Finance, Economy and Corporate Services Scrutiny Committee

Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes

Thursday, 13 June, 2024 - 10.00 am

AGENDA

> **Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.**

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services

Fife House
North Street
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6 June, 2024

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BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

THE FIFE COUNCIL - FINANCE, ECONOMY AND CORPORATE SERVICES SCRUTINY COMMITTEE – BLENDED MEETING

Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes

18 April 2024   **10.00 am – 10.50 am**

PRESENT:	Councillors Allan Knox (Convener), Alistair Bain, Lynn Ballantyne-Wardlaw, Sam Steel (substituting for Councillor Auxi Barrera), Ian Cameron, Rod Cavanagh, Sean Dillon, Graeme Downie, Stefan Hoggan-Radu, Gary Holt, Robin Lawson, Gordon Pryde, Alistair Suttie and Ann Verner.
ATTENDING:	Gordon Mole, Head of Business and Employability, Carlene Simpson, Project Manager - Strategic Growth City Deals, Business and Employability Service; Eileen Rowand, Executive Director - Finance and Corporate Services, Ashleigh Allan, Finance Business Partner, Donna Grieve, Accountant, Lindsay Thomson, Head of Legal and Democratic Services, Helena Couperwhite, Service Manager - Committee Services, Michelle Hyslop, Committee Officer, Legal and Democratic Services, Finance and Corporate Services.
APOLOGIES FOR ABSENCE:	Councillors Auxi Barerra and Colin Davidson.

94.   DECLARATIONS OF INTEREST

No declarations of interest were submitted in terms of Standing Order No. 22.

95.   MINUTE

The committee considered the minute of the Finance, Economy and Corporate Services Scrutiny committee of 25 January 2024.

Decision

The committee agreed to approve the minute.

96.   CHANGE IN MEMBERSHIP

Decision

The committee noted that Councillor Holt had replaced Councillor Clarke as a member of this committee and welcomed him to his first meeting.

The committee thanked Councillor Clarke for his contribution to the work of the committee during his membership.

97. **EDINBURGH AND SOUTH EAST OF SCOTLAND CITY REGION DEAL ANNUAL REPORT 2022/23 AND UPDATE ON THE BENEFITS REALISATION PLAN FOR THE FIFE INDUSTRIAL INNOVATION INVESTMENT (I3) PROGRAMME.**

The committee considered a report by the Head of Business and Employability providing an annual update on the City Region Deal for 2022/23 and the Benefits Realisation Plan for the Fife Industrial Innovation Investment (i3) Programme, funded through the Edinburgh and South East Scotland City Region Deal.

Decision

The committee noted the performance of the Fife i3 programme and the Edinburgh and South East Scotland City Region Deal Annual Report for 2022/23.

98. **TAY CITIES DEAL ANNUAL REPORT AND BENEFITS REALISATION PLAN**

The committee considered a report by the Head of Business and Employability presenting the third Annual Report on progress by the Tay Cities Region Deal for the period 1 October 2022 to 30 September 2023.

Decision

The committee: -

(1)   noted the information contained in the report and the progress on activity in North East Fife; and

(2)   agreed that a site visit to the Eden Campus would be arranged for elected members.

99. **2023/24 REVENUE MONITORING PROJECTED OUTTURN – PLANNING SERVICE, BUSINESS AND EMPLOYABILITY SERVICE**

The committee considered a joint report by the Executive Director (Finance and Corporate Services) and the Executive Director (Place), providing an update on the projected outturn financial position for the 2023/24 financial year for the areas in scope of the Finance, Economy and Corporate Services Scrutiny Committee.

Decision

The committee noted the current financial performance and activity detailed in the report.

100. **2023/24 CAPITAL MONITORING PROJECTED OUTTURN – BUSINESS AND EMPLOYABILITY SERVICE**

The committee considered a joint report by the Executive Director (Finance and Corporate Services) and the Executive Director (Place), providing an update on the Capital Investment Plan and advising on the projected financial position for the 2023/24 financial year for the areas in scope of the Finance, Economy and Corporate Services Scrutiny committee.

Decision

The committee noted the current financial performance and activity detailed in the report.

101. **2023/24 REVENUE MONITORING PROJECTED OUTTURN – FINANCE AND CORPORATE SERVICES**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing an update on the projected outturn financial position for 2022/23 for the Finance and Corporate Services Directorate.

Decision

The committee noted the current financial performance and activity as detailed in the report.

102. **2023/24 CAPITAL MONITORING PROJECTED OUTTURN – FINANCE AND CORPORATE SERVICES DIRECTORATE**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing an update on the Capital Investment Plan and advising on the projected financial outturn position for the 2023/24 financial year for the Finance and Corporate Services Directorate.

Decision

The committee noted the current financial performance and activity as detailed in the report.

103. **FINANCE, ECONOMY AND CORPORATE SERVICES FORWARD WORK PROGRAMME**

The committee considered a report by the Executive Director (Finance and Corporate Services) outlining the draft workplan for future meetings of this committee.

Decision

The committee noted -

(1)   the draft Finance, Economy and Corporate Services Scrutiny Work Plan;

(2)   that work had been undertaken by the convener, depute convener and Lead Officer to streamline reporting of the forward work programme to ensure that reports are considered more timeously at future meetings of the committee; and

(3)   that Councillor Knox had arranged to meet with Lindsay Thomson, Head of Legal and Democratic Services in regard to reporting to committee on the following unallocated reports "Review of community council elections" and "Support and services for elected members with disabilities".

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13 June 2024
Agenda Item No. 4

Recruitment and Retention Update

Report by: Sharon McKenzie, Head of HR

Wards Affected: None

Purpose

The purpose of this report is to provide context around the profile of recruitment and retention within Fife Council.

The report highlights some of the work being undertaken to ensure recruitment and retention difficulties are monitored and mitigated as much as practicable to support delivery of the workforce strategy - Our People Matter (OPM).

Recommendation(s)

The Committee are asked to:

- Note the areas of challenge facing the Council in relation to recruitment and retention
- Endorse the actions being taken in response to the challenges
- Confirm the requirement for further work and/or scrutiny

Resource Implications

Corporate work is carried out within existing resources in the HR People Solutions and System Team. Planned initiatives are funded via the corporate recruitment budget.

Legal & Risk Implications

Key trends relating to recruitment and retention, which are key outcomes in the Council's workforce strategy – Our People Matter (OPM) are included.

The activities in [Our Recruitment Strategy & Plan 2024-25](#) are designed to deliver the outcomes in the strategy and mitigate associated risks.

1.0 Background

1.1   On 24th January 2024, the Finance, Economy and Corporate Services Scrutiny Committee requested a Recruitment and Retention update at this June meeting.

1.2   The council's workforce strategy, Our People Matter (OPM) for the period 2022-2025 sets out a vision for an engaged and empowered workforce who embrace new ways of working and are committed to making a difference.

1.3   Two of the eight OPM key outcomes and success measures relate to recruitment.

- **Recruitment and Retention** – employees are recruited and promoted who enable us to achieve our vision and deliver our goals.
    o   Reduced employee turnover for services with >15% annual turnover.
    o   Increasing recruiting manager satisfaction

- **Equalities – the Council understands its workforce better and it reflects the diversity of the local population**
    o   Improved employee diversity that better reflects our Fife Communities.
    o   Increased workforce representation of young people aged 16-24.

1.4   This report provides context for recruitment and retention challenges being faced and outlines some of the related work which is ongoing and planned for 2024/5.

2.0 Overview of Performance and Evidence

2.1   **UK Insights**

2.1.1   The quarterly CIPD Labour Market Outlook Report in Winter 2023/4 confirmed that labour market tightness is reducing and likely to ease further in 2024.   Vacancy levels continue to fall, although they remain above pre-pandemic levels.

2.1.2   Relevant headlines from the organisations surveyed are:

- 38% reported hard to fill vacancies. This is significantly higher in the public sector (51%) than the private sector (34%)
- 21% anticipate **significant** recruitment difficulties in 2024, 31% in the Public Sector

2.2   **Scotland Local Government Insights**

2.2.1   SOLACE/SPDS conducted a Workforce survey in late 2023. Respondents reported significant resourcing challenges due to factors including recruitment difficulties, ageing workforce and pay competition.   Social Work, Social Care, Trading Standards and Environmental Health were highlighted as some of the areas which are challenging to resource.

2.2.2 Recruitment difficulties were attributed to skills shortages, competition from other sectors and pay issues. The ability to recruit to rural areas and an urgent requirement to attract a new generation of younger employees was highlighted.

2.3 **Fife Council Insights**.

2.3.1 The recruitment difficulties outlined above are relevant to Fife Council.

2.3.2 The pandemic created a unique set of circumstances where recruitment activity was limited and both applicants and organisations were impacted by the restrictions.

2.3.3 Post-pandemic, there was a peak of recruitment, turnover was inevitable and competition for talent was significant. Some private sector organisations paid incentives to attract staff to hard to fill key roles including social care and HGV driving.

