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To: Councillor Copland, Convener; Councillor Al-Samarai, Vice Convener; Councillor David Cameron, the Lord Provost; Councillor Steve Delaney, the Depute Provost and Councillors Boulton, Clark, McLeod, Thomson and Tissera.

Trade Union Advisers: Doug Haywood and Jackie Munro (EIS); Kevin Masson and David Willis (GMB); Jason Currie and 1 vacancy (SSTA); Mark Musk and Alison Robertson (UNISON); Joe Craig and Mishelle Gray (UNITE); Fiona Sales (UCATT) and Rob Stephen and 1 vacancy (VOICE).

Town House,
ABERDEEN, 11 April 2025

STAFF GOVERNANCE COMMITTEE

The Members of the **STAFF GOVERNANCE COMMITTEE** are requested to meet in **Committee Room 2 - Town House on MONDAY, 21 APRIL 2025 at 10.00am**. 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>

ALAN THOMSON
INTERIM CHIEF OFFICER - GOVERNANCE

B U S I N E S S

NOTIFICATION OF URGENT BUSINESS

1.1 There are no items at this time

DETERMINATION OF EXEMPT BUSINESS

2.1 There are no items of exempt business

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3.1 Members are requested to declare any interests

DEPUTATIONS

4.1 None at this time

MINUTE OF PREVIOUS MEETING

5.1 Minute of Previous Meeting of 27 January 2025 - for approval (Pages 5 - 8)

COMMITTEE PLANNER

6.1 Committee Business Planner (Pages 9 - 12)

NOTICES OF MOTION

7.1 None at this time

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

8.1 None at this time

GENERAL BUSINESS

9.1 Fleet Driver Policy - CRE/25/060 (Pages 13 - 36)

9.2 Corporate Health & Safety Quarterly Update - October to December 2024 - CORS/25/073 (Pages 37 - 58)

9.3 Employee Assistance Service (EAS) Annual Progress Update and Occupational Health and Absence Annual Update (January - December 2024) - CORS/25/075 (Pages 59 - 86)

9.4 Neonatal Care Leave and Pay - CORS/25/076 (Pages 87 - 110)

9.5 Disclosure (Scotland) Act 2020 - Update - CORS/25/077 (Pages 111 - 118)

Website Address: www.aberdeencity.gov.uk

Service updates for this Committee can be viewed here:- [Staff Governance Committee service updates](#)

Integrated Impact Assessments can be viewed here:- [Search Integrated Impact Assessments | Aberdeen City Council](#)

Should you require any further information about this agenda, please contact Stephanie Dunsmuir, email sdunsmuir@aberdeencity.gov.uk

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STAFF GOVERNANCE COMMITTEE

ABERDEEN, 27 January 2025. Minute of Meeting of the STAFF GOVERNANCE COMMITTEE. Present:- Councillor Copland, Convener; Councillor Al-Samarai, Vice-Convener; Councillor David Cameron, the Lord Provost; Councillor Steve Delaney, the Depute Provost; and Councillors Boulton, Clark, Macdonald, McLeod and Thomson.

Trade Union Advisers:- Kevin Masson and Neil Watson, GMB; Mark Musk and Alison Robertson, UNISON; Doug Haywood and Jacqueline Munro, EIS; and Fiona Sales, UCATT.

The agenda and reports associated with this minute can be viewed [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.

ANNOUNCEMENT

1. The Convener welcomed Jacqueline Munro, the new EIS adviser to the Committee, who had replaced Zemeta Chefeke. He added that he also wished to record his thanks to Ms Chefeke for her contributions during her time on the Committee.

MINUTE OF PREVIOUS MEETING

2. The Committee had before it the minute of its previous meeting of 18 November 2024 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

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

The Committee resolved:-

(i) to agree to remove item 8 (Equality and Diversity Policy) as no changes were required to the policy at present, however to note that if the work in respect of the Equality and Diversity staffing outcomes or Equality, Diversity and Inclusion action plan led to any changes being required, a report would be brought to Committee at that time;

STAFF GOVERNANCE COMMITTEE

27 January 2025

- (ii) to note that the Chief Officer – People and Citizen Services had advised that item 33 (Zero Tolerance Policy) would be reported to the April 2025 meeting; and
- (iii) to otherwise note the planner.

FLEXIBLE WORKING POLICY AND GUIDANCE UPDATE - CORS/25/010

4. The Committee had before it a report by the Executive Director – Corporate Services which sought approval for the new Flexible Working Policy and updated guidance to replace the Smarter Working – Flexible Working in Aberdeen City Council Guidance (Version 4, January 2015).

The report recommended:-

that the Committee –

- (a) note the extensive engagement which had taken place across a range of stakeholder groups as part of the development of the policy and the refresh to the guidance;
- (b) approve the introduction of the Flexible Working Policy attached as Appendix 1 to the report; and
- (c) note the accompanying guidance document (Appendix 2) which supported the application of the policy and superseded the existing Smarter Working – Flexible Working in Aberdeen City Council Guidance (Version 4, January 2015).

The Committee resolved:-

- (i) in relation to the query as to whether there would be any update to the lone working policy, to note that officers had undertaken to discuss this with the Corporate Health and Safety Lead outwith the meeting and circulate information to Members and Trade Union Advisers; and
- (ii) to approve the recommendations.

VOLUNTEERS POLICY - CORS/24/294

5. The Committee had before it a report by the Executive Director – Corporate Services which provided an update on the progress of the Volunteer project and sought approval for a new Volunteers policy which set out how any volunteering activity for Aberdeen City Council (ACC) would be managed to ensure uniformity of processes and to mitigate against any potential risks to the Council through the use of volunteers.

The Committee heard from Steven Shaw, Environmental Manager, who was in attendance to provide information in respect of the volunteers who helped his service.

The report recommended:-

that the Committee –

STAFF GOVERNANCE COMMITTEE

27 January 2025

- (a) note the content of the report and the progress made to date with the Volunteer Project; and
- (b) approve the Volunteers Policy for implementation with effect from 1 February 2025.

The Committee resolved:-

- (i) to note that officers were working to include information in respect of recognition of volunteers in the guidance, as well as working to develop a single webpage which would include information on all volunteering opportunities available with the Council, and the application process;
- (ii) to thank the Environmental Manager, his team and the many volunteers for their hard work on various projects; and
- (iii) to approve the recommendations.

- **COUNCILLOR NEIL COPLAND, Convener**

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	A	B	C	D	E	F	G	H	I
1	STAFF GOVERNANCE COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3	21 April 2025								
4	2025 Update on Equality, Diversity and Inclusion Action Plan	<p>SGC 13/03/23 - to instruct the Chief Officer – People and Organisational Development to provide an update to Staff Governance Committee at a future meeting of the Committee on any impact this report has on the Equality, Diversity and Inclusion Action Plan as well as any changes, updates or new areas of focus based on the data and analysis</p> <p>SGC 26/06/23 - to instruct the Chief Officer – People and Organisational Development to report to Staff Governance Committee on progress to the Equality, Diversity and Inclusion Action Plan on an annual basis which will either be as part of Mainstreaming or Progress Report updates or as an independent report in years where there is not a Mainstreaming or Progress Report</p> <p>SGC 26/06/23 - to instruct the Chief Officer - People and Organisational Development to report to Staff Governance Committee in advance of the next Mainstreaming Report being presented to Anti-Poverty and Inequality Committee in March 2025 (dates to be confirmed) with an update on proposed staffing-related content and Outcomes. This will include the annual update on the Equality, Diversity and Inclusion Action Plan</p>		Sandie Scott	People & Citizen Services	Corporate Services	2.6	D	<p>The Equalities Outcomes report was presented to Anti Poverty and Inequality Committee for approval (in line with that Committee's Terms of Reference). A service update will therefore be circulated to Members to provide information in relation to the Employer Equalities Outcomes .</p> <p>Each relevant Committee however will receive the updated Equality, Diversity and Inclusion action plan relative to its remit for consideration and approval. The plans require consideration of the newly approved Equalities Outcomes and consultation with staff and Trade Unions on the content of the action plan, as well as the relevant analysis of the recent employee experience survey, and therefore it is intended to present the action plan to SGC in June for approval - although a later meeting may be required if it becomes apparent during consultation that additional time will be needed to allow staff and Trade Union input.</p>
5	Employee Experience Survey 2025	To present the results and findings from the survey		Isla Newcombe	People & Citizen Services	Corporate Services	2.7	D	To ensure full analysis is undertaken, officers are proposing that the report is postponed by one cycle
6	Fleet Driver Policy	To seek approval of the policy		Patric Bakhuizen	Operations	City Regeneration and Environment	2.5		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
7	Zero Tolerance Policy	SGC 22/04/24 - to instruct the Interim Chief Officer – People and Citizen Services to combine the three closely linked policies, procedures and approaches relating to Zero Tolerance, Violence and Aggression, and Unacceptable Actions into a single policy; with the exception of pupil behaviour in schools as this was governed by national policy and guidance; and report back to Committee for approval of the final policy		Isla Newcombe	People & Citizen Services	Corporate Services	2.5	D	Work is well under way on the policy, however officers need to make further amendments based on changes to guidance issued by the Ombudsman, and to ensure there is sufficient time to engage with TU colleagues once changes are made. Officers will circulate a service update meantime to outline progress made
8	Corporate Health & Safety Quarterly Update	For period to 31 December 2024		Colin Leaver	Governance	Corporate Services	3.2		
9	EAS Annual Progress Update Occupational Health and Absence Annual Update	To present an annual report for the EAS/OH & Sickness Absence figures		Sharon Robb	People & Citizen Services	Corporate Services	2.7		
10	Disclosure Scotland Act update	To provide Committee with information on the changes in relation to the Disclosure (Scotland) Act 2020 which come into effect on 1 April 2025		Lesley Strachan	People & Citizen Services	Corporate Services	GD 8.7		
11	Neonatal Care Leave and Pay	To provide Committee with information on the introduction of the new Neonatal Care Leave and Pay legislation which comes into effect on 6th April 2025		Sharon Robb / Gaynor McKechnie	People & Citizen Services	Corporate Services	2.5		
12	16 June 2025								
13	Family Friendly Policies	SGC 24/06/24 - to instruct the Chief Officer – People and Citizen Services to report back to Staff Governance Committee in one year's time with updated policies and documentation for approval		Sharon Robb	People & Citizen Services	Corporate Services	2.5		
14	Cluster Risk Register	To present the risk register and assurance maps		Isla Newcombe	People & Citizen Services	Corporate Services	GD 8.4		
15	Employee Mental Health Action Plan Annual Progress Update	To provide an update in relation to the employee mental health action plan	June 2025	Sandie Scott	People & Citizen Services	Corporate Services	3.2 iii		

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	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Staff Travel Plan & Policy	NZET 27/03/24 - The Committee resolved:- (i)to replace recommendation 2.1 with "instruct the Chief Officers – Strategic Place Planning and People and Citizen Services, in consultation with the Chief Officer-Finance, to set up an internal officer working group to review and refresh the Council's Staff Travel Policy with the emphasis on walking and cycling"; (ii) to instruct the Chief Officer – Strategic Place Planning to update the Council's Travel Plan to align with any proposed changes to the Staff Travel Policy resulting from (i); (iii) to instruct the Chief Officers – Strategic Place Planning and People and Citizen Services to thereafter undertake consultation with Council staff and trade unions on any proposed changes to the Staff Travel Policy and/or the Council Travel Plan; and (iv) to instruct the Chief Officers – Strategic Place Planning and People and Citizen Services, following analysis of the consultation and finalisation of the documents, to report both the updated Staff Travel Policy and Council Travel Plan back to this Committee and / or other relevant committees by Summer 2025 for approval.	Summer 2025	Sandie Scott	People & Citizen Services	Corporate Services	2.5		
16									
17	25 August 2025								
18	Mortuary Staff Move	To present an update to Committee	Summer 2025	Lesley Strachan	People & Citizen Services	Corporate Services	2.2		
19	Supporting Attendance and Wellbeing Policy	To seek approval of the policy		Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
20	Corporate Health & Safety Quarterly Update	To present the quarterly update		Colin Leaver	Governance	Corporate Services	3.2		
21	3 November 2025								
22	Bairns Hoose	To present an update to Committee		Lesley Strachan	People & Citizen Services	Corporate Services	2.2		
23	Staff Governance Committee Effectiveness Report	To present the annual effectiveness report		Isla Newcombe	People & Citizen Services	Corporate Services	GD 8.5		
24	Corporate Health & Safety Quarterly Update	To present the quarterly update		Colin Leaver	Governance	Corporate Services	3.2		

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2									
25	People Policy Data	SGC 26/06/23 - to instruct the Chief Officer - People and Organisational Development to report disciplinary, grievance and dignity and respect at work data to the Staff Governance Committee on an annual basis		Lesley Strachan	People & Citizen Services	Corporate Services	2.5, 2.7		
26	Leadership and Management Development Update	SGC 03/10/22 - to agree that an annual update on the refreshed approach to leadership and management development be presented to Committee		Sandie Scott	People & Citizen Services	Corporate Services	2.4		
27	Managing Substance Misuse Policy	The revised policy was approved at Committee in November 2023 - to be reviewed annually	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
28	Corporate Health & Safety Policy	To present the revised Health & Safety Policy	Report will not be required if there are no changes to be made	Colin Leaver	Governance	Corporate Services	2.5		
29	Whistleblowing Policy and Procedure	The revised policy was approved at Committee in November 2023 - due for review November 2025	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
30	2026								
31	Volunteers Policy	The revised policy was approved at Committee in January 2025 - due for annual review	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
32	Managing Performance Policy and Procedure	The revised policy was approved at Committee in January 2024 - due for review January 2026	Report will not be required if there are no changes to be made	Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
33	2027								
34	Flexible Working Policy	The revised policy was approved at Committee in January 2025 - due for review February 2027	Scheduled for review February 2027	Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
35	REPORTING DATE TO BE CONFIRMED								
36	Employee Code of Conduct	To present an update on the Employee Code of Conduct		Isla Newcombe	People & Citizen Services	Corporate Services	2.5		
37	People development policy / guidance	To seek approval of the policy		Isla Newcombe	People & Citizen Services	Corporate Services	2.5		

ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	21 April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Fleet Driver Policy
REPORT NUMBER	CRE/25/060
EXECUTIVE DIRECTOR	Gale Beattie
CHIEF OFFICER	Mark Reilly
REPORT AUTHOR	Patric Bakhuizen
TERMS OF REFERENCE	2.5

1. PURPOSE OF REPORT

- 1.1 This report presents the Fleet Driver Policy to the committee for consideration and approval.

2. RECOMMENDATIONS

That the Committee: -

- 2.1 approves the implementation of the Fleet Driver Policy; and
- 2.2 instructs the Chief Officer – Operations to ensure that the Policy is easily accessible to all drivers and line managers and that managers are supported in the fair and consistent application of the policy.

3. CURRENT SITUATION

- 3.1 Currently there is no policy regarding this topic, which is covered by guidance. The policy sets out the organisation's commitment for all drivers, using Council vehicles. This applies regardless of whether the vehicles are owned or hired by the Council.
- 3.2 The policy ensures that the risks associated with driving at work are appropriately managed, regulatory compliance is maintained and assists the Council to meet its Net Zero aims, service delivery standard, financial and safety objectives.
- 3.3 This policy will also support services to reduce motor vehicle incidents, associated insurance claims, reduce negative reputational damage and enhance driver safety.

4. FINANCIAL IMPLICATIONS

- 4.1 The policy will help manage driving accidents/incidents and any associated costs to the Council.

5. LEGAL IMPLICATIONS

- 5.1 The policy will ensure compliance with legislation and the guidance issued by the Office of the Traffic Commissioner.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 This policy will assist drivers and their line managers, by having learning resources, support, and information, to enable the consideration of driving and its environmental impact.

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 staying within legislative obligations	This policy mitigates against any risk that the Council fails to observe legislation or directions from the Office of the Traffic Commissioner.	L	Yes
Compliance	Risk of not being compliant	This policy will ensure compliance with legislation.	L	Yes
Operational	Drivers, staff, and citizens may be at risk	This policy will enhance drivers' understanding of their responsibilities to maintain safety of themselves, staff, and citizens.	L	Yes
Financial	Risk of insurance claims Risk of driver related fines	Financial risk will be minimised by this policy	L	Yes
Reputational	Risk of reputational damage.	This policy will minimise opportunities for reputational damage	L	Yes
Environment / Climate	Risk to organisation and drivers	This policy assists compliance with environmental legislation	L	Yes

8. OUTCOMES

Council Delivery Plan 2024	
	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The policy does not impact on this plan
<u>Local Outcome Improvement Plan 2016-2026</u>	
Prosperous Economy Stretch Outcomes	While not specifically relating to the LOIP, the policy equips all employees to deliver service to all citizens
Prosperous People Stretch Outcomes	As above
Prosperous Place Stretch Outcomes	As above
Community Empowerment Stretch Outcomes	As above
Regional and City Strategies Regional Strategies City Strategies and Strategic Plans Council Strategies	Whilst the policy does not directly impact on any of the strategies it complements the council delivery and support of these outcomes

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	An Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required.
Other	N/A

10. BACKGROUND PAPERS

- 10.1 [Guidance Handbook for Drivers](https://aberdeencitycouncil0365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FFleet%20Services%20Guidance%20handbook%20for%20drivers-WINPCp6pvZMNUwx%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers)
- 10.2 [Council Vehicles Driving at Work Guidance](#)

[aberdeencitycouncil365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FDriving at Work Guidance%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers](https://aberdeencitycouncil365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FDriving%20at%20Work%20Guidance%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers)

11. APPENDICES

11.1 Fleet Driver Policy

12. REPORT AUTHOR CONTACT DETAILS

Name	Patric Bakhuizen
Title	Fleet Compliance Manager
Email Address	Pbakhuizen@aberdeencity.gov.uk

Fleet Driver Policy

Approval Date	
Implementation Date	
Policy Number	POL-CRE-0002
Policy Author/s and Owner	Patric Bakhuizen – Fleet Compliance
Approval Authority	Staff Governance Committee CRE/25/060
Scheduled Review	21/04/2027
Date and Changes: 01/02/2024 Document version 1 19/02/2025 review	

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1. Why does the Council need this Policy?

- 1.1 This policy outlines the requirements for all individuals driving council vehicles on council business, regardless of whether the vehicles are owned by or hired by the Council.
- 1.2 The Council recognises that driving at work is a crucial aspect of delivering our service across Aberdeen City. This Policy ensures that the risks associated with driving at work are appropriately managed, regulatory compliance is maintained and assists the Council to meet its Net Zero aims, service delivery standards, financial and safety objectives.
- 1.3 When implemented, the driving at work policy will support services to reduce motor vehicle incidents and associated insurance claims. The policy will also support the statutory requirements for driver and vehicle compliance for the Council and provide efficient, cost-effective service delivery, and improve the safety of the driver and other road users by reducing incidents.
- 1.4 Effective use of this Policy is designed to:
 - Ensure ACC compliance in line with the Operator's License issued by the Traffic Commissioner.
 - Prevent ACC from going into special measures or having the Operator's License revoked by the Traffic Commissioner.
 - Reduce the number of accidents and incidents by drivers on ACC business.
 - Safeguard the drivers working for ACC by ensuring that they drive only whilst fit and capable of doing so.
 - Better position ACC to negotiate ongoing vehicle insurance requirements, potentially reducing premiums.
 - To ensure the most efficient utilisation of Council vehicles and maximising the resources at hand.

2. Application and Scope Statement

- 2.1 This policy and related procedures apply to individuals driving Council vehicles at work, including Council employees, and non-employees such as relief staff, agency and contractors. These individuals are referred to as 'Drivers' for the purposes of this policy. Driving at work is using any Council vehicle (owned or hired) on public roads for the delivery of council services. Commuting is not considered to be driving at work, unless the Council vehicle is taken home for on call or approved mobile working purposes.

This policy does not apply to those using their own vehicle, either for work purposes or commuting.

- 2.2 For the purposes of this policy, 'Drivers' are defined as:
 - i. Employees who drive using any Council vehicle on Council business.
 - ii. Individuals from voluntary or approved organisations permitted to use Aberdeen City Council vehicles as nominated drivers.

2.3 For the purposes of the policy a 'Council Vehicle' is:

- iii. A vehicle owned by Aberdeen City Council.
- iv. A vehicle hired or leased by Aberdeen City Council.
- v. A demonstration vehicle in Fleet Services control.

2.4 For the purposes of the policy 'Services' are:

All service areas who provide a service to the public within the Council.

2.5 Management of vehicles for mobile working.

Each Service is responsible for ensuring that vehicles taken home as part of mobile working, the employee and manager, must complete a mandate / declaration justifying the need, compliance requirements, and adherence to Council policies and procedures.

3. Responsibilities

3.1 The Chief Executive, Chief Officers and Executive Directors of the Council are responsible for the effective operation of the Policy as well as engaging and inspiring their respective teams to achieve a culture that not only encompasses the beliefs and values of Aberdeen City Council, but also promotes and adheres to the processes and procedures designed to complement such policies. They will:

- Ensure each Council Service devotes adequate resources to implement this policy, including the management of, and compliance by drivers.
- Monitor vehicle incident rates and insurance claims within their respective areas of the Council.
- Monitor costs associated with vehicle hire and travel claims within their respective areas of the Council.
- Ensure the Council fulfils the requirements of its Operator Licence.

3.2 The Fleet Manager has the ultimate responsibility for all vehicles and drivers on behalf of Aberdeen City Council. They are responsible for:

- Ensuring that any new or changes in legislation for vehicles and drivers are implemented and communicated to relevant departments.
- Agreeing the specification of any new vehicle or vehicle for purchase, lease or hire with the appropriate Service representative.
- Ensuring that the specification for vehicles takes full account of the safety of the employee(s) who is/are required to drive and/or use the vehicle.
- Ensuring that all Council vehicles and ancillary equipment are maintained in accordance with road safety legislation and manufacturers / suppliers' guidance.

- Ensuring that, for each vehicle, a detailed maintenance schedule and a log which records all routine maintenance, any complaints with performance, breakdown data, accident data and tachograph recordings are maintained.
- Liaise with the Insurance, Health and Safety and People and Citizen Services teams to identify and address areas of concern.
- Ensure the Council has membership with appropriate external professional bodies regarding fleet management.

3.3 The Fleet Compliance team monitors the safe use of council vehicles across the Council and best practice in terms of Workplace Transport. They will:

- Monitor the usage of Council vehicles within Services.
- Identify and address areas of concern regarding the use of vehicles on Council business.
- Assist the Fleet Manager with implementation of improvements to fleet management within the Council.

3.4 The Health & Safety Team will:

- Provide information to Services on vehicle incidents.

3.5 The Fleet Support Team will:

- Order and arrange fuel deliveries for council sites.
- Manage the process for hiring vehicles for the council.
- Order and replace fuel fobs.
- Record accidents and incidents and report them accordingly.
- Start the insurance claim process.

3.6 Line Managers are responsible for:

- Ensuring that appropriate pre-employment checks are undertaken for drivers of Council vehicles.
- Ensuring that employees or volunteers who drive on Council business complete an "Authorisation to Drive" form on an annual basis and Drivers using Council vehicles, including voluntary organisations will have their vehicle licences reviewed on a DVLA approved Vehicle Licence check database.
- Ensuring that concerns regarding individual driver's fitness to drive are fully investigated and managed in line with this Policy. Additionally, the line manager must notify the Insurance Team immediately of any employee with 6 or more penalty points on their licence who drives on Council business.
- Seek advice/guidance from the Fleet Manager, Insurance Team or the Health & Safety team and People and Citizen Services, where there are concerns over authorising a driver to drive on Council Business.
- Ensure suitable training is provided where applicable. This may include vehicles which individuals are not appropriately licenced to drive due to the individual's age, length of time they have been driving or restrictions based on vehicles they can drive linked to when their licence was issued (for example, minibuses).
- Report and Investigate vehicle incidents/accidents within the requirements of the Council's Fleet Compliance timelines.

- Monitor driving times and behaviours of employees using tachographs and telemetry where these are fitted to vehicles.
- Monitor vehicle incidents/accidents involving individual drivers, and act accordingly.

