5 | 5 | 7 | 14700 |
| CONINGHAM GARDENS | 5 | 5 | 5 | 11200 |
| COWAN PLACE | 5 | 5 | 1 | 2000 |
| DEMPSEY TERRACE | 5 | 5 | 2 | 5000 |

OPTION 1
“ESSENTIAL”

2.1 Option 1

In order to ensure that the **Essential** items within our housing stock are maintained option 1 will map out the requirements to fulfil this. This option is the “preferred” option due to its ability to seamlessly fit into current requirements and set up, and to adapt as and when this may be required.

2.1.1 Operational Requirements

Operationally the requirements under this option would require short term increase in workforce until an equilibrium between the Responsive Repairs, PPM and Capital Upgrade cycles were found, after which a re-alignment of current Responsive Repairs staff to PPM should suffice

2.1.2 Indicative Essential PPM list

| ITEM | EXTERNAL | INTERNAL |
|-----------------|----------|----------|
| PAINTING | X | X |
| BEFORE PAINTER* | X | X |
| GUTTERS** | X | |

*(BP generally constitutes joinery repairs required prior to painting)

** (Clean & Minor Repair)

2.1.3 Justification & Implications

After an initial increase in costs and workloads this option should be seen as cost neutral within the current structure and workload. A fine balance of Responsive, PPM and Capital works should be achieved mainly through close working of these three areas through sharing of information and PPM schedules being created and recorded within the Asset Management Database and accessible to all interested stakeholders. Having these items within a regular PPM will improve the overall quality of our property portfolio with external and internal areas being of a more presentable condition for all residents and visitors alike.

OPTION 2

“PRO-ACTIVE”

2.2 Option 2

To fulfil a **Pro-active PPM** within our housing stock, additional consideration should be given to encapsulating all of ACC's current Statutory Maintenance works under this model. It is worth noting that all current statutory maintenance items, equipment and machinery are maintained within various different services across ACC and encapsulating all within this one model could be disruptive to the current successful statutory works being achieved across the board.

2.2.1 Operational Requirements

Operationally the requirements under this option would need the realignment of many services within a single PPM model. Additionally there would still see a short term increase in workforce until an equilibrium between the Responsive Repairs, PPM and Capital Upgrade cycles were found as per the "Essential" model.

2.2.2 Indicative Pro-Active PPM list

| ITEM* | EXTERNAL | INTERNAL |
|--|----------|----------|
| PAINTING | X | X |
| BEFORE PAINTER** | X | |
| GUTTERS** * | X | |
| PAT TESTING | X | |
| LAUNDRY MAINTENANCE | X | |
| GENERATOR MAINTENANCE | X | X |
| PUMP MAINTENANCE | X | X |
| FAN MAINTENANCE | X | X |
| DOMESTIC SMOKE ALARMS | X | |
| EMERGENCY LIGHTING SYSTEMS | X | X |
| ELECTRICAL INSTALLATION CONDITION REPORTS (EICR) | X | |
| LEGIONELLA | X | |
| ASBESTOS | X | X |
| CARBON MONOXIDE DETECTION | X | |
| FIRE FIGHTING EQUIPMENT | X | |
| HEATING & HOT WATER | X | |

*(Note, not a conclusive list, additional statutory maintenance items are to be expected)

** (BP generally constitutes joinery repairs required prior to painting)

*** (Clean & Minor Repairs)

2.2.3 Justification & Implications

This model presents risk to what can currently be seen as a successful statutory maintenance within the councils Housing stock and disruption to teams who carry out statutory maintenance items across further areas than simply the housing stock (i.e. Legionella which will reach within almost every area that the council operates in), this

model would require careful in depth planning and far reaching internal changes. This currently forms part of the ongoing transformation programme.

OPTION 3

“EXHAUSTIVE”

2.3 Option 3

Option 3 shows a fully managed “**Exhaustive**” PPM model within our housing stock, additional consideration should be given to encapsulating all of ACC’s current Statutory Maintenance works under this model and regular maintenance programmes for preventative maintenance to all elements* our housing stock. It is worth noting that all current statutory maintenance items, equipment, and machinery are maintained within various different services across ACC and encapsulating all within this one model could be disruptive to the current successful statutory works being achieved across the board.

*(For the purpose of this report “Elements” will encapsulate everything internal & external - doors, windows, building fabric, roof coverings, floor coverings, kitchens, bathrooms, statutory items, etc)

2.3.1 Operational Requirements

Operationally the requirements under this option would encapsulate the same requirements that fall under both previous options with a need for realignment of many services within a single PPM model. Additionally, there would be a permanent increase in workforce to achieve the exhaustive PPM repair and maintenance. Costs within this model would increase exponentially due to attending to carry out maintenance to items within a schedule that may not necessarily require repair works.

2.3.2 Indicative Exhaustive PPM list

It is not possible to provide a conclusive list within this report that would be suitable for an Exhaustive PPM, it would however incorporate all items contained within the “Pro-Active” model along with maintenance of every element within our housing stock at regular cyclical intervals.

2.3.3 Justification & Implications

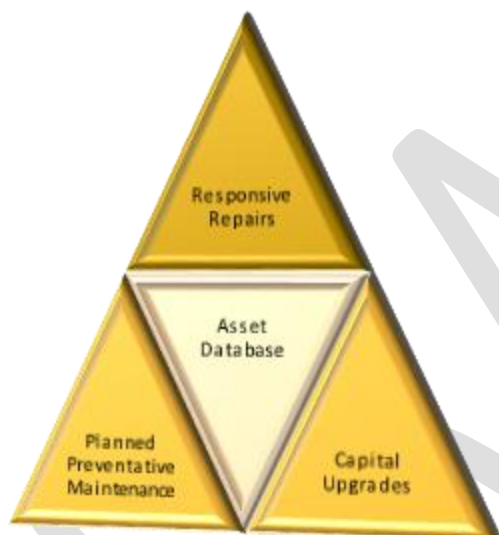
This model presents the same risks and disruption contained within the “Pro-Active” PPM with the addition of significantly increased staffing level and costs in order to accommodate the increased workloads, whilst an extremely high standard of housing stock would be achieved it would likely have further reaching impact on the cost of rent within the housing stock in order to affectively achieve the goals set out within this model and consideration

should be made as to whether this is an option prior to considering an Exhaustive PPM model.

Close working within all related services the sharing of information and PPM schedules would be essential, these would need to be created and recorded within a corporate Asset Management Database and accessible to all interested stakeholders.

3.0 Roles & Responsibilities

To ensure the success of a well laid out Planned Preventative Maintenance model it is critical that all stakeholders within councils Housing stock related maintenance, repair and upgrades work extremely closely so to ensure the same effective outcomes are achieved. Sharing of information and automated alerts should be implemented within all teams involved



Key to this success is the Asset information that is held within our Asset Database, the sharing of this information and how each team feeds into the bigger picture.

END