2.3.4 The landscape is starting to change. Although there are still difficulties recruiting to certain roles, a lot of work is being carried out to attract applicants and fill vacancies. We have also been able to seek feedback from hiring managers and have carried out some planned improvement work.

3.0 Employee Retention - Data Insights

Table 1 – Turnover Rates

	Headcount	Leavers 1.4.21 - 31.3.22	*Turnover 31.3.22	Headcount	Leavers 1.4.22 - 31.3.23	*Turnover 31.3.23
Fife Council	17972	2044	11.37%	18400	2063	11.21%
Communities	1582	121	8.16%	1623	132	8.13%
Education & Childrens Services	8445	812	9.62%	8669	888	10.24%
Finance & Corporate Services	1209	88	7.28%	1208	105	8.69%
Health and Social Care Partnership	2453	310	12.64%	2411	283	11.74%
Place (Enterprise & Environment	4381	712	16.25%	4486	655	14.6%

*Turnover = Number of leavers / headcount *100

Table 1 confirms that, corporately, employee turnover remained below 15% on 31 March 2022 and 2023. This equates to approximately 2,000 leavers per annum and many of the resultant vacancies are subsequently advertised. Directorates with above average turnover include services with large workforces and front-line roles.

Table 2 – Leaver Reasons & Posts

Directorate	Top 3 Leaver Reasons	Top 3 Leaver Posts
Communities	Resign (60%) Retire (19%) Temp Contract (14%)	Customer Service Advisor Revenues Assistant **(Senior) Youth Worker***
Education & Childrens Services	Resign (45%) Retire (16%) Temp Contract (10%)	**PSA2*** Teacher **EYO***
Finance & Corporate Services	Resign (42%) Retire (30%) Temp Contract (16%)	**Support Assistant*** **Business Support Assistant***
Health and Social Care Partnership	Resign (65%) Retire (16%) Ill Health (13%)	Home Carer **Care Assistant*** **Social Care Worker***
Place (Enterprise& Environment	Resign (49%) Temp Contract (19%) Retire (17%)	**Cleaner*** Operative 1 (temp) Asst Janitor / Catering Asst

***Also has a high level of recruitment as shown in Table 5.**

Table 3 – Leaver Reasons - Age Groups/Length of Service

Age Group	No leavers	Leaver Reasons	Length of Service	No leavers	Leaver Reasons
Under 24	333	Resigned (58%) Temp Contract (25%) Casual (11%)	0-2	1038	Resigned (57%) Temp Contract (26%) Casual (11%)
25-34	591	Resigned (61%) Temp Contract (18%) Casual (17%)	3-5	520	Resigned (62%) Casual (22%) Temp Contract (10%)
35-54	840	Resign (68%) Casual (13%) Temp (11%)	5-10	364	Resign (60%) Retire (11%) Casual (10%)
55-59	283	Resign (40%) Retire (30%) Ill Health (13%)	11-20	371	Resign (38%) Retire (36%) Ill Health (15%)
60+	692	Retire (54%) Resign (18%) Ill Health (12%)	21+	423	Retire (62%) Resign (19%) Ill Health (12%)

The data in Tables 2 and 3 was provided via the Leavers report on Oracle Cloud and provides some interesting insights. Figures include casual workers.

- A high proportion of individuals leave Fife Council in first 2 years. This is mainly attributed to resignations, followed by temporary contracts ending and removal from casual worker pool. The trend continues during the first 5-10 years.
- A downward trend of leavers with 10-25 years' service is evident before numbers increase again. There is increased prevalence of retirals and ill health retirals.
- There is a high incidence of leavers to age 34 then a downward trend until age 55.
- After 25 years' service and after age 55, the number of leavers increases, with age retirements and ill health retirements more commonly cited.
- The average employee age in Fife Council is 45.4 years and this continues to rise.

- Many of the posts frequently vacated are also regularly recruited to (see Table 2).

3.1 It should be noted that there are plans to remove Resign as an option for managers when reporting reasons for leaving. This change will ensure more meaningful insights are provided in future. As an interim measure, managers are asked not to select Resign as a reason.

3.2 In November 2023, Local Government Association (LGA) workforce summary data confirmed average labour turnover of 13.4%. A separate study by UK Money suggested that the UK has one of the highest turnover rates in Europe, with 16.8% of people leaving their jobs. Sectoral variations do exist.

3.3 Although turnover rates within Fife Council are below national/sectoral averages, they do contribute to ongoing resourcing challenges as they often result in recruitment. Vacancies which are both frequently advertised and regularly vacated are highlighted in Table 2.

4.0 Recruitment - Data Insights

4.1 **Baseline Data**

4.1.1 The information in Table 4 was provided using Candidate and Requisition Reports from Oracle. It provides profiling of recruitment activity based on adverts placed.

4.1.2 The periods from 1 April - 30 June 2022 and 1 April - 30 June 2023 were used to ensure insights are based on completed recruitment activity in the same period.

Table 4 – Recruitment Summary

	April – June 2022 (Q1-22)	April – June 2023 (Q1-23)
Requisitions / adverts	1059	889
Campaigns	157	186
Average Applications per requisition	7.21	9.10
Hires	773	863
Unfilled/Cancelled	302	198
Re-advertisements	133	135
Internal Hires (%)	41.53%	43.92%

The figures in Table 4 provide some positive indicators:

- An overall reduction in the number of requisitions raised (adverts placed)
- An increased number of recruitment campaigns. Multiple vacancies are filled from a single advert resulting in fewer applicants submitting multiple applications for roles.
- The average number of applicants per requisition has increased. An important measure given the reduction in requisitions and increased use of campaigns.
- More than 40% of successful candidates are internal. It is positive that staff are motivated to change roles but likely to result in subsequent recruitment.
- A reduction in the number of unfilled/cancelled vacancies
- Increase in the total number of hires

4.1.3   These are positive insights as filling vacancies impacts positively on service delivery.

4.1.4   The data in Table 5 is provided using the Requisition Report on Oracle. The measure is the % of vacancies which were advertised and not subsequently marked as filled/hired.

Table 5 – Unfilled Advertised Vacancies

Directorate	% Unfilled April – June 2022	% Unfilled April – June 2023	Posts unfilled
Communities	28.52	22.27	**(Senior) Youth Worker *** Receptionist / Caretaker Caretaker / Cleaner
Education Including Children & Families	22.68	20	**Pupil Support Assistant 2 *** **Early Years Officer *** Childcare Practitioner Social Worker **Teach (Maths, English, CDT) ***
Finance and Corporate Services	9.38	12.82	**Support Assistant*** Divisional Valuer / Divisional Assessor **Business Support Assistant *** Data Co-ordinator
Health and Social Care Partnership	38.54	36.44	**Care Assistant *** **Social Care Worker *** Social Worker Social Work Assistant
Place	30	20.9	**Cleaner *** **Catering Assistant *** Catering/Cleaning Supervisor Assistant Cook School Crossing Patrol Officer

* Also identified as a post with high turnover in Table 1

4.1.5   Overall, the data insights are positive, with increased applicants and hires and an overall reduction in the number of unfilled posts.

4.1.6 However, there is still a relatively high % of unfilled vacancies which indicates ongoing recruitment challenges. These are mainly characterised by being either:

- High volume, vital frontline roles many of which are entry level and part time. Location and work pattern impact on the ability to fill these vacancies.

- Professional or niche roles which are advertised less often but hard to fill, often due to national shortages, geographical issues or pay competition.

There is a lot of work ongoing to address this and more details are provided in Section 5

5.0 Recruitment – Manager Insights

5.1 **Hiring Manager Survey**

5.1.1 In late 2023, a survey was issued to hiring managers to measure satisfaction with the recruitment process and invite suggestions for process improvements. It covered alternatives to recruitment, extra advertising, supporting statements, available guidance and the Oracle system. Over 150 managers responded.

5.1.2 Responses have been reviewed and improvement work taken where feasible to do so in line with system functionality and strategic decisions. It is hoped that the process improvements will further improve hiring manager satisfaction:

Feedback Received	Action Taken
Additional advertising process is valuable but could be streamlined. Range of platforms used for advertising. Mixed views on these.	Advertising request process has been revised and streamlined. Request form removed. Will continue to offer various platforms for additional promotion. Decisions are informed by analytics and happy to accept suggestions from hiring managers. Managers have been asked to provide workforce volunteers to add personal touch to adverts.
Range of feedback on supporting statements and actions if applicant does not submit.	Supporting statement will continue to be used for most recruitment. However, Advert Template (RS21) has been updated to confirm that for entry level roles, managers can choose to proceed without one.
Would like a 'one stop shop' for guidance/tips Limited awareness of some guides, including process maps.	Staffing and Recruitment area of the HR Hub has been restructured and now includes a one stop shop with key information and links to all guides, process maps and other documents. Recruitment top tips (sharepoint.com)
Some respondents, particularly occasional	Guided learning is planned for introduction – this improvement will provide in screen help for hiring

users, found Oracle difficult to use.	managers within the Oracle recruiting module and is expected to provide a significant improvement for users.