3.7 Drivers (employees and non-employees) are responsible for:

- Completing an authorisation to drive form on an annual basis.
- Complying with Highway Code and other relevant Road Traffic Regulations and the Council's Drivers' Driving at Work Guidance, when driving on any Council business.
- Notifying the DVLA and their line manager of any injury or illness that could have an impact on safe driving ability.
- Reporting vehicle incidents/accidents immediately to their line manager and Fleet Workshop reception.
- Responding fully and accurately to any requests for information from either the DVLA or Occupational Health.
- Complying with the requirements of the issued licence, including any periodic medical reviews indicated by the DVLA.
- Ensure they follow medical advice relating to conditions which may affect their fitness to drive.
- Advising their line manager immediately of any changes to their health which may impact on their ability to drive, any convictions or charges made against them relating to driving or any change to penalties or endorsements on their driving licence.
- Notify their line manager in the event they have 6 or more penalty points on their licence at any time.
- Participating in any driving related assessment, training or qualifications as required.

3.8 Drivers Responsibility

- It is the driver's responsibility to drive in accordance with the Guidance Handbook for Drivers and The Driving at Work Guidance– provided via the links in the appendix.

4. Supporting Procedures and Documentation

4.1 The Chief Executive, Executive Directors and Chief Officers of the Council will:

- Ensure the Council fulfils the requirements of its Operator Licence.
- Ensure Services devote adequate resources to implement this policy and give reference to the Drivers Handbook and Guidance, in particular in respect of training for reversing assistants also known as a banksman.
- Investigate, manage, and monitor vehicle incident rates and insurance claims within their respective areas of the Council.
- Implement additional training as required by their line manager.

4.2 The Service must ensure that any driver employed by the service must:

- Hold an appropriate licence for any vehicle and trailers (as appropriate) that they are required to drive, as set out in the job profile.
- Have received appropriate training / instruction before driving any council vehicle.
- Be authorised to drive for ACC by their line manager and recorded on their skills register.
- Report immediately to Fleet Service Reception and their line manager any vehicular incidents whilst driving on Council business they are involved in immediately to their line manager. All accidents will be investigated by Fleet Compliance and the driver's line manager.
- Report any vehicular incident/accident that they are involved in, to their own personal insurance company within the requirements of their policy regardless of what vehicle they were driving.

This Policy should be read in conjunction with Section 10, The Guidance Handbook for Drivers and The Driving at Work Guidance (See link below and in the appendix).

[The Guidance Handbook for Drivers](#)

4.3 Vehicles to be taken home and used as part of mobile working, will be authorised on a case-by-case basis, by the manager of the relevant service, the management and use of the vehicle remains the same under the ACC guidance document.

[Council Vehicles Driving at Work Guidance](#)

4.4 Non-compliance should be dealt with immediately by the driver's line manager and appropriate action taken as regards the driver or service who has ultimate responsibility the vehicle. All actions taken should be kept as a permanent record on the drivers work record.

4.5 Where individuals are being recruited to a role with ACC that requires a specific driving licence as set out in the job profile (for example a driver requiring a category C licence to drive an LGV vehicle) then the recruiting managers must ensure that the candidate is qualified and deemed capable of performing the role. The recruiting manager will:

- Ensure the individual holds a current, valid licence as set out in the job profile and a certificate of professional competence (CPC) where appropriate.
- Undertake a check of the drivers' history (including any driving charges or convictions) prior to offering them a job.
- Have assurance (where appropriate) of the driver's fitness to drive the vehicle.

- Ensure the driver holds a valid driver qualification card and a valid driver card.
- Drivers of vehicles requiring driving licence categories C, CE, C1 or C1E must undertake a pre-employment assessment of driving competence and will only be offered employment upon successful completion.

Additionally, work areas employing individuals for roles that require a specific licence type should consider the use of a driving competency assessment as part of the recruitment process. This would be carried out by either an internal or external driver assessor.

4.6 License Requirements:

When recruiting an individual to the council who holds a license other than a UK driver's licence, and who needs to drive on Council business, the recruiting line manager must obtain a record of the individual's driving convictions if any, and if relevant, before they can drive on Council business. Typically, this would be acquired from the relevant licensing authority.

Where this record highlights concerns around driving performance (such as previous convictions, etc.) People Services and/or Fleet Services as appropriate must be consulted prior to the individual being permitted to drive on Council business.

Any individual who holds a licence other than a UK driver's licence who is offered employment by the Council and who is required to drive on Council business must obtain a UK driving licence within 12 months of the commencement of employment. Details on exchanging a foreign driving licence can be found on GOV.UK. Whilst individuals may be permitted to drive in the UK using a foreign licence outside this 12-month period, it is a condition of employment within ACC that the individual obtains a UK licence within 12 months to enable effective monitoring of driver performance.

4.7 Medical Conditions:

Any driver with either a pre-existing or newly occurring notifiable medical condition must inform both the DVLA and their line manager as soon as possible. The DVLA state that a notifiable medical condition is anything that could affect the ability to drive. Any employee with one of these conditions, must not perform any driving duties and must be referred to Occupational Health (OH).

Any driver who drives a vehicle that requires a Group 2 licence and fails a medical Exam associated with this appointment must inform their line manager immediately. Drivers should be made aware of strict compliance to this policy as failure to report medical issues could lead to a criminal offence being committed.

Where a medical condition (either newly occurring or pre-existing) prevents an employee from maintaining a licence they must inform their line manager immediately. The line Manager will manage this scenario with advice from People Services and Occupational Health.

4.8 Driving Convictions and withdrawal of Licenses:

Any driver who is charged with or convicted of a driving offence, receives a fine/penalty point or loses their licence due to a driving offence whether at work or not must inform their line manager immediately. The line manager must ensure that this is recorded in accordance with service operational procedures and processes.

Where this involves an employee who drives an HGV on Council Business the Fleet Compliance Team must be notified immediately by the line manager.

Where there is evidence of an employee committing a driving offence whilst on Council business the relevant Line Manager must deal with the matter immediately and take appropriate action in accordance with corporate policy e.g. Managing Discipline Policy. In some instances, a referral to Police Scotland may be appropriate. Advice should be sought from People Services in all cases.

Any individual driving on Council business must notify their line manager immediately in the event they have 6 or more penalty points on their licence at any time. The line manager must then notify the Insurance Department immediately of this.

4.9 First Use Check:

All drivers using a Council vehicle must complete a daily First Use Check Book or digital version prior to operating the vehicle, even if they take over a vehicle already used that day.

Movement of vehicles within Council work premises and work sites must be managed by the site supervisors and are liable to random checks before or after shift.

4.10 Vehicle Incidents and Accidents: (see 13.5)

All vehicle incidents and accidents must be reported to the employee's line manager immediately in line with the Council's driving at work guidance. Vehicle incidents and accidents must be reported even if no one is injured.

An accident report form must be completed at Fleet Service Reception within 24hrs for any vehicle incident or accidents where damage or injury has occurred to either a Council employee, member of the public or any vehicle.

Vehicle incidents and accidents occurring whilst driving on Council business must also be recorded on the driver's record.

Employees involved in a vehicle incident or accident when using a Council vehicle must report this to their personal motor insurance provider in line with their policy requirements.

4.11 Driver Performance

Vehicle incidents and accidents involving employees must be monitored by Fleet Compliance, Services and on an individual level by their line manager. When monitoring driver performance, the following factors will be considered:

- Number and frequency of vehicle incidents/accidents.
- Costs associated with vehicle incidents/accidents.
- Involvement of pedestrians/bystanders in vehicle incidents/accidents.
- Telemetry information, fitted on all Council vehicles (including information on braking and acceleration).
- History of driving offences.
- Adherence to local procedures (for example, traffic management risk assessments) and signage.

Where a driver's performance is identified by their line manager to be of concern, a training review should be undertaken initially. Where a driver's performance is found to fall below established Council standards, as highlighted in the Drivers Handbook, these situations should be managed by the service manager, as appropriate to circumstances and may be subject to action under the Managing Discipline or Managing Performance policies. Advice from People Services should be sought.

5. About this Policy

- 5.1 Driving on Council business is governed by the Chief Officer - Operations, Fleet Service Manager, Fleet Compliance Manager and Service Managers. For this Policy, this group will be referred to as 'Management Group.'
- 5.2 The Management Group, through this Policy, sets out the expectations of Aberdeen City Council (ACC) to the employees to assist them in choosing the most appropriate mode of transport, to deliver services on behalf of the council. The Management Group is in place to assist services in ensuring that vehicle use is undertaken in a way that is cost effective and minimises environmental impacts.

6. Risk

- 6.1 As detailed in the Council's Risk Management Policy, the following risks that can be mitigated by this Policy are:
 1. Compliance Risks: This policy and supporting documentation will mitigate the risk of non-compliance by drivers carrying out ACC business in line with current driving legislation and strengthens a safe way of working.
 2. Financial Risks: Abiding by this Policy will ensure that all drivers are capable of the work they are undertaking and can mitigate accidents and other incidents involving ACC vehicles. This puts ACC in a positive position to negotiate ongoing vehicle insurance for ACC vehicles and provides for a better cost-effective and efficient service for the residents of Aberdeen City.

3. Reputational Risks: By reducing the number of accidents and incidents involving ACC vehicles, this will benefit the reputation of the Council.

7. Environmental Implications

- 7.1 By complying with the requirements of this Policy, it improves the levels of safety for the public and ACC drivers. It also minimises the costs associated with incidents and accidents. Driving in line with the policy may lead to reduced emissions from correct vehicle usage.

8. Policy Performance

- 8.1 Monitoring will take place to check on performance through:
 - Random driving risk assessments before and after shift undertaken by the line manager.
 - Monthly monitoring of risks at senior management team meetings.
 - Correct incident and accident reporting at the time of the accident/incident by the driver and his line manager and through ongoing monitoring. Relevant monitoring being discussed at the Fleet User Group meetings to highlight quality of driving across the Council.

9. Design and Delivery

- 9.1 This Policy delivers an understanding to all ACC drivers:
 - The need to be compliant with the Road Traffic Act, the Transport Commissioner, and the rules regarding the ACC Operators License.
 - Highlights the need for better care and consideration for other road users and the public.
 - Helps to improve standards and reduce spending on fuel and repairs, leading to better use of resource and funds.
- 9.2 Good fleet and regulatory compliance creates value for money. With better training and more considered deployment of vehicles and drivers, the level of incidents will reduce. It will also have a positive impact on the general wear and tear of vehicles, reducing costs to repair and upkeep.
- 9.3 Mandatory Compliance to driving rules and training will improve governance of the road traffic act and operator licence rules implemented by the traffic commissioner, and will help maintain the Operator Compliance Risk Score (OCRS), enabling continuation of competently running the ACC Fleet of vehicles.

10. Housekeeping and Maintenance

- 10.1 This policy must be reviewed on an biennial basis to comply with any regulatory or industry requirements.
- 10.2 It is the responsibility of the Chief Executive, Executive Director – City Regeneration and Environment, Chief Officer - Operations, Fleet Manager and Fleet Compliance Manager to manage this policy. Please refer to Section 3 for detailed responsibility.
- 10.3 All breaches of policy should be acted upon by those outlined as responsible, in association with all Service Department Managers, to address any non-compliance. Non-compliance of obligations within the Operator's Licence, may lead to loss of repute, restriction of service, reduced fleet, and potential financial impacts.

11. Communication and Distribution

- 11.1 This Policy will be distributed by Fleet Services to all Chief Officers and Service Managers who will provide access to all their staff, via the Council online portal, or access to a printable copy if requested.
- 11.2 Any changes that are required to this policy e.g. updates to regulations and compliance requirements will be communicated by Fleet Compliance.

12. Information Management

- 12.1 All Information in this document and associated procedures will be maintained in accordance with the governance laid out in the Council's Corporate Information policy and will protect individuals' information under GDPR.

13. Definitions and Understanding this Policy

- 13.1 Definitions held within this policy refer to organisations, responsible people and qualifications required.

Acronyms

ACC:	Aberdeen City Council – Organisation for whom policy applies to.
LGV:	Large Goods Vehicle
MIDAS:	Minibus Driver Awareness Scheme
OCRS:	Operator Compliance Risk Score
PCV:	Passenger Carrying Vehicle

- 13.2 **Qualifications**

CPC = Certificate of Professional Competency – qualification for all vocational drivers.

13.3 **Driving Licence Categories**

The full information of driving licence categories and restrictions can be found on the government website

Quick Links to further information: -

www.gov.uk/driving-licence-categories

www.gov.uk/driving-licence-codes

www.gov.uk/driving-nongb-licence

www.gov.uk/exchange-foreign-driving-licence

www.gov.uk/legal-obligations-drivers-riders

www.gov.uk/employing-people-to-drive www.gov.uk/driving-medical-conditions

13.4 **Official publications**

www.gov.uk/guidance/the-highway-code

[Highway Code 2024 | New Official Rules and Changes](#)

13.5 **Incident / Accident** – Every accident can be an incident, however not all incidents can be termed as an accident.

Incident – an incident is an event that has unintentionally happened, but may not result in damage harm or injury, but may be a near miss event.

Accident – an accident is an event that has unintentionally happened, that results in damage, harm or injury.

Appendix

Links to other Policies / Guidance

- [Drivers Handbook for Drivers](#)
- [Council Vehicles Driving at Work Guidance](#)
- [Managing Discipline Policy](#)
- [Managing Discipline Guidance](#)
- [Managing Performance Policy](#)
- [Managing Performance Guidance](#)

Drivers Handbook for Drivers

[aberdeencitycouncil365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FFleet Services Guidance handbook for drivers-WINPCp6pvZMNUwx%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers](http://aberdeencitycouncil365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FFleet%20Services%20Guidance%20handbook%20for%20drivers-WINPCp6pvZMNUwx%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers)

Council Vehicles Driving at Work Guidance

[aberdeencitycouncil365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FDriving at Work Guidance%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers](http://aberdeencitycouncil365.sharepoint.com/sites/PeopleAnytime/SiteAssets/Forms/AllItems.aspx?id=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers%2FDriving%20at%20Work%20Guidance%2Epdf&parent=%2Fsites%2FPeopleAnytime%2FSiteAssets%2FSitePages%2FFleet-Services---Guidance-handbook-for-drivers)

Driver Competency

LGV

Vehicle classification	Driving licence requirements	Qualification requirements	Legally required training	Additional in-house training for all drivers
General vehicles	LGV "C"	CPC for LGV	LGV licence 35 hours / 5 years	-
Refuse vehicles	LGV "C"	CPC for LGV	LGV licence 35 hours / 5 years	Specialist vehicle driver training

Road's vehicles, winter gritting	LGV "C"	CPC for LGV	LGV licence 35 hours / 5 years	Familiarisation training for gritter drivers
LGV with trailers under 750kg	LGV "C"	CPC for LGV	LGV licence 35 hours / 5 years	Provision of training for all new drivers
LGV with trailers over 750kg	LGV "C+E"	CPC for LGV	LGV licence 35 hours / 5 years	Provision of training for all new drivers

Specialist Vehicles

Vehicle classification	Driving licence requirements	Qualification requirements	Legally required training	Additional in-house training for all drivers
Forklift truck	Normal licence	Appropriate training	Forklift truck certificate	Specialist vehicle driver training
Dumper truck	Normal licence	Appropriate training	LGV licence 35 hours / 5 years	Specialist vehicle driver training
Construction vehicles	Normal licence	Appropriate training	LGV licence 35 hours / 5 years	Specialist vehicle driver training
Tractor	Normal licence	N/A	LGV licence 35 hours / 5 years	Specialist vehicle driver training
4x4 drive vehicles	Meet class vehicle requirements	N/A	LGV licence 35 hours / 5 years	Specialist vehicle driver training
Ride-on-mowers etc.	Normal licence	N/A	LGV licence 35 hours / 5 years	Specialist vehicle driver training

Passenger Buses

Vehicle classification	Driving licence requirements	Qualification requirements	Legally required training	Additional in-house training for all drivers
Passenger buses	PCV	CPC for PCV	CPC undertaken where required for job 35 hours / 5 years	N/A
Buses operated under S19 & S22 permits - Transport Act 1985 (voluntary drivers)	PCV Normal Licence2 D1	CPC for PCV	CPC undertaken where required for job 35 hours / 5 years	MIDAS
Minibuses	Normal Licence2 D1	CPC for PCV	CPC undertaken where required for job 35 hours / 5 years	MIDAS
Passenger assistance roles	N/A	N/A	N/A	Passenger assistance training

All other Vehicles

Vehicle classification	Driving licence requirements	Qualification requirements	Legally required training	Additional in-house training for all drivers
Light lorries	C1	CPC for LGV	LGV licence 35 hours / 5 years	N/A
Vans & crew-cabs	PCV Normal Licence1 B, C1	CPC for LGV	LGV licence 35 hours / 5 years	N/A
Use of trailers	Normal Licence2 +E	CPC for LGV	LGV licence 35 hours / 5 years	N/A
Cars	Normal licence	N/A	N/A	All drivers to be risk assessed
Carpool vehicles	Normal licence	N/A	N/A	Fleet Services vehicle familiarisation training

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ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	21 April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Corporate Health and Safety – October to December 2024
REPORT NUMBER	CORS/25/073
EXECUTIVE DIRECTOR	Andy MacDonald
CHIEF OFFICER	Alan Thomson
REPORT AUTHOR	Colin Leaver
TERMS OF REFERENCE	3.2

1. PURPOSE OF REPORT

- 1.1 The appendix to this report summarises statistical health and safety performance information for the 3-month reporting period October to December 2024 to provide the Committee with the opportunity to monitor compliance with health and safety legislation.

2. RECOMMENDATION

That the Committee:

- 2.1 Note the report and provide comment on the health, safety policy, performance, trends, and improvements.

3. CURRENT SITUATION

- 3.1 The appendix to the report contains a dashboard of the statistical information in relation to health and safety activities for the three-month reporting period October to December 2024. The statistical information also contains an analysis of the key figures in each of the incident and near miss sections.

- 3.1.1 The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) places duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses) to the Health and Safety Executive (HSE). This reporting duty includes incidents which result in an employee being absent from work for 7 days or longer as a result of an injury, which have historically been the main reason for Aberdeen City Council's reports to HSE.

This report addresses the following matters:

- All incidents involving employees and members of the public (serious and minor)

- HSE Reportable Incidents
- Reportable Diseases
- Near Miss Information
- Enforcement Interventions
- Fire Risk Assessment
- Health and Safety Audits
- Compliance Monitoring
- Health and Safety Policies, Procedures and Guidance

3.2 Incidents (October to December 2024)

All incident and near miss information in the appendix to this report has been provided to Cluster level in the appendix. However, within Education incidents have been reported to nursery, primary and secondary school level.

Incident information

- 3.3** The figures are reported to Cluster level for both employee and third-party incidents. Causation figures are also included within the appendix. There is also now a comparison for each of the three years prior to this reporting period so the Committee has sight of the reporting years through the Covid pandemic. The comparative figures for this year are in a separate chart due to the change of reporting system.
- 3.4** Pages 2 and 6 now show the comparison figures for corresponding quarters for injury incidents and near misses.
- 3.5** When an incident is reported, the manager is required to complete an investigation report, and this should be shared with the employee and signed off by both. This investigation report highlights categories of criteria which require to be considered including root cause, actions identified and completion dates.
- 3.6** Page five of the appendix details the breakdown of incident causation within the Education Service, where the largest number of incidents occur. Figures have increased both from the corresponding period last year and year on year.
- 3.6.1** Whilst it is difficult to identify exact reasons for incident increase, it would be reasonable to conclude it is possibly due to an increase in reporting following encouragement from Senior Managers and Trade Unions, a possible increase in the level of incidents or more likely a mix of both.
- 3.6.2** However, the downward trend over the last 6 months has again started its upturn similarly to previous years.
- 3.6.3** On page 11 the charts represent incident figures in primary and secondary schools to show whether there was a reduction in reporting during school holiday periods. The charts show that in each of the last two years the incident reporting levels drop at the same time during the year and coincide with the school holiday periods. This would be as expected as most incidents are pupil behaviour related.

- 3.6.4 The main categorisation of the incidents is either as 'physical injury and violence', unacceptable behaviour or 'externalising behaviour' and are mainly due to pupil behaviours. There are no differences in the consequences of these incidents to the staff involved in the different categorisations. The choice on where to report the incident should be done following a consultation between the line manager and the affected member of staff.
- 3.6.5 The support provided by the staff continues to play a vital role in helping children learn to regulate their emotions and behaviours, and to cope with the demands and expectations of the school environment. This consistent, positive, and supportive guidance can help the children understand the rules, boundaries, and consequences of their actions, and to develop skills such as self-control, problem-solving, and empathy. This can continue to lead to a medium to long term reduction in the level of incidents from an individual child, as they become more confident, cooperative, and resilient.

HSE Reportable incidents (October to December 2024)

- 3.7 The table in the Appendix also shows the number of RIDDOR reportable incidents. During the reporting period between October and December 2024 6 incidents involving an employee required to be reported to the Health and Safety Executive. The vast majority of these continue to be for over 7-day absences.
- 3.8 The corporate health and safety team contact the reporting manager when a RIDDOR incident is reported to HSE to get assurance that the correct causation and remedial actions have been identified and that any identified remedial actions have been implemented.

Incident (reportable employee) frequency rates

Period – Quarterly	Reportable Incidence rate	Reporting period
Oct –Dec 2024	0.73	2024/25

- 3.9 The above figures are calculated using the formula:

$$\text{Incidence rate} = \frac{\text{RIDDOR injuries per period} \times 1000}{\text{Number of employees}}$$

- 3.10 The figure for the corresponding period last year (Oct – Dec 2023) was 5 RIDDOR reportable incidents and a reportable incident rate of 0.63.

Reportable Diseases

- 3.11 There were no reportable diseases reported under RIDDOR; which was also the case in the corresponding reporting period last year.

Near Miss Information

- 3.12** Near-miss incidents help to identify potential hazards and mitigation strategies before an injury occurs. Recognising and reporting near-miss incidents can significantly improve employee safety before an incident occurs.
- 3.13** Reporting managers are required to investigate the near miss to identify the root cause and implement any new identified controls, where possible, to reduce the likelihood of any reoccurrence or for any future incident to result in injury. These elements of a health and safety management system are now monitored daily when a manager reports an incident or near miss to ensure that reporting managers have both elements in place.
- 3.14** The appendix shows information on the number of near miss figures for this reporting period and again a comparison with the three previous reporting years. The near miss figures have stabilised or reduced year on year and from 2023's corresponding reporting period.
- 3.15** Page nine of the appendix gives a breakdown of near misses within the Operations function. As with incidents, the majority are within the Education services. Like incident figures, these are mainly because of distressed behaviours evident in some children with additional support needs. Risk assessments are reviewed after every near miss to consider any actions which can be taken to prevent or reduce the risk of reoccurrence.

Regulator interventions (HSE / SFRS)

- 3.16** There are occasions where HSE and Scottish Fire and Rescue Services (SFRS) contact Aberdeen City Council to request further information or ask for action to be taken regarding the way Aberdeen City Council undertake their legal duties.
- 3.17** HSE's campaign to ensure that Councils carry out their duty to manage asbestos has moved from schools to public buildings. An HSE inspector conducted this inspection on 4 ACC owned properties across different sectors. Whilst satisfied in general they found some areas of improvement around the annual reviews of buildings and the way we provide information to our front-line employees. A solution to these issues has been identified although this requires some additional external resource until staff vacancies can be filled. A formal response is required by 20 April 2025 to HSE to give them reassurance we have addressed these issues.
- 3.18** SFRS carried out no audit visits of any ACC (Aberdeen City Council) owned or managed buildings during this reporting period.

Fire risk assessments

- 3.19** Fire risk assessments are completed on a rolling 5-year programme. A total of 26 fire risk assessments were completed during this reporting period. The issues identified are across the range of topics considered in the assessment process. These issues are given a priority level requiring an action by a

specified date dependent on the resultant risk. No building is left at risk during this process.

- 3.20** There were 275 identified actions allocated to Managers, these are inserted into the fire risk actions database and monitored to a close. This database is available to all Chief Officers and Service Managers on the managers' portal, which shows live data on open, closed, and overdue actions. Should an action pass the compliance date a reminder is sent to the responsible manager and the Service Manager. They are also taken to the next relevant senior management team meeting to make everyone there aware of the need to close these off.