5.2 Service Level People Plans

5.2.1 To ensure work is prioritised appropriately, Service Level People Plan recruitment and retention submissions from all Directorates have been reviewed.

5.2.2 HR are involved in ongoing work with services, have provided support and/or are aware of most issues raised, which can be categorised as:

- Promotional support for specific posts due to expected recruitment difficulties
- Requirement for 'grow your own' approach to staffing.
- Offering supported life chances placements to people who would be unlikely to secure employment, linked to Community Wealth Building aspirations.
- Need for varied recruitment activities, including job events, open days and campaigns to attract a wider range of applicants.

5.2.3 A range of activities will reach a more diverse range of applicants and it is anticipated that we will subsequently employ more people who reflect local demographics.

5.3 Diversity of workforce - Representation of Young People aged 16-24

5.3.1 Data insights in Sections 3 and 4 confirm an ageing workforce, turnover of younger employees and an increasing need for a 'grow our own' future workforce.

5.3.2 On 31.03.23, 734 young people aged 16-24 were employed, increasing to 1017 by 31.03.24. The ability to recruit and retain young workers is vital to ongoing success.

5.3.3 The Workforce Youth Investment (WYI) fund, established in 2013, is an investment in our future workforce and provides an annual budget of £800,000 to help young people aged 16–24 gain employment by creating additional opportunities.

5.3.4 Services are invited to bid for salary funding for a range of programmes including Modern and Graduate Apprenticeships, Traineeships and Graduate/Student placements. Costs are considered over the full period, including carry forward spend.

5.3.5 Opportunities align with workforce planning requirements, areas with under-representation of young people and recognised hard to fill roles, including:

- **2022/23** - Protective Services, Social Care, Property, Youth Work, Planning, Community Education, Pupil Support, Childcare, Business Support, Finance, Electoral Services, Procurement, Building Services and HR.

- **2023/24** - Social Care, Comms and Marketing, Education Admin, Early Years, Pupil Support, Grounds Maintenance, Protective Services, Employability, Planning, Business Support and HR.

5.3.6   Work is ongoing in partnership with Developing the Young Workforce (DYW) and employability services to promote the different opportunities available and routes into employment with Fife Council. This includes, but is not limited to career fairs, school and workplace visits, supporting the delivery of the Handpicked programme workshops, mentoring and internships through Career Ready programme, work experience opportunities and foundation apprenticeship programmes.

6.0 Current Activities – Recruitment Strategy and Plan

6.1   Priority work is identified in a range of ways, including feedback, data analysis and Service Level People Plans. Work aligns with Our Recruitment Strategy & Plan 2024-25 and aims to raise awareness of Fife Council the employer to a diverse range of jobseekers.

Examples of current and future planned work is confirmed below:

Dedicated Fife Council job events	A successful event was hosted in September 2023 in partnership with DWP. A range of services with entry level roles attended to showcase their vacancies. A second Fife Council event is on 15th May 2024 at Rothes Halls and over 20 services will be represented. Some will share presentations and carry out interviews on the day.
Bespoke recruitment events	Services with 'hard to fill' roles including Assistant Cook and Social Care have been supported with planning for small, dedicated events which provide a personal touch. Interviews take place and conditional job offers can be made on the day. The next event is on 27th May at Ladywalk, Anstruther. Attendance at a range of partner events, including DWP, schools, colleges and universities continues.
Life Chances approach to recruitment. Partnership with Employability colleagues.	This initiative is an alternative to traditional recruitment and will attract local applicants who would otherwise be unlikely to apply to work for Fife Council. The approach is currently being piloted with a supported paid placement and a guaranteed interview on completion. The planned evolution of this model includes ringfenced / guaranteed jobs for participants on successful completion.
Hiring Manager Survey	Implement and communicate the improvements identified via hiring manager feedback. See section 5.1 of this report.
Service Liaison and Improvement work	We work with services with high volume vacancies and offer suggestions and support with improvement work. This will extend to include others who have identified recruitment priorities within Service Level People Plans.

	Outputs include face to face events, career site and advert reviews. Social Work, BTS and Facilities Management are developing dedicated content for our Oracle career site to promote the opportunities they can offer.
Promotion of vacancies to a diverse audience.

Analysis of data | Our vacancies and brand are promoted on a broad range of platforms, including Down Your Streets for council tenants, Indeed and LinkedIn.

Will continue to analyse available data to help prioritise our work and understand applicant behaviour. |
| System Improvements | Will support the introduction of 'guided learning' on Oracle recruitment. This is expected to bring significant improvements for system users via on screen support.

Based on feedback from hiring managers in the 2023 survey, this is expected to be welcomed by hiring managers. |

7.0 Conclusion

7.1   The Workforce Strategy – Our People Matter recognises that resourcing challenges have been evident in recent years, impacted by external factors including the pandemic. This is also recognised and monitored at a corporate level through the Risk Management Steering Group.

7.2   Recruitment continues to be a challenge but the planned work which has been carried out and is continuing to happen is leading to improvements. There is a lot of proactive, positive work going on including the life chances approach to recruitment, job events and other promotional work which all assist with filling vacancies and support us with attracting a more diverse range of applicants.   The need to retain, current employees, where possible, is recognised for example taking timely action to assess ongoing service needs for those engaged on temporary contracts.

7.3   Between 2022 and 2023, there was a reduction in requisitions, increase in campaigns and overall increase in applicants per requisition and hires so there are signs of improvement. It is hoped that improvement indicators will continue in 2024/5.

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13 June 2024

Agenda Item No: 5

Attendance Management - Performance and Improvement Update Report

Report by: Sharon McKenzie, Head of HR

Wards Affected: N/A

Purpose

As requested by the Finance, Economy & Corporate Services Scrutiny Committee, at its meeting on 15th June 2023, this report provides an update on the work to effect improvements and raise performance on attendance. It also provides an update on the establishment of a new Attendance Support Unit (ASU). The report also provides information on the Council's performance for the Statutory Performance Indicator (SPI) on absence.

Recommendations

The committee are asked to:

- Note the challenges facing the Council in relation to managing absence levels
- Endorse the actions being taken in response to the challenges, including training, pilots and the progress made with ASU activity.
- Note the Statutory Performance Indicator for 2023/24 and ambition to move away from bottom quartile in the next 18 months.

Resource Implications

As indicated in the report to Cabinet on 29th June 2023, the 2023/24 staffing and set up costs to establish the ASU were to be covered from balances and are estimated as £128,000.

Funding for the ASU has been included as a corporate investment in line with the budget strategy for 24/25 onwards.

An increased focus on Attendance Management is likely to increase the number of referrals and associated Occupational Health costs when next tendering for a service provider, or earlier if the increase in referral volumes is not balanced by other areas of the contract.

Legal & Risk Implications

There is a risk that with the implementation of the ASU, managers will assume that they do not need to continue having the primary role for supporting their employees and managing absence. This risk is being managed through business-as-usual support.

Impact Assessment

An EqIA has not been completed and is not necessary because the report does not propose a change or revision to existing policies and practices.

Consultation

The Trade Unions are kept up to date on Corporate Absence measures during meetings with HR to discuss general health, wellbeing, and attendance issues. Specific ASU related meetings are in place.

1.0 Context

1.1   For a period of approximately 12 months, culminating in a report to Cabinet Committee on 29 June 2023, a number of reports were considered at CET, Reform Board and Scrutiny Committee. This was to review the management of absence and options for the council in the challenging, post pandemic context.

1.2   [The 2022/23 National Benchmarking Overview Report](link) for the Scottish Local Government Benchmarking Framework (a joint commitment by Solace (Scotland) and COSLA) made available in March 2024, provides a good summary of the current pressures in Fife Council. It acknowledges that 2022/23 was a period of deepening fiscal, demand and workforce pressures, including those resulting from the ongoing effects of the Covid pandemic. It went on to say Councils are facing multi-faceted workforce capacity pressures, including challenges of recruitment, retention, staff absence, and an ageing workforce. The scale of the problem is growing and spans a wide range of skills, professions and occupations, with councils struggling to find and to keep the staff needed to provide the complex and pressured services local communities rely upon.

1.3   Council staff absence levels rose by 10% in 2022/23 to reach the highest level ever reported (13.2 days for all staff, excluding teachers, and 6.8 days for teachers). Staff shortages are being felt to varying degrees across all council services, largely driven by competition from other sectors, pay related issues, and shortages of workers with the appropriate skills (locally and nationally). Against sustained fiscal pressure councils have faced increased pressure on resourcing service delivery, resulting from deepening workforce recruitment and retention issues at a time where demands on services are growing due to demographic pressures. This includes a 2% increase in the overall population, and a 15% increase in the 65+ population between 2013/14 and 2022/23. An ageing population means more people in our communities with multiple and increasingly complex needs relying on essential council services, as the available labour market reduces.

1.4   In a further comment in the Workforce Pressures section of the report it notes the growth in absence in the last two years has been driven at least in part by NHS backlogs for treatment, longer recovery times due to treatment delays and inactivity, and increased

spread of infections post pandemic. Long-term absence in particular has been impacted by treatment delays, with the CIPD reporting a sharp rise in staff being off long-term with multiple medical conditions. The impact of growing work pressure on staff due to staff shortages will also be a consideration in understanding current and future absence levels.

1.5   The context and experiences in Fife Council are reflected well in the national summary quoted above.

2.0 Sickness Absence

2.1   Local government sickness absence average working days lost is published (normally early in the following calendar year) by the Improvement Service as a Statutory Performance Indicator (SPI). 'Average Working Days Lost 'is the average number of Full Time Equivalent (FTE) working days lost due to sickness absence, which includes, absence which is self-certified, certified by a GP, long-term (even if staff are unpaid), industrial injury or disability per FTE member of staff within the council. FTE is used to account for variation in daily hours worked by employees.

2.2   Historically, information was also made available as percentage absence, but this stopped when it became clear that there was regular confusion between sickness absence, costs of sickness absence and incorrect calculations in circulation. As well as the SPI, Average Working Days Lost (WDL) are used for performance reporting and available periodically through the council's performance system, Ideagen (previously Pentana).

2.3   As the pandemic progressed, covid absences moved from being treated as a separate issue to being incorporated into normal absence management practice to avoid potential grounds for discrimination claims. Initially, all covid related absences were treated as a form of special leave, then covid absences over 12 weeks were classed as sick leave and now all situations where the employee is too sick to work are treated as sickness absence. Reported sickness absence for the 2021/22 reporting period therefore excludes most Covid absence as old rules still applied.

2.4   The Fife SPI confirmed a rise in absence levels during 2021/22 to an average of 13.26 WDL for all employees. The number of WDL average per FTE reported has risen again during 2022/23 to an average of 14.02 WDL for all employees.

2.5   In terms of other councils, we are ranked joint 30th (technically an improved ranking). The most recent rolling 12-month figure to January 2024 unfortunately confirms the continued rise in absence levels. However, from 2023/24 Covid absence is **included** so the *indicative* comparison to January 2024 now includes an element excluded in previous SPI reporting. A like for like comparison of 2022/23 (i.e. including covid is shown as '+C=') to indicative January 2023/24, shows a small reduction overall, although the level remains high. The ambition is to reduce levels of absence and improve compliance and engagement and move away from the bottom quartile by 31 October 2025. Targeting higher absence level areas with early offers of support and encouraging improved policy compliance will enable us to identify and compare teams to understand which practices combine to be most effective. This can then be deployed more widely along with associated improvement targets.

	Fife Council 2018/19 Published	Fife Council 2019/20 Published	Fife Council 2020/21 Published	Fife Council 2021/22 Published	Fife Council 2022/23 Published	Av. Wkg. Days Lost per FTE. Indicative
SPI Results - 2018/19 to 2022/23 All figures are average working days lost (WDL) (i.e., 12 months to March 2023) *Note Covid is **included** from the 2023/24 SPI reporting year. For comparative purposes the 2022/23 WDL per average FTW, <u>including</u> COVID absences, would have equated to 14.90 WDL per FTE (see figures in brackets.)						Fife Council 2023/24 (i.e., 12 months to January 2024 (inc. covid)
All Other Employees	13.10	13.86	11.83	15.29	15.85* (+C=16.70)	16.65*
Teachers	6.76	6.35	5.15	6.98	8.24* (+C=8.88)	9.10*
All Employees	11.58	12.06	10.23	13.26	14.02* (+C=14.90)	14.89*

3.0 Activities to Support and Improve Attendance Management

3.1 The strategy, which underpins all activity to improve attendance, is to get the basics right and build on a firm foundation so that the model is as sustainable as possible (acknowledging the external context is out with our influence). Getting the basics right means compliance with the current process and procedures, review of the current process and procedures to ensure they are as effective and unbureaucratic as they can be and a strong focus on early support at relevant points throughout the process from minimising employees going off early and to supporting employees to get back into work.

3.2 Early intervention and preventative action, or 'wellbeing approaches' as they are commonly known, have been available for many years. Interest in wellbeing has been increasing, and the work to extend awareness has continued. This includes service-led initiatives. Ensuring support is offered early provides a key part of getting the basics right and will be an essential part of the supportive work of the Attendance Support Unit through a team of Attendance Support Officers who will make contact with employees and managers in agreed areas.

3.3 An intrinsic part of any change is the underpinning local culture which is determined and championed by the leadership. Workforce pressures are likely to continue for some time however our Workforce Strategy (Our People Matter) sets out the behaviours for leaders which are essential to the supportive, positive and proactive management of attendance.

3.4 **Setting up additional support capacity through the ASU**

Cabinet Committee, at its meeting on 29th June 2023, agreed to strengthen three specific areas covered below. The HR Team Manager (ASU) took up post in November 2023, the technical and HR Advisers in January/February and Attendance Support Officers in March.

- Firstly, continuing as permanent, key temporary positions providing input to the effective management of absence. This included 4.5 Full Time Equivalent staff in 5 positions. Following some internal movement all positions are filled.

- Secondly, strengthening reporting capability. This technical area also involved internal movement, however both new positions and the backfill in HR are now filled. Reporting capability was prioritised as analysis underpins the work of others.

- Finally, strengthening support to managers – this supports core ASU work with, and within, the HR Business Partner team. Of the 12 new positions, 11 are now filled (8 within the ASU plus 3 within the Business Partner Team) along with consequential vacancies.

- The current focus is around engagement with colleagues who are absent from work due to sickness and managerial compliance and upskilling.

3.5 **Training**

The approach to Attendance Management training will be 'modular' so that managers build up knowledge in manageable and logical units and at an appropriate time. Policy and management guidance is available electronically through the FC Hub and system information is available from Oracle Cloud guides. The training will ensure supervisors understand and can find the relevant information for the topic area as current feedback suggests the volume of information can make finding the right information challenging.

3.5.1 Induction

(i)   A standardised Attendance Management induction for New Managers (and managers new to Fife Council), has been introduced and agreed by CET as mandatory for all staff starting in such a position from 1 April 2024. A version of the induction covering SNCT (Scottish Negotiating Committee for Teachers - terms and conditions) variations is also provided. Induction is applicable to all line managers and covers where to find information and run Oracle Cloud reports, as well as setting the expectation to monitor absence and provide support. **293** colleagues have attended, and further sessions are running every 2 months (excluding holiday periods). This training is now delivered by the ASU and has been well received. Attendee numbers above include supervisors and managers who have used the opportunity to refresh their knowledge.

(ii)   An Attendance Management induction video for employees (Single Status/Craft plus a version for staff on SNCT) is now a mandatory element of service induction and includes a sign language translation. This will ensure that all employees are advised of the expectation to follow reporting procedures and the availability of wellbeing supports. The

video is designed to be complemented by service specific instructions. The videos are available on the HR Online Hub under Attendance Management in the Attendance documentation section and Executive Directors will encourage and promote deployment in their directorate.

3.5.2 Other training

(i)   The next training modules, currently in development by the ASU, are managing short-term or frequent absence. This will be followed by managing long term absence. Feedback on use of instructional videos has been positive so, in the interests of efficiency and just-in-time learning, we will also trial information in different formats.

(ii)   A Having Difficult Conversation training course, available as part of a previous absence project, has been superseded by Coach Approach training. This has now been running for a number of years and, also relevant, is the new First Line Managers leadership programme which started in March 2024. The Coach Approach programme offers practitioners a range of specialist training sessions including performance conversations, wellbeing conversations, and trauma informed practice. The availability of these sessions in addition to the initial training offers a continuing option for supervisors to develop their confidence in this area.

(iii)   The Wellbeing Information Advisor provides general wellbeing sessions including attendance at team meetings. Whilst similar information is available through e-learning or the intranet, the purpose of the in-person session is to consolidate knowledge and encourage a managed discussion on sensitive subjects so that appropriate sources of support can be signposted with confidence. Wellbeing input is integral to the Attendance Management Induction training to encourage early intervention. The Wellbeing Information Advisor is working part-time in the ASU. To date they have delivered the following:

Course	Evaluation from those who provided feedback
Be Well to Live Well No. of courses - 14 No. of participants 199	• 56% Excellent, 30% Good, 14% Average 100% happy to recommend course to a colleague. 69% have managed to find a better work/life balance. 77% feel better prepared to support colleagues in the workplace.
Mental Health Awareness No. of courses 12 No. of participants 110	• 53% Excellent, 39% Good, 8% Average 75% feel better able to cope with mental wellbeing issues that could arise from them or others at work. 100% know what support services are available to them and colleagues.