Health and Safety Audits

- 3.21** Compliance visits have been undertaken on several topics / premises within the ACC estate; Line Managers Health & Safety Responsibilities; Risk assessment; Workplace Inspections; Lifting Operations & Lifting Equipment Operations.
- 3.21.1** There were 16 actions raised against Managers in this period, which are recorded in an action log. Managers who have had actions allocated to them are given access to the action log to record the action taken to remove the risk and to record the date completed. This action log is reviewed monthly and where they become overdue then the responsible manager is reminded of the action and the Service manager also made aware of the need to close it off.
- 3.21.2** Follow up visits are also carried out on several of the completed actions which have the potential to result in more serious consequences and to audit that controls continue to be suitable and sufficient and are being followed.

Health and safety policies, procedures, and guidance

- 3.22** There were no corporate procedures reviewed this quarter.

4. FINANCIAL IMPLICATIONS

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

5 LEGAL IMPLICATIONS

- 5.1** The Health and Safety at Work etc Act 1974 requires that an organisation has a suitably robust safety management system to ensure the health, safety, and welfare of their employees. Where any incident is of sufficient seriousness there is a requirement to report these under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 which provides a potential for the Enforcing Authorities to become involved and carry out their own investigation into the circumstances of the incident. Any investigation could result in prosecution of the organisation and in some cases prosecution of managers and/or employee.

6 ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications because of this report.

7 RISK

Risk Appetite

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

Management Of Risk

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *Considering controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	N/A	N/A		
Compliance	There is the risk that any injury or serious health and safety incident could result in focus from the Health and Safety Executive which could result in enforcement action in the form of notices or prosecution.	<p>Corporate Procedures require all tasks to be risk assessed and the controls implemented and supervised by line managers.</p> <p>All employees are trained to a level where they are competent to carry out the work.</p> <p>Analysis of the causes of the incidents, near misses and work-related absences and resultant improvements to prevent, where possible, reoccurrences, can reduce the financial exposure to the Council.</p> <p>This effective health and safety management system in which risks are identified and either eliminated or reduced</p>	L	Yes

		will result in a reduction of costs to the organisation.		
Operational	<p>The risk is that any health and safety incident can lead to an injury to an employee which could have the potential to temporarily or permanently affect either or both their employment and/or their life.</p> <p>The risk to our citizens is that we are unable to provide the same level of service delivery due to staff absences from illness and injury sustained during their work. Also, there is the possibility of a reduced budget due to the associated financial costs.</p>	The task has been risk assessed; employees are trained, competent and supervised then there should be less likelihood of incidents.	L	Yes
Financial	The risk is that any incident has	As per compliance above	L	Yes

	the potential to bring a reduction in the overall budget in place to provide service delivery.			
Reputational	Local and National press coverage of any incident can present reputational damage to the organisation.	Each Function should have a robust safety management system in place. There are many facets to this which are important starting from ensuring employees are trained and competent, every hazard is risk assessed, and employees are up to carrying out investigation of near misses to ensure controls are reviewed to consider whether remedial actions are required.	L	Yes
Environment / Climate	N/A	N/A	N/A	

8 OUTCOMES

<u>Aberdeen City Local Outcome Improvement Plan</u>	
Prosperous Economy Stretch Outcomes	A healthy and safe workplace assists the overarching principles of the stretch outcomes within the LOIP (Local Outcome Improvement Plan) by ensuring that resource is directed at the services required by the city. Removing the level of lost resource to the financial penalties incurred through the Civil and Criminal Courts and from the Regulators will allow the available resource to be best used to ensure funding of the growth sectors of the local economy.
Prosperous People Stretch Outcomes	The areas reported on within this report allow Clusters a further opportunity to recognise areas which when acted upon can assist with engagement of staff and service users to support the meaningful educational progress of children and young people.

9 IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	No assessment required. I confirm this has been discussed and agreed with Vikki Cuthbert, acting Chief Officer Governance in March 2025.
Data Protection Impact Assessment	Not required

10 BACKGROUND PAPERS

10.1 N/A

11 APPENDICES

11.1 Quarterly Staff Governance Health and safety dashboard October to December 2024

12 REPORT AUTHOR CONTACT DETAILS

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Staff Governance Health & Safety Report

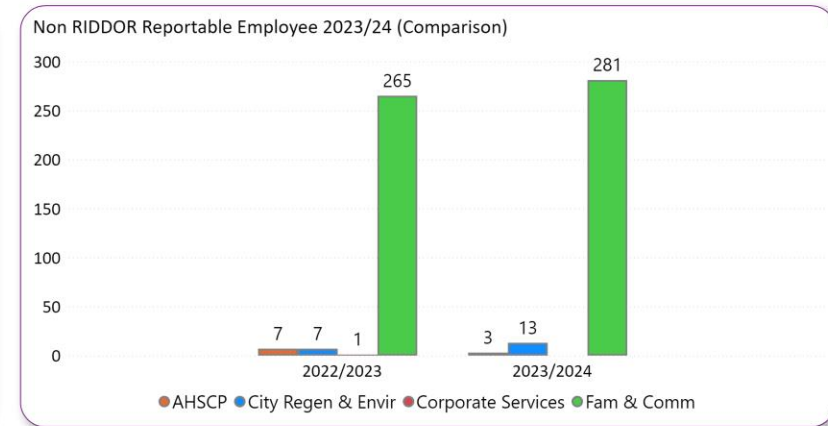
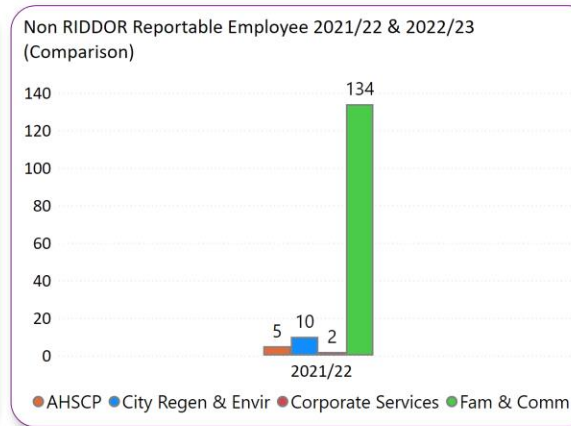
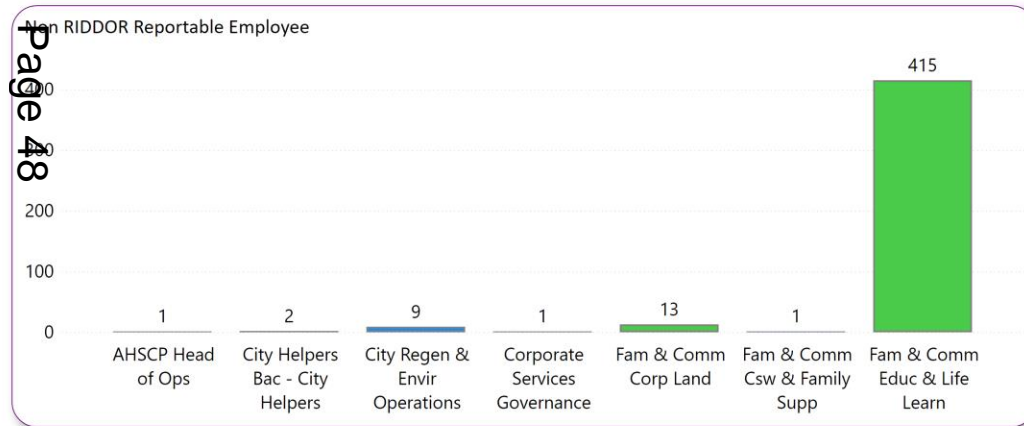
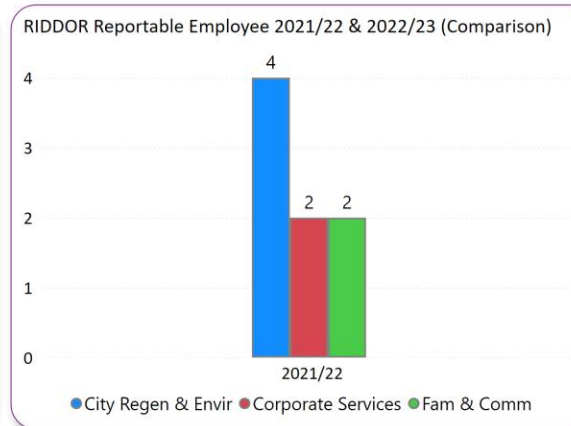
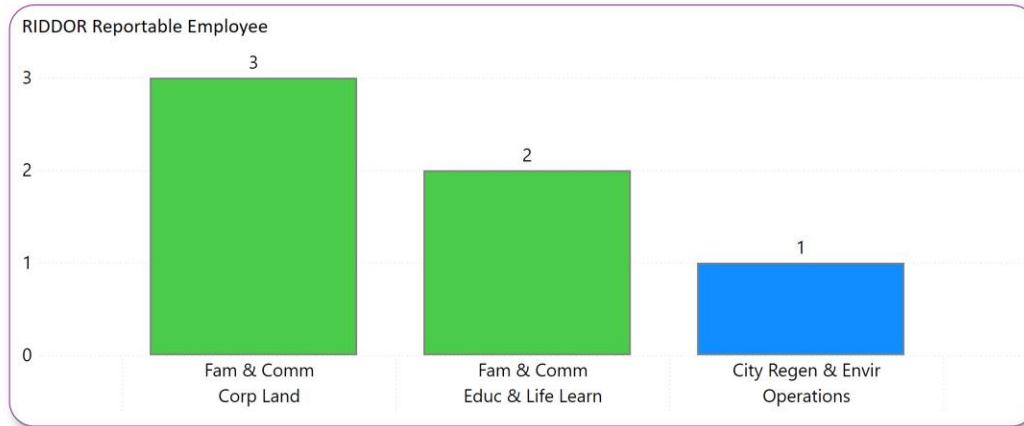
Quarter 3 2024/2025 (Oct 24 to Dec 24)

DISCLAIMER

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Reported H&S Incidents (Employee) Between Oct to Dec 2024

The following tables give breakdown of all employee incidents across all Functions and Clusters in Aberdeen City Council. The tables on the left initially show the number of incidents for each Cluster this reporting period with those tables on the right giving a quarter 3 comparison for each Function from 2021/22 to 2023/24 where applicable.



Employee Incident Information

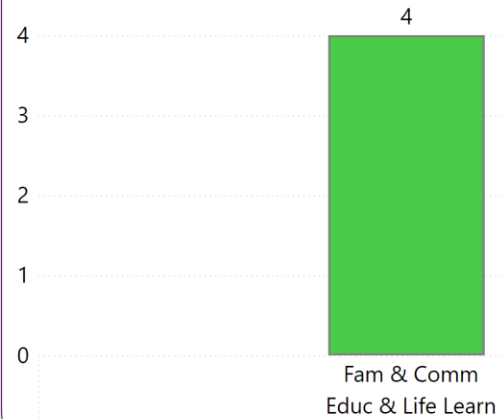
The number of incidents in Education has increased year on year with the main causes being physical injury and violence, externalising behaviour and unacceptable behaviour. These increases are potentially down to the work done by senior management and Trade Unions to encourage reporting, an actual increase in the level of incidents or a mix of both reasons.

On page 11 of the report a line graph is detailed to show the levels of reporting at points throughout the year. They detail the different levels of reporting for primary and secondary education. The red boxes highlight the dates for school holidays and in most cases the levels of reporting is much lower. There is a trend of the first week of holidays showing a rise and this is most likely due to managers reporting during the first few days of holidays.

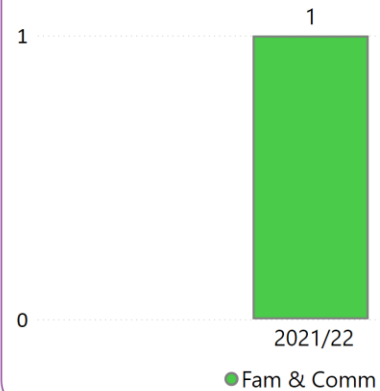
Reported H&S Incidents (Third Party) Between Oct to Dec 2024

The tables below give information on those non-employee incidents which happened across all Functions and Clusters. Again the tables on the left show the current period for each Cluster, with those tables on the right giving a quarter 3 comparison for each function from 2021/22 to 2023/24 where applicable.

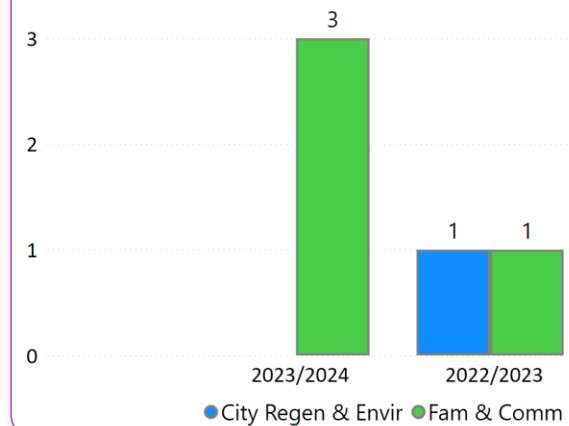
RIDDOR Reportable Non Employee



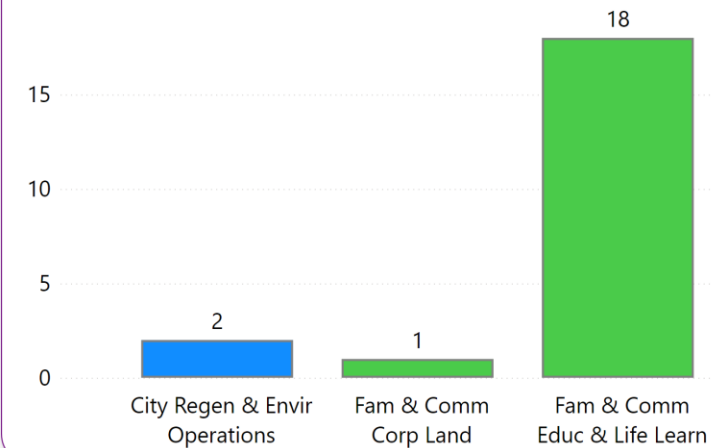
RIDDOR Reportable Non Employee 2021/22 & 2022/23 (Comparison)



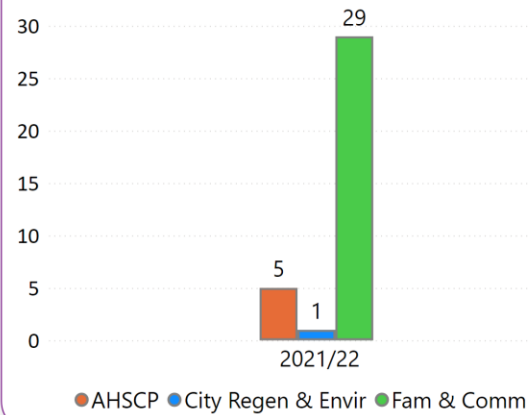
RIDDOR Reportable Non Employee 2023/24 (Comparison)



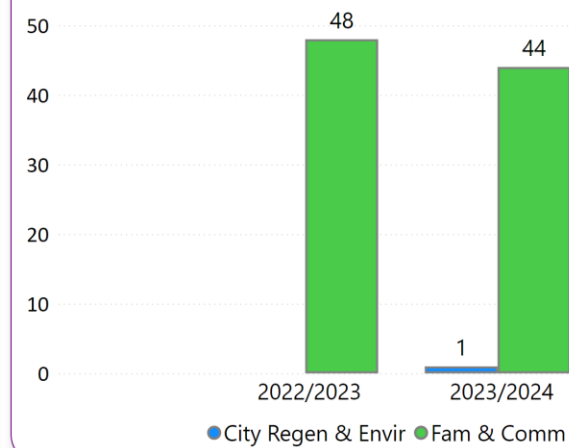
Non RIDDOR Reportable Non Employee



Non RIDDOR Reportable Non Employee 2021/22 & 2022/23 (Comparison)

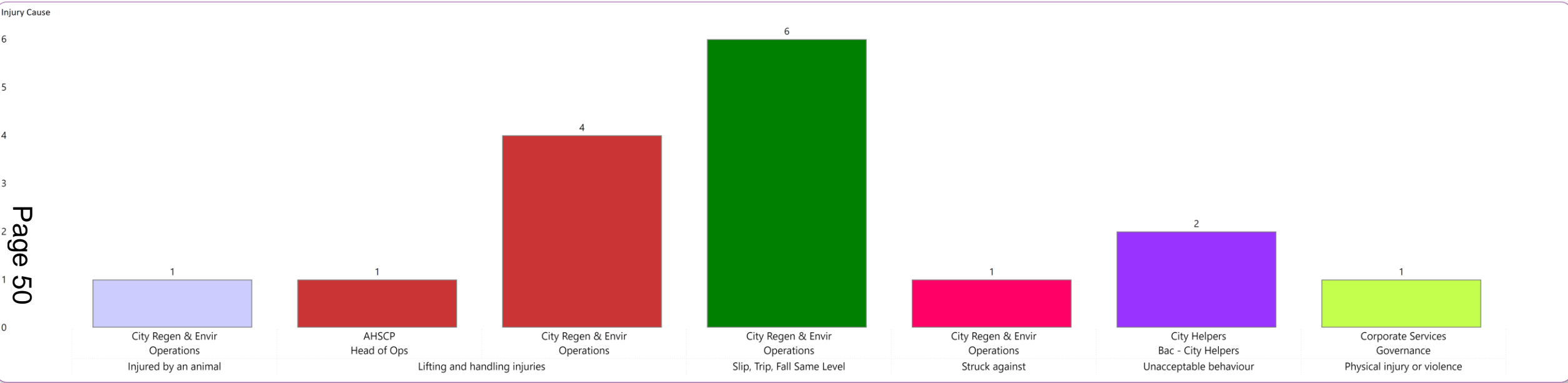


Non RIDDOR Reportable Non Employee 2023/24 (Comparison)



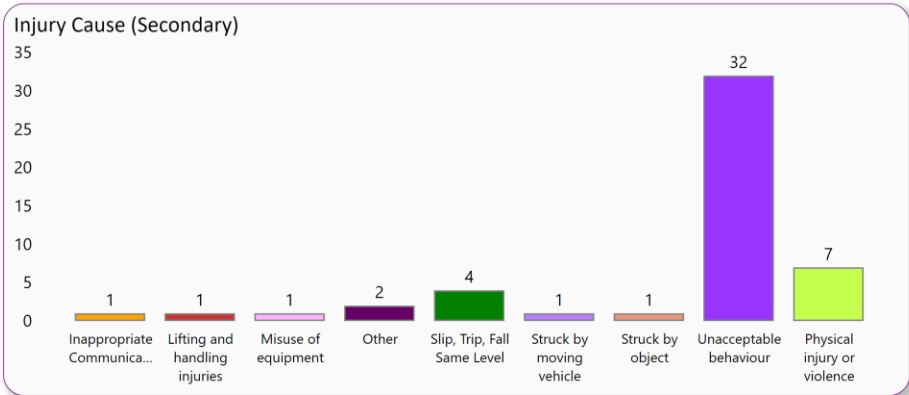
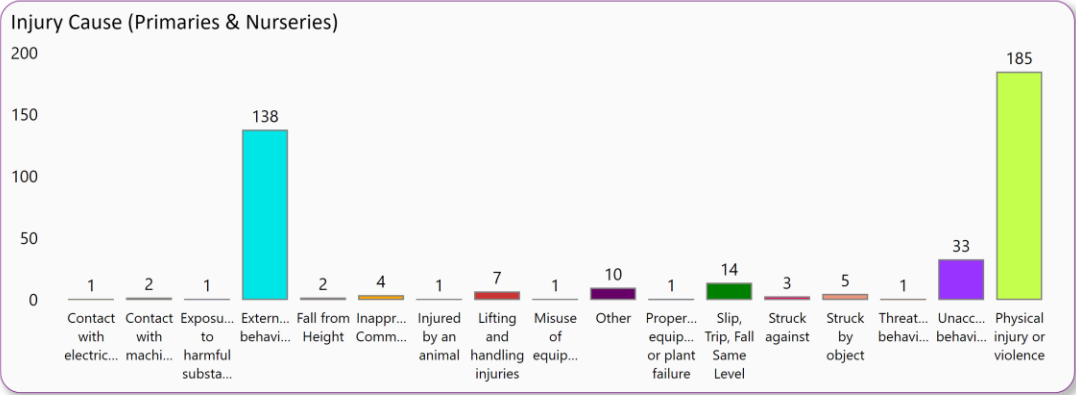
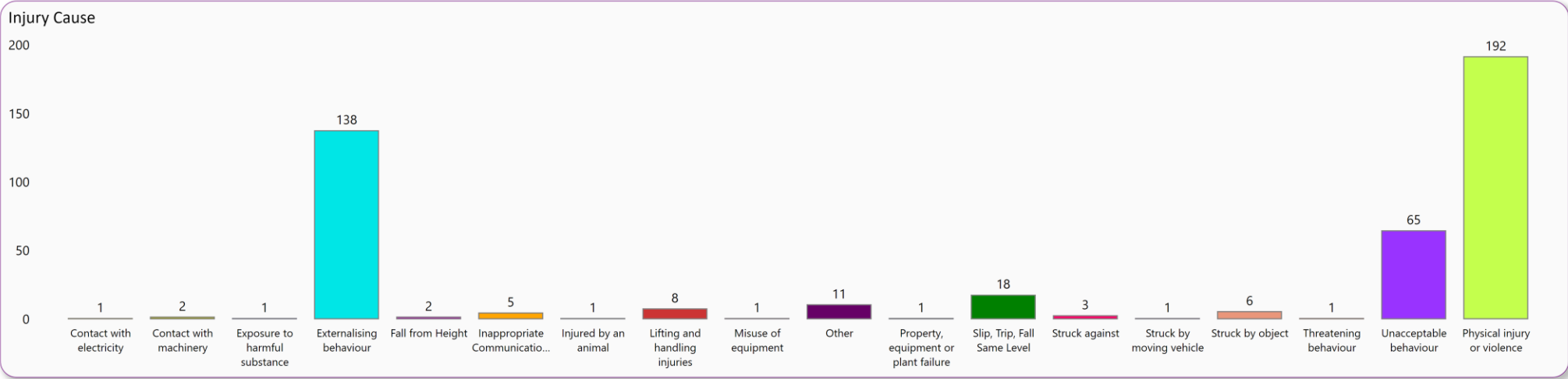
H&S Incident Causation
Reported between Oct to Dec 2024

The table shows incident causation for each Cluster for this reporting period apart from Families & Communities, which is covered in the next page.



Injury Cause						
Injured by an animal	Lifting and handling injuries	Physical injury or violence	Slip, Trip, Fall Same Level	Struck against	Unacceptable behaviour	Total
1	5	1	6	1	2	16

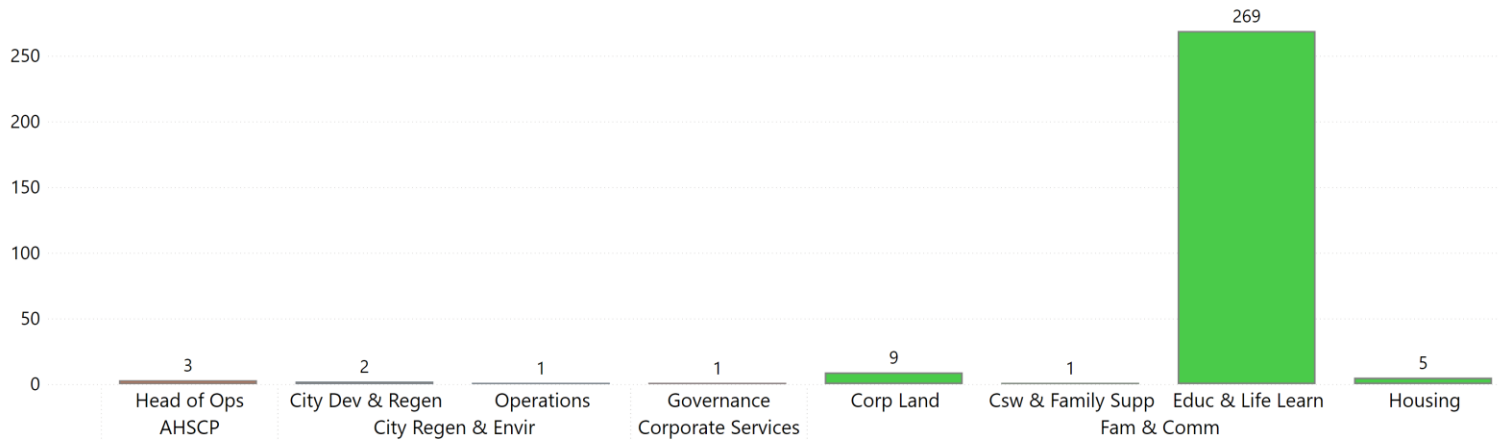
The following tables give a breakdown of Families & Communities Incidents.