(iv)   Mentally Healthy Workplace training consists of eLearning and a full day course. In 2017 CET agreed that Mentally Healthy Workplace Training be mandatory for all supervisors and managers and CET agreed to continue this at their meeting on 1 May 2024. Each directorate is responsible for deployment of the full day course. Courses are again running on a regular basis with approximately 40 trainers in place across all directorates. As of 27/03/2024, 12390 staff had completed the one-hour eLearning. Given turnover,

completion will never be 100%, and the statistics reflect the disruption of the pandemic in the directorate programmes. The completion rate of staff meeting the criteria of manager/supervisor for the full day course, taken from the Oracle Cloud records is as follows:

- Communities – 115/301 = 38%
- Education and Children's Services – 139/1344 = 10%
- Finance & Corporate Services – 55/181 = 30%
- Health & Social Care Partnership (FC staff) – 154/279 = 55%
- Place – 154/728 = 21%

3.6 **Other Activity**
Strengthened Evidence and Associated Activity

3.6.1 Using the strengthened reporting capability some sampling and checks have been undertaken to baseline process compliance. As expected, it is an area requiring improvement. As an interim measure a gap analysis was undertaken to identify (200+) live absences on Oracle Cloud where the length of absence should have triggered the request for an HR case officer. Some of these 'open' absences were due to poor housekeeping, and the employee had returned to work without the absence being ended on Oracle Cloud. Supporting work related stress absences has been prioritised as these cases generally increase in complexity without early intervention. This type of exercise, discussion with managers and preliminary investigation undertaken by HR Business Partner teams to identify reasons for delays will inform training needs in what is an iterative process.

3.6.2 Attendance Support Officers will be undertaking early engagement by calling employees within specified teams. An analysis of sickness absence working days lost data for the rolling year to January 2024 identified where this approach would have the greatest impact. Progress will be incremental, commencing on 3rd June within Place and Finance and Corporate Services Directorates (Facilities Management and Business Support respectively). Teams have been identified within Adult and Older People Social Work Services and Communities for discussion and agreement with Senior Leadership Teams. The early engagement will check in with the colleague, confirm the manager has been in touch, check they are aware of process requirements and know how to access available supports. To ensure consistency and efficient data capture when calls are made, a tool has been developed that supports scripts for the Attendance Support Officers who will be calling sick employees and their managers. To support early engagement with the Trade Unions recordings of mock conversations using the prepared scripts were trialled to give a better feel for the interaction than reading a script. The proposed frequency of contact has been reviewed following constructive feedback from the Single Status/Craft Trade Unions who confirmed the nature of the interaction was acceptable.

Strengthened Evidence and Direct Engagement, Compliance and Support

3.6.3 A Power BI Dashboard has been developed for Heads of Service to review the status of open absence cases, particularly those greater than 11 weeks and what actions have been taken by line managers to support absent employees back to work. Until technically able to update automatically, address data protection considerations and allow manager self-service using a dashboard with similar information across a wider range of compliance information and wider group of managers - the manually produced

dashboard will be provided quarterly to allow time for managerial follow-up and required actions to be taken forward.

3.6.4 A pilot has been agreed in partnership with Building Services to support initial absence recording and offer of support to see if this is a cost-effective way of achieving consistency and good outcomes for activities currently the responsibility of supervisors with large spans of control. The pilot, starting on 3rd June and rolling out incrementally until 27th June will use the compliance and engagement system developed for the ASU and enable analysis.

Review of current Provision and Approach

3.6.5 Following the 2017 Being Well@Work Report CET agreed to introduce self-service referral to Counselling. The aim was to reduce any stigma from referring via the manager, encourage early intervention and generally help the offering to be seen as a positive opportunity. Over time the numbers of self-referrals have increased, although there are still more manager referrals, particularly for men. Employees complete an assessment at the start of their engagement to establish the starting 'core score' and again at the end of the 4 sessions. Encouragingly, recent statistics from Time 4 Talking, the counselling provider, show that referrals are being made at an earlier stage, evidenced by a lower entry score of 'low to moderate' rather than the previous entry score of 'high moderate', meaning that the benefits of earlier intervention are being recognised and the likelihood of referred employees remaining at work are increasing as the leaving counselling score averages as low mild.

3.6.6 CET did not progress the option of self-service physiotherapy referrals at the time self-service counselling was agreed in September 2017. However, given the passage of time and changed context, CET has approved the introduction of self-service, with an impact monitoring report on use back to CET and clear eligibility criteria such as that used by NHS for their staff i.e.

- In receipt of regular pay slips,
- Suffering from a condition not currently receiving or awaiting investigation +/- treatment by a specialist service [whether NHS or private],
- Suffering from a condition which is causing absence from work or significantly affecting your ability to perform your work and,
- Suffering from a condition which started within the last three months).

3.6.7 Physiotherapy currently has a similar volume of referrals to counselling (500+ per annum) and cost £30 per session. The offering is 3 sessions with further sessions available with the agreement of the manager. Like counselling, sessions are limited because this offering is intended so support employees with mild conditions or urgent advice and is not offered an alternative to clinical referral or as an ongoing provision. It would be realistic to expect at least a slight increase in current referral numbers. The main advantage of self-referral will be earlier referral as the need for a meeting to discuss the request with the manager is removed, reducing the time from injury to support. The impact will be considered between 3-6 months of live self-service.

3.6.8 CET have agreed that HR set up a small physical health wellbeing intervention trial with Fife Sports and Leisure Trust. A key building block for future health improvement is a sustainable culture change. This trial would build on a physiotherapy referral (including

self-referral) and suitability assessment and supplement it with some supported activity with the aim of sustained changed behaviour – and through this, a reduced likelihood of further absences. Participation will require service agreement. The trial will include 12 colleagues and run for 12 weeks with a further period of 6+ months sustainability impact evaluation. The costs are approximately £150 per person for the trial and an evaluation report will be brought back to CET.

Occupational Health

3.7   The current volume of referrals exceeds the anticipated number (1,560) by 15% however this is currently accommodated by some latitude within the estimated health surveillance volume. An increased focus on Attendance Management is likely to increase the number of referrals and associated costs when next tendering. HR continue to work with services to encourage only appropriate referrals containing the information required by occupational health staff to minimise the number of re-referrals and maximise the quality of information provided in reports.

3.7.1   The contract for Occupational Health medical advice is currently £293,499 per year and this contract runs to 31st March 2025 with an extension option to 31st March 2026.

3.7.2   The contract for all areas - medical reports and occupational health surveillance was increased from £279,517 by 5% from 1st of January 2024 as a cost-of-living measure agreed by procurement.

3.7.3   Included in the Occupational Health contract are a finite number of Occupational Health Adviser and Occupational Health Physician referrals. Health Surveillance, pre-employment screening and case reviews and reports.

3.7.4   The Physiotherapy service is pay-as-you-go and includes telephone, virtual or face to face sessions. Provision of rehabilitation and exercise plans with access to a digital portal and group sessions such as being proposed in 3.4.6 above.

3.7.5   Counselling is another pay-as-you go service. It includes a 24 hour helpline, telephone, video or face to face sessions and access to an App with self-help resources and podcasts. Individual CBT, mediation between parties and Critical Incident Support/Trauma Response Support and some Training and Webinars can and have been arranged as required.

4.0 Developments in Next 6 Months and Expected Improvements

4.1   In addition to the actions covered above, the following areas will be progressed.

- HR BP Advisers are reviewing existing cases where a HR Case Officer has been requested – there are over 400 - to support manager action.

     Monitoring Activity – setting up key milestones, track average time between milestones, identify reasons for above average timescales.

- HR Business Partner teams have reviewed data with the ASU to identify proposed areas for new Attendance Panels, supported by the ASU. Using the HSCP examples,

a corporate model for Attendance panels, data and success criteria are being developed. Engagement with directorates will start with the aim of at least one panel operating in each directorate. Attendance Panels will be introduced incrementally to ensure full support.

> Monitoring Activity – track compliance with panel requirements, track average length of longest cases to panel as, over time, this should reduce.

- Following current process mapping work, Attendance Support Officers (ASO) will start the early engagement process in pilot areas (referenced in 3.4.2 above). The aim is for at least one pilot per directorate to be agreed with directorates with consultation with TUs and appropriate communications to staff involved. To ensure consistent compliance and support ASOs will check in with each employee newly absent and liaise with managers to prompt and support early intervention.

  > Monitoring Activity – engagement tool designed to capture a range of data to enable performance monitoring. This will range from identifying % of calls where manager has already spoken to employee and offered support to longer term (6 months +) correlating performance improvement to uptake of manager training, compliance improvement etc.

- Reviews of existing activity, deep dives (work to understand the reason for clusters or high levels of particular types of absence) and other development work identified will start on a prioritised basis from June 2024. The intention is to get a basic programme of improvement underway using the considerable information already available. When this is established, we expect to seek ideas and suggestions around targeted issues.

  > Monitoring Activity – processes reviewed, engagement with services on options

- Given the quarterly updates to Oracle Cloud, work has started to refresh the guidance as some processes have had minor amendments. Oracle Guided Learning (OGL) has now been made available as an additional tool and will be introduced to Attendance Management processes. OGL is onscreen real time functionality which uses step by step process guides, smart tips or pop-up messages to guide the user through a process or remind them to do something. The following areas have been prioritised for OGL

  - o how to record an absence,
  - o how to end an absence,
  - o how to create an absence case
  - o how to complete a return to work
  - o how to check occupational sick pay entitlement

Time has been earmarked on the Oracle roadmap to focus on OGL for Absence Management from September to the end of December 2024. However, the Business Management Innovation Unit [BMIU] and Business Technology Solutions [BTS] are making progress with developing HR OGL, and we may see OGL for Absence earlier.