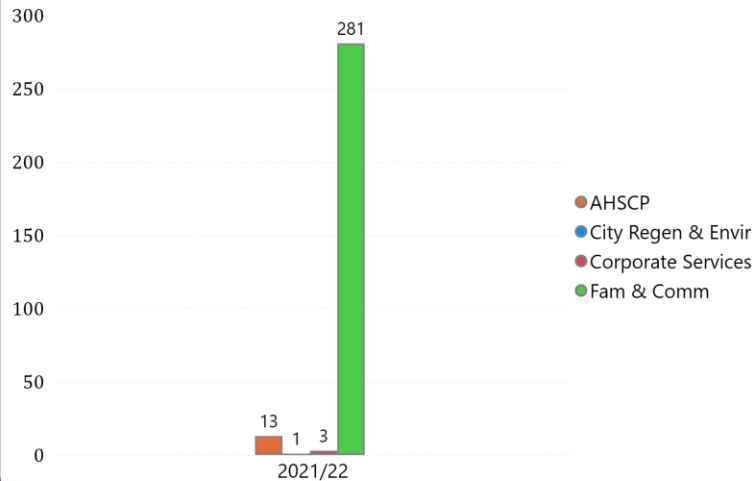
Injury Cause																		
Contact with electricity	Contact with machinery	Exposure to harmful substance	Externalisin g behaviour	Fall from Height	Inappropriate Communication/ abuse	Injured by an animal	Lifting and handling injuries	Misuse of equipment	Other	Physical injury or violence	Property, equipment or plant failure	Slip, Trip, Fall Same Level	Struck against	Struck by moving vehicle	Struck by object	Threatening behaviour	Unacceptable behaviour	Total
1	2	1	138	2	5	1	8	1	11	192	1	18	3	1	6	1	65	457

The tables below show information in relation to employee and non-employee Near Misses.
Top table: Total Near Misses for this reporting period for each Cluster. Bottom tables: quarter 3 comparison of Near Misses for each Function from 2021/22 to 2023/24.

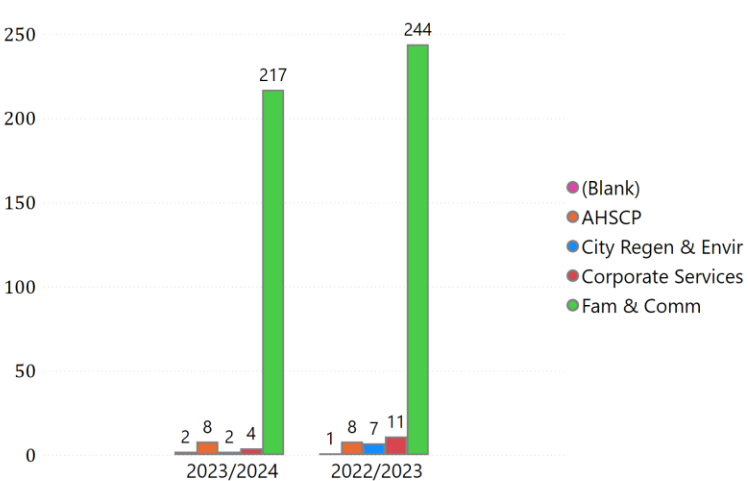
No. of Near Miss



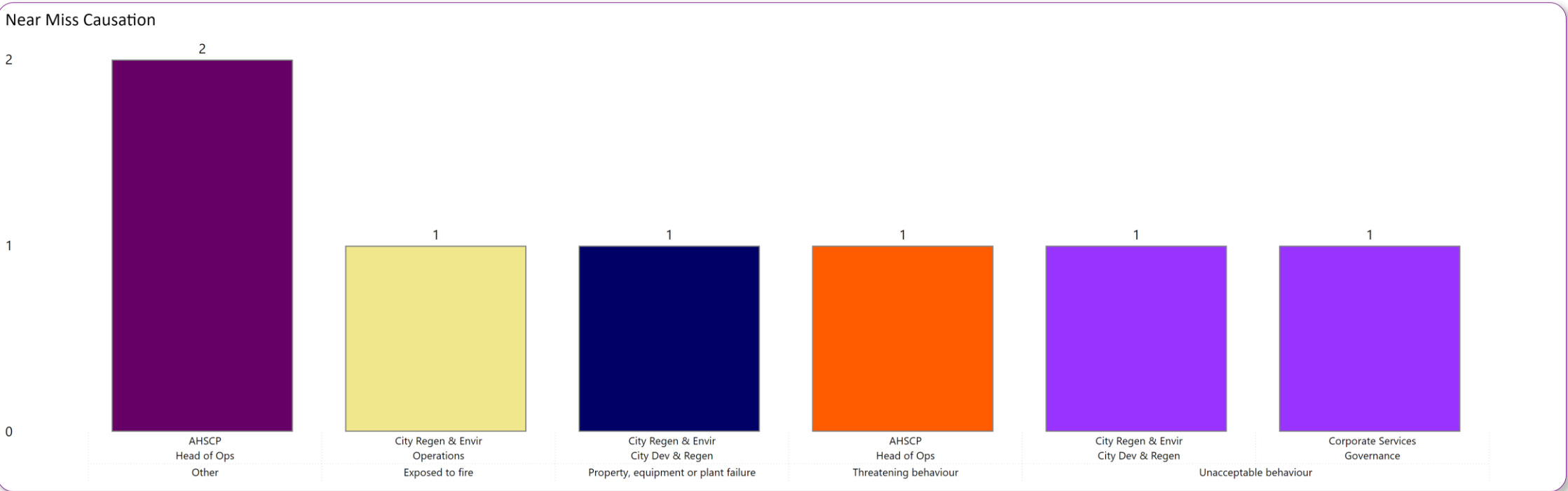
No. of Near Miss 2021/22 & 2022/23 (Comparison)



No. of Near Miss 2023/24 (Comparison)



The table below shows information to a Function and Cluster level for employee and non-employee Near Misses apart from Families & Communities, which is covered in the next page.



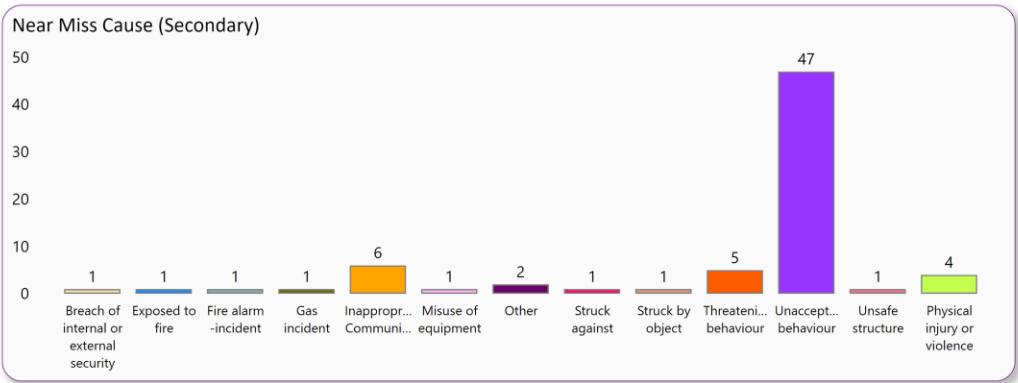
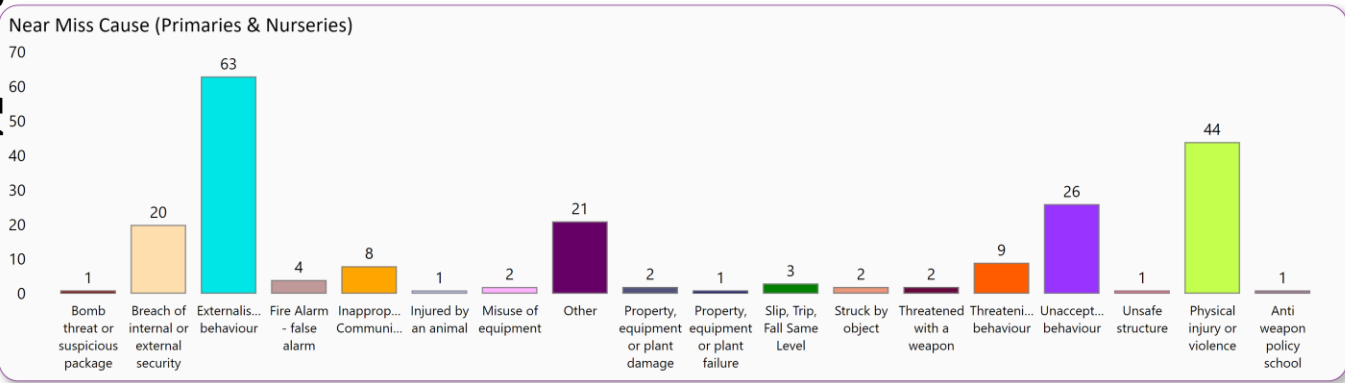
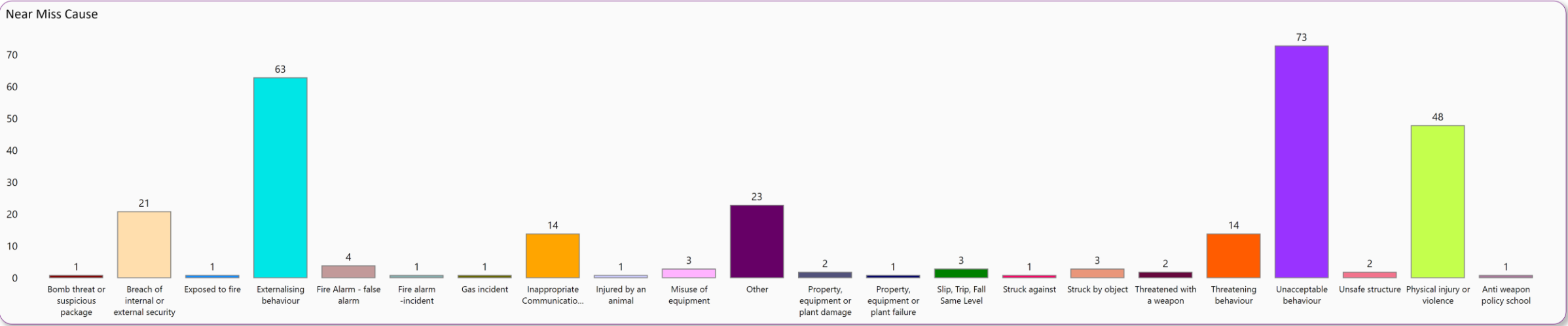
Near Miss Cause					
Exposed to fire	Other	Property, equipment or plant failure	Threatening behaviour	Unacceptable behaviour	Total
1	2	1	1	2	7

Near Miss

In the near miss category the increase is lower in Education but causation still sits largely within the same 3 categories as incidents. Other areas show a slight drop from last year.

Families & Communities reported H&S Near Miss
Between Oct to Dec 2024

The following tables give a breakdown of Families & Communities Near Miss.

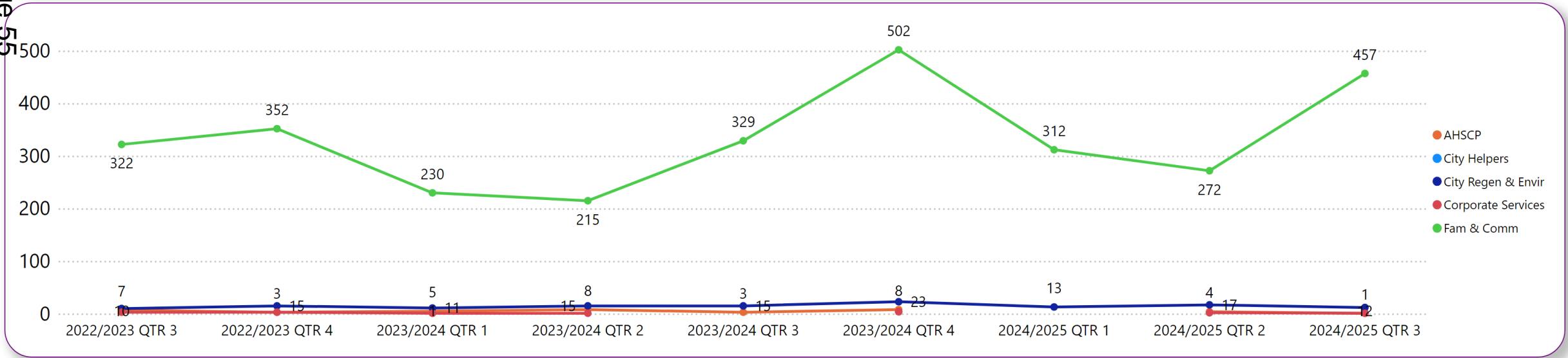
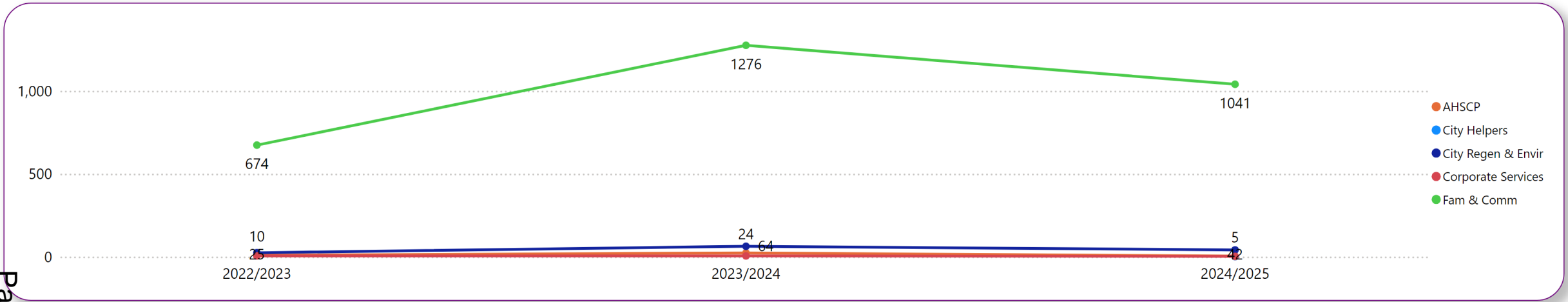


Near Miss Cause																							
anti weapon policy school	Bomb threat or suspicious package	Breach of internal or external security	Exposed to fire	Externalising behaviour	Fire Alarm - false alarm	Fire alarm -incident	Gas incident	Inappropriate Communication /abuse	Injured by an animal	Medication Error	Misuse of equipment	Other	Physical injury or violence	Property, equipment or plant damage	Property, equipment or plant failure	Slip, Trip, Fall Same Level	Struck against	Struck by object	Threatened with a weapon	Threatening behaviour	Unacceptable behaviour	Unsafe structure	Total
1	1	21	1	63	4	1	1	14	1	1	3	23	48	2	1	3	1	3	2	14	73	2	284

Reported Incidents
From Q3 2022/23 to Q3 2024/25

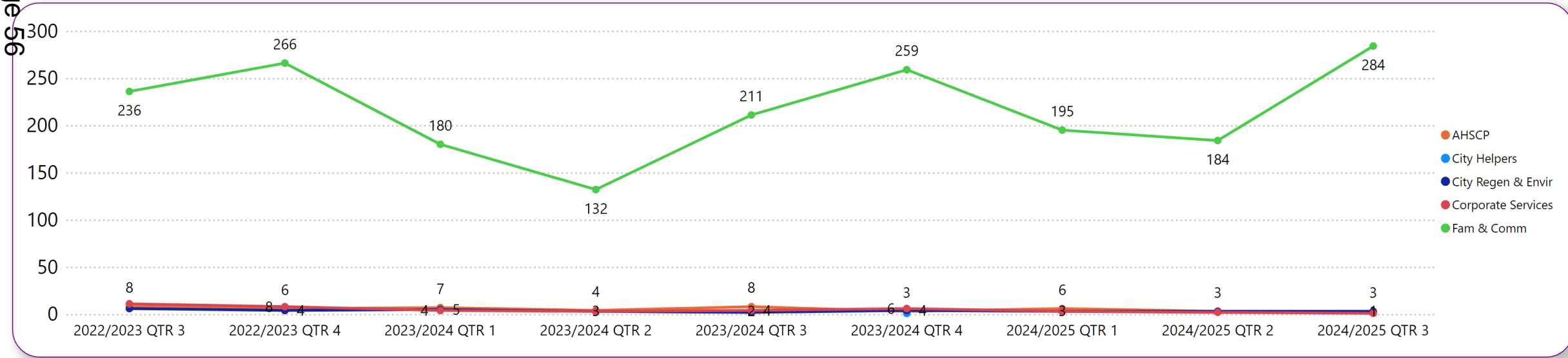
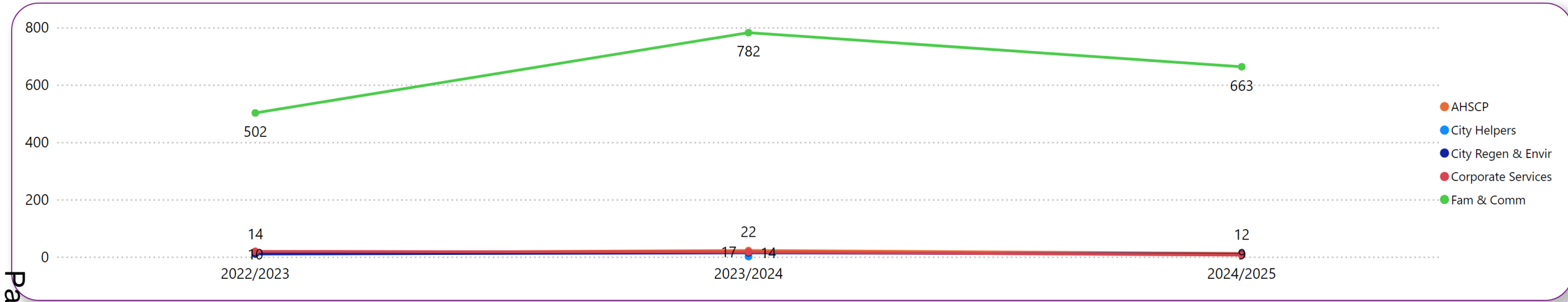
The tables provides information on the **total number** of incidents from 2022/23 to 2024/25 to Function level.

Page 55



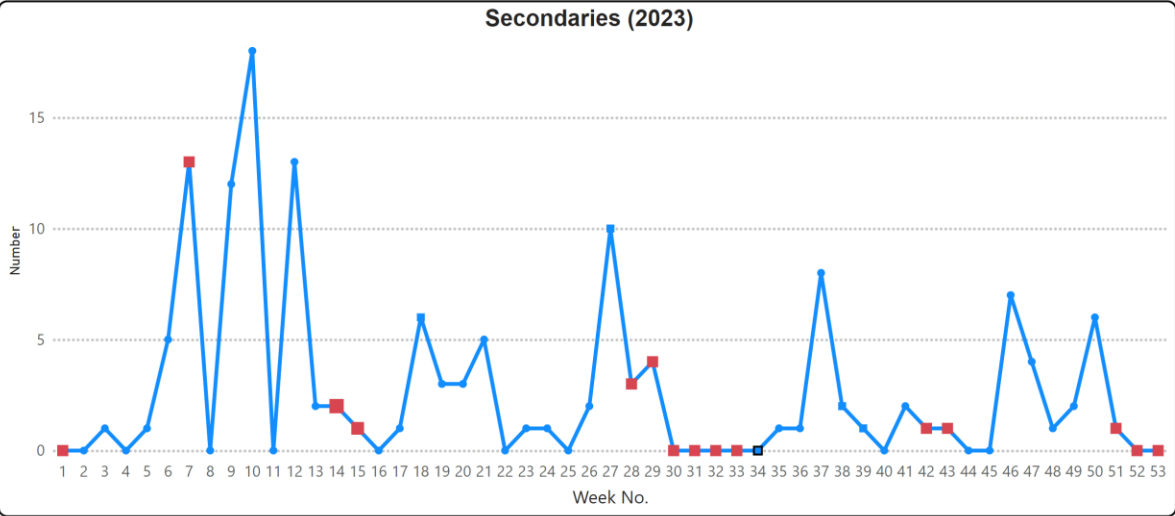
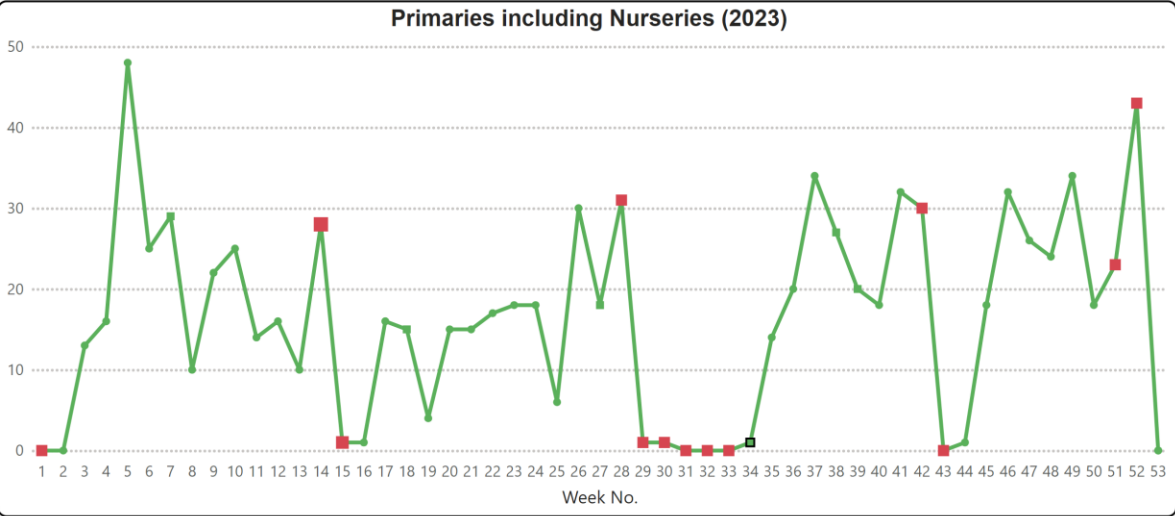
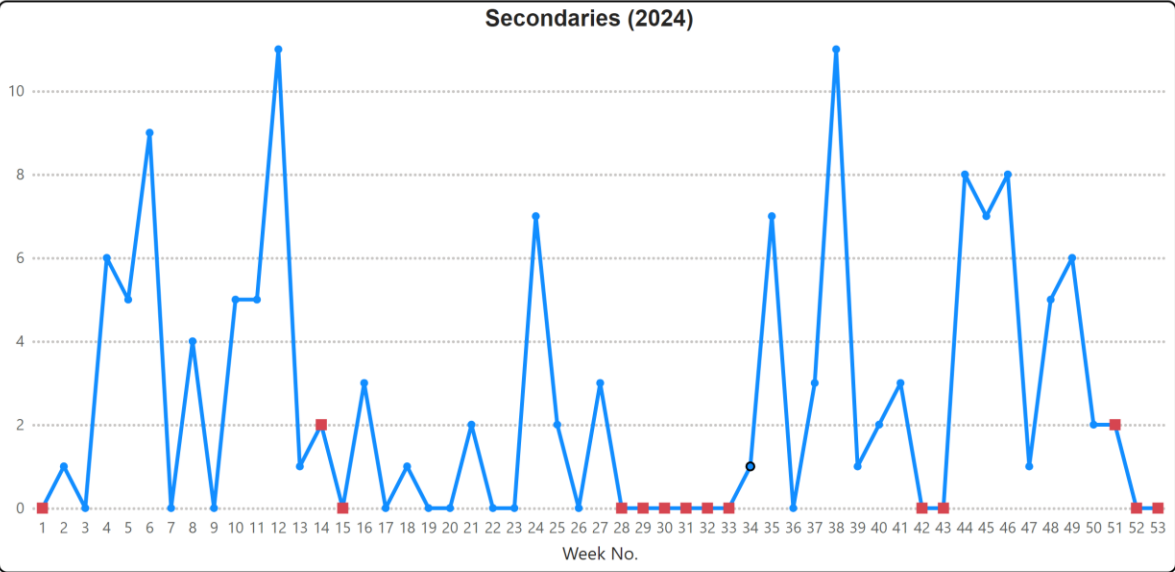
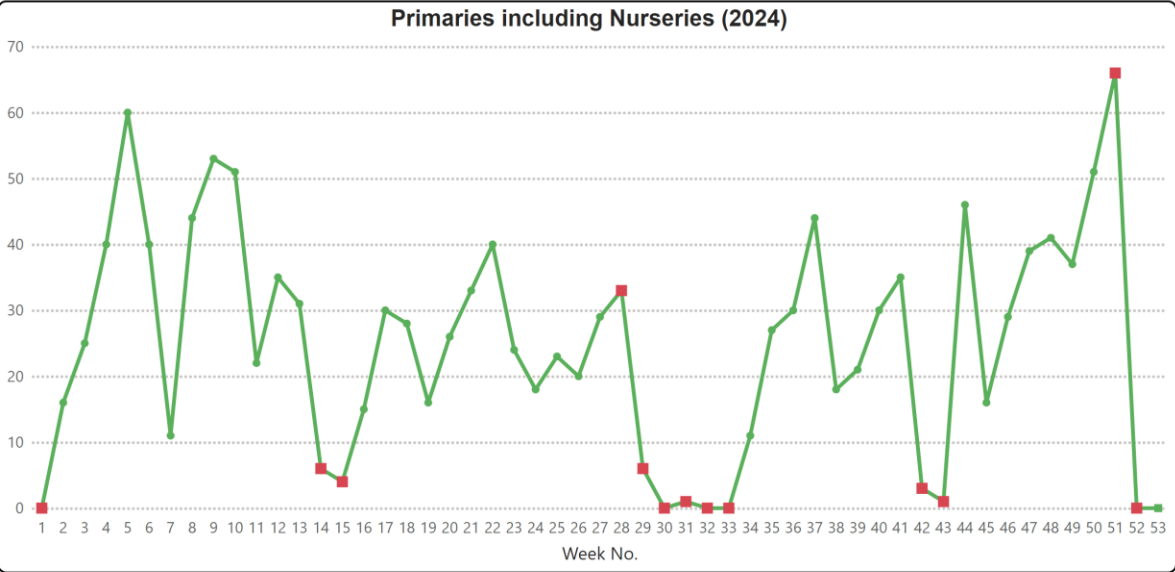
Reported Near Miss
From Q3 2022/23 to Q3 2024/25

The tables provides information on the **total number** of near misses from 2022/23 to 2024/25 to Function level.



Reported Incidents in Schools
(2023 & 2024)

The tables below provide information on the number of reported incidents in Schools each week during 2023 and 2024. Those weeks with red markers represent incidents (if any), noted during the Easter, Summer, October and Christmas holidays.



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ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance
DATE	21 April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Employee Assistance Service (EAS) Annual Progress Update and Occupational Health and Absence Annual Update (January – December 2024)
REPORT NUMBER	CORS/25/075
EXECUTIVE DIRECTOR	Andy MacDonald
CHIEF OFFICER	Isla Newcombe
REPORT AUTHOR	Sharon Robb and Fiona Lindsay
TERMS OF REFERENCE	2.7

1. PURPOSE OF REPORT

- 1.1 This report updates the Committee on utilisation of the Employee Assistance Service (EAS) provided by VIVUP during the last 12 month period January – December 2024 and provides a 12 monthly update on Occupational Health and Absence from January – December 2024.

2. RECOMMENDATIONS

That the Committee:

- 2.1 Considers the contents of the report; and
- 2.2 Notes the improvement in the sickness absence figures throughout 2024; progress made in relation to the Attendance Improvement Project; and the continuing drive to raise awareness of frontline staff support initiatives.

3. CURRENT SITUATION

3.1 Employee Assistance Services

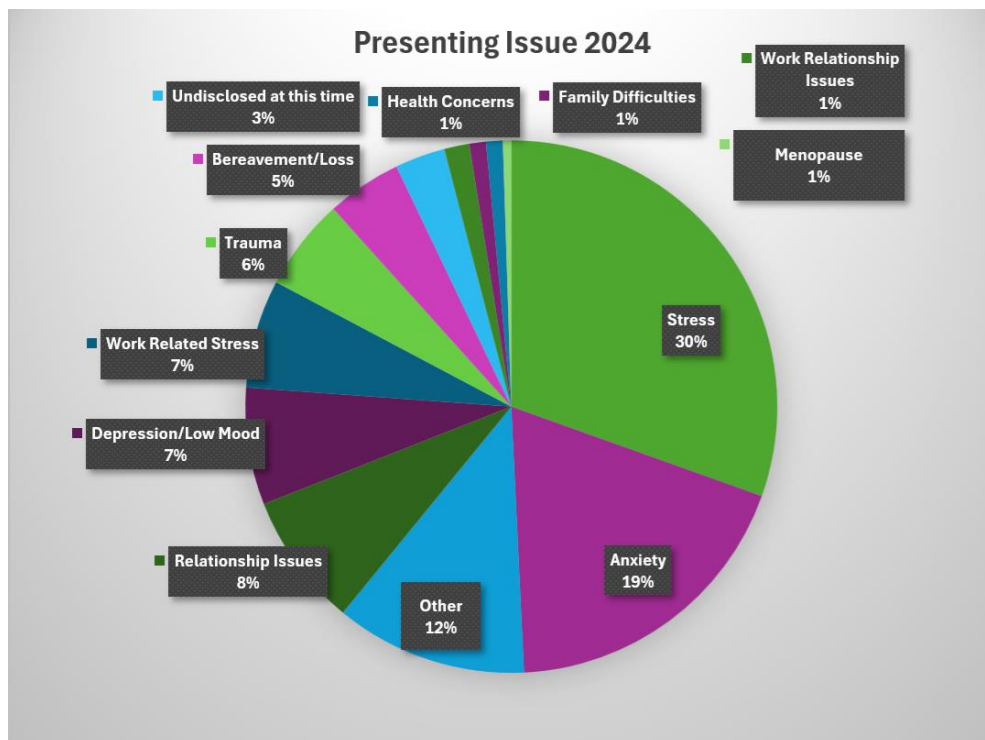
- 3.1.1. The [UK EAP Association](#) (UK Employee Assistance Programme Association) says for every £1 invested organisations see on average 10 times return on investment through things like reduced absence, presenteeism and lost management time.

[Evaluating the effectiveness of employee assistance programmes | IOSH magazine](#)
[EAPA-ROI-Report-2023.pdf](#)

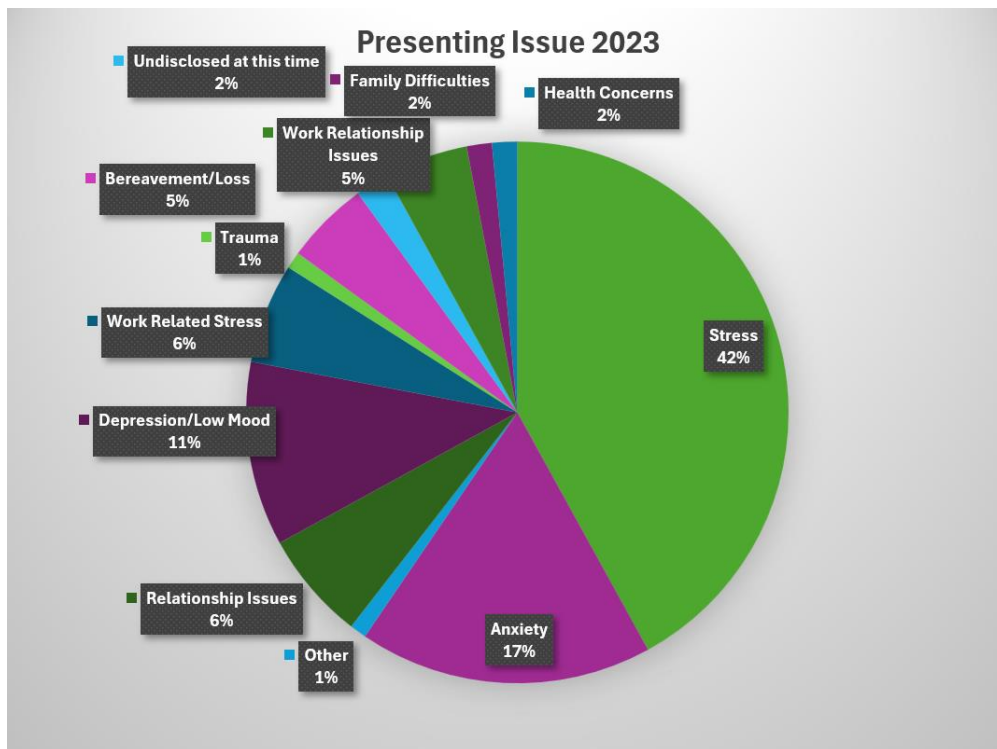
- 3.1.2. For the period January – December 2024 the Employee Assistance Programme provided to Aberdeen City Council was delivered by Vivup.

3.1.3. Psychological absences remain the top cause of recorded absences at Aberdeen City Council with Stress (30%), Anxiety (19%) and Other (12%) being the top 3 reasons for referrals made to our [Employee Assistance Programme through Vivup](#) in the period from January to December 2024.

3.1.4. The pie chart below provides a breakdown of the usage of the Employee Assistance Programme during the reporting period January to December 2024, by the reason for referral. The top recorded reasons for referral from January 2024 to December 2024 are Stress (30%), Anxiety (19%) and Other (12%)



3.1.5. For comparison, the top recorded reasons for referral during the previous 12 month reporting period from January to December 2023 were Stress (42%), Anxiety (18%) and Depression/Low Mood (11%).



3.1.6. The table below shows this data in referral numbers rather than percentages and presents a direct similar comparison to the national data collected by Vivup for other organisations signed up to the Employee Assistance Programme during this period.

Presenting Issue	2023	2024
Stress	84	▼ 60
Anxiety	35	▲ 37
Other	2	▲ 23
Relationship Issues	13	▲ 16
Depression/Low Mood	22	▼ 14
Work Related Stress	12	▲ 13
Trauma	2	11
Bereavement/Loss	10	9
Undisclosed at this time	4	6
Work Relationship Issues	10	3
Family Difficulties	3	2
Health Concerns	3	2
Menopause	0	1
Sleep Issues	1	0
	201	197

3.1.7. The top 5 presenting issues in the period of January to December 2024 for Aberdeen City Council was compared with other organisations signed up to the Employee Assistance Programme during the same period and shows a comparable trend.

- 3.1.8. It is important to recognise that in most cases, mental wellbeing issues arise due to a combination of issues rather than a single issue. As such, work related issues will often be compounded by issues arising out with the workplace and vice versa.

Top 5 presenting issues for all organisation in this period

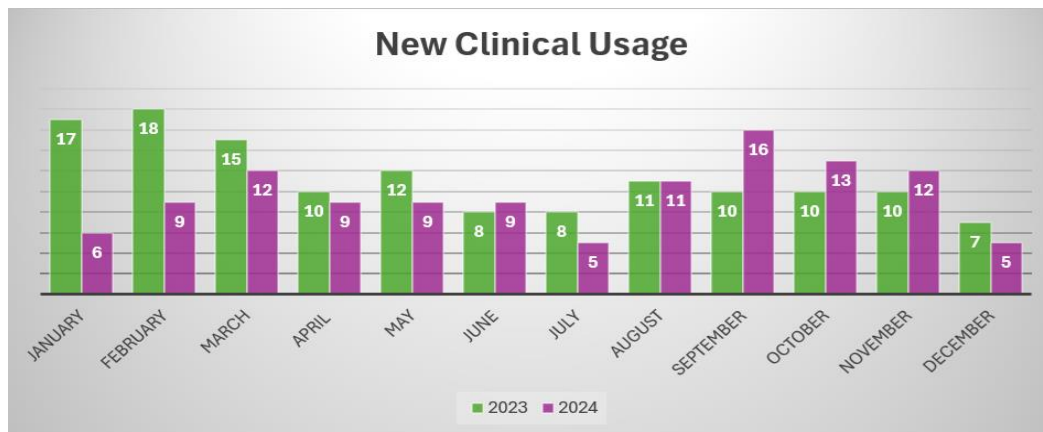
Stress
Anxiety
Depression/Low Mood
Other
Work Related Stress

- 3.1.9. The Employee Assistance Programme provides an initial telephone assessment and triage process. All clients undertake an initial risk assessment and are provided with access to 'in the moment' telephone support where required. Clients requiring access to telephone or face to face counselling are booked in for a telephone assessment with a counsellor. This includes assessment of risk, medication and presenting issues. Clients who presented with risk were triaged appropriately within the service and signposted/managed to ensure they received appropriate case management in this reporting period.

Calls	Jan 2023 – Dec 2023	Jan 2024 – Dec 2024
All Incoming Calls	403	▼ 207
New Clinical Usage	136	▼ 116

- 3.1.10. The above information is displaced in the graphs below for easy comparison by month for both this reporting period and the previous 12 month reporting period.





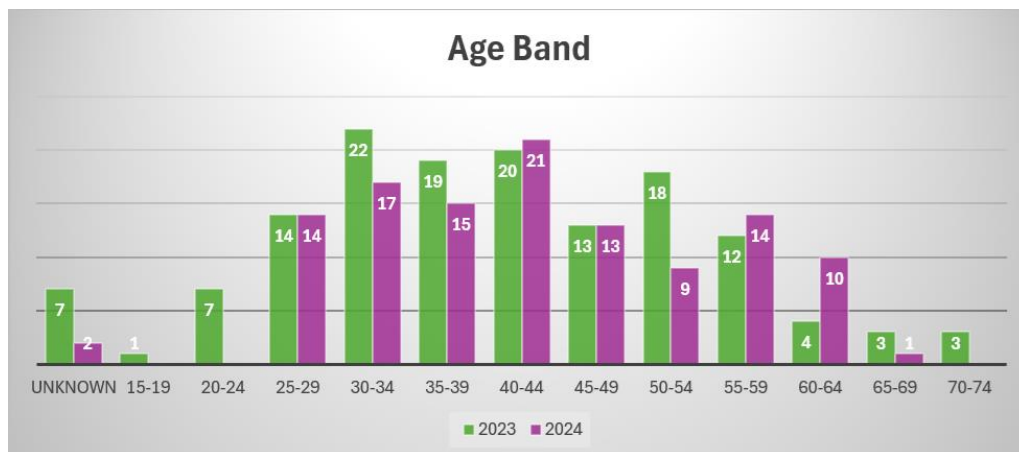
3.1.10 The number of incoming calls to the Employee Assistance Programme has reduced significantly during 2024 (207) compared to 2023 (403) however the number of employees entering new Clinical Usage stage is only slightly down during 2024 (116) compared to 2023 (136).

3.1.11 Hard copy posters and leaflet communication campaigns continue to be delivered to the workforce along with roadshows and mental health and wellbeing team awareness talks. Wellbeing 1-2-1 catch ups have also continued to be delivered with managers seeking support to highlight and encourage proactive use of the Employee Assistance Programme throughout the organisation.

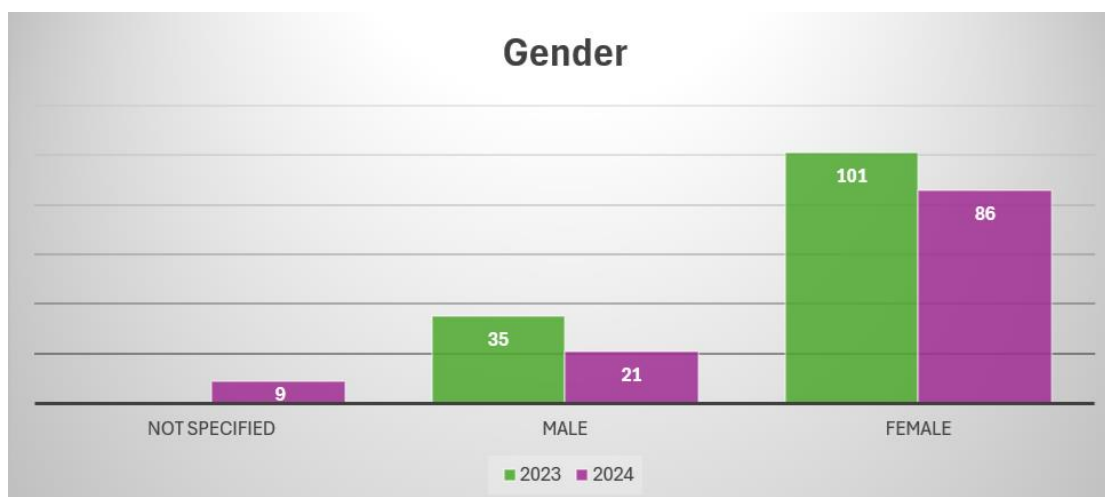
3.1.12 A variety of awareness raising campaigns are sent out across the organisation using different platforms ranging from Vivup's own digital platform, through SMS text messages, emails which include a range of articles, interactive healthy campaigns and informative podcasts. The Annual Communication Plan below shows the variety of different topics that have been sent out during the reporting period January to December 2024.

April <ul style="list-style-type: none"> All Stress Awareness Month 09 Eid al-Fitr 13 Vaisakhi 15 National Conversations Week 22 Earth Day 25 On Your Feet Britain 28 World Health and Safety at Work Day 	May <ul style="list-style-type: none"> All National Walking Month 01 Time for a Cuppa 01 World Maternal Mental Health Day 06 Early May Bank Holiday 12 International Nurses Day 13 Mental Health Awareness Week 13 Learning at Work Week 13 National Smile Month 21 World Meditation Day 27 Spring Bank Holiday 	June <ul style="list-style-type: none"> All Pride Month 01 Volunteers' Week 03 World Bicycle Day 04 ICC Men's T20 World Cup 05 World Environment Day 10 Loneliness Awareness Week 10 Bike Week 10 Men's Health Week 16 Father's Day 16 Eid Al-Adha 26 World Wellbeing Week
July <ul style="list-style-type: none"> 01 Alcohol Awareness Week 01 Wimbledon Tennis 24 Samaritans Awareness Week 26 Olympics opening ceremony in Paris, France 30 International Day of Friendship 	August <ul style="list-style-type: none"> 01 Cycle to Work Day 09 International Coworking Day 14 National Financial Awareness Day 26 National Dog Day 26 Summer Bank Holiday 28 Paralympics Paris Opening Ceremony 	September <ul style="list-style-type: none"> 05 International Day of Charity 09 Emergency Services Day 10 World Suicide Prevention Day 23 Happiness at Work Week 23 Cycle to School Week 23 Organ Donation Week 27 National Teaching Assistant Day 27 World's Biggest Coffee Morning
October <ul style="list-style-type: none"> 04 World Smile day 05 World Teacher's Day 07 Work Life Week 10 World Mental Health Day 18 World Menopause Day 31 Halloween 	November <ul style="list-style-type: none"> 01 Diwali/Bandi Chor Diwas 04 Talk Money Week 04 International Stress Awareness Week 06 National Stress Awareness Day 11 Antibullying Week 13 UK Blue Wednesday 13 World Kindness Day 19 International Men's Day 29 Black Friday 	December <ul style="list-style-type: none"> 02 Cyber Monday 02 Grief Awareness Week 07 Christmas Jumper Day 21 Winter Solstice 24 Christmas Eve 25 Christmas Day Bank Holiday 25 Hannukah 26 Boxing Day Bank Holiday 31 New Year's Eve 

3.1.13 The following charts show the age demographic of staff utilising the Employee Assistance Programme service during the reporting period January to December 2024. The highest usage during the reporting period was for the age range 40 – 44, followed closely by the 30 – 34 age range.



3.1.14 The next chart gives a breakdown on the gender of staff accessing the Employee Assistance Programme. National statistics indicate that women with common mental disorders are more likely to seek some form of help than men. It is common in many organisations for men to access support services less than female employees. National research indicates that there is evidence that men are considerably more likely than women to strongly oppose the idea of counselling for anything other than serious mental health problems. Ensuring that the EAP service is highlighted to all employees irrespective of gender will support access.

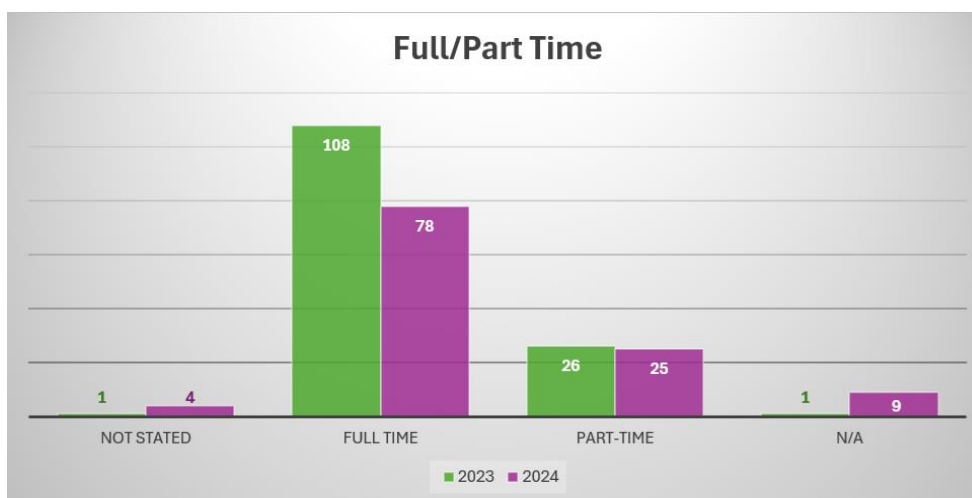
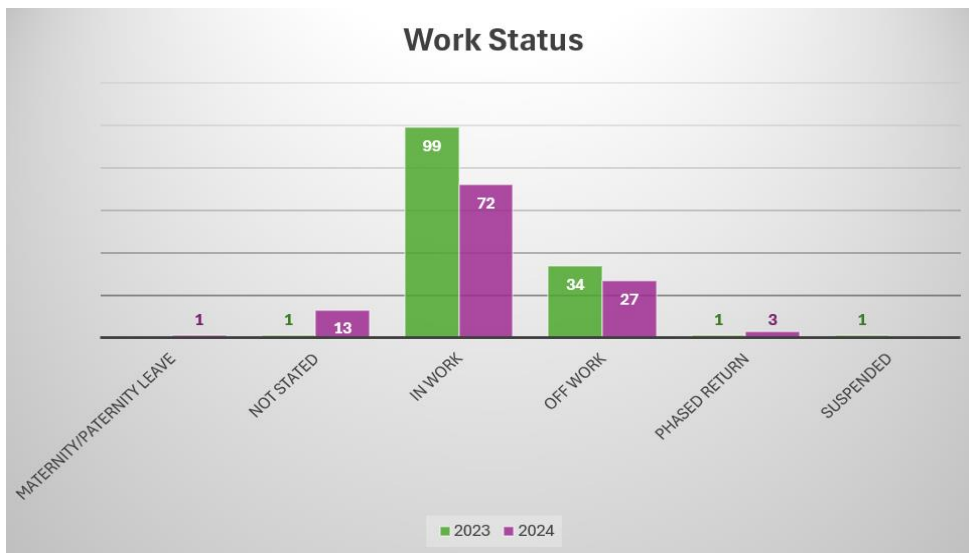


3.1.15 It is also important to note that the Council's workforce is made up of 70% female and 30% male employees. The split of genders accessing the service is relatively comparable to this landscape with 74% female and 18% male accessing support. 8% of employees accessing the service preferred to 'not specify' gender.

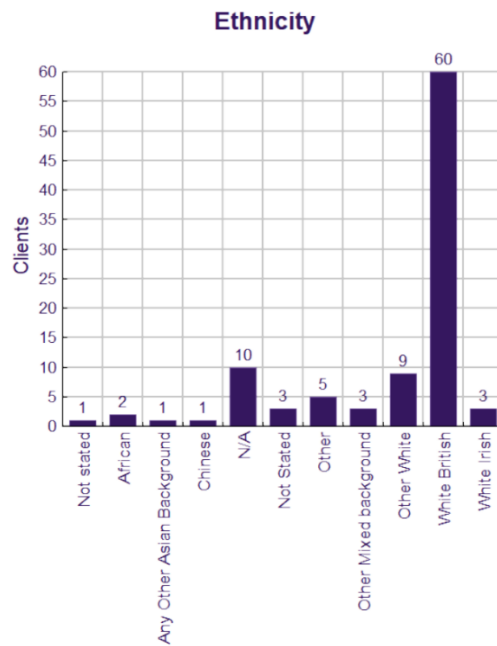
3.1.16 In the previous 12 month reporting period January to December 2023, the split across gender accessing the Employee Assistance Programme was completely comparable with the percentage of female staff accessing the service the same at 74% and the number of male employees accessing the service at 26%.