> Monitoring Activity BMIU and BTS – progress with HR OGL

4.2.   For most activities the current baseline needs to be understood to determine a realistic target for improvements. Performance monitoring will include areas for service focus as

well as ASU activity. For example, training % compliance. The ASU will develop and deliver training however it is the service that sets the culture and expectation that staff will attend and ensures that they do so. The new induction is not being launched through eLearning as would not assist group induction and the need for additional service information. However, after allowing a period for services to arrange deployment, new starts will be sampled to evidence compliance and, if not 100%, allow targets to be set for improvement.

4.3   Wellbeing information is embedded in the ASU training and information being developed. The Mental Health First Aider Network (92) is also embedded and will be available to support any colleagues who do not thrive during the upcoming organisational programme of change. The network was grown to increase coverage in frontline services and in services where we previously had no representation.

Additional planned activities include:

- HR analysis of the Health, Safety and Wellbeing Survey information with a service dashboard shared with services.
- Review, refresh and relaunch of current Supporting Mental Wellbeing at Work Policy to capture a more holistic approach covering physical, social and financial, alongside mental wellbeing.
- Bitesize learning videos to increase awareness of internal and external support services for staff alongside a mental health emergency/support for traumatic event video.
- A wellbeing self help guide aimed at reducing the negative health effects of being off work for staff.
- Education and awareness focus on the health risks associated with prolonged sedentary behaviour.

5.0 Conclusions

5.1   Absence has increased between the 2021/22 and 2022/23 financial years by an average of 0.76 working days lost per full time equivalent. Indicative figures suggest a further increase of working days lost from 14.02 (14.90 including COVID) in 2022/23 to approximately 14.89 in 2023/24. This will be the highest level of sickness absence ever experienced in Fife Council despite the ranking having improved slightly.

5.2   The target of ending the 2022/23 financial year with an average of fewer working days lost than there were at the start of the financial year has not been achieved. Until the pilots identify the rate of improvement, the target improvement of moving from the bottom quartile in the next 18 months is a forecast based on the impact of the previous attendance unit in 2016. Improvement activity will be an iterative process, focussing on the highest absence areas and, as they improve, moving to the next areas requiring support.

5.3   The 2022/23 National Benchmarking Overview Report provides a gloomy context for the management of absence for all Councils given the range of issues identified which add pressures to the workforce. Whilst we recognise workforce pressures are likely to continue for some time, we need to look wider than attendance. Our Workforce Strategy (Our People Matter) sets out clear ambitions for leaders. Their role in having an engaged

and empowered workforce who embrace new ways of working and are committed to making a difference has never been more important.

5.4   The introduction of the Attendance Support Unit will encourage good leadership to support a sustainable future through training and as performance statistics help the understanding of what activity makes a difference. The training available has started to increase and voluntary uptake has been encouraging. The training, improvements to information, support and advice to managers and supervisors will build up over the next six months and enable earlier and consistent intervention. Wellbeing activities will continue, and also contribute, to workforce resilience and help to counteract the context described in Section 1 by the National Benchmarking Overview Report.

5.5   We recognise that the current position is far from ideal and as Leaders there needs to be collective consideration given to how we can make a difference. An Attendance Champion Group comprising Heads of Service from each Directorate has come together to support the work of the ASU, HR and attendance in general. Their focus is from a leadership rather than operational perspective and topics of discussion have included what actions can be taken forward to improve behaviour, culture and management understanding. Implicit in this approach is the need for leadership discussions and actions across directorates.

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13 June 2024

Agenda Item No. 6

Planning Services Enforcement Performance Update Report

Report by: Pam Ewen, Head of Planning Services

Wards Affected: All

Purpose

To provide a performance update relating to Planning Enforcement including details of recent and forthcoming improvements to, and availability of performance information.

Recommendation(s)

Members are requested to:

- To scrutinise the performance of Planning Enforcement; and,

- To note the recent and ongoing improvements to the reporting and availability of information relating to the work of Planning Enforcement.

Resource Implications

There are no cost implications arising from this report.

Legal & Risk Implications

As this report relates to an update on the reporting of performance information arising from existing processes there are no legal or risk implications.

Impact Assessment

An EqIA Checklist is not required because the report does not propose a change or revision to existing policies and practices.

Consultation

The Head of Legal and Democratic Services and the Head of Finance have been consulted in the preparation of this report.

1.0 Introduction

1.1   Fife Council Planning Services' Enforcement Charter 2024 ([Enforcement Charter 2024](#)) was discussed and endorsed at the Fife Council Cabinet meeting on the 8th of February 2024. The Cabinet committee in endorsing the Enforcement Charter requested that a report be prepared for discussion at a forthcoming meeting of the Finance, Economy & Corporate Services Scrutiny Committee (FECSSC) which would provide more detailed information on the delivery of the Planning Enforcement caseload, the availability of information and how cases are monitored.

2.0 Background

2.1   The specific actions which the Cabinet members sought further information on are:-

1)   The overall number of enforcement cases year on year;

2)   Total cases received Fife wide and by ward;

3)   Cases closed with the details of the reason set out in the data;

4)   Total number of formal notices;

5)   The number of court cases;

6)   Retrospective applications derived through the enforcement process;

7)   How cases are managed and compliance with formal action monitored;

8)   The availability of up-to-date information accessible online using the map based information system to display details of enforcement notices served;

9)   Elected member training and CPD on planning enforcement; and

10)   Investigation of anonymous complaints.

Points 1-6: - Improvements to Reporting Systems

2.2   The information requested in points 1 to 6 as noted in section 2.1 above can now be accessed through the updated existing elected member functions in Power BI, the enforcement performance reporting tool provides members with a much broader range of performance and case information both for their ward and across Fife. The data available can be interrogated to provide varying time periods and details of the types of cases considered as well as a breakdown of the reasons for cases being closed, and how others have been progressed.

2.3   In 2023, 523 new cases were reported to and investigated by the enforcement officers. In the same year 505 cases were closed following investigation. As the Power BI data illustrates, the outcomes of investigations cover a range of actions. Out of the 505 cases closed in 2023 there were 88 retrospective applications submitted to seek to regularise unauthorised development. Following investigations, 84 enforcement enquiries received

by the service were found to not be a breach of planning permission. In 47 investigation cases the unauthorised development was removed. Each case outcome is often representative of weeks of investigative work and contacts with owners and developers to achieve the result set out in the statistics.

Point 7: - Workload Management and Case Monitoring

2.4 The planning enforcement function in Fife is delivered by three dedicated full-time officers supervised by the Development Management Lead Officer for their respective area. The officers have dedicated geographic areas: South Fife, Central Fife and North Fife.

2.5 As set out in the Council's Enforcement Charter Enforcement cases are reviewed to determine whether it is a breach of planning legislation or whether it is a minor breach where there is limited planning harm. Where a formal notice is served this will set out compliance periods. The site owner may submit a planning application to seek to regularise the breach retrospectively. Planning enforcement is a discretionary matter for the Council. Where the Planning Service issues an enforcement notice that notice may also be appealed to the DPEA.

2.6 There have only been 2 formal moves to prosecution in 2019 and 2022. This reflects the extensive work which takes place to resolve cases without having to resort to formal prosecution, either through negotiation to remove or alter development, or through retrospective applications. The online information which is available provides further details setting out the reasons where cases are closed, which again makes that process more transparent. In each case however the parties involved are kept informed and advised of the outcome of the investigation.

Point 8: - Map-Based Data on Enforcement Notices and Availability of Information.

2.7 The map-based data identifying where formal enforcement notices have been issued is now up to date and can be viewed using the following link: Map Search(fife.gov.uk)

Publication and Availability of Additional Information

2.8 In considering the response to the availability of information and in addressing the 7 points noted in section 2.1 above, on the advice of the Procurators Fiscal Service any investigation from the point of being first raised with the local planning authority to the point it is closed or otherwise resolved must be handled on the basis that it could require to be determined through a formal prosecution and discussions and the manner of evidence gathering including maintaining confidentiality of discussions and correspondence must be done to meet the strictures of such a legal process. These issues are fully set out in the Enforcement Charter.

Publicly Available Information

2.9 The Planning Service in making improvements to the information accessible to elected members has considered whether it is appropriate to make additional information over and above the instances when formal enforcement notices are issued publicly accessible. With the roll out of the more detailed reporting metrics the planning service now publishes non-site-specific details providing information on a Fife wide basis in terms of the number of cases and information of the overall number of cases upheld or further investigated. It should also be borne in mind that for specific cases correspondence is

issued to both parties directly to update them on the progress and outcome of a case; particularly if the case does move to a more formal process.

<u>Point 9: - Anonymous Complaints and Investigations</u>

2.10 Turning to the investigation of anonymous complaints. The changes made to our processes incorporated into the Enforcement Charter when it was comprehensively revised reflected that there were now 3 officers delivering the planning enforcement function in Fife. In the early 2010s the then 6 enforcement officers reduced to 4 and in recent years to the current complement of 3. The rationale of how the planning enforcement function is delivered was set out and agreed by members in adopting previous iterations of the Enforcement Charter which confirmed that anonymous complaints would not be routinely followed up and also enforcement enquiries needed to be submitted online with more information included in the enquiry. The purpose of this move was to reduce the number of ambiguous enquiries with limited information, which meant the officers were having to dedicate additional time and use a limited resource to establish basic facts before the issue could be properly investigated. Often this would be information as basic as to the specific address of the alleged breach. With only three officers the unproductive time spent on this level of basic fact finding was not sustainable; hence the move to online submission and the overt statement that anonymous complaints would not be followed up. The Service only has budget to support 3 enforcement officers, having dedicated enforcement staff is a discretionary requirement.

2.11 As was clarified to Cabinet members this however does not mean that should alleged breaches or works to listed buildings or threats to protected trees or other serious issues be reported these will not be followed up, that is most definitely not the case; indeed, these serious incidents often result in same day site visits should the nature of the issue require such action. In addition, other planning officers who notice issues while undertaking other visits around Fife can and do raise the issues directly with the enforcement officer. A similar approach applies where elected members raise issues out with the online reporting system. In all cases the action taken is directly related to the seriousness of the potential breach and the harm likely to be caused and the urgency of intervention which is required. The Enforcement Charter sets out how the service prioritises risk and harm arising from various types of potential breaches. It is however emphasised that providing as much detail upfront logged through the online system is the most effective means to enable alleged breaches to be followed up and addressed as quickly and efficiently as possible.

<u>Point 10:- Member Training and Continuous Professional Development (CPD)</u>

2.12 Training and CPD sessions will be delivered to elected members on the wider planning enforcement function as part of the training module included within the programme for mandatory training for elected members which is being brought forward from the provisions set out in the Planning (Scotland) Act 2019. A detailed timetable on the mandatory training will be published later in the year.

3.0 Conclusions

3.1 In response to the questions and issues raised at the Cabinet meeting as noted above this report sets out the wider context of the background to the improvements made to provide additional information to both elected members and to the people of Fife on the wide variety of enforcement work undertaken. While the planning enforcement process is

complex and the time periods to progress investigations can by necessity be lengthy, the commitment to provide a responsive and rigorous service is fundamental to the way we work. The above improvements to how we report on what we do will provide additional transparency and confidence in the planning enforcement process, that breaches of planning legislation are pursued, and appropriate measures are taken to regularise and where necessary take formal legal action against such alleged breaches.

List of Appendices

Background Papers

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:-

Enforcement Charter 2024

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13 June 2024

Agenda Item No. 7

Community Councils –Scheme for the Establishment of Community Councils in Fife - Review Process

Report by: Executive Director, Finance and Corporate Services

Wards Affected: All

Purpose

To outline the approach undertaken at the recent community council elections, provide feedback on the process and consider a review of the current Fife Council Scheme for the Establishment of Community Councils in Fife, including its boundaries and election rules, in light of the new model scheme issued by the Improvement Service.

Recommendation(s)

It is recommended that the committee:-

(1)   consider the content of the report and provide feedback on any experience of the recent community council elections;

(2)   note the introduction of a new model scheme prepared by the Improvement Service, endorsed by the Scottish Government; and

(3)   note the proposed process and timescale for the Review of the Scheme for the Establishment of Community Councils in Fife, including its boundaries and election rules.

Resource Implications

None.

Legal & Risk Implications

There are no direct legal implications arising from this report. The List of Committee Powers requires that the Council must consult on any proposed changes to the Scheme for the Establishment of Community Councils in Fife and its boundaries.

Impact Assessment

An Equalities Impact Assessment is not required as the report is for information only and does not propose a change or revision to existing policies and practices.

Consultation

The Head of Legal and Democratic Services has been consulted on the preparation of this report.

1.0 Background

1.1   Community councils were established in Scotland following the Local Government (Scotland) Act 1973. They are the most local tier of statutory representation in Scotland and bridge the gap between local authorities and communities and help make public bodies aware of the opinions and needs of the communities they represent.

1.2   Local authorities have statutory oversight of community councils and are required by law to consult community councils about planning applications and licencing matters.

1.3   Community councils are governed by the Fife Council Scheme for the Establishment of Community Councils in Fife and its boundaries, last reviewed on 11 March 2021 (para 220 of 2021.FC.259 refers). In conducting their activities, community councils must always adhere to the law, the terms of the Scheme and the Community Councillors Code of Conduct.

Community Council Elections

1.4   The election of community councillors is governed by the Community Council Election Rules (Schedule 6 of "the Scheme"), which sets out the eligibility requirements, nomination process, electoral timetable etc.

1.5   The local authority is required to appoint a designated Returning Officer to administer the election process. In Fife, the Chief Executive is the designated Returning Officer for community councils as per the Council's Standing Orders.

1.6   Community council elections are held every four years in Fife. The last round of elections was held in September/October 2023 to fill 1230 vacancies across 105 community councils.

1.7   In accordance with the request from the St Andrews Community Council, the Returning Officer agreed that the election in that area be postponed until March 2024. This postponement gave the Returning Officer the opportunity to pilot a new online nomination form with prospective candidates.

1.8   There are currently eighty-one active community councils and 698 community councillors across Fife.

2.0 Current Scheme/Election Rules

2.1   Following the recent community council elections in 2023, there is an opportunity to review some of the provisions contained within "the Scheme" in light of the new Model Scheme published by the Improvement Service.

2.2   The Improvement Service collaborated with local authority community council liaison officers, community councils, Scottish Government, COSLA and the Scottish Community Development Centre to update the Model Scheme and all associated documents. These were subsequently endorsed by the Scottish Government.

2.3   The Returning Officer conducted a post-election review to examine the issues raised by the electoral services and community council liaison teams in administering the election and those highlighted by community councils and/or prospectives candidates and elected members. The main topics raised were around communication, the nomination and acceptance of office processes, the dissolving of a community council not established and holding of inaugural meetings. A more detailed analysis of these is set at section 3 of the report.

2.4   It was noted during the election period that many community councils and potential candidates were unaware or had limited knowledge of the electoral process, including the eligibility criteria, election timetable and the requirement to submit nomination papers

as set out in "the Scheme". They were also unclear of the role of the Returning Officer in administering the elections and the role of community councils in promoting these elections.

2.5   The review also highlighted the significant pressure placed on the Electoral Services and Community Council Liaison teams during the election process in filling the high number of vacancies across the 105 community councils. This is because of reducing resources and increased workloads across both teams and is becoming increasingly unsustainable in the longer term. More effective ways of working are required including the use of digital technologies.

3.0 Areas for Improvement

3.1   **Lack of awareness of community councils and forthcoming elections**

In the run up to the elections, a community engagement strategy was agreed between the Electoral Services and Community Council Liaison teams with support from the Communications team.

3.2   **Information on the timetable was sent to community councils in March 2023**

Information was published on the Council's website prior to the commencement of the elections and reinforced by several press releases and social media posts throughout the election period. It is accepted that notwithstanding the strategy and information issued, there was a lack of awareness among some community councils and candidates and improvements to the process are needed.

3.3   **Election timetable**

The current timetable is set over a 60-day period with no reference to dies non (Saturdays, Sundays, and public holidays). This is out of sync with other statutory elections and the review will seek to remedy this by introducing a new timetable based on the local government election timetable whilst still allowing a reasonable time for the submission of nominations.

The date for the potential withdrawal of a nomination by a candidate is currently after the date for the publication of the Statement of Persons Nominated, which requires the notice to be re-published should a withdrawal be received. The review will seek to remedy by amending the dates to allow withdrawals to be submitted before the requirement to publish the Statement of Persons Nominated.

There is currently no provision in the Election Rules to extend the nomination period where the Returning Officer considers that by doing so a community council could be established. The review will seek to rectify this by adding a provision to allow the Returning Officer to extend the nomination period by up to 7 days.

Some candidates were confused on the date that existing members were required to step down and new members take office. The review will seek to clarify this in the Election rules.

3.4   **Nomination process**

The current nomination process requires each candidate to submit a nomination form to the Returning Officer by the nomination deadline. In the current Scheme nomination forms can be either submitted in paper format or scanned by the individual and submitted via email. In the most recent election, electronic submissions were being received in numerous mailboxes including individual officer mailboxes which was not ideal, with paper nominations being submitted by post, by hand or via internal mail. Information from nomination forms also required to be transferred to a master document and this was not always accurate.

A significant number of nominations also needed to be amended as they were missing key information such as electoral numbers or the area in which the nominee wished to stand, despite guidance being available. The current process is a significant administrative exercise for the teams involved and the review will seek to streamline this process using digital technologies.

In February 2024, the Returning Officer piloted an online application form for the St Andrews Community Council election. The form was designed to ensure that all candidates are aware of the eligibility requirements and that all relevant information is gathered before the form can be submitted. The online form cannot be submitted if key information is missing.