3.1.17 We will continue to run roadshows and communications campaigns to specifically target gender based wellbeing support and encourage areas of the organisation to uptake the Employee Assistance Programme.

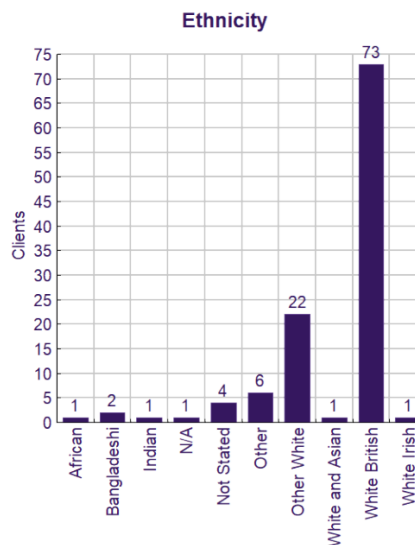
3.1.18 As can be seen from the charts below, the highest usage of the service between January and December 2024 was by employees still at work (rather than off on sickness absence) which consistently demonstrates the benefits of having an Employee Assistance Programme which proactively encourages an early intervention approach. The majority of employees accessing the service are also in full time employment. 1 employee accessed support through the Employee Assistance Programme whilst on Maternity/Paternity leave.



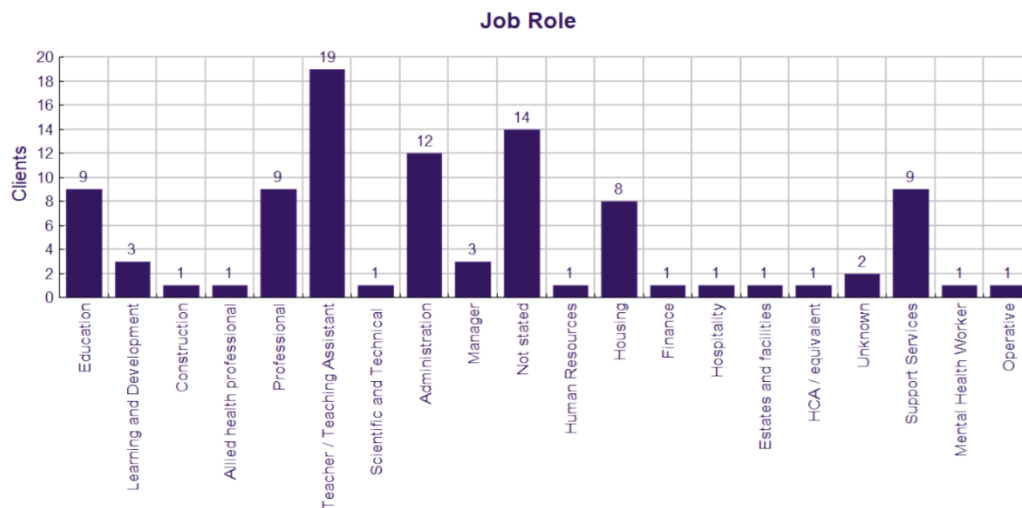
3.1.19 The highest number of staff accessing the Employee Assistance Programme service are from the “White British” ethnic banding during the reporting period January to December 2024. A spread of other ethnic backgrounds can also be seen as accessing the service in the following table. A translator service is available at a cost to support any members of staff for whom English is not a first language and who may struggle to communicate and receive the right support otherwise.



3.1.20 In comparison to the previous reporting period, January to December 2023, the figures show a similar pattern with a wide spread of ethnic backgrounds accessing the support available.

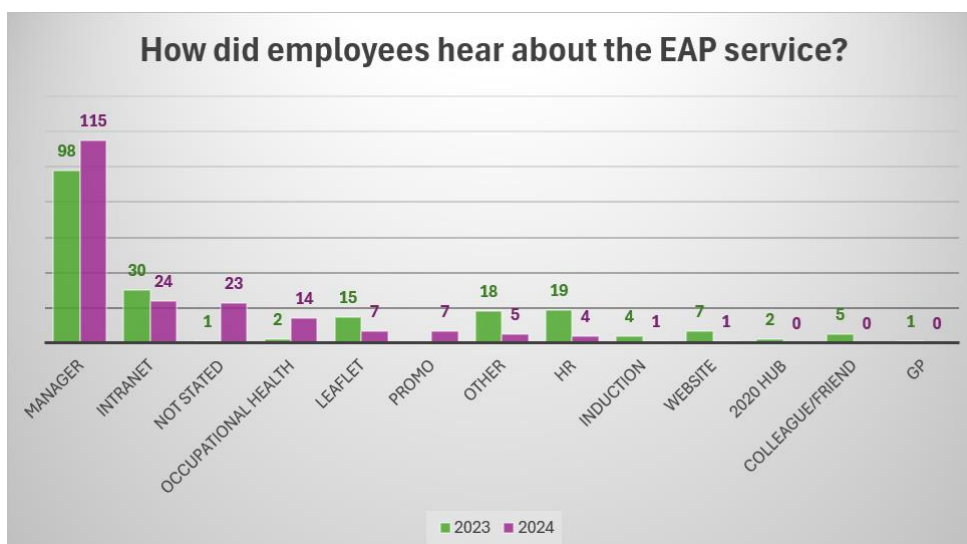


3.1.21 There is a wide spread of staff accessing the service from various job roles including frontline employees, education staff and right across the organisation. This is shown in the chart below.



3.1.22 Managers have an important role to play in supporting staff that are experiencing mental health problems. This involves supporting employees in the workplace and supporting them back to work after a period of absence. The charts below show consistently that the majority of signposting done to the EAP service is done by managers. This remains the most 'referred source' method and has increased slightly on the previous 12 month period.

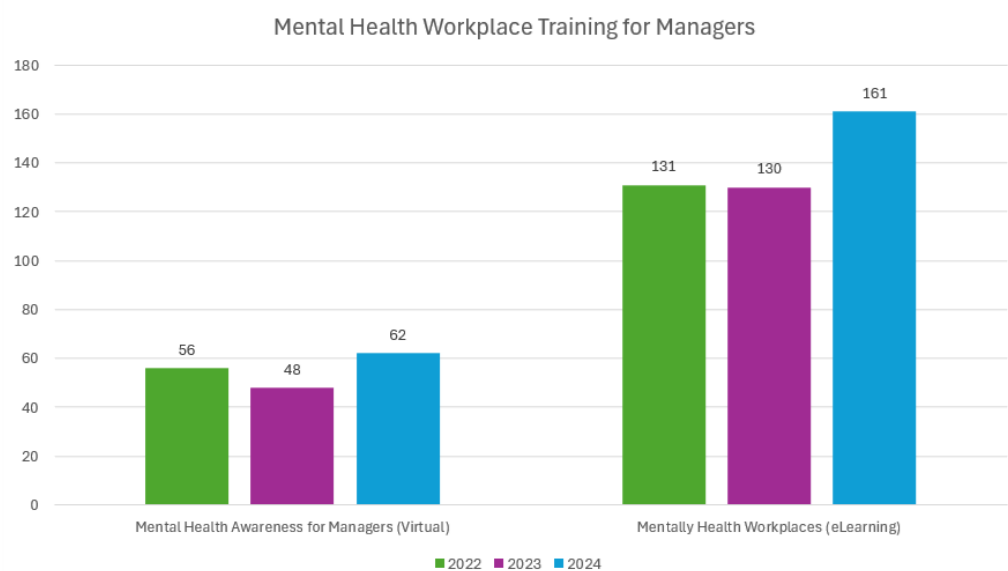
3.1.23 In addition to managers signposting to the service, the chart below shows a healthy increase of referrals coming from other sources for Occupational Health and the Intranet.



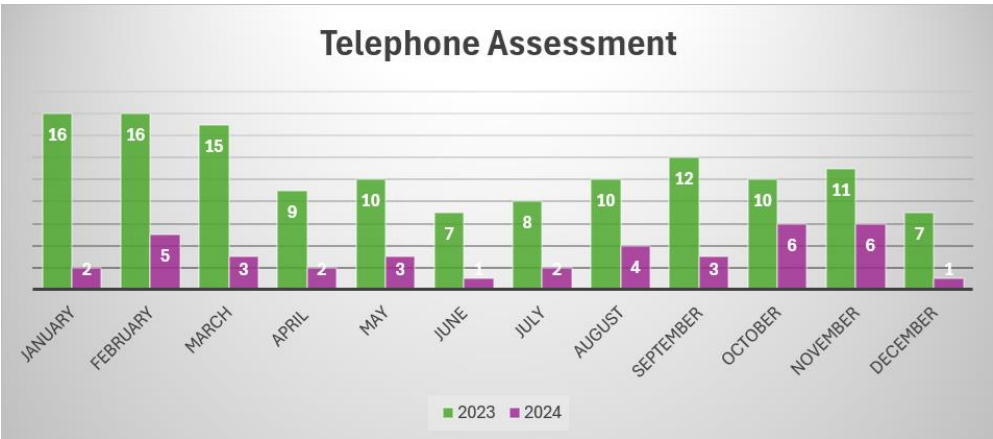
3.1.24 Managers have a huge positive impact when supporting their staff by communicating well, listening and being open to adjustments where required and by providing support and signposting to services where necessary. We continue to provide managers with access to specialised training and deliver various awareness raising days, to enable them to initiate conversations with their employees, facilitate reasonable adjustments/return to work meetings and to identify signs of mental health issues in order to signpost them into the EAP service. Consideration is being given to adding these courses to the suite of mandatory training for managers. As can be seen in the table below a number

of managers continue to prioritise mental health in the workplace and attendance on training courses shows an increase in attendance on the last reporting period.

Course	Jan to Dec 2022	Jan to Dec 2023	Jan to Dec 2024
Mental Health Awareness for Managers (Face to Face)	56	48	62
Mentally Health Workplaces (eLearning)	131	130	161

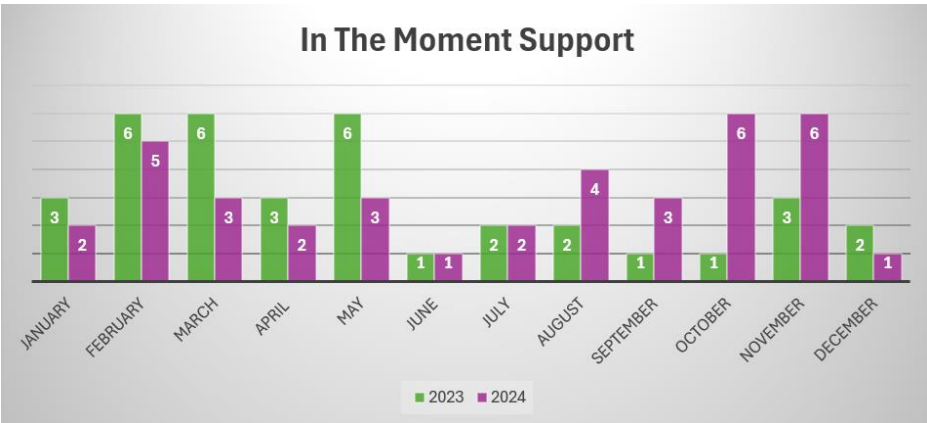


3.1.25 Prior to the reporting period of January to December 2024, there were clients already engaged in Counselling therapy. The graph below shows the number of telephone triage assessments undertaken during this reporting period from January to December 2024 compared to the last 12 month reporting period.

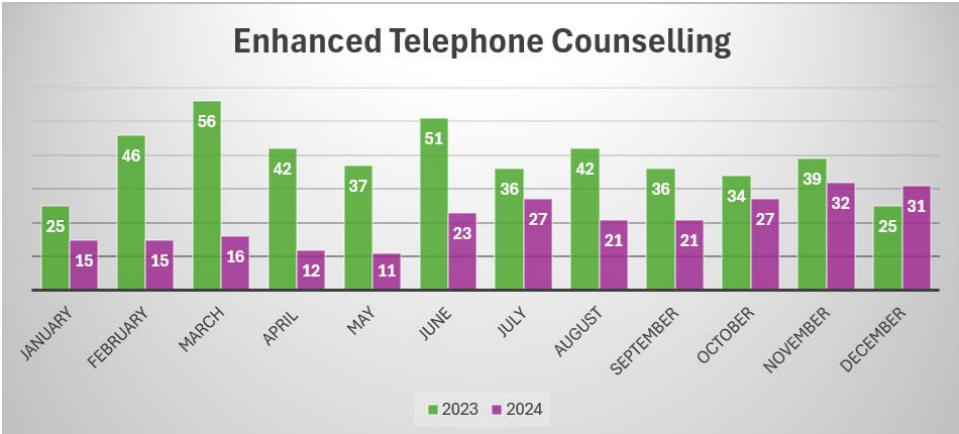


3.1.26 The graph below shows the number of employees who have accessed ‘In the moment support’ during this reporting period from January to December 2024 compared to the last 12 month reporting period. In the moment support means providing immediate assistance and care during a particular event or situation, often focusing on an individual’s immediate needs and

feelings and can lead to a more structured form of support or can be used as a one-off intervention.



3.1.27 The graph below shows the number of employees who have received ‘Enhanced Telephone Counselling’ during this reporting period from January to December 2024 compared to the last 12 month reporting period. Enhanced Telephone Counselling provides the employee with a confidential service where they can speak to fully qualified counsellors and support specialists to discuss any emotional, personal or work-related issues.



3.1.28 In addition to the “in the moment” and “counselling” support the EAP service provides to our employees, we continue to look for and utilise other proactive initiatives throughout the organisation to not only raise awareness of this vital support service but to also provide employees with support. The figures above show consistently high referrals for reasons of anxiety and depression..

3.1.29 A campaign highlighting our network of Mental Health First Aiders (MHFA) has been re-promoted and posters with QR codes to direct staff quickly to our full list of mental health first aiders are on display at venues across the entire organisation. The new QR code on the poster takes viewers to an accessible digital site which will ensure everyone, everywhere can access the network at any time. The network provides vital frontline cover in locations across the entire organisation. Mental Health First Aiders provide a very necessary frontline service and can signpost colleagues quickly to the variety of support

services available such as the Employee Assistance Programme and other internal and external services.

- 3.1.30 We work in partnership with the Department of Work and Pensions (DWP) to bring an additional mental health support service called Able Futures to our employees. This offers a more coached approach to maintaining and improving mental wellbeing. Staff are assigned to a wellbeing practitioner who helps them to identify areas for improvement and who can offer up to a further 9 months of support to complement the work of the Employee Assistance Programme. This service has been running for approximately 2 years and feedback has been very positive.
- 3.1.31 We proactively address anxiety, depression and stress in the workplace through wellbeing initiatives, one of which was to reintroduce the [Therapet Service](#) to Marischal College at the beginning of 2024 and which has been a resounding success.
- 3.1.32 More and more offices are becoming pet friendly due to the benefits that [pets in the workplace](#) bring. Visiting pets are found to improve concentration, decrease stress and pressure and force staff to take a short break. Feedback has been extremely positive and additional venues have adopted this successful service.
- 3.1.33 A sample of feedback from those accessing the Employee Assistance Programme service can be seen below.

General feedback from clients

"I can't thank my counsellor enough. She has helped me understand my thoughts and feelings and has provided me with evidence based strategies to overcome them. She has helped me to return to my work and I feel completely different in a positive way about my work now I have received counselling. Thank you for the support this service provided me with. I have already recommended to others."

"Thank you very much to my counsellor and for the EAP service as a whole for all your kind, professional support. All the very best for the future."

"My counsellor was empathic and understanding and the sessions and the times we arranged them for worked well for me. Thanks so much for the service"

"My counsellor was fantastic and helped me ride out a rollercoaster of a situation."

"Absolutely loved my counsellor. I will always remember the their words. "You have done a very good job convincing yourself of how bad you think you are. Now you need to use the same amount of energy and effort to convince yourself otherwise""

3.2 Occupational Health Service

- 3.2.1 The Occupational Health contract sits with People Asset Management (PAM), who became the Council's occupational Health Provider in August 2024 following a process undertaken jointly with Aberdeenshire Council, to identify the

provider to deliver the best service to meet the needs of the Council within the existing budget.

3.2.2 The previous contract with TAC Healthcare (formerly Iqarus) came to an end in August 2024.

3.2.3 The table below shows a summary of appointments for the period January – June 2024 undertaken by TAC Healthcare. These figures include all appointments, including health surveillance assessments and pre-employment screening as well as management referrals.

Packages	Jan	Feb	Mar	Apr	May	Jun	Grand Total
Audio HS						1	1
Blood Test			1			1	2
D&A	2	2	2	2	1	1	10
DSE Assessment		1	3	3	1	1	9
GP Report	1	3		10	5	1	20
HAVS HS					22	13	35
Ill Health Retirement - Part 1/2	2	4	9	6	9	7	37
LGV Medical	5		2		1	1	9
MRO Review		1	1	3	1		6
OH Consult	64	64	56	67	62	54	367
Physio Appointment	19	17	11	28	22	15	112
Pre Employment/Placement	7	24	5	20	17	13	86
Respiratory Assessment						1	1
Taxi Medical	1	6	14	16	10	2	49
Travel & Vaccs	9	9	5	3	1		27
Vision Screening	2						2
Grand Total	112	131	109	158	152	111	773

Key:

D&A = Drugs and Alcohol

DSE = Display Screen Equipment

HAVS = Hand and Arm Vibration Syndrome

HS – Health Surveillance

LGV = Long Goods Vehicle

MRO = Medical Review Officer (review following a positive drug or alcohol test)

3.2.4 The table below shows a summary of appointments for the period September – December 2024 undertaken by PAM. These figures include all appointments, including health surveillance assessments and pre-employment screening as well as management referrals.

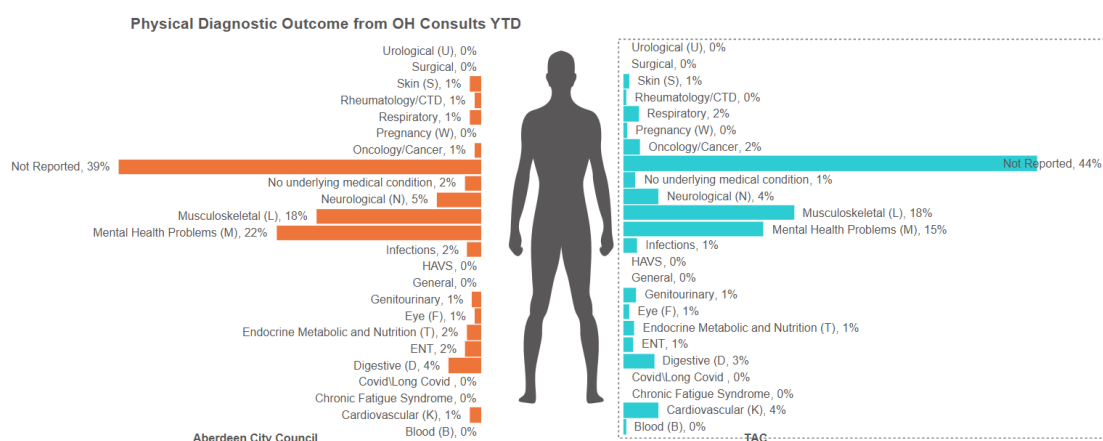
Description	Aug	Sep	Oct	Nov	Dec	Total
D&A For Cause Initial Screen	0	0	1	1	0	2
D&A For Cause Sent to Lab	0	0	1	1	0	2
Driver Medical Review	0	0	0	0	1	1
Ill Health Retirement (LGPS) TRIAGE case review and report	0	0	0	0	2	4
Lung Function - Spirometry HS	0	0	0	0	58	58
Taxi Driver Medical	0	0	0	0	1	1
Tele/Video Consultation OHA 120	0	0	2	6	3	11
Telephone/Video Consultation OHA 60	0	19	88	68	48	223

Telephone/Video Consultation OHP 60	0	0	3	0	0	3
Total	0	19	95	76	113	305

3.2.5 Data is not available for July 2024, due to the transition period of moving OH provider. Appointments undertaken in August are included within the September data.

3.2.6 The pictogram below illustrates the medical reasons for the management referrals to TAC Healthcare between January and June 2024, and compares the ACC referral levels for each category (on the left of the diagram) with the overall number of referrals TAC Healthcare are receiving (on the right). This demonstrates that the spread of absence reasons leading to referrals within the Council are directly comparable with other organisations.

3.2.7 Whilst the majority of reasons for referral are not reported, the 2 most common reasons for referring to OH are mental health and musculoskeletal, which is consistent with the absence data.



3.2.8 Data on reasons for referral from PAM Healthcare for the period August to December 2024 is not available, again due to the transition period, but will be available for future reporting.

3.2.9 Demographic information for all referrals made to PAM for the period August to December 2024 is shown below.

Description	Aug	Sep	Oct	Nov	Dec	Total
Male	0	10	56	54	196	316
Female	0	53	86	103	82	330

Description	Aug	Sep	Oct	Nov	Dec	Total
Age 16-30	0	1	7	8	73	89
31-40	0	8	21	37	53	119
41-50	0	19	43	31	44	137
51-60	0	21	50	58	63	198

61+	0	14	21	23	45	103
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- 3.2.9 A further breakdown is shown below. The Council's ratio of male to female employees is around 30% male to 70% female. Management referrals made are consistent with this ratio. The majority of health surveillance is required for roles that are predominantly male dominated.

Case Management

Description	Aug	Sep	Oct	Nov	Dec	Total
Male	0	9	53	49	19	130
Female	0	51	84	100	76	311

Health surveillance

Description	Aug	Sep	Oct	Nov	Dec	Total
Male	0	1	1	4	177	183
Female	0	0	0	0	4	4

Description	Aug	Sep	Oct	Nov	Dec	Total
Age 16-30	0	1	5	6	11	23
31-40	0	7	21	35	27	90
41-50	0	19	43	29	23	114
51-60	0	20	48	56	25	149
61+	0	13	20	23	9	65

Description	Aug	Sep	Oct	Nov	Dec	Total
Age 16-30	0	0	1	1	61	63
31-40	0	0	0	0	25	25
41-50	0	0	0	1	21	22
51-60	0	1	0	2	38	41
61+	0	0	0	0	36	36

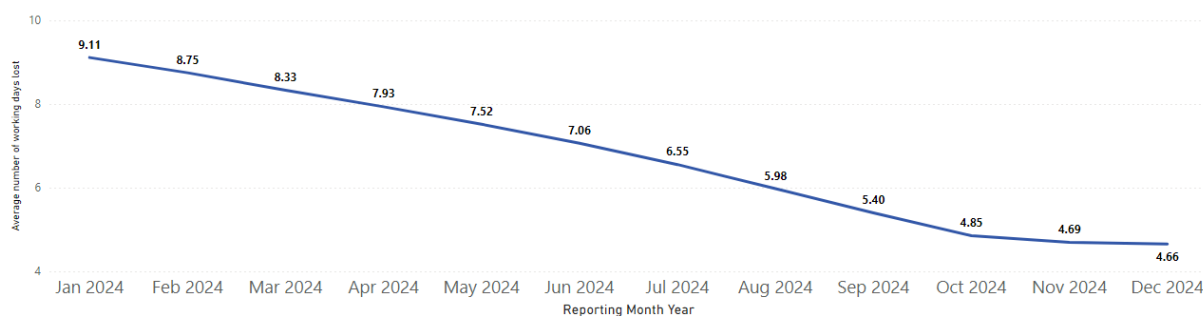
3.3 Sickness Absence

Data

- 3.3.1 The table below shows the average number of days lost per fte (full time equivalent) for the period January – December 2024 compared to the days lost in the period January – December 2023. As can be seen, this has decreased on a monthly basis from the highest level in October 2023, as can also be seen on the graph below.