Once submitted, the nomination is automatically date and time stamped and the candidate is sent an automatic acknowledgement that their nomination has been received by the Returning Officer. The initial feedback was that the form was easy to understand and complete and we intend to discuss any further improvements that we could make with the community council in due course.

If introduced, this will significantly reduce the possibility of errors occurring, as all information is gathered and stored in one data spreadsheet which can be used to draft statutory notices, candidate letters etc with no requirement to transfer data between systems.

Several nomination papers were also received after the deadline date which the Returning Officer could not accept. As with other statutory elections, the candidate is required to ensure that their nomination is in the hands of the Returning Officer by 4pm on the nomination deadline day. Nomination papers posted or received in the internal mail after the deadline cannot be accepted. The review will seek to clarify this within the Election Rules.

3.5 **Declaration of Acceptance process**

Improvements to the Declaration process will be introduced, including guidance to community councils on the need to provide a wet signature on the form. To assist, hard copies of the Declaration of Acceptance form will be provided to community council members for completion at the inaugural meetings.

3.6 **Inaugural Meetings**

Following feedback from the last round of community council elections, feedback highlighted that a consistent approach for chairing is required and that earlier communication with current community chairs is needed to ensure inaugural meetings are scheduled and advertised, prior to dissolution. To improve the process community councils should provide the Community Council Liaison Team with the date, time and venue of the inaugural meeting to allow an inaugural chair to be identified.

4.0 Conclusions

4.1   As a result of the feedback received and the introduction of a new Model Scheme and documents by the Improvement Service, it is considered appropriate to undertake a review of the current scheme and associated documents including the current Election Rules, before the next round of community council elections. There is capacity to commence this process in spring 2025.

4.2   The review will ensure that "the Scheme" and associated documents are fit for purpose and that any future scheduled elections are well run with efficient and effective processes in place both for potential candidates and the teams administering these elections.

4.3   As set out in Section 53 of the Local Government (Scotland) Act 1973, the council having regard to changing circumstances shall from time-to-time review schemes and approved under Section 52 of the Act. They shall give public notice of their proposals inviting any

community council concerned and the public to make representations in regard of the proposals.

4.4 The proposed timetable for the review and public consultation is contained in Appendix 1, The requirement to hold a UK Parliamentary election later this year has been considered while developing the timetable to ensure that sufficient resource is available to complete the review.

List of Appendices

1. Proposed timetable – Review of Fife Council Scheme for the Establishment of Community Councils in Fife

Background papers

Good Pratice Guidance for Community Councils and local authorities

Report Contacts

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Potential Draft Timetable – Review of Scheme for the Establishment for Community Councils in Fife

Date	Action
March 2025	Special meeting of Fife Council to recommend amending the existing scheme and make a new scheme for the establishment of community councils in Fife
March 2025	Publish public notice – 8 week consultation process
June 2025	Special Council meeting to consider suggestions from the first consultation period
June 2025	Publish public notice – 8 week consultation period
September 2025	Special Council meeting to consider suggestions to the draft amended scheme and agree final draft amended scheme for consultation
September 2025	Publish public notice of the Council's final draft amended scheme - 4 week notice period
December 2025	Special Council meeting to consider suggestions to the final draft amended scheme
January 2026	Publish public notice of the Council's amended scheme and invitation to electors to apply for establishment (where there is no community council currently in existence)

*all representations received will be published on the Council's website

13 June 2024

Agenda Item No. 8

Finance, Economy and Corporate Services Scrutiny Committee Workplan

Report by:	Eileen Rowand, Executive Director Finance and Corporate Services

Wards Affected:	All

Purpose

This report supports the Committee's consideration of the workplan for future meetings of the Committee.

Recommendation(s)

It is recommended that the Committee review the workplan and that members come forward with suggestions for areas of scrutiny.

Resource Implications

Committee should consider the resource implication for Council staff of any request for future reports.

Legal & Risk Implications

Committee should consider seeking inclusion of future items on the workplan by prioritising those which have the biggest impact and those which seek to deal with the highest level of risk.

Impact Assessment

None required for this paper.

Consultation

The purpose of the paper is to support the Committee's discussion and therefore no consultation is necessary.

1.0 Background

1.1 Each Scrutiny Committee operates a workplan which contains items that fall under three broad headings: performance reporting, planning and improvement work. These items will often lead to reactive rather than proactive scrutiny. Discussion on the workplan agenda item will afford members the opportunity to shape, as a committee, the agenda with future items of business it wishes to review in more detail.

2.0 Conclusions

2.1 The current workplan is included as Appendix one and should be reviewed by the committee to help inform scrutiny activity.

List of Appendices

1. Workplan

Background Papers

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:-

None

Report Contact

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Finance, Economy and Corporate Services Scrutiny Committee of 29 August 2024			
Title	**Service(s)**	**Contact(s)**	**Comments**
Asset Management Strategy 2023 – 2028	Property Services	Michael Ogorman	
Annual Health & Safety Report 2023-2024	Human Resources	Sharon McKenzie, Barbara Cooper	
Smart Place Approach - City of Dunfermline	Business and Employability	Morag Millar	
Forth Green Freeport Update Report	Business and Employability	Pamela Stevenson	
Management of Developer Obligation Funds	Planning	Mary J Stewart	
Opportunities Fife	Business and Employability	Gordon Mole, Morag Millar	
2023/24 - Revenue Monitoring Provisional outturn - Planning Service, Business and Employability Service	Finance and Corporate Services, Place	Ashleigh Allan	
2024/25 - Revenue Monitoring Projected outturn - Planning Service, Business and Employability Servic	Finance and Corporate Services, Place	Ashleigh Allan	
2023/24 Capital Monitoring Provisional Outturn - Business and Employability Service	Finance and Corporate Services, Place	Ashleigh Allan	
2024/25 - Capital Monitoring Projected outturn - Business and Employability Service	Finance and Corporate Services, Place	Ashleigh Allan	
2023/24 Revenue Monitoring Provisional Outturn - Finance and Corporate Services	Finance and Corporate Services	Tracy Hirst	

Finance, Economy and Corporate Services Scrutiny Committee of 29 August 2024

Title	Service(s)	Contact(s)	Comments
2024/25 Revenue Monitoring Projected Outturn - Finance and Corporate Services	Finance and Corporate Services	Tracy Hirst	
2023/24 Capital Monitoring Provisional Outturn - Finance and Corporate Services	Finance and Corporate Services	Tracy Hirst	
2024/25 Capital Monitoring Projected Outturn - Finance and Corporate Services	Finance and Corporate Services	Tracy Hirst	

Finance, Economy and Corporate Services Scrutiny Committee of 21 November 2024

Title	Service(s)	Contact(s)	Comments
Bad Debts 2023-2024	Finance and Corporate Services, Housing Services	Les Robertson, John Mills	
Business Gateway Fife Annual Report	Business and Employability	Pamela Stevenson	
Enterprise & Environment Directorate: Business and Employability and Planning Services Performance Report	Planning, Business and Employability	Gordon Mole, Pam Ewen	
Annual Report - Business and Employability: Service Performance Report	Business and Employability	Peter Corbett	
2023/24 Revenue Monitoring Projected Outturn - Planning Service, Business and Employability Service	Finance and Corporate Services, Place	Ashleigh Allan	
2023/24 Capital Monitoring Projected Outturn - Business and Employability Service	Finance and Corporate Services, Place	Ashleigh Allan	

Finance, Economy and Corporate Services Scrutiny Committee of 21 November 2024			
Title	**Service(s)**	**Contact(s)**	**Comments**
2023/24 Revenue Monitoring Projected Outturn - Finance and Corporate Services	Finance and Corporate Services	Tracy Hirst	
2023/24 Capital Monitoring Projected Outturn - Finance and Corporate Services	Finance and Corporate Services	Tracy Hirst	
'Evaluation of Fife's Employability Programme 2014- 2020 funded by ESF (European Social Fund)	Business and Employability	Morag Millar, Adam Dunkerley	

Finance, Economy and Corporate Services Scrutiny Committee of 30 January 2025			
Title	**Service(s)**	**Contact(s)**	**Comments**
Finance & Corporate Services Directorate Performance Report.	Finance and Corporate Services	Eileen Rowand	
Annual Procurement Report	Business and Employability	Caroline Macdonald	
Planning Performance Framework		Alastair Hamilton	

Finance, Economy and Corporate Services Scrutiny Committee of 27 March 2025			
Title	**Service(s)**	**Contact(s)**	**Comments**
Tay Cities Deal - Annual Report	Business and Employability	Morag Millar	
Annual Report - Edinburgh and South East Scotland City Region Deal	Business and Employability	Morag Millar	

Finance, Economy and Corporate Services Scrutiny Committee of 5 June 2025			
Title	**Service(s)**	**Contact(s)**	**Comments**
Attendance Management Update Report	Human Resources	Barbara Cooper, Sharon McKenzie	
Management of Developer Obligation Funds		Mary J Stewart	

Unallocated			
Title	**Service(s)**	**Contact(s)**	**Comments**
(Working group) on support and services for staff and elected members	Finance and Corporate Services	Lindsay Thomson	