Month	Days Lost 2023	Days Lost 2024
January	7.20	9.11
February	7.42	8.75
March	7.69	8.33
April	7.95	7.93
May	8.23	7.52
June	8.51	7.06
July	8.88	6.55
August	9.18	5.98
September	9.45	5.4
October	9.77	4.85
November	9.64	4.69
December	9.38	4.66

Average number of total working days lost due to sickness absence per FTE employee (12 month rolling average)



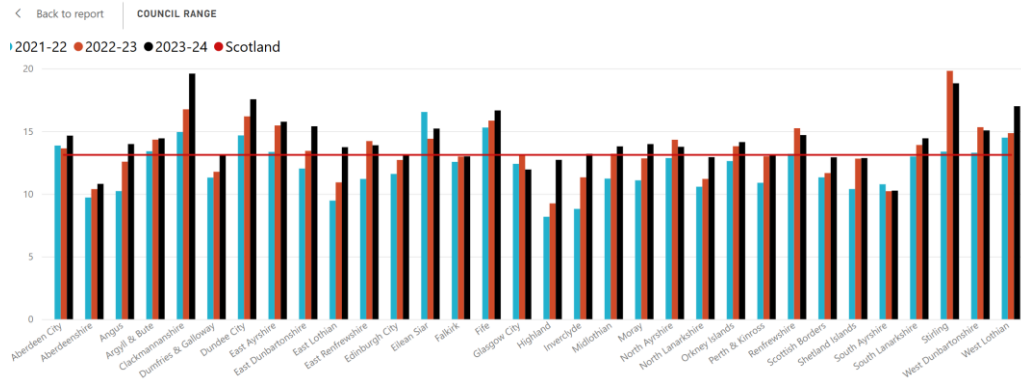
- 3.3.2 The previous upward trend reflected the national trend across all sectors. The CIPD and Simply Health, Health and Wellbeing at Work Survey 2023 identified that absence figures recorded in 2023 were the highest for a decade, with the average number of days lost per employee sitting at 7.8 days [Health and wellbeing at work \(cipd.org\)](#). The same report gave the average number of days lost in public sector employers during 2023 as 10.6 days. CIPD expect to have an updated Health and wellbeing at work report available in September 2025.
- 3.3.3 The Council's overall absence record had been affected by the Covid-19 pandemic and the post-pandemic climate, which, as most recently presented as part of the [Sickness Absence for Environmental, Roads and Waste Services \(acc.gov.uk\)](#) report at Staff Governance Committee in June 2024, showed a steady increase after the pandemic, peaking in the 3rd quarter of 2023.
- 3.3.4 Limited data is available for comparison for 2024, however the [Civil Service](#) also recorded a slight drop overall in 2024 following a similar upward trend in previous years. The drop, however is not as significant.

Figure 1.1: Average Working Days Lost per staff year, 2014 to 2024 (see Table 1a)

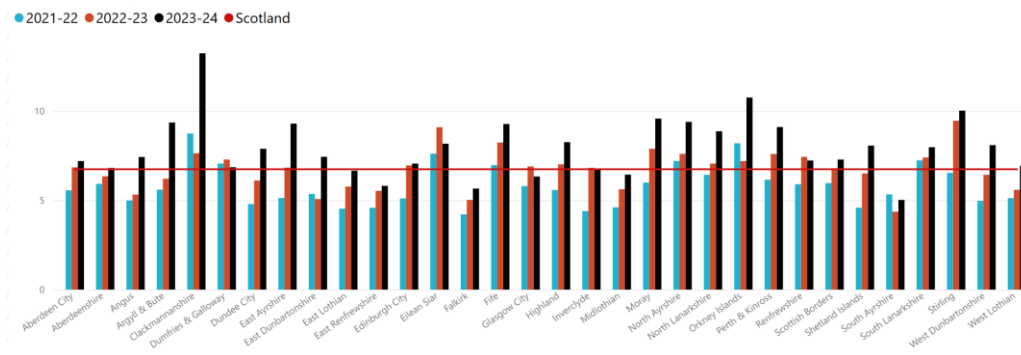


- 3.3.5 Local Government benchmarking shows ACC as slightly above the Scottish average for both groups, however it is important to note that the latest data is for the 2023-24 financial year, rather than the full calendar year, so only incorporates 2024 data from January to March.

Non-teacher



Teachers



3.3.6 The table below sets out the breakdown of absence reasons for each month. Psychological and musculoskeletal continue to be the most prevalent reasons for absence, and this is reflected in the data received from the Occupational Health service as well as being identified as the top reasons for sickness absence nationally in the CIPD and Simplyhealth Health and Wellbeing at Work Survey 2023.

[illegible]

Improvement Plan

- 3.3.7 Work to improve our approach to sickness absence continues in accordance with the Absence Improvement Plan with progress being reported through the Performance Board.
- 3.3.8 The Absence Improvement project charter was refreshed in 2024 to provide a targeted approach to managing absence cases within a specific test area, and with a view to identifying scalable actions which can support absence reduction across the wider organisation. The project's initial test area aims to reduce the total number of days lost as a result of long term absence (over 30 calendar days) within Building Services in the Corporate Landlord cluster by 20% by August 2025.
- 3.3.9 This targeted approach involves providing dedicated manager and People Services support to open absence cases of longest duration and is working well, with the 20% target reduction already achieved. The focus is now on scaling up the approach to replicate this improvement across other areas of the Council.

4. FINANCIAL IMPLICATIONS

- 4.1 The direct financial costs associated with sickness absence relate to the payment of occupational sick pay and cover of essential services. There is also a financial cost associated with the provision of the occupational health service, with the current annual budget sitting at £122,000.
The indirect costs relate to impact on service delivery.
- 4.2 There is also the potential for employment tribunal associated costs if an employee were to make an employment related claim against the Council.

5. LEGAL IMPLICATIONS

- 5.1 Failure to comply with legislation in ensuring a safe and healthy workplace has the potential to result in enforcement action by the Health and Safety Executive (HSE). Such intervention can result in potential prosecution (criminal), equally, employees (civil) claims are more likely to succeed following a successful HSE prosecution. Changes in the Sentencing and Fines Guidance for health and safety non-compliances are resulting in increased financial penalties. Fine starting points are based on an organisation's turnover. As Local Authorities do not have turnover; Annual Revenue Budget is deemed to be the equivalent. This amount is then altered depending on the culpability of the organisation and harm factors to employees and members of the public.
- 5.2 Under the Health and Safety at Work Act 1974 and Management of Health and Safety at Work Regulations 1999 there is a legal requirement to ensure the health safety and welfare at work of our employees. This includes minimising the risk of stress-related illness or injury to employees.

- 5.3 The provision of an EAS is in line with guidance produced by the HSE as one of the measures to control that risk. One person in four in the UK will experience a mental health problem in their lives.
- 5.4 HSE potential prosecution (criminal) can attract fines, imprisonment and remedial orders. There is also the possibility of employee claims (civil). Provision of an EAS can be used as mitigation against potential claims from employees exposed to work related stress.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no 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 identified			
Compliance	Compliance with legal requirements ensures the health and safety of employees. Poor management of the risks and lack of support has the potential to attract enforcement action (criminal and civil)	Assessment of risk via stress and Quality of Working Life risk assessments (QWL's) with identification and implementation of safe working arrangements. Functions acting on utilisation, trend and root cause information to develop and implement controls to prevent a reoccurrence. Completion of Line Manager Competency Indicator Tool (HSE) by line managers acting on feedback. Provision of specialist support / advice.	M	Yes

Operational	Risk to service delivery if absence levels are high and employees are not supported back to work timeously	Provision of information, instruction and training as identified in Job Profiles, skills and training matrices and in risk assessment. Open and clear two-way communication at all levels within the organisation. Non-judgmental and proactive support provided to employees who experience mental health problems. Good self-management of personal wellbeing and resilience.	M	Yes
Financial	If no action is taken to support individuals and address trends, then the organisation will incur both direct and indirect costs	Implementation of the Mental Health and Wellbeing in the Workplace Policy and supporting Stress Procedure. Effective management and maintenance of a mentally healthy workplace and provision of appropriate support. Review and identification of EAS use and related absence to act on lessons learned. Corporate and individual awareness of mental health in the workplace. Active monitoring of workloads.	M	Yes
Reputational	Without ensuring suitable employee support there	As above	L	Yes

	is a risk of the organisation not being seen as an employer of choice and having recruitment and retention issues			
Environment / Climate	No significant risks identified			

8. OUTCOMES

COUNCIL DELIVERY PLAN 2024-25

	Impact of Report
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The provisions within this report support the delivery of the Policy Statement through ensuring that sufficient resources are available to deliver the Council services which will achieve the policy priorities.
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous People Stretch Outcomes	The Prosperous People theme in the LOIP indicates that all people in the City are entitled to feel safe, protected from harm and supported where necessary, which would include employees of the Council. Adopting the approach outlined in the report will support the workforce.
Workforce Plan	As set out in the Workforce Plan, the emphasis on developing internal capacity and the need for flexibility and efficiency in our reducing workforce, there is a need to focus on supporting employee health and wellbeing.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	No assessment required. I confirm this has been discussed and agreed with Isla Newcombe, Chief Officer People and Citizen Services on 17 March 2025.
Data Protection Impact Assessment	Not required

10. BACKGROUND PAPERS

- [EAP usage and ROI: the pandemic effect in 2021](#)
- [Thera-pets: How can pets benefit your mental health?](#)
- [Health and wellbeing at work \(cipd.org\).](#)
- [Civil Service sickness absence, 2024: report - GOV.UK](#)
- [Local Government Benchmarking Framework](#)
- [EAS Annual Progress Update Occupational Health and Absence Annual Update January 2023 –December 2023 - CORS/24/114](#)
- [Sickness Absence for Environmental, Roads and Waste Services - CR&E/24/178](#)

11. APPENDICES

Appendix 1: Employee Assistance Programme Poster

Appendix 2: Mental Health First Aider Poster

Appendix 3: Mental Health and Wellbeing Support at ACC

Appendix 4: Therapet Service Poster

12. REPORT AUTHOR CONTACT DETAILS

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Supporting staff's mental health and wellbeing with our dedicated Employee Assistance Programme



Help at any
time, available

24/7

365 days
a year

To access the service,
simply call

0800 023 9324

Whether you're facing problems at work or at home, you can access impartial, confidential advice from qualified counsellors for many different issues, including:

**Anxiety | Bereavement | Stress | Depression | Workplace Issues | Trauma
Relationships | Finances | Family Difficulties**

A wide offering of resources is available and includes downloadable self-help workbooks, debt advice, a mental health app and more. The telephone helpline is available **24/7, 365** days a year is completely confidential and free to anyone needing mental health support



Visit accmybenefits.vivup.co.uk





Mental Health First Aider Network

Mental Health First Aiders (MHFA) are a point of contact if you, or someone you are concerned about, are experiencing a mental health issue or emotional distress. They are not therapists or counsellors but have been trained to give you initial support and advise you of appropriate help if required.
You may contact any of the MHFA's for support.

**Scan the QR Code to see the full list of all
Mental Health First Aiders across various
Aberdeen City Council venues**



Mental Health and Wellbeing Support at Aberdeen City Council Poster



Mental Health and Wellbeing Support at ACC

Employee Assistance Programme 24/7/365 Service

(Counselling, In the Moment and Domestic Abuse Support)

For all employees: <https://vivup.tercltd.co.uk/?CODE=107809>

For teachers: <https://vivup.tercltd.co.uk/?CODE=107810>

Other Support Services and Resources available:

Able Futures: <https://shorturl.at/5DJel>

Mental Health First Aider Network: <https://shorturl.at/qxDM8>

'Your Care 'Portal <https://shorturl.at/ipOU7>

Self-Help Workbooks: <https://shorturl.at/iHO15>

Online Wellbeing pages on the Intranet: <https://shorturl.at/eopG7>

Join in with all the latest wellbeing promotions and initiatives on our

Mental Health and Wellbeing Viva Engage channel:

<https://shorturl.at/eIOSZ>

If you need any help to find the right support for you, please

contact flindsay@aberdeencity.gov.uk

Anxiety | Bereavement | Stress | Depression | Workplace Issues

Trauma | Relationships | Finances | Addition | Family Difficulties



HEALTH
WELLBEING
HAPPINESS



SCAN ME

Appendix 4

Therapet Service Poster

Your Wellbeing Matters

CANINE CONCERN SCOTLAND TRUST



Scottish Charity
No SC014924

Incorporating® THERAPET



Therapet Visitor



IVY



**Will visit Marischal College with Morag every second
Thursday from 11:00 to 12:00 starting on 14 March 2024**

Scan the QR code to take you to our dedicated SharePoint page for more information
<https://aberdeencitycouncil0365.sharepoint.com/sites/PeopleAnytime/SitePages/Therapets.aspx>

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ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	21 April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Neonatal Care Leave and Pay
REPORT NUMBER	CORS/25/076
EXECUTIVE DIRECTOR	Andy MacDonald, Director – Corporate Services
CHIEF OFFICER	Isla Newcombe, Chief Officer – People and Citizen Services
REPORT AUTHOR	Sharon Robb, Employee Relations Casework Lead Gaynor McKechnie, People and Organisational Development Advisor
TERMS OF REFERENCE	2.5

1. PURPOSE OF REPORT

- 1.1 This report has been prepared to provide Committee with information on the introduction of the new Neonatal Care Leave and Pay legislation which comes into effect on 6th April 2025.

2 RECOMMENDATIONS

That the Committee:

- 2.1 Notes the content of the report and the introduction of the new legislation.
- 2.2 Instructs the Chief Officer – People and Citizen Services to include the Neonatal Care Leave and Guidance as part of the Family Friendly policy and associated guidance documents to be reported to Staff Governance Committee in June 2025.

3 CURRENT SITUATION

3.1 Background

- 3.1.1 Following the Neonatal Care (Leave and Pay) Act 2023 receiving Royal Assent on 24 May 2023, the new legislation comes into force on 6 April 2025.

The Act will provide additional leave and pay for parents of babies born on or after 6 April 2025 who require neonatal care, with a right to up to 12 weeks' leave and pay. The Act provides eligible parents with dedicated time to care for their newborn babies during a challenging period, without impacting their existing parental leave entitlements.

- 3.1.2 There are two categories of statutory neonatal care leave depending on when the employee takes the leave:
- Tier 1 - is the period during which the baby is receiving neonatal care.
 - Tier 2 – is any leave taken outside the tier 1 period.
- 3.1.3 Guidance has been drafted which applies to all Aberdeen City Council employees. Changes to SNCT terms and conditions are determined nationally and an amendment from SNCT is anticipated, but until such time as this is confirmed, ACC will ensure that those on SNCT conditions receive the legal entitlement.
- 3.1.4 Neonatal care leave (NCL) is available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth. Each parent is entitled to a maximum of 12 weeks leave, which is in addition to other statutory parental leave and pay entitlements. NCL must be taken within the first 68 weeks from the baby's birth.
- 3.1.5 Neonatal care leave will be paid at the statutory rate set by the government for a week's pay up to a maximum of 12 weeks. In order to qualify for Statutory Neonatal Care Pay (SNCP), entitlement will depend on length of continuous service and how much the employee earns. As with other forms of parental leave, an employee will be required to have 26 weeks service by the end of the 15th week before the expected birth. Statutory neonatal care pay will either be paid at the time of neonatal care (tier 1 leave) or at a later date (tier 2 leave). SNCP is paid at the same rate as statutory maternity, paternity or adoption leave currently set at £187.18 per week (reviewed annually by the government) or 90% of average weekly earnings, whichever is lower.
- 3.1.6 This leave is in addition to other statutory leave entitlements such as maternity, paternity and adoption leave and in most cases would be taken at the end of their normal period of leave.
- 3.1.7 The new Neonatal Care Leave and Pay guidance will be included in the Council's Family friendly policies and guidance documents which also includes:
- Family Friendly Policy
 - Maternity Leave Guidance
 - Paternity Leave Guidance
 - Shared Parental Leave Guidance
 - Adoption Leave Guidance
 - Managing Employees Undergoing IVF Treatment Guidance
 - Supporting Carers in the Workplace Guidance
- 3.1.8 In addition, the Council also has a Special Leave Policy which includes special leave and flexible working provisions that employees can use which includes:
- Parental Leave
 - Time Off for Dependant / Family Emergencies

- Parental Bereavement Leave
- Time Off for IVF Treatment

3.2 Links to Other Outcomes, Agreements and Pledges

3.2.1 The Council currently has two equality outcomes as an employer. These are:

Improve the diversity of our workforce and address any areas of underrepresentation, ensuring that there are equal opportunities for all protected groups (with consideration for both internal employees and external applicants), with a particular and prioritised focus on Age, Disability, Race and Sex.

Ensure that all of our employees who have protected characteristics feel fully valued, safe and included at work, with a particular and prioritised focus on Age, Disability, Gender reassignment, Race, Sex and Sexual orientation.

To align with these outcomes, each guidance document now includes an 'Inclusivity Statement'; and the language/terminology within each guidance document and the Special Leave Policy has also been reviewed and updated.

3.2.2 In November 2022, Aberdeen City Council committed to sign the [Pregnancy Loss Pledge](#) which was subsequently done in 2023. This committed Aberdeen City Council to:

- Encourage a supportive work environment where people feel able to discuss and disclose pregnancy and/or loss without fear of being disadvantaged or discriminated against
- Understand and implement the rules around pregnancy-related leave, ensuring staff feel able to take the time off they need.
- Show empathy and understanding towards people and their partners experiencing pregnancy loss.
- Implement a pregnancy loss policy or guidance, or ensure it is included in sickness, bereavement or other workplace policies – being mindful of the needs of partners, too.
- Support people back to work by being responsive to their needs and showing flexibility wherever possible.

3.2.3 Aberdeen City Council joined the [Equally Safe at Work Accreditation Programme](#) in January 2021. Equally Safe at Work is run by 'Close the Gap' and is intended to provide a framework for employers to create an inclusive workplace culture for women which also prevents violence against women.

3.3 Outcomes

3.3.1 Ensuring compliance with the Neonatal Care (Leave and Pay) Act 2023 links to the following outcomes identified in the [Family Friendly Policies Project Update \(September 2023\) - CUS/23/244](#):

- i. All of our in scope and available policies, provisions and guidance documents are consolidated, streamlined, readily available, easy to understand and clear for those who need it at point of need, packaged within a family friendly 'suite';
- ii. The documents within the family friendly 'suite' are updated so that the language is inclusive and contemporary, reflecting the organisation's Guiding Principles as well as all family types and circumstances, such as LGBTQ+ couples and kinship carers;
- iii. Employee entitlements will be easily understood so that employees make the most informed choices and managers are able to provide consistent and appropriate support and decisions;
- iv. Job Families are considered so that information is accessible in a way that suits the needs of different employee groups;
- v. A communications and engagement plan will be developed to encourage more male employees to make use of family leave provisions;
- vi. Support provisions, such as entitlements around pregnancy loss and counselling services, will be readily available at point of need so that employees will be have easy access to support;
- vii. The organisation will maintain its compliance with the Equality Act (2010) and any other legislative updates.

3.3.2 Further recommendations and proposals may be brought into scope following ongoing engagement and as the project develops. These proposals will be reported to Staff Governance Committee, along with the Family Friendly Policy in June 2025.

3.4 Data

3.4.1 There is no organisational data relating to NCL currently as this is not recorded on our HR/Payroll system, however going forward NCL will be recorded separately and we will be able to gather data.

3.4.2 The UK charity Bliss reported the following data on NCL (only 2016 figures are available).

Around 1 in 7 babies born in the UK are admitted to a neonatal unit each year.

The below table shows the number of babies admitted to a neonatal unit overall in 2016, and how many of these were born at different gestations (point of pregnancy)

Gestation of baby at birth	Number of babies	Percentage of the total number of babies admitted on to a neonatal unit
Total	100,762	100%
Before 25 weeks	1,189	1.2%
26-32 weeks	10,283	10.2%
33-36 weeks	26,758	26.6%
After 37 weeks (Full term)	62,427	62%
Missing data	105	0.1%

- The duration of a baby's stay in neonatal care varies greatly, and entirely depends on the severity of the condition and the gestation (completed weeks of pregnancy) at which they were born.
- 38% of babies admitted to neonatal care are premature.

The next table shows the average length of stay for babies born at different gestations in 2016.

Gestation of baby at birth	Number of babies	Percentage of the total number of babies admitted on to a neonatal unit
Total	100,762	100%
Before 25 weeks	1,189	1.2%
26-32 weeks	10,283	10.2%
33-36 weeks	26,758	26.6%
After 37 weeks (Full term)	62,427	62%
Missing data	105	0.1%

- The average length of stay is 7 days.
- Most babies admitted to neonatal care are born at term and these babies may need only a few days care.
- Premature babies are most likely to have a stay of 7+ days.

(Ref. Bliss.org)

- 3.4.3 Using the above figures as an indicative measure, and based on the numbers of maternity and paternity cases we have received, we anticipate requests for NCL to be very low, as set out below'.

Maternity	
Number of times maternity leave used in the last 5 years	1365
Average number of times maternity leave used each year	273
Estimated number of babies born admitted to neonatal unit each year (1 in 7)	39

Estimated number of these babies born premature (pre 37 weeks) (38%)	15
Estimated number of births qualifying for Neonatal Care Leave & Pay per year (stay of 7+ days)	15

Paternity	
Number of times paternity leave used in the last 5 years	255
Average number of times paternity leave used each year	51
Estimated number of babies born admitted to neonatal unit each year (1 in 7)	7
Estimated number of these babies born premature (pre 37 weeks) (38%)	3
Estimated number of births qualifying for Neonatal Care Leave & Pay per year (stay of 7+ days)	3

4. Next Steps

- 4.1.1 A communications and engagement plan will be developed to increase awareness of the Neonatal Care Leave and Pay Guidance for employees and managers.
- 4.1.2 Support provisions and counselling services, will be readily available at point of need so that employees will have easy access to support.
- 4.1.3 We will ensure the family friendly 'suite' is well-connected to, and makes the most of, government websites and toolkits that are available for employees.
- 4.1.4 Further benchmarking and research will continue with other local authorities, partner organisations as well as with other private and third-sector organisations to identify further best-practice examples.
- 4.1.5 The Chief Officer – People and Citizen Services will report to Staff Governance Committee in 2025 with the revised family friendly policy, along with an update on any other changes and improvements to procedures and guidance documentation.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications resulting from the information in this report, however failure to comply with legislation could result in claims being made against the Council.

6. LEGAL IMPLICATIONS

- 6.1.1 The Council is required to ensure compliance with the Neonatal Care (Leave and Pay) Act 2023.
- 6.1.2 The Family Friendly Policies Project will continue to ensure compliance with all employment provisions.
- 6.1.3 The Family Friendly Policies Project will ensure compliance with the Council's duties under the Equality Act (2010), Employment Acts and associated regulations.

7. ENVIRONMENTAL IMPLICATIONS

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

8. 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	Inability to deliver on the new neonatal care legislation.	Ensure the neonatal care guidance is available to employees and managers for 6 th April 2025.	L	Yes
Compliance	Ability to meet our obligations under the Equality Act (2010) as well as the Employment Acts/Regulations and legislative provision around carers leave and neonatal care leave.	Ensuring that the legislative requirements are captured within the review and implemented within relevant timescales.	L	Yes

Operational	Inability to provide support for employees or not competing with other organisations and industries could result in poor staff morale or higher turnover.	Ensuring that benchmarking and research is undertaken so that what Aberdeen City Council is offering is best-practice and progressive.	L	Yes
Financial	<p>Not complying with legislation may leave the Council open to claims.</p> <p>Many services will need to manage to redistribute work as required for the period of leave without backfill. In the instances where services will need a role fully covered during neonatal leave then People and Citizen Services will work together with them to find flexible options within the confines of our Establishment Control Board.</p>	<p>Ensuring that the legislative requirements are captured within the review and implemented within relevant timescales.</p> <p>Guidance for managers on how to accommodate leave will be available. In addition, recruitment approval governance and support remains in place.</p>	L	Yes
Reputational	Risks of not providing an inclusive environment could impact on Council reputation and employer brand.	Ensuring that benchmarking and research is undertaken so that what Aberdeen City Council is offering is best-practice and progressive.	L	Yes

Environment / Climate	No significant risks identified
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9. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2024-2025</u>	
	Impact of Report
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous Economy Stretch Outcomes	This report supports: <ul style="list-style-type: none"> • 400 unemployed Aberdeen City residents supported into Fair Work by 2026
Prosperous People Stretch Outcomes	This report supports: <ul style="list-style-type: none"> • Supporting vulnerable and disadvantaged people, families and groups
Regional and City Strategies	<p>This report links directly with the Council's Workforce Delivery Plan in ensuring that employees have the right support.</p> <p>This also supports the Council's Equality Outcomes and Equality, Diversity and Inclusion Action Plan.</p>

10. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	<p>Integrated Impact Assessment has been completed as part of the Family Friendly Policy and Provisions Project and can be viewed here - https://www.aberdeencity.gov.uk/media/22960.</p> <p>This will be updated in alignment with the Family Friendly policy being brought to Committee for approval.</p>
Data Protection Impact Assessment	Not required

11. APPENDICES

11.1 Neonatal Care Leave and Pay Guidance

12. BACKGROUND PAPERS

- 12.1 [Family Friendly Policies Project Update \(September 2023\) - CUS/23/244](#)
[Family Friendly Policies Project Update \(June 2024\) - CORS/24/185](#)
[Statistics about Neonatal care - Bliss.org](#)

13. REPORT AUTHOR CONTACT DETAILS

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Neonatal Care Leave and Pay Guidance

Document Control

Approval Date	
Implementation Date	06 April 2025
Document Number / Version	Version 1
Author(s) and Owner	Author(s): Linsey Blackhurst, Interim Organisational Change and Design Lead Gaynor McKechnie, People & Organisational Development Advisor Owner: Isla Newcombe – Chief Officer People & Citizen Services
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Scheduled Review	
Changes	

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SECTION 1: INTRODUCTION

Purpose of the Guidance

This guidance is part of our Family Friendly suite of resources. These are designed to reflect that the demands and responsibilities vary from family to family and can be applied to differing circumstances.

Employees are more likely to feel able to discuss a wellbeing issue or a challenging life event, to ask for help when needed, and to make an effective return to work when working in a supportive and compassionate environment. When managers manage well and build trust-based relationships with their team, they help to create an environment that is open, respectful and kind.

The purpose of this guidance is to inform employees of their right to request a period of neonatal care leave (NCL) if their baby requires neonatal care. It outlines the eligibility, application process, entitlements and other key aspects of neonatal care leave and pay.

Neonatal leave is in addition to existing parental leave provisions namely; maternity, adoption, paternity, shared parental, parental and parental bereavement leave, collectively known as 'family leave' and aims to provide additional support to parents when their newborns require specialised care.

The guidance will also assist managers in effectively applying the provisions and supporting their employees.

Core to this guidance is that no employee will be adversely treated in the workplace due to them taking neonatal leave.

Inclusivity Statement

This guidance is applicable to any employee considering Neonatal Care Leave. Gender, sexual orientation or other characteristics are irrelevant in the application of any of our family friendly policies.

Application and Scope

This guidance applies to all Aberdeen City Council employees. This does not apply to relief, casual or agency workers.

The Neonatal Care (Leave and Pay) Act 2023, launched on 6 April 2025, introduces a dedicated entitlement to neonatal care leave and pay, ensuring employees meet the eligibility criteria. The right applies to employees where they have a baby or babies born on or after 6th April 2025.

Employees who have a baby that meets the definition of neonatal care in section 2 will be eligible to request Neonatal Care Leave (NCL).

SECTION 2: ABOUT NEONATAL CARE LEAVE

What is Neonatal Care?

Neonatal care means:

1. Medical care received in a hospital (which includes a maternity home, as well as clinics and outpatient departments).
2. Medical care received in any other place following discharge from hospital (provided that the care is under the direction of a consultant and includes ongoing monitoring by / visits from healthcare professionals arranged by that hospital).
3. Palliative or end of life care.

Babies may receive neonatal care for a number of reasons including when they are;

- born early (premature)
- very small and have a low birthweight
- have an infection
- have jaundice
- had a very difficult birth
- waiting for or are recovering from complex surgery.

Babies who are part of a twin or multiple pregnancy are more likely to require neonatal care after birth.

What is Neonatal Care Leave?

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth. Each parent is entitled to a maximum of 12 weeks leave, which is in addition to other statutory parental leave and pay entitlements.

NCL allows parents to extend their time off with their baby either whilst they are receiving care within neonatal and/or with their baby at home when they are out of hospital.

NCL must be taken separately from other statutory leave. It is provided in addition to other types of family leave as mentioned in the Special Leave Policy.

Who is entitled to Neonatal Care Leave?

Neonatal care leave applies to all employees of the Council, irrespective of hours of work and length of service.

The entitlement to neonatal care leave is available for employees who at the date of birth are:

- the parent of the baby, or
- an intended parent of the baby (under a surrogacy arrangement) or
- the partner of the baby's mother, and
- have or expect to have responsibility for the upbringing of the baby and
- intend to take the leave to care for the baby.

In the case of adoption, neonatal care leave is available for employees who are:

- the baby's adopter,
- the baby's overseas adopter,
- the baby's prospective adopter,
- the partner of the baby's adopter or prospective adopter at the time the baby is placed with the adopter or prospective adopter, and has or expects to have the main responsibility (apart from any responsibility of their partner) for the upbringing of the baby, or
- the partner of the baby's overseas adopter and at the time of the baby's entry into Great Britain, has or expects to have the main responsibility (apart from any responsibility of the partner) for the upbringing of the baby.

Partner is defined as a person (regardless of sex, or how they identify) who lives with the baby's mother, adopter, prospective adopter or overseas adopter, in an enduring family relationship but is not a close relative e.g. parent, grandparent, sibling, aunt, uncle, niece or nephew.

How many weeks Neonatal Care Leave can be taken?

Neonatal care leave entitles eligible parents to up to a maximum of 12 weeks of leave, with 1 week leave for every 7 consecutive days that the baby receives neonatal care.

This leave is in addition to other statutory leave entitlements such as maternity, paternity, and adoption leave.

In the event that a baby is admitted to neonatal care (for a period of at least 7 consecutive days), discharged, and then readmitted to neonatal care (for a period of at least 7 consecutive days), providing that the second admittance occurs within 28 days of birth, both instances will count towards NCL.

An employee is entitled to only one allowance of neonatal care leave per pregnancy. If an employee has multiple births (e.g. twins or triplets), the entitlement to neonatal care leave is the same as if there were only one baby (a maximum of 12 weeks leave).

Both parents can take neonatal care leave simultaneously if they both meet the eligibility criteria and choose to do so.

Is Neonatal Care Leave paid?

Neonatal care leave will be paid at the statutory rate for a week's pay up to a maximum of 12 weeks. In order to qualify for Statutory Neonatal Care Pay (SNCP), entitlement will depend on length of continuous service and how much the employee earns. As with other forms of paid parental leave, an employee will be required to have 26 weeks service by the end of the 15th week before the expected birth.

To qualify for SNCP continuous service means, continuous service with Aberdeen City Council or a public authority as listed in the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Orders (which covers local authorities and related bodies), or any other body recognised by the Council for continuous service.

SECTION 3: Taking Neonatal Care Leave

When can Neonatal Care Leave be taken?

NCL must be taken within the first 68 weeks from the baby's birth, and exactly when may depend on other family leave already being taken, such as maternity, adoption, paternity.

Neonatal care leave is described within the legislation as Tier 1 or Tier 2 -

Tier 1 (during neonatal care)

- The tier 1 period is the period during which the baby is receiving neonatal care or during the week following the end of neonatal care.
- In this period, employees do not have to give notice of leave in writing. Contact should be made with the line manager as soon as practicably possible and contact maintained during the period. NCL taken during the tier 1 period, will often be taken in unforeseen and/or emergency circumstances.
- NCL cannot be taken for the first week that a child is in neonatal care. It can be taken as consecutive or non-consecutive weeks. Any remaining entitlement to NCL may be taken in the tier 2 period.
- Generally, NCL is only likely to be taken in the tier 1 period by the baby's father or mother's partner, since the mother will be on maternity leave as it will automatically start the day after the birth. NCL and any other family leave cannot run concurrently. It might, for example, be used by the father or partner where paternity leave has run out whilst the baby is still undergoing neonatal care. In adoption cases, it is only likely to be taken during the tier 1 period by the parent who is not taking adoption leave.

Tier 2 (after neonatal care ends)

- The tier 2 period is any leave taken outside the tier 1 period.
- In this period, employees must give 15 days' written notice of one week's leave, or 28 days' notice of two or more weeks' leave. Additionally, leave in this period can **only** be taken consecutively.
- Tier 2 leave is likely to be taken where an employee on maternity or adoption leave takes NCL at the end of their maternity or adoption leave. The leave can be taken immediately after maternity or adoption leave before the employee returns to work.

The statutory leave entitlement is a maximum of 12 weeks over both tiers.

How to request Neonatal Care Leave

Employees should notify their line manager, as soon as practicably possible, of their situation and that their baby has been admitted into neonatal care. Should the baby require neonatal care for at least 7 consecutive days the employee will be eligible to request NCL.

In all cases the employee must tell their line manager:

- the date of the baby's birth/placement/entry to the UK
- the start date of neonatal care
- the end date of neonatal care (if this is known at the time)
- the date they want the period of NCL to begin
- how much leave they want to take.

The line manager will record the date the baby was admitted into neonatal care (Appendix A – Notification of Neonatal Care Leave form) and look to discuss with the employee their leave options. It is important for the line manager to be sensitive to the situation recognising that it may be difficult for the employee to fully engage in discussions at this time on their leave options.

The employee should notify the line manager once the baby has been discharged from neonatal care. The line manager will also record the date that the baby was discharged on Appendix A – Notification of Neonatal Care Leave.

The Council reserves the right to request evidence of neonatal care to process NCL.

If an employee is taking tier 1 leave the manager should complete the Notification of Neonatal Care Leave (Appendix A) and submit to AskHR@aberdeencity.gov.uk to ensure no overpayments are made. They must continue to notify AskHR if the dates are consecutive during the tier 1 period.

If the employee is taking tier 2 leave following a period of family leave, they should complete the form and submit to their line manager who will approve the leave and send to AskHR. If an employee is not taking the full 52 weeks maternity leave entitlement, they should also complete the Early Return to Work form as this will end the maternity leave and allow neonatal care leave to commence. This can be found in the Maternity Guidance on People Anytime.

Contact during NCL

It is recognised that it will be a difficult time for a parent when their baby is admitted to neonatal care and that their time and energy will be focused on their baby.

Line managers must be sensitive to the delicate nature of the situation and ensure that they provide appropriate support and maintain reasonable contact with the employee. This contact should be handled with the utmost sensitivity, acknowledging the emotional and physical demands placed on the employee during this time. The primary purpose of the contact is to provide support, and discuss any arrangements or updates regarding their leave.

The line manager should agree with the employee on the preferred method and frequency of contact before NCL begins, and which will be influenced by when the leave is taken in relation to the baby receiving neonatal care. This contact may include regular check ins via phone calls, emails or other agreed-upon communication channels. The aim is to ensure the employee remains connected to the workplace and supported accordingly.

Returning to work after NCL

The Council understands that returning to work can be a difficult time for parents, particularly those who have experienced a traumatic and upsetting time seeing their baby receiving neonatal care.

Before returning to work after taking neonatal care leave (NCL), the employee should have a discussion with their line manager to outline any ongoing needs or adjustments required to facilitate a smooth transition back to the workplace. Babies can have ongoing medical needs requiring regular hospital appointments and check-ups when parents return to work. Support may include arranging for flexible working hours or additional time off for medical appointments for the baby. The Council will support time off to allow parents to attend these appointments in accordance with our Carers Leave Guidance.

Impact on Annual Leave

Employees will continue to accrue annual leave and public holidays when they are on neonatal care leave. When they return to work after their neonatal care leave, they will be able to take their accrued annual leave and public holiday entitlement. When they take this leave is subject to the operational requirements of the Service and before they return to work they should discuss this with their Line Manager.

Special Circumstances

If a baby sadly dies following neonatal care (for at least 7 consecutive days within the first 28 days after birth), the employee would be eligible to take NCL within 68 weeks.

Further support on this can be found in our Parental Bereavement Leave and Pay Guidance which can be found on People Anytime.

Other support options

Employees can seek support from their line manager and/or AskHR about matters relating to this guidance.

Other family leave provisions may be helpful to employees alongside NCL and existing leave such as maternity / adoption / paternity – full details of the family leave provisions available can be found on People Anytime including the Special Leave Policy.

Depending on specific circumstances an employee may also wish to explore flexible working options. Further information on the range of flexible working options can be found in the Flexible Working Policy and Guidance.

The [Employee Assistance Programme](#) (EAP) is available to employees, and immediate family members, to support and provide advice during a difficult time, further information can be found on People Anytime or the line manager can provide contact details.

Employees may be able to claim for funds via the [Scottish Government Young Patients Family Fund](#) which is designed to provide a financial contribution towards the cost of having a baby (under 18 years) in hospital which includes neonatal care. Expenses can be claimed for transport, meals, parking and accommodation.

Bliss is a charity for babies born premature or sick, they offer a wide range of free service for the families of premature or sick babies. Further information can be found here - www.bliss.org.uk

NOTIFICATION OF NEONATAL CARE LEAVE

Please read the **Neonatal Care Leave Guidance** before completing this form. Managers can complete this form on behalf of their employees.

Neonatal care leave (NCL) is a leave entitlement available to parents whose baby, or babies, require neonatal care for at least 7 consecutive days within the first 28 days after birth. Parents will be entitled to a maximum of 12 weeks leave, which is in addition to other statutory parental leave and pay entitlements. Neonatal care leave must be taken within 68 weeks of baby's birth.

Leave types -

- Tier 1 is the period during which the baby is receiving neonatal care.
- Tier 2 is any leave taken outside the tier 1 period.

Employee Details			
Name			
Employee number			
Job Title			
Line Manager			
Please state your relationship to the child			
Date of child's birth / placement / entry to the UK			
Neonatal Care details			
Date of admission to neonatal care			
Date of discharge from neonatal care (leave blank if unknown)			
Notification of Neonatal Care Leave			
Is this Tier 1 leave?		Is this Tier 2 leave?	
Date to and from neonatal care leave is to commence			
Number of weeks requested			

Note – Maternity / adoption / paternity leave cannot be paused or restarted once commenced, the provision of neonatal care leave must be taken at the end of the leave period.

If returning from maternity leave early (i.e. within 52 weeks), the employee must also complete the Early Return to Work Notification form found in the Maternity Guidance.

Once completed, the Line Manager should send this form to AskHR@aberdeencity.gov.uk.

HR SERVICE CENTRE USE

Entitled to SNCP	
Information processed in CoreHR	
Confirmation sent to Line Manager	

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ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	21 April 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Disclosure (Scotland) Act 2020 - Update
REPORT NUMBER	CORS/25/077
EXECUTIVE DIRECTOR	Andy MacDonald
CHIEF OFFICER	Isla Newcombe
REPORT AUTHOR	Lesley Strachan
TERMS OF REFERENCE	General Delegation 8.7

1. PURPOSE OF REPORT

- 1.1 This report has been prepared to provide Committee with information on the changes in relation to the Disclosure (Scotland) Act 2020 which come into effect on 1 April 2025.

2 RECOMMENDATIONS

That the Committee:

- 2.1 Notes the content of the report and changes to Disclosure Scotland and the Protection of Vulnerable Groups Scheme as a result of the new legislation, for assurance.

3 CURRENT SITUATION

3.1 Background

- 3.1.1 Disclosure Scotland is an executive agency of the Scottish Government, responsible for providing criminal record checks and supporting the protection of vulnerable groups. It plays a crucial role in ensuring public safety by enabling employers to make informed decisions about individuals in positions of trust, such as working with children or vulnerable adults.
- 3.1.2 In an Aberdeen City Council context, currently where a role requires any form of Disclosure Scotland check, this is recorded against the specific role within the HR / Payroll system. Roles may require a basic or standard level Disclosure Check or membership of the PVG Scheme (if the role involves regulated work with children or protected adults or both).
- 3.1.3 During the recruitment process, where required, preferred candidates are informed of the level of disclosure required and are asked to complete a Disclosure Scotland online application form. The outcome of these checks are returned to the HR Service Centre team, and the preferred candidate is sent a copy of their Disclosure Scotland certificate at the same time, except

in cases where a basic Disclosure check is required, whereby the candidate receives the outcome, and is required to provide a copy of their certificate to the HR Service Centre.

- 3.1.4 From 1 April 2025, the majority of the provisions of The Disclosure (Scotland) Act 2020 come into effect. The aim of the Act is to focus on protecting the public, while balancing the need for people to move on from offending and to simplify the process for disclosing criminal history information. The Protection of Vulnerable Groups (PVG) scheme becomes a legal requirement on this date. This means that:
- anyone carrying out a regulated role must be a member of the PVG scheme for that type of work, for example, work with children and/or protected adults.
 - organisations must not offer any type of regulated role to an individual unless they have received a PVG scheme disclosure.
- 3.1.5 This report sets out the main changes to the scheme which include enhanced safeguarding for children and protected adults, and enhanced digital use in order to provide a more efficient, secure and accessible disclosure process for all users.
- 3.1.6 There will be a grace period of **three months** after the PVG scheme becomes a legal requirement from 1 April 2025 to ensure individuals and organisations don't commit an offence if there are individuals who are not PVG scheme members but are currently working in regulated roles. From 1 July 2025 onwards, it will become a criminal offence for individuals to carry out a regulated role if they are not a member of the PVG scheme, or to offer a regulated role to an individual who is not a member of the PVG scheme.
- 3.1.7 This adds to the existing offences under the Protection of Vulnerable Groups (Scotland) Act 2007. It will continue to be an offence for an individual to seek, agree to do or carry out a regulated role if the individual is barred from working with children, protected adults or both. Similarly, organisations must not offer a regulated role to someone who is barred from that type of regulated role.
- 3.1.8 From an ACC perspective, our position before this legislation was to consider the PVG scheme as mandatory (for roles involving regulated work) and as a result the move to a mandatory scheme is not a fundamental change for the Council. The changes are process related, resulting in a requirement to update our recruitment and selection guidance for managers, which will be undertaken and communicated to recruiting managers across the organisation within the grace period.

3.2 **Summary of Changes**

The main changes are as follows:

3.2.1 **Changes to Disclosure Levels**

The Act simplifies and reduces the number of disclosure levels from the current basic, standard, enhanced and PVG to Level 1, Level 2 and PVG scheme Disclosures which will simplify the process for applicants and managers alike.

3.2.2 This requires some process changes to be made which will be undertaken by COSLA, by 1 April 2025, and some changes to be made to our recruitment process at preferred candidate stage.

3.2.3 Regulated Roles

The Protecting Vulnerable Groups (PVG) scheme becomes a legal requirement for those aged 16 or over, who are carrying out regulated roles with children or protected adults. Under 16s will no longer be eligible to apply for PVG membership. In Scotland, a 'regulated role' refers to a position (paid and voluntary) that involves carrying out certain activities where you have contact with children or protected adults. This might be:

- jobs with caring responsibilities for children or protected adults
- teaching or supervising children or protected adults
- providing personal services to children or protected adults
- working directly with children or protected adults

3.2.4 New regulated roles will be introduced as a result of the new legislation. This will require a review of our existing list of regulated roles in line with new criteria set by Disclosure Scotland.

3.2.5 Candidate Review of Application Information ahead of Employer

The legislation introduces a new process where individuals may apply for disclosure information to be reviewed, and decisions made about whether information should be disclosed, prior to the disclosure being issued to their countersignatory (employer who has requested the check). This provides individuals greater control in the disclosure process before their criminal history information is disclosed. This is known as 'making a review application'.

3.2.6 If the applicant makes an application to review the Disclosure Scotland certificate, they have 10 days from the date of issue to notify Disclosure Scotland if they wish to apply. Thereafter, they have a further 10 days to submit an application.

3.2.7 This differs to the current process whereby the certificate / outcome was released to the applicant and the employer simultaneously. As a result, in some cases, this may result in a delay in our recruitment process at preferred candidate stage, as we await candidates confirming to Disclosure Scotland that they give permission to release their Disclosure Certificate.

3.2.8 Code of Practice Update

The Code of Practice has been updated setting out responsibilities for accredited bodies, including Aberdeen City Council, regarding the use of disclosure information.

3.2.9 A review of the updated Code of Practice will be required to ensure ongoing compliance with our responsibilities as set out in the Code.

3.2.10 Regulated roles activity - holding a position of responsibility

In addition to regulated roles, checks are also required for those holding 'a position of responsibility' in an organisation where one of their main purposes

is the provision of benefits to children and/or protected adults for example, a trustee, board member or management committee member. Anyone in a regulated role carrying out an activity must have contact with children, protected adults or both as part of their role. Contact includes physical, visual, written or verbal communication or exercising power or influence over children and/or protected adults. Exercising power or influence' means:

- (a) assisting, facilitating, permitting or impeding progress towards a desirable objective or outcome for a particular child or protected adult
- (b) making decisions of an operational or strategic nature that could have an impact on a number of children or protected adult
- (c) persuading or putting pressure on a particular child to behave or act in a certain manner for the financial gain or personal gratification of a person other than the child or protected adult

3.2.11 From 1 April 2025, in order to sit on a committee that can affect regulated work / regulated roles, committee members (including designated deputies) must be a member of the PVG Scheme (there is a 3 month grace period till 1st July in order to comply with this).

3.2.12 From an ACC perspective, this is in accordance with our current approach to PVG checking for Elected Members and does not require any further changes.

3.2.13 Future Changes

The current PVG scheme is a 'Lifetime' membership scheme, which means that when an applicant becomes a member, there is no need to renew their scheme membership.

3.2.14 With effect from 1 April 2026, this will change and the PVG scheme will become a time-limited membership scheme, requiring members to renew their membership every five years. We await further detail on how this will work in practice.

4. Next Steps

4.1.1 Guidance and processes will be updated to take account of the changes associated with the new legislation and this will be communicated to managers across the organisation.

4.1.2 We will review the list of regulated roles set out within the new legislation to ensure this matched our defined regulated roles.

4.1.3 We will review the updated Code of Practice to ensure ongoing compliance with our responsibilities as set out in the Code.

4.1.4 We will continue to work with Disclosure Scotland to ensure we keep abreast of the future changes that will take effect in 2026.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications resulting from the information in this report.

6. LEGAL IMPLICATIONS

- 6.1.1 The Disclosure (Scotland) Act 2020 obliges Aberdeen City Council to undertake specific checks depending on the role undertaken and how such information is handled. Non compliance could result in a number of offences.
- 6.1.2 Failure to comply with legislation could result in claims being made against the Council.

7. ENVIRONMENTAL IMPLICATIONS

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

8. 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	Potential impact on some hard to fill roles due to delays in recruitment process which could impact upon service delivery.	Recruitment and Selection Guidance will be updated along with information that is available to preferred candidates at pre-employment check stage. Recruiting Manager will maintain regular contact with the preferred candidate during the preferred candidate stage.	L	Yes
Compliance	Failure to handle Disclosure information in line with the Code of Practice	The impact of the changes have been identified and a plan put in place to ensure compliance.	L	Yes

	Failure to comply with legislation could result in claims being made against the Council.			
Operational	Potential delays in recruitment process at preferred candidate stage where applicant approving release of Disclosure Scotland certificate. This could mean it takes longer to confirm a start date.	Recruitment and Selection Guidance will be updated and communication issued to recruiting managers. Recruiting Manager will maintain regular contact with the preferred candidate during the preferred candidate stage.	L	Yes
Financial	No financial risks identified.			
Reputational	Potential risk to reputation if non compliance with legislative changes.	The impact of the changes have been identified and a plan put in place to ensure compliance.	L	Yes
Environment / Climate	No significant risks identified			

9. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2024-2025</u>	
	Impact of Report
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous Economy Stretch Outcomes	This report supports 'Increasing the number of people in Aberdeen in sustained, fair work.'
Regional and City Strategies	<p>This report links to the Council's Workforce Delivery Plan in relation to 'Right People: Building our capacity through attracting, recruiting, moving talent'.</p> <p>This also supports the Council's Equality Outcomes and Equality, Diversity and Inclusion Action Plan.</p>

10. IMPACT ASSESSMENTS

Assessment		Outcome
Integrated Assessment	Impact	No impact assessment required. I confirm this has been agreed with Isla Newcombe, Chief Officer – People and Citizen Services on 10/04/25
Data Protection Assessment	Impact	The need to complete / update a DPIA will be considered as part of the review of existing processes

11. APPENDICES

11.1 None.

12. BACKGROUND PAPERS

12.1 [Disclosure Scotland](#)

12.2 [Offences under the code - mygov.scot](#)

13. REPORT AUTHOR CONTACT DETAILS